

AT A HYBRID MEETING OF THE MIDDLESEX COUNTY BOARD OF
SUPERVISORS HELD ON TUESDAY, APRIL 6, 2021, BOTH ELECTRONICALLY
AND IN-PERSON IN THE BOARD ROOM OF THE HISTORIC COURTHOUSE,
SALUDA, VIRGINIA:

Present: Wayne H. Jessie, Sr., Jamaica District
Peter W. Mansfield, Saluda District
John B. Koontz, Jr., Hartfield District
Reginald A. Williams, Sr., Harmony Village District
Lud H. Kimbrough, III, Pinetop District

Matthew L. Walker, County Administrator
Betty S. Muncy, Assistant County Administrator
Ann Marie Ricardi, Assistant County Administrator
Heather W. Lewis, County Attorney
Susan C. Traner, Deputy Clerk

CALL TO ORDER

Chairman Jessie called the meeting to order at 3:00 p.m.

DECLARATION OF EMERGENCY

Ms. Muncy read the Electronic Meeting Provisions allowing the Board of Supervisors to conduct county business by electronic means, pursuant to the Board of Supervisors' Government Continuity Ordinance, #81, adopted on May 5, 2020, and re-adopted on November 4, 2020, extending the ordinance for up to an additional six months.

ROLL CALL

Attendance was taken by Ms. Muncy with the following roll call: Supervisor Koontz – Present; Supervisor Mansfield – Present; Supervisor Williams – Present; Supervisor Kimbrough – Present; and Chairman Jessie – Present. All five Board members were present; there was a quorum. Supervisor Williams led the group in prayer; Mr. Walker led in the Pledge of Allegiance.

CONSENT AGENDA

Supervisor Koontz said that he was not yet ready to discuss oyster shell recycling and asked that the item be removed from the agenda. A motion to approve the Consent Agenda, as amended, was made by Supervisor Williams, seconded by Supervisor Koontz, and carried by the following roll call: Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Williams – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

The Consent Agenda included approval of minutes from the March 2, 2021 Budget Work Session, March 2, 2021 Regular Meeting; and the March 16, 2021 Budget Work Session; disbursements dated March 3, 2021 – April 6, 2021, numbered 97179 – 97330, totaling \$422,724.29; and payroll dated March 15, 2021, numbered 97150 – 97178 totaling \$451,746.32.

PUBLIC COMMENT

Chairman Jessie opened the public comment period at 3:06 p.m.

There were no speakers that addressed the Board.

Chairman Jessie closed the public comment period at 3:07 p.m.

CONSTITUTIONAL OFFICERS

Kathy Thrift, Treasurer, was not present at the meeting. Mae Burke, Commissioner of the Revenue, was present, but the Board had no questions for her at that time.

AGENCY AND STAFF REPORTS

VDOT:

Joyce McGowan, Residency Administrator, addressed the Board, saying that VDOT was diligently filling potholes and making asphalt repairs for issues caused by the recent winter conditions. She said that repairs had been made regarding sink holes around some of the drop inlets in Deltaville. She said that Fairfield shoreline repairs would be done toward the end of the month. Afterwards, pipe replacement would be done in Remlik on Route 676. Work is continuing on the Dragon Run bridge; it is expected to be completed in the fall with both lanes reopening to traffic. The work on Route 625 at Barricks Mill Pond replacing the bridge, with a detour in place, is expected to begin as scheduled. Sidewalk repairs are expected to be made in Urbanna and Deltaville during the summer months. She said grass cutting on the primary roads would begin in June, and treatments will be performed on Johnson Grass throughout the year on primary and secondary roads.

Supervisor Mansfield discussed his concerns with the Remlik Road project. Ms. McGowan said that the pipe was being replaced with an elliptical pipe which would increase capacity. She said VDOT was checking the area and the stones that were in place weekly to stay on top of everything.

Supervisor Williams addressed some issues concerning the ditches on Routes 619 and 620, saying that the ditches needed to be cleaned out, and in some areas, the ditches had been washed out and were beginning to erode the highway.

