

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, JULY 1, 2008, IN THE BOARD ROOM OF THE HISTORIC
COURTHOUSE, SALUDA, VIRGINIA:

Present: Kenneth W. Williams, Pinetop District
Robert A. Crump, Saluda District
John D. Miller, Jr., Saluda District
Wayne Jessie, Sr., Jamaica District
Fred S. Crittenden, Pinetop District

Charles M. Culley, Jr., County Administrator
Marcia Jones, Assistant Administrator
Michael T. Soberick, County Attorney

CALL TO ORDER

The Chairman, Mr. Williams, called the meeting to order. Mr. Williams led the group in prayer and Mr. Culley led the Pledge of Allegiance

MINUTES

The motion to approve the minutes from the meetings of June 3rd and June 17th was made by Mr. Crump, seconded by Mr. Miller and carried unanimously.

DISBURSEMENTS

The motion to approve the disbursements as presented was made by Mr. Miller seconded by Mr. Jessie and carried unanimously. Checks numbered 62064 through 62151 totaling \$235,303.44 were disbursed as approved.

CONSTITUTIONAL OFFICERS

Treasurer

Mrs. Bray commented that there was a 94% collection rate of the first half of real estate taxes. Her office is working on collecting delinquent taxes.

Commissioner of Revenue

Mrs. Davenport reported that Mr. Coalson has agreed to return at the end of the week to re-print the property cards.

Sheriff:

Sheriff Abbott informed the Board that his office had been involved along with state forces at a shooting in Water View that lasted for about five hours. The Department used a remote camera to assist with determining the location of the person involved.

HIGHWAY MATTERS

Resident Administrator, Marcie Parker, was present to represent the Highway Department. Mrs. Parker advised the Board that new regulations regarding entrances on Route 17 went into effect on this date, July 1. Private property owners are now required to obtain a permit and install their own entrance culverts. Each entrance will require a permit fee of \$55.00 and a \$1,000.00 bond.

The Board considered a request from Christ Church Parish to abandon Route 638. Board members expressed their approval of the request as long as a right of way is maintained to the property belonging to Mr. Estes. The motion to advertise for a public hearing to consider the request was made by Mr. Crump, seconded by Mr. Miller and carried unanimously.

Homeowners on Fairfield Road wish to have the speed limit reduced to 40 mph. Mrs. Parker noted that she would request a study.

COMMITTEE REPORTS

Board members presented their reports on committee activities. Mr. Jessie reported that Carlton Revere had been named as Chairman of the Planning District Commission. Mr. Culley reported that the storm water management plan for the Hummel Field hangar project is believed to be approved later in the week.

PLANNING DIRECTOR

Mr. Culley introduced Matt Walker new Planning Director for the County.

SCHOOL MATTERS

Superintendent Rusty Fairheart presented his reports for the Board:

School Resource Officer: The grant for a second School Resource Officer has been approved. Deputy Moon will take over at the High School and Deputy Burrell will move to the Middle School.

Light at Route 620: The permanent property easement and utility easement for installation of a stop light at Route 620 has been approved by the School Board.

High School Roof: A warranty inspection by a Firestone representative to issue a 20-year warranty for the roof will be scheduled soon. Completion of the project should occur in mid-July.

Engineering Work at Elementary School: The School Board has approved proceeding with necessary storm water management projects at the Elementary School.

Staff Positions: Mr. Fairheart announced that Mr. Rashard Wright has accepted the position of Assistant Superintendent and Mr. James Lane will be the principal at St. Clare Walker.

Appropriation Requests: Mr. Fairheart requested an appropriation of additional revenue from federal food reimbursement to be applied to food supply purchases. Mr. Fairheart also requested approval to transfer funds from the Instruction expense line to various operations and maintenance lines.

Mr. Crittenden expressed his opposition to the School Board not increasing the costs of out-of-division tuition costs. Mr. Fairheart noted that approximately \$50,000.00 is received in State ADM funding and tuition costs for the nine out-of-division students that attend Middlesex schools. He noted that educating these nine students does not require an additional teacher or transportation and utility costs would not decrease without them.

