

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, JUNE 3, 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. Jessie led the group in prayer and Mr. Culley led the Pledge of Allegiance

CONSTITUTIONAL OFFICERS

Treasurer

There were no questions for Mrs. Bray.

Commissioner of Revenue

Mrs. Davenport had no questions for the Board. Mr. Culley reminded Mrs. Davenport that the County was holding the final payment for Tri-County Appraisal and asked if there were outstanding issues that needed to be addressed by the firm. Mrs. Davenport informed the Board that Mr. Coalson would be re-printing the property cards within two weeks. Some issues with second homes missing from tax records were being addressed. Mr. Culley informed the Board that some citizens meeting with the Board of Equalization informed them that after their appeal to the assessor, some items were lowered on their assessment, but at the same time, an increase was made to other items, which caused the net value to be the same or in some cases higher. Citizens were also given the impression from the assessor that the County was looking for the firm to create certain values. Board members assured the public that that was not the case.

Sheriff:

Sheriff Abbott informed the Board that gas and vehicle expenses for his department had to increase due to the increase in the number of calls that they had to run – 88 for this past weekend. Mr. Crump asked what was being done to come up with a plan for fuel reduction. Mr. Williams suggested that during the day, one of the crossing guard vehicles could be left at the school. The Sheriff agreed that that was a

possibility, however, he is often able to use both crossing guards at night at a rate cheaper than regular deputies.

The Sheriff noted that he would not find out the status of the Resource Officer grant until June 15.

MINUTES

The motion to approve the minutes from the meetings of May 6th and May 20th was made by Mr. Miller, seconded by Mr. Crump 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 61793 through 61870 totaling \$108,845.89 were disbursed as approved.

HIGHWAY MATTERS

Assistant Resident Administrator, Joyce McGowan, was present to represent the Highway Department. Mrs. McGowan requested that the Board take action to add unpaved roads to the priority list before taking action on the secondary improvement plan. Estimates given for paving were based on paving to rural rustic road standards. There was only \$57,146.00 available for use over the next six years, a reduction of 61% over last year's allocation. Board members agreed to add Route T1027, Parkview Lane, estimated to cost \$15,000.00 and Route 679, Rocks Drive, estimated to cost \$60,000.00 for paving.

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

RESOLUTION

At a regular meeting of the Board of Supervisors of the County of Middlesex, held in the Historic Middlesex County Courthouse on June 3, 2008, at 9:00 a.m.

WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan,

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2008/09 through 2013/14) as well as the Construction Priority List (2008/09) on May 20, 2008 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List,

WHEREAS, Joyce McGowan, Assistant Residency Administrator, Virginia Department of Transportation, appeared before the board and recommended approval of the Six-Year Plan for Secondary Roads (2008/09 through 2013/14) and the Construction Priority List (2008/09) for Middlesex County,

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the Secondary Road System in Middlesex County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2008/09 through 2013/14) and Construction Priority List (2008/09) are hereby approved as presented at the public hearing.

The following additional items were discussed:

Turn lane at Middle School: This project should go to ad next fall.

Widen road on Wake Road: Board members requested that the road surface be widened from Barricks Mill to the Post Office.

Bike Path Project: This project is in the current 6-year primary road plan, however, there is no funding approved for FY 09. Mrs. Parker advised the Board that the Commonwealth's Transportation Board member representing Middlesex had voted against funding. This project is currently estimated at over five (5) million dollars and includes high cost items of moving utilities and right of way purchases.

Dirt Bridge Road: Mr. Crump reported that the pavement is separated in an area of the road.

Route 17 at Town Bridge Road: The request to extend the turn lane at this location is still being studied by Traffic Engineering. VDOT was encouraged to press for approval and funding.

Route 665: Mr. Crump requested additional crush and run be added to the gravel portion of this road. Mrs. McGowan noted that the department would be rehabilitating unpaved roads in July.

Montague Island Road: No response has been received regarding a speed study to consider lowering the speed limit near the end of the road.

There was no action by the Board on a resolution provided by the Virginia Association of Counties regarding consideration of special transportation funding being considered at a special legislative session. Mr. Miller noted that while this had been discussed at the recent VACo Region 2 meeting, he did not believe that this funding stream would help rural counties.

COMMITTEE REPORTS

Board members presented their reports on committee activities. Members commented on recent trips to waste water treatments facilities at Dawn and Dinwiddie. Mr. Crump commented that he would not consider the Dawn facility to be a central sewage system. Board members were impressed with the Dinwiddie plant and discharge, which was cleaner than the receiving stream. There was also no odor at the Dinwiddie plant.

Regarding the Airport, Mr. Culley commented that he is attempting to get the power for the hangars routed to a location that will not interfere with the proposed retaining pond. Some changes are being made to the retaining pond plan to address comments by the Department of Conservation and Recreation, the reviewing authority.

