

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, JULY 16, 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.

RESOLUTION PRESENTATION

Mr. Culley and Mr. Crittenden presented Ruth Barr a framed copy of the resolution previously adopted in posthumous recognition of the services of her husband, Earl Barr.

ALTERNATIVE REVENUE SOURCES

Mr. Robert Hinkle presented several suggestions formulated by an ad-hoc committee made up of himself as finance representative, John M. Moore, businessman, Stanley Lewis, Commissioner of the Revenue and Charles Culley, County Administrator. It was noted that this was not a Board or Chairman appointed committee and that Mr. Culley was not present at the meeting when the following suggestions were derived. It was also noted that the suggestions would require no special action by the General Assembly, however, they may require additional man power in the Commissioner's office.

	SUGGESTIONS	NET REVENUE
1.	Decals - Vehicle from \$15 to \$20 Motorcycles from \$2.50 to \$15.00	\$ 41,252.00
2.	Contractor Disposal Fee: Collected with building permits Additions and Renovations \$25.00 fee New Construction \$50.00 fee	\$ 22,500.00
3.	Commercial Disposal Fee Wholesalers & Retailers \$100.00 fee All other businesses \$ 25.00 fee (Note: Businesses renting dumpsters would be exempt)	\$ 25,000.00
4.	Meal Excise Tax (maximum 2%)	\$ 54,000.00
5.	Business Professional, Occupational, Business License \$115,060.00 Eliminate present Merchants Capital Tax - 20,000.00 Net Gain	\$ 95,060.00
6.	Reassessment of new construction twice a year	no estimate given

No action was taken on the suggestions.

JACKSON CREEK REGULATORY MARKERS

Mr. Crittenden opened the public hearing for comments regarding an application to be submitted to the Game and Inland Fisheries Commission for posting of regulatory markers (no wake signs) in the mouth of Jackson Creek at markers 1 - 7.

Mr. Bob Bode, representing Mill Creek Harbor Association, Inc., and applicant for the markers, stated his request for recommendation of the application, noting the reasons for the request being financial (reduce costs involved with maintenance dredging of Association canal); safety for swimmers and small boats in the water, and environmental protection. Mr. Bode also presented an aerial photograph of the area and a video showing what he believed to be typical speeds and wakes of boats entering the creek and causing the channel and canal to fill.

Willis F. Hutchens, voiced his approval of the application, adding that his concern was more with jet skies and jet boats and that he may also file an application for further up the Creek.

Ben Woodard spoke in opposition to the applicant, noting that the fill problem on the creek and with the canal was from natural causes - currents, weather and storms, adding that others in the area had installed breakwaters to lessen the problem. It was questioned whether a study had been conducted to help determine the problem. Mr. Woodard noted that two of the eleven homeowners in Mill Creek Harbor Association that he spoke with were not in favor of installing no-wake signs.

Bill Fields, a homeowner in Harbor House Subdivision, noted his opposition to the application, adding that storm wave action, not boat wakes, had caused the fill.

Ed Ruark voiced his opposition reiterating that the solution to the fill problem was not to limit waves and wake.

There being no further comments, the public portion of the hearing was closed. Mr. Williams commented that he had visited Mr. Bode and while he realized the cost to maintain the canal was expensive, the problems with the fill was not just boats and their wake.

Mr. Crittenden commented on the increased boat traffic with marina development and suggested that a professional opinion as to the cause of the fill should be obtained. Mr. Jessie and Mrs. Weber support obtaining a professional opinion.

The motion to request an opinion from the Shoreline Erosion Advisory Service was made by Mr. Jessie seconded by Mr. Miller and carried unanimously. Mr. Soberick added that the Board would have to make a decision within twelve months of the public hearing.

FLY-IN/CAR SHOW

David Johnson, Chairman of the Airport Committee, along with Ray Rogers and Jamie Barnhardt, owner/president of Innovative Restorations, presented the proposal for a fly-in/car show to be held October 12, 1996, and requested the Board's approval to proceed with its promotion. Foreseeable costs to be incurred by the County include paper for promotional flyers and portable toilet rental. The motion to approve the proposal was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

ST. CLARE WALKER ROOF

Stephen Weisensale, Senior Associate, with Architects Dayton and Thompson, reported on the recommended replacement design for the low-slope portion of the roof at St. Clare Walker, noting that there were two products that could be used. Board members reviewed a proposed fee of \$9,000 for development of specifications and overseeing completion of the roof replacement. Mr. Weisensale indicated that there

may also be possible damage to the backside of the deck caused by poor ventilation and added that approximately 10-15% of architectural fees are related to correction of the ventilation problem.

Mr. Soberick recommended and the motion was made to table action on engaging the architect for the roof issue but proceed with investigation and correction of the ventilation. Mr. Soberick will contact the attorney representing the school architect with the latest costs involved with the roof repair.

TREES AND EARTH REMOVAL

According to Mr. Culley, upon investigation of the site, it was discovered that the adjoining property owners, Walter Hurley & Walt Hurley, Jr., Grey's Point Campground, removed trees from approximately one-half acre of land and approximately 20 truckloads of earth material from property belonging to the County Board members reviewed a restoration plan to restore the pit. Forester, David Milby, gave an estimated value of \$1500 - \$2000 per acre for the trees in the area. The motion to require submission and approval of a revised plan to show complete restoration of the site, including filling the borrow pit to the original grade, stabilization by reseeding and planting of trees, along with payment of \$1,000 for the trees destroyed, with all work to be completed within 45 days, was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously.

PLANNING DEPARTMENT GRANT

Mr. Culley presented grant documents received from the Chesapeake Bay Local Assistance Department, providing \$22,500 of grant money, to be used for the planner/enforcement position in the Planning Department. The motion accepting the grant and authorizing the County Administrator to sign the grant documents was made by Mrs. Weber, seconded by Mr. Jessie and carried by a three to zero vote, with two abstentions (Miller and Williams).

AIRPORT GRANT

The motion to approve an amended grant agreement with the Department of Aviation for an increase of \$2,160 in funds (total funds \$9,267.10 for 96/97) for terminal building rental, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

PROPOSED ORDINANCE REVISIONS

Planning Director, Tim Wilson, presented the Planning Commission's recommendations regarding the County's Automobile Graveyard Ordinance - changing the definition of an Automobile Graveyard from three (3) or more to zero (0) inoperable vehicles and making it a requirement to have any approved automobile graveyards screened from public view.

The motion to advertise the recommended revisions in the automobile graveyard ordinance and the zoning ordinance definitions was made by Mr. Williams, seconded by Mr. Miler and carried unanimously.

NEW BUSINESS

Board members requested that procedures for evaluations be drafted for inclusion into the personnel policy and that formal evaluations be conducted on County staff.

ADJOURN

There being no further business, the meeting was adjourned until August 6, 1996, at 9:00 A.M.

Fred S. Crittenden, Chairman
Board of Supervisors