

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, SEPTEMBER 1, 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 and led the group in prayer; Mr. Culley led the Pledge of Allegiance.

MINUTES

The motion to approve the minutes from the meetings of August 4th and August 18th was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

CONSTITUTIONAL OFFICERS

Sheriff

Captain Micky Sampson was present to represent the Sheriff and noted that the Sheriff and Investigator Lyons were in separate meetings with the State Police and were not able to attend today's meeting with the Board. Capt. Sampson expressed his personal exception to the Sheriff's vehicle list being included in the Board minutes and posted on the County's web-site. According to Capt. Sampson, the list indentifies vehicles used by himself and the investigators in undercover work. While there are no specifics given as to color or license plates, it would be possible for people to identify these vehicles if they are parked at the sheriff's department. Capt. Sampson noted that at times he has to use vehicles that belonged to the drug task force and is responsible for fueling the vehicle upon its return. The current vehicle policy adopted by the Board does not allow for fueling vehicles that have not been purchased by the County and approved by the Board. The Sheriff has also asked Capt. Sampson to inquire as to the status of the Voyager Credit Card application that would allow for fuel purchases at any gas station.

Regarding the vehicle list, Mr. Culley and Mr. Crump noted that the vehicle list did not give specifics or identify the persons using the vehicles and that by Capt.

Sampson appearing before the Board, his identity was now known and made more public. Regarding vehicle fueling, Mr. Crump suggested that the Sheriff and/or Capt. Sampson meet with the County Administrator to discuss how vehicles used with the task force can be fueled. Mr. Crump commented that as far as he was concerned, the Sheriff's department already had use of two fuel cards and that was enough.

The Sheriff also had asked Capt. Sampson to report on the savings he had made by repairing a car in house. According to the Sheriff, the vehicle had been totaled by the insurance company, and the County received \$3,250 in compensation; the Sheriff was able to repair the vehicle for only \$700 using parts from junked vehicles. Mr. Crump reported that he had requested documentation from the Sheriff on time and materials used which had not been received.

Regarding the budget, Capt. Sampson suggested that there were other areas of the County budget that could possibly be reduced. Mr. Crump suggested that the Sheriff needed to get a hold of spending within his department. According to Mr. Crump, the Sheriff has overspent his budget each of the past several years. Also, the Sheriff has been instructed to send copies of invoices with his requests for payment. For example, a statement has been submitted by the Sheriff for payment that includes references to invoices as far back as April, but no actual invoices were attached. Capt. Sampson will inform the Sheriff of the Board's concerns.

Treasurer

Betty Bray, Treasurer, reported that the Commissioner had turned over the personal property files and she hoped to send out bills by the end of the month.

Commissioner of Revenue

Mrs. Davenport, Commissioner, was present, with nothing to report. When asked about new construction assessment, Mrs. Davenport reported that assessments were going well and she would present a full report at the next Board's meeting.

HIGHWAY MATTERS

Marcie Parker was present from the Highway Department.

Route 33/620 project: The contractor has been working and should finish his work the second or third week of September. The signal contractor will begin the installation process after that with the signal installed by Christmas

Mowing: Mowing of secondary roads has been completed; primary road mowing will start today. Members were asked to report any problems with sight distances that could be addressed on an individual basis.

Route 640: In response to Mr. Jessie, Walter Lowe, Maintenance Supervisor, reported that a pipe may have to be replaced in a problem area.

Tower Road off 652: Mr. Crittenden reported that the site distance at this intersection needed improvement.

Plainview Road: Mr. Crump reported that there was an erosion problem on this road that has not been created by the County's construction.

Locklies Road: Mr. Crump reported that some ditchwork was needed along this road to help prevent flooding.

Quarles Intersection: The motion to approve requesting the owner of the Quarles service station to install a stop bar and stop sign to encourage safer ingress onto Route 619 was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

Citizen Comments:

Lewis Briggs commented that there are still problem areas on Route 619, including the intersection with Route 33. He noted that sunflowers growing in the median and along the side of the road make it difficult to see. Mr. Briggs reminded the Board of the recent head-on collision on Route 619 and added that a complete overall of the road, including widening, was needed.

Mr. Miller questioned whether a centerline could be put down the center. According to Mrs. Parker, the road surface does not meet the minimum width requirement for a centerline.

Betty Armstrong commented on the need for more grass cutting due to poor visibility, a stoplight or warning light was needed at the intersection in front of the Food Lion and some street lights were needed in the rural areas of the county.

Purnell Wood noted that citizens on Route 619 had commented at a rezoning public hearing in the winter of 2008 that the road was unsafe. Mr. Wood requested that projects in the six-year plan be canceled and improvements to Route 619 be put in their place.

Mrs. Parker commented that the only project that is on the plan is Route 629, however, no money has been expended on that project and because of the State's budget cuts, no funding is anticipated. Speed limit and warning signs will be installed as soon as the safety plan has been approved. Also, some school bus warning signs will be installed after school starts.

SCHOOL MATTERS

Mr. Fairheart reported a proposed enrollment of 1216. He added that all schools are fully accredited and all benchmarks for No Child Left Behind have been met for the high school and middle school.

