

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, AUGUST 20, 1996, IN THE BOARD ROOM OF THE  
WOODWARD BUILDING, SALUDA, VIRGINIA:

Present: Fred S. Crittenden, Pinetop District  
Kenneth W. Williams, Pinetop District  
John D. Miller, Jr., Saluda District  
Lenora Weber, Saluda District  
Frank Jessie, Jamaica District

Michael T. Soberick, County Attorney  
Charles M. Culley, Jr., County Administrator

**CALL TO ORDER**

The meeting was called to order at 7:30 p.m. and opened with words of prayer by the Chairman, Mr. Crittenden.

**PUBLIC HEARING – ORDINANCE PROVIDING FOR SEMI-ANNUAL COLLECTION OF REAL ESTATE TAXES**

Mr. Soberick summarized the proposed ordinance to be effective January 1, 1997, with taxes due June 30 and December 5 of each year. Tax rates would have to be established by early May to allow for disbursement of tax bills. Mr. Crittenden opened the hearing for public comment:

Lorena Yarrington – have heard no positive reaction; people use Christmas club savings to pay taxes in December.

George Northam – same subject was approached in '75 – '79; Virginia Association of Treasurer's advised against it; double book-keeping and postage required; interrupts normal budget process; will not have surplus funds to invest; agricultural and large land owners not in favor.

Anita Wilson, Treasurer – Board does not realize process involved with generating bills; mortgages are major problem; not enough room in office for additional personnel and records.

Stanley Lewis, Commissioner of Revenue – process would have to be condensed twice into five (5) months when it currently takes 10.

George Harris – favors twice/year.

Bill Yarrington – can pay twice/year now without making it a requirement

Northam – spend additional money to hire a full time, in-house assessor; would save on cost of reassessment.

There being no further public comment, the hearing was closed for public comment and opened for comments and questions from the Board. Mr. Jessie inquired about the cost to begin the process. Mrs. Weber noted that she had requested a financial analysis of twice per year collection earlier during the budget process.

The motion to table the issue for a period not to exceed one (1) month, for analysis of the issue was made by Mrs. Weber, seconded by Mr. Jessie and carried unanimously. Mr. Williams agreed with the need for an assessor. Mr. Crittenden suggested a work session be scheduled for the Board to meet with the Commissioner and Treasurer.

**PUBLIC HEARING – SPECIAL EXCEPTION APPLICATION SP-96-004, WALDEN**

Mr. Wilson, Planning Director, presented the application to amend the conditions attached to Special Exception Application SP-95-004, approved May 2, 1995, to include the construction of a barn for horses. Staff and the Planning Commission recommended approval of the application with the following additional condition: construction and use of a 30' x 40' barn for the keeping of horses located on the property at such location as shown on the submitted permit amendment site plan.

The Chairman opened the floor for public comment:

Bill Yarrington – approved of the application as long as a nuisance was not created.

M. G. Brannan – commented that area (waterfront) is not a proper location for horses.

Mary Lee Walden, (applicant) – horses are not on the location Mr. Brannan is referring to; site is 11-12 acres in size; other horses are in the area.

There being no additional comments, the public portion of the hearing was closed. The motion to approve Application SP-96-004, as recommended by the Planning Commission, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

Mr. Wilson requested clarification of the condition for reapplication and questioned if anew application was required for approval or if it was subject to review by Staff. Mr. Soberick suggested review Board minutes regarding submittal requirements for other special exception applications for horses.

**PUBLIC HEARING – AMENDMENT APPLICATION AM-96-04, “MUSEUMS” AS PERMITTED USE IN A GENERAL BUSINESS ZONE**

Mr. Wilson presented the application submitted by Charles Mangum, President of the Middlesex County Museum, Inc., requesting amendment of the Zoning Ordinance to allow museums in a General Business zone by right. Staff and the Planning Commission had recommended approval of the request. There being no comments from the floor, the public portion of the hearing was closed for comment.

After some discussion, Mrs. Weber motioned that the application be approved with the revision that “museums” be listed as a special exception rather than a permitted use. The motion was seconded by Mr. Miller and carried unanimously.

**PUBLIC HEARING – AMENDMENT APPLICATION AM-96-05, TO REVISE AND REORDAIN THE AUTOMOBILE GRAVEYARD AND JUNKYARD ORDINANCE**

Mr. Wilson presented the following proposed revisions to the definition and screening requirement of an automobile graveyard as found in the Automobile Graveyard and Junkyard Ordinance:

Section 1-1-1: Automobile Graveyard – Any lot or place which is exposed to the weather and upon which *three (3) or more (more than three), (proposed change to any)*, motor vehicles of any kind, incapable of being operated, and which it would not be economically practical to make operative, are place, located or found.

Section 2-1: There shall be erected and maintained around all automobile graveyards *which have any portion of same within one thousand fee (1,000) of the right of way of any highway comprising a part of the State Highway system, (replace with – and junkyards subject to the requirements of this ordinance)* fencing, natural objects, or plantings so the automobile graveyard or junkyard will not be visible from traveled roadways and adjoining properties.

