

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS HELD ON
TUESDAY, APRIL 5, 2022, 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 (Electronically)

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 Kimbrough 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. Muncy with the following roll call: Supervisor Williams – Present; Supervisor Harris – Present; Supervisor Jessie – Present; Supervisor Koontz – Present (electronically); and Chairman Kimbrough – Present. There was a quorum.

Supervisor Koontz asked the Board for permission to attend the meeting electronically from Georgia. Per Board policies, the Board would need to vote on whether to allow Supervisor Koontz to attend electronically. A motion to allow Supervisor Koontz to attend electronically from Georgia was made by Supervisor Jessie, seconded by Supervisor Harris, and carried by the following roll call: Supervisor Harris – Aye; Supervisor Williams – Aye; Supervisor Jessie – Aye; Supervisor Koontz – Abstain; and Chairman Kimbrough – Aye.

CONSENT AGENDA

Chairman Kimbrough said that the agenda had a Closed Session with Public Comment after that, but since no action is anticipated after the Closed Session, he would like to amend the agenda to allow for Public Comment before the Closed Session.

A motion to approve the Consent Agenda, as amended, was made by Supervisor Jessie, 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.

The Consent Agenda included approval of minutes from the March 1, 2022 Budget Work Session, March 1, 2022 Regular Meeting, and March 22, 2022 Budget Work Session; disbursements dated March 2, 2022 – April 5, 2022, numbered 99631, 99660 – 99725, and 99727 - 99868 totaling \$554,561.68; and payroll dated March 15, 2022, numbered 99632–99659 and March 18, 2022, numbered 99726, totaling \$491,947.56.

PUBLIC COMMENT

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

Hallie J. Holmes spoke to the Board regarding the School Board's budget request and teachers' pay raises. She said that the Board of Supervisors had cut the School Board's budget request four out of the last five years, and this year they needed to step up and meet the budget request, especially in light of the inflation and cost of living increases.

Lauren Wood addressed the Board to advocate for teachers' pay. She said teachers had learned different technology and different ways to do their jobs while teaching virtually and had still provided a good education and their dedication should be recognized with a substantial pay raise.

Anna Pomaska said she had previously been a teacher for many years before she became a book illustrator. She said that being a teacher is an extremely difficult job, one of the most difficult jobs in the world. In order to get and keep teachers, they need to be paid equitably for such an incredible task.

Jon Farinholt said he had spoken to the Board a few weeks ago regarding the marine industry. He said he would provide each Board member with his phone number and email so they could contact him if they had any questions regarding the marine industry, which includes the boat yards, watermen, and residents that have private docks at their homes. Marinas and boat yards provide many services, including repairs, slips, and fuel, not only to residents and watermen, but to the Marine Police.

Robert Jackson addressed the Board regarding the monument, which he said stands for slavery and racism. White supremacy and a total disregard for the humanity of black people still exists today and continues to produce tragedy and conflict. The statue should be relocated to a more appropriate place, such as a museum, to serve an educational purpose.

Dawn Moore said she totally agreed with Mr. Jackson's statement. She said that teachers work continuously to help students. The Springstead study was done a number of years ago, indicating that the County was behind on the pay scale, and the County never caught up to the study, then or now. Surrounding counties are raising teachers' salaries and putting Middlesex near the bottom. All the teachers are asking for is a living wage. She asked the Board to please bring the school budget and teachers' salaries up to where they should be.

Michael Knez said he had a lot of respect and appreciation for what the Board does. He said that recruiting quality teachers to Middlesex has always been difficult. Fewer college students are entering and enrolling in teacher education programs. Middlesex County is no longer competing with surrounding counties, it is competing with school systems across the state and the nation. He said that one of the contributing problems is that salaries in Middlesex have not kept up with the cost of living. Each year, the School Board has proposed a sparse budget, and then the Board of Supervisors have reduced the budget even further. While the County government is working on several initiatives for the future health of the County, its fundamental responsibility is the education of its young people. He asked that the Board fully fund what the school system had asked for.

Ana Celina Knez said she had retired after 41 years of teaching. Teachers buy materials with their own money to teach their students. Recruitment and retainment of teachers will depend on the salary. Salaries must be competitive. They need to be able to support their families.

