

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, JUNE 4, 2024, 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  
Randy Crittenden, Pinetop District

Absent: William A. Harris, Hartfield District

Matthew L. Walker, County Administrator  
Ann Marie Ricardi, Assistant County Administrator  
Heather W. Lewis, County Attorney  
Shanae Hammond, Executive Assistant /Deputy Clerk

**CALL TO ORDER**

Chairman Don Harris called the meeting to order at 3:01 p.m.

**ROLL CALL**

Mrs. Hammond took attendance, with the following roll call: Supervisor Williams—Present; Supervisor Bill Harris—Absent; Supervisor Crittenden—Present; Supervisor Jessie; and Chairman Don Harris—Present. There was a quorum. Supervisor Williams led the group in prayer, and Mrs. Ricardi led in the Pledge of Allegiance.

**CONSENT AGENDA**

Supervisor Jessie made a motion to approve the Consent Agenda, which was seconded by Supervisor Williams. The motion was carried by the following roll call: Supervisor Crittenden -Aye; Supervisor Jessie – Aye; Supervisor Williams – Aye; and Chairman Don Harris – Aye. Supervisor Bill Harris—Absent.

The Consent Agenda included approval of minutes from the February 6, 2024 Regular Meeting (*amended*), the March 18, 2024 BOS Work Session, the April 6, 2024 Regular meeting, disbursements dated May 8, 2024, – June 4, 2024, numbered 103857-104031, totaling \$1,732,835.20, and the payroll dated June 15, 2024, totaling \$497,002.88.

Mr. Walker asked the board if items H. and I. Davenport Associates, listed under *Regular Agenda Items*, could be moved to item B. Chairman Don Harris agreed.

## **PUBLIC COMMENT**

Chairman Don Harris opened the public comment period at 3:04 p.m.

Robert Jackson, Urbanna Va., addressed the board with two items, which are as follows: (1) Mr. Jackson referenced an article in the Southside Sentinel dated May 23, 2024 regarding the doubled sewer project cost, stating that he was not surprised. . He felt the board would not be in this situation today if they had listened to the manager from HRSD, who stated in 2017 that the sewer project would be a losing proposition with subsidies and that the estimated costs would increase significantly before the project is completed. He wanted to know who would be held accountable and how anyone could be that irresponsible. He stated that he would like to know if a survey had been conducted to see how many customers or businesses are interested in connecting to the system. (2) Mr. Jackson stated he was surprised that the county approved the funding for \$3.3 million to move forward with the new Sheriff's Office renovation without having funding. He thought that the financing of this project had been approved before the construction was approved.

Chairman Don Harris closed the public comment period at 3:08 p.m.

## **CONSTITUTIONAL OFFICERS**

Traci Wright, Treasurer, was not present at the meeting. Report Only

Mae Burke Diggs, Commissioner of the Revenue, was not present at the meeting Report Only.

## **AGENCY AND STAFF REPORTS**

### ***VDOT:***

Report Only.

### ***SOCIAL SERVICES:***

Report only.

Mr. Walker informed the board that Ms. Rebecca Morgan, Director of the Middlesex Department of Social Services, was presented with a proclamation from Governor Younkin.

### ***SCHOOLS:***

Dr. Seitz addressed the board with Budget Supplement FY 2024-18, with several appropriation items.. She stated this appropriation of funds is to ensure that the FY 2024 budget will be covered.

Supervisor Crittenden made a motion to approve the Budget Supplement FY 2024-18, which was seconded by Supervisor Jessie. The motion was carried by the following roll call: Supervisor Crittenden – Aye; Supervisor Jessie – Aye; Supervisor Williams – Aye; and Chairman Don Harris – Aye. Supervisor Bill Harris—Absent.

Chairman Don Harris asked Mrs. Seitz to update the board on the construction of the parking lot at the elementary school. Mrs. Seitz responded that the contractor, Parsley Siteworks, had done an excellent job and could be done by the first of August.

### ***MPPDC – Mill Creek Dredging***

Mr. Walker stated to the board that the Middle Peninsula Planning District Commission (MPPDC) staff was not present due to a prior arrangement, and Ms. Ingrid Bauer, a Project Engineer with Wetland Studies and Solutions, was ill and unable to attend.

Mr. Walker shared Ms. Bauer’s PowerPoint presentation from the February 6 board meeting. The presentation demonstrated two alternatives. She had recommended that the county choose Concept One, with the reef. Mr. Walker informed the board that the PDC grant would only cover the design work, and permission from the state would be needed to construct and implement the design chosen.