Mr. Williams commented that he had attended the award ceremony for Mr. Crittenden who received the 2008 State Friend of Extension award from the Virginia Cooperative Extension Service.

SCHOOL MATTERS

Superintendent Rusty Fairheart presented his reports for the Board:

Mr. Fairheart presented some of the plans he and his staff are working on to reduce expenses, including condensing bus routes, eliminating a bus and driver from next year's schedule; compressing summer school into three days per week from four; compressing the summer work schedule to four days per week, controlling heating and air conditioning for the middle and high schools from the central office, and leaving work vehicles at work, rather than driving them home. Mr. Williams also noted that lights were being left on both inside and outside of school buildings when no one was present. Members also questioned if a four-day school week was being considered. Mr. Fairheart noted that he had been to several discussions on the issue, and that while there were no schools in the state that were using the shortened week, it was being studied.

Kidd Building: Board members discussed use of the Kidd Building by the School Board, including who would be responsible for building maintenance. The motion to allow use of the building by the school system, with the County providing maintenance to major systems – heating and air conditioning, and the school system providing minor maintenance and cleaning services was made by Mr. Crump, seconded by Mr. Miller and carried unanimously. Mr. Fairheart commented that he hoped to be able to coordinate a move to the new facility with an upgrade to their computer systems. Use of the Kidd building would eliminate the need for the current storage building. Demolition of this building will be considered at a later date, after prices are obtained for its demolition.

BAY AGING

The motion to approve the following resolution in support of grant funding for Phase 3 of the Port Town Urbanna apartments was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously:

RESOLUTION
BAY AGING
Section 202-Elderly Apartments

WHEREAS, *Bay Aging is submitting an application to the U. S. Department of Housing and Urban Development Section 202 Supportive Housing for the Elderly Program for the purpose of building and operating up to 12 apartments (Port Town Village Phase III), in Middlesex County, Virginia, for persons age 62 years of age or older: and*

WHEREAS, *studies have substantiated the need for such housing in Middlesex County; and*

WHEREAS, *housing of this type will have a substantial positive impact upon the housing needs of the community; and*

WHEREAS, *it is a goal of the Middlesex Board of Supervisors to assure an adequate supply of affordable, appropriate housing for all citizens of the County.*

NOW, THEREFORE, BE IT RESOLVED *that the Middlesex County Board of Supervisors hereby endorses the application of Bay Aging for funding through the U.S. Department of Housing and Urban Development Section 202 Supportive Housing for the Elderly Program.*

PROJECT LIFESAVER

Mr. Jack Fackler requested the Board's support for Project Lifesaver, a program that provides a tracking device for tracking wrist transmitters worn by potential wanderers. The equipment and methods of tracking can usually locate a wanderer within thirty minutes. The cost to the County is \$7,680.00, less a \$2,080.00 grant, or \$5,600.00 for two transmitters. The cost to a user family is \$300.00 for the original wrist transmitter and \$8.75 per month for replacement batteries. Tammy Ellis of the Sheriff's Department stated that she and her husband, Lt. Jim Ellis, had recently become certified to work with dementia and Alzheimer's patients. In the past three years, there had been 13 search and rescue missions to search for a wanderer, which involved different local and state agencies, at a high cost for equipment and manpower. Lt. Ellis and Mr. Cloyd Wiley also spoke in support of the program.

Board members spoke in support of the program. The motion to approve participation in the program, including appropriating the funds for the purchase of the equipment was made by Mr. Crump, seconded by Mr. Crittenden and carried unanimously.

APPROPRIATION REQUESTS

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

FROM: 3-1-24040-0009 \$8699.08 TO: 4-1-32030-5604, \$4,349.54 and 4-1-32030-5605, \$4,349.54. Four-for-Life funds distributed to Middlesex and Central Middlesex Volunteer Rescue Squad.

FROM: 3-1-12080-0007 \$6,848.00 and 3-1-41060-0001 \$3,419.00 TO: 4-1-10020-3004 for fueling system/card reader at the airport.

FROM: 3-1-41060-0001 \$11,903.00 TO: 4-1-10020-7005 \$11,903.00 for paving project at the airport.

FROM: 3-1-41060-0001 \$1,500.00 TO: 4-1-21020-5203 \$1,500.00 Polycom Soundstation (extra telephone) installed for General District Court.

FROM: 3-1-41060-0001 \$18,000.00 TO: 4-1-43020-5101 \$18,000.00 Additional appropriation for electricity.

FROM: 3-1-41060-001 \$6,000.00 TO: 4-1-43020-5408 \$6,000.00 Additional appropriation for fuel.