Jim Knupp said he often wondered what the world will be like for current children. They will only be prepared to meet challenges and be successful if they have good teachers. Their future will be dependent on the education they receive. He said there is a shortage of teachers, especially in rural areas. Fewer are going into the profession because other professions offer a higher return with less stress. He listed a number of reasons why there are less teachers, including low salaries and aggressive parents. Teachers are stressed over being fired for teaching the truth of history. Teachers are the country's most valuable resources, and they should be nurtured, protected, rewarded, and paid competitively.

Robert Montague said he is the immediate past President of the Middlesex County Museum and Historical Society. He said he was one of the leaders of the effort to keep the monument exactly where it is on the courthouse square. He said he is not in favor of seeing it modified in any way, shape, or form. It is a part of the history of this County. It does not remember any particular individual. It was not all about slavery. It was partially, at least, about the right of states to secede from the Union as an orderly legal process, which Virginia went through. He said he was not there to apologize for the statue because it is a significant part of this County's history. If the Board plans to modify it, he would like to participate in the process. However, he thinks it should be left where it is in response to the overwhelming majority of the people of the County by the referendum held in November of last year.

Gerry Waring asked the Board to vote on the monument. She said that the Board had heard from the voters of this County, as expressed by their overwhelming vote to keep the monument where it is. Four months have passed since the election, and the voters have not heard from the Board by way of their vote following the referendum. The voters who voted overwhelmingly to keep the monument are now waiting to hear from the Board. The voters are watching to see who upholds the wishes of their constituents.

Hal Muller said he was taught in school that our country has a representative form of government, one that listens to the people and then acts on the people's requests. Over

70% of the people had stated their wishes, but the Board had failed to act on them. Perhaps the Board thinks it is more intelligent, mightier, or endowed by the Creator with some powers that are greater than the citizens of the County. He has heard Board members wonder why people are not interested in their county government and why they do not come to the meetings. Perhaps it is because the entire county comes out to vote and the Board then denies their wishes. He asked the Board why a citizen would utilize their time to come to a meeting when the Board turns a blind eye to them. The citizens have a right to expect a great deal more than that. It is not just the black people in the county that had families enslaved, but white people also. The monument means many things to many people. He is looking forward to the Board's vote on this issue.

Lynda Muller said she was disappointed that the Board had not acted on the issue of the monument. She thanked the Board for putting it on the referendum during the election and she believes a clear message came from the citizens. As elected officials, she believes the Board is supposed to represent the majority of its constituents. She expects to hear a vote on this issue. She does not think it should be delayed and she does not think a committee should be created to study what other courthouses have done. She asked the Board to please represent their constituents.

Pete Mansfield addressed the Board, asking the Board to please take a hard look at the teachers' wages. The County's teachers have done an excellent job and deserve to be compensated fairly.

Chairman Kimbrough closed the public comment period at 3:44 p.m.

CONSTITUTIONAL OFFICERS

Kathy Thrift, Treasurer, addressed the Board, asking if anyone had any questions for her. No one had any questions at that time.

Mae Burke Diggs, Commissioner of the Revenue, said Chairman Kimbrough had asked her why the BPOL numbers were down. She said the timing of BPOL makes it look like the numbers are dropping. BPOL was due March 1, 2022, but businesses and sole proprietors wait until the last minute to turn it in. It may have been mailed and postmarked by March 1, 2022, but mail service is running slow and there are many items that have not been received yet. She said her office does not keep track of why businesses close, but she reviewed some factors as to why they might close. She reviewed a side-by-side comparison report she had prepared showing the differences between 2021 and 2022. At the next meeting, the Board will likely see an increase in BPOL because her office will most likely have received the majority of BPOL items by then. Some businesses wait until they file their taxes in April to file their BPOL and just pay the penalty.

AGENCY AND STAFF REPORTS

VDOT:

No one was present from VDOT to give a report.

Schools:

Dr. Seitz, Superintendent, reviewed three budget supplement requests and one budget transfer request. The first appropriation was for additional monies received from the state level for a school security grant, federal money received for students in programs for limited English proficiency, and an insurance reimbursement received for a school bus repair. The second appropriation was for additional money received from the IDEA special education funding. The third appropriation was for an ESSER III grant that the school applied for that had been received.

Supervisor Harris asked Dr. Seitz roughly how many teachers were in the schools. Dr. Seitz said, off the top of her head, she believes there are approximately 25-26 teachers at St. Clare Walker, 65 or so at the elementary school, and approximately 45 teachers at the high school.