With regard to storm water management at the elementary school, Mr. Culley informed the Board that the County had informed the School Board representative supervising the school construction that the systems that were installed would not work. There was no cooperation from the representative. A plan to manage the stormwater will require approval from the Department of Conservation and Recreation.

Mr. Miller asked if consideration was being given to having a four-day school week. Mr. Fairheart stated that the State Board of Education was studying the concept and researching information from other states that do allow the shorter week.

Regarding the appropriation and transfer of funds that were requested, the motion to approve the requests was made by Mr. Miller, seconded by Mr. Crump and carried unanimously.

FROM: 3-072-031055-5000, \$6,145.49, School Food – Federal Reimbursement; TO: 4-072-065100-6002-900, \$6,145.49, Food Supply Purchases.

FROM: 4-071-068200-8110-900, \$12,892.63; 4-071-068200-5001-900, \$7,198.85 and 4-071-068200-6000-900, \$2,807.61; totaling \$22,899.09 TO: 4-071-064200-3320-900, \$4,764.72, Repair & Maintenance of Equipment; 4-071-064200-5102-900, \$17,073.42, Heating Oil; 041-071-064200-6007-900, \$1,060.95, Repair & Maintenance Supplies.

SOLID WASTE DISPOSAL AND EMERGENCY DEBRIS DISPOSAL CONTRACTS

Mr. Steve Geissler, Director of the Virginia Peninsulas Public Service Authority (VPPSA) was present to discuss the service agreements for solid waste disposal and emergency debris disposal services. Agreements for solid waste disposal have been negotiated by VPPSA on behalf of the counties of Essex, King William, Mathews and Middlesex and agreements have been approved by VPPSA with the three firms that submitted proposals: BFI Waste Systems of Virginia, LLC for use of the King and Queen Sanitary Landfill, Kerkim, Inc., for use of the SDI Transfer Station in New Kent County, and Waste Management Disposal Services of Virginia, Inc., for use of the Middle Peninsula Landfill and Recycling Facility (MPLRF) in Gloucester. For FY 08, the County used the MPLRF at a rate of \$23.00 per ton; for FY 09, the rate will be \$23.25 per ton.

Proposals were requested from companies to provide Debris Removal, Reduction and Disposal Services for Hurricanes and Other Disasters. A total of 12 proposals were received and reviewed by a committee representing the middle peninsula counties, peninsula cities, and VDOT. The review committee selected the following companies for award of contracts and the VPPSA Board of Directors approved agreements with all three firms: AshBritt, Inc., of Pompano Beach, FL, Crowder Gulf of Theodore, AL, and Phillips and Jordan, Inc. of Robbinsville, NC. The Service Agreement makes the services of all three contractors available to the County in the event that such services are needed. The County makes the sole determination to use the services, can choose to use any of the three contractors and is under no obligation to use any of these contractors in the event such services are needed.

The motion to approve both service agreements was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. Mr. Geissler informed the Board that VPPSA now has a number of agreements in place and is receiving significant revenue from the sale of recyclables. All of the revenue is being returned to the County through a reduction in the hauling costs. For FY 06, costs to the County were \$31,200; for FY 07, costs were \$35,700.00. It is expected that the total costs for the drop off recycling program for FY 08 will be \$23,200.00. For FY 09, it is estimated that the cost of the program will be approximately \$10,000.00 for the year. Mr. Geissler encouraged the Board to promote paper recycling, which is earning more than \$90.00 per ton for paper and cardboard.

RAYMOND BENSON

The motion to adopt the following resolution was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously:

Middlesex County, Virginia
Board of Supervisors

WHEREAS, RAYMOND BENSON has been a continuous member of the Middlesex Volunteer Rescue Squad since 1958; and

WHEREAS, MR. BENSON has generously given of his time, serving in various positions, from emergency responder to driver; and

WHEREAS, MR. BENSON has also donated his time and expertise as an electrical contractor to install the electrical system in the Squad Building and continues to provide building maintenance on the Building; and

WHEREAS, MR. BENSON is widely recognized throughout the County for his dependability and commitment to public service;

NOW, THEREFORE, BE IT RESOLVED, that the Middlesex County Board of Supervisors expresses to RAYMOND BENSON its recognition of dedicated service and sincere thanks and appreciation for his years of public service to the citizens of Middlesex County.