Mr. Walker asked Ms. McGowan to investigate ditches in Deltaville that are not draining. He said the drainage issues had become very apparent since the contractor had started working on the water system in that area. He said that he assumed it had something to do with the extraordinary amount of rainfall in the area in recent months. Ms. McGowan said that pipe washing was scheduled to begin between May and September, and she would check out the areas that Mr. Walker mentioned.

Schools:

Dr. Gretz was not available to attend the meeting, so Mr. Walker addressed the Budget Supplement Requests and Transfer that were in the Board packet. He said that Budget Supplement Request FY2021-61 was for retroactively approving the down payment needed to order the HVAC equipment for the elementary school to ensure delivery and installation this summer. Budget Supplement Request FY2021-62 was for the solar panel project credits. Sun Tribe agreed to purchase Solar Renewable Energy Certificates (SREC) from the school for \$6,010 per quarter for 15 years. This request would appropriate the payment for the first two quarters. Budget Supplement Request FY2021-63 was to appropriate money donated by Kiwanis to be used in the construction of raised garden beds which Compass Academy students will use to raise crops. A portion of the crops will be donated to the Cryer Center. Budget Transfer Request FY2021-08 was for transferring CARES money to various line items for division-wide materials and supplies to better support moving into four-days a week, in-person learning beginning April 12, 2021.

A motion to approve Budget Supplement Requests FY2021-61-63 and Budget Transfer Request FY2021-08 was made by Supervisor Mansfield, seconded by Supervisor Koontz, and carried by the following roll call: Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Williams – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

From:	To:	Amount:
3-1-041060-0001	4-1-099010-0042	\$254,253.58
3-074-051050-0010	4-074-066300-8100-900	\$254,253.58
3-071-018991-2000	4-071-064200-5101-900	\$12,020.00
3-071-018990-3000	4-071-061100-6000-310-100-600	\$550.00
4-071-063200-3000-900	4-071-068200-8100-900	\$80,000.00
4-071-062220-3000-900 (\$21,054.77)		
4-071-062230-3000-900 (\$22,690.00)		
4-071-062240-3000-900 (\$22,506.38)	4-071-061310-6000-900-100	\$66,251.15

Parks and Recreation Department Update:

Karen Reed informed the Board that the Tom Carter Memorial Gymnasium would be used for a variety of programs, such as activities for seniors and kids; exercise classes; self-defense classes; line dancing classes; cheering; karate; volleyball and basketball camps; and basketball practices, games and tournaments.

The gym would also be open certain days and times for various activities like badminton, pickleball and shuffleboard. She said that currently, however, the gym floor is in very poor condition.

Cooks Corner Office Complex – Gym Floor:

Ben Burton, Bay Design, addressed the Board regarding the condition of the gym floor. Mr. Burton reviewed the various tiles to be considered for the floor replacement. He said the contractor gave a preliminary price of approximately \$27,000, but since there are so many unknowns, Mr. Burton recommended adding a 20% contingency to that, which would bring the price into the mid-\$30,000 range. The current tiles would be removed and replaced with 12x12 VCT tiles. The bleachers will need to be removed from the walls in order to replace the tiles underneath them. The bleachers may actually need to be replaced as they might not be ADA compliant. Mr. Walker told the Board every effort would be made to keep the bleachers and retrofit them to meet ADA compliance. Mr. Burton said that rather than replacing the bleachers, measures would be investigated to bring the bleachers into ADA compliance. The contractor is prepared to address these types of items that are popping up, but it is not included in the base bid.

Supervisor Kimbrough asked if the gym floor replacement would be replacing the windows project in the Social Services board room. Mr. Burton replied that it would, but it is not included in the base bid, and would be processed as a change order when the time comes after the basic contract is created. Supervisor Kimbrough stated that it would then be a reduction of \$22,000 for the windows and an addition of approximately \$33,000 for the floor.

