

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS HELD ON
TUESDAY, JULY 12, 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 (Late)
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

Chairman Kimbrough called the meeting to order at 3:00 p.m. Supervisor Jessie led the group in prayer and Mr. Walker led in the Pledge of Allegiance.

ROLL CALL

Attendance was taken by Mrs. Muncy with the following roll call: Supervisor Williams – was present from New Business through the end of the meeting; Supervisor Koontz – Present; Supervisor Harris – Present; Supervisor Jessie – Present; and Chairman Kimbrough – Present. There was a quorum.

CONSENT AGENDA

A motion to approve the Consent Agenda, as amended, minus the June 7, 2022 minutes, was made by Supervisor Jessie, seconded by Supervisor Harris, and carried by the following roll call: Supervisor Harris – Aye; Supervisor Williams – Absent; Supervisor Jessie – Aye; Supervisor Koontz – Aye; and Chairman Kimbrough – Aye.

The Consent Agenda included approval of disbursements dated June 30, 2022 through July 19, 2022, numbered 100326-100457 totaling \$1,361,986.69, and payroll dated June 30, 2022, numbered 100000-100026, totaling \$403,593.58.

Mrs. Muncy provided her recommendation for the necessary revision to the June 7, 2022 minutes on page 8, the motion to approve HRSD to move forward with the gravity system at Cooks Corner was recorded as unanimous; however, the vote was actually 4-1 with Mr. Harris voting in opposition. A motion approving the June 7, 2022 minutes with the suggested revision was made by Supervisor Jessie, seconded by Supervisor Harris, and carried by the following roll call: Supervisor Harris – Aye, Supervisor Williams – Absent, Supervisor Jessie – Aye, Supervisor Koontz – Aye and Chairman Kimbrough – Aye.

PUBLIC COMMENT

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

Ms. Eileen Smith spoke about the proposed boundary line adjustment in Urbanna. She stated that she lives in the area and is concerned with possible the impacts this will have for the community including zoning and traffic.

Mr. Robert Jackson stated that he is an advocate for the police and both body and dash cameras. He is concerned with gun violence in this country and says it is more important than ever to have cameras in place. He spoke about the expansion of the Sheriff's Department and the renovation of the Puller Center facility. He mentioned the Board's discussions on various projects around the County but no discussions of the Sheriff's Office renovation in the past two years. He would like to see the Board act promptly to approve the Puller Center funding for the Sheriff's Office.

Ms. Dawn Moore stated that most of the time she is unable to attend the Board meetings because she is picking up her daughter from school. She added that she was present the night the Board discussed the junkyard ordinance and knows of two people who have filed complaints and was told if they have an issue then they should move. She has issue with taxpayer money being used to pay employees who will not help resolve issues. Ms. Moore also discussed her support for the school system and her disappointment with the Board for not fully funding them. She commended Dr. Seitz for finding ways to fund projects and getting things done without County money. She suggested the County take the money they did not give to the School and use it to fund the renovation of the Sheriff's office.

Mr. Kimbrough reminded everyone that there are two public comment sessions, one at the beginning and for those unable to attend, there is another at the end of the meeting.

Chairman Kimbrough closed the public comment period at 3:11 p.m.

CONSTITUTIONAL OFFICERS

Treasurer

Report only.

Commissioner of Revenue

Report only.

Mr. Koontz suggested the Board consider the Treasurer and Commissioner attend the meetings quarterly unless something comes up that must be discussed. The Board were all in agreement with Mr. Koontz's suggestion.

Sheriff's Office

Sheriff Bushey introduced Mr. Ben Burton from Bay Design, stating that Mr. Burton has been working with the Renovation Committee for the Puller Center project and will be providing the update.

Mr. Burton explained his presentation covers architectural, mechanical, electrical, plumbing and civil issues related to making the Puller Center an effective Sheriff's office. He discussed overcrowding of the current office, the lack of storage and amenities needed for the Sheriff's office to meet accreditation standards. Mr. Burton said without accreditation, the Sheriff's Department is restricted from applying for certain grants that would not only benefit the Sheriff's Department but the County as well.

