

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, APRIL 6, 2010, IN THE BOARD ROOM OF THE
HISTORIC COURTHOUSE, SALUDA, VIRGINIA:

Present: John D. Miller, Jr., Saluda District
Carlton Revere, Pinetop District
Pete Mansfield, 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. Miller, called the meeting to order and led the group in prayer; Mr. Culley led the Pledge of Allegiance.

CONSENT AGENDA

The motion to approve the following items on a consent agenda was made by Mr. Jessie, seconded by Mr. Revere and carried unanimously: March 2, March 16, March 23, March 25, 2010 minutes and disbursements. Disbursements numbered 67194 through 67268 totaling \$122,147.46 were disbursed as approved.

CONSTITUTIONAL OFFICERS

Treasurer

Mrs. Bray indicated that delinquent letters have been sent out and collections are good. The cash flow should be good for April.

Commissioner of Revenue

There were no questions for Mrs. Davenport.

Sheriff:

The Sheriff reported that the insurance company had recently totaled the 2005 Ford Crown Victoria used by the Resource Officer/Canine Unit, with a value of \$6,725. The Sheriff requested use of a portion of those funds, \$6,500.00, to purchase a used truck from Henrico County that had been used by their canine unit. The Board had no opposition to this proposal. FROM: 3-1-18030-0006, Insurance Reimbursed, \$6,500 TO: 4-1-31020-5406, Sheriff – Wrecked Vehicles.

Sheriff Abbott requested a transfer of \$6,000.00 from his uniform line item in the budget to part time compensation. The motion to approve this transfer was made by Mr. Mansfield, seconded by Mr. Jessie and carried unanimously. FROM: 4-1-31020-5410 Uniforms, \$6,000 TO: 4-1-31020-1003 Compensation Part Time.

HIGHWAY MATTERS

Resident Administrator, Marcie Parker, was present to represent the Highway Department.

Restructuring: The Bowling Green residency offices will be closing April 26, with two counties served by that office being absorbed by the Saluda residency. VDOT will be changing to a maintenance focus. New positions, including government liaisons will be added. A calling center based in Roanoke will be developed to handle maintenance requests from citizens.

Secondary Road Transportation Plan: Mrs. Parker presented information to the Board regarding the proposed six year plan and budget for the upcoming fiscal year. Funding available for FY 2011 is \$35,955; and \$35,674 for each of the next five years, a total of \$214,325. There will be no additional funds available for unpaved roads, although there is \$32,330 remaining from a previous project that must be used on an unpaved road project and there are some monies available from pipe installation funding that will roll back into available funds. The total amount of funding available for projects over the next six years is \$297,639. It was noted that funding currently in the plan for the Route 629 project, \$43,799, must be returned because there is not enough funding available for construction projects. This project has been estimated at over 4 million dollars. The cost for new construction to state standards, including widening and right of way acquisition, puts the estimated construction costs per mile of road at 2.6 million.

Mrs. Parker recommended that funding be used to pave unpaved roads over the next six years as part of the rural rustic road program. These roads must meet requirements of lower traffic volume and lower speed limits, but can be "paved in place" to lower standards. There are currently 14 unpaved secondary roads in the county, a total of 6.65 miles. Six of these 14 meet the spending requirements for the \$32,330 remaining from a previous project.

Mr. Crittenden asked about funding for the Deltaville bike path project. Mrs. Parker reported that the state and federal funds that had been allocated to that project had already been taken by the state for use on other projects.

Primary Road Transportation Plan: The hearing for funding requests for primary roads will be May 19. The Board may wish to apply for funding for turn lane projects at that time.

Mowing: The department will be mowing to take care of sight distance issues and may be able to cut the primary road edges twice.

Route 629: Information had been included for the Board regarding abandonment versus discontinuance of Route 629 at Healy's Mill. With discontinuance, VDOT no longer maintains the road, but keeps the public right-of-way. In abandonment, the public right of way is abandoned and it reverts back to the property owner. Should construction be considered for the future, new right of way acquisition would be required. The 629 project that is being removed from the 6-year plan involved acquisition of new right-of-ways down stream, so abandonment of the existing right-of-way would not be an issue. If abandoned, 6-year plan money would be used to construct permanent cul-de-sacs and bus turn-arounds. Public hearings may be required in either case. No action was taken by the Board at this time.