Mr. Miller questioned the fact that he had seen school board tractors parked at the Kidd Building and suggested that they be stored somewhere else and the area around them be cleaned up. Mr. Fairheart noted that they did not have a covered storage area, however, they would be moved and the area cleaned up.

Mr. Williams questioned the new grading scale adopted, which allowed for 60 to be a passing grade. Mr. Fairheart commented that this is the trend across the state and the grading scale is now more closely correlated to the SOL and the percentage of questions passed to obtain credits.

PUBLIC HEARING

Board members had received an e-mail from Mr. Goodwin asking that his request for a connection to the County's sewer system be withdrawn. Mr. Goodwin had received an earlier e-mail that Centenary Methodist Church had been sold to another party and was not available to All Saints Anglican Church for purchase. Because a hearing had been advertised, Mr. Crump asked for comments from the public. There being no comments, Mr. Crump closed the hearing; there were no comments or action from the Board.

MP-NN COMMUNITY SERVICES BOARD

Chuck Walsh, Director of the Community Services Board was present to request approval of the annual performance contract and extension of a line of credit to three months. The line of credit helps cover cash flow issues due to delays in federal reimbursements. Mr. Walsh noted that there had been a 7% increase in the numbers from the County requesting services. Mr. Walsh noted that their real push has been in children's services. Mr. Culley commented that the Board of Supervisors and Community Policy and Management Team is very supportive of in-school programs sponsored by the CSB.

The motion to approve the performance contract and line of credit was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously.

RESOLUTION

APPROVAL OF PERFORMANCE CONTRACT

WHEREAS, §37.1-19 OF THE *Code of Virginia* [1950] as amended, requires each Community Services Board to submit, to the governing body of each political subdivision that established it, an annual performance contract for community mental health, mental retardation and substance abuse services for its approval prior to submission of the contract to the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services, and

WHEREAS, the Middle Peninsula – Northern Neck Community Services Board has put forward its proposed Performance Contract for Fiscal Year 2010 and also a request for an extension in its line of credit for approval by the Boards of Supervisors of its governing counties of Essex, Gloucester King and Queen, King William, Lancaster, Mathews, Middlesex, Northumberland, Richmond, and Westmoreland;

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Supervisors of Middlesex County, Virginia, that the Performance Contract prepared by the Middle Peninsula-Northern Neck Community Services Board for Fiscal Year 2009 and presented to the Board along with the additional request to extend its line of credit is hereby approved and may be forwarded to the Department of Mental Health, Mental Retardation and Substance Abuse Services as further required.

APPROPRIATION

The motion to approve the following appropriation was made by Mr. Jessie, seconded by Mr. Crittenden and carried unanimously: FROM: 3-1-23020-0050, \$210.00, Finger Roll Live Scan TO: 4-1-32030-5412, \$210.00, Live Scan Fees.

RABIES CLINIC

The motion to approve holding the rabies clinic on October 31st from 9:00 – 11:00 at the shelter, at a cost of \$5.00 per dog and \$9.00 per cat was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

APPOINTMENTS

There was no action taken regarding additional appointments to citizen census committee.

Regarding the Social Services Advisory Board, no additional appointments were made at this time. Mr. Williams commented that there was some concern about their liability and salary. Mr. Soberick has already informed the Director that the Advisory Board members are covered by the county's liability policy. Board members discussed establishing a meeting stipend policy similar to that of the Planning Commission. The motion to reimburse advisory board members at a rate of \$40.00 per meeting was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously.

COMMITTEE REPORTS

Board members presented their reports on committee activities.

DISBURSEMENTS

Board members commented on a request for payment of a statement for \$2,116.86 that had been submitted by the Sheriff's Department. Copies of the invoices had been requested from the Sheriff's Department, however, had not been received. The motion to deny payment of the \$2,116.86 was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously.

The motion to approve the other disbursements submitted was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. Checks numbered 65660 through 65730 totaling \$164,916.21 were disbursed as approved.

PUBLIC COMMENT

Mr. Purnell Wood asked if there is a County maintenance shop where the sheriff's vehicles were repaired. Mr. Crump replied that the sheriff's vehicles were repaired at either shops in the county or at the sheriff's personal garage.

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.

COMPREHENSIVE PLAN

Mr. Walker, Planning Director, gave a brief overview of proposed revisions to the Comprehensive Plan. It was noted that the Chesapeake Bay Local Assistance Department (CBLAD) requires certain environmental data and text to be included and that at this time, the required text has been included in a different font. Board members commented that citizens deserve to know that the State is putting their own requirements into a local document. Terry Harrington of TMH Associates indicated that he could create a separate appendix that would include the additional text along with the Code section that requires it. It was also noted that 2001 data was being used in the plan because CBLAD had already signed off on its review. If updated data is used, CBLAD would have to do a full review.

Discussion of the land use map included a request that the commercial development area for Locust Hill be expanded. This change would allow for rezoning some of the Village Community areas to General Business which allows for more control.

Also discussed was a request from Christ Church School to have their campus added to the Future Land Use Plan that would support a rezoning to Village Community. This would give more flexibility with faculty housing.

Board members requested to review a revised future land use map prior to advertising for a public hearing on the complete plan.

ADJOURN

There being no further business, the motion to adjourn the meeting until September 15, 2009 was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously.

Robert A. Crump, Chairman
Board of Supervisors