A motion to approve Budget Supplement Requests FY2022-30, 31, and 32 was made by Supervisor Jessie, seconded by Supervisor Harris, and carried by the following roll call: Supervisor Jessie – Aye; Supervisor Koontz – Aye; Supervisor Harris – Aye; Supervisor Williams – Aye; and Chairman Kimbrough – Aye.

Dr. Seitz said that the budget transfer request was for an item that was taken out of the CIP. ESSER II grant funds are now being used for paving all three of the schools.

A motion to approve Budget Transfer Request FY2022-09 was made by Supervisor Jessie, seconded by Supervisor Harris, and carried by the following roll call: Supervisor Harris – Aye; Supervisor Williams – Aye; Supervisor Jessie – Aye; and Chairman Kimbrough – Aye. Supervisor Koontz was unable to respond to the roll call electronically.

FROM:	AMOUNT:	TO:	AMOUNT:
3-071-024030-7001	(\$3,560.00)	4-071-064200-8200-900	\$3,560.00
3-071-018991-0001	(\$3,191.64)	4-071-063200-3000-900	\$3,191.64
3-071-038436-5000	(\$2.27)	4-071-061100-6000-900-100-415	\$2.27
3-071-038402-7001	(\$62,964.41)		
3-071-033020-1902	(\$4,604.00)	Various Accounts	\$67,568.41
3-071-050189-1000	(\$24,780.00)		
3-071-050175-1000	(\$90,626.11)		
3-071-050183-1000	(\$31,984.60)	Various Accounts	\$147,390.71
4-071-063200-8202-900	(\$43,124.90)		
4-071-061310-8202-900-100	(\$128,000.00)	4-071-064200-8102-900	\$171,124.90

Heritage Committee:

Mr. Walker said that the Heritage Committee is made up of several community members to give advice and counsel on the Cooks Corner project. A very informative discussion was had about several businesses that had been lost over the years. They will be meeting again on April 28, 2022. The committee seemed to be struggling with what its

purpose is and what its status is within the matrix of the County projects. They will be working to discern and define their purpose in the coming months. A discussion was also had about the Board potentially appointing the members of the Heritage Committee and having them serve as an official advisory body to the County, but other discussion was had about the committee remaining independent and being more of a community group that is self-appointed. Mr. Walker said the Heritage Committee had been asked to contribute the historical information to go on the plaques along the historic nature trail.

Middlesex Water Authority:

Greg Chambers, Chairman, gave an update on the progress being made on the water line. He said that Phase 1A, 1B, and 2 are fully operational. The first set of bills were sent out a few weeks ago. Grey's Point Campground and Christchurch School are now taking water from the County. The County schools will hook up soon. After a meeting with VDH at the pumping station in Deltaville, VDH gave formal approval to operate Phase 3A and Phase 3B. The water line is now complete from Rosegill to Deltaville Market. He said that over 500 connections are in Phase 4 in Deltaville. VDH has agreed to a phasing plan, which resulted in Phase 4A, B, C, D, and E. Each phase will receive separate approval to be connected. Phase 4A goes almost all the way to Stingray Point and should be operational within a few weeks. Phase 4B is the Fishing Bay and Stove Point section, and it should be in operation by May 1, 2022. Financially, the Water Authority is on track, and on April 19, 2022, it will close the Co-Bank loan and the USDA loan.

Supervisor Harris asked how many participants had signed up with the water program. Mr. Chambers said that there are approximately 703 participants. The great majority of them are in Deltaville.

Rezoning Case 2022-01:

Dave Kretz, Planning and Zoning Director, said that when staff started reviewing the application for a General Business rezoning classification, it was discovered that the parcel in question is only approximately four acres. The ordinance requires a minimum of five acres to have a stand-alone General Business district, so the application does not meet the requirements. The only solution is to include the County-owned health department parcel with a portion of the intermediate parcel, Tax Map # 27-122, owned by the EDA, in the rezoning application to create one contiguous General Business zoning district back to the intersection where the 7-11 is located. The Board would need to take action because it involves rezoning County-owned property. If one contiguous General Business zone could not be created and extended from the 7-11, the developer would need approximately nine-tenths of an acre to have enough acreage to qualify as a standalone General Business district. The developer is not asking to acquire any property; they simply want to include County property to the application for rezoning, to extend the existing General Business zoning district. The properties in question are currently zoned as Village Community.