Chairman Jessie said, in his opinion, new bleachers would not be needed. He said the old bleachers were very well constructed and made with amazing timber that cannot be bought today. He believes that they can be retrofitted to make them ADA compliant, if it turns out that ADA compliance is required for them.

A motion to authorize the County Administrator to proceed with Trinity USA for the gym floor replacement with the materials presented by Mr. Burton was made by Supervisor Williams, seconded by Supervisor Kimbrough, and carried by the following roll call: Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Williams – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

Historic Nature Trail:

Wayne Savage, Bay Design, reviewed the layout of the Historic Nature Trail. There will be a parking area with handicapped spots, sitting areas with benches, and possibly some picnic tables. He said that, currently, the total trail length is about 4,080 feet, or roughly three-quarters of a mile. The wetland delineation will be done by next week so it can be given to the Army Corps of Engineers for approval of the permits that will be required. He said that the proposal for the final design work had been included

in the Board packet for approval. Supervisor Koontz asked if there would be any bridges included in the trail. Mr. Savage replied that there was an area near the end of the property that would require some type of bridge. He is anticipating that it will be similar to a standard dock structure. Supervisor Koontz asked when the start of construction is anticipated and how long the expected duration of construction would be. Mr. Savage said that he expected to have final plans done within the next three months. He said approvals should not take very long and obtaining the permits from the Army Corps of Engineers should be pretty straightforward. The County will be the only approving authority assuming there is less than an acre of disturbance. Mr. Savage said that construction of the trail should take approximately three to four months. Mr. Walker advised the Board that additional grants will be applied for that could help contribute more money to the project.

A motion to approve the proposal for the final design and concept by Bay Design was made by Supervisor Koontz, seconded by Supervisor Williams, and carried by the following roll call: Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Williams – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

REGULAR AGENDA ITEMS

Financing for MES HVAC and CCOC renovations:

Ted Cole, Davenport and Company, gave an overview of what the financing would consist of for the two projects. The CCOC renovations total approximately \$958,000 and the HVAC replacement at the Middlesex Elementary School totals about \$1.7 million. Combined, the two projects are rounded to an even \$2.9 million which is the amount asked for in funding from the banks. The amount could be lower depending on whether the County wants to reimburse itself for a down payment that was made on the equipment. This would be a bond that the county would issue through the EDA. In working with staff and Sands Anderson, the county's bond counsel, a request for proposal was sent out to numerous banks for funding for up to \$2.9 million for 15-20 years. The loan would be secured by the Cooks Corner Office Complex building. If there were ever a problem with the repayments, the bank would be able to take control of the CCOC building and try to lease it out to recoup their money. If all requirements are met, the documents would be executed, there would be a closing, and the money would move from the bank to an account controlled by the county. The county would then release those funds as project costs are presented. Mr. Cole said this would be tax-exempt borrowing.

Supervisor Williams asked if the county could lease space within the CCOC building once a loan was approved and accepted. Mr. Cole said the county would need to be careful not to create a problem with the tax-exempt borrowing by leasing to a private business; doing that could create problems from a legal standpoint.

Dan Siegel, Sands Anderson, said that this would be a tax-exempt bond, so the county would have to comply with the tax-exempt rules established by the IRS. If any

part of the building were to be leased out for private use, it could make the bond no longer tax-exempt. Leasing to a non-governmental, private entity might require converting this loan to a taxable loan, which would involve a higher interest rate. If the entity is a not-for-profit 501c3, chances are that would be allowed with no changes to the loan.