Supervisor Crittenden addressed the \$847,000 cost of construction, asking if there was an estimate on how many times Mill Creek would have to be dredged once completed. Ms. Ricardi responded that the \$847,000 would cover any dredging over the next 30 years. Mr. Walker agreed with Ms. Ricardi’s response and added that if the county chooses Concept One with the reef, the maintenance dredging will be done every four to five years. Mr. Walker said if the board decides to move forward with the design, he recommends meeting with the Game & Inland Fisheries Department to discuss details of why the state is not maintaining the facility.

Supervisor Crittenden asked who owns the parking lot. Mr. Walker responded that VDOT does.

Supervisor Williams asked if the \$100,000 grant would be subtracted from the \$432,000 initial cost for *Concept 2* on board packet page 67. He also asked what amount the county would be responsible for. Mr. Walker responded that the grant funds are for the design work, not construction, and at no cost to the county. Supervisor Jessie added that some of the work will be on private property and will need cooperation from the owner to construct. Supervisor Crittenden said that the boat ramp will continue to be an issue, and the money for construction could be used to find a better place for the citizens to put their boats in the water. Supervisor Jessie said he thinks accepting the grant funds for the design work is the first step, and if it does not work, the county will not lose any money.

Supervisor Jessie made a motion to accept the PDC grant funds with Concept One on the contingency that the grant funds cover the design costs, which was seconded by

Supervisor Williams. The motion was carried by the following roll call: Supervisor Jessie – Aye; Supervisor Williams – Aye; Supervisor Crittenden – Nay; and Chairman Don Harris – Aye. Supervisor Bill Harris—Absent.

## **REGULAR AGENDA ITEMS**

### ***Introduction of new Executive Director – MPNN CSB***

Mrs. Linda Hodges, the President and Executive Director of the Behavioral Health Organization, gave a brief background of the Community Services Board (CSB), its services, and its current location. She introduced Ms. Melissa Devault, the new Executive Director who will be replacing the retiring Mrs. Hodges, effective July 2024.

### ***VRA vs Bank Financing – Davenport***

Mr. Walker introduced Mr. R.T. Taylor with Davenport & Company, the county's financial advisors, and Mr. Jesse Bausch with Sands Anderson, Legal Professional. Mr. Taylor addressed the board with discussion materials and bank RFP results which were provided in the board packet, pages number 93-259, with key decisions to be made by the board today, which were as follows:

- a. Whether to proceed with VRA financing or use one of the bank alternatives
- b. What is the preferred length of financing, from 15-30 years

Mr. Taylor stated that on behalf of the county, Davenport & Company distributed a request for proposals (RFP) to approximately 100 local, regional, and national banks. The company also applied to participate in the Virginia Resources Authority (VRA) 2024 Summer Virginia Pooled Financing Program. Through the RFP process, the county received five bank RFP proposals from Capital One Public Finance, Chesapeake Bank, JPMorgan Chase Bank, Truist Bank, and Webster Bank. JPMorgan provided the lowest interest rate for a 15-year option at 3.95%, with the option to repay after ten years. Capital One and Truist Bank offered the lowest interest for a 20-year fixed rate, with a no-call period of ten years for Capital One and eight years for Truist Bank. The VRA summer pool program will close on or about August 7 and will lock in rates on July 23.

After discussion between Mr. Taylor and the board on the options for term length and interest rates, Supervisor Crittenden made a motion to accept the 30-year term loan with the Virginia Resources Authority (VRA) 2024 Summer Virginia Pooled Financing Program, which was seconded by Supervisor Jessie. The motion was carried by the following roll call: Supervisor Williams – Aye; Supervisor Crittenden – Aye; Supervisor Jessie – Aye; and Chairman Don Harris – Aye. Supervisor Bill Harris—Absent.

### ***VRA Contract – Davenport***

Ms. Ricardi said the county is requesting the board's approval of a contract with Davenport & Company to provide financial advisory services. The contract does not include a fee because the company is paid as part of the closing costs from any debt

proceeds when the debt is issued. She informed the board that the county was allowed to piggyback the Town of Bedford's contract. Mr. Walker stated that he was happy with the services from Davenport & Company and stated they are one reason the county has a successful fund balance. Mrs. Lewis stated that she reviewed the contract, providing Ms. Ricardi with some feedback, which had been incorporated.

Supervisor Jessie made a motion to execute the contract with Davenport & Company as the county's financial advisor, which was seconded by Supervisor Crittenden. The motion was carried by the following roll call: Supervisor Crittenden – Aye; Supervisor Jessie – Aye; Supervisor Williams – Aye; and Chairman Don Harris – Aye. Supervisor Bill Harris—Absent.

Mr. Walker asked if he could address the administrator updates before leaving the meeting at 5 p.m.

