

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, AUGUST 18, 1998, IN THE BOARD ROOM OF THE  
WOODWARD BUILDING, SALUDA, VIRGINIA:

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

Charles M. Culley, Jr., County Administrator  
Tim Wilson, Planning Director  
Michael Soberick, County Attorney

**CALL TO ORDER**

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

**PUBLIC HEARING – SPECIAL EXCEPTION APPLICATION 98-006, PHILIP RANDOLPH, CONTRACTOR'S OFFICE**

Mr. Wilson presented the staff report for Special Exception Application 98-006, requesting establishment of a contractor's office at Tax Map 40-65-1, zoned Low Density Rural. The applicant proposes to construct a 32' x 24' office/shop building. No outside storage of material or equipment is identified or proposed at this time and the application identifies that a minimum of land clearing will be performed to allow the construction of the building.

Following a public hearing, the Planning Commission voted 6-2 to recommend approval of the application based on the following conditions: permit approval be valid only for the proposed building with any outdoor storage of construction materials and equipment subject to review and approval; approval of entrance location on Woods Creek Road by VDOT; permit valid only for the applicant and any transfer of the permit shall be subject to approval from the Board of Supervisors.

Mr. Crittenden opened the public hearing for comments. Mr. Robert Sullivan questioned the potential for increased traffic in the area. Gene Blake, Elizabeth Delmar, Jean Blake, and Cathy Taylor expressed opposition to the placement of the business in a residential neighborhood and expressed fear of the business expanding once it was in the area. Anthony Kirkland questioned how long Mr. Randolph had been in business in the County, his reasons for moving the business from its current location and the number of employees to travel to the proposed site. The applicant explained that the building would be used mostly for the storage of materials from the garage at his residence, and possibly for some inside construction in his woodworking business. According to Mr. Randolph, he is the sole employee and would make an average of three trips per week to the location. There being no further comment, the public portion of the hearing was closed.

Mr. Williams commented that this residential area is not the proper location for a business. Mrs. Weber inquired as to whether the adjoining property owners had inquired into other permitted uses of the LDR district. Mr. Wilson responded that to his knowledge no specific questions had been asked. Mr. Crittenden commended that approval of this use would create a problem for the neighborhood and possibly to Mr. Randolph. The motion to deny the request was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

**PUBLIC HEARING – SPECIAL EXCEPTION 98-007, JUNIOR SMITH**

Mr. Wilson presented the staff report for Special Exception Application 98-007, a request to establish a junkyard at Tax Map 28-153, the current site of Poor Boy Auction,

5.8 acres zoned Low Density Rural. Mr. Wilson noted that the location was outside a planned development area and outside areas recommended for business development. The application proposes to screen a junk car storage area with an eight-foot high privacy fence. This property is the same denied on June 16, 1998 for rezoning to a general business zone to permit the use of the property for used automobile sales. The Planning Commission recommended a unanimous vote to deny the request.

Mr. Crittenden opened the public hearing for comments. Mr. Smith, applicant, requested withdrawal of the application, after considering comments expressed at the planning commission meeting. The public hearing being advertised and public being present to address the issue, Mr. Crittenden opened a public hearing for comments on the application. Tim Gilreath commented that the issue should have been addressed when zoning was implemented by zoning the property as General Business because a business existed at the site, or correcting the problem now by allowing the continued use of the property for general business type activities. Wayne Evans voiced his opposition to the proposal. Harry Madsen noted that the Comprehensive Plan addressed junkyards by stating that they should be located off the main thoroughfare. There being no further comments, the public portion of the hearing was closed. There was no action by the Board of Supervisors due to the withdrawal of the application.

### **TREASURER**

Mrs. Wilson presented a request to hire an additional hourly employee who would work on car tax implementation from October to approximately March 1999 and then be trained to take over the work of the deputy treasurer with regard to the keeping of State accounting records. Both the treasurer and deputy are planning retirement for the end of 1999. The State Compensation Board may fund the position at 50%. Mr. Crittenden expressed no opposition to the hiring of a person to assist with car tax implementation, however, would not commit to employment after this task is instituted. The motion to proceed with the advertisement for an hourly employee and hiring such person subject to the Board's approval, was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

### **DECLARATION OF DROUGHT EMERGENCY**

Ellis Walton and David Moore, VA Extension Agent, requested the Board's consideration of adoption of a resolution declaring a drought emergency due to the current crop losses and weather situation. Current figures estimate total crop losses in amounts exceeding 1.8 million dollars, including small grain, corn, soybeans and hay/pasture. Disaster status would make Middlesex County producers eligible for low-interest loans. Mr. Crittenden, noting that he would abstain from the vote because of his farm operation, encouraged others to vote in support of the action. The motion to pass the following resolution was made by Mr. Williams, seconded by Mr. Miller and carried by a vote of 4-0-1 (Crittenden abstained).