Mr. Burton stated that architecturally, the building can be modified and added the committee is looking at the building from an operational standpoint such as secured areas with card readers. He discussed the electrical and plumbing in the building being outdated and needing a total overhaul and the Middlesex Water Authority had installed the meter. Mr. Burton said the HVAC system will need to be replaced. He also discussed the pavement in the parking area needed replacing, extension to the HRSD sewer system and adding security lighting.

Mr. Burton said the architectural portion of the project would cost approximately \$1.9 million, the mechanical, electrical and plumbing cost would be \$1.35 million and on-site improvements would be \$500,000 which brings the total cost of the project to \$3.75 million. Mr. Burton went on to discuss the floor plans in more detail.

Mr. Harris asked if the water and sewer connection is the most effective way to route to the building. Mr. Burton replied that it was the shortest route and would lead to the pump station, he added that if they routed it another way, they would have to build a pump station which would increase the project's cost.

Mr. Harris asked what the cost difference would be for a new building versus renovating the Puller Center. Mr. Burton stated that Sheriff Bushey has looked at what neighboring counties have paid for a smaller new building and found the cost would run anywhere from \$6 to \$8 million. He added the prices have since doubled.

Mr. Jessie questioned the sewer placement and asked about installing a grinder pump instead of tearing up the whole floor. Mr. Burton replied they are already cutting into the floor for the plumbing and said this would eliminate the grinder pump that would be maintained privately and have everything on a gravity system.

Mr. Koontz mentioned cameras and accreditation, asking where in the accreditation process are they and how long until they reach full accreditation. Sheriff Bushey replied that accreditation would probably happen within a year of moving into the new facility.

Mr. Koontz asked once everything is moved into the building, even though accreditation will take longer, can the needed positions for the camera project be added. Sheriff Bushey stated that they could buy the cameras now, but there is no room to put the records manager and

clerk. He added they could start the process once everyone is settled in the new building. Mr. Koontz stated that he believes it should be grouped as one major Capital Improvement Project.

Sheriff Bushey added that the committee has reviewed things such as adding an EOC in the event of a disaster in the County; there is a need for a facility that could hold all the first responders and could also hold training events.

Mr. Koontz asked whether there would be any revenue from training events held at the facility. Sheriff Bushey replied that after paying for the training instructors, all other revenue would go into the general fund. He feels other area businesses would benefit from events like this.

Mr. Koontz asked if the Sheriff was in support of the Sheriff's Department having cameras. Sheriff Bushey replied he is in support and always has been. Mr. Koontz added that he would like the cameras to be a part of this project, or at least provide the costs of the camera project to see if it is too expensive or not.

Mr. Harris asked of the surrounding counties, which ones currently have cameras. Sheriff Bushey replied he believes there are approximately 18 counties that do not have cameras, but he would have to check his notes.

Mr. Koontz said when the building is finished, they should have the technology updated as well or at least have an idea of what the costs of updating the systems would be. Sheriff Bushey mentioned the grants that would be available to them once they are accredited. Mr. Kimbrough clarified the grants cannot be applied for until the Sheriff's Department is accredited.

Ms. Ricardi asked if this should be placed on the August meeting agenda. Mr. Koontz stated he would like more information if the Board agreed. Sheriff Bushey stated that the cameras would cost approximately \$75,000; however, they would need to hire a Records Manager whose salary range would be \$50,000 to \$70,000 per year and a Records Clerk whose salary would range from \$30,000 to \$40,000 per year. Mrs. Lewis also mentioned that an assistant Commonwealth's Attorney would also be needed. She also briefly discussed the steps that would have to be taken to implement a camera program.

Mr. Harris asked for clarification on what soft cost refers to. Mr. Burton stated that at this stage it is the unknown items in the design process. He said that the 20% contingency refers to necessary items for the estimates they already have, and soft costs are items they didn't see in the design phase that will add cost into the price. He explained that once the bidding phase begins, there will not be soft costs. Mr. Burton stated that the County should not look at the \$1.5 million when discussing budget for this project, instead, they should use \$1.9 million for architectural portion but the total is \$3.75 million.

