

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, FEBRUARY 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  
Michael T. Soberick, County Attorney  
Tim Wilson, Planning Director

**CALL TO ORDER**

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

**SETBACKS ON NON-CONFORMING LOTS OF RECORD IN A LOW DENSITY RURAL ZONING DISTRICT**

Mr. Wilson presented a report of the Planning Commission concerning a January 18<sup>th</sup> request from the Board that the Commission reduce the existing zoning setback and yard distance requirements for legally nonconforming lots of record in the Low Density Rural (LDR) district. At their meeting on February 10<sup>th</sup>, the Commission voted unanimously to recommend no change in the current regulations based on the following: (1) the issue of setback requirements for LDR District nonconforming lots was specifically reviewed and addressed by the County in July 1998 resulting in an Ordinance amendment providing for reduced building setback distances for such lots, (2) there has been no reoccurring development problems related to these setback requirements warranting their further reduction, and (3) the existing setback distances for these lots are at the same distance when zoning was originally adopted.

Mr. Crittenden and Mrs. Weber maintained that there were variance procedures in place for a property owner incurring a hardship in meeting these setback requirements. According to Mr. Wilson, since July 1998, when the Ordinance was last amended to reduce these setbacks, there have been six (6) variance cases related to LDR District setbacks. Of these cases, five were approved through administrative variance procedure and one which encountered public opposition was denied by the Board of Zoning Appeals.

After some discussion, the motion was made by Mr. Williams, seconded by Mr. Jessie, to have the Board of Zoning Appeals consider amendments to the Ordinance. This motion failed by vote of 2 in favor (Williams, Jessie) to 3 opposed (Crittenden, Weber, Miller).

### **GRASS CUTTING – SPORTS COMPLEX**

Board members discussed a request from the Sports Complex Committee to re-bid the current contract for grass cutting at the Sports Complex. The existing contract was made last year for a period of 2-years. Due to landscaping changes at the Complex, it is the Committee's desire to combine the grass cutting position with ground maintenance duties. Rather than the County re-bidding the contract, Mr. Culley suggested issuing a lump sum to the Committee so that they may contract with whomever they desire.

The motion to terminate the current contract with Granville Ambrose and budget a lump sum payment to the Committee for the purpose of grass cutting and maintenance, was made by Mrs. Weber, seconded by Mr. Jessie and carried unanimously.

### **APPROPRIATION REQUEST - TREASURER**

The motion to approve the following appropriation was made by Mr. Crittenden, seconded by Mr. Williams and carried unanimously: TO: 4-1-12130-1003, Treasurer/Part-time Compensation, \$5002.00, FROM: 3-1-41060-0001, General Fund, \$5002.00. It was understood that any unused portion of this appropriation would be returned to the general fund.

### **TIE-DOWN AGREEMENT**

The motion to approve continuance of the agreement to lease tie-down spaces on property owned by Marion Barnhardt and James M. Barnhardt, III, in exchange for cutting the grass on the properties owned by Mr. Barnhardt at the airport, was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously.

### **RELEASE OF FARM LAND**

The Board was asked to consider a request from the Wings and Wheels 2000 Committee to release an additional portion of land from the farm-land lease currently held with Macey White, Jr. This property, to the west of the runway, approximately 12 acres, would be used to park airplanes, ultralights, and possibly vehicles during the event in September. The Committee is anticipating a larger crowd than previous years due to advertising the event as a memorial to General Puller.

The motion to release the property from the lease agreement was made by Mr. Crittenden, seconded by Mrs. Weber and carried unanimously.

## **AIRPORT COMMITTEE PRESENTATION**

Representatives of the Airport Committee were present to request the Board's continued endorsement of activities at the Airport and to reiterate the need to have the airspace unencumbered. Members present included: Scott Kauffman, Peter Kucera, Larry Hardwicke and John Waldrop. Following a video presentation, Mr. Waldrop advised the Board that the Committee would be looking into ways to create economic development at the Airport.

Mr. Soberick informed the Board and Committee members that a hearing would be held on February 17<sup>th</sup> to select the commissioners and trial date to debate and decide whether the amount offered as compensation for the aviation easement was fair.

## **ASSESSMENT**

Discussion continued regarding the reassessment of manufactured homes which had been brought up by the Commissioner at the February 1<sup>st</sup> Board meeting. Mr. Culley presented the Board sections from the Code of Virginia, which in his opinion would require that owners of manufactured homes be notified of new assessment values and be awarded the same appeal process as owners of real property. The Board and Mr. Soberick concurred with Mr. Culley and it was agreed that notification would be made to the owners of the manufactured homes.

## **DISBURSEMENTS**

Marcia Jones, Assistant Administrator, presented several disbursement requests for consideration by the Board. The approval of the warrants was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously.

## **CLOSED MEETING**

The motion to convene for a closed meeting to discuss personnel issues, pursuant to Code of Virginia, §2.1-344.a1 was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously. Upon returning to open meeting, the following motion was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously:

- To the best of the members' knowledge, only public business matters lawfully exempted from open meeting requirements under Code of Virginia §2.1-344.a1 and identified in the motion by which the Closed Meeting convened were heard, discussed, or considered by the public body.

Action:

There was no action as a result of the closed meeting.

**BUDGET WORK SESSION**

Following a brief recess, the Board reconvened and conducted a budget work session.

**ADJOURN**

There being no further business, the meeting was adjourned until February 16, 2000, when the Board would meet with the School Board for a budget work session. The two boards would meet at the Cooks Corner Office Complex.

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