

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, OCTOBER 6, 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. Crittenden led the group in prayer; Mr. Culley led the Pledge of Allegiance.

**MINUTES**

The motion to approve the minutes from the meetings of September 1<sup>st</sup> and September 15<sup>th</sup> was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

**CONSTITUTIONAL OFFICERS**

**Sheriff**

Mr. Culley presented an accounting of the Sheriff's budget since FY 07, showing total budgets, including appropriations, and expenditures. Many of the line numbers showed over-expenditures, especially with regard to vehicle repairs and gasoline. With regard to the current budget, \$26,000 of the \$65,000 gas budget has been spent, leaving \$38,000 for the remainder of the year. The vehicle repair line has \$19,000 remaining of a total \$32,000 budgeted. Following this trend, Mrs. Jones anticipates the sheriff will run out of funds by February. It was noted also that 90% of the special events compensation budget has been spent, with \$800.00 remaining. The Sheriff indicated that his tickets and arrests contribute to County revenue and that he has grants that cover some of the expenses of his department. He indicated that he is doing all that he can do to conserve funding, but he still has to protect the people.

The Sheriff commented that he has been confused as to what the Board wants him to do. At one meeting, he said that the Board praised him for using other resources for vehicle repair and then at a later meeting the Board disallowed this and mandated that vehicles be repaired at repair shops. Mr. Wayne Kidd stated that he

volunteers his time to install radios and lighting and does some vehicle repairs. He has an Emergency Vehicle Technician (EVT) certification, a higher certification than the ASE certification required by the County policy. The Sheriff added that when the Board compares his budget to that of other counties, it is not comparing apples to apples. He noted that other counties did not have the older vehicles that his department drives, they did not have the summer population that he has to deal with, and they did not make the number of arrests or have the number of prisoner in the local jail that he has. The Sheriff noted that he would be bringing additional information to the Board at future meetings.

### Treasurer

Betty Bray, Treasurer, reported that personal property and real estate bills have gone out and are due by December 5<sup>th</sup>. On the first day, \$74,000 was collected. If this rate continues over the next two week period then the fund balance will be in good shape for sending out payroll and paying bills that have to be paid. If, however, collections are down, the Board will need to consider a short term loan option of \$200,000 - \$300,000. The Bank of Lancaster has offered a loan with an interest rate of 2.94%. Mr. Culley explained that back during budget preparation time in April, the County had average expenditures of \$1.8-1.9 million per month. In preparing the budget, revenue was reduced by 20% and expenditures by 7% to reduce proposed expenditures to \$1.7 million. However, in April, May and June, 2008, expenditures were over the average, in two months averaging \$2 million and in another month, \$2.3 million. These expenditures, along with expenses in preparation for the new school year have put a big cut in available funds.

Mr. Jessie suggested being proactive by going ahead and authorizing the borrowing if needed, rather than coming back for a special meeting to approve it. Other Board members suggested that they were more comfortable with waiting and announced that they would be available for a called meeting should the need arise.

### Commissioner of Revenue

Mrs. Davenport, Commissioner, was present and reported that \$14,000 in supplements for new construction would be entered, with a total of \$20,000 expected for the year. She had projected that \$50,000 would be received in revenue.

## HIGHWAY MATTERS

Marcie Parker was present from the Highway Department and reported on several projects. Mrs. Parker anticipates that there will be some funds remaining from the Park View Lane project that could be applied to another rustic road construction project.

**Route 652 and North End Road:** Mr. Crittenden requested that the grass be cut back at the corner of Route 652 and on North End Road to improve site distance.

**Route 630, Stampers Bay:** Mr. Williams asked that the beaver problem on this road be addressed. Mr. Lowe of VDOT advised the Board that a representative from the Department of Agriculture was working on the problem and he believed that there was only one more beaver that needed to be relocated.

**Golf Carts:** Mr. Miller commented that he had been contacted by citizens wishing to use their golf carts on several secondary roads, Route 699, 663 and 646. Mrs. Parker explained that some of these roads have 25 mph signs posted and some are not posted at all, however, only Route 646 has been approved for a 25 mph zone. The Board requested speed studies on these three roads and also included Route 694 in the request. Roads must have a 25 mph speed limit before being considered for use by golf carts.