Mr. Koontz asked if it was possible to tackle this project in phases. Mr. Burton said it was considered; however, the prices will only go higher.

Mr. Jessie said that he believes they should move ahead with the project and added that they cannot foresee whether prices will increase if they delay. Sheriff Bushey mentioned some cost cutting ideas for the project.

Ms. Ricardi asked for confirmation on Bay Design establishing bid documents and for the County Administrator's office to begin reviewing finance options for the project. Mr. Burton stated he did not have a proposal ready, but the next step would be having the team put together a detailed proposal to be submitted to the County. Mr. Kimbrough asked for any objections from the Board and there were none.

Mr. Walker suggested small design changes for the sewer to be routed around the dog park to save some money; however, Mr. Burton stated that based on two local contractors, the design presented was the least expensive. Mr. Walker noted that the fenced area needs to be shifted to allow road access to other properties in the rear.

Mr. Walker also discussed possible funding for the project through a USDA loan/grant.

Mr. Kimbrough asked if there were any objections to moving forward to the next step of this project and there were no objections.

AGENCY AND STAFF REPORTS

VDOT:

Mr. McKnight presented a quarterly update to the Board. He stated all paving was complete in the County. He said that there was a meeting with County staff regarding the Deltaville Shared Use Path and discussed potential issues and options available to locate the optimal route and avoid as many utilities and environmental impacts as possible. He expects an update later in the summer regarding the Shared Use Path.

Mr. McKnight spoke about the Sports Complex Road and the discussions he has had with Mr. Walker, Mr. Koontz and Mr. Fleet regarding potential solutions. He said that he believes there are short term solutions that can be done until they can find a longer-term solution. Mr. McKnight reminded everyone that it is mowing season and the primary roads and high volume secondary roads have been completed and crews have begun work on the lower volume secondary roads and said trash will be removed at that time. He briefly mentioned multiple ditching and pothole repairs taking place throughout the County. Mr. McKnight stated that there were 32 service requests for Middlesex County last month; of those, only 22 remain open and the average days to close a request is 4 days. He added that the top five requests received were for potholes, deceased animals, debris, pipes, drainage and unpaved ditches.

Mr. Kimbrough asked for an updated timetable for the multi-use path. Mr. McKnight stated that with issues they have experienced, he was not able to provide that information; however, he believes by the end of the summer he will ask the district to give a more detailed update on that project. Mr. Kimbrough stated that this is an important project for the community's safety.

Mr. Harris asked about the next step for the work on the Sports Complex Road. Mr. McKnight replied for the short-term work, a crew could start once they are available. He added, longer-term solutions will take more research into finding the best options. He mentioned the possibility of additional parking, but he wasn't sure and explained that this would be a County decision. Mr. Harris added that he thinks Mr. Fleet should participate in the discussions since he heads the Sports Complex Committee.

Mr. Walker stated that he would touch base with Mr. Dustin Harris and Mr. Tammy Putney and discuss options.

Schools:

Dr. Tracy Seitz addressed the Board regarding Budget Supplement Request FY2023-01 and said it was a two-part request. She stated the overall total was \$99,106.60. She said the first part was to move \$54,106.60 to the next fiscal year to cover the remaining balance from the Mosley Architects working on the Middlesex County High School master plan.

Dr. Seitz informed the Board that they haven't gotten the final figures for fiscal year end; however, they are expecting \$250,000 to \$350,000 that will be unused from the current fiscal year.

Dr. Seitz said the second part of the request is the \$45,000 for the JROTC program which is in partnership with King and Queen County schools. She said King and Queen had reached out to offer an opportunity to send students to their JROTC program, adding that the cost is \$3,000 per student. Dr. Seitz said the \$45,000 will allow 10 students to participate in this program as well as the transportation costs.

Mr. Harris asked what criteria was used when selecting students for the program. Dr. Seitz explained it mostly was the level of interest since students had to commit a year to the program. She added in addition to physical fitness requirements, the students must cut their hair a certain way. She is hoping to expand in the future if the budget allows.