FROM: 3-1-41060-0001 \$39,000.00 TO: 4-1-43020-7002 \$39,000.00 Additional furniture purchased for the new courthouse.

FROM: 3-1-41060-0001 \$6,000.00 TO: 4-1-43020-3005 \$6,000.00 Additional funding for maintenance service contracts.

FROM: 3-1-41060-0001 \$1,000.00 TO: 4-1-43020-3004 \$1,000.00 Roll from last year for remainder of generator payment.

FROM: 3-1-41060-0001 \$33,360.00 TO: 4-1-21020-3005 \$33,360.00 Additional funding needed for non-secure detention.

FROM: 3-1-41060-0001 \$50,350.00 TO: 4-1-21050-3005 \$50,350.00 Additional funding for detention costs.

FROM: 3-1-16060-0002 \$4,691.00 TO: 4-1-35010-1003 \$4,691.00 Transfer of funds received for boarding dogs from Essex applied to part time compensation for additional cleaning costs.

FROM: 3-1-41060-0001 \$2,000.00 TO: 4-1-35010-5408 \$2,000.00 Additional fuel costs for Animal Control

FROM: 3-1-41060-0001 \$86,997.00 TO: 4-1-53150-5713 \$86,997.00 Additional funding required for Comprehensive Services.

FROM: 3-1-23020-0050 \$110.00 TO: 4-1-31020-5412 \$110.00 Transfer of funds collected from Social Services for Sheriff's Live Scan fees.

FROM: 3-1-23020-0048 \$214.44 TO: 4-1-31020-5503 \$214.44 Transfer of reimbursement received from the Virginia Sheriff's Institute.

For the FY-09 Budget:

FROM: 3-1-41060-0001 \$19,104.00 TO: 4-1-32030-5604 \$9,552.00 and 4-1-32030-5605 \$9,552.00.
Amount needed to increase the appropriation to an increase of 33.55% for each squad.

VMRC APPOINTMENT

Russell Garrison requested the Board's endorsement of his application for appointment to the Virginia Marine Resources Commission. The motion to send a letter of support to the Secretary of the Commonwealth was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously.

OLD BUSINESS

The motion to release the check to the RBA Group which was held at the last meeting was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously.

NEW BUSINESS

NO SHOOTING

Mr. Crittenden commented that he had been contacted by some citizens who are interested in having an ordinance opposing the firing of weapons in the Lucy's Cove, Providence, and Bland Point areas of the County. Mr. Crittenden had informed the citizens that they should submit a petition to the Board and include a well defined area with recognizable areas.

LEUKEMIA REGATTA CUP

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

RESOLUTION

WHEREAS, the Annual Leukemia Cup Regatta has been based in Deltaville since 2000 and will be hosted again this year by the Fishing Bay Yacht Club and Stingray Harbour Yacht Club; and

WHEREAS, in 2007, the Southern Chesapeake Leukemia Cup Regatta Series was the recipient of the Third Highest Net Income Award out of 43 regattas held throughout the country, surpassed only by those held in San Francisco and Chicago; and

WHEREAS, since its inception, the Southern Bay Leukemia Cup has raised over \$1.5 million to support patients with blood cancers;

NOW, THEREFORE, BE IT RESOLVED, that Judy Buis of Mathews County and Carolyn Schmalenberger are recognized as the co-chairs of the Regatta;

BE IT FURTHER RESOLVED that the Middlesex County Board of Supervisors recognizes these women for their significant contributions and untold hours of selfless work for such a deserving cost.

Raymond Benson

The motion to draft a resolution honoring Raymond Benson as one of the original members of the Middlesex Volunteer Rescue Squad was made by Mr. Crump, seconded by Mr. Crittenden and carried unanimously.

APPOINTMENTS

No action was taken on the upcoming appointments that need to be made.

CLOSED MEETING

The motion to meet in Closed Session for a discussion of personnel, pursuant to §2.2-3711.A1, and for consultation with legal council for an update on the John Moore v. BZA case, pursuant to §2.2-3711.A7 was made by Mr. Miller, seconded by Mr. Crump and carried unanimously. Upon reconvening in open session, the following motion was made by Mr. Miller, s econded by Mr. Crump and carried unanimously:

- To the best of the members' knowledge only public business matters lawfully exempted from open meeting requirements under Code of Virginia §2.2--3711.A1 and §2.2-3711.A7and as identified in the motion by which the Closed Meeting convened were heard, discussed, or considered by the public body.

Action:

There was no action as a result of the closed meeting.

ADJOURN

There being no further business, the motion to adjourn the meeting until June 17, 2008 was made by Mr. Miller, seconded by Mr. Crump and carried unanimously.

Kenneth W. Williams, Chairman
Board of Supervisors