

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS HELD ON
TUESDAY, AUGUST 1, 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 (via phone)

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 3:31 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 (via telephone); Mr. Harris – Present; Mr. Jessie – Present; and Mr. Kimbrough – Present. There was a quorum.

Mr. Koontz joined the meeting via telephone. Mr. Kimbrough asked Mr. Koontz to state the reason for attending electronically. Mr. Koontz stated he had a family emergency in Bedford Pennsylvania. Mr. Kimbrough said the Board needed to have a majority vote to approve Mr. Koontz' participation by electronic means.

A roll call was taken by Ms. Ricardi to approve Mr. Koontz' participation by electronic means: Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams - Aye and Mr. Kimbrough - Aye. The vote was unanimous to allow Mr. Koontz to participate electronically. Mr. Kimbrough asked for the minutes to reflect why Mr. Koontz was participating electronically. Mr. Koontz identified his location as Bedford, Pennsylvania at his parents' home. Mr. Koontz was now a voting member of the Board and there was a quorum.

CONSENT AGENDA

Mr. Kimbrough advised of two additions to the agenda, under unfinished business, there would be a discussion on the VDOT shared use path in Deltaville and under old business there would be a discussion to consider changing the meeting time back to 3:00 p.m. A motion to approve the Consent Agenda as amended was made by Mr. Jessie and seconded by Mr. Harris and carried by the following roll call: Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Absent, and Mr. Kimbrough Aye.

The Consent Agenda included approval of disbursements dated June 30, 2023 through September 6, 2023, numbered 102254 through 102492, totaling \$2,168,875.07 and voided number 102189-102253 dated July 24, 2023 and number 102339 dated August 1, 2023 and payroll dated August 15, 2023, totaling \$488,535.14

PUBLIC COMMENT

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

There were no public comments.

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

Mr. Kimbrough called a 5-minute recess at 3:35 p.m. to fix a technical issue with the feed.

Mr. Kimbrough called the meeting back to order at 3:40 p.m.

CONSTITUTIONAL OFFICERS

Treasurer

Report Only.

Commissioner of Revenue

Report only.

AGENCY AND STAFF REPORTS

VDOT:

Report Only.

Schools:

VDOT:

Report Only.

School Matters:

Dr. Seitz provided explanations for Budget Supplement Requests FY24-03 through FY24-09. There was further discussion and a motion approving Budget Supplement Requests FY24-03 through FY24-09 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.

	FROM:	AMOUNT	TO:	AMOUNT
FY24-03	03-071-018991-2000	(\$24,040.00)	4-071-064200-5101-900	\$ 24,040.00
FY24-04	03-071-024030-7001	(\$5,428.00)	4-071-064200-6007-900	\$ 5,428.00
FY24-05	Various accounts	(\$35,000.00)	Various accounts	\$ 35,000.00
FY24-06	Various accounts	(\$1,547,991.62)	Various accounts	\$1,547,991.62
FY24-07	3-074-00300-0100	(\$1,163,320.00)	Various accounts	\$1,163,320.00
FY24-08	3-073-041060-0001	(\$5,736.93)	4-073-061100-6020-200-100	\$ 5,736.93
FY24-09	3-072-041060-0001	(\$233,291.00)	4-072-065100-6002-900	\$ 233,291.00

Social Services:

Report Only.

Middle Peninsula Northern Neck Community Services Board:

Ms. Hodges presented a Resolution to approve the new performance contract. She explained this was a two-year contract and is a document that identifies funding for programs in mental health, substance use services and developmental services. Ms. Hodges provided an overview of some of the programs located in Middlesex County or serving the Middlesex County citizens, such as Middlesex House program, Three Rivers Healthy Families, Discovery House program and the IDDD program.

Ms. Hodges discussed the 40% employee vacancy rate affecting their capacity to serve individuals in the community and the ongoing problems with the state psychiatric hospitals with staffing and space shortages.

A motion to adopt the resolution of the performance contract was made by Mr. Jessie 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.

County Engineer Update:

Mr. Beam provided updates on:

Airport:

- Working with Parrish and Partners to develop a “revised” Airport Layout Plan showing the proposed new fuel facility, terminal building, industrial complex, hangars, proposed helipad, future taxiways and access road from Route 3. He said the County is considering leasing the Airport to a fixed base operator or a vendor/individual. He added they are finalizing the RFP for the repair/refurbishment of the existing fuel facility to include a preventative maintenance program.

Sewer Project:

- Meeting with HRSD and Bowman monthly for the phasing and construction schedules. Still waiting for revised costs for Cooks Corner for the inspection and engineering services.
- Deltaville: the survey is complete and will be available this week. Phase two survey is complete with supplemental investigations of existing wells and some property information being verified and will be available the week of August 7, 2023. Phase three survey is complete and will be available the last week of August.
- Topping: the bidding will be delayed until HRSD has a definitive schedule. He mentioned the archeological study and mentioned that HRSD was granted permission to only perform studies on areas designated by the state as historical. He said this has set a precedent and the County will petition the State to do the same.
- Due to the remote locations of the pump stations, a radio telemetry study will be conducted to help with tower placement.
- The LIDAR study is complete and will be available next week.