Mr. Cole said four proposals were received as a result of the request for proposal. He reviewed all four proposals and the various interest rates. Sterling Bank offered the best interest rates for 15-year and 20-year terms and offered a prepayment period after May 1, 2028 with no penalty. The Sterling Bank 15-year loan with an interest rate of 2.26%, borrowing a total of \$2.759 million, would result in a total debt service repayment of \$3,314,920, with an annual debt service payment reducing from \$221,351 in FY 2022 to \$221,152 in FY2036 over the life of the 15-year loan if the loan is carried all the way to maturity. The only 20-year loan, also offered by Sterling Bank, had a higher rate and an additional five years, but had a lower annual payment, averaging about \$180,000 a year. Mr. Cole said that the recommendation is for the county to go with Sterling Bank. However, he said that once the county chooses a bank, the Board would then have to choose whether to pay themselves back for the \$254,000 down payment already made for the schools' HVAC. If they choose to pay themselves back, the financed amount will remain at \$2.759 million. If not, the financed amount would drop to \$2.5 million, resulting in a total debt service repayment of \$3,008,591, with an annual debt service payment ranging from \$200,218 in FY2022 to \$200,675 in FY2036 over the life of the 15-year loan if the loan is carried all the way to maturity.

A motion to authorize Davenport and Company to proceed with obtaining a loan through Sterling Bank in the amount of approximately \$2.5 million at an interest rate of 2.26% for 15 years, resulting in a total debt service repayment of \$3,008,591 was made by Supervisor Koontz, seconded by Supervisor Mansfield, and carried by the following roll call: Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Williams – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

Mr. Siegel said that a resolution is required to have the bond documents approved. He said that a resolution had been provided in the Board packet documents that would authorize the bond issue.

A motion to authorize the resolution and approve the bond issue as per the resolution included on page 116 of the Board packet was made by Supervisor Koontz, seconded by Supervisor Kimbrough, and carried by the following roll call: Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Williams – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

Health Insurance:

Ms. Muncy said she sent a survey to 71 employees that are eligible for any of the county's health insurance plans. She said that currently, 68 employees participate

in one of the two health care plans offered by the county. Insurance information and video links to presentations about the choices for insurance were sent to the employees. The survey asked if the employees were interested in choosing a high-deductible health insurance plan if offered and if not, which of the two current plans offered by the county would the employees prefer. She received 30 responses with 83% of employees saying they had no desire to switch to a high-deductible option.

David Rowe, Banker's Insurance and Benefits Consultant, answered a few questions from the Board regarding the different health insurance plans.

A motion to renew the two current plan options and continue funding 100% of the employee-only cost of the base plan was made by Supervisor Mansfield, seconded by Supervisor Kimbrough, and carried by the following roll call: Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Williams – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

A motion to offer the Advantage 65 Retiree Medicare Supplement Plan option, to include dental and vision, was made by Supervisor Kimbrough, seconded by Supervisor Williams, and carried by the following roll call: Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Williams – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

Infectious Disease Plan:

Ms. Ricardi informed the Board that Virginia had recently enacted a new law that requires all employers to have an Infectious Disease Preparedness and Response Plan in place by March 26, 2021. Training had to be provided to certain specified employees that reach certain thresholds of risk. Middlesex County met the deadline and provided the required training. The County Administrator's office used the Department of Labor and Industry's base plan to develop a plan for Middlesex County. Ms. Ricardi said she would be responsible for tracking any changes required by the Department of Labor and Industry. It includes return-to-work procedures for any employee that may be infected. The Infectious Disease Plan is posted on the county website for viewing.

Budget Supplement Request:

Ms. Muncy reviewed Budget Supplement Request FY2021-59, in the amount of \$4,500, which was to appropriate grant funds received from the Economic Development and Tourism grant for the Arts in the Middle program.

A motion to approve Budget Supplement Request FY2021-59, in the amount of \$4,500, was made by Supervisor Mansfield, seconded by Supervisor Kimbrough, and carried by the following roll call: Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Williams – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

From:	To:	Amount:
3-1-024040-1015	4-1-81050-5415	\$4,500.00

Citizen Appointment:

Ms. Muncy told the Board that R.D. Johnson’s term on the Board of Zoning Appeals would be expiring April 30, 2021. She said he had submitted an application asking to be recommended for reappointment.

A motion to approve recommending R.D. Johnson for reappointment to the Board of Zoning Appeals for another five-year term was made by Supervisor Koontz, seconded by Supervisor Williams, and carried by the following roll call: Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Williams – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

Chairman Jessie asked the other Board members to be looking for candidates for the Johnson Grass committee.

