

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS HELD ON
TUESDAY, SEPTEMBER 7, 2021, IN THE BOARD ROOM OF THE HISTORIC
COURTHOUSE, SALUDA, VIRGINIA:

Present: Wayne H. Jessie, Sr., Jamaica District
Peter W. Mansfield, 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 (Electronically)
Betty S. Muncy, Assistant County Administrator
Ann Marie Ricardi, Assistant County Administrator
Heather W. Lewis, County Attorney
Susan C. Traner, Deputy Clerk

CALL TO ORDER

Chairman Jessie called the meeting to order at 3:00 p.m.

ROLL CALL

Attendance was taken by Ms. Muncy with the following roll call: Supervisor Koontz – Present; Supervisor Mansfield – Present; Supervisor Kimbrough – Present; Supervisor Williams – Present; and Chairman Jessie – Present. There was a quorum.

Chairman Jessie announced that County Administrator Matt Walker would be attending electronically due to being quarantined. Supervisor Williams led the group in prayer; Mr. Walker led in the Pledge of Allegiance.

CONSENT AGENDA

Chairman Jessie said that the order of items on the agenda would be amended, moving the Broadband Authority Update up under the School Update in the Agency and Staff Reports.

A motion to approve the Consent Agenda, as amended, was made by Supervisor Williams, seconded by Supervisor Kimbrough, and carried by the following roll call: Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; Supervisor Williams – Aye; and Chairman Jessie – Aye.

The Consent Agenda included approval of minutes from the August 3, 2021 Regular meeting; disbursements dated August 4, 2021 – September 7, 2021, numbered 98156, 98183 – 98322 and 98356 – 98428, totaling \$653,354.74; and payroll dated August 16,

2021, numbered 98157 – 98182 and payroll dated August 18, 2021, numbered 98355 totaling \$496,668.01. Checks numbered 98323 – 98354 were voided.

PUBLIC COMMENT

Chairman Jessie opened the public comment period at 3:03 p.m.

Rebecca Major Robbins distributed an information packet to each Board member. She stated that she was addressing the Board on behalf of 118 soldiers of the Civil War that were listed in the Middlesex County Book of Cemeteries along with some Union soldiers and some of her ancestors. She said she endeavored to honor all those who served in the war from Middlesex County, that fought to preserve the County, and she believes that the memorial statue should remain on the courthouse grounds. She stated that the statue was erected, not to honor their cause, but to honor their sacrifice.

Steve Mathews said that once something happens, it is done, and you cannot change what happened, but you can choose how to tell that story. Southern states seceded from the Union to protect their way of life and their economy; an economy rooted in slavery. While many claim that slavery was not the root cause, there is no debate that slavery was a cornerstone of the southern economy. Between 1861 and 1865, four million people were held in bondage in slaveholding states. Every Confederate soldier who took up arms against the United States Army was guilty of treason according to the language in the Constitution. The United States Army saved the union and liberated nearly four million enslaved people across the south. Many soldiers on both sides fought bravely and died, but only one side fought to preserve the Union. The monument on the courthouse grounds commemorates the traitors who fought to destroy the Union. Now is the time to defeat the myth of the Lost Cause. Board members need to stand up and do the right thing and have the courage to vote to remove the monument to an unworthy cause.

Lauren Wood said she hoped the Board members had received the book that she had mailed them and that they had read it. She said she was amazed at how much of her elementary school education was spent on learning about the Confederacy. She wondered how it made her black friends feel. As an adult, she has learned about the whitewash of education by the Daughters of the Confederacy and other groups looking to romanticize the Confederacy and the Lost Cause. Today, the disgusting acts of racist Americans in the days of slavery should not continue to be promoted by the Confederate monument. The monument should be put in a museum or cemetery, not on the grounds of justice in Middlesex County where it was meant to intimidate in the days of Jim Crow.

Monica Sanders said when she was little, her father always treated everyone equally. His actions were instilled in her. She said history is history; it cannot be changed. Other countries that are removing their statues are Marxist societies that are trying to remove history. She said she wants to serve freedom, with everyone free to be who they are. She said she was proud of Chairman Jessie for his stance and comments on the subject of the monument.

Bridget Weinberg remarked how sad it is that any human, no matter the color of the skin, race or background, should have to make the decision to “just not look at the Confederate statue” when on the courthouse grounds, as Chairman Jessie had suggested at the last meeting. She said the Board should not worry about the majority of people that are saying that removing the monument would be erasing history. History will never be erased, but the statue could be moved to an appropriate place, so the County can start reconciling and working on unity.

Michael Knez said he had done some research, and the monument is more than just a benign memorial to Confederate soldiers and women of Middlesex. He said that a convention was held in 1901 to write a new state constitution. He referred to a pamphlet he discovered from that convention that said that the Negro race needed to be excluded from voting in Virginia. He said that the pamphlet said this could be accomplished without disenfranchising the white man. He said that one of the men at that convention, Andrew Jackson Montague, had not only attended that convention but also attended the dedication of the monument on the courthouse grounds, so there was a direct link. He said the Republican Party was mostly for black people at that time and the Republican Party was mostly wiped out during that time as well. He said a Republican representative from Middlesex, Robert Bristow, voted against the new constitution, so, at least, Middlesex can be proud of that.

Chairman Jessie closed the public comment period at 3:23 p.m.