### **SCHOOL MATTERS**

Mr. Fairheart reported a current enrollment of 1225 as of September 30. He noted that the thru-wall flashing project at the high school is complete and school employees will be completing the septic project at the middle school in the next few weeks. School officials are also working with Health Department officials to create a memo of agreement for distribution of the H1N1 vaccine to students.

#### ***Appropriation Requests:***

Action on an appropriation for the Adult Education program would be held until the night meeting. Middlesex County has taken over being the fiscal agent for this program. Action was also delayed on a request to roll funds remaining from a technology grant, to insure that those funds had been accounted for.

The motion to approve the appropriation of textbook funds remaining at the close of the 08/09 school year into the 2009/2010 budget was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously: FROM: 3-1-41060-0001, \$269,576.00, TO: 4-073-061100-6020-200-100, Textbooks – Elementary School \$134,788.00; and 4-073-061100-6020-310-100, Textbooks – Secondary School, \$134,788.00.

The motion to approve the appropriation of funds received from an insurance claim into the transportation line and funds from recycled metal into the maintenance department was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously: FROM: 3-071-018991-0001, Insurance recoveries refund, \$528.00; 3-071-018991-2000, Miscellaneous revenue, \$273.00 TO: 4-071-063200-6009-900, vehicle and equipment supplies; \$528.00; and 4-071-064200-6007-900, repair and maintenance supplies, \$273.00.

### **OPERATION THANKSGIVING**

William Bagby requested the Board's endorsement of the Mason Lodge's Operation Thanksgiving project. Last year 195 families received assistance. The motion to endorse the project was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

### **NATIONAL 4-H WEEK**

Mrs. Cynthia Rowles reported that 456 youth participate in the 4-H program through the schools in 4<sup>th</sup> and 5<sup>th</sup> grades; 69 youth and counselors attended camp in Jamestown; 28 attended Clover Bud Day Camp and six teens went to the 4-H Congress at Virginia Tech. The Board was thanked for their contributions to the 4-H program in the County.

### **REGIONAL WATER SUPPLY PLAN**

Clara Cieri, from the Planning District Commission, was present to update the Board with the latest on the Regional Water Supply Plan. Three drought stages have been developed – watch, warning and emergency, along with actions for each stage. In a drought watch, public education would be initiated; with a warning, voluntary water restrictions would be enacted in an attempt to reduce consumption by 10%; an emergency phase would enable mandatory restrictions by the locality in an effort to reduce consumption by 15%. No actions are required by the Board of Supervisors now. It was noted that these restrictions would only apply to citizens on a community water supply.

### **ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM**

Mr. Culley informed the Board of a grant opportunity that would use 100% stimulus money to reimburse for the purchase of "green", Hybrid vehicles to replace older, less efficient vehicles. The application deadline is this month, although if awarded the grant, the county would have 16 months after the award to issue purchase orders and another 18 months after that to actually expend the money. Mr. Culley proposed to replace four (4) vehicles with new vehicles – shifting two existing vehicles to other departments and declaring two as surplus. Four separate applications would be submitted, which would further allow commitments to be spread over the 16-month period. Mr. Culley proposed the following:

- Replace current Building Truck (2004, 79,401 miles) shifted to Maintenance (removing either 1990 or 1983 S-10)
- Replace current Planning Truck (2007, 17,924 miles) shifted to Animal Control (removing existing 2003, 145,578 miles)
- Replace Planning Car (1994, unknown mileage; display no longer works; in 2004 mileage was 143,528 miles)
- Replace VIEW van at Social Services (blown head gasket)

The motion to approve applying for the grant funds without a commitment to purchase at this time was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously.

### **APPROPRIATION**

The motion to approve the following appropriation was made by Mr. Williams, seconded by Mr. Miller and carried unanimously: FROM: 3-1-24040-0010, \$25,903.00, Fire Program Funds TO: 4-1-32010-5605, \$8,634.00, Upper Middlesex Vol. Fire Department; 4-1-32010-5605, \$8,634.00, Hartfield Vol. Fire Department; 4-1-32010-5607, \$8,635.00.