Supervisor Jessie described at length the interactions he had with the EDA Chairman regarding the County-owned property as well as conversations he had with the developer. He said that the area was zoned Village Community for a reason. There was a dog park

there and the Sheriff wanted to move into one of the buildings there. He said that due to the black history and culture in that location, it was not suitable for what the EDA was trying to put through. He had suggested a different location for the proposed business development, but that suggestion was shot down. He would still love to see the developer create a business in Middlesex County, just not in that location. He said that the EDA Chairman was not willing to work with the Board of Supervisors and he felt very disrespected.

Dave Hanby, a retail partner with The Keith Corporation, said the Cooks Corner site was put under contract about six months ago in an effort to bring a Tractor Supply Company store to that parcel. He said that the EDA had advised him that the deal could be approved. He said he had met with Supervisor Jessie and discussed the situation. He stated that there was no disrespect intended toward Supervisor Jessie. He was merely trying to finalize a deal on behalf of the Tractor Supply Company on the advice of the EDA. At this time, the Tractor Supply Company is not interested in a different location; they are only interested in the Cooks Corner location. He is just the developer, and the Tractor Supply Company calls the shots when it comes to location. He said that he felt there was some communication disconnection between the Board of Supervisors and the EDA. He said he was just asking to be allowed to move forward with the rezoning request. Supervisor Jessie said he was not in favor of the rezoning request. Supervisor Williams said that he felt that the developer was misled. He knew that the location would not be good for a Tractor Supply. Plans were already in place to build a playground and skating park there. Mr. Walker said there were sensitivities within the community regarding this site. A Tractor Supply is quite a bit different than a restaurant and event center that would display the heritage that was originally proposed for the site. He would love for Tractor Supply to come to the County in a different location. Much discussion was had by the Board, staff, and Mr. Hanby.

A motion to deny the developer's request to include a portion of the County-owned parcel, TM # 27-9A, in its rezoning application was made by Supervisor Jessie, seconded by Supervisor Koontz, and carried with the following roll call: Supervisor Harris – Aye; Supervisor Williams – Aye; Supervisor Jessie – Aye; Supervisor Koontz – Aye; and Chairman Kimbrough – Aye.

The Board took a 10-minute break at 4:55 p.m.

Waukeshaw Development – Woodstock Presentation:

Mr. Kretz introduced Dave McCormack, who is representing Waukeshaw Development. He said that this kind of project would have to go through a planning process.

Mr. McCormack said that Waukeshaw Development bought the property known as Woodstock Farm, 476 Fairfield Road. They are known for doing adaptive re-use projects all over the state. Woodstock Farm has a great deal of history and has a great deal of potential. He said this was an informational presentation only to describe their development approach. In the development, they want to respect the lay of the land and the historic nature of the property. The property would need to be rezoned from Agriculture to Cluster Development. It would be smaller houses clustered in a denser way, and not spread out all

over the property. Land preservation, green space, and historic preservation will be taken into consideration. The project proposes 40 to 50 houses with eight to ten houses per acre. The homes would range in size from 1,200 to 2,500 square feet. The Healy house located on the property would become an Airbnb with six to eight units. It is 6,000 square feet and would be an expensive renovation, but they plan to employ historic tax credits to help with the restoration. The existing barns would also be repurposed into apartments, perhaps six to eight in each structure. Another barn could be used to store items for shared amenities, such as kayaks and other items for water sports. There will be a community pool also. He reviewed a PowerPoint of sketches indicating the layout of the proposed project. He said they are proposing only a single dock for shared use. He said the houses would be clustered, with front porches, to bring the community together. Walking paths would go down to the water. The existing driveway coming in already has crape myrtles, which would be left in place. They would like to keep the back parcel, which is already being farmed, as an agricultural use as an additional amenity for the people living there. There would also be a community beach access. The Chesapeake Bay Act setbacks will be taken into consideration for any construction, houses, amenities, etc.

Mr. McCormack said that everything done there would have to go before the Department of Historic Resources, the Healy house and barns as well as the new houses. The property is 121 total acres with 70 acres being conserved. Most of the homes will be one story with a few two-story houses mixed in. They are proposing seven dwelling units per acre. The project will have a connection with nature. They are not planning on taking all the trees down. He said they would need the rezoning from Agriculture to Cluster Development to proceed with the project, and they would probably need a variance to have the Airbnb in the Cluster Development zoning.

