

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS HELD ON
TUESDAY, JANUARY 3, 2023, IN THE BOARD ROOM OF THE HISTORIC
COURTHOUSE, SALUDA, VIRGINIA:

Present: Wayne H. Jessie, Sr., Jamaica District
Don R. Harris, Saluda District
Reginald A. Williams, Sr., Harmony Village District
Lud H. Kimbrough, III, Pinetop District
John B. Koontz, Jr., Hartfield District (late)

Matthew L. Walker, County Administrator
Ann Marie Ricardi, Assistant County Administrator
Heather W. Lewis, County Attorney
Tammy-Lynn Gilbert, Deputy Clerk

CALL TO ORDER

Assistant County Administrator Ann Marie Ricardi called the meeting to order at 3:00 p.m. Supervisor Williams led the group in prayer; Mr. Walker led in the Pledge of Allegiance.

ROLL CALL

Attendance was taken by Ms. Ricardi by the following roll call: Supervisor Koontz – late, (arrived at 3:23 p.m.); Supervisor Harris – Present; Supervisor Kimbrough – Present; Supervisor Williams – Present; and Supervisor Jessie – Present. There was a quorum.

ELECTION OF OFFICERS

Ms. Ricardi called for nominations for Chairman. Supervisor Jessie nominated Mr. Lud Kimbrough for Chairman and was seconded by Supervisor Harris. No other nominations were made.

A motion to close nominations was made by Supervisor Jessie, seconded by Supervisor Harris, and carried by the following roll call: Supervisor Koontz – Absent; Supervisor Harris – Aye; Supervisor Kimbrough – Abstain; Supervisor Williams – Aye; and Supervisor Jessie – Aye.

A motion for Mr. Lud Kimbrough to serve as Chairman for the current year was made by Supervisor Jessie, seconded by Supervisor Harris, and carried by the following roll call: Supervisor Koontz – Absent; Supervisor Harris – Aye; Supervisor Williams – Aye; Supervisor Jessie – Aye; and Supervisor Kimbrough – Abstain.

Chairman Kimbrough called for nominations for Vice Chairman. Supervisor Jessie nominated Mr. Don Harris for Vice Chairman and was seconded by Supervisor Williams. No other nominations were made.

A motion to close nominations was made by Supervisor Jessie and seconded by Supervisor Williams and carried by the following roll call: Supervisor Harris – Abstain; Supervisor

Williams – Aye; Supervisor Jessie – Aye; Supervisor Koontz – Absent; and Chairman Kimbrough – Aye.

A motion for Mr. Don Harris to serve as Vice Chairman for the current year was made by Supervisor Jessie, seconded by Supervisor Williams, and carried by the following roll call: Supervisor Williams – Aye; Supervisor Jessie – Aye; Supervisor Koontz – Absent; Supervisor Harris – Abstain; and Chairman Kimbrough – Aye.

APPROVAL OF REGULAR MEETING SCHEDULE

Chairman Kimbrough suggested the regular meeting time be moved to 3:30 p.m. to accommodate Supervisor Koontz' new work schedule.

Mr. Walker suggested several date changes for the monthly meetings due to conflicts with Federal and State Holidays and specifically recommended the July and September meetings be moved to July 11, 2023 and September 12, 2023.

A motion to approve the monthly meeting schedule dates, as amended, by moving the July and September meetings to July 11, 2023 and September 12, 2023 and moving the regular meeting times to 3:30 p.m. was made by Supervisor Harris, seconded by Supervisor Jessie, and carried by the following roll call: Supervisor Williams – Aye; Supervisor Jessie – Aye; Supervisor Koontz – Absent; Supervisor Harris – Aye; and Chairman Kimbrough – Aye.

Meetings will be held the first Tuesday of every month, at 3:30 p.m. and 7:00 p.m., in the Board Room of the Historic Courthouse.

CONSENT AGENDA

A motion to approve the Consent Agenda, as presented, was made by Supervisor Jessie, seconded by Supervisor Harris, and carried by the following roll call: Supervisor Jessie – Aye; Supervisor Koontz – Absent; Supervisor Harris – Aye; Supervisor Williams – Aye; and Chairman Kimbrough – Aye.

The Consent Agenda included approval of minutes from the December 6, 2022 Regular meeting; disbursements dated December 2, 2022, numbered 01232, December 6, 2022, numbered 101075-101231, December 15, 2022, numbered 101290-101297 and December 16, 2022, numbered 101233-101289 totaling \$789,062.50; and payroll dated December 15, 2022 totaling \$425,415.07.

PUBLIC COMMENT

Chairman Kimbrough opened the public comment period at 3:10 p.m.

Mr. Greg Meyer addressed the Board regarding concerns he had with school supplies. He suggested better organization and more structure in obtaining supplies and funding for the supplies than what is currently being done.

