

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, FEBRUARY 16, 1999, 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. in the Board Room and opened with a prayer.

**PUBLIC HEARING – PARTICIPATION IN REGIONAL AIRPORT**

Mr. Crittenden opened the public hearing for comments regarding the County's participation in the regional airport authority and operation of the Middle Peninsula Regional Airport. Mr. Crittenden stressed that participation in the industrial park is not the issue, and that comments were to be limited and addressed to the Board. The following comments were received:

Lawrence Hardwicke – large expenditure for our County; opposed participation.

Scott Kauffman – opposed participation.

Robert Crump – Board of Supervisors is elected to distribute money.

Elizabeth Nuckols – 10% of every airline ticket goes into federal funds that the county cannot use for improvements at Hummel; regional field is needed.

Dabney Miller – Hummel needs to expand to make a profit and there is not enough room to expand. There are amenities of having a regional field, such as longer approach.

Gerhardt Lehman – opposed to spending County tax money in another County with no benefits.

Ellis Walton – services provided at Hummel that would not be cost effective if provided at regional field, such as aerial photography and spraying.

Martin Trusik – has seen a handwritten note that says the runway will not be expanded.

Russell Sibley – challenged Board to provide airfield.

E. G. Fleet – airport used for receiving parts; company would not benefit from driving the distance to the regional field.

Jamie Barnhardt – keep money in Middlesex County; the County will still benefit from the regional facility whether we participate with money or not.

Jack Dozier – do not want to jeopardize people coming in from the North coming to

County facilities.

Robert Bunch - cannot get out of regional participation once the County has signed into the regional facility; Hummel is good facility, however, trees are still a problem.

Randy Coulson – Airport Committee always worked toward safety at Hummel and being a good neighbor. The Committee recommends not supporting the regional facility at the expense of Hummel and believes that the regional facility is too far to serve Middlesex citizens.

David Nichols – supports continued operations at Hummel for flights to Tangier.

David Adams – representing Middlesex County Industrial Development Authority – expanding business growth opportunities for the County sometimes have to look outside of the County.

Lewis Lawrence – representing Middle Peninsula Planning District Commission, discussed the benefits of the regional facility for the region. The regional facility is counting on receiving 90% federal funding, leaving the remaining 10% to be divided between the participating localities, or \$20,200 for Middlesex County.

Elizabeth Lehman – did not favor the regional facility with industrial park; where she lived previously it was 10 years for marginal operation at an industrial park with high-density surroundings.

Ed Ruark – County does not need to participate in this venture; keep money in Middlesex County; Middlesex County is good enough to support those people who want to work at the facility, but live away from it.

Alta Miller – favored participation; opportunity to operate regionally is a gift, can operate together.

Dabny Miller – conducted a random survey, 76 people contacted with 74 people favoring the County's participation.

Elizabeth Nuckols – County never supported any studies favoring relocation; move the airport where it can be expanded.

There being no further comments, the public portion of the hearing was closed. Mr. Crittenden read three letters received from citizens opposed to the regional facility – from Lawrence Hall, Gene Ruark, and Walter Hurley, Jr. In addition, Mrs. Betty Miller had contacted him in opposition to participation in the regional facility.

Mr. Culley presented some questions regarding the proposed budget for the facility, noting that revenue was shown for fuel sales, however, there was no expense shown. This is Middlesex County's biggest expense at Hummel. Mr. Culley noted that the regional airport was one thing that the County did not have to participate in, unlike regional trash disposal and the regional jail. The number of anticipated users of the facility is also inflated, because it relies on pilots moving planes from Hummel, which the pilots have indicated they will not do.

Mr. Culley outlined an error in the amount of anticipated revenue for the industrial park. According to a report put together by the consultant, Virginia's River Country, and the Planning District Commission, an anticipated \$105 million is anticipated on an annual basis. This is almost twice the total revenue for the five middle peninsula counties. According to Mr. Culley, the correct figure should be approximately 1.4 million.

Mrs. Weber motioned for the County to reject the proposal to participate in the regional airport. Mr. Williams seconded the motion, noting that once debt is incurred, the County cannot pull out of the authority without unanimous consent. Discussion followed, with Mr. Crittenden commenting on the County's progress toward making Hummel safe and the jobs created in the Topping area around the airport without the County putting in any infrastructure. In the vote that followed, members voted unanimously in favor to reject participation in the regional airport facility.

### **PUBLIC HEARING – COMPREHENSIVE PLAN AMENDMENTS**

Mr. Wilson noted that there was no one present representing the Chesapeake Bay Local Assistance Department, CBLAD, the agency that has requested the County make revisions to its comprehensive plan. The County has requested the assistance of the Chesapeake Bay Local Assistance Department to create amendments that would be acceptable to both the County and CBLAD. The motion to table the scheduled public hearing on proposed comprehensive plan amendments, pending a request to receive recommendations from the Planning Commissions within 60 days, was made by Mr. Miller, seconded by Mr. Williams and carried unanimously. The Chairman thanked the members of the Planning Commission for attending the meeting.