Supervisor Harris asked what the plans were for water and sewer. Mr. McCormack responded that the current plan is for the project to hook to the water and sewer lines that the County is putting in. Mr. Walker added that there are other options as well. He said that there is a neighborhood in the area that has its own central sewer system that is not being utilized. The Water Authority could possibly extend the water line there. HRSD would have to be consulted on the sewer line. Those items would be explored through the Planning Commission process.

Supervisor Koontz said he was extremely supportive of the project and was looking forward to working with this developer. He sees this as smart growth for the County.

Chairman Kimbrough said he is attracted to an idea of creating a community with shared resources. It would be a neighborhood unto itself and would not disturb adjacent neighborhoods. He encouraged the developer to continue pursuing the project.

REGULAR AGENDA ITEMS

Airport – Revisions to the Airport Layout Plan:

Ms. Muncy said that the Airport Committee and Mr. Oscar Barber had requested a few additional changes to the Airport Layout Plan regarding the proposed improvements. She showed sketches of what had already been approved and what is being proposed. The Board had already removed the proposed terminal building and access road on the east side. This revision is requesting to reverse the turnaround on the north end, so it is on the east side instead of the west side. They are also requesting the possible future easement from Mr. Barber’s hangar to the runway. On the south end, they would like to change from a teacup turnaround to just a slight expansion of what is already there. These proposed changes have already had some preliminary review by the Department of Aviation, and they are in concurrence with these changes if the Board wishes to make them.

Supervisor Williams asked if anything had been recommended concerning the noise buffering. Ms. Muncy said that had not been addressed yet, and it would most likely be addressed by the environmental review being done through DEQ. DEQ did hear comments about the noise at their public hearing last Wednesday.

A motion to approve the revisions to the Airport Layout Plan was made by Supervisor Jessie, seconded by Supervisor Williams, 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 Requests:

Ms. Muncy said that a refund from Anthem was received in the amount of \$2,523. Those funds need to be refunded to the employees that paid for coverages that are no longer needed. \$1,500 was a water connection fee that was put in hangar rent by mistake. It needs to come out of that line item and be refunded to the Water Authority.

Ms. Ricardi said that the increased price in gas was affecting the Sheriff’s Office because they drive so many vehicles every day. It was estimated that the Sheriff’s Office would need an additional \$45,000 to get them to the end of the fiscal year.

A motion to approve Budget Supplement Requests FY2022-29 and 33 in the amounts of \$4,023 and \$45,000 was made by Supervisor Jessie, seconded by Supervisor Harris, and carried by the following roll call: Supervisor Jessie – Aye; Supervisor Koontz – Aye; Supervisor Harris – Aye; Supervisor Williams – Aye; and Chairman Kimbrough – Aye.

FROM:	AMOUNT:	TO:	AMOUNT:
3-1-18030-0001	(\$2,523.00)		
3-1-12080-0004	(\$1,500.00)	4-1-11010-5803	\$4,023.00
3-1-41060-0001	(\$45,000.00)	4-1-31020-5408	\$45,000.00

Citizen Appointment:

Ms. Muncy informed the Board that an application had been submitted by Cathy Wilson who was seeking appointment to the Board of Zoning Appeals (BZA), filling the seat currently held by Emily Davies, who has indicated she does not wish to be reappointed. For the BZA, the Board of Supervisors makes a recommendation to the Circuit Court Judge who will make the decision and the actual appointment.

Supervisor Koontz asked if the Board had the authority to extend term limits for some positions that are hard to fill. Ms. Lewis said that each committee or organization has its own rules and bylaws, so she thinks it is unlikely. She said she could look into that if the Board so desired.

A motion to recommend to the Circuit Court Judge that Cathy Wilson serve on the Board of Zoning Appeals, with a term expiration of April 30, 2027, was made by Supervisor Harris, 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.

Broad Creek No Wake Ordinance:

Ms. Muncy said that the request for a study to determine the need for markers in Broad Creek started in 1966, with the actual approval being issued in 1970. There is supposed to be an ordinance in place to go along with the no wake markers, but Ms. Muncy said she could find no record of an ordinance ever being done, and there was also no record of it in the Department of Game and Inland Fisheries, now known as Wildlife Resources, files. For clarification and to make sure the public knows that the markers are official and approved by the state and the locality, she asked that a Broad Creek no wake ordinance be sent to public hearing next month to be voted on by the Board.