Chairman Kimbrough closed the public comment period at 3:13 p.m.

CONSTITUTIONAL OFFICERS

Treasurer

Report only.

Commissioner of Revenue

Report only.

Registrar

Chairman Kimbrough recognized Mr. John C. Scott's 10 years of service to Middlesex County. He said Mr. Scott had served several precincts as an Officer of Elections and then as a member of the Electoral Board, ensuring elections were run with fairness, accuracy, and integrity.

AGENCY AND STAFF REPORTS

VDOT

Report only.

Middlesex County Schools

Dr. Tracy Seitz provided an explanation of Budget Supplement Request FY2023-22.

After some discussion, a motion approving Budget Supplement Request FY2023-22 was made by Supervisor Jessie and seconded by Supervisor Harris and carried by the following roll call: Supervisor Harris – Aye, Supervisor Williams – Aye, Supervisor Jessie – Aye, Supervisor Koontz – Absent and Chairman Kimbrough – Aye.

| FROM: | AMOUNT: | TO: | AMOUNT: |
|-------------------|----------------|-----------------------|--------------|
| Various Accounts | (\$119,000.00) | 4-071-068200-6000-900 | \$119,000.00 |
| 3-001-041060-0001 | (\$11,000.00) | 4-071-063200-8100-900 | \$11,000.00 |

Dr. Seitz discussed Budget Supplement Request FY2023-23.

A motion approving Budget Supplement Request FY 2023-23 was made by Supervisor Jessie and seconded by Supervisor Harris and carried by the following roll call: Supervisor Harris – Aye, Supervisor Williams – Aye, Supervisor Jessie – Aye, Supervisor Koontz – Absent and Chairman Kimbrough – Aye.

Mr. Harris asked about school supplies and the concerns of Mr. Greg Meyer. Dr. Seitz stated she had met with Mr. Meyer. The Board had additional discussions regarding this matter and possible solutions.

Social Services

Ms. Rebecca Morgan discussed the upcoming changes to current benefits. She explained that during COVID, those families eligible to receive SNAP benefits were automatically given the maximum allotment. Ms. Morgan stated that as of April 2023, all of that will end. She provided several examples how this will impact citizens of Middlesex County who receive these benefits. There was further discussion on the matter and Ms. Morgan said she would provide updates closer to April.

Robinson, Farmer, Cox Audit Presentation

Mr. Paul Lee, Managing Director, Robinson, Farmer, Cox Richmond Office, reviewed the audit results of FY2022. He said that the audit found no compliance issues on the federal level. Mr. Lee noted the two major programs that were audited were the waterline grant from the USDA and the ESSER funds for the schools, which was Federal COVID money that came through the state; and the non-major program audited was the SNAP administration. He said the audit found no material weaknesses or significant deficiencies. He stated that tax collection went down a little bit and this will be something he will watch again for next year to track it. He stated the general fund balance is approximately \$7.5 million which could be applied this year if needed but not necessary. Mr. Lee did note one error in the budget which does not change the overall; the error was found in a classification of expenditures. He said he will make the revision and submit the new page to Ms. Ricardi.

A motion to receive the FY2022 audit was made by Supervisor Koontz and seconded by Supervisor Harris and carried by the following roll call: Supervisor Williams – Aye, Supervisor Jessie – Aye, Supervisor Koontz – Aye, Supervisor Harris – Aye and Chairman Kimbrough – Aye.

Emergency Management Update

Mr. David Layman, Emergency Management Director for Middlesex County, introduced the updated Emergency Operations Plan for the County as required by State Code. He added the plan covers the entire County and is all inclusive. He stated it is a multi-disciplined plan and said it could be used for a single or multi type of event, as well as for natural or manmade disasters. He said the department roles and responsibilities had been updated, emergency support functions with the military were added, revisions to the FEMA portion that incorporated a radiological ingestion pathway plan was added and required by FEMA for all localities within a 50-mile range of a nuclear power plant.

A motion to adopt the updated Emergency Operations Plan was made by Supervisor Jessie and seconded by Supervisor Koontz and carried by the following roll call: Supervisor Williams – Aye, Supervisor Jessie – Aye, Supervisor Koontz – Aye, Supervisor Harris – Aye and Chairman Kimbrough – Aye.

Planning Director Update

Mr. David Kretz, Planning Director, said that the Comprehensive Plan would be undergoing an update in the coming year. He said since 2009, there have been minor changes made to the plan but with the addition of the water and sewer systems, a review and an overhaul of the Plan is needed.

County Engineer Update

Resolution R-2023-01

Mr. Beam, County Engineer, provided a brief explanation of Resolution R-2023-01. He said this was for the Board to authorize Mr. Walker to proceed with requesting additional ARPA funding.

