

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS HELD ON
TUESDAY, JUNE 6, 2023, IN THE BOARD ROOM OF THE HISTORIC COURTHOUSE,
SALUDA, VIRGINIA:

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

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

CALL TO ORDER

Mr. Kimbrough called the meeting to order at 3:30 p.m. Mr. Williams led the group in prayer and Ms. Ricardi led the Pledge of Allegiance.

ROLL CALL

Attendance was taken by Ms. Ricardi with the following roll call: Mr. Williams – Present; Mr. Koontz – Present; Mr. Harris – Present; Mr. Jessie – Present; and Mr. Kimbrough – Present. There was a quorum.

CONSENT AGENDA

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

The Consent Agenda included approval of disbursements dated June 6, 2023 through June 22, 2023, numbered 101946 through 102101 totaling \$2,518,348.47 and payroll dated June 15, 2023, totaling \$444,838.88.

PUBLIC COMMENT

Chairman Kimbrough opened the public comment period at 3:32 p.m.

Mr. Robert Jackson commended Mr. Jessie and Mr. Williams for voting in favor of the Family Dollar Store. He then discussed the sewer system and asked the following questions: is the project over budget and if so, by how much; if the project is not over budget, how much has been spent so far; since the County didn't receive all the grant money, will the project continue to be put on hold or continue when the money is available. Mr. Jackson then mentioned county owned property and asked what the plans were for these properties.

Chairman Kimbrough closed the public comment period at 3:35 p.m.

CONSTITUTIONAL OFFICERS

Treasurer

Report Only.

Mr. Kimbrough mentioned that the invested County funds continue to have increased earnings, with almost \$17,000.00 for the month of April.

Commissioner of Revenue

Report only.

Mr. Walker provided information on the new construction assessment with Wampler-Eanes Appraisal Group, Ltd. and stated the request of the Board is for authorization for the Commissioner to proceed and have them do the new construction assessment work.

After a brief discussion on the matter, a motion approving the new construction assessment was made by Mr. Jessie and seconded by Mr. Koontz and carried by the following roll call: Mr. Koontz – Aye, Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams – Aye and Mr. Kimbrough – Aye.

AGENCY AND STAFF REPORTS

State Legislative Update

Delegate M. Keith Hodges, stated that he serves on multiple committees and subcommittees, which include:

- Health, Welfare and Institutions
- Counties, Cities and Towns
- Communications, Technology and Innovation
- Appropriations Committee
- Transportation and Public Safety
- Compensation and Retirement

Mr. Hodges said despite this being a non-budget year in Virginia, the state budget and amendments still had to be addressed and added the budget is unlikely to be passed until after June 20, or possibly into July. He said Virginia's surplus is approximately \$3 billion; however, there are differing opinions between the house and senate on how to allocate the funds. He said the House's focus is on returning some of the surplus to taxpayers. He said he knows the localities have been closely observing the budget progress and added that although some minor adjustments may be required, overall, things are looking promising.

He did say that one significant aspect they addressed deals with state employees and schoolteachers, saying they approved raises for teachers, including a 4% raise and a 2% additional increase to offset inflation. Additionally, he said an extra \$1,000 bonus for K-12 education staff was allocated.

Mr. Hodges informed the Board that they did pass a skinny budget which focuses on four key areas and said that one issue that was addressed was the repeal of the grocery tax, which affected K-12 funding and put a burden on localities. To mitigate this, he said approximately \$125 million was allocated to support local education. He said additional allocations were \$904 million to the revenue stabilization fund and \$250 million to the Virginia Retirement System and an extra \$100 million to account for inflation and cost overruns for various projects.

He said when working on the budget, his personal priorities are to keep taxes low, protect localities from unfunded mandates, boost competitiveness for families and businesses in Virginia, address learning gaps in children due to the pandemic, and invest in law enforcement, which will be welcomed by the sheriff.

He mentioned the importance of broadband and community development grants, which have been successful in localities like Middlesex. However, he voiced concern about the lack of a strong business tax base in the district, as many residents commute outside of the County for work and said as broadband expands, this imbalance will need to be addressed. He also mentioned that a bill was passed for energy and infrastructure, particularly for utilities across the Commonwealth. Interstate 64, a crucial corridor between Hampton Roads and Richmond, experiences heavy congestion, especially for the 75% of residents who commute on it and said there are plans to address this bottleneck through construction starting in the fall, which will not only benefit the region but also support the Virginia port, adding that the number of jobs tied to the Virginia port underscores its significance in moving goods locally, nationally, and globally.