A motion to advertise and send to public hearing a Broad Creek No Wake Ordinance was made by Supervisor Koontz, 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 – Aye.

Litter Committee:

Supervisor Koontz said that the County has a Litter Committee but there had been significant turnover in the membership. He said that the County has historically gotten a grant from the state in the amount of approximately \$7,900 and the Board has supplemented that up to \$10,000 for cleaning up the roads. He offered to chair the committee to see if other members could be acquired and a new Chairman selected. He would like to expand the \$10,000 through corporate interests, such as solar farms and battery developers. He will work on getting more funds from outside of the County. He said he had spoken to the Superintendent of the Middlesex Regional Security Center about using the inmates for cleanup, and he was told they would be available soon. He believes

there should be a focused effort on litter cleanup. Ms. Ricardi said she would reach out to the contractor that was paid for litter cleanup last year as well.

Supervisor Harris asked if the County had ever pursued the school systems for community service opportunities. Ms. Ricardi said she had not become involved with this committee until January, so she really did not know. Supervisor Koontz said the school had been involved to a degree, but much more was needed. He asked that the Board consider doubling the budget to \$20,000, just for one year, to see what kind of impact it would have.

Supervisor Jessie asked what kind of liability the County had for the volunteers working on the side of the road doing clean up. Ms. Lewis said that when a contractor is hired, part of the contract requires him to have insurance. She said in a volunteer situation, there are things that need to be done, like wearing a vest and putting up signs, as well as other things. She said that, recently, there had not been much activity and very few volunteers were picking up litter, but if there are plans for the Litter Committee to move forward again, the safety procedures can be looked into. Mr. Walker suggested looking into the VDOT Adopt-A-Highway Program. He said if inmates were utilized, he believes they should have some type of safety training. He believes that a lot of the litter is blown out of open containers as people are driving to a convenience center, so perhaps some type of education campaign should be conducted.

Supervisor Koontz said he is on the Regional Jail Board, and he will ask to see if they are covering liability when he attends the next meeting. He said he had been discussing the situation with VDOT who would like to partner in a pilot program with a solar developer that Supervisor Koontz has been working with recently. He said Dominion Power is also interested in contributing. Financial contributions are a great way for the solar developers and other companies to become active community members. Supervisor Koontz said for now, he would like to utilize the \$10,000 already allocated to see how far it would go. He asked the other Board members to look at the amount of litter in their districts before the volunteers start working, and then again after, to see how much of a difference the \$10,000 investment makes, and to note how quickly the areas become littered again.

A motion to continue the Litter Committee program, with Supervisor Koontz as the interim chair and Ms. Ricardi as the staff liaison, utilizing the \$10,000 already allocated in the budget, and to consider potential additional funding at a later date, was made by Supervisor Harris, seconded by Supervisor Williams, and carried 4-0-1 by the following roll call: Supervisor Williams – Aye; Supervisor Jessie – Aye; Supervisor Koontz – Abstain; Supervisor Harris – Aye; and Chairman Kimbrough – Aye.

Nature Trail Update:

Ms. Ricardi said the Cooks Corner Nature Trail is under construction with an anticipated completion by the end of April. She said the Heritage Committee's historical marker kiosks are missing on the trail for now, but they are still very much a part of the plan. She believes it will take about a year to get the kiosks in place on the trail. She said that a suggestion had been made for the Board to have a soft opening or ribbon cutting and then walk the trail. If the Board wishes to do this, the event will include healthy snacks, water,

and a microphone or megaphone for the Chairman to make a small speech. Supervisor Jessie said the Heritage Committee should definitely be involved in the ribbon cutting also. Ms. Ricardi said she would seek help from the Heritage Committee in getting historical information to put on a handout distributed at the ribbon cutting and she would make flyers to distribute also. Chairman Kimbrough said the Heritage Committee said the trail would be named the Heritage Trail.

The Board agreed, by consensus, to hold the ribbon cutting ceremony on May 5, 2022 at 5:00 p.m.

Kiwanis “Run for the Roses” Fundraiser:

Ms. Ricardi said she had received a request from the Middlesex County Kiwanis that the Board purchase a table at the Run for the Roses fundraiser. This event was formerly known as Mardi Gras, and two years ago, the Board had purchased a table at the event. The table would cost \$600 and would seat eight. The fundraiser is being held on Saturday, May 7, 2022, from 5:00 p.m. to 10:00 p.m.