Mr. Walker informed the board that he has been speaking with Ms. Dawn Moore, President of the NAACP, regarding the reenactment of the Irene Morgan incident on July 20 which would represent the 80th anniversary of the Irene Morgan incident. That Saturday, the NAACP would like permission to use the county grounds for parking and other needs. Mr. Walker said he would open the courthouse that morning for bathroom use during the event.

Supervisor Jessie made a motion to allow the county grounds and building to be used for the NAACP event on July 20, which was seconded by Supervisor Crittenden. The motion was carried by the following roll call: Supervisor Jessie—Aye; Supervisor Williams—Aye; and Chairman Don Harris—Aye. Supervisor Bill Harris—Absent.

### ***Citizen Appointments:***

Ms. Ricardi informed the board that the county had received five re-appointment applications and two appointments.

Supervisor Crittenden made a motion to approve seven applications received, five for reappointment and two for appointment, which was seconded by Supervisor Jessie. The motion was carried by the following roll call: Supervisor Crittenden – Aye; Supervisor Jessie – Aye; Supervisor Williams - Aye; Supervisor Bill Harris – Aye; and Chairman Don Harris – Aye. Supervisor Bill Harris—Absent.

The applications approved were as follows.

1. Greg Chambers – Reappointment to MWA
2. James Reed – Reappointment to MWA
3. Davelin Gresham – Reappointment to CPMT
4. Davelin Gresham – Recreation Committee
5. Deirdre Lund – Recreation Committee
6. Fred Dolezal – Reappointment to Wetlands
7. Carrie Dos Santos – Reappointment to Broadband Authority

### ***Budget Supplement FY2024-26***

Ms. Ricardi stated the county was awarded \$1,500, submitted by Ms. Susan Marie Rhodes, with the Garden Club of Madison Middle Peninsula. The county will allocate funds to the Master Gardeners for the grounds and planting at the historic courthouse. Ms. Ricardi said the county needs the board's authority to accept the grant award.

Supervisor Williams made a motion to approve Budget Supplement FY2024-26 to accept the grant for \$1,500 and allocate the funds to the Master Gardeners, which was seconded by Supervisor Crittenden. The motion was carried by the following roll call: Supervisor Williams – Aye; Supervisor Crittenden – Aye; Supervisor Jessie – Aye; and Chairman Don Harris – Aye. Supervisor Bill Harris—Absent.

### ***FY 24-25 Budget Appropriation***

Mr. Walker presented the FY 2024-2025 Budget Appropriation resolution to the board, requesting the board's approval to allocate funds to each department.

Supervisor Jessie made a motion to adopt the FY 2024-2025 Budget Appropriation Resolution, which was seconded by Supervisor Crittenden. The motion was carried by the following roll call: Supervisor Crittenden – Aye; Supervisor Jessie – Aye; Supervisor Williams – Aye; and Chairman Don Harris – Aye. Supervisor Bill Harris—Absent.

### ***Sewer Project Recommendation***

Mr. Walker asked the board for support and approval to submit a letter of recommendation to HRSD before the next meeting scheduled for June 20. His recommendation to HRSD was to divide the project into small component parts to allow smaller contractors more opportunity to bid on it. Then, rebid in two to five years when federal spending has been exercised from the queue, and the contractors have more capacity to construct the project in a better bidding environment.

Supervisor Jessie made a motion for the staff to submit a letter of recommendation to HRSD that they divide the project into small component parts to allow smaller contractors more opportunity to bid on the project and rebid in 2 to 5 years when most of the federal spending has been exercised from the queue, when contractors have more capacity to construct the project and in a better bidding environment emerges, which was seconded by Supervisor Crittenden. The motion was carried by the following roll call: Supervisor Crittenden – Aye; Supervisor Jessie – Aye; Supervisor Williams – Aye; and Chairman Don Harris – Aye. Supervisor Bill Harris—Absent.

### ***ARPA Tourism Funds***

Mr. Trent Funkhouser, Executive Director of the Economic Development Authority, addressed the board with a purchase order for \$15,000. He stated that the board had previously approved the ARPA funds, but according to the county purchasing policy, approval for requisitions greater than \$500 is required. Mr. Funkhouser requested the

board's approval to allocate the ARPA funds to Virginia's River Realm to redesign the tourism web page.

Supervisor Jessie made a motion to approve the purchase order of ARPA funds for \$15,000 and to allocate the funds to Virginia's River Realm for designing the tourism web page, which was seconded by Supervisor Williams. The motion was carried by the following roll call: Supervisor Jessie – Aye; Supervisor Williams – Aye; Supervisor Crittenden – Aye; and Chairman Don Harris – Aye. Supervisor Bill Harris—Absent.