CONSTITUTIONAL OFFICERS

Kathy Thrift, Treasurer, addressed the Board, saying that delinquent real estate bills went out last week, and the phones in her office were now ringing constantly. Supervisor Koontz said it appeared that the percent collected was a little off pace with previous years. Ms. Thrift said that it was too early to evaluate 2021 versus previous years, but after a couple more months, that comparison would be able to happen.

Mae Burke Diggs, Commissioner of the Revenue, was unable to attend the meeting.

Sheriff David Bushey addressed the Board regarding Budget Supplement Request FY2022-13 regarding a request for funds for additional pay. He said that the state had approved bonuses for COVID relief from the state’s ARPA funds for Compensation Board sworn full-time officers and he was requesting funds from the County, from the County ARPA funds, for the other full-time officers that were not sworn Compensation Board officers. The bonus amount approved by the Compensation Board for Middlesex County officers was \$35,525, which included wages and FICA taxes. The bonus will be a one-time bonus of \$3,000 paid in December. There are 11 Compensation Board sworn full-time officers and six positions that are funded by the County. He asked that the Board approve funding of a \$3,000 bonus for each of those six officers for a total amount of \$19,378, which includes wages and FICA taxes.

Supervisor Williams asked if the temporary and extra employees would receive anything. Sheriff Bushey responded that they would not, although other counties with small offices were giving the bonus.

A motion to approve Budget Supplement Request FY2022-13 in the amount of \$19,378 from County ARPA funds, to be added to the Compensation Board bonus of \$35,525, for a total of \$54,903, was made by Supervisor Koontz, seconded by Supervisor Mansfield, and carried by the following roll call: Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; Supervisor Williams – Aye; Supervisor Koontz – Aye; and Chairman Jessie – Aye.

FROM:	AMOUNT:	TO:	AMOUNT:
3-001-024010-0002	(\$35,525)		
3-001-041050-4000	(\$19,378)		
3-059-041060-0001	(\$19,378)		
		4-001-031020-1001	\$39,000
		4-001-031020-2001	\$2,984
		4-001-021010-1001	\$3,000
		4-001-021010-2001	\$230
		4-001-031060-1001	\$9,000
		4-001-031060-2001	\$689
		4-059-099010-0045	\$19,378

Sheriff Bushey said that out of 124 Sheriff’s Offices across the Commonwealth, 22 of those offices do not have body cameras. Middlesex County is one of those offices. He believes that body cameras will become necessary as a result of the police reform occurring in the state. He had not requested body cameras because of the costs; not just for the cameras, but for implementing everything that goes along with the cameras, including things like records keepers and a records room. He said his office was completely out of space. Police reform will also require accreditation. It appears that, before long, the state could mandate that all localities have accreditation. The Sheriff’s Office building was constructed in 1986 and was designed for eight deputies and four dispatch personnel, with no consideration for future growth or expansion. The parking lot was added when he took office, and it is currently packed. In front of the building, there is room only for his car, one handicapped space, and one visitor. When the Magistrate’s office was added to their space, it left little room for any privacy, and all conversations can be heard by everyone, including visitors and anyone being arrested. When a juvenile is arrested, and if any civilians are around, all doors in the building must be closed to protect the juvenile’s privacy. He said there is no holding room, and arrested people have actually kicked the Magistrate’s desk over and destroyed the computer.

Sheriff Bushey said that the deputies’ room, which was designed for six deputies, now has 15 deputies in it. The detectives room houses three detectives and one civil processor. Due to the confidential nature of the undercover officer’s activities, sometimes there are so many people in there, that he cannot even use the office. The evidence property room does not qualify for accreditation. A safe had to be purchased to house their AR-15s and other equipment as well as unclaimed bodies. The bulk evidence storage area is outside, and it also cannot be accredited because there is no fencing, lighting, heat or air,

and no security cameras. A records manager and a records clerk will also be required for accreditation.

Sheriff Bushey said that he realized that Supervisor Williams had a possible project that would use the Puller Center, but if that does not materialize, he would like for the Sheriff's Office to move into that facility. He said the layout would serve the purpose well, and it would be a facility that would allow for growth. A generator and fencing would need to be added to make it suitable for accreditation. If the state mandates that each Sheriff's Office must meet accreditation, the County would most likely have one to two years to comply. If a new Sheriff's Office must be built from the ground up, it could cost between five and seven million dollars. If Supervisor Williams' project does not come to fruition, Sheriff Bushey asked that the Board create a team to investigate the possibilities, asking that David Layman, Kevin Gentry, and Ann Marie Ricardi be on the team, along with members of the Sheriff's Office. Supervisor Williams said he would also like to be on the team.

AGENCY AND STAFF REPORTS

VDOT:

Ron Peaks, Assistant Residency Administrator, introduced Andrew Thorpe, an engineer-in-training from the Fredericksburg District. He said that the new full-time Residency Administrator will be Lee McKnight, who will start next week.

Supervisor Koontz asked Mr. Peaks if the maintenance trimming done on Syringa Road at Tall Chief was for normal growth or if it seemed to be grown beyond that. Mr. Peaks said that the trimming that was done was within the limits of their right-of-way, within the limits of their normal maintenance responsibilities. Mr. Peaks said the speed study that had been requested for that area was being worked on, using a recent traffic count.

Supervisor Williams told Mr. Peaks that the residents want a stop light in Locust Hill at Route 33 and Healy's Road. He said he had also been asked to see if a turn-on-caution light could be installed at the St. Clare Walker stoplight. The left-turn lane turning into St. Clare Walker, coming from Deltaville, would be better served with a turn-on-caution light like the one at Harmony Grove Church at the intersection of Route 33 and Grey's Point Road.