A motion approving Budget Supplement Request FY2023-01 and Budget Appropriations Request FY2023-04 was made by Supervisor Jessie – Aye, Supervisor Harris – Aye, Supervisor Koontz – Aye, Supervisor Williams – Absent and Chairman Kimbrough – Aye.

FROM:	AMOUNT:	TO:	AMOUNT:
3-001-041060-001	(\$99,106.60)	4-001-099010-0023	\$45,000.00
		4-001-099010-0042	\$54,106.60
3-071-041050-001	(\$45,000.00)	4-071-061100-7000-310-300	\$30,000.00
		4-071-063200-1177-900	\$ 8,850.00
		4-071-063200-6008-900	\$ 6,150.00
3-074-041050-0045	(\$54,106.60)	4-074-066300-8200-900	\$54,106.00

FROM:	AMOUNT:	TO:	AMOUNT:
3-071-018990-3002	(\$50,00.00)	4-071-061100-6000-310-100-600	\$50,000.00

Social Services:

Report Only.

Middlesex Water Authority:

Mr. Walker introduced Mr. Jim Nagy as the new part-time Executive Director of the Middlesex Water Authority.

Board of Equalization:

Mr. Ray Kostaskey, Chairman of the Board of Equalization, presented the final report. He stated the committee consisted of five members and an alternate. He said they met for 13 meetings, which was less than the last two sessions, and the final meeting was held in June. Mr. Kostaskey stated this session reduced the County assessment by about \$2,000,000.00 and 5 years ago that amount was \$3,000,000.00 and 9 years ago the amount was one million; stating the difference this year was there were less appellants, but they had multiple properties, which had not been encountered before. Mr. Kostaskey stated that while researching a property, adjoining properties may be found to be improperly assessed. He said this session they acted on 32 lots.

Mrs. Lewis asked about the benefits of having an alternate. Mr. Kostaskey stated that the alternate is an important role when a member is absent for voting purposes. He stated that moving forward, he would have the alternate member attend all meetings.

Mr. Kostaskey also suggested educating the County about the assessment process.

Economic Development Authority

Mr. Trent Funkhouser, Executive Director, said there were \$120,000 set aside for state non-competitive funds and that the EDA Committee met to come up with ideas for that money. He stated that they have retained Whitney Law to help with tourism planning. Mr. Funkhouser said that he is working with the Virginia Tourism Corporation and Virginia River Realm to put together applications to be reviewed by the Board and EDA Committee.

Mr. Walker stated that they met with the area campgrounds and toured several. He added that the one thing they have heard unilaterally across all industries is employee shortages. He said they are exploring ways to utilize some of the funding to help businesses combat the employment crisis. Mr. Walker said that he believes Mr. Funkhouser is at a good start and believes the deadline to submit something to the state is in December.

Mr. Funkhouser stated that he has had initial conversations but still needs to meet with the Town of Urbanna. He said they are working through many ideas and need to make a final decision.

Planning Update

Mr. Kretz, Directory of Planning and Zoning, introduced an action item to the Board, Resolution 2022-008 which will authorize submittal of transportation projects located on Town Bridge Road, Route 3 (General Puller Highway)-Regent Road and Route 3 (Twiggs Ferry Road)-Route 630 (Stampers Bay Road).

Mr. Kretz explained that this is VDOT funding and smart scale is a process used to filter transportation projects based on their importance. He said currently the County has three projects that haven't been filtered out. Mr. Kretz discussed the three projects; safety improvements for Town Bridge Road, Intersection Improvements at Regent Road, and a roundabout located at Stampers Bay Road and Twiggs Ferry Road. Mr. Kretz explained that he was not sure whether these projects will be funded. VDOT was agreeable to having the three projects combined into one resolution.

A motion approving Resolution 2022-008 was made by Supervisor Harris and seconded by Supervisor Koontz and carried by the following roll call: Supervisor Koontz – Aye, Supervisor Harris – Aye, Supervisor Jessie – Aye, Supervisor Williams – Absent and Chairman Kimbrough – Aye.

