

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, NOVEMBER 19, 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 O. 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.. by the Chairman, Mr. Crittenden and opened with words of prayer.

RECESS

The motion to briefly recess the meeting and reconvene in the Courtroom due to the large crowd present for the advertised public hearings was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

SPECIAL EXCEPTION APPLICATION -- SP-96-006, HELEN EDWARDS

Mr. Tim Wilson, Planning Director, presented the application of Mrs. Helen Edwards requesting special exception of the Zoning Ordinance Section 9-3.1, to keep an animal unit (horse) at Tax Map 40-8-38, property owned by Shirley N. Tiller, zoned Residential. Adjoining property owners, Mr. and Mrs. Roy Hundley had no objections to the request. The Planning Commission recommended approval of the application with conditions.

Mr. Crittenden opened the public hearing for comments from the public. There being no comments, the public portion of the hearing was closed.

The motion to approve the application, with the following conditions as recommended by the Planning Commission, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously:

1. This permit shall be valid for the keeping of one (1) pony only;
2. This pony shall be kept within a fenced area of the property;
3. Manure shall be limed, covered, composed or removed to prevent nuisance to adjoining properties.

INDUSTRIAL DEVELOPMENT AUTHORITY

Pete Robins, Chairman of the County's Economic Development Committee, presented Mr. Crittenden with a sealed list of the Committee's recommendations for appointment to the County's Industrial Development Authority. Mr. Robins indicated that fifteen applications had been received and interviews conducted.

Mr. Crittenden gave the list to Mr. Culley and asked him to distribute the recommendations to the Board. No further action was taken at this time.

SPECIAL EXCEPTION APPLICATION -- PETER BLEEKER -- SP-96-007

Mr. Wilson presented the application of Mr. Bleeker for placement of an additional residential dwelling (manufactured home) on Parcel 29A-3-6 for an

immediate family member. Currently, two dwellings, occupied by the owner and an immediate family member, exist on this 3.03 acre parcel. According to Mr. Wilson, no objections or complaints had been received by the Planning Department.

Mr. Crittenden opened the public hearing for comment. There being none, the hearing was closed. The motion to approve the request was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

ZONING ORDINANCE AMENDMENT APPLICATION -- AM-96-007

Mr. Wilson presented the application proposing to change and amend existing Low Density Rural (LDR) District regulations by increasing the minimum lot size, frontage, setback and yard requirements. The proposed amendment was initiated by the Planning Commission at the direction of the Board of Supervisors and as part of the Commission's ongoing review of County land use ordinances and their accordance and effectiveness in implementing the policies of the County's Comprehensive Plan.

The Planning Commission recommended approval of the amendment as proposed, however, adding a recommendation that subdivisions for immediate family members be allowed to maintain the current minimum lot size requirements.

Mr. Crittenden opened the public hearing for comments from the public: The following persons spoke in opposition to the proposal: Edward Harrow, Jr., Faye Beverly, Maurice Monroe, Shiela Benjamin, Pat Milby, Barbara & Lyttleton Cockrell, Dalton Brownley, Cathy Thurston, Tom Hemby, Raymond Burrell, Kevin Burrell, Katherine Griffin, C. L. Morrisette, Ed Ruark, Bill Yarrington, Forrest Conner, Juanita Tabb, Purcell Irving Scott, Willis Braxton, Jr., Walter Lawson, Eric Johnson, Raymond Burrell, Jr., Hersey Mason, Randy Blue, and Earl Ruffin. Comments included the belief that enlarging lot sizes would drive the poorer people from the County, not provide enough small, less expensive land for young people starting out; family exemption may help a few, but not the majority of people. Jack Schwanhausser favored the increased lot size to help prevent open rampant development of land. John England favored retaining rural nature of the County by increasing the LDR district lot size to retain lower density. John Fleet noted that many current restrictions for land development were passed down from the state and federal government; more creativeness with controls was necessary; suggested formation of a task force.

There being no additional public comment, the public portion of the hearing was closed. Mr. Crittenden thanked the members of the Planning Commission for making their recommendation. Mr. Williams noted that the Board of Supervisors had requested the Planning Commission to review the ordinance for possible changes because of comments received about the County losing its rural atmosphere; however, if the people were opposed, he would also oppose the proposal. Mr. Jessie and Mr. Miller also commented that they could not support the proposal. Mrs. Weber agreed with Mr. Fleet's suggestion to form a task force.

The motion to deny amendment application 96-007 was made by Mr. Miller, seconded by Mr. Jessie. The motion carried by a vote of four (4), zero (0) to one (1) abstention (Weber). Mrs. Weber indicated her desire to have the issue revisited.

ZONING ORDINANCE AMENDMENT APPLICATION -- AM-96-006

Mr. Wilson presented Application AM-96-006, an application to rescind and adopt new regulations for Article 16, Signs and to amend sign definitions contained in Article 22, Definitions, of the Zoning Ordinance. The application included proposal to reduce the maximum height of signs, reducing the maximum area of on-structure signs, increasing the minimum setback for off-premises signs, reducing the permitted number of on-premises signs. A complete proposal was included with the application.

