

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, JULY 7, 2009, IN THE BOARD ROOM OF THE HISTORIC
COURTHOUSE, SALUDA, VIRGINIA:

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

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

CALL TO ORDER

The Chairman, Mr. Crump, called the meeting to order. Mr. Jessie led the group in prayer; Mr. Culley led the Pledge of Allegiance.

MINUTES

Mr. Miller noted that the June 16th meeting was adjourned, not recessed. The motion to approve the minutes from the meetings of June 2nd, as corrected, and June 16th was made by Mr. Miller, seconded by Mr. Williams and carried unanimously.

CONSTITUTIONAL OFFICERS

Sheriff

There was no one present to represent the Sheriff. Action on one item included in the Board's packet was taken later in the meeting.

Treasurer

Betty Bray, Treasurer, reported that collections were still coming in. She noted that with regard to delinquent collections, she did not believe running an advertisement of delinquent taxpayers was worth the expense.

Commissioner of Revenue

Mrs. Davenport, Commissioner, was present, with nothing to report. Mr. Crittenden asked about Business License collections and commented that a constituent had informed him of several citizens that had not purchased business licenses. With regard to collections, Mrs. Davenport reported that most of the

businesses reporting last year had renewed their permits; there were several that had gone out of business. Mrs. Jones noted that collections were down.

HIGHWAY MATTERS

Marcie Parker was present from the Highway Department.

Route 33/620 project: The contract for this project has been awarded to the number two contractor and has been delayed. Construction will start sometime in July and be completed by September 30, with the signal installed by Christmas

Route 708, Fairfield Road: In response to a citizen complaint, a speed limit sign has been moved back; erosion at the end of the road will continue to be monitored.

Mowing: mowing will be done again in July/August unless site distance is a problem at specific locations.

Route 619: A speed and safety study is being conducted. More shoulder and ditch work is planned later in the year. Some pothole patching has been done.

Mr. Lewis Briggs reported that the road continues to be hazardous to travel and that he will continue to report to the Board until improvements are made. He reported that the opening of an animal farm on Route 619 has created additional problems with traffic stopping in the road and also smells from the farm.

Mr. Brown Wood commented that the people on Healy's Road feel like they have been left out and the road conditions should have been monitored from the beginning of the Route 629 road closure; conditions have become much worse since then. Mr. Wood noted that the road flooding on Route 620 should be considered during the safety study, as it would be a problem if people on Route 619 needed to seek emergency shelter at the elementary school. Mr. Wood noted that he had other items that he would like to address with the Board at their next meeting. Mr. Crump encouraged Mr. Wood to come to the meeting.

Route 626, Watch for Children Sign: The motion to approve a request for a Watch for Children sign to be placed on Route 626 was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

RESOLUTION
VIRGINIA DEPARTMENT OF TRANSPORTATION
WATCH FOR CHILDREN SIGNS – CARLTON ROAD, ROUTE 626

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

WHEREAS, citizens along State Route 626 have requested that a "Watch for Children" sign be installed to alert motorists of children playing nearby;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Middlesex County, Virginia, hereby requests that a "Watch for Children" signs be installed at the following location: approximately 400 feet from the intersection of Carlton Road and Wake Road; 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.

SCHOOL MATTERS

Mr. Fairheart requested action by the Board on an appropriation and budget transfer.

The motion to approve the following appropriation was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously: FROM: 3-072-031055-5000, \$27,654.00, School Food – Federal Reimbursement, TO: 4-072-65100-6002-900, \$27,654.00, Food Supply Purchases. This is an in-and-out appropriation of revenues received to cover expenditures.

The motion to approve the following transfer of unexpended budget expense funds to cover over expenditures in electric and heating oil was made by Mr. Williams, seconded by Mr. Miller and carried unanimously: FROM: 4-071-061310-9999-900-100, (\$23,335.49), Instruction; 4-071-062120-5800-900, (\$31,972.54), Miscellaneous; 4-071-063200-1170-900, (\$3,906.97), Bus Driver Salaries; 4-071-068200-8100-900, (\$17,826.15), Capital Outlay Replacement; 4-071-068200-8100-900, (\$6,721.39), Technology Hardware Replacement TO: 4-071-064200-5101-900, \$68,084.80, Electrical Services and 4-071-064200-5102-900, \$15,677.74, Heating Oil

RED CROSS CONTRIBUTION

The motion to approve a donation of \$250.00 for a Red Cross fundraising event was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously.

REQUEST TO WAIVE FEES

The motion to waive any fees associated with the repair work being performed by the Mid-Tidewater Baptist Association, Impact Mathews group, was made by Mr. Jessie, seconded by Crittenden and carried unanimously.

COMMITTEE REPORTS

Board members presented their reports on committee activities. Discussions included the possibility of switching from an administrative board to an advisory board for the department of social services. It was requested that Mr. Culley put together a report estimating the amount of time County staff would be involved with the conversion and administration.

Representatives from surrounding counties are involved in the regional reassessment project and several counties are interested in pursuing the project, noting that while it may be more expensive, it should also provide a better, more consistent product.