RESOLUTION 2-008

At a meeting of the Middlesex County Board of Supervisors held on July 12, 2022, at 3:00 p.m., on a motion duly made by Supervisor Harris, and seconded by Supervisor Koontz, the following Resolution was adopted by the following vote:

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

A RESOLUTION TO AUTHORIZE SUBMITTAL OF TRANSPORTATION PROJECTS LOCATED ON TOWN BRIDGE ROAD, ROUTE 3 (GENERAL PULLER HIGHWAY)-REGENT ROAD AND ROUTE 3 (TWIGGS FERRY ROAD)-ROUTE 630 (STAMPERS BAY ROAD)

WHEREAS, the General Assembly has created a means of funding proposed transportation projects across the Commonwealth that is based on scoring criteria that emphasizes safety and accessibility, environmental quality and economic development known as Smart Scale funding; and

WHEREAS, the County of Middlesex desires to submit three local transportation projects for potential funding under the Smart Scale Round 5 process; and

WHEREAS, the Middlesex County Board of Supervisors hereby supports the submittal of the following projects for funding under the Smart Scale Round 5 process:

- 1) Town Bridge Road Roadway Improvements
- 2) Route 3-Regent Road Roadway Improvements (Turn Lanes)
- 3) Route 3 (Twiggs Ferry Road)-Route 630 (Stampers Bay Road) Roadway Improvements (Roundabout)

NOW, THEREFORE BE IT RESOLVED, that the Middlesex County Board of Supervisors hereby approves and supports the submittal of the identified projects for funding under the Smart Scale Round 5 process; and

BE IT FINALLY RESOLVED, that a copy of this resolution expressing the support of the Middlesex County Board of Supervisors on this matter be conveyed to the Virginia Department of Transportation, Saluda Residency, Fredericksburg District and the Commonwealth Transportation Board.

Adopted the 12th day of July 2022

A Copy Teste:



Matt Walker, County Administrator

Airport Project Update

Mark Flynn, County Co-counsel for the Airport Project, said that the DEQ report required a Memorandum of Understanding with the Department of Historic Resources, Department of Aviation and the Perkinson Trust for sound screening and visual barrier on the two edges of the Perkinson property. He provided a brief explanation of the MOU. Mr. Flynn stated this was the last thing that was needed for the Department of Aviation to sign-off and allow the work to continue with this project.

Mr. Jessie asked what the logistics were and would it delay the process. Mr. Flynn stated once the MOU is signed by all parties, it will be sent to the Department of Aviation for signature and then to the Department of Historic Resources. He said the last step will be for the Department of Aviation to issue a license.

Mr. Walker notified the Board there was an annual reporting requirement to the Department of Historic Resources, the Department of Aviation and the landowner regarding a status on the buffer. He added the requirement ends upon the termination of the agreement which is 10-years from the date of execution.

A motion approving Chairman Kimbrough to sign the Memorandum of Understanding with the Department of Historic Resources, Department of Aviation and the Perkinson Trust was made by Supervisor Harris and seconded by Supervisor Jessie and carried by the following roll call: Supervisor Harris – Aye, Supervisor Jessie – Aye, Supervisor Koontz – Aye, Supervisor Williams – absent and Chairman Kimbrough - Aye.

RECESS

Chairman Kimbrough declared a recess for 10 minutes at 4:00 p.m.

RECONVENE

Chairman Kimbrough called the meeting back to order at 4:10 p.m.

UNFINISHED/NEW BUSINESS

Unfinished Business

No unfinished business was discussed by the Board.

New Business

Town of Urbanna Boundary Line Adjustment Request – Garth Wheeler, Town Administrator
Mr. Wheeler said he was appearing on behalf of the Urbanna Town Council, who voted to allow a land boundary adjustment of several parcels of land located on the outskirts of town, specifically in the vicinity of Virginia Street and Waverly Drive. He went on to discuss the specific location of these parcels and presented the Board with letters of support from each of the property owners. Mr. Wheeler said the town was built to capacity and although they want to keep the quaintness of the town, they also want opportunities to expand and increase their tax base. He added that it will bring the town offices, water tower and well into the town limits. Mr. Wheeler requested that County Attorney, Mrs. Heather Lewis, Town Attorney, Ms. Andrea Erhard and Mr. Walker work to put a package together in an effort to move this project forward.

