

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, AUGUST 15, 2000, 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

Charles M. Culley, Jr., County Administrator

CALL TO ORDER

The Chairman, Mr. Miller, called the meeting to order at 7:30 P.M. and opened with prayer.

PUBLIC HEARING - PROPOSED ORDINANCE RELATING TO THE ENFORCEMENT OF TRAFFIC LAWS IN MIDDLESEX COUNTY, VIRGINIA

Mr. Culley presented the proposed ordinance as prepared by the County Attorney, Michael Soberick, which, if adopted, would allow the County to collect fees for traffic violations that are normally transmitted to the State. The Chairman opened the hearing for comments from the public. There being none, the public portion of the hearing was closed. Regarding an estimate of the revenue to be collected, Sheriff Abbott informed the Board that King and Queen collects approximately \$7,000 per month. The Sheriff estimated collections in Middlesex would be lower, perhaps \$3,000-\$4,000 per month.

The motion to adopt the ordinance as presented was made by Mrs. Weber, seconded by Mr. Williams and carried unanimously. A separate revenue line in the general fund will be created to track the receipt of funds.

AN ORDINANCE OF THE COUNTY OF MIDDLESEX, VIRGINIA, RELATING TO THE ENFORCEMENT OF TRAFFIC LAWS IN MIDDLESEX COUNTY, VIRGINIA.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MIDDLESEX COUNTY THAT THE FOLLOWING ORDINANCE IS HEREBY ADOPTED:

Pursuant to the authority of Section 46.2-1313 of the Code of Virginia, all of the provisions and requirements of the laws of the State contained in Title 46.2 and Article 2 (Section 18.2-266 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, as they may be amended from time to time by the legislature, except those provisions and requirements the violation of which constitutes a felony, and except those provisions and requirements which by their very nature can have no application to or within the County, are hereby adopted and incorporated in this article by reference and made applicable within the County. References to "highways of the State" contained in such provisions and requirements hereby adopted shall be deemed to refer to the highways and other public ways within the County. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this article as fully as though set forth at length herein, and it shall be unlawful for any person, within the County, to

violate or fail, neglect or refuse to comply with any provision of Title 46.2 and Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia, which is adopted by this section; provided, however, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for similar offense under Title 46.2 and Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia.

This ordinance shall be effective upon its adoption.

Adopted this 15th day of August 2000, by the following vote of the Middlesex County Board of Supervisors, all members present and voting::

<i>Mr. John D. Miller, Jr.</i>	<i>aye</i>
<i>Mr. Kenneth W. Williams</i>	<i>aye</i>
<i>Mrs. Lenora O. Weber</i>	<i>aye</i>
<i>Mr. Frank Jessie</i>	<i>aye</i>
<i>Mr. Fred S. Crittenden</i>	<i>aye</i>

State law reference - incorporation in ordinance of laws relating to motor vehicles and driving while intoxicated, etc., Code of Virginia, 46.2-1313.

PUBLIC HEARING - PROPOSED INCREASES TO THE FEES OF THE COMMUNITY DEVELOPMENT (BUILDING/ZONING) DEPARTMENT

Building Official, David Selph, presented an outline of the proposed changes to the fees of the Community Development Department. Most changes represent an increase of 75%. Fees in this department have not been revised for 12 years, and revenues have been below the budget for the past six years.

Mr. Miller opened the hearing for comments from the public. Bill Powell, a building contractor from Deltaville, agreed that the fees should be increased to reflect the amount of staff time that is devoted to working with citizens and contractors for the issuance of the various permits through that department. Mr. Powell added that as the number of permits that are required and the permit fees increase, the number of people needed to create a smoother system should also increase. Mr. Powell also suggested increasing the base fees more, while decreasing per unit costs.

Mr. Bill Yarrington, Locust Hill, spoke in opposition to fees and regulations that would further restrict a person's individual freedoms. There being no further comments, the public portion of the hearing was closed.

Mr. Crittenden spoke in favor of the proposed fees, and was in favor of further increasing the after-the-fact zoning permit fee substantially, to act as a deterrent to violators of the County's ordinances. No increase above what had been advertised could be made at this time, therefore, this issue would be considered at a later date following a public hearing.

The motion to approve the increase in permit fees as proposed, and requesting the re-visiting of the after-the-fact zoning fee at the next meeting was made by Mrs.

Weber, seconded by Mr. Critenden. The motion carried by vote of four in favor, one opposed (Williams).

