

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, MARCH 4, 2008, IN THE BOARD ROOM OF THE  
WOODWARD BUILDING, 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 and gave a prayer. Mr. Culley led the group in the Pledge of Allegiance

**MINUTES**

The motion to approve the minutes from the meetings of February 5<sup>th</sup> and February 19<sup>th</sup> with one correction 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. Crump seconded by Mr. Jessie and carried unanimously. Checks numbered 61014 through 61133 totaling \$135,713.80 were disbursed as approved.

**CONSTITUTIONAL OFFICERS**

**Treasurer**

Mrs. Bray noted that the number of dog tags sold had increased. Vets are required to send the Treasurer a notice of rabies vaccination. The Treasurer waits 90 days before sending a letter to the owner with notification that they need to purchase the dog license.

**Commissioner of Revenue**

There were no questions for Mrs. Davenport.

## **LITTLE LEAGUE**

Don Harris was present representing the Middlesex Little League in a request that the Board of Supervisors consider adopting an ordinance allowing certain groups to be exempted from some of the Health Department regulations regarding food service. Currently food concession stands at sporting events are required to meet the same regulations as restaurants. Groups would still be required to meet food safety requirements. The motion to advertise a public hearing for discussion of the proposed ordinance was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously.

## **CONSTITUTIONAL OFFICERS con't**

### ***Sheriff:***

The Sheriff informed the Board that he had made application to the State for funding for an additional school resource officer. It would be up to the Board of Supervisors to include the matching funds in the Sheriff's budget.

## **HIGHWAY MATTERS**

There was no one present to represent the Highway Department. Mr. Williams suggested that Mr. Miller, Mr. Crump and Mr. Jessie look at the list of unpaved roads that could be considered for paving in the next year and present a recommendation at the next meeting.

## **SCHOOL MATTERS**

Superintendent Rusty Fairheart was present and issued the following reports: attendance is at 1251; projected enrollment for the year was 1305, which was built on the spring 2007 enrollment of 1307. Preliminary results of SOL testing at the High School indicate the following overall pass rates: 86% in English; 92% in Math; 89% in Science; and 98% in History. The High School roof project is running about two weeks behind, however, it should be finished with the time frame. The delay is a result of rejected and insufficient submittals and approval of materials that are in accordance with plans and specifications. There is also a discrepancy in dimensions between the plans and the actual roof. The firm, Progress Engineers, has begun work to include assessment and evaluating the nature and extent of erosion problems at MES and SCW along with identifying possible corrective actions. A report should be available within 35-40 days. The School Board would request that a joint meeting be held with the Board of Supervisors to discuss their proposed budget.

Appropriations: The motion to approve the following appropriation to cover the increase in heating oil to finish out the year was made by Mr. Crump, seconded by Mr.

Jessie and carried unanimously: FROM: 3-1--41060-0001, General Fund, \$75,000.00  
TO: 4-071-64200-5102-900.

### **COMMITTEE REPORTS**

Board members presented their reports of individual committee meetings.

### **HANDS ACROSS MIDDLESEX - RACHEL BRIDGER**

Mrs. Bridger gave a presentation to the Board regarding the work of Hands Across Middlesex, their fundraising efforts and need for more volunteers and clothing/furniture barn. Their current campaign is to raise \$100,000.00. A benefit dinner is being held on March 29<sup>th</sup>, at Bethpage Campground. A contribution in the amount of \$10,000.00 was requested from the Board of Supervisors along with being included in the regular budget. No action was taken on the request at this time.

### **FINANCIAL SERVICES AGREEMENT**

The motion to enter an agreement with Davenport and Company to provide financial services per project, as needed, was made by Mr. Crump, seconded by Mr. Miller and carried unanimously.

### **APPROPRIATION REQUESTS**

The following appropriations were considered and approved by unanimous vote:

FROM: 3-1-41060-0001, Fund Balance, \$109,933.00 TO: 4-49-10010-7010, Capital Projects – Hangar Project. Appropriation of funds received from timber sale (\$48,833) and land (\$61,100) to finance hangar construction project. Motion by Mr. Crump, second by Mr. Jessie.

FROM: 3-1-24040-0012, Fire Department Mini Grant, \$9,856.00 TO: 4-1-32010-5610, Fire Department. These funds will be used by UMVFD to purchase equipment. Motion by Mr. Miller, second by Mr. Crump.

FROM: 3-1-24040-0900, E911 Wireless Grant \$10,892.00 TO: 4-1-31020-1009, Part Time Dispatch Compensation. Appropriation of remaining portion of \$30,000.00 wireless grant funds that can only be used for dispatch. Motion by Mr. Jessie, second by Mr. Crump.