COMMUNITY GARDEN

Board members considered a request from Maureen Fairbrother to continue a community garden project on county property behind the Health Department. The motion to approve the request was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously.

SCHOOL MATTERS

Superintendent Rusty Fairheart was not present. Because the Board had questions regarding his appropriation request and request for use of capital funds no action was taken and the matters were tabled until Mr. Fairheart could be present.

ANIMAL CONTROL ORDINANCE

Mr. Soberick requested that the Board of Supervisors schedule a public hearing to consider proposed changes to the County's Animal Control Ordinance. Most of the revisions are necessary to accommodate changes in the State Code, especially those dealing with dangerous and vicious dogs. Changes in the license fees are also proposed. The motion to schedule a public hearing for the June 15th meeting was made by Mr. Revere, seconded by Mr. Jessie and carried unanimously.

PLANNING AND COMMUNITY DEVELOPMENT FEES

Mr. Walker, Planning Director, requested that the Board consider adoption of a revised fee schedule for the Planning Department. Mr. Walker indicated that in his

study of fees in surrounding counties, the proposed fees hit in the middle. The motion to advertise for a public hearing to be held on May 18 was made by Mr. Jessie, seconded by Mr. Mansfield and carried unanimously.

ART ON THE HALF SHELL

The motion to approve a donation in the amount of \$600 to the Art on the Half Shell event was made by Mr. Jessie, seconded by Mr. Revere and carried unanimously.

APPOINTMENTS

Juvenile Detention Commission

The motion to appoint Marcia Jones as representative on the Middle Peninsula Juvenile Detention Commission and Charles M. Culley, Jr. as alternate on the Commission was made by Mr. Jessie, seconded by Mr. Mansfield and carried unanimously.

Community Policy and Management Team (CPMT)

Mr. Culley informed the Board that the CPMT had two vacancies – a parent representative and a provider representative. It was not a requirement to have a provider representative because there is no private organization or association of providers for children's or family services located within the county. Barbara Killian, of Topping, has been very active in the school system and has offered to serve as a parent representative. Jenny Pritchett, who has a practice in Gloucester but provides contracted services at Social Services, has offered to serve as a provider representative. The motion to appoint Mrs. Killian and Mrs. Pritchett to serve on the CPMT was made by Mr. Revere, seconded by Mr. Mansfield and carried unanimously.

APPROPRIATION REQUESTS

Social Services: The motion to approve the following appropriations and budget transfer requests for the Department of Social Services was made by Mr. Revere, seconded by Mr. Jessie and carried unanimously: FROM: 4-1-53010-5719, Adoption Subsidy, -\$13,758.00; TO: 4-1-53010-5714, Special Needs Adoption, \$13,758.00; FROM: 3-1-24010-0002, Public Assistance & Welfare, \$60,779.00; TO: 4-1-53010-5714, Special Needs Adoption, \$60,779.00; and FROM: 3-1-24010-0002, Public Assistance and Welfare, \$129,526.87; TO: 4-1-53010-5706, Foster Care, \$129,526.87.

Insurance: The motion to approve the following appropriation of the balance of the insurance reimbursement received for the lightning damage claim from July 27, 2009, was made by Mr. Revere, seconded by Mr. Jessie and carried unanimously: FROM: 3-1-18030-0006, Insurance Recoveries Refund \$52,970.78; TO: 4-1-12190-5300, Insurance – Equipment Reimbursed; \$52,970.78.

Vehicles: The motion to approve the following appropriation of insurance monies received for damaged vehicles was made by Mr. Jessie, seconded by Mr. Crittenden and carried unanimously. All monies were appropriated from the revenue line for insurance reimbursed: 3-1-18030-0006, to the expense line for wrecked vehicles: 4-1-31020-5406. \$3,399.70 (portion of total received, \$3,937.15, for repair of 2008 Ford Crown Victoria, VIN 6236; \$139.94 (balance remaining of total \$6,203.19 for VIN 6237); \$3,948.00 (total received for 2008 Ford Crown Victoria, VIN 6239); \$2,380.06 (portion of total received, \$3,061.35, for repairs to 2006 Dodge Charger VIN 6537).