A motion approving resolution R-2023-01 was made by Supervisor Harris and seconded by Supervisor Koontz and carried by the following roll call: Supervisor Jessie – Aye, Supervisor Koontz – Aye, Supervisor Harris – Aye, Supervisor Williams – Aye and Chairman Kimbrough – Aye.

**Middlesex County
Board of Supervisors
RESOLUTION
R-2023-01**

At a regular meeting of the Middlesex County Board of Supervisors held on January 3, 2023, at 3:00 p.m.: On a motion duly made by Supervisor Harris, and seconded by Supervisor Koontz, the following Resolution was adopted by the following vote:

| | |
|---------------------------|-----|
| Don R. Harris | Aye |
| Reginald A. Williams, Sr. | Aye |
| Wayne H. Jessie, Sr. | Aye |
| John B. Koontz, Jr. | Aye |
| Lud H. Kimbrough, III | Aye |

A RESOLUTION REQUESTING MIDDLESEX COUNTY INCLUSION IN THE GENERAL ASSEMBLY'S WASTEWATER GRANTS THROUGH THE DIRECT APPROPRIATION PROGRAM FOR THE MIDDLESEX COUNTY SANITARY SEWER PROJECT

WHEREAS, the **General Assembly** has established several programs for clean water financing and assistance whereby funding is provided directly to communities across the Commonwealth for the purpose of funding local projects that provide septic system repair, replacement, and upgrades to improve water quality; and

WHEREAS, the County of Middlesex has set aside and appropriated substantial general fund revenue to support its sewer deployment to defined service areas within the County; and

WHEREAS, the County of Middlesex has applied for multiple loans and grants through various funding sources to deploy sewer to defined service areas within the County; and

WHEREAS, the County has requested its Virginia General Assembly Representatives, Delegate Keith Hodges and Senator Ryan McDougle, to submit and request funding under the **Direct Appropriations Program**; and

Whereas, installation of the Sanitary Sewer System, in the proposed service areas, will stimulate economic development and employment opportunities for the citizens of Middlesex County and the surrounding regions; and

WHEREAS, providing significant upgrades of the Sanitary Sewer System, in the proposed service areas, will improve water quality of the Chesapeake Bay and its tributaries by reducing TMDL's as mandated by the United States Environmental Protection Agency.

NOW THEREFORE BE IT RESOLVED by the Middlesex County Board of Supervisors, that it supports the efforts of the County Administrator and its Representatives in the pursuit of and acquisition of funding from the **Direct Appropriations Program**, and hereby requests funding in the amount of Eleven Million Dollars (\$11,000,000) for the purpose of offsetting the significant costs of design and construction of sanitary sewer projects in Deltaville, Hartfield, Topping and Saluda, at an estimated cost of Forty-One Million Dollars (\$41,000,000).

Done on this 3rd day of January 2023.

A Copy Teste:



Matt Walker, County Administrator

Airport Grant

Mr. Beam provided an explanation for Grant Agreements CS0076-20 and CS076-21. He said these grants were approved and a signature to accept the grants was due by January 16, 2023. Mr. Beam requested the Boards authorize Mr. Walker to sign the documents on the County's behalf.

A motion authorizing Mr. Walker to sign Grant Agreements CS0076-20 and CS0076-21 was made by Supervisor Harris and seconded by Supervisor Williams and carried by the following roll call: Supervisor Koontz – Aye, Supervisor Harris – Aye, Supervisor Williams – Aye, Supervisor Jessie – Aye and Chairman Kimbrough – Aye.

REGULAR AGENDA ITEMS

Citizen Appointments

Ms. Ricardi said there was one vacant position on the EDA and two applications were received. She said Mr. Crittenden and Mr. Revere both submitted applications for appointment. Ms. Ricardi also stated that there was a request that Mr. Scott Schafer fill the vacant position on the Wetlands Board.

A motion approving Mr. Jerry Crittenden be appointed to the Economic Development Authority to fulfill the remainder of Mr. Gordon White's term through January 2023 and then begin a four-year term with an expiration of January 31, 2027 was made by Supervisor Koontz and seconded by Supervisor Harris and carried by the following roll call: Supervisor Harris – Aye, Supervisor Williams – Aye, Supervisor Jessie – Aye, Supervisor Koontz – Aye and Chairman Kimbrough – Nay.

A motion approving Mr. Schafer be appointed to the Wetlands Board was made by Supervisor Koontz and seconded by Supervisor Harris and carried by the following roll call: Supervisor Williams – Aye, Supervisor Jessie – Aye, Supervisor Koontz – Aye, Supervisor Harris – Aye and Chairman Kimbrough – Aye.

Budget Supplement Request FY2023-24

Ms. Ricardi provided a brief explanation of Budget Supplement Request FY2023-24. She said the request was for \$12,500.00 to replace a Sheriff's vehicle.

