

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS HELD
ON TUESDAY, SEPTEMBER 21, 2010, IN THE BOARD ROOM OF THE HISTORIC
COURTHOUSE, SALUDA, VIRGINIA:

Present: Carlton S. Revere, Pinetop District
Fred S. Crittenden, Pinetop District
Pete W. Mansfield, Saluda District
Wayne Jessie, Sr., Jamaica District
John D. Miller, Jr., Saluda 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.

VOTING CREDENTIALS – ANNUAL MEETING

The motion to select Mr. Jessie as the voting representative of the Board at the Virginia Association of Counties Annual Meeting in November was made by Mr. Revere, seconded by Mr. Crittenden and carried unanimously.

SESQUICENTENNIAL COMMITTEE

Mr. Revere informed the Board that several members of the Deltaville Maritime Museum had approached him with an interest in serving on a Sesquicentennial Committee, to explore and promote activities related to commemoration of Virginia's and Middlesex County's participation in the American Civil War. It was suggested that possible members of a local committee could be representatives of the Deltaville Museum, Middlesex Museum, schools, library and others who may be interested. Mr. Revere volunteered to contact these groups to see if there is an interest and would update the Board at the next meeting.

EXTENDED SERVICE WARRANTY

Board members considered adoption of an extended service warranty for the generator at the new courthouse. There is currently a maintenance agreement in place, however, the original warranty expired in August. The proposal offered by Caterpillar is for five years of coverage for \$3,810.00. Mr. Mansfield requested obtaining at least one more comparative price. Mr. Crittenden agreed that another price would be good for comparison, however, he doubted that a better price could be

offered. The motion to obtain comparative pricing for like services was made by Mr. Crittenden, seconded by Mr. Mansfield and carried unanimously.

BURN BAN

Board members considered the reactivation of an emergency burn ban for the County. Due to the current dry conditions and no prospects of substantial rain in the forecast, the motion was made by Mr. Revere, seconded by Mr. Jessie and carried unanimously to approve the adoption of a burn ban for a period of sixty (60) days.

AN EMERGENCY ORDINANCE OF THE COUNTY OF MIDDLESEX, VIRGINIA PROHIBITING OPEN BURNING

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MIDDLESEX COUNTY, VIRGINIA, THAT THE FOLLOWING ORDINANCE IS HEREBY ADOPTED:

WHEREAS, the Board of Supervisors of Middlesex County does hereby find that:

- A. The lack of rainfall, low humidity and high winds has lead to extremely dry conditions which have caused the County of Middlesex to face a dangerous fire condition; and,
- B. Due to the lack of moisture, a state of extreme peril for life and property necessitates the proclamation of the existence of an emergency;
- C. There is no appreciable amount of rain forecast for the County of Middlesex; and
- D. The volunteer firemen and Department of Forestry have requested a ban on outdoor burning;

WHEREAS, §15.2-1427 of the Code of Virginia permits the County of Middlesex to enact emergency ordinances without the normal public notice.

WHEREAS, §44-146.21 of the Code of Virginia permits the County of Middlesex to enact an ordinance that, when a declared emergency exists, regulates the making of fires on private property.

NOW, THEREFORE, the Board of Supervisors hereby declares a fire emergency and ORDAINS as follows:

- 1. All outdoor burning and all outdoor fires, including camp fires, are prohibited except within a grill or stove designed and used for food preparation which contain fuel and fire within a metal or masonry container.
- 2. Any violation of this ordinance is a Class 1 misdemeanor.
- 3. This ordinance shall expire 60 days from the date of enactment unless sooner declared void by the County Administrator upon his determination that a fire emergency no longer exists, or unless lawfully extended by act of the Board of Supervisors.
- 4. This ordinance shall be published in the Southside Sentinel for the next two consecutive weeks following enactment.

Adopted this 21st day of September, 2010.

This ordinance shall be in effect upon adoption.

GOLF CART ORDINANCE

The motion to advertise for a public hearing for comments on a proposed ordinance allowing for operation of golf carts in the area covered by the Kilmer's Point Homeowner's Association was made by Mr. Jessie, seconded by Mr. Mansfield and carried unanimously.

EDUCATIONAL MANDATES

The motion to support resolutions adopted by the Mathews County Board of Supervisors and School Board relating to educational mandates was made by Mr. Jessie, seconded by Mr. Revere and carried unanimously.

CONSENT AGENDA

The motion to approve payroll and disbursements was made by Mr. Revere, seconded by Mr. Jessie and carried unanimously.

Payroll: Checks numbered 68201 through 68261 totaling \$298,845.48 were disbursed as approved.

Disbursements: Checks numbered 68460 through 68526 totaling \$231,235.41 were disbursed as approved.

CLOSED SESSION

Board members convened in Closed Session, pursuant to Code of Virginia Section 2.2-3711.A1, to discuss a personnel issue. Upon reconvening in open session, the following motion was read by Mr. Soberick 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.

OLD/NEW BUSINESS

Regional Reassessment: Mr. Culley announced that the Request for Proposals for regional reassessment would be advertised in the Richmond newspaper on Sunday. It is hoped that a firm can be in place by the end of October to begin work in Middlesex.

Jackson Creek: Mr. Revere announced that he met with Keith Ruse of Deltaville Boat Yard regarding the narrowing of the channel at Jackson Creek. Contact has been made with the Coast Guard, Army Corps of Engineers and the Planning District Commission regarding possible dredging. Mr. Ruse may be looking for the Board's support in addressing the issue. Mr. Miller announced that Mr. Lawrence from the PDC would be at the October 5th meeting to discuss shallow draft dredging and the Public Access Authority.

Rappahannock River Basin Commission: Mr. Mansfield reported that he had attended a meeting of the Rappahannock River Basin Commission that included a discussion on Total Maximum Daily Load (TMDL). Mr. Mansfield suggested that it may be beneficial to the County to become a member, at a cost of \$1,000.00. Mr. Revere suggested that action be tabled to the October 5th meeting so that he could study the materials Mr. Mansfield brought back from the meeting. No action was taken.

PUBLIC COMMENT

There was no comment from the public that was present.

ADJOURNED

There being no further business, the motion to adjourn the meeting was made by Mr. Jessie, seconded by Mr. Revere and carried unanimously.

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