Also discussed:

- A workgroup to come up with solutions to mental health challenges throughout the state.
- Need to find ways to keep jobs and kids here. Commuters make up 75%; this area has the lowest wages across the state.
- Solar Power – localities negotiate through an agreement. Since the bill was signed, roughly \$650 million has gone into rural Virginia localities on the agreements.
- He briefly discussed the issues with cannabis and a bill that was introduced to allow it to go through the pharmaceutical processors to make is safe, taxable and get it into healthcare. Stating that 80% of the street sales from marijuana are supporting organized crime. However, the bill did not pass.
- Blue catfish threaten our rivers. Governors' Blue Catfish Grant Program. These will be up to \$250K grants per locality to help establish industry for blue catfish processing.

Puller Center – Bay Design

Mr. Kimbrough stated there was a request to amend the agenda and move the Puller Center update to before the VDOT report.

Ms. Ricardi stated the Puller Center Renovation Committee met to discuss updates regarding the project, and added the timeline for completion was still January 2025.

Mr. Burton presented change order #2. He stated the reason for the change order was that after using ground penetrating radar, it was discovered that there were no reinforcements found in the exterior CMU walls as the original plans indicated and after discussing the matter with Mr. Beam and Sheriff Bushey, all agreed the work would need to be done. The change order is for the design of the structural work and consultant fees during the bidding and construction phase.

After additional discussions, a motion approving change order #2 was made by Mr. Koontz and seconded by Mr. Harris and carried by the following roll call: Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Aye and Mr. Kimbrough – Aye.

VDOT:

Report Only.

Mr. Williams mentioned concerns over the speed limit and safety around the Middle School and would like to bring it to the attention of VDOT.

Schools:

Dr. Seitz provided information regarding Budget Supplement Request FY-2023-40. She stated this was for funds to purchase weapon detectors.

Dr. Seitz provided information regarding Budget Supplement Request FY2023-41 stating this was to appropriate additional state funds based on the actual FY23 ADM.

A motion approving Budget Supplement Request FY2023-40 was made by Mr. Koontz and seconded by Mr. Harris and carried by the following roll call: Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Aye, Mr. Harris - Aye and Mr. Kimbrough – Aye.

FROM:	AMOUNT:	TO:	AMOUNT:
4-071-06130-3000-900-100	(\$190,257.75)	4-071-068200-8200-900	\$190,257.75

A motion approving Budget Supplement Request FY2023-41 was made Mr. Koontz and seconded by Mr. Harris and carried by the following roll call: Mr. Williams – Aye, Mr. Koontz – Aye, Mr. Harris – Aye, Mr. Jessie – Aye and Mr. Kimbrough – Aye.

FROM:	AMOUNT:	TO:	AMOUNT:
Various Accounts	(\$385,327.25)	Various Accounts	\$385,327.25

Social Services:

Report Only.

Planning District Committee Update – Curtis Smith

Mr. Curtis Smith, Deputy Director of the Middle Peninsula PDC presented two draft service agreements for the Broad Creek and Whiting Creek dredging projects. He provided a recap of both projects stating that these projects are either in part or in whole grant funded through the Department of Conservation and Recreations Community Flood Preparedness Fund. He said the County would be reimbursed for \$336,000.00 but would need to pay for all the cost up front as it is a refundable grant.

After additional discussion on the projects, a motion approving both projects subject to Board appropriation was made by Mr. Koontz and seconded by Mr. Jessie and carried by the following roll call: Mr. Koontz – Aye, Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams – Aye and Mr. Kimbrough – Aye.

Mr. Kimbrough thanked Mr. Smith and his fellow Board members for recognizing the urgency of these projects, particularly Broad Creek. He said it is the largest economic engine of our county, accounting for approximately \$30 million worth of business that takes place in the County.

Mr. Kimbrough commended Mr. Koontz for ensuring the Mill Creek boat ramp was open for the Memorial Day weekend.