Schools:

Dr. Tracy Seitz, Superintendent, addressed the Board regarding several supplements. Ms. Karen Murray, Finance Director, was also present. Dr. Seitz said that Budget Supplement Request FY2022-09 in the amount of \$249,607.79 was a carryover of the remaining federal Title funds and IDEA from FY21 awards into FY22. The next three Budget Supplement Requests were all for grants for ESSER Funds. Budget Supplement Request FY2022-10, in the amount of \$1,208,393.42, was to appropriate ESSER II grant funds into the FY2022 budget. Budget Supplement Request FY2022-11, in the amount of \$209,712.72, was to appropriate ESSER II state set-aside grant funds into the FY2022 budget. Budget Supplement Request FY2022-12, in the amount of \$2,713,879.97, was to appropriate ESSER III grant funds into the FY2022 budget.

A motion to approve Budget Supplement Requests FY2022 - 09-12 was made by Supervisor Koontz, seconded by Supervisor Kimbrough, and carried by the following roll call: Supervisor Kimbrough – Aye; Supervisor Williams – Aye; Supervisor Koontz – Aye; Supervisor Mansfield – Aye; and Chairman Jessie – Aye.

FROM:	AMOUNT:	TO:	AMOUNT:
Various Title Accts & IDEA	(\$249,607.79)	Various Accounts	\$249,607.79
3-071-038439-6002	(\$1,208,393.42)	Various Accounts	\$1,208,393.42
3-071-038439-6003	(\$209,712.72)	Various Accounts	\$209,712.72
3-071-038439-6004	(\$2,713,879.97)	Various Accounts	\$2,713,879.97

Chairman Jessie asked Dr. Seitz about the number of COVID cases appearing in the schools. Dr. Seitz said she sends a letter home weekly informing the parents of the number of positive cases each week and the number of students that are required to quarantine. The school, location or bus is not identified. She is focusing on mitigation strategies and following the CDC guidelines. If quarantining is required, then a student is required to quarantine anywhere from seven to 14 days, depending on the situation. Adjustments are made when needed. She said the Health Department was beginning to see a slight decrease, or flattening, so hopefully, the schools will see a decrease in cases also.

Broadband Authority Update:

Supervisor Koontz said that last year, after acquiring a Virginia Telecommunication Initiative (VATI) grant, the County was able to put together a \$766,000 project with Atlantic Broadband which will add broadband internet to 140 new homes or businesses after the project is complete. The Broadband Authority is preparing to apply for another VATI grant which would provide internet to virtually all of the remaining unserved areas of the county, and this year’s grant is very competitive. The Broadband Authority has partnered with private entities, Dominion Energy and Allpoints Broadband, to compete for the latest VATI grant for a \$10.5 million project. If the VATI grant is approved, potential customers with particularly long driveways could incur high capital costs, so the Broadband Authority would most likely want to continue the Middlesex Surfs low-interest loan program that would extend low-interest financing for those customers. Theoretically, the startup fee for a new customer would be \$199 which would cover installation for the first 500 feet.

The ARPA committee has allocated \$800,000 in federal funds towards broadband. State funds would account for two to three million dollars, and the private sector, consisting of Dominion Energy and Allpoints Broadband, would supply \$6.5 million. If the County contributes \$1.15 million, the state funds required would be less, and the chances of winning the VATI grant would increase. Supervisor Koontz recommended the County fund at least \$800,000 to give the County decent odds at getting the VATI grant. Mr. Walker recommended that the County be more aggressive and fund the \$1.15 million to increase their chances. Kevin Gentry, Broadband Authority Executive Director, agreed with Mr. Walker, saying that the more money the County contributes, resulting in less for the state to contribute, the better the chances of receiving the VATI grant. Supervisor Koontz agreed, saying he was just trying to be fiscally conservative with his \$800,000 recommendation.

Supervisor Koontz said interest rates are historically low; the County could pursue a loan for a portion of the project and also use funds from the fund balance. Mr. Walker agreed, saying that interest rates were very low and that if the County needed to incur debt for this project, now would be a good time.

A motion to fund \$800,000 toward the broadband project was made by Supervisor Mansfield and seconded by Supervisor Kimbrough. The Board had much discussion regarding the amount the County should contribute. After the discussion, Supervisor Mansfield rescinded his motion and Supervisor Kimbrough rescinded his second.

A motion to fund \$1.15 million toward the broadband project was made by Supervisor Mansfield, seconded by Supervisor Williams, and carried 4-0-1 by the following roll call: Supervisor Williams – Aye; Supervisor Koontz – Abstain; Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

Community Services Board:

Linda Hodges, Executive Director of the Community Services Board (CSB), and Dr. Daryl Pirok, Chairman, addressed the Board regarding the FY22-23 Performance Contract. Ms. Hodges said the Performance Contract consists of a financial component and a service component; the Board members had received the financial component for review. She said a resolution had been provided that, if approved by the Board, would approve the Performance Contract. She said that in FY21-22, Middlesex County had contributed \$41,257 to the CSB budget. She said that in 2020, the CSB served 455 individuals in Middlesex County with 185 of those individuals being under 18. She said Prevention Services served 164 individuals in the schools.

A motion to approve the Performance Contract and Resolution for the Community Services Board for FY22-23 was made by Supervisor Mansfield, seconded by Supervisor Williams, and carried by the following roll call: Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; Supervisor Williams – Aye; and Chairman Jessie – Aye.