Mr. Wheeler stated there was one property owner who did not want to become part of the Town. They were planning on moving forward with the property owners who do not object and then going back to speak with the property owner who is not interested.

Mrs. Lewis explained if the majority of the Board chooses to move forward, she said the next step she recommends is for the Board to make a formal motion directing Mr. Matt Walker and Mrs. Lewis to work with Mr. Wheeler and Ms. Andrea Erhard, on a boundary line agreement which requires a metes and bound survey and although the code does allow for GIS mapping, Mrs. Lewis would object, stating it needs to be done correctly. She pointed out that the plat presented to the Board is not sufficient. She added that all property owners would need to be properly notified and if 1/3 of the property owners do not challenge this, the Circuit Court can be petitioned to request approval and schedule a hearing. Mrs. Lewis stated this was a brief outline of the process but there were so many nuances to work through such as zoning changes, taxation changes and the Voting Rights Act.

Mr. Walker added that most of the work on this project will be conducted by Mr. Wheeler and Ms. Erhard and costs would be the responsibility of the Town. He also said that he and Mrs. Lewis would be there to assist throughout the process should anything come up. Mr. Wheeler agreed with Mr. Walker and added that this is something they have discussed for years. He added that it does not make sense for the town office to be outside of the town limits.

Mr. Jessie stated he would help talk to the property owner and asked if the property owner is required to be part of the town. Mrs. Lewis stated that her initial thought is for this project to move forward, she believes that it would be difficult to move forward and be in compliance with state voting and federal requirements. She also mentioned that there may be other options if they were not included in the town.

Mr. Jessie voiced his concerns with the request. He stated that the earlier proposal did not include the additional parcels of land as the current proposal. Mr. Wheeler agreed stating the additional land was added upon the request of Thurston properties. Mr. Williams also had concerns with the request.

Mr. Koontz asked for Mr. Harris' opinion. Mr. Harris thought this would benefit the town without hurting the County; however, he would need to discuss all aspects of the request with Mrs. Lewis.

Mr. Jessie again stated that the first proposal did not include any homes and now the current proposal does. He said this was his main concern with this request.

A motion approving the County Attorney, Mrs. Lewis and the necessary resources, proceed with negotiation with the Town of Urbanna on the possible boundary line readjustment was made by Supervisor Harris and seconded by Supervisor Koontz and carried by the following roll call: Supervisor Jessie – Nay, Supervisor Koontz – Aye, Supervisor Harris – Aye, Supervisor Williams – Nay and Chairman Kimbrough – Aye.

REGULAR AGENDA ITEMS:

Citizen Appointments

Mrs. Muncy said applications had been received from Ms. Joan Harris and Mr. Aaron McFarland to be appointed to the Keep Middlesex Beautiful Litter Committee. An application had been received from Ms. Davelin Gresham for reappointment to CPMT Parent Representative.

A motion to approve the appointments of Ms. Joan Harris, Mr. Aaron McFarland and Ms. Davelin Gresham 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.

Ms. Ricardi participated in a conference call with Resource International and DEQ. She said that they have decided there is need of three landfill gas compliant extraction wells totaling \$51,465. She added that there is already \$25,000 budgeted this year and this request was to appropriate the additional \$26,465 to have this equipment installed. Mr. Koontz requested a Capital Improvement Plan for this project to give them an outlook of the project. Ms. Ricardi agreed to create one.

A motion approving Budget Supplement Request FY2023-02 was made by Supervisor Harris and seconded by Supervisor Koontz and carried by the following roll call: Supervisor Harris – Aye, Supervisor Williams – Aye, Supervisor Jessie – Aye, Supervisor Koontz – Aye and Chairman Kimbrough – Aye.

FROM:	AMOUNT:	TO:	AMOUNT:
3-1-41060-0001	(\$26,465.00)	4-1-42060-2005	\$26,465.00

Mrs. Muncy introduced Budget Supplement Request 2023-03 for funds to purchase the Latimore property, Tax Map 27-51 that the County closed on last week.