Landfill Update – Resource International

Mr. Mike Fiori presented a status report, stating that they were in full compliance but there are still long-term post-closure matters. He discussed the meeting with the DEQ enforcement group regarding the consent order, stating that DEQ noted five filings hadn't been done and he confirmed this to be accurate. He also said that after lengthy discussions, DEQ gave a 40% discount on the civil penalties they issued which they will be responsible to pay. He presented a revised consent order that more accurately reflects the issues for the Board to approve.

After additional discussion, a motion approving the consent order and authorizing the Chairman's signature was made by Mr. Harris and seconded by Mr. Williams and carried by the following roll call: Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Aye and Mr. Kimbrough – Aye.

Bay Transit Second Quarter FY23 Ridership Report

Report Only.

County Engineer Update:

Sewer System Update – HRSD – Jeremiah Burford

Mr. Burford updated the Board as follows:

- Provided an overview of the schedule, stating that most of the projects will go to bid in July 2023 except for the Deltaville transmission force main which will go to bid in April of 2024.
- He said that 92% of the easements have been obtained and 8% are in negotiations with the property owners.
- He stated the completed construction date is slated for some time between August 2025 through the end of 2025.
- He provided a brief overview of the total project construction costs:
 - The Saluda pump station estimate is \$2.3 million
 - The Hartfield pump station estimate is \$7.7 million
 - The Transmission force main estimate is \$36 million, which has increased approximately \$4 million since the last estimate was provided.

Mr. Burford advised the Board there was an issue with an unknown leach field buried under the asphalt at Eddie's Auto and presented the board with a series of change orders. He requested an additional \$742,000.00 to cover these unforeseen issues.

After additional discussion on the change orders, a motion authorizing Verizon utility relocation to proceed, to deauthorize extending service to the C&F Bank, the 7-11 and Eddie's Auto and request a revised proposal on line item eight and revised proposal on line item six was made by Mr. Koontz and seconded by Mr. Harris and carried by the following roll call: Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Aye, Mr. Harris – Aye and Mr. Kimbrough – Aye.

After detailed discussion, a motion authorizing \$30,000.00 for inspections for Bowman until further discovery and discussions take place was made by Mr. Harris and seconded by Mr. Koontz and carried by the following roll call: Mr. Williams – Aye, Mr. Koontz – Aye, Mr. Harris – Aye, Mr. Jessie – Aye and Mr. Kimbrough – Aye.

The Board questioned the validity of the change order eight and six and all agreed to hold a work session to discuss the matter in further detail. The work session was scheduled for June 16, 2023 at 9:00 a.m. at the Cooks Corner Office Complex.

Mr. Kimbrough called a recess at 6:10 p.m.

Mr. Koontz left the meeting at 6:10 p.m.

Mr. Kimbrough reconvened the meeting at 6:20 p.m.

REGULAR AGENDA ITEMS:

Citizen Appointments

Ms. Ricardi reported the Brewington's do not have a preference for any committee. She said that an application was received for Mr. Powell for reappointment to the Planning Commission (Pinetop).

A motion approving Mr. Powell's reappointment to the Planning Commission was made by Mr. Harris and seconded by Mr. Jessie and carried by the following roll call: Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Absent and Mr. Kimbrough – Aye.

There was a brief discussion on the upcoming term expirations.

Mr. Walker recommended having the staff that serve on these various committees know when members' terms are coming up for reappointment and to have a conversation with the members to determine whether they are interested in reappointment or not.

A motion appointing Mr. Brewington to the Wetlands as the alternate was made by Mr. Harris and seconded by Mr. Jessie and carried by the following roll call: Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Absent and Mr. Kimbrough – Aye.

Middlesex County Volunteer Rescue Squad – ARPA Funds

Ms. Ricardi reviewed the request stating that the Rescue Squad requested they be allowed to use the money that the County provided from the ARPA funds be used to renovate the squad building recently purchased in Urbanna and not on purchasing an ambulance.

A motion approving the rescue squad use the money to renovate the building was made by Mr. Jessie and seconded by Mr. Harris and carried by the following roll call: Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Absent, Mr. Harris – Aye and Mr. Kimbrough – Aye.

Budget Supplement Request FY23-38

Ms. Ricardi explained this was for the Broadband/VATI grant to appropriate and distribute the receipt as required by the grant and contract. This is the first installment of the VATI grant.

A motion approving Budget Supplement Request FY23-38 was made by Mr. Jessie and seconded by Mr. Williams and carried by the following roll call: Mr. Williams – Aye, Mr. Koontz – Absent, Mr. Harris – Aye, Mr. Jessie – Aye and Mr. Kimbrough – Aye.