A motion to purchase a table for eight at the Kiwanis Run for the Roses fundraiser for \$600 was made by Supervisor Koontz, seconded by Supervisor Jessie, and carried by the following roll call: Supervisor Jessie – Aye; Supervisor Koontz – Aye; Supervisor Harris – Aye; Supervisor Williams – Aye; and Chairman Kimbrough – Aye.

ADMINISTRATOR UPDATES

Mr. Walker said he was notified by Grey’s Point Campground, ELS Corporation, that four drain fields were failing that serve the campground. They have been operating under a temporary Pump and Haul permit from the Health Department, but the permit is for short-term use only. Per the Health Department, a county resolution or ordinance would need to be in place for a long-term Pump and Haul allowance. Mr. Walker asked the Planning Department staff to draft an ordinance reflecting the needs of granting a temporary long-term Pump and Haul. Entities other than Grey’s Point Campground may need, at some point, to come under a temporary long-term pump and haul arrangement. He is hoping to have the draft Pump and Haul Ordinance before the Board in either May or June. The Health Department has agreed to allow ELS to continue temporarily with their current pump and haul arrangements.

Mr. Walker said the Topping Sewer System is in the last stages of the final design. He anticipates it will go out to bid in spring or early summer. The Preliminary Engineering Report (PER) for Deltaville is complete. He hopes to have a report for the Board on the Deltaville PER in May. The numbers seem to be substantially less expensive than what the Board has seen in prior reports for the sewer in Deltaville.

Mr. Walker said that Dave Kretz, Planning and Zoning Director, had taken the lead on the Whiting Creek boat ramp and parking lot improvement project. Mr. Kretz addressed the Board regarding the project, saying that Supervisor Williams had been a supportive proponent of the project in helping to bring it to the finish line. He presented pictures of the

bulkhead, pier, riprap, and parking lot. He said the maintenance staff was putting bumpers and fencing up to prevent anyone from driving or walking off the pier. Fencing will be put up at the grass line to delineate the area from the property owner to the right.

Supervisor Williams commended Mr. Kretz on a job well done. He said the job was done efficiently and reasonably without costing a lot. He said he would like to have a ribbon cutting ceremony for this project as well once it has been completely finished. He said he wanted to add that he had listened to a lot of talk today about paying people more money and he was in favor of paying a flat raise, across the board. A flat raise could be paid through a stipend.

Mr. Walker said that the Board, at its morning budget meeting, had sent a balanced budget to public hearing of \$31,303,977, which included a 7% cost-of-living adjustment for all County and School employees. He said that two separate public hearings would be held, one on April 21, 2022 for the budget, and the other on April 28, 2022 for the tax rates and potential budget adoption. Both meetings will begin at 7:00 p.m.

COUNTY ATTORNEY UPDATE

Ms. Lewis stated that the Oyster Festival Ordinance needed to be updated and re-adopted. The dates had been changed to reflect that the Ordinance would run from 2022 to 2026. If the Board is in agreement, the draft ordinance would be sent to public hearing at the May meeting.

A motion to send the updated draft Oyster Festival Ordinance to public hearing at the May meeting was made by Supervisor Harris, 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.

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

Board Members reported on their activities and meetings since the last regular meeting on March 1, 2022.

Supervisor Koontz thanked everyone for accommodating his remote access. While hiking, he ran across a historical marker at 3,500 feet for a school that was built in 1850 in the middle of the mountains of Georgia. He said it occurred to him that before the government was formed in this country, schools were being created. It was a priority of the

settlers, founders, and forefathers, who understood that without education, no community would follow. The marker reminded him that even in the poorest of places, with almost no capital, a way was found to fund a school.

Supervisor Jessie said he attended a meeting with David Layman, Emergency Services Coordinator, to discuss the project of creating a new rescue squad building with sleeping quarters at the upper end of the county. Land was donated at the upper end of the county by ELS for that purpose, and they discussed ways to pay for the new building.

Supervisor Harris thanked Mr. Walker and the staff for all the help they provided on the budget. He said the Board heard all the comments about the schools loud and clear. The Board was also concentrating on not having to pull any funds in for the budget from the reserve.