### **ZONING ORDINANCE AMENDMENT – 98-11**

Mr. Wilson presented the Planning Commission recommendation to amend Zoning Ordinance, Section 702, to list "Assembly and Retreat Facilities" as a special exception use in the Low Density Rural (LDR) District, and to add a definition of assembly and retreat facilities in the ordinance. The public hearing on this amendment was conducted by the Board at its January 19<sup>th</sup> meeting.

The motion to accept the recommendation of the Planning Commission and approve the definition and special exception designation of "assembly and retreat facilities" was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously.

### **CHESAPEAKE BAY LOCAL ASSISTANCE GRANT**

Mr. Wilson presented a request to apply for grant funding to perform shoreline erosion and structure mapping. This has been one of the priorities the Chesapeake Bay Local Assistance Department (CBLAD) has made to the County for its comprehensive plan revision. Mr. Wilson noted that CBLAD should also make this application a priority for funding. The motion to adopt the following resolution was made by Mr. Jessie, seconded by Mrs. Weber and carried unanimously:

#### **Resolution Supporting Submission of a Middle Peninsula Planning District Commission Grant Application to Chesapeake Bay Local Assistance Department**

**Whereas** the Chesapeake Bay Preservation Act establishes that the Chesapeake Bay Local Assistance Board is responsible for carrying out the purposes and provisions of Chapter 21 of the Code of Virginia; and

**Whereas** the Chesapeake Bay Local Assistance Board has promulgated a Request for Proposals to the Local Assistance Competitive Grants Program; and

**Whereas** as an eligible entity under said program the Middle Peninsula Planning District Commission is submitting a grant application for the conduct of a Regional Comprehensive Plan Shoreline Inventory supported by and beneficial to Middlesex County, Virginia; and

**Whereas** the work and products proposed under said grant application are needed to remedy comprehensive plan deficiencies of Middlesex County and other Middle Peninsula Planning District Commission localities as identified in the review of local comprehensive plans by the Chesapeake Bay Local Assistance Department;

**Now, Therefore, Be It Resolved** that the Board of Supervisors of Middlesex County, Virginia does hereby fully endorse the grant application being submitted by the Middle Peninsula Planning District Commission for a Regional Comprehensive Plan Shoreline Inventory; and

**Be It Further Resolved** that the Board of Supervisors of Middlesex County, Virginia seeks the favorable review and award of said grant application by the Chesapeake Bay Local Assistance Department.

### **REVISED TAX EXEMPTION FOR MUSEUM**

Mr. Culley presented a revised resolution, which included language required by the General Assembly, in order for them to continue processing the request to waive real estate taxes for the Middlesex County Museum, Inc. The motion to adopt the following revised resolution was made by Mr. Jessie, seconded by Mrs. Weber and carried unanimously:

### **RESOLUTION TO WAIVE REAL ESTATE TAXES**

**WHEREAS**, the Middlesex County Museum, Inc., is the owner of properties listed as Tax Map Numbers 26B-1-81 and 26B-1-81A, with annual taxes amounting to \$422.90 for the 1998-99 tax year;

**WHEREAS**, the Middlesex County Museum, Inc., has petitioned the Middlesex County Board of Supervisors with a request to waive the real estate taxes for properties owned by the Museum; and

**WHEREAS**, the Middlesex County Board of Supervisors conducted a public hearing on November 17, 1998, to receive public comment on the same; and

**WHEREAS**, it was found that the Middlesex County Museum, Inc., meets the requirements of Section 30-19-4, of the Code of Virginia, regarding the exemption of real estate taxes;

**NOW, THEREFORE, BE IT RESOLVED**, that the Middlesex County Board of Supervisors forwards a request to the General Assembly of Virginia to proceed with actions necessary to allow the waiving of local real estate taxes for the Middlesex County Museum, Inc.;

**BE IT FURTHER RESOLVED**, that the Middlesex County Board of Supervisors recommends that the General Assembly of Virginia designate the Middlesex County Museum, Inc. as a cultural organization.

### **EXECUTIVE SESSION**

The motion to convene in Executive Session for consultation with legal counsel, per Code of Virginia, Section 2.1-344.a3, to discuss land acquisition with School Board Chairman, John Moore, and litigation involving Delaware Corporation, per Code of Virginia, Section 2.1-34.a7 was made by Mr. Miller, seconded by Mr. Jessie 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 recessed until a budget work session with the School Board scheduled for February 17, 1999, at the Cooks Corner Office Complex.

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Fred S. Crittenden, Chairman  
Board of Supervisors