## **RESOLUTION**

### **DECLARATION OF EMERGENCY DUE TO DROUGHT**

**WHEREAS**, Middlesex County has suffered from severe drought, and

**WHEREAS**, this condition in this agricultural area has caused major damage to corn, hay, pasture, and soybeans, and

**WHEREAS**, estimated losses in agricultural crops may exceed \$2,000,000, and

**WHEREAS**, crop damages continue to increase daily due to the need for water,  
and

**WHEREAS**, there is a critical need to assist the farmers as a result of the extreme weather conditions:

**NOW, THEREFORE BE IT RESOLVED** THAT the Middlesex County Board of Supervisors declared a state of emergency in Middlesex County on this date, and the Honorable James S. Gilmore, III, Governor of the Commonwealth, is petitioned by the Board of Supervisors to declare that an emergency exists in Middlesex County and the Governor is further petitioned to request the President of the United States or the Secretary of Agriculture to recognize the county emergency situation and make the federal farmer emergency programs available to those who need them in Middlesex County.

**APPOINTMENTS**

No action was taken regarding appointments to the Tidewater Soil and Water Conservation District or the Tidewater Resource Conservation and Development Council.

**COOKS CORNER OFFICE COMPLEX**

***Telephone System:***

The Board reviewed costs for installation of a telephone system at the Cooks Corner Office Complex, plus costs for installation of additional lines and telephones at the Bus Shop.

COMPANY	CCOC SYSTEM	WITH ADDITIONAL LINES & PHONES FOR BUS SHOP
The Other Phone System	\$ 9,411.31 (Impression)	\$10,761.31
GTE	\$14,311.22 (Norstar)	\$15,587.63
Claricom	\$17,345.00 (Executone)	No quote requested
Claricom	\$17,569.00 (Norstar)	No quote requested

The Board discussed the types of telephones proposed and maintenance services available for the various systems. The motion to award the contract to GTE for \$14,311.22 for the Office Complex system was made by Mrs. Weber, seconded by Mr. Jessie and carried unanimously. The Board of Supervisors would not agree to install the connection between the new system and the bus shop; the School Board Administration would be contacted for this part of the system.

***Furniture:***

Marcia Jones, Assistant Administrator, presented a bid of \$17,612.00 received from Wardico for the purchase of office equipment, including desks, file cabinets and chairs for the Cooks Corner Office Complex. This was the only bid received and represents a quoted price of 44% off the list price. The motion to accept the bid from Wardico was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

**RAPPAHANNOCK RIVER BASIN COMMISSION**

Board members discussed the estimated \$1,000 per locality assessment proposed for participation in the Commission. It was the general consensus of the Board that a maximum dollar amount towards participation should be set. The motion to adopt the following resolution was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously.

RESOLUTION

RAPPAHANNOCK RIVER BASIN COMMISSION

**WHEREAS**, the Rappahannock River, a resource of great value connecting all of the Basin's localities and citizens, is influenced by each of the localities activities and decision such that one jurisdiction may impact the uses made of the river by other jurisdictions; and

**WHEREAS**, representatives of the General Assembly and the local governments of the Rappahannock River Basin met as the Rappahannock River Basin Study Commission (RRBSC) over a two year period to examine, evaluate, and make recommendations on the potential structures and goals of a mechanism to address coordination, communication and planning on issues of basin-wide significance; and

**WHEREAS**, the RRBSC found that (i) there is a need for a mechanism for coordination and communication for the multitude of individual, local, state and federal activities that influence the Basin's natural resources; (ii) there is a need for easily accessible information for decision making at the public policy level as well as at the individual level; (iii) the environmental health of the Basin directly impacts economic health; and (iv) there are great benefits to be derived from the Basin's localities' meeting together and discussing their individual and mutual concerns; and

**WHEREAS**, to help address these findings (i) there should be a continuing commission composed of elected officials from throughout the Basin; (ii) such a commission should not be a regulatory body; and (iii) there should be a concise mission statement with emphasis on stewardship, protection and enhancement of the Basin's water quality and other natural resources; and

**WHEREAS**, legislation proposed by the RRBSC to address these findings and providing a mechanism for the Basin's localities to form a Rappahannock River Basin Commission passed the 1998 Session of the General Assembly; and

**WHEREAS**, a Rappahannock River Basin Commission may only be established pursuant to the legislation upon passage by two-thirds of the Basin's localities of resolutions committing them to participate in the Commission as described in the legislation; and

**WHEREAS**, this jurisdiction agrees with the finding of the RRBSC and supports the creation of a continuing Rappahannock River Basin Commission as called for in the legislation proposed by the RRBSC;

**NOW, THEREFORE, BE IT RESOLVED**, that the Middlesex County Board of Supervisors does hereby agree to become a member of and participate in the Rappahannock River Basin Commission as described in Chapter 553 of the Acts of Assembly of 1998;

**BE IT FURTHER RESOLVED**, that the Middlesex County Board of Supervisors will contribute a maximum of \$1,000 to participate in the Rappahannock River Basin Commission.

**EXECUTIVE SESSION**

The motion to convene in Executive Session, pursuant to Section 2.1-344.a7, Code of Virginia, 1950, as amended, to discuss potential litigation, was made by Mr. Williams, seconded by Mr. Miller 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.

**ADJOURN**

There being no further business, the meeting recessed until September 15, 1998.

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Fred S. Crittenden, Chairman  
Board of Supervisors