Ms. Muncy reminded the Board that there is a vacancy on the Board of Building Code Appeals (BBCA). The BBCA needs an experienced property manager.

Surplus Vehicles:

Ms. Muncy reviewed a list of surplus vehicles and equipment with the Board. The information had been gathered by the Maintenance Department. All the vehicles and equipment are currently stored behind the Puller Center for viewing. If the Board chooses to declare those items surplus, they will be placed for bid. She said that there was one Sheriff’s Office vehicle that was at the NAPA store in Deltaville that had been used for parts by the Sheriff. She asked that the Board consider declaring that vehicle as surplus and signing the title over to NAPA rather than paying to have it brought back up to the Puller Center.

A motion to declare the list of vehicles and equipment as surplus so they could be put out for bid and declare the single Sheriff’s Office vehicle currently at NAPA as surplus and to sign the title over to that salvager was made by Supervisor Koontz, seconded by Supervisor Kimbrough, and carried by the following roll call: Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Williams – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

County Holidays:

Ms. Muncy said that the state had signed into policy that Juneteenth, the nineteenth of June, would be a state holiday. The county’s personnel policy allows for additional holidays that the Governor declares, such as snow days or the day after Thanksgiving, but this will be a permanent holiday granted to state employees. In

order to have the new, permanent holiday included in the county personnel policy, the Board of Supervisors would need to approve it.

A motion to approve adding the Juneteenth holiday to the county personnel policy was made by Supervisor Koontz and seconded by Chairman Jessie. During discussion, Supervisor Kimbrough said he had no problem with the holiday, but he did have a problem with the General Assembly imposing an extra day off of paid work at the taxpayers' expense and affecting the effectiveness of the county workforce. Supervisor Koontz said that he appreciated Supervisor Kimbrough's comments in trying to make that fact known and understood by the public, but he believes that the June 19, 1865 end of civil war commemoration of Juneteenth is possibly more important than ever before. He said that, generally, he is opposed to unfunded General Assembly mandates, but given the importance of this holiday, he is willing to overlook it. The motion to approve adding the Juneteenth holiday to the county personnel policy was carried by the following roll call: Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Williams – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

COUNTY ADMINISTRATOR REPORT

Mr. Walker advised the Board that he would be attending a meeting of regional County Administrators to discuss the potential formation of a Tobacco Tax Enforcement Board for the Middle Peninsula. He said the county was looking into potentially implementing a cigarette tax and participating on such a board. He would have more to report at a later date, and possibly a potential draft ordinance for the Board to consider if the project moves forward. Mr. Walker reviewed the water project, saying that the Water Authority contractors were making great progress. He said that if citizens with concerns or questions reach out to the Board, please redirect them to the Water Authority's construction inspectors or to staff. This will help the Authority monitor the contractual obligations of the contractors and to document those concerns to make sure that they are handled appropriately. He reminded the Board that a budget work session had been scheduled for Friday, April 9, 2021, at 1:00 p.m. He said he had invited Dr. Gretz and Ms. Murray to attend, as well as Mickey Sampson with the Sheriff's Office.

COUNTY ATTORNEY UPDATE

Ms. Lewis informed the Board that she had attended the Local Government Attorney's Spring Conference. She said it was very informative, and most of the information was about legislative updates. She said she would prepare a brief summary of the conference for the Board.

UNFINISHED/NEW BUSINESS

Unfinished Business:

Unsafe Gunfire in Residential Subdivisions:

Supervisor Mansfield reviewed his request for a Board of Supervisors policy change that would give subdivisions the right to choose if they have gunfire, based on safety, in a close residential district. A two-thirds vote of property owners in the subdivision would be required. The county would then verify the list of the two-thirds or more property owners' names, and if all names presented are verified as property owners in the subdivision, then the Supervisor for the district that the subdivision is located in would bring the matter before the Board for discussion.