### **ADMINISTRATOR UPDATES**

#### ***Cigarette Tax:***

Report Only.

#### ***Staff Report:***

Report Only.

#### ***Financial Software Update***

Ms. Ricardi addressed the board's request for an update on the county's financial/ Enterprise Resource Planning (ERP) software. She stated that before updating the financial software, the county is requesting the board to allow the staff to proceed with the plan of issuing a request for proposal (RFP) to obtain a facilitator or a consultant, which would help the County through the process of upgrading the ERP. The board gave a consensus to the staff to find a consultant and move forward with updating the financial software.

### **COUNTY ATTORNEY UPDATE**

Mrs. Lewis stated that she had no updates at this time.

### **UNFINISHED/NEW BUSINESS**

#### ***Unfinished Business:***

There were none at this time.

#### ***New Business:***

There were none at this time.

### **MATTERS PRESENTED BY THE BOARD**

Supervisor Jessie reported to the board that he attended the Oyster Festival Foundation and the Planning Commission meeting; no new business was discussed.

Supervisor Crittenden reported to the board that he met with Mr. Layman, the Emergency Services Coordinator, to discuss how the county can assist the rescue squads with handling calls and increase the number of volunteers.

Chairman Don Harris reported to the board that he and Mr. Walker attended the VACO meeting, which is an opportunity to meet other localities for future reference. He also attended three other meetings: the Planning Commission, Economic Development, and the High School Renovation Committee. He stated that all the meetings had good discussions.

Chairman Don Harris and Supervisor Williams mentioned that Mr. Powell withdrew his plans to develop a manufactured home park in Deltaville. Chairman Don Harris feels the board should contact Mr. Powell to see what his next step is.

### **PUBLIC COMMENT**

Chairman Don Harris opened the public comment period at 5:25 p.m.

There were no public comments.

Chairman Don Harris closed the public comment period at 5:25 p.m.

### **CLOSED SESSION**

Supervisor Jessie made a motion pursuant to Virginia Code Sections 2.2-3711(A)(8) and (A)(29), for the purpose of discussion of the award of a public contract regarding Hummel Field Airport, which involves the expenditure of public funds, including the discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body; and, for the purpose of consultation with legal counsel employed and retained by a public body regarding specific legal questions about the contract negotiations, procedures and processes. The motion was seconded by Supervisor Crittenden, and it was carried by the following roll call: Supervisor Williams – Aye; Supervisor Crittenden – Aye; Supervisor Jessie – Aye; and Chairman Don Harris – Aye. Supervisor Bill Harris—Absent.

### **RETURN TO OPEN SESSION**

Supervisor Jessie made a motion to return from closed sessions with the following statement, which was seconded by Supervisor Crittenden. It was carried by the following roll call: Supervisor Crittenden—Aye; Supervisor Jessie—Aye; Supervisor Williams—Aye; and Chairman Don Harris—Aye. Supervisor Bill Harris—Absent.

To the best of the members' knowledge, only public business matters lawfully exempted in the motion calling the closed session were considered or discussed in said closed session. No action was taken.

## **PUBLIC HEARING**

### A. Middlesex County No Wake Ordinance for Broad Creek

Mrs. Lewis addressed the board regarding transferring maintenance responsibility for the no wake zone signage to Don Pringle. Page 2, section 5 now states ***“Don Pringle of Regatta Point Yachting Center shall be responsible for constructing and erecting, at their own expense, appropriate warning signs. Such signs shall meet the design criteria of the Commonwealth of Virginia Department of Wildlife Resources and shall be placed only at locations designated by said Department.”***

### B. Ordinance Amendment #2024-01 (Amended)

Mrs. Lewis stated to the board that the applicant had withdrawn his request.

## **PUBLIC HEARING PUBLIC COMMENT**

Chairman Don Harris opened the public hearing public comments; there were no comments.

Supervisor Jessie made a motion to adopt the No Wake Ordinance, changing the responsibility to Don Pringle, which was seconded by Supervisor Crittenden. The motion was carried by the following roll call: Supervisor Crittenden – Aye; Supervisor Jessie – Aye; Supervisor Williams – Aye; and Chairman Don Harris – Aye. Supervisor Bill Harris—Absent.

## **ADJOURN**

Supervisor Crittenden made a motion to adjourn, which was seconded by Supervisor Jessie. The motion was carried by the following roll call: Supervisor Jessie – Aye; Supervisor Williams – Aye; Supervisor Crittenden – Aye; and Chairman Don Harris – Aye. Supervisor Bill Harris—Absent.

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Don R. Harris, Chairman  
Board of Supervisors