FROM: 3-1-23020-0012, Town's Service Agreement, \$1,443.00 TO: 4-1-31010-1001, Town Police Compensation. Additional funds received from the Town for police services. Motion by Mr. Miller, seconded by Mr. Crump and carried unanimously.

FROM: 3-1-24040-0030, DMV – Abandoned Vehicles, \$2,400.00 TO: 4-1-81040-5412, Abandoned Vehicles. Appropriation of the portion of funds received from the State’s Abandoned Vehicle Program for vehicles demolished by Middlesex Metals. Motion by Mr. Miller second by Mr. Crump

FROM: 3-1-24040-0009, Two for Life Funds, \$12,058.00 TO: 4-1-32030-5604, Central Middlesex Vol. Rescue and 4-1-32030-5605, Middlesex Vol. Rescue. Appropriation of funds received from the State. Motion by Mr. Crump second by Mr. Miller

FROM: 3-1-12080-0007, Airport Grants, \$4,000.00 TO: 4-1-10020-3002, Airport Professional Services. Appropriation of funding received from the State for the south-end obstruction survey. Motion by Mr. Crump, second by Mr. Miller.

FROM: 3-1-12080-0003, Airport Fuel, \$100,000.00 TO: 4-1-10020-3012, Airport Fuel. Fuel purchases and sales have exceeded our budgeted amounts. Motion by Mr. Crump, second by Mr. Jessie.

### **STREET NAME**

The motion to approve a street name request of Go Away Lane for a private road in Hartfield was made by Mr. Miller, seconded by Mr. Crump and carried unanimously.

### **HANGAR PROJECT**

Mr. Culley updated the Board on the hangar project. There have been recent problems with siltation in a pond on adjoining property. Mr. Culley noted that he did not believe that the siltation in the pond is being caused by the County project. He noted that there may be more water leaving the site, however, a catch basin and check dams are in place. Drainage from the site will improve as vegetation grows back. It was noted that there were no erosion controls on recently cleared property next to the pond, which could be another site of runoff.

Ken McMullan, pond owner, presented a letter to the Board of Supervisors, addressing his concerns with the current sediment and erosion plan, increased amounts of water runoff that may breach the dam of his pond and also possible toxins from the fuel farm and fiberglass company being directed ultimately into his pond. According to Mr. McMullan, the catch basin, ditch and culvert were put into place after the foundation work on the building had begun. Mr. McMullan also stated that it was his belief that the current plan has caused and creates the probability of causing damage to his property as set forth in 10.1-569 subsection C of the Virginia Erosion and Sediment Control Laws.

Mary Mercer commented that she and her husband owned the recently cleared property. Mrs. Mercer expressed concern that their private well as located 97 feet from the sediment basin.

No action was taken by the Board on Mr. McMullan's letter.

### **CLOSED MEETING**

The motion to meet in Closed Session for consultation with legal counsel regarding potential litigation, pursuant to §2.2-3711.A7, was made by Mr. Jessie, seconded by Mr. Crump and carried unanimously. Upon reconvening in open session, the following motion was made by Mr. Miller, seconded 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.A7 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 taken as a result of the closed session.

### **RESOLUTION – DOG HUNTING**

Mr. Crittenden requested the Board's consideration of a resolution in support of dog hunting in the County. The motion to adopt the following resolution was made by Mr. Crump, seconded by Mr. Crittenden and carried unanimously:

### **BUDGET REQUESTS**

Representatives from the Tidewater Soil and Water Conservation District, Commonwealths Attorney Office, Middlesex Library and Gloucester-Mathews Animal Shelter were present to make requests for additional funding from the County's FY 09 budget.

### **REASSESSMENT**

The motion to request that the assessors extend their hearings for ten (10) working days if necessary was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously.

**BROAD CREEK DREDGING**

Mr. Culley noted that he is still awaiting revised numbers from the Army Corps of Engineers for dredging Broad Creek.

**RAPPAHANNOCK CENTRAL ELEMENTARY**

Mr. Miller commented that the School Board has mentioned that they would like to move the technology and transportation departments to the library building of Rappahannock Central Elementary. This building has not been used since it was vacated by St. Joseph's Villa – Bayside Academy.

**COMMISSIONER OF THE REVENUE**

Board members commented that whoever the Commissioner used to do new construction assessment needed to use their private vehicle and the vehicle should be marked to identify them as working for the Commissioner.

**RECESS**

There being no further business, the motion to recess the meeting until Thursday, March 13, 2008, at 1:30 p.m., for a budget work session, was made by Mr. Miller, seconded by Mr. Crump and carried unanimously.

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Kenneth W. Williams, Chairman  
Board of Supervisors