FEE ORDINANCE
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
MIDDLESEX COUNTY, VIRGINIA

As Amended August 15, 2000

SERVICE FEE

Zoning Applications

Zoning Permit	\$25.00
Zoning Ordinance Amendment.....	\$250.00
Rezoning.....	\$250.00 plus \$5 per acre
Special Exception Application.....	\$250.00
Variance.....	\$250.00
Administrative Variance (*).....	\$50.00
Appeal to Board of Zoning Appeals.....	\$250.00
Minor Site Plan Review.....	\$100.00
Major Site Plan Review.....	\$250.00
Site Plan Amendments	\$10000
CBPA Exceptions	\$50.00
Zoning Permit – After the fact.....	\$45.00

(*) In the event consideration of the variance must be transferred to the Board of Zoning Appeals, an additional fee of \$200.00 is required.

Subdivision Applications

Minor Subdivision Review.....	\$50.00 + \$5.00 per lot
Major Subdivision Review.....	\$250.00
Lot Line Vacation.....	\$10.00 + \$1.00 per line

Erosion and Sediment Control Applications

Land Disturbing Permit.....	\$50.00 first acre + \$100.00 each add'l acre.
Agreement in Lieu of a Plan	\$25.00

Wetland Applications

Application Review	\$25.00
Permit (Hearing Required).....	\$150.00
Commercial Permit (Hearing Required).....	\$250.00
After the Fact Permit.....	\$550.00

Building Applications

Minimum Permit Fee.....	\$25.00
Commercial Construction	\$.10 per sq. ft.
Useable Area Under Roof.....	\$.10 per sq. ft.
(dwellings, modulars, living space)	
Basement.....	\$.10 per sq. ft.
Unfinished, habitable attics.....	no charge

Unattached garage, sheds, porches, Carports, storage buildings	\$.10 per sq. ft.
Decks.....	\$.10 per sq. ft.
Mobile Homes.....	\$.10 per sq. ft.
Unfinished basements	\$.10 per sq. ft.
Pole shed.....	\$.10 per sq. ft.
Remodeling, alterations, structures not listed.....	\$10.00 per \$1,000
Signs.....	\$25.00 minimum; \$.05 per sq. ft.
Chimney, fireplace, heaters.....	\$10.00 per \$1,000
Fences, where required by Zoning Ordinance	\$10.00 per \$1,000
Bulkheads, jetties, piers.....	\$10.00 per \$1,000
Boathouses.....	\$.10 per sq. ft.
Pools.....	\$10.00 per \$1,000
Relocation fee.....	\$.10 per sq. ft.
Demolition fee.....	\$25.00
Reinspection fee.....	\$25.00

Plumbing Permit Application

Minimum Permit fee.....	\$25.00
Per fixture	\$5.00 each

Mechanical Permit Application

Minimum Permit fee.....	\$25.00
Heat pumps, furnace, etc.	\$10.00 per \$1,000
Water, oil, commercial tanks	\$10.00 per \$1,000

Electrical Permit Application

Minimum Permit Fee.....	\$25.00
Service panel.....	\$.25 per amp
Electrical heat	\$1.00 per K.W.
Outlet, switches	\$10.00 per every 10 or part thereof
Fixtures (lights, misc. not listed)	\$10.00 per every 10 or part thereof
Temporary pole.....	\$25.00
Reconnect fee.....	\$25.00
Relocate.....	\$25.00
Motors.....	\$2.00
Air Handler.....	\$2.00
Range	\$2.00
Water Heater	\$2.00
Other Circuits.....	\$2.00

Amusement Devices

Kiddie.....	\$10.00
Major.....	\$20.00
Spectacular.....	\$40.00

Additional Fees: Whenever work has begun prior to issuance of a permit, the fee shall be doubled.

Other Department Fees and Charges

Copies:

Comprehensive Plan	\$20.00
Zoning Ordinance	\$15.00
Subdivision Ordinance.....	\$5.00
Erosion and Sediment Control Ordinance	\$5.00
Wetlands Zoning Ordinance	\$5.00
Individual copies	\$.25 per page
Tax Maps	\$.50 per page

Church worship facilities shall be exempt from the development and construction permit fees of this Ordinance.

School facilities construction utilizing school maintenance personnel or volunteer labor shall be exempt from the development and construction permit fees of this Ordinance.

Permit application fees are nonrefundable regardless of whether the permit application is approved, denied or withdrawn once submitted.

This ordinance shall be effective immediately upon adoption.

Amended and readopted August 15, 2000, by the following vote; all members present and voting:

<i>Kenneth W. Williams</i>	<i>nay</i>
<i>Lenora O. Weber</i>	<i>aye</i>
<i>Frank Jessie</i>	<i>aye</i>
<i>Fred S. Crittenden</i>	<i>aye</i>
<i>John D. Miller, Jr.</i>	<i>aye</i>

EVIDENCE CLOSET

Board members reviewed the one bid received for construction of a closet to be used for storage of evidence in the record room. The bid, received from Rappahannock Woodworks, was for \$4,291,000, and included assembly of the unit on-site, with 3/4" plywood and steel doors. It was suggested that perhaps a steel, fire-proof cabinet could be purchased for at a reduced price. Mr. John Moore commented that the school system had cabinets in surplus that could be used. There was no further action taken on this matter. The County will look research the possibility of using the surplus cabinets.