Mr. Crittenden opened the public hearing for comments from the public. Eric Johnson opposed the proposal, commenting that lots are not wide enough to accommodate the proposed setback requirements. John England, a member of the

ordinance review committee of the Planning Commission, noted that the objective was to modify the restrictions to control the number of signs. There being no additional comments, the public portion of the hearing was closed.

Mr. Jessie motioned to deny approval of the application; there was no second. In the discussion that followed, Mr. Williams, Mr. Miller and Mr. Crittenden commented that further study of the problems and possible solutions was in order. Mr. England suggested that a revision in question with regard to off-premises signs be withdrawn and action taken on the remaining application. With the question, the previous motion to deny approval carried by a vote of three (3) for (Miller, Jessie, Williams) to two (2) opposed (Crittenden, Weber). Mr. Crittenden and Mrs. Weber wished to have the sub-committee study the issues further.

LORENA YARRINGTON

Mrs. Yarrington requested assistance with a problem she was having regarding taxation of a mobile home. Mr. Culley was asked to contact Mrs. Yarrington later to discuss the problem.

EXECUTIVE SESSION

The motion to convene in executive session for discussion involving consultation with legal counsel, per Section 2.1-344.a7, Code of Virginia, was made by Mr. Miller, seconded by Mr. Williams and carried unanimously. Upon reconvening in open session, the following motion was made by Mr. Jessie, seconded by Mr. Williams 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.

COMMERCIAL WASTE COLLECTION

Board members reviewed and considered a proposed fee schedule for commercial waste collection in the County that included a revision incorporating fees for every-other-week or on-call collection that had been requested from several customers. The motion to adopt the revised schedule was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously.

CHRISTMAS DECORATING CONTEST

The motion to co-sponsor the Christmas decorating contest for businesses, with the Chamber of Commerce, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. Mrs. Jones, was asked to serve as the County's representative for this project.

HOLIDAY SCHEDULE

Mr. Culley recommended the Board approve the closing of County offices for one-half day on Thanksgiving Eve and all day on Christmas Eve, along with those holiday days included in the personnel policy. This is the same schedule approved by the Governor for State employees. The motion to approve this schedule was made by Mr. Jessie and seconded by Mr. Williams. The motion carried by a vote of four to one with Mrs. Weber opposed.

LEWIS PULLER STAMP

The motion to adopt the following resolution for submission to the Postmaster General, as discussed at the previous meeting, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously:

RESOLUTION LEWIS B. "CHESTY" PULLER COMMEMORATIVE STAMP

WHEREAS, General Lewis B. "Chesty" Puller was a long time resident of Middlesex County; and

WHEREAS, General Puller enlisted as a private in the United States Marine Corps in 1917 and rose to the rank of Lieutenant General; and

WHEREAS, General Puller served the nation during four wars, W.W.I, the Haitian & Nicaraguan campaigns, W.W.II and the Korean War, and

WHEREAS, General Puller became the most decorated Marine in Marine Corps history, with the most note worthy of his 27 awards being: 5 Navy Crosses, the Army Distinguished Service Cross, the Silver Star for valor, a Purple Heart, and 5 Presidential Unit Citations; and

WHEREAS, General Puller retired from the U. S. Marine Corps in October 1955, having served his country for 38 years, and

WHEREAS, General Puller set a sterling example of military leadership, courage, honor, loyalty to country; and

WHEREAS, no other U. S. Marine has ever been honored by a U. S. Commemorative Stamp for military service, and

WHEREAS, all people of our country should be given the opportunity to remember the contributions made by all of the nation's soldiers; and

WHEREAS, by honoring the nation's number one Marine, General Puller, on a Commemorative Stamp, the U. S. Postal Service would serve to recognize the efforts of all soldiers who have fought to keep each of us free, and remind each of us, lest we forget, the sacrifices made by many who have done their duty, who have served their country and who have given their lives for these United States;

NOW, THEREFORE, BE IT RESOLVED, that the Middlesex County Board of Supervisors supports, endorses and requests approval of a commemorative stamp honoring Lieutenant General Puller by the U. S. Postal Service Citizens Stamp Advisory Committee and Postmaster General.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the appropriate officials, including but not limited to representatives to the General Assembly and the Congress.

COASTAL ZONE MANAGEMENT GRANT

The motion to accept the Coastal Zone Management Grant, which, with a 50% local match provides full funding for one position and partial funding for another, was made by Mrs. Weber and seconded by Mr. Jessie. The motion carried by a vote of three for to two opposed (Miller, Williams).

JUNK CAR REPORT

Discussion of options with respect to this issue would continue at the day meeting. Mr. Culley is to discuss the matter with the Sheriff to see if his staff could devote more time to solving the junk car problem.

APPROPRIATION REQUEST

Mr. Culley requested the Board's approval to appropriate \$43,942.70 for expenditures associated with the Sports Complex. This total includes funds for current encumbered bills, contracts pending for the remaining fence and walking path and a \$10,000 reserve for additional expenditures. The motion to approve the request was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously.

OLD ST. CLARE WALKER

Plans and specifications for renovations at the old St. Clare Walker School are complete. It was the consensus of the Board to proceed with advertising the project for bids.

ADJOURN

There being no further business, the meeting was adjourned until December 3, 1996, at 9:00 A.M., by motion of Mr. Williams, seconded by Mr. Jessie and carried unanimously.

Fred S. Crittenden, Chairman
Board of Supervisors