FROM:	AMOUNT	TO:	AMOUNT
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3-001-024040-0060	(\$653,677.00)	4-001-089000-0060	\$653,677.00
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Budget Supplement Request FY23-39

Ms. Ricardi presented Budget Supplement Request FY23-39, stating this was to appropriate ARPA grant received by the Sheriff’s Office for the purchase of two patrol vehicles, one unmarked vehicle, cameras, vests, guns and Livescan.

A motion approving Budget Supplement Request FY23-39 was made by Mr. Harris and seconded by Mr. Jessie and carried by the following roll call: Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Absent and Mr. Kimbrough – Aye.

FROM:	AMOUNT	TO:	AMOUNT
3-059-0230-1001	(\$201,000.00)	4-059-031020-7001	\$177,850.00
		4-059-031020-5001	\$ 10,050.00

ADMINISTRATOR UPDATES

Staff Report

Report Only.

Mr. Walker discussed the dedication ceremony for Dragon’s Run scheduled for June 22, 2023 at 10:00 a.m. He advised that parking would be limited and encouraged staff to carpool.

Mr. Walker mentioned that Senator Warner would be visiting Middlesex County to promote the Broadband Authority and VATI grant. He said the event was scheduled for June 11th at the Freeshade Community Center.

Mr. Walker updated the Board, stating the water leak at the Historic Courthouse was repaired and was finished May 23, 2023 for an approximate cost of \$23,000.00 and added the company still has to complete the concrete work.

Mr. Walker stated that he reviewed the Timmons proposal for the Saluda Sewer System and is comfortable recommending the Board approve it.

A motion approving the Saluda sewer system engineer and design agreement was made by Mr. Harris and seconded by Mr. Jessie and carried by the following roll call: Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Absent, Mr. Harris – Aye, Mr. Jessie – Aye and Mr. Kimbrough – Aye.

Mr. Walker discussed the Department of Historic Resources letter regarding the Topping Phase 1 archeological investigation. He explained that they are waiting for the numbers from Timmons for the cost of the archeological investigation and will have more to report at the July meeting.

COUNTY ATTORNEY UPDATE

Mrs. Lewis had nothing to report to the Board.

UNFINISHED/NEW BUSINESS

Unfinished Business

Letter of Support – Heritage Committee – Matt Walker

Mr. Walker presented a draft of a letter of support for the grant as requested.

A motion approving the draft letter was made by Mr. Harris and seconded by Mr. Williams and carried by the following roll call: Mr. Williams – Aye, Mr. Koontz – Absent, Mr. Harris – Aye, Mr. Jessie – Aye and Mr. Kimbrough – Aye.

New Business

No new business was discussed by the Board.

MATTERS PRESENTED BY THE BOARD

The Board members reported on their activities since the last Board of Supervisors meeting on May 2, 2023.

PUBLIC COMMENT

Chairman Kimbrough opened the public comment session at 7:00 p.m.

There were no public comments.

Chairman Kimbrough closed the public comment session at 7:00 p.m.

PUBLIC HEARING

A. Boundary Line Adjustment – Town of Urbanna

Mrs. Lewis explained that this was for the voluntary boundary line adjustment agreement between the County of Middlesex and the Town of Urbanna. Mr. Goldsmith, Town of Urbanna Mayor spoke on the town's behalf. He provided a brief history of events and stated that Mr. Baylor's concerns have been addressed. He said the purpose of this adjustment was to get the new Town Hall and the town's well back within the town limits. He addressed Mr. Williams' concerns regarding increased taxes and said that although the taxes will increase, they will receive better water rates.

Mr. Kimbrough opened the public comments at 7:12 p.m.

There were no public comments.

Mr. Kimbrough closed the public comments at 7:12 p.m.

After additional discussion, a motion approving the voluntary boundary line adjustment agreement was made by Mr. Harris and seconded by Mr. Jessie and carried by the following roll call: Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Absent, and Mr. Kimbrough – Aye.

ADJOURN

A motion to adjourn until the work session scheduled for July 11, 2023 at 9:00 a.m. was made by Mr. Harris and seconded by Mr. Jessie and carried by the following roll call: Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz - Absent and Mr. Kimbrough – Aye.

Lud H. Kimbrough, III
Chairman, Board of Supervisors

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