Adopted this 1st day of July, in the two thousand and eight year of our Lord.

METROCAST

William Newborg, Vice President of MetroCast was present to address some concerns of the Board regarding response time for outages. Mr. Culley commented that he had been advised that test signals are sometimes not coming in clearly, even with a converter box. This will be a concern in February 2009, when stations will no longer broadcast in analog.

RESOLUTION

The motion to support the following resolution regarding State Aid to the Commonwealth was made by Mr. Miller, seconded by Mr. Crump and carried unanimously:

CONTRACT TRANSFER

The motion to approve the transfer of a current contract with R. Stuart Royer for engineering services to Malcom Pirnie was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

APPROPRIATION REQUEST

The motion to approve the following appropriation request was made by Mr. Miller, seconded by Mr. Crump and carried unanimously:

FROM: 3-1-41060-0001 \$139,602.00 TO: 4-1-53150-5713 \$139,602.00 Additional funding required for Comprehensive Services.

OLD BUSINESS - REASSESSMENT

Bill Coalson of Tri-County Appraisals was present to discuss information provided by the County regarding inconsistencies and poor performance of his company regarding the recent reassessment and to request the balance due on his contract. Mr. Coalson stated that he had not received the list of concerns until late on June 26th and had not had time to prepare a response. Mr. Coalson did, however, state that he had expressed his willingness to meet with the Board of Equalization to address any questions or concerns during their hearings and was surprised to receive information questioning his performance. Mr. Coalson added that his repeated calls to the County Administrator had been ignored. Mr. Coalson presented information that the State's preliminary findings show that the County is assessed at 93.5%. In a quick study of 12 recent sales, from April 1 to June 9, 2008, all but two (2) properties sold for less than the current assessment.

Board members reminded Mr. Coalson that they had asked him to attend a previous meeting of the Board to address their concerns, however, he was unable to attend. Mr. Crump stated that as the vendor, Mr. Coalson should make it his business to see that the purchaser of services is happy. Mr. Culley stated that he had received several calls from Mr. Coalson and had not called him back promptly, after hearing from complaints from several citizens that Mr. Coalson had indicated that he would be calling them promptly after their hearings. Mr. Culley added that the letter of concerns was generated after he had spoken with Mr. Coalson's attorney.

Mr. Coalson stated that he would be running the property cards again for the Commissioner, although he believed that by running them one time he had fulfilled the obligation of his contract. The remaining payment would be held until the Board receives confirmation from the Commissioner of the Revenue that she is satisfied.

NEW BUSINESS – WATCH FOR CHILDREN

At the request of citizens in the LaGrange Creek Fork Estates area, the following resolution was adopted concerning a Watch for Children sign:

RESOLUTION

VIRGINIA DEPARTMENT OF TRANSPORTATION WATCH FOR CHILDREN SIGN – FORK CREEK LANE

WHEREAS, the citizens of LaGrange Creek Fork Estates have requested that a "Watch for Children" sign be installed to alert motorists of children playing nearby; and

WHEREAS, the Code of Virginia, §33.1-210.2 allows counties to submit requests for installation and maintenance of signs alerting motorists that children may be at play nearby; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Middlesex County, Virginia, hereby requests that a "Watch for Children" sign be installed at the intersection of Cedar Road, Route 1030 and Fork Creek Lane; and

BE IT FURTHER RESOLVED that funding for the installation of this sign should come from the secondary system construction allocation for Middlesex County and that maintenance of such sign shall be paid out of the secondary system maintenance allocation to the County.

ADJOURN

There being no further business, the motion to adjourn the meeting until July 15, 2008 was made by Mr. Miller, seconded by Mr. Crump and carried unanimously.

Kenneth W. Williams, Chairman
Board of Supervisors