A motion approving Budget Supplement Request FY2023-03 was made by Supervisor Koontz and 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.

FROM:	AMOUNT:	TO:	AMOUNT:
3-1-041060-0001	(\$99,621.90)	4-1-089000-7015	\$99,621.90

Administrator Updates

Mr. Walker informed the Board that the sewer update will be presented at the August meeting for a few reasons such as HRSD providing a completion date and working through some logistical items with the Virginia Resources Authority. He also explained the role of the Virginia Resources Authority as the agency responsible for administering most of the financial logistics for the Cleanwater Revolving Loan. He explained further that if approved through DEQ and the Health Department, they will work with the Virginia Resources Authority for the administration of the financials.

Mr. Walker also mentioned the September Board of Supervisor’s meeting falls on the day after Labor Day and requested the Board consider moving the meeting one week to September 13, 2022.

A motion to approve moving the September Board of Supervisor’s meeting from September 5, 2022 to September 13, 2022 was made by Supervisor Harris and seconded by Supervisor Koontz and carried by the following roll call: Supervisor Jessie – Aye, Supervisor Koontz – Abstained, Supervisor Harris – Aye, Supervisor Williams – Aye and Chairman Kimbrough – Aye.

County Attorney Update

Mrs. Lewis said that she has moved forward with the Water Authority Project. She had no other items to present to the Board.

MATTERS PRESENTED BY THE BOARD

Mr. Jessie said that he attended the PDC meeting with the Virginia Port Authority. He said there was a \$5 million Vision Fund where the Middle Peninsula will own the dredge. He believes there are beneficial things regarding dredging that will be available for the Middle Peninsula. Mr. Jessie also attended the Juneteenth festival and said it was well attended. He also attended the Deltaville 5k run and the Town of Urbanna fireworks.

Mr. Harris said that the Middlesex County Museum had a celebration for General Puller's 120th birthday. The celebration started at Christ Church Parrish and ended with a brief ceremony at Puller Park. The event was attended by Marine Corps detachment out of Yorktown and there were two representatives from the Pentagon in attendance. Mr. Harris spoke about the Rappahannock River Basin Commission and explained how they provide guidance for the stewardship and enhancement of water quality and natural resources of the Rappahannock River Basin and work closely with the Counties along the river basin as well as the General Assembly.

Mr. Williams attended the ribbon cutting ceremony officially opening the new parking lot at Whiting Creek. He said he has gotten positive feedback from fisherman regarding the new area.

Mr. Kimbrough discussed the Deltaville 5k and Kids Fun Run event held on the July 4th weekend. He said this was primarily a fundraiser for the Deltaville Community Association, which provides funding for several resources in the community such as the pool, ballpark, meeting facilities, basketball, and tennis courts. Mr. Kimbrough also attended a meeting with the EDA steering committee to decide on the next steps to move forward. He also attended the Historical Courthouse Committee meeting. Mr. Kimbrough they are researching the portraits, monuments, and various artifacts to obtain a better understanding of their link to the courthouse. He said the overall goal is to have the courthouse tell a story about its history. Mr. Kimbrough also attended a meeting with the School Finance Committee to discuss a possible merge between the school and county's maintenance departments. He added this is being done to find ways to operate more cost-effectively while maintaining all the facilities throughout the County. Mr. Kimbrough also spoke of the Water Authority not able to finish as originally hoped.

PUBLIC COMMENTS

Mr. Kimbrough opened the Public Comments at 6:11 p.m.

No Public Comment.

Mr. Kimbrough closed the Public Comments at 6:11 p.m.

CLOSED SESSION

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

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.

PUBLIC HEARING

Rezoning 2022-02

Mr. Kretz, Director of Planning and Zoning, stated this was in reference to Rezoning request 2022-02, submitted by the Middlesex County Board of Supervisors pursuant to Resolution 2022-03. He explained the request was for a rezoning reclassification of approximately 15 acres to general business and approximately 2.3 acres to village community. He said the property was currently zoned as low density rural and was located on General Puller Highway, which is U.S. Route 17 business in the Saluda District. He went into further details on the land during his presentation.