Mr. Miller commented on the land applied waste water treatment facility in Westmoreland. Mr. Miller noted that land application involves additional storage and farming issues.

DISBURSEMENTS

The motion to approve the disbursements as presented was made by Mr. Miller seconded by Mr. Jessie and carried unanimously. Checks numbered 65118 through 65188 totaling \$54,478.67 for the year ending June 30th and checks numbered 65189 through 65252 totaling 191,147.17 for the month of July were disbursed as approved.

PLANNING DISTRICT COMMISSION

Mr. Crittenden expressed his opposition to the Planning District Commission granting incentive bonus when a majority, if not all, middle peninsula counties are not giving salary increases. Mr. Jessie and Mr. Crump explained that the policy for incentive pay was adopted in 2000. Mr. Jessie noted that he had approved the budget with the increases because their funding is mainly grant based and because the Commission had reduced its county request from \$10,000.00 to \$5,000.00. Mr. Crittenden noted that he was disappointed that the Board's representatives to the PDC had not brought this item to the attention of the full board. Mr. Crump noted that while he had seconded the motion to approve the PDC budget, he had also seconded a motion to have the incentive pay held this year. This motion was defeated and the budget was approved as presented.

SHERIFF CREDIT CARD

Effective July 1, the Sheriff assumed the responsibility for all transportation and extradition of prisoners; this duty was previously handled by the regional jail. The Sheriff has requested that a credit card be issued to Deputy Nelson P. Bishop, Transportation Officer, who will be in charge of all extradition. The Sheriff proposed the following policy for use of the credit card. The motion to authorize issuance and use of a credit card by Deputy Bishop according to the following policy was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously:

Extradition Expense Rules and Requirements

1. All arrangements for travel and transportation of prisoners will require a Transportation Order from Middlesex County Courts.
2. Deputy N. P. Bishop will approve all arrangements.
3. A letter of authorization will be provided to one of the deputies for use of the county credit card during required trips. This card will ONLY be used for prisoner extradition expenses.

4. Receipts for all charges during travel will be turned in to Deputy Bishop no later than three business days after the return to Middlesex County.
5. The receipts required will be all travel, hotel, rental cars, and food for the deputies and prisoner. A \$30.00 per diem will be allowed for meals for each deputy and prisoner.
6. An accounting form for these expenses will be provided for each trip and will be turned in to the County Administrator's Office no later than two days after receiving receipts from the deputies.
7. All rental cars will use county insurance coverage so there will be no additional rental car insurance required.

FAIRFIELD LANDING ROAD

Mr. John Fleet commented on the longstanding problems of Route 708 and Fairfield Landing. He noted that this public landing is still used by a few commercial fishermen; however, the road has no shoulders and no turnarounds. Citizens use his or neighbor's yards to turn around. There have been some problems with loitering and lack of restroom facilities. Mr. Fleet noted that he had sent a letter to VDOT several years ago that included a proposal for an alternate plan for use of the landing, but has not received a response. Mr. Crump advised Mr. Fleet of the action mentioned earlier in the morning by VDOT.

SPORTS COMPLEX

Mr. Fleet commented that after 15 years there were some big maintenance items that needed to be addressed at the Complex, including replacing some fence and consideration of additional concession stands and restroom facilities. Mr. Fleet encouraged the Board to attend State Championship baseball competitions to be held at the Complex.

CLOSED SESSION

The motion to convene in closed session for consultation with legal counsel, pursuant to Code of Virginia, §2.2-3711.A7, was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously. Upon reconvening in open session, the following motion was made by Mr. Miller, seconded by Mr. Jessie 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 Meeting.

OLD/NEW BUSINESS

Mr. Soberick commented that the Commonwealth Attorney had contacted him and explained that there were additional charges, other than the driving under the influence charge, pending against an inmate discussed at the day meeting. If the judge does not grant an appeal that has been filed, then Mr. Hurd will probably not be pursuing the additional charges and the prisoner will be sent to a state facility. He wanted to assure the Board that he was conscious of the costs involved with keeping a prisoner in the local facility.

Mrs. Jones reminded the Board that an RSVP was needed for the Northern Neck Farm Museum event sponsored by the Tidewater Soil and Water Conservation District and scheduled for July 28th.

A motion was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously to require that all agencies receiving contributions from the County be required to submit an audit of their accounts prepared by a licensed accountant. The audits are to be received prior to the issuance of any additional funds.

SOCIAL SERVICES

Discussion continued regarding the possibility of changing from an administrative board to an advisory board for the department of social services and whether the change should be made prior to a new director taking office. Mr. Miller commented that he was willing to wait until the night meeting to make a decision.

CLOSED SESSION

The motion to convene in closed session for discussion of personnel, pursuant to Code of Virginia, §2.2-3711.A1, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. Upon reconvening in open session, the following motion was made by Mr. Williams, seconded by Mr. Jessie 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 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 Meeting.

ADJOURN

There being no further business, the motion to adjourn the meeting until July 21, 2009 was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

Robert A. Crump, Chairman
Board of Supervisors