

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, JUNE 18, 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
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. It was noted that Mrs. Weber was absent due to a serious illness in her family.

SPECIAL EXCEPTION - SP-96-003

Tim Wilson, the County's Planning Director, presented the special exception application of Mr. and Mrs. George Ransome, who wished to replace a single family residence, destroyed by fire, with a new double-wide manufactured home, in a Village Community (VC) Zoning District. Installation of a double-wide is allowed in this zone only upon meeting of certain conditions and with a special exception permit. The Planning Commission recommended approval of the application.

Mr. Crittenden opened the public hearing for comments. There being none, the public portion of the hearing was closed.

Noting that conditions for approval had been met, and that installation of a manufactured home at this location would not be a detriment, the motion to approve Special Exception #96-003 was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

AMENDMENT - ADULT ENTERTAINMENT FACILITY

Mr. Culley presented the proposed definition of "adult entertainment facility" that had been reviewed and revised at the Planning Commission public hearing. It is proposed that the definition will be added to the Zoning Ordinance; it will not be added as a permitted use in any zone. The definition, as recommended by the Planning Commission follows:

ADULT ENTERTAINMENT FACILITY: Any facility, permanent, temporary or mobile, which displays or promotes pornographic materials, or provides entertainment by exotic dancers.

Mr. Crittenden opened the public hearing for comments. Mr. Sidney Stallings stated his opposition to facilities of this type. There being no additional comments, the public portion of the hearing was closed.

The motion to adopt the definition as recommended by the Planning Commission was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

WETLANDS MORATORIUM

Mr. Sherman Holmes, Chairman, Middlesex Wetlands Board, presented a motion from the Wetlands Board regarding a moratorium on waterfront development to aid in controlling traffic by boats and other water craft. Mr. Williams and Mr. Crittenden both noted that they had not received complaints regarding environmental destruction in

these areas and noted they were reluctant to support when there have been no complaints.

INDUSTRIAL DEVELOPMENT AUTHORITY

Mr. Soberick read the proposed ordinance and explained the State Code that allows the creation of this separate political entity. The purpose of the Industrial Development Authority (IDA) will be to promote and finance industrial development in the County.

Mr. Crittenden opened the public hearing for comments. Pat Milby, member of the Economic Development Committee, recommended the creation of the IDA and discussed its duties and responsibilities. Jon Nystrom, Chairman of the James City IDA, highlighted the impact of the IDA on growth in James City County. Benton Pollock commented on what a flexible tool the IDA is for the County to be selective in attracting the type of industry that would blend with the county's rural atmosphere. Also, the indebtedness of the IDA would be separate from the County.

There being no further comments, the public portion of the hearing was closed. All Board members commented on the hard work the Economic Development Committee put into their recommendation. The motion adopting the ordinance creating the IDA was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

ORDINANCE CREATING AN INDUSTRIAL DEVELOPMENT AUTHORITY FOR THE COUNTY OF MIDDLESEX

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MIDDLESEX COUNTY AS FOLLOWS:

There is hereby created a political subdivision of the Commonwealth of Virginia, with such public and corporate powers as are set forth in the Industrial Development and Bond Revenue Act, constituting Chapter 33 of Title 15.1 of the Code of Virginia, as amended.

The name of the political subdivision hereby created shall be the Industrial Development Authority of Middlesex County, Virginia.

Adopted this 18th day of June, 1996.

Authority: 15.1-1373, et seq of the
Code of Virginia

Voting in Favor: Fred Crittenden, Kenneth Williams, Frank Jessie, John D. Miller, Jr.

Voting in Opposition: None

Absent: Lenora Weber

PUBLIC HEARING - 96/97 COUNTY BUDGET

Mr. Culley presented an overview of the proposed 96/97 budget, totaling \$8,662,889.00, a 5.37% increase from 95/96. Mr. Crittenden opened the hearing for comments from the public. Following are summaries of comments and questions made:

Benton Pollock - questioned the percent of revenue received compared to County only funds.

Stan Hovey - in his survey (of other localities of similar size) of general government administration costs compared to revenue, Middlesex is highest; County has no formal performance review; pay increases should reflect increases in revenue or decreases in expense.

C. L. Morrisette - increase proposed for Jones is minimum already approved in adopted pay scale and job description.

Ernest Worley - representing School Board, requested \$80,000 increase in school appropriation to allow for a 5% increase for school teachers.