Chairman Kimbrough opened the Public Hearing at 7:19 p.m.

Ms. Claudia Soucek, Chair of the Middlesex County School Board, thanked the Board for supporting the JROTC program. She wanted to voice her concerns regarding the character of businesses that may be established in this area due to the rezoning. She stated that she is not demeaning any business but feels there are businesses not suitable to operate across from the high school, such as businesses that specialize in the sale of alcohol, firearms or tobacco. She asked the Board to consider restricting the type of businesses from locating to the new business zone.

Mr. M.V. Putney, Jr. stated that he is excited to see the County moving forward in a positive direction to try and attract businesses here which will help the County and taxpayers. He said he feels it is a good area for development because there are already businesses in the area and it is right off the main road, so visitors may decide to stop and look.

Chairman Kimbrough closed the Public Hearing at 7:23 p.m.

Mr. Walker addressed Ms. Soucek's concerns regarding the type of businesses for this area and recommended the Board consider resurrecting the Ordinance that relates to adult oriented businesses. Mr. Kretz added he believes there is an ordinance that deals with adult businesses. He also stated his concerns with stipulating what a business can and cannot sell such as cigarettes when there is a business across the street that has been selling this product. He believes that businesses should be trusted to follow the laws because they do

not want to lose their licenses. He added the property owner has indicated that he will be very selective as to what goes on his property.

A motion approving Rezoning Reclassification Request 2022-02 was made by Supervisor Jessie and seconded by Supervisor Koontz and carried by the following roll call: Supervisor Williams – Aye, Supervisor Jessie – Aye, Supervisor Koontz – Aye, Supervisor Harris – Aye and Chairman Kimbrough – Aye.

Middlesex County Pump and Haul Sewage Disposal Ordinance

Marc Longest, the County's Environmental Officer, reviewed the Pump and Haul Sewage Disposal Ordinance, stating that businesses want to be put on this system when their older systems are failing, to enable them to remain operational. He said that with the ordinance, there is also an agreement that the business or property owner will have to sign, ensuring they maintain and keep pumping the system as needed. He said that each business or property owner will need to have an application from the Health Department showing that there is an issue with the existing system that either can not be fixed or would be too costly to fix, from there, they will submit their application to the County, including the Health Department's application and the signed agreement with the contractor. He said the pumping must be certified through the Health Department and there will need to be a two-month bond in the event someone fails to follow the procedures, the County can be reimbursed with the bond money, and they would be removed from the Pump and Haul and notice sent to the Health Department. Mr. Longest said they want to help business owners until a time when public sewer comes to their area and said if public sewer comes to their area, they are required to sign up to get on that system and the time limit will be 2 years. Mrs. Lewis added the ordinance applies to existing facilities and added to obtain a building permit for new construction, there must be adequate sewage and well for the property. She stated in the event the County is moving forward installing sewer and someone will finish their build before the completion of the sewer install, then and only then the individual may request and receive consideration. But it will be rare occasions.

Chairman Kimbrough opened the Public Hearing at 7:50 p.m.

There were no public comments for the Board.

Chairman Kimbrough closed the Public Hearing at 7:50 p.m.

A motion approving the Pump and Haul Sewage Disposal Ordinance was made by Supervisor Koontz and 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.

Other Business

Mr. Kimbrough said that Mrs. Muncy had discussed addressing the airport shutting down between one and three months. He added that the hangers are rented and will be

inaccessible during that time. Mr. Kimbrough said the question is during this time, should rent be suspended. The Board decided to leave the rent in place unless someone reaches out who wanted access to their plane and was unable to do so, then the request can be considered.

Adjourn

A motion to adjourn until the next regular meeting scheduled for August 2, 2022 at 3:00 p.m. was made by Supervisor Koontz and seconded by Supervisor Jessie and carried by the following roll call: Supervisor Williams – Aye, Supervisor Koontz – Aye, Supervisor Jessie – Aye, Supervisor Harris – Aye and Chairman Kimbrough – Aye.

Lud H. Kimbrough, III
Chairman, Board of Supervisors