A motion approving Budget Supplement Request FY2023-24 was made by Supervisor Koontz and seconded by Supervisor Harris and carried by the following roll call: Supervisor Williams – Aye, Supervisor Jessie – Aye, Supervisor Koontz – Aye, Supervisor Harris – Aye and Chairman Kimbrough – Aye.

| FROM: | AMOUNT: | TO: | AMOUNT: |
|-----------------|---------------|-----------------|-------------|
| 3-1-041060-0001 | (\$12,500.00) | 4-1-031020-7006 | \$12,500.00 |

ADMINISTRATOR UPDATES

Mr. Walker discussed the last Board Retreat, stating that he felt it was a productive retreat and a lot of useful information was given including the Board's top ranked priorities. Mr. Walker said he thought the consultant who conducted the retreat did a good job and recommended the same consultant be invited to facilitate the next Board retreat later this year.

Mr. Walker reminded the Board of several upcoming meetings and he said he plans on having a presence down at the General Assembly not just during these meeting dates. He said he wants to be available with any information that may be needed on the County's pending grant requests.

COUNTY ATTORNEY UPDATE

Mrs. Lewis had no updates for the Board at this time.

UNFINISHED/NEW BUSINESS

Unfinished Business:

No unfinished business was discussed by the Board.

New Business:

No new business was discussed by the Board.

MATTERS PRESENTED BY THE BOARD

The Board members reported on their activities since the last Board of Supervisors meeting on December 6, 2022.

PUBLIC COMMENT

Chairman Kimbrough opened the Public Comment at 5:07 p.m.

Mr. Greg Meyer voiced his concerns with community organization and communication within the community. He suggested the Board create a committee to take on the responsibility of building our community.

Chairman Kimbrough closed the Public Comment at 5:10 p.m.

RECESS

The Board voted unanimously to recess until 7:00 p.m.

RECONVENE

The meeting reconvened at 7:00 p.m.

PUBLIC HEARING

A. Personal Property Tax Ordinance

Mrs. Lewis provided an explanation for the Personal Property Tax Ordinance, saying this will provide Middlesex County personal property taxpayers a one-time 25% refund of the tax for qualifying vehicles assessed by the County for calendar year 2022. Mrs. Lewis said that a qualifying vehicle is defined as follows: automobiles, trucks of less than 10,000 pounds, trucks of more than 10,000 pounds, motorcycles, business vehicles (which includes automobiles, trucks of less than 10,000 pounds, tractor trucks, trucks of more than 10,000 pounds), and trailers (which includes boat, cattle, horse, car, semitrailer and utility trailers). Payments for 2022 personal property taxes are due February 6, 2023. No refund will be issued after February 6, 2023, for taxpayers who are making a late payment. The Board had questions regarding the language on late payments. Mrs. Lewis explained that is a policy decision and deferred it back to the Board. Mr. Williams asked for clarification on qualifying vehicles. Mrs. Lewis said that the information regarding qualifying vehicles comes directly from the Commissioner of Revenue for personal property tax purposes.

Chairman Kimbrough opened the public hearing at 7:17 p.m.

No one addressed the Board with comments.

Chairman Kimbrough closed the public hearing at 7:17 p.m.

A motion to adopt this personal property tax ordinance as presented was made by Supervisor Jessie and seconded by Supervisor Harris and carried by the following roll call: Supervisor Jessie – Aye, Supervisor Koontz – Nay, Supervisor Williams – Aye, Supervisor Harris – Aye and Chairman Kimbrough – Aye.

B. 2023-2027 Capital Improvements Plan

Mr. Kretz explained that this plan is intended for use as a Capital Facilities planning document and is not a request for funding allocations or a county capital budget; it is only intended as a planning tool to assist in the development of the County Budget. Mr. Kretz briefly went over the plan and provided additional comments.

Chairman Kimbrough opened the Public Hearing at 7:30 p.m.

No one addressed the Board with comments.

Chairman Kimbrough opened the Public Hearing at 7:30 p.m.

A motion to adopt the Capital Improvement Plan for 2023 was made by Supervisor Jessie and seconded by Supervisor Koontz and carried by the following roll call: Supervisor Koontz – Aye, Supervisor Harris – Aye, Supervisor Williams – Aye, Supervisor Jessie – Aye and Chairman Kimbrough – Aye.

ADJOURN

A motion to adjourn until the work session meeting on Friday, January 6, 2023, at 9:30 a.m., was made by Supervisor Koontz, seconded by Supervisor Jessie, and carried by the following roll call: Supervisor Harris – Aye; Supervisor Williams – Aye; Supervisor Jessie – Aye; Supervisor Koontz – Aye; and Chairman Kimbrough – Aye.

Lud H. Kimbrough, III, Chairman
Board of Supervisors