RESOLUTION

APPROVAL OF PERFORMANCE CONTRACT

WHEREAS, §37.2-508 OF THE *Code of Virginia* [1950] as amended, requires each Community Services Board to submit, to the governing body of each political subdivision that established it, a biennium Performance Contract for community mental health, intellectual disabilities, and substance use services for its approval prior to submission of the contract to the Virginia Department of Behavioral Health and Developmental Services, and

WHEREAS, the Middle Peninsula - Northern Neck Community Services Board has put forward its proposed FY 22/23 Biennium Performance Contract for approval by the Boards of Supervisors of its governing counties of Essex, Gloucester, King and Queen, King William, Lancaster, Mathews, Middlesex, Northumberland, Richmond, and Westmoreland;

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Supervisors of Middlesex County, Virginia, that the FY 22/23 Biennium Performance Contract prepared by the Middle Peninsula Northern Neck Community Services Board presented to the Board is hereby approved and may be forwarded to the Virginia Department of Behavioral Health and Developmental Services as further required.

Reginald A. Williams, Sr.	Aye
Wayne H. Jessie, Sr.	Aye
John B. Koontz, Jr.	Aye
Lud H. Kimbrough, III	Aye
Peter W. Mansfield	Aye

CERTIFICATION

I, Matthew L. Walker, Clerk of the Board of Supervisors of the County of Middlesex, Virginia, certify that the foregoing is a true and correct copy of a resolution, passed by unanimous vote, at a lawfully organized meeting of the Board of Supervisors of Middlesex County held on September 7, 2021, at Saluda, Virginia.

A Copy Teste:



Matthew Walker, Clerk

Department of Wildlife Resources – Mill Creek Landing Update:

Steve Living, Land and Access Manager at the Department of Wildlife Resources (DWR), addressed the Board regarding the possible transfer of responsibility of the Mill Creek boat landing from DWR to the County. He said that in 1981, DWR entered into a lease agreement with VDOT to provide boating access through the Mill Creek boat landing. Their lease has been renewed through 2041. DWR has had full operational control and the capital improvement for that site. DWR's first capital improvement was made in 1994-95 when they realized there was an incredible rate of sedimentation at the site that was interfering with public access. In 2005, another capital project was initiated for dredging and extension of existing bulkheads to try to deal with that situation. The VMRC contribution to that project was \$85,000. In 2013, that dredging operation had been overwhelmed and they dredged again and did further bulkhead repairs and extensions. In 2017-18, DWR received comments from concerned citizens saying that access from the ramp was increasingly difficult, with damage to watercraft from sand being sucked into engines. In 2019, DWR coordinated with the Planning District Commission (PDC) to try to find some funding from other sources. He said that the DWR engineering staff concluded that nothing could be done to stop the rate of sand accumulation at that site, so in October 2019, DWR closed the site. At that time, Supervisor Koontz undertook trying to find a temporary solution and found a contractor that was willing to dredge the area in exchange for the clean fill material so the landing could be reopened. An MOU was coordinated that allowed the County to manage a dredge under DWR's existing permits. He said that the dredge lasted about three months before the ramp rapidly started filling in again. This spring, there was even more sand than had been seen previously. Looking at those continued accumulations, DWR has determined that maintaining the landing as a motorized access is not feasible with their resources. Supervisor Koontz had asked DWR to consider transferring the responsibility for the landing to the County. Mr. Living said that VDOT is the owner of the property and DWR leases it through agreement.

Supervisor Kimbrough asked if any of DWR's dredging permits would be transferrable. Mr. Living said that he would have to coordinate with VMRC and the Army Corps of Engineers (ACOE), but DWR would be willing to transfer the permits through an

MOU as had been previously done. The only other maintenance required is occasionally adding gravel to the site and mowing during the summer season. New decking material may need to be added at some point, but that generally lasts about 15 years.

Chairman Jessie asked Lewie Lawrence of the PDC to join Mr. Living at the podium for discussion purposes. Mr. Lawrence said that the Public Access Authority (PAA) was formed in 2003 to help with water access issues for several counties, but it has no ability to generate revenue. An application had been submitted to the state under the Flood Fund for approximately \$50,000 for engineering costs to try to determine a better solution. If the County would like for the PAA to help with this situation, he would have to take the case to the Public Access Authority for approval, but they generally approve all requests as long as the requestor agrees to carry the costs.

Supervisor Koontz said that he had originally wanted to take over the lease, from DWR, but it might make more sense to involve the PDC to pursue grant funding so an RFP for an engineered solution could be written to get a second opinion of what the true costs are. He is hoping to keep DWR involved and not change the lease situation for now. He said that sand fencing had been installed with the intention of creating sand dunes to buy some time. He would like for there to be a collaborative effort between the County, DWR and the PAA for an RFP to be issued and hopefully paid for with grant monies. If not, he would like for the County to be proactive in funding the RFP to make a determination of the costs. Mr. Living said he would much rather see the County look for a site that could house more than eight or nine trailers, one that could accommodate 50 trailers. A facility of that size could be an economic driver for the County. He is not averse to investment, but he wants to be as smart as possible with the limited funds in the DWR capital program budget. Mr. Walker asked if a search for another possible location could be included as part of the RFP to try to do a cost benefit analysis. Mr. Living agreed that it would make sense to include that as part of the RFP.