Sidney Stallings -

Bill Yarrington - questioned VDOT's storm water retention basins constructed on Route 33 widening project.

Dabney Miller - money budgeted for airport should be put into the regional effort.

Ron Courtney - consider retired citizens who's income does not increase enough to support tax increases.

Walter Tiller - responded to Yarrington's comments regarding retention ponds and state and federal requirements for storm water management.

Mark Johnson - find other revenue sources - raise assessed values on personal property, raise preferred rate on land use, raise payment to schools - everyone that spoke at school budget public hearing was in favor of increasing their budget as originally proposed; encouraged Supervisors to visit schools to see the need for new equipment exists.

Nancy Jackson - favored finding new ways of raising revenue

James Pitts - favored finding new revenue sources

John M. Moore - committee studying alternative revenue sources stopped meeting; needs to continue meeting with action.

Sandra Lowe - calculate the benefits of increased contributions to schools.

Morrisette - descriptions and pay scales have already been adopted; no need to debate.

Hovey - PDC - DOCUMENT

Stallings - money can be saved if some lights were cut off outside new middle school.

Lynette Beebe - not enough lighting at Wilton; has spent personal money to supply aids for classroom; invited all Supervisors to attend her classroom.

Pitts - questioned amount contributed to health insurance - County funds 100% of lowest employee-only plan (\$169.55); this is not the same plan offered by the School Board.

Yarrington - cost to educate child in Middlesex School - \$5,000 average.

Gladys Prince - (letter read by daughter, Betty Prince) - consider revenue generated by the employees who have largest proposed increase; possible morale problem between County employees proposed to get 5% increase and those proposed to get 9-17%.

There being no additional comments, the public portion of the hearing was closed. A meeting time and date of June 28, 1996, at 1:00 P.M. was set to adopt the budget. Mr. Williams thanked citizens for attending the hearing and added that comments would be considered. Mr. Jessie encouraged other Board members to look at the budget and fund the extra \$80,000 requested by the school system.

ROUTE 625:

Mr. Crittenden presented a petition received for reduced speed limits (35 miles per hour) and/or warning signs in the "bottom" portion of Route 625. The motion to

endorse this request to the Department of Transportation was made by Mr. Miller, seconded by Mr. Williams and carried unanimously.

LEASE OF FARMLAND

The motion to advertise for the lease of farmland at County property around Hummel Field, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

APPROPRIATION REQUESTS

Legal Fees - Discussion continued from the June 4th meeting regarding appropriation of funds for legal fees incurred by the School Board. Mr. Jessie motioned to approve the request of \$28,486.83. Mr. Williams requested the motion be amended to appropriate one-half of the request. Mr. Jessie withdrew his motion. Mr. Williams moved, seconded by Mr. Miller that the Board appropriate one-half of the request, \$14,243.42. The motion carried unanimously.

Heritage Tour - The motion to approve the appropriation of \$3,617.00 from the revenue account for heritage tour expenses was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

DISBURSEMENTS

Board members reviewed several payment requests. Disbursements numbered 24159 - 24262, totaling \$38,697.32, were approved in a motion by Mr. Williams, seconded by Mr. Jessie and carried unanimously. Mr. Culley noted that another air conditioning unit at the Puller Building would need replacement.

INFORMATION TECHNOLOGY GRANT

Action on the Information Technology Grant, providing federal funds for computer equipment in the sheriff's office, was tabled until after adoption of the 96/97 budget, which includes the proposed local matching funds.

EXECUTIVE SESSION

The motion to convene in Executive Session for discussion with legal counsel regarding pending litigation in the W. R. Jessie vs. Board of Supervisors case, pursuant to Code of Virginia, Section 2.1-344.a6, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. Upon reconvening in open session, the following motion was made by Mr. Jessie, 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:

The motion to accept the recommendation of the County's representing attorney in the Jessie v. Board of Supervisors case, was made by Mr. Miller, seconded by Mr. Jessie and carried by vote of 4-0-1, with Mr. Williams abstaining.

RECESS

There being no additional business, the meeting was recessed until meeting scheduled for June 28, 1996, at 1:00 P.M. in the Board Room.

Fred S. Crittenden, Chairman
Board of Supervisors