

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, MAY 19, 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
Michael T. Soberick, County Attorney

CALL TO ORDER

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

MINUTES

The motion to approve the minutes from the Board's April 21st meeting was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

APPROPRIATION

The motion to approve the appropriation of \$1,111.90, from revenue account 24040/0026, to the anniversary committee was made by Mrs. Weber, seconded by Miller, and carried unanimously.

DISBURSEMENT

The motion to approve disbursements numbered 29416 through 29424, totaling \$2,027.35, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. Additional bills submitted for the anniversary committee would be submitted for payment after approval was obtained by the committee chairman.

ROOF REPAIR – HEALTH DEPARTMENT

Board members reviewed the three (3) bids received for replacement of the shake roof at the Health Department with 25 year shingles: Pyramid Roofing - \$8,900.00; Tri-Star Builders of VA - \$9,300.00; L. W. L. - \$13,875.00. Board members discussed the matter including questioning the substrate and spacing. Mr. Culley was instructed to have the substrate examined to determine if there was solid plywood or spaced sheathing under the shakes and also to obtain a price for replacement of damaged plywood sections by the lowest bidder. The matter would be discussed further at the June Board meeting.

MONITORING WELLS

Board members considered a request from McCallum Testing Laboratories, agent for W. B. Wake, Thrift Oil, to install a maximum of two (2) monitoring wells on the property of the Middlesex County Health Department. The wells are being requested by the Department of Environmental Quality to determine the presence and extent of petroleum contamination, which may be associated with the Thrift Oil bulk plant. The company also proposed to test the drinking water well at the Health Department for petroleum contamination. After some discussion, it was requested that Mr. Soberick write a contract to allow use of the property.

REQUEST TO REDUCE FEES

Christchurch School has requested the Board of Supervisors charge the new construction building permit fee (\$1132.02), rather than the renovation building permit fee (\$9259.74), for the renovation of Bishop Brown Hall. Estimated cost of the 18,867 square foot project is \$1,543,290.02.

Mr. Williams expressed his disapproval with private enterprises asking for a reduction in standard fees. The motion approving charging the school the lower, new construction rate was made by Mrs. Weber, seconded by Mr. Jessie. The motion carried by a vote of four to one (4-1) with Mr. Williams opposed.

ZONING ISSUES

Rezoning Applications R-98-002 and R-98-003

Discussion continued from the April 21st meeting regarding the applications to rezone twelve subdivisions from Low Density Rural to Residential. The Planning Commission re-considered these applications and reviewed the Board's concerns with properties adjoining Bel-Aire Estates and North Shore which are not presently part of the recorded subdivisions, but were included in the original rezoning application. The Planning Commission has chosen to amend application R-98-002, removing these portions of property from the application. This amendment prevents any rezoning action on those particular portions of property, however, it does not prevent the owners from initiating their own application.

Board discussion followed, with questions as to alternative methods for dealing with the current setback problem, rather than rezoning. Mr. Culley commented that the King and Queen Zoning Ordinance had allowed for side-yard setbacks on non-conforming lots to be based on a percentage of the lot's width. The applications were referred back to the Planning Commission for their consideration of the percentage method of determining a required setback.

Amendment Application 98-002

Mr. Wilson presented an amended recommendation regarding this application to amend the zoning ordinance regarding special permitting requirements governing the placement of a manufactured home as a second dwelling for an immediate family member. The Board of Supervisors, at their April 21st meeting, requested further review by the Planning Commission. The Planning Commission amended their original recommendation, changing the language to allow one unit per existing parcel, rather than per property owner and removed a recommendation that 10,000 square feet be designated for this use.

After discussion by the Board, Mr. Williams made the motion to approve the amended application, with the exception of deleting a requirement that the second dwelling be placed 70' from the primary residence. This motion was seconded by Mrs. Weber and carried unanimously.

Language to be added to Article 15, Supplementary Regulations of the Zoning Ordinance, is as follows:

Immediate Family Members

Notwithstanding regulations and uses set forth herein applicable to manufactured housing, a manufactured home may be located on the existing lot of a property owner in the Low Density Rural (LDR) District for use as a principal residential dwelling by an immediate family member of such property owner subject to the following:

Occupancy: The manufactured home must be occupied by an immediate family member of the property owner as defined by Article 7-4-8 of this Ordinance. Such dwelling shall be the primary residence of the immediate family member and shall not serve as an occasional, seasonal or otherwise part-time residence. The Zoning Administrator shall be immediately

informed by the property owner of any change in approved occupancy. Such change shall be subject to reapproval.

Placement on Lot: A property owner is not required to officially plat and record an individual lot for each manufactured home site. A sketch of the lot use will be required showing the placement of the dwelling on the owners property and its relation to existing structures, property lines, roads and other significant features of the property. All setback and yard regulations of the LDR District shall be observed. No manufactured home shall be located, stored or placed on the lot until such use is approved by special exception permit by the Board of Supervisors.

Health: Each manufactured home shall be connected to a water supply and sewage disposal system approved by the Health Department.

Number of Units: A maximum of one (1) manufactured home shall be allowed per parcel under the provisions of this section.

Discontinuance of Use: The Zoning Administrator shall be immediately notified as to the discontinuance of the manufactured home's use as a residential dwelling occupied by an immediate family member. Beginning upon the date of the discontinuance of the approved use the property owner shall have ninety (90) days in which to either seek a new occupancy approval, remove the manufactured home from the property, or by other means comply with the standard permitting and use requirements of the LDR District.

OLD BUSINESS – SCHOOL MATTERS

Land Acquisition:

Mr. Lackey, School Superintendent, expressed his appreciation for the Board's support with land acquisition behind the High School.

Fueling:

Mr. Lackey announced that the School Board is seeking bids for a fleet fueling program for gasoline, similar to what the County will be using that will allow tracking of fuel usage. However, the School Board wants to place an above ground diesel tank at the bus shop for the refueling of diesel buses. Mr. Lackey stressed the need for the shop personnel to use the time the buses are being refueled for performing maintenance checks on the buses.

Mr. Lackey informed the Board that he was checking on prices for placement of various sized tanks – 1,000, 2,000 and 4,000 gallons, but needed the Board's direction as to possible locations to establish the fueling site, as it would require a containment area and space for the buses. Mr. Miller noted that he was not in favor of putting a tank in front of the school, possibly behind. Mr. Williams noted he was not in favor of getting back into the fuel tank business. Mr. Crittenden requested information as to the cost involved with proper installation of an above ground tank, including containment areas and fuel usage. Mr. Lackey noted that the prices he has obtained for single walled tanks have included the price of the containment area. The price for double walled tanks is much higher.

After some discussion, Mr. Lackey mentioned that he would gather the information that the Board was requesting. Mrs. Weber added that she felt the Board of Supervisors should seriously consider the School Board's needs with this issue. Mr. Lackey noted that another option would be for the County to deed back the property that the School Board had declared as surplus.

NEW BUSINESS

Mr. Williams requested that the Administrator proceed with preparing proposals for health insurance.

EXECUTIVE SESSION

The motion to convene in executive session to discuss a matter relating to consultation with legal counsel, per Code of Virginia, Section 2.1-344.a7, and personnel, per Section 2.1-344.a1, was made by Mr. Williams, seconded by Mr. Miller, and carried unanimously.

Upon reconvening in open session, the following motion was made by Mr. Miller, 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.

ADJOURN

There being no further business, the meeting adjourned until June 2, 1998.

Fred S. Crittenden, Chairman
Board of Supervisors