Supervisor Koontz made a motion to authorize the administration to write an RFP soliciting an engineered solution for the Mill Creek boat ramp and a sand mitigation strategy. Mr. Walker asked to have the language added that the County would engage the services of the PAA to lean on their expertise in drafting the RFP. Mr. Lawrence said the PAA could go directly to the VMRC, who handles most of this type of work for the PAA, and an RFP would not need to be issued, or an RFP could be issued which would include the private sector. Supervisor Koontz rescinded his motion and issued a new motion.

A motion to authorize the administration to work with the PDC, PAA, and any other resource to efficiently work on an engineered solution, whether through an RFP and the private sector or through any existing resources available, for the Mill Creek boat landing was made by Supervisor Koontz, seconded by Supervisor Kimbrough, and carried by the following roll call: Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; Supervisor Williams – Aye; Supervisor Koontz – Aye; and Chairman Jessie – Aye.

Mr. Living said the stance of his department was that DWR was not going to engage any further with dredging at Mill Creek. DWR does not see an engineered solution for this problem. However, he believes that DWR is willing to coordinate to find a solution, if

possible. Mr. Lawrence said that the PAA should be notified sometime in October about the grant that had been applied for. Of course, the County could go ahead and fund the project and use the grant money for reimbursement if it is approved. Mr. Walker said it would be a more fitting role for DWR and Steve Living to look for available sites. Mr. Living agreed, saying that DWR and County staff could collaborate, evaluating parcels and making site visits.

The Board took a short break at 5:22 p.m.

The Board returned from break at 5:30 p.m.

Economic Development Authority:

Gordon White, Economic Development Authority (EDA) Chairman, said despite their best efforts, the EDA was unable to find another developer to step in after the brew pub withdrew because of COVID and the grant funding from state agencies had been withdrawn last spring. The EDA began using a real estate broker with business real estate expertise and a developer has been found that has offered a contract to build a retail establishment on the RCE site. The contract has not been finalized but they are hoping to do that shortly. Obtaining permits and following procedural requirements will most likely take longer than the five months remaining on the EDA's ownership of the property before it reverts back to the County, so the EDA is asking that the Board extends their ownership and free up the \$100,000 grant that the Board made originally to the EDA to repair the roof of the RCE building and change the grant to cover any site preparation that might be needed for this project, including a provision to continue electrical service to the Kidd Building and water service to that and other County buildings in the area until the Water Authority facilities are connected. The EDA is also specifying that a plaque be erected on the site to memorialize the former RCE school. If the current proposal comes to fruition, it is anticipated that the site will go back onto the County's tax rolls at a valuation of about \$2.25 million, which would bring in approximately \$14,000 in real estate tax. The developers would be hiring between 10-20 employees and possibly doing as much as \$4 million in business a year, generating a significant sales tax income. This business could anchor Cooks Corner as a retail center.

A motion to authorize the EDA Chairman to execute the Memorandum of Understanding and to offer the EDA the Board's full support on this project for the enhancement of that portion of the community was made by Supervisor Koontz, seconded by Supervisor Mansfield, and carried by the following roll call: Supervisor Kimbrough – Aye; Supervisor Williams – Aye; Supervisor Koontz – Aye; Supervisor Mansfield – Aye; and Chairman Jessie – Aye.

Mr. White said the EDA had advertised in local newspapers, various Middle Peninsula and state websites, and on LinkedIn for the replacement for Michelle Brown. Twenty-one resumes had been received, but only five of those twenty-one had completed County applications as requested. Of those five, three were viable, and Ms. Ricardi had been asked to run the verification process on those candidates. The EDA hopes to make a decision at their September 16, 2021 meeting.

Signature in Time Book – Permission to Use Excerpts:

Jamie Barnhardt had asked permission to use excerpts from the Signature in Time Book.

A motion to grant permission for Mr. Barnhardt to use excerpts from the Signature in Time Book was made by Supervisor Koontz, seconded by Supervisor Kimbrough, and carried by the following roll call: Supervisor Williams – Aye; Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

HRSD Sewer Project Update:

Jeremiah Burford, HRSD, gave an overview of the projects in the County being managed by HRSD. The Cooks Corner Collection System needs one easement acquisition, expected to be finalized within the next two weeks, and two easement acquisitions and property acquisitions from the County of Middlesex which he believes are being discussed later in the meeting. The design phase should be completed by the end of October with the project going to bid in early November. The Middlesex Interceptor Force Main Phase One, going from the Cooks Corner service area to Saluda, just outside of the VDOT Residency, has been substantially completed as of August 26, 2021. The Interceptor System Program Phase Two, Saluda pump station, which will be replacing the existing Central Middlesex Treatment Plant, is currently about one and one-half months behind schedule. HRSD is hoping to utilize the site beside the existing treatment plant, which is a parking lot, owned by the jail. HRSD is trying to acquire the property now. The Hartfield pump station project is currently going through some property acquisitions. Those are expected to be finalized within two to three weeks. The properties are off of Wright Brothers Road behind the Dollar General. The Locust Hill service area is a little behind schedule due to property acquisitions, along with the property acquisition for the Gloucester booster station and the Urbanna pump station which will decommission the Urbanna Treatment Plant. He warned the Board that letters had been sent out to multiple residents within the corridor between Urbanna and Twiggs Ferry Road in the hopes of acquiring about 70 easements. The Middlesex Collection System Phase One, Saluda service area, is a County-funded project that HRSD is managing. Design review will be next week, with comments going to the consultant within two weeks. The Hartfield Collection System Phase One is currently in the Preliminary Engineering Report (PER) phase. It will run from Regent Road to the YMCA. Mr. Burford said HRSD is looking to end the design of these projects around the beginning of next March and then going into the bid phase, which is projected to take about three months, with award and construction beginning around June 1, 2022. Construction is projected to take between 23 and 26 months.