Mr. Beam provided a brief update on the County landfill, Puller Center renovation project and mentioned the Wings, Wheels and Keels event in September at Hummel Field.

REGULAR AGENDA ITEMS:

Citizen Appointments

Report Only.

Wings, Wheels and Keels – Grant Agreement

Ms. Ricardi mentioned that the Wings, Wheels and Keels event is scheduled for September 30, 2023 from 8:00 a.m. to 4:00 p.m. and presented a promotional grant agreement from the Department of Aviation in the amount of \$10,000.00.

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

There was technical difficulty with Mr. Koontz' connection and the call was lost. Mr. Koontz rejoined a few minutes later.

Wings, Wheels and Keels – Lease Agreement

Ms. Ricardi presented the Lawson lease agreement. She stated this was one of three budgeted lease agreements for land use during the Wings, Wheels and Keels event.

A motion approving the Lawson lease agreement was made by Mr. Williams and seconded by Mr. Jessie and carried by the following roll call: Mr. Williams – Aye, Mr. Koontz – Abstain, Mr. Harris – Aye, Mr. Jessie – Aye and Mr. Kimbrough – Aye.

ADMINISTRATOR UPDATES

Cigarette Report

Report Only.

Staff Report

Report Only.

Mr. Walker mentioned the VACO conference and asked the Board to contact Mrs. Gilbert if they wish to attend the event.

Mr. Walker discussed attending the Middle Peninsula Planning District Commission meeting where they discussed having better grant writing and administration and said he will be polling surrounding counties for their interest in a shared position.

Mr. Walker stated that there is a meeting scheduled with VDOT regarding the multipurpose path.

Mr. Harris inquired about the state budget. Mr. Walker stated there are no new updates regarding the state budget.

COUNTY ATTORNEY UPDATE

Mrs. Lewis notified the Board that Resource International, Inc. had been acquired by ARM Group, LLC. She said that based on the contract, Resource International will be able to assign their current contract with Middlesex County under this new merger. Mr. Jessie said he hopes this does not affect the status of the landfill closing. Mrs. Lewis said she was reassured the current personnel working on the landfill closing would remain assigned to the project.

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

Mr. Koontz left the meeting.

UNFINISHED/NEW BUSINESS

Unfinished Business

Mr. Walker discussed the VDOT shared use path. He provided a recap of VDOT's presentation during the July 11, 2023 meeting. He said he has been working on alternative solutions such as nature paths, a pier to cross the creek or widening the roadway. Mr. Walker stated he will meet with VMRC to discuss possibilities of putting in a pier along the waterfront. Mr. Kretz mentioned another option being trying for the grant funds that are available but the downside of that would be locking into the building standards that are required. There was a consensus to meet with VDOT to discuss the project and options. Mr. Walker will schedule the work session with VDOT either August or early September.

Mr. Kimbrough read a written public comment from Mr. & Mrs. Grimm, owners of the Deltaville yachting center who voiced concerns over the safety of the current road and support building a reasonable pathway like the ones seen in subdivisions.

New Business

Mr. Kimbrough stated a few months ago the regular meeting time was changed to 3:30 p.m. to accommodate Mr. Koontz' professional schedule and since there is no longer a conflict, suggested moving the meeting time back to 3:00 p.m.

A motion to move the regular meeting time back to 3:00 p.m. was made by Mr. Jessie and seconded by Mr. Williams and carried by the following roll call: Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Absent and Mr. Kimbrough – Aye.

Mrs. Lewis said this information will need to be advertised.

MATTERS PRESENTED BY THE BOARD

The Board members reported on their activities since the last Board of Supervisors meeting on July 11, 2023.

PUBLIC COMMENT

Chairman Kimbrough opened the public comment session at 5:56 p.m.

Mr. Russ Perkinson said more effort should be put into estimating the demand of the sewer system. He also discussed various costs associated with the sewer system.

Chairman Kimbrough closed the public comment session at 5:59 p.m.

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.

A motion to go into closed session was made by Mr. Jessie and seconded by Mr. Harris and carried by the following roll call: Mr. Williams – Aye, Mr. Koontz – Absent, Mr. Harris – Aye, Mr. Jessie – Aye and Mr. Kimbrough – Aye.

RETURN TO OPEN SESSION

A motion to return from closed session with the following statement was made by Mr. Jessie and seconded by Mr. Harris and carried by the following roll call: Mr. Koontz – Absent, Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams – Aye and Mr. 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 was considered or discussed in said closed session.

ADJOURN

The Board unanimously agreed to adjourn until the next regular meeting scheduled for September 12, 2023 at 3:00 p.m.

Lud H. Kimbrough, III
Chairman, Board of Supervisors