A motion to add the requested language regarding unsafe gunfire in a residential subdivision, as presented by Supervisor Mansfield, to the Board of Supervisors' policies was made by Supervisor Mansfield, seconded by Supervisor Koontz, and carried by the following roll call: Supervisor Williams – Aye; Supervisor Kimbrough – Aye; Supervisor Mansfield – Aye; Supervisor Koontz – Aye; and Chairman Jessie – Aye.

At 5:08, with the two-hour time limit having passed, attendance was taken by Ms. Muncy with the following roll call: Supervisor Koontz – Present; Supervisor Mansfield – Present; Supervisor Williams – Present; Supervisor Kimbrough – Present; and Chairman Jessie – Present. All five Board members were present; there was a quorum.

New Business:

Supervisor Mansfield made a request for \$5,000 to be paid to Timmons Group to investigate a way to handle the sewage wastewater for Deltaville. Rather than having HRSD handle it, Middlesex County could handle it. Within a few years, the wastewater treatment plant would no longer have treated wastewater going into the Urbanna Creek. The treatment plant could possibly be relocated to Deltaville. Timmons could investigate relocating the plant to a wooded area just outside of Deltaville, where 15,000 gallons a day could be treated and blown into the wooded area. Timmons could determine if there could be any savings for the county by using this method, rather than letting HRSD handle it and collect the money. The county could require that it be blown into low-lying areas.

Supervisor Kimbrough said this plan would release the constraints of sewer hookups only being offered to people who subscribe to the water system. A number of customers who really need sewer service will not have access to it because they are not on the water line. This alternative treatment concept would allow the county to enroll people who are not on central water into the sewer system. Timmons said it

would have to investigate to see if the Department of Environmental Quality (DEQ) would issue a permit for something like this or if this would be a viable possibility.

A motion to approve giving Timmons Group \$5,000 to do a study for an alternative treatment concept for sewage in Deltaville was made by Supervisor Mansfield, seconded by Supervisor Kimbrough, and carried by the following roll call: Supervisor Williams – Aye; Supervisor Kimbrough – Aye; Supervisor Mansfield – Aye; Supervisor Koontz – Aye; and Chairman Jessie – Aye.

Supervisor Williams mentioned that he had been talking to a real estate agent, representing Rivermont School, that was interested in acquiring a building in Middlesex for approximately 100 children with special needs. Middlesex, and all the surrounding counties, drive children to Richmond every day to attend special-needs schools. The agent said he was interested in the St. Clare Walker building or possibly the Puller Center or the Kidd Building. Supervisor Williams said he also suggested that land in the county could be sold to the school. He believes bringing the Rivermont School to Middlesex would be a worthwhile project, for many reasons.

MATTERS PRESENTED BY THE BOARD

Supervisor Williams said that the hunting club was looking for an area to let hunting dogs run for exercise during the summer months. Mr. Walker advised that Game and Inland Fisheries be called to see what advice the game warden could offer for exercising hunting dogs. Supervisor Williams also asked that when people find a dog, they check the dog tags and call the owners to come and pick them up instead of calling the dog warden. If the owner does not pick them up, only then should they call the dog warden.

Supervisor Koontz said that some clearing had been done across the street from the Coves at Wilton Creek. He said that the area was a disaster and looked like a tornado had been through it. He said he had received a lot of negative feedback about the situation from citizens. He said that things had been done to beautify solar power plants and storage facilities, and steps were being taken to remedy dilapidated buildings and unsafe structures. He said that Planning and Zoning had told him that the clearing situation was standard protocol, and nothing could be done about it, but he could contact the Department of Forestry about the situation. He said that the Department of Forestry had progressed considerably over the years and there are practices called select cutting in place. He believes something should be in the Zoning Ordinance that prevents a mess like that from being left, especially along main highways. He asked that County Administration have Planning and Zoning and the Department of Forestry's local contact reach out to him and explain how this would be considered a best practice.