Supervisor Mansfield mentioned that he had written Ted Henifin, HRSD General Manager, a letter regarding a potential \$1.5 million savings for HRSD if the Urbanna Treatment Plant was closed earlier than scheduled. He said he was not criticizing HRSD, and he is very appreciative of what HRSD is doing. He just wants the wastewater out of the Urbanna Creek as soon as possible.

Supervisor Williams asked if the line would be taken to Mathews once the project went through Hartfield or would the line to Mathews not be completed until the line into Deltaville was completed. Mr. Burford said that Interceptor Program Phase Three into Deltaville was not an active project at this time. HRSD and Middlesex County are working through some logistics on the agreement to make sure the demarcation line between the two ownerships and cost responsibilities are understood. He said that currently, the projected schedule has the line going across the river into Mathews from Hartfield by June 2024.

Mr. Walker said the Board packet included a draft letter authorizing HRSD to proceed with final design and construction of the Topping Interceptor Force Main connector and to move forward with design of the Deltaville Interceptor Force Main from Hartfield to Hardyville. The Topping connector would allow the County to connect the Topping Sewer System into the interceptor main. The Deltaville connector would be an interceptor force main designed and constructed at HRSD's expense. Everything east of that location to the Deltaville Sewer Collection System would be the County's responsibility.

A motion to authorize the Chairman to execute the letter to HRSD authorizing HRSD to proceed with final design and construction of the Topping Interceptor Force Main connector and to move forward with design of the Deltaville Interceptor Force Main from Hartfield to Hardyville was made by Supervisor Koontz, seconded by Supervisor Kimbrough, and carried 4-0-1 by the following roll call: Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; Supervisor Williams – Abstain; and Chairman Jessie – Aye.

REGULAR AGENDA ITEMS

HRSD Pump Station Deed of Conveyance and Easements:

Ms. Lewis said the Board would need to take action on a deed of conveyance that would need to go to public hearing and to take action on three easements. The deed of conveyance would involve subdividing County-owned property and giving HRSD a portion of it for the sewer pump station in Cooks Corner. If the Board wishes to approve this, a public hearing would be required.

A motion to proceed with a public hearing for subdividing County-owned property, Tax Map 27-122A, and giving a portion of that property to HRSD for the Cooks Corner sewer pump station was made by Supervisor Williams, seconded by Supervisor Koontz, and carried by the following roll call: Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; Supervisor Williams – Aye; Supervisor Koontz – Aye; and Chairman Jessie – Aye.

Ms. Lewis said several easements needed to be approved and by statute, no public hearing is needed for an easement. Sanitary sewer easements for Tax Map #27-177 and Tax Map #27-179A in Cooks Corner are needed for HRSD's sewer project. The third easement is an access easement for Tax Map #27-122A.

A motion to approve the easements for Tax Map #27-177, #27-179A and #27-122A was made by Supervisor Williams, seconded by Supervisor Koontz, and carried by the following roll call: Supervisor Kimbrough – Aye; Supervisor Williams – Aye; Supervisor Koontz – Aye; Supervisor Mansfield – Aye; and Chairman Jessie – Aye.

Budget Supplement and Transfer Requests:

Ms. Muncy informed the Board that Budget Supplement Request FY2022-08 was for additional funding for training for two Board of Zoning Appeals members at \$500 each.

A motion to approve Budget Supplement Request FY2022-08 in the amount of \$1,000.00 was made by Supervisor Kimbrough, seconded by Supervisor Mansfield, and carried by the following roll call: Supervisor Williams – Aye; Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

FROM:	AMOUNT:	TO:	AMOUNT:
3-1-041060-0001	(\$1,000.00)	4-1-081060-5504	\$1,000.00

Citizen Appointments:

Ms. Muncy said that an application had been received for the vacant Alternate position on the Wetlands Board, four applications had been received for the vacant EDA position, an application had been received for the vacant Social Services Board position, and three applications were received for the Board of Equalization. Mary Culbertson applied for the Alternate position on the Wetlands Board. Hallie Holmes, Scott Schafer, Robert Wilbanks, and Joe Heyman applied for the position on the EDA. Andrea Robinson applied for the position on the Social Services Board. Ray Kostas, Mary Lou Stephenson and Priscilla “Bonnie” Davenport applied for positions on the Board of Equalization. Ms. Muncy reviewed some state requirements for the Board of Equalization, saying that 30%, or two of the members, shall be commercial or residential real estate appraisers or other real estate professionals, builders, developers, or legal or financial professionals. At the request of the Board, the Circuit Court could appoint two alternate members.

A motion to approve Mary Culbertson as the Alternate on the Wetlands Board was made by Supervisor Williams, seconded by Supervisor Koontz, and carried by the following roll call: Supervisor Williams – Aye; Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

A motion to nominate and approve Hallie Holmes for the EDA was made by Supervisor Williams and seconded by Supervisor Koontz. During discussion, Supervisor Kimbrough remarked that it was unusual to have four applications for the EDA. He suggested that the Board postpone voting on this until the Board had a chance to talk with the EDA and get a better feel for what the EDA needs. Supervisor Koontz agreed that it is unusual to have multiple applicants and perhaps the vote should be tabled. He suggested that Supervisor Kimbrough could communicate with the EDA before voting is done. Chairman Jessie said it would be good to have some diversity on the EDA. He said that he thought Ms. Holmes was the best qualified person for the position, and in fact, she was the

only one of the candidates that was in the audience. He did not agree with tabling the vote. The Board agreed to proceed with the vote.

