

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, FEBRUARY 2, 2010, IN THE BOARD ROOM OF THE  
HISTORIC COURTHOUSE, SALUDA, VIRGINIA:

Present: 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

Absent: John D. Miller, Jr., Saluda District  
Michael T. Soberick, County Attorney

**CALL TO ORDER**

The Vice Chairman, Mr. Jessie, called the meeting to order. Mr. Crittenden 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. Revere, seconded by Mr. Crittenden and carried unanimously: January 5 and January 19, 2010 minutes and disbursements. Disbursements numbered 66793 through 66859 totaling \$162,309.17 were disbursed as approved.

**CONSTITUTIONAL OFFICERS**

**[Sheriff:](#)**

Paige Bishop was present to represent the Sheriff. Mr. Bishop reported that crossing guards assisted on 10-12 rescue squad calls and the Sheriff had rented 4-wheel drives to assist during the recent snow events.

**[Treasurer](#)**

Betty Bray, Treasurer, was present and reported that collections were about normal, around 94% for 2009 real estate and 88% for personal property; collections for 2008 ended up being approximately 98%. Mrs. Bray noted that the delinquent tax attorney had advised that she could sell properties that were one year delinquent in taxes, however, she intends to keep her regular schedule of three year's delinquent.

**[Commissioner of Revenue](#)**

## **HIGHWAY MATTERS**

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

**Stampers Bay:** The notice to proceed has been issued and the project is to be completed by July 30. The contractor will have one 7-8 week closure to through traffic during the construction period and will work with schools for bus turn-arounds.

## **SCHOOL MATTERS**

Superintendent Rusty Fairheart was present to represent the School Board and give an updated report on enrollment, which was at 1221. Mr. Fairheart thanked the Sheriff's Department and VDOT for their assistance during last month's bomb threats.

**Appropriation:** The motion to approve the following appropriation was made by Mr. Crittenden, seconded by Mr. Revere and carried unanimously: FROM: 3-071-018030-1000, Rebates and Refunds \$400.00 TO: 4-071-061410-1126-230-100, Salaries and Wages and FROM: 3-071-018991-0001, Sale of Surplus Property \$2,031.83 TO: 4-071-063200-3000-900, Purchased Services.

**Budget Schedule:** Mr. Fairheart requested that the School Board be given at least one additional two week period to present their budget to the Board of Supervisors, as they are waiting to get the latest revenue information from the State. Mr. Culley explained the need to have the school numbers as soon as possible, as their request was a major portion of the county's budget. Mr. Fairheart agreed to provide numbers by the first week in March.

**Water Sampling at St. Clare Walker:** Mr. Fairheart indicated that the school system was working with the Department of Health regarding water sampling and that there had been later correspondence from what the Board of Supervisors had seen. Mr. Mansfield suggested the installation of a UV source in-line as a treatment method.

## **SID THRIFT ATHLETIC COMPLEX**

Johnny Fleet, speaking on behalf of the planning committee for the Sid Thrift Athletic Complex, updated the Board on the proposed Complex along with efforts to reduce costs by purchasing or exchanging properties and changing the layout. The costs based on the original plan were estimated at 4.2 million dollars. The new plan costs have been reduced to approximately 2.8 million. The Committee is anxious to work on fund raising and actual work and requested the Board's guidance, endorsement and consideration of funding the project.

## **ELECTORAL BOARD**

Robert Tassone, Electoral Board Chairman, requested authorization to transfer \$5,000.00 from the Electoral Board professional services budget into the Registrar's part time compensation line. These funds have previously been used for elections. Those costs have not been as much this year, allowing for a surplus. Mr. Tassone noted that there are pressures being felt to have facilities available for early voting. The motion to approve the request was made by Mr. Mansfield, seconded by Mr. Revere and carried unanimously. FROM: 4-1-13010-3002 TO: 4-1-13020-1003

## **AIRPORT MATTERS**

Jamie Barnhardt was present representing the Airport Committee. The Department of Aviation has offered an option to regain limited utilization of the instrument approach procedure. The revised procedure has approach minimums that require 1000 feet height above touchdown, three miles of visibility and is for day-use only. This concept would allow use of the instrument approach procedure at Hummel with the limits specified. Members of the Airport Committee were contacted by the Committee Chairman and are in favor of the proposal. The motion to approve accepting the revised procedures for Hummel Field was made by Mr. Revere, seconded by Mr. Mansfield and carried unanimously.

## **APPROPRIATION**

The motion to approve the appropriation of a partial insurance refund from a lightning damage claim from July 27, 2009, was made by Mr. Crittenden, seconded by Mr. Mansfield and carried unanimously. FROM: 3-1-18030-0006, \$22,785.79, Insurance Recoveries Refund TO: 4-1-12190-5300, \$22,785.79; Insurance – Equipment Reimbursed.

## **AUDIT**

Paul Lee, representing the accounting firm of Robinson, Farmer, Cox Associates, reviewed the County's audit for the year ending June 30, 2009. Mr. Lee noted that the management letter attached with the audit deals mainly with issues in the Sheriff's Department and is a repeat of a letter submitted in August. Corrections have been implemented from the County Administrator's Department. It was noted that the Sheriff's Auxiliary has a separate accounting system.

The motion to accept the audit was made by Mr. Mansfield, seconded by Mr. Crittenden and carried unanimously.