Airport: The motion to approve the appropriation of the State reimbursement received for the crack sealing project at the airport was made by Mr. Revere, seconded by Mr. Mansfield. FROM: 3-1-12080-0007, \$5,125.44, Airport Grant; TO: 4-1-10020-3004, \$5,125.44, Airport Repairs.

GRASS CUTTING PROPOSALS

Mr. Culley reviewed the proposals received from five companies/individuals responding to the County's request for bids for grass cutting services. The lowest bid received for one (1) cut of each of the 20 properties was \$1,495. Using this quote and making 32 cuts (an estimate from prior years), the total would be \$47,840 for the season. There is already \$18,334.40 in the budget for grass cutting services, which would be enough to cover an additional part time employee (30 hours/week) plus fuel and maintenance. If services were contracted, an additional appropriation of \$29,505.60 would be needed. If the properties were split between the contractor and an additional county employee (24 hours/week), an additional appropriation of \$23,973.60 would be needed. It was noted that existing county employees would still be required to cut some sites not included in the specifications, such as the landfill and Hartfield tower site.

Board members agreed that while it was good to see what the costs would be to out-source this project, using County personnel was the least expensive option. There was no action taken.

LETTER TO HRSD

As a follow-up from the January 19th Board of Supervisors meeting, Mr. Mansfield and Mr. Jessie had met with Dr. Pyne of Hampton Roads Sanitation (HRSD) to discuss their proposal for services and continued studies in Middlesex. The motion to approve sending a letter to Dr. Pyne of Hampton Roads Sanitation thanking him for meeting with Mr. Jessie and Mr. Mansfield, and adding that no services were needed at

this time, was made by Mr. Jessie, seconded by Mr. Mansfield and carried unanimously.

PUBLIC COMMENT

Purnell Wood updated the Board with information he had received from the Census Department.

Bob Calves commented that tax payers should not be subsidizing the YMCA when there are private enterprises that are trying to provide the same services. In addition, the County should charge rent for the building.

NEW BUSINESS

Mr. Revere asked for an update on a land conservation meeting attended recently by Matt Walker. Mr. Culley commented that the meeting included about 10 speakers and was more of a sales pitch for putting land into conservation easements. There was no detail given about the impact the conservation easements had on local government. Mr. Revere noted that there is a group that is supposed to be meeting and studying the impacts.

BUDGET

Mr. Culley and the Board discussed several budget proposals and the impact of the fund balance on meeting monthly expenses. Mr. Culley commented that a \$0.10 increase appeared to be enough to make it through to FY 12, however, there would not be much in the fund balance available then to help with any major increases to departments such as schools or social services and an additional increase may be needed next year. The Board debated the amount of tax rate increase to advertise. The motion to advertise a tax increase of \$0.15 and adding \$700,000 to the school budget to make up for the state and federal decreases and level fund them was made by Mr. Mansfield. This motion failed for lack of a second. The motion to advertise an increase of \$0.12 was made by Mr. Jessie and died for lack of a second. The motion to advertise an increase of \$0.10 was made by Mr. Revere and died for lack of a second. Mr. Revere reminded those present that when the decision to not restructure the remaining debt service on two bond issues meant a three cent increase would probably be needed to cover the payments.

Mr. Culley presented a spreadsheet with several properties and showing the impact of a tax increase in varying amounts. Mr. Miller reminded the Board that an adopted rate could not be more than an advertised rate; however, the Board could adopt a lower rate. The motion to advertise a \$0.12 tax increase was made by Mr. Jessie, seconded by Mr. Mansfield. This motion carried by a vote of three (3) in favor (Jessie, Mansfield, Miller) to two (2) opposed (Crittenden and Revere). The motion to advertise the public hearings on the school budget, county budget and proposed tax

rate for Thursday, April 22, 2010, at 7:00 P.M. was made by Mr. Revere, seconded by Mr. Crittenden and carried unanimously.

ADJOURN

There being no further business, the motion to adjourn the meeting until the regular meeting scheduled for April 20, 2010 was made by Mr. Jessie, seconded by Mr. Revere and carried unanimously.

John D. Miller, Jr., Chairman
Board of Supervisors