The motion had been made to nominate and approve Hallie Holmes for the EDA by Supervisor Williams, seconded by Supervisor Koontz and it carried by the following roll call: Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; Supervisor Williams – Aye; and Chairman Jessie – Aye.

A motion to approve Andrea Robinson for the Social Services Board was made by Supervisor Koontz, seconded by Supervisor Williams, and carried by the following roll call: Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; Supervisor Williams – Aye; Supervisor Koontz – Aye; and Chairman Jessie – Aye.

A motion to approve Ray Kostaskey, Mary Lou Stephenson, and Priscilla “Bonnie” Davenport for the Board of Equalization was made by Supervisor Koontz, seconded by Supervisor Williams, and carried by the following roll call: Supervisor Kimbrough – Aye; Supervisor Williams – Aye; Supervisor Koontz – Aye; Supervisor Mansfield – Aye; and Chairman Jessie – Aye.

Appointee:	Board, Commission or Authority	Term Expires:
Mary Culbertson	Wetlands Board Alternate	9/30/2024
Hallie Holmes	Economic Development Authority	1/31/2022
Andrea Robinson	Social Services Board	6/30/2025
Ray Kostaskey	Board of Equalization	12/31/2022
Mary Lou Stephenson	Board of Equalization	12/31/2022
Priscilla “Bonnie” Davenport	Board of Equalization	12/31/2022

Airport Layout Plan:

Ms. Muncy asked the Board to authorize the Chairman or County Administrator to sign the revised Airport Layout Plan which had received conditional approval from the Department of Aviation. She said it is still just a plan and can be amended at any time. The revised Airport Layout Plan shows the proposed runway improvement, which is the first step necessary for any actual improvements to be considered by the state.

A motion to approve the Airport Layout Plan and to authorize the Chairman or County Administrator to sign the Airport Layout Plan document from the state was made by Supervisor Koontz, seconded by Supervisor Mansfield, and carried by the following roll call: Supervisor Williams – Aye; Supervisor Koontz – Aye; Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

Lawson Lease Agreement:

Ms. Muncy said that the County normally enters into an agreement with the Lawsons to use their property for parking for a fee of \$500 for the Wings, Wheels and Keels event, which is still scheduled to take place at the end of September.

A motion to approve the Lawson land agreement was made by Supervisor Williams, seconded by Supervisor Koontz, and carried by the following roll call: Supervisor Koontz –

Aye; Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; Supervisor Williams – Aye; and Chairman Jessie – Aye.

ADMINISTRATOR REPORTS

Ms. Ricardi stated that the FY21-22 budget included funds to add a roof and drainage to the outdoor kennels at the Middlesex County Animal Shelter. She requested quotes from local contractors, and she also used the state eVA system, which is an electronic bidding site. Four bids were received with River Wood Works providing the lowest quote. Ms. Ricardi recommended using River Wood Works for the project. The cost of the project is \$28,666.68 plus a 15% owner-controlled contingency for a total not to exceed \$32,996.68.

A motion to approve the project at the Middlesex County Animal Shelter at a cost of \$28,666.68, not to exceed \$32,996.68, was made by Supervisor Kimbrough, seconded by Supervisor Williams, and carried 4-0-1 by the following roll call: Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; Supervisor Williams – Aye; Supervisor Koontz – Abstain; and Chairman Jessie – Aye.

Supervisor Koontz and Chairman Jessie added that River Wood Works was a local contractor that did great work.

Supervisor Mansfield asked Ms. Ricardi to explain the “not to exceed 15%”. Ms. Ricardi said the additional 15% would cover any minor overages since the bid was received 8-10 weeks ago and prices for materials may have gone up some since then.

Ms. Ricardi said that a progress meeting was held on August 30, 2021 with Trinity and the engineers to discuss the Cooks Corner renovation. She said that discussion was held on Change Order #2, Gym floor repair/replacement, and Change Order #3, fencing for the HVAC system. The expected cost of \$35,560 was for replacing the gym floor and adding pickleball, volleyball, and basketball court markings/lines. She said the Board had already approved that change order. Change Order #3 is for adding fencing around the large HVAC system to protect it from vandalism, etc. The cost for this change order has not been gotten yet. The project is still on target for completion by the end of December 2021.

Mr. Walker asked Supervisor Kimbrough to discuss a regional coalition regarding failing septic systems and the improvement and protection of the Chesapeake Bay. Supervisor Kimbrough said discussions had been held with Delegate Keith Hodges about obtaining state funds for the project to help with sewer challenges. Delegate Hodges suggested that Middlesex County partner with other waterfront counties with failing septic systems that do not have central sewer systems and form a coalition. The coalition could appeal to the next session of legislature that begins in January. Appealing as a group would increase their chances of obtaining earmarked state funds for this type of project. He asked that Mr. Walker contact other counties in similar situations to form a coalition to compile a more significant ask of the legislature when they begin their next session in January.