Supervisor Williams spoke about the teachers' raises, saying that a percentage rate still gives the ones on the bottom less and the ones on the top more. Flat raises paid through stipends will put equal money in everyone's pocket. By paying raises through a percentage rate, the people making the most money are going to get much bigger raises than those making a small amount of money, but everyone is paying the same price for materials and merchandise because of the high inflation.

Chairman Kimbrough said he was very pleased with the progress of the Water Authority. He said the Sewer Committee has harnessed the resources of very knowledgeable people with a great deal of expertise who have come up with a solution for Deltaville that is going to be viable and attractive and will create an infrastructure that will allow for controlled growth that will expand the County tax base. He said he had met with Lewie Lawrence, Middle Peninsula Planning District Commission Executive Director, regarding the Fight the Flood Grant Program. He said that it appears like Middlesex should qualify for an 80% grant for Fight the Flood, which creates a shoreline infrastructure that will protect the County's shoreline, but Mr. Lawrence said that, for reasons that do not really make any sense, the program is saying that Middlesex only qualifies for 45%, not 80%. Mr. Lawrence said that the decision is being appealed, and Chairman Kimbrough said he will keep everyone informed as the process progresses.

PUBLIC COMMENTS

Chairman Kimbrough opened the public comment period at 6:39 p.m.

Lauren Wood spoke regarding the Tractor Supply project, saying she never expected it to make it to the Board of Supervisors. She said that Cooks Corner is perhaps the most important tract in the County for the black community and the history needs to be preserved. Cooks Corner represented the economic, commercial, social, business, recreation, schools, education, doctors, and more for the black community located there. In 1938, the land that the St. Clare Walker High School was built on was paid for by the black community's private donations and black church fundraisers. She said that the Board of Supervisors, Heritage

Committee, and EDA need to work together, but she feels there is a disconnect with the EDA.

Hal Muller said that teachers sign a contract for 200 days and the school administrative staff signs a contract for 228 days, which is what they get paid for. The Sheriff's Office employees sign a contract for 52 weeks a year minus their vacation time. County Administration employees sign on for a full year, with only vacation as their time off. The teacher's salary should be annualized against someone else's in the community. The Board might be asking someone making two to three times less than the teachers to give the teachers a 7% raise. Inflation has hit every citizen in the County. He is on a fixed income and inflation has hit him, but he is willing to pay the 7% increase to teachers if he sees the students' scores go up by 7% in the ranking with other counties. He said that West Point is in the top tier at a 94 percentile, and Middlesex is way down the list. He stated that he was a salesman who got paid if he performed and did not get paid if he did not perform. He asked if the teachers got a 7% raise, what return would the citizens see for that. He would like to see the students' scores increase and that they be more educated than when they got there.

Chairman Kimbrough closed the public comment period at 6:48 p.m.

CLOSED SESSION

A motion to convene in a closed session pursuant to the Code of Virginia, Sections 2.2-3711(A)(3) and (A)(8), for the discussion and/or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position and/or negotiating strategy of said public body; and for consultation with legal counsel employed and/or retained by the public body regarding specific legal questions about said acquisition of real property, was made by Supervisor Jessie, seconded by Supervisor Williams, and carried by the following roll call: Supervisor Harris – Aye; Supervisor Williams – Aye; Supervisor Jessie – Aye; Supervisor Koontz – Aye; and Chairman Kimbrough – Aye.

RETURN TO OPEN SESSION

A motion to return from closed session, with the following statement, was made by Supervisor Jessie, seconded by Supervisor Williams, and carried 4-0 by the following roll call: Supervisor Williams – Aye; Supervisor Jessie – Aye; Supervisor Harris – Aye; and Chairman Kimbrough – Aye. Supervisor Koontz did not return to the meeting after the closed session was completed.

To the best of the members' knowledge, only public business matters lawfully exempted in the motion by which the closed session was called were considered or discussed in said closed session.

No action was taken on any business discussed during closed session.

ADJOURN

A motion to adjourn until the budget public hearing on Thursday, April 21, 2022, at 7:00 p.m., was made by Supervisor Jessie, seconded by Supervisor Harris, and carried 4-0 by the following roll call: Supervisor Jessie – Aye; Supervisor Harris – Aye; Supervisor Williams – Aye; and Chairman Kimbrough – Aye.

Lud H. Kimbrough, III
Chairman, Board of Supervisors