### **PUMP AND HAUL BIDS**

The Board reviewed the four (4) bids received for providing pump and haul services. Both Church View Septic Service and Miller's Septic submitted bids of \$0.10 per gallon; Long and Associates bid \$0.14 per gallon; Hartenbach, Inc., submitted a bid of \$0.20 per gallon. The motion to accept the bid of Church View Septic, noting that there had been no problems with their service in the past and they were a local business, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

### **SURPLUS VEHICLE/EQUIPMENT BIDS**

Bids had been taken for surplus vehicles and equipment, with the highest bids listed as follows:

89 Chevrolet Caprice	\$250	93 Chevrolet Caprice	\$351
96 Chevrolet Caprice	\$400	93 Ford Ranger	\$500
91 Chevrolet Caprice	\$189	88 Chevrolet S-10	\$176
Lawnmower	\$69	Bushhog	\$25
02 Ford Van	\$2000		

The motion to accept these highest bids and release the property was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

### **COMPREHENSIVE PLAN**

Mr. Walker presented the revised maps of the Locust Hill and Christ Church areas that the Board had discussed at an earlier meeting and indicated that the Board had 90 days from September 10 to take action. The next item to be address after adoption of the plan would be adoption of an implementation matrix plan/format which prioritizes strategies, goals and objectives and also who is responsible for implementation as well as a cost and time frame. This plan is similar to a cost allocation plan. It was noted that the public hearing on the Comprehensive Plan could be held at the November meeting. The motion to advertise a public hearing for the

November 17<sup>th</sup> meeting was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously.

### **STATE WATER CONTROL BOARD**

Mr. Culley informed the Board that the State Water Control Board was anxious to take action on the Board's waste water treatment application. Action has already been delayed twice, since April; the item is on the SWCB's agenda for action on October 26. The motion to not delay action was made by Mr. Miller, seconded by Mr. Jessie and carried by a vote of 4 in favor, 1 opposed (Crump).

### **COMMITTEE REPORTS**

Board members presented their reports on committee activities. Mr. Culley reported that several members from the volunteer fire and rescue departments participated in a tabletop emergency exercise held in Tappahannock. The Board approved letters being sent to Clarence Hargus and Walter Revere from Middlesex Vol. Rescue Squad and George Longest from Upper Middlesex Vol. Fire Department.

### **DISBURSEMENTS**

The motion to approve the disbursements as submitted was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. Checks numbered 65857 through 65938 totaling \$182,304.78 were disbursed as approved.

### **PUBLIC COMMENT**

Mr. Jim Berlinghoff commented that there was a safety problem at the intersection of Long Point Lane, Route 646, and Route 33. He noted that this entrance was narrow, dark and on a curve, making it difficult to use. Mr. Berlinghoff encouraged the Board to look into improvements there before someone gets hurt. Mr. Berlinghoff also encouraged the Board to have the speed limits lowered to 25 mph on this and adjoining roads.

Mr. Jim Wager, a neighbor to the Sheriff, commented that he personally knows the quality of work the Sheriff does and the time that the Sheriff puts in with his work and volunteering to work on vehicles, saving the County money. He suggested that the county needed to buckle down and look at all expenditures and where money can be saved. He suggested that installing the light at Philpot Road will create more of a problem than having the crossing guards on site and will certainly cost more than the salaries of the crossing guards.

Purnell Wood commented that the statement in the newspaper was wrong and it was Mr. LaBrier that had been the hold up with getting additional bus stops and watch for children signs.

### **CLOSED SESSION**

The motion to convene in closed session for to discuss a personnel matter, pursuant to Code of Virginia, §2.2-3711.A1, was made by Mr. Miller, seconded by Mr. Jessie 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. 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.

### **CENSUS**

Mike Cooke was suggested as another representative for the census committee.

### **ADJOURN**

There being no further business, the motion to adjourn the meeting until October 20, 2009 was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

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Robert A. Crump, Chairman  
Board of Supervisors