Mr. Crittenden opened the public hearing for comments from the public.

Mr. Brannan – current hazards from trash kept in abandoned vehicles; if vehicles are worth keeping, then they are worth maintaining and screening.

George Northam – applicable to farm equipment?; yes, any motorized vehicle.

Julia Brown – junk and health hazard; ordinance needs to also apply to rental properties

Clarence “Doc” Jones – current ordinance is vague; increased mandatory compliance needed for the ordinance to work; use common sense regarding farm machinery. (Crittenden – current compliance officer requested revision of ordinance)

Nancy Jackson – junk vehicles currently devalue adjoining property values.

Bill Yarrington – agreed with screening requirement, but disagreed with removal requirements.

Edwin Wilson – applicable to commercial garages?; No, other zoning ordinance regulations are applicable.

There being no additional comments, the public portion was closed. Mr. Miller commented that the intent of strengthening the ordinance was to make Middlesex a better, cleaner place to live. Supervisors agreed that the ordinance should apply to farm equipment. The motion to adopt the amendments as recommended and reordain the ordinance was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

#### **PUBLIC HEARING – AMENDMENT APPLICATION – AM-96-004, AMENDMENT OF ZONING ORDINANCE, DEFINITION OF AUTOMOBILE GRAVEYARD**

Mr. Wilson requested the amendment of the definition of the “automobile graveyard” in the Zoning Ordinance to coincide with the previously adopted definition in the Automobile Graveyard and Junkyard Ordinance. Mr. Crittenden opened the hearing for comments from the public. There being none, the public portion of the hearing was closed. The motion to adopt the amended definition of an “automobile graveyard” was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

#### **EXECUTIVE SESSION**

The motion to convene in Executive Session to discuss the matter of the roof at the Middle School with the School Board, pursuant to Section 2.1-344.a7, Code of Virginia, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. Upon reconvening in open session, the following motion was made by Mr. Williams, seconded by Mr. Miller and carried unanimously:

- To the best of the members’ knowledge, only public business matters lawfully exempted and identified in the motion by which the executive meeting convened were discussed in executive session.

Action:

- There was no action as a result of the executive session.

#### **HARTFIELD CONVENIENCE CENTER**

The motion to adopt the name, “Wood Brothers Road”, as the name for the Hartfield Convenience Center Road, was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously.

### **COMMERCIAL WASTE HAULING RATES**

Mr. Geissler, Executive Director, VPPSA, presented revised rates for commercial waste collection. The motion to table action on the rates until September 2, after review by the Board, was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously.

Mr. Geissler noted that it would take the contractor approximately 45 days after signing the contract to start services. Supervisors requested the donation of services to the volunteer fire departments and rescue squads.

### **JUNK CAR REIMBURSEMENT**

Mr. Culley presented "Docc" Jones' request to enter into an agreement for the collection of junk cars. No action was taken several years ago on a similar request by Mr. Jones. Mr. Soberick prepared the agreement between Dickey's Auto Salvage and Gloucester County and could prepare a similar one with Mr. Jones.

Mr. Soberick noted that reimbursement was provided by the State through the County and that the agreement could be made between the County and any individual that met the licensing and insurance requirements. The State reimburses the County \$50.00 for approved vehicles. Currently Gloucester County pays Dickey's Auto Salvage \$30.00 of each \$50.00 received by the County. Mr. Jones agreed that that amount was sufficient. He also stressed that the compliance officer should stress that garbage has to be removed by the owner before removal of the vehicle.

Mr. Soberick was instructed by the Board to prepare an agreement between the County and Mr. Jones for this service.

### **VIETNAM VETERANS RECOGNITION**

Miss Jarah Hedrick, requested permission from the Board to hang a plaque at the Courthouse to honor Middlesex County's veterans of the Vietnam War. The project is part of a community service project in which she is participating. There would be no cost to the County for the plaque. The motion to approve the project, subject to no opposition from Judge Folkes, was made Mr. Miller, seconded by Mrs. Weber and carried unanimously.

### **REQUEST TO WAIVE FEES**

The motion to waive the fees associated with repairs to Zoar Church from lightning damage was made by Mr. Miller, seconded by Mr. Williams and carried unanimously.

### **REIMBURSEMENT REQUEST**

The motion to reimburse \$225, a portion of the fee submitted for an erosion and sediment control permit issued to Sheppard Miller was made by Mr. Jessie, seconded by Mrs. Weber and carried unanimously. An administration fee of \$25 was withheld. The permit was not issued by the County; the project was made a part of the Route 33 widening project being handled by the Department of Transportation and private contractor.

### **ADJOURN**

There being no further business, the motion to adjourn until September 2, 1996, at 9:00 A.M., was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

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Fred S. Crittenden, Chairman  
Board of Supervisors