Mr. Walker said he was very familiar with several communities on the Eastern Shore and Southside that are in similar situations and participating in projects with HRSD. He said an infrastructure bill with a lot of promise was making its way through Congress now. He said he had already been in touch with several communities that had shown interest in forming a coalition to have a stronger voice for more robust lobbying with the state and the upcoming infrastructure bill. A tentative meeting has been scheduled with Congressman Rob Wittman on September 9, 2021 to discuss the federal funds in the infrastructure bill. He said that Ted Henifin, HRSD, was going to be meeting with the Secretary of Natural Resources to discuss HRSD partnering with the coalition to bring some of the state and federal funds to our region. Mr. Walker said he could reach out to willing communities at the upcoming VACo conference in November if the Board authorizes him to do that. The Board agreed, by consensus, to authorize Mr. Walker to reach out to other communities in the hopes of forming a coalition to access some of the infrastructure bill funds.

Mr. Walker said that the tank at Rosegill is complete, and he is hoping that the Water Authority will be pumping water and serving customers by November or early December for Phase One and Phase Two of the project.

Mr. Walker said that Dr. Shannon Kennedy, President of Rappahannock Community College (RCC), had asked him to take over the Chairmanship of the Budget Finance Committee at RCC. Mr. Walker said he is the Middlesex County delegate to the RCC Board, and it should not take up a lot of additional time. If the Board approves, he would like to accept that offer for that position.

Mr. Walker said that the Tiger Census Block Data on population is expected on September 16, 2021. The population has decreased by 300 people which may, or may not, affect the County's redistricting. He has spoken with Melissa Welch, Registrar, who is going to follow up with the state to get more guidance on some of the changes to the rules. It is possible that no changes to the election boundaries will be needed. If they do need to be changed, it appears that the changes will be very minor.

COUNTY ATTORNEY UPDATE

Ms. Lewis advised the Board that she had no updates for them at this time.

UNFINISHED/NEW BUSINESS

Unfinished Business:

No Unfinished Business was discussed by the Board.

New Business:

Supervisor Koontz said that September is Suicide Prevention Awareness Month. He has been working with a group of concerned citizens and members of various departments, such as the Sheriff's Office and Social Services, as well as industry experts in mental health and health care. They are calling themselves "We Are Not Alone". By saying that to

someone with suicidal intentions, you are identifying with them and saying you have problems, too. A program has been put together at no cost to the County. Dr. Kent Corso will be coming to meet with the group on January 26, 2022 for training on how to deal with mental health issues. By then, the two-year COVID lockdown will be approaching which is affecting mental health. Dr. Corso will be paid from an existing budget within the Department of Social Services. If those funds become exhausted, a training budget will need to be discussed during budget season for subsequent years. First and second responders will need training and awareness of mental health issues to confront these issues and the benefit to the County will go beyond saved lives. Law enforcement and Social Services experts from around the region can participate in the training and get credits for their ongoing accreditations within their line of work. The meeting with Dr. Corso will be at St. Clare Walker Middle School on January 26, 2022, and it will be free to the public. Supervisor Koontz is hoping to put Middlesex County on the map as taking mental health and suicide more seriously and as being a leader of resources in the region.

MATTERS PRESENTED BY THE BOARD

Board Members reported on their activities since the last regular meeting on August 3, 2021.

RECESS

A motion to recess until 7:00 p.m. was made by Supervisor Koontz, seconded by Supervisor Kimbrough, and carried by the following roll call: Supervisor Kimbrough – Aye; Supervisor Williams – Aye; Supervisor Koontz – Aye; Supervisor Mansfield – Aye; and Chairman Jessie – Aye.

RECONVENE

The meeting reconvened at 7:00 p.m. Supervisor Koontz was unable to attend the public hearing portion of the meeting.

PUBLIC HEARING

Dave Kretz, Director of Planning and Zoning, addressed the Board, saying that action would be needed on two items concerning the Canoe House property, a Boundary Line Agreement and a Fence Maintenance Agreement. Mr. Kretz said both of these items were reviewed at last month's meeting and were approved for public hearing at that meeting.

The public comment period for the public hearing on the Boundary Line Agreement was opened at 7:01 p.m.

Bucky Luck said he was a party to the agreement, and he thanked the Board and the administration for their consideration of this item.

The public comment period for the public hearing was closed at 7:02 p.m.

A motion to approve the Boundary Line Agreement was made by Supervisor Kimbrough, seconded by Supervisor Williams, and carried 4-0 by the following roll call: Supervisor Kimbrough – Aye; Supervisor Williams – Aye; Supervisor Mansfield – Aye; and Chairman Jessie – Aye.

Ms. Lewis said the second item for approval was the Fence Maintenance Agreement. No property is being conveyed, so there is no public hearing on it, but it could not be approved until the Boundary Line Agreement was addressed.

A motion to approve the Fence Maintenance Agreement was made by Supervisor Kimbrough, seconded by Supervisor Mansfield, and carried 4-0 by the following roll call: Supervisor Williams – Aye; Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; and Chairman Jessie – Aye.

PUBLIC COMMENTS

Chairman Jessie opened the public comment period at 7:03 p.m.

No one addressed the Board with any public comments.

Chairman Jessie closed the public comment period at 7:03 p.m.

ADJOURN

A motion to adjourn until the next regular meeting scheduled for Tuesday, October 5, 2021, at 3:00 p.m. was made by Supervisor Kimbrough, seconded by Supervisor Mansfield, and carried 4-0 by the following roll call: Supervisor Mansfield – Aye; Supervisor Kimbrough – Aye; Supervisor Williams – Aye; and Chairman Jessie – Aye.

Wayne H. Jessie, Sr., Chairman
Board of Supervisors