RECESS

A motion to recess until the 7:00 p.m. Public Hearings was made by Supervisor Mansfield, seconded by Supervisor Koontz, and carried by the following roll call: Supervisor Kimbrough – Aye; Supervisor Williams – Aye; Supervisor Koontz – Aye; Supervisor Mansfield – Aye; and Chairman Jessie – Aye.

RECONVENE

The Board reconvened for the evening session at 7:00 p.m.

Ms. Muncy read the Electronic Meeting Provisions allowing the Board of Supervisors to conduct county business by electronic means, pursuant to the Board of Supervisors' Government Continuity Ordinance, #81, adopted on May 5, 2020, and re-adopted on November 4, 2020, extending the ordinance for up to an additional six months.

ROLL CALL

Attendance was taken by Ms. Muncy with the following roll call: Supervisor Kimbrough – Present; Supervisor Mansfield – Present; Supervisor Koontz – Present; Supervisor Williams – Present; and Chairman Jessie – Present. All five Board members were present; there was a quorum.

PUBLIC HEARINGS

VDOT Secondary Six-Year Plan:

Joyce McGowan, VDOT Residency Administrator, briefed the Board on the Secondary Six-Year Plan, saying that the Code of Virginia required the County Board of Supervisors, in conjunction with the Department of Transportation, formulate a Secondary Six-Year Improvement Plan (SSYP) and a priority list for the Secondary Improvement budget. This public hearing is being conducted for the FY2022-FY2027 plan and for the fiscal year of 2022. The SSYP budgeted amount for Telefees for Countywide Spot Improvements for each of the next six years is \$30,168 for a total amount available to spend over six years of \$181,008. The County already has an existing balance of \$224,062 in Countywide Spot Improvements, and with the additional Telefees of \$181,008 being added over the next six years, there would be a total of \$405,070 over the course of the SSYP. The County has an existing balance of \$22,083 in funds for Countywide Traffic Services, with no additional money being added over the next six years because the county has no unpaved roads that qualify for the plan. Ms. McGowan recommended using some of the \$224,062 existing balance, approximately \$75,000 of it, to construct turnarounds on both sides of the mill dam on Healy's Mill on Route 629. The road has been closed for 15 years with only barricades and sand in place to stop motorists. A recent concern about the GPS not reflecting that situation correctly has been fixed. Additional signage was also added.

She believes that it would be appropriate to create a project for the turnarounds. She recommended that in a future Board work session, discussions could be had regarding the abandonment or discontinuance of that section of Route 629, which would require another public hearing and Board action. Ms. McGowan said that a second project being recommended, which would not come from the Secondary Six-Year Plan funds, is Routes 615 and 616, Town Bridge Road, saying that the county could apply for the Smartscale Program funding for next year. Smartscale Program funding is available for large-scale projects not eligible for the Secondary Six-Year Plan. Ms. McGowan also recommended that the Board transfer \$10,000 of their Telefees into a Traffic Engineering Services budget item for traffic studies for future projects. She said she wanted to remind the public that the SSYP is only for improvements and new construction, not maintenance work, like potholes, ditching, snow removal, repaving roads, etc.

The public hearing comment period was opened at 7:11 p.m.

No speakers addressed the Board regarding the matter.

The public hearing comment period was closed at 7:12 p.m.

Supervisor Williams asked Ms. McGowan where the turnarounds would be located. Ms. McGowan said that depended on whether the Board decided to abandon or discontinue the portion of the road that is no longer available to the public. It would either be a T-turn around or a cul-de-sac.

Supervisor Mansfield said he was not in favor of spending money on turnarounds. He thinks the road should just be abandoned with signs indicating the road ends at certain distances located along the route.

Chairman Jessie asked Ms. McGowan who would own the abandoned portion of road. Ms. McGowan said it would depend on what type of right-of-way was there. The land was never purchased outright so a prescriptive easement was in place. The 30-foot prescriptive easement allowed VDOT to maintain the road on top of the dam. If the road is abandoned, VDOT's right to maintain it will no longer exist and the property would revert back to whoever owns the land under the dam. If the road is discontinued, VDOT would no longer have an obligation to maintain the road. It would remain a public right-of-way, but it would not have the VDOT prescriptive easement on top of the dam. Once the road becomes two separate segments, some sort of turnaround should be in place for traffic.