COMMUNICATIONS ADDITION

Discussion continued regarding the proposed communications addition. A local metal building contractor had been contacted, who recommended not demolishing the maintenance building, but to build off the end of the existing sheriff's building, over fill dirt. His estimate, without having any specifications to go by, was between \$100,000 - \$115,000. In changing the specifications, the total for a metal building may add up to more than the block construction.

There was a brief discussion on a possible Memorandum of Understanding that could exist between the County and the Sheriff, with regard to dispatch operations,

funding for personnel and ownership of equipment in the addition. Further discussion of this matter was tabled until the day meeting, when the County Attorney could be present.

The motion to accept and award the contract for construction of the Communications Addition to Walden's Construction, with base bid and alternate totaling \$152,740.00, was made by Mr. Crittenden, seconded by Mr. Williams and carried unanimously.

The motion to roll-over \$100,000 budgeted for construction in the FY-00 Capital Outlay budget to the FY-01 budget was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously.

The motion to authorize the use of \$78,000 from the E-911 fund for construction of the addition, was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously.

COURTHOUSE ARCHITECT

The motion to accept a contract with the architectural firm of Wiley and Wilson, for a court needs assessment, for \$19,800.00, was made by Mrs. Weber, seconded by Mr. Jessie and carried unanimously. It was noted that of the six firms interviewed, this firm was the number one choice of each panel member.

MAGISTRATES' OFFICE

Mr. Culley presented the Board the latest proposal for construction of an addition to the regional jail, which would be used as a magistrates' office. This proposal was submitted as a result of meetings held between Judge Hoover, Ninth Judicial Circuit; Sheriff Abbott, William Poggione, Chief Magistrate, Ninth Judicial District; Charles Culley, and representing the Middle Peninsula Regional Security Center: David Harmon, Superintendent, Frank Pleva, Chairman and William Hefty, Legal Counsel. Items scheduled to be addressed at future meetings of this group include: the provision of office furnishings in the new facility and the allocation of the new facility's capital costs among the various Jail Authority-participating counties, considering that Middlesex County is statutorily required to provide at its cost adequate magistrate office facilities.

It was agreed, by members of the group, that the Sheriff's Office would be used only for non-bonding purposes until the new facilities are constructed. During the transition period until the new magistrates' office facilities are available, the bonding function shall be temporarily relocated to the existing administrative office located within the regional jail. Preliminary estimates for construction of an addition at the regional jail are \$125,000 for the building, plus, \$25,000, for site work, totaling \$150,000. It has been proposed that Middlesex County would be responsible for 50% of the total cost.

Board members voiced their disapproval with the proposal and noted that the architectural firm just hired to perform the courts needs assessment would also conduct interviews with the local magistrate and regional chief magistrate. The interviews with the magistrates is to be completed by December 31, 2000, after which, the Board will re-consider its options relative to office space for the magistrates.

OTHER BUSINESS

Sheriff Abbott expressed an apology to Mr. Crittenden for his manner of expressing himself during a recent telephone conversation.

Mr. Williams presented Larry Chowning, reporter for the Southside Sentinel, with a transcript of a portion of the August 1st Board of Supervisors' meeting, to prove that he had been quoted wrong in the paper.

SCHOOL CROSSING GUARD

School Board Chairman, John Moore, presented a possible interim solution with regard to providing crossing guards at the intersection on Rt. 33 at St. Clare Walker School. As Mr. Moore explained, the problem was created by design of the highway; the median was not designed for school buses, it being the same width as a bus is long - 35' 6".

Mr. Moore noted that he had met with the Sheriff and Mr. Culley and now suggested using the following personnel on a temporary basis: the animal control officer, the DARE officer when not involved with Courtroom security, and the school resource officer. Use of the school resource officer would require additional funding through a matching grant (\$19,000 local funds).

There was much discussion regarding the possible use of retired law enforcement officers, volunteers, or the possibility of paying someone part-time for the job. A majority of the Board members were opposed to using the animal control officer for these duties. There was also opposition expressed to committing additional funds for the resource officer. George Longest, speaking from the audience, suggested that there should be excess funds left over from teacher's salaries, since there were so many new teachers being hired at the lower end of the pay scale.

The motion to allocate \$11,000 to hire part-time crossing guards was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously. Sheriff Abbott would be responsible for the advertisement, hiring and training of individuals for the positions.

ADJOURN

There being no further business, the meeting was adjourned, by motion of Mr. Williams, seconded by Mr. Crittenden, until September 5, 2000, at 9:00 A.M.

John D. Miller, Jr., Chairman
Board of Supervisors