## **DEBT RESTRUCTURING AND LINE OF CREDIT**

### ***Debt Restructuring***

The Board's Financial Advisor, Ted Cole, from Davenport and Company, and Dan Siegel, IDA Bond Counsel, from Sands, Anderson, Marks and Miller, were present to discuss a potential for improving cash flow by restructuring the county's debt service. The proposal would refinance portions of the 1999 and 2002 debt service not previously refinanced, approximately \$2 million that would be paid off in 2011 and 2012 and pay them off in 2018, paying interest only for the first two years. This scenario would generate approximately \$1,474,603.00 in cash flow relief between 2011 and 2012 at a cost of \$189,855 interest in today's dollars. The associated costs for bond council, financial planning, any fees and prepayment, have been included. This proposal would not provide a savings from traditional refinancing where an interest rate is lowered, but the savings is incurred by stretching it out. The collateral for the bonds would remain with the elementary and high schools and the courthouse.

In addition to restructuring the debt, a proposal for re-building reserves was shown. The proposal, including a tax increase of 1 cent for each of the next four years, showed a cumulative surplus of \$3,641,718 at the end of FY 2014.

Mr. Culley commented that there may be other projects that could be included in the restructuring, such as funding for the athletic complex. This would allow for some savings of fees.

### ***Line of Credit***

Mr. Siegel presented information relating to acquiring a \$3 million line of credit as a revenue anticipation note. State Code requires that a minimum of 5%, in this case, \$150,000 be withdrawn and it must be paid back by the end of the fiscal year, June 30, 2010. The line of credit requires no collateral. A request for proposals could be made of various financial institutions, requesting proposals not to exceed 4% in interest. Legal and financial planning fees and bank fees would equal approximately ½% of the total credit line, in this case, \$15,000.00. The Board of Supervisors can request proposals without any commitment at this time. These funds would be used to cover a delay in cash flow while awaiting revenues from June tax payments.

After discussion of both proposals, the motion to request proposals for the Line of Credit was made by Mr. Revere, seconded by Mr. Crittenden and carried unanimously. No action was taken regarding the debt restructuring.

## **PLANNING MATTERS**

### ***Floodplain Management***

Planning Director, Matt Walker, presented proposed changes to the Floodplain Ordinance, which would incorporate new floodplain maps prepared by FEMA and other changes required by FEMA. A public hearing would be required prior to adoption of the ordinance.

Mr. Revere questioned Section 1.6, a misdemeanor charge for offenses, noting that he believed the actual penalty needed to be listed. There was also discussion of Section 4.1, and documenting and permitting requirements. Mr. Mansfield questioned the minimum first floor elevation. Mr. Selph explained that the design elevation is at a minimum one foot above the base flood elevation. This is the same as in the current ordinance.

The motion to advertise the proposed changes for the March 16<sup>th</sup> meeting was made by Mr. Crittenden, seconded by Mr. Revere and carried unanimously.

### ***Capital Improvements Committee and Ordinance Committee***

Mr. Walker noted that he was seeking the Board's guidance with regard to appointments to several committees. These would be discussed further, at the next meeting.

## **RAPPAHANNOCK PRESERVATION SOCIETY**

Robert Jensen updated the Board on his latest proposal for Bay preservation.

## **COMMITTEE REPORTS**

Board members presented their reports on committee activities. Mr. Revere commented that the Dragon Run Steering Committee and local commissioners of revenue would be discussing the impacts of conservation easements and land use on local tax bases along with the impacts on the composite index. Mr. Revere also discussed the Deltaville Community Association's involvement in Opti National, a week-long sailing event for youth, scheduled for July 16-24. The Emergency Services Committee is studying problems with coverage in the lower end of the County. Mr. Revere attended a Town Council meeting where there was a discussion of dog ordinances and enforcement of the county's regulations.

Work is continuing on the Broad Creek Dredging project, where 40,000 cubic yards of sand has been removed and piled on the spoil site.

## **OLD/NEW BUSINESS**

### ***HRSD:***

Dr. Pyne, from Hampton Roads Sanitation District, has been notified and advised that there would be no action on the proposed agreement for services that was discussed by the Board at their January meeting. It has been suggested that a subcommittee of the Board meet with Dr. Pyne and another HRSD representative to discuss proposals. The motion to appoint Mr. Jessie and Mr. Mansfield to serve on a Saluda Wastewater Action Committee was made by Mr. Revere, seconded by Mr. Crittenden and carried unanimously.

### ***High School Athletic Complex:***

There was more discussion regarding the requests from the Athletic Complex Committee. It was noted that the decision to fund the project would have to be now; the project could not proceed without funding in place. Mr. Revere noted that the Board needed more information on the potential costs of the project and that it needed to proceed quickly to be part of this year's budget discussion. The motion to appoint Mr. Revere as the liaison and to report back to the full Board of Supervisors within 60 days was made by Mr. Mansfield, seconded by Mr. Crittenden and carried unanimously.

## **BUDGET PRESENTATIONS**

Following a recess for lunch, the Board heard budget presentations from groups requesting funding in the FY 2011 budget. Following presentations, the Board decided to meet again on February 23, 2010, at 9:00 a.m. for a budget work session.

## **ADJOURN**

There being no further business, the motion to adjourn the meeting until February 16, 2010 was made by Mr. Revere, seconded by Mr. Mansfield and carried unanimously.

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Wayne H. Jessie, Sr., Vice Chairman  
Board of Supervisors