Chairman Jessie asked Ms. McGowan to explain the Smartscale Program. She replied that it was a new application process that was in place for projects to be funded and it must meet certain criteria. It must be a corridor of statewide significance, like Route 17, and anything within five miles of that corridor on either side. Route 615 meets the criteria, and the county can identify a need, such as safety, congestion, economic development, etc. VDOT would help the county develop a project that could

be applied for through Smartscale, and it would go through a scoring process. If it meets the criteria and scores well, it could be funded with future construction funds from Smartscale. Application for funding from Smartscale can only be done every other year.

Supervisor Koontz asked if pedestrian bridges would qualify for Smartscale. She replied that if they are part of a transportation network such as pedestrian sidewalks and trails, they may be considered as allowable. It would have to meet additional criteria to qualify. Supervisor Koontz added that, if there were an opportunity, he would like to see the Hartfield Park and Ride get some enhancements.

There was much discussion about how to handle the Route 629 issue.

Supervisor Koontz asked if any of the SSYP funds could be used for the Whiting Creek project. Ms. McGowan said that the Whiting Creek area was outside of the right-of-way, so the SSYP funds could not be used.

Supervisor Williams asked what could be done at the intersection of Route 33 and Route 619. He said it had become increasingly dangerous and the amount of traffic had increased. Ms. McGowan said that the county could identify that as a project and submit it to Smartscale for funding.

A motion to approve the VDOT Secondary Six-Year Plan and to use \$75,000 of the SSYP Countywide Spot Improvements fund for the turnarounds and \$10,000 for Traffic Engineering Services was made by Supervisor Koontz, seconded by Supervisor Kimbrough, and carried by the following roll call: Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; Supervisor Williams – Aye; Supervisor Koontz – Aye; and Chairman Jessie – Aye.

Precinct and Polling Ordinance Amendment:

Barbara Cockrell stated that the Urbanna Precinct needed to be moved from the Urbanna firehouse to another location but remain within the boundaries of the Town. Several churches were considered. Urbanna United Methodist Church meets all the criteria with handicapped accessibility and ample parking. There is plenty of room within the building for the polling place and they have a portico that vehicles can drive through for the elderly and disabled to do curbside voting.

The public hearing comment period was opened at 7:45 p.m.

No speakers were present to make a comment to the Board. However, Ms. Muncy did have a written comment to read into the record from Lisa Walker, the current Urbanna Precinct election chief. She said she wholeheartedly supported approving the change to the Urbanna United Methodist Church as it had a better structural layout than the Urbanna firehouse for voting needs. The Church offers a larger area to work in and spread out for social distancing. Voters would have separate entrance and exit

doors. There would be more parking available, and the parking would be a closer proximity to the entrance to the building.

The public hearing comment period was closed at 7:48 p.m.

A motion to amend the Precincts and Polling Ordinance to change the polling place for the Urbanna Precinct from the Urbanna firehouse to the Urbanna United Methodist Church, which is located with the limits of the Town of Urbanna, was made by Supervisor Williams, seconded by Supervisor Koontz, and carried by the following roll call: Supervisor Kimbrough – Aye; Supervisor Koontz – Aye; Supervisor Williams – Aye; Supervisor Mansfield – Aye; and Chairman Jessie – Aye.

PUBLIC COMMENT

Chairman Jessie opened the public comment period at 7:49 p.m.

No speakers addressed the Board with any comments.

Chairman Jessie closed the public comment period at 7:49 p.m.

ADJOURN

A motion to adjourn until the next Budget Work Session meeting scheduled for Friday, April 9, 2021 at 1:00 p.m. was made by Supervisor Koontz, seconded by Supervisor Mansfield, and carried by the following roll call: Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Williams – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

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