

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, JULY 16, 2002, IN THE BOARD ROOM OF THE
WOODWARD BUILDING, SALUDA, VIRGINIA:

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

Charles M. Culley, Jr., County Administrator
Michael T. Soberick, County Attorney

CALL TO ORDER

Mr. Williams called the meeting to order. The meeting was opened with a prayer.

PUBLIC HEARING – SPECIAL EXCEPTION 2002-06, WILLIAM WILLS, JR.

Planning Director, Matthew Higgins, presented Special Exception Application 2002-06, submitted by William Wills, Jr., to place six self-storage buildings with an administrative office and no outside display or storage of materials or merchandise at Tax Map 38-12-2, a 3.99 acre parcel of land zoned General Business at the intersection of Route 33 and State Route 730, Hartfield.

Mr. Williams opened the public hearing. James H. Ward, Jr., representing the applicant commented that the issue of buffering that had been discussed at the hearing the previous month had been addressed and a landscaping plan had been developed. Mr. John Coe also questioned whether landscaping would be required. There being no further comments, the public portion of the hearing was closed. Mr. Crittenden commented that screening and landscaping should be installed prior to occupancy. The motion to approve Special Exception Application 2002-06 as submitted was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously.

PUBLIC HEARING – SITE PLAN APPLICATION 2002-07, WILLIAM WILLS, JR.

Matthew Higgins presented the Site Plan Application associated with the above referenced self-storage buildings to be located at Tax Map 38-12-2, in Hartfield. It was noted that a separate landscape plan had been submitted with the plan of development. The plan of development also included a proposed subdivision of land to possibly be requested at a later date.

Mr. Williams opened the public hearing for comments. Mr. Ward commented that the proposed subdivision of land was included as part of the County's requirement that future development of the property be included on the plan submitted with the

application; a division of land is not proposed in the immediate future. A color rendition of the landscape proposed was shown to the Board and a copy is to be included in the file. There being no further questions, the public portion of the hearing was closed.

There was much discussion among Board members of the time frame to allow for installation of the landscaping. The motion to approve the site plan submitted, subject to the following conditions was made by Mrs. Weber, seconded by Mr. Crittenden and carried unanimously: (1) Review and approval of a Commercial Entrance Permit by the Virginia Department of Transportation; (2) Landscaping according to the Landscaping Plan shall be installed within one (1) month, depending on the weather, from the date of the issuance of the Certificate of Occupancy by the Building Official for the facility; in no event shall the time for installation of landscaping materials exceed six (6) months. (3) Approval of this site plan does not include approval of any proposed subdivision of property.

PUBLIC HEARING – FEE FOR COURTHOUSE SECURITY

Mr. Culley presented the proposed ordinance which if adopted would assess a fee as part of the costs in each criminal or traffic case in the General District and Circuit Courts in which there is a conviction for violation of any statute or ordinance. The fee shall be held and used to fund courthouse security. It was noted that the original proposed State Code allowed for the collection of \$10.00, however the adopted Code only allows for the collection of \$5.00.

Mr. Williams opened the public hearing for comments from the public. There being no comments, the public portion of the hearing was closed. The motion to adopt the ordinance to collect the \$5.00 fee was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

ORDINANCE OF THE COUNTY OF MIDDLESEX COUNTY ASSESSING A FEE AS PART OF THE COSTS IN EACH CRIMINAL OR TRAFFIC CASE FOR THE FUNDING OF COURTHOUSE SECURITY

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MIDDLESEX COUNTY, VIRGINIA AS FOLLOWS:

There is hereby assessed a fee of \$5.00 as part of the costs in each criminal or traffic case in the General District and Circuit Courts in which a defendant is convicted for a violation of any statute or ordinance.

The assessment imposed by this ordinance shall be collected by the Clerk of the Court in which the case is heard, remitted to the Treasurer of Middlesex County and held by such Treasurer subject to appropriation by the Board of Supervisors of Middlesex County to the Sheriff's Office for the funding of courthouse security.

This ordinance shall be effective immediately upon adoption and shall expire on July 1, 2004 unless Section 53.1-120(D) is extended by the General Assembly of Virginia. In the event that the General

Assembly extends Section 53.1-120(D), then this Order shall remain in force and effect during said extension..

Adopted this 16th day of July, 2002, by the following vote; all members present and voting:

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

Authorized pursuant to Virginia Code Section 53.1-120.

PUBLIC HEARING - REQUEST TO AMEND BUDGET FOR AIRPORT IMPROVEMENTS

Mr. Williams opened the public hearing for comments from the public regarding a request from the Airport Committee to amend the budget by \$250,000 to allow the construction of hangars for rent by the County at the County airport. Comments were received by the following:

Vernon Jones – his accounting of the airport budget shows a loss; the Board is not getting the proper feedback from the County because most of the Airport Committee members have planes and want a playground at their back door; the Master Plan written in 1980's stated that the runway did not provide the maximum amount of safety for the airport.

Macey White – 15-year return of profit is not a good business venture; budget information provided has been sketchy; there needs to be an accurate operating statement for a minimum 5-year period.

Dabney Miller – endorsed the comments of Jones and White.

Deborah Johnson – don't use these funds on the Airport; if extra funds are available they need to be used for schools and public safety.

Frank Watson – investment for the future; self-sustaining project, believe the tax base will increase.

Howard Brent – Airport has made steady progress over 30 years; airport is a valuable thing and it will be made more pleasant for a lot of people; Airport Committee is doing its job, attempting to make the County more attractive.

Oscar Barber – cost to rent hangars has increased from \$45 to \$250/month over the past 20 years; boat owners have all the water, drivers have all the roads, plane owners have 2000 feet of runway; this is a money making venture for the airport.

Randy Coulson – first appointed in 1978, when Committee members did everything at the airport, there was no budget; Accountant Herb Stanley ran the numbers showing a net profit of \$5100 per year at a loan rate of 6%; the lower the rate, the greater the profit; demand is there, at least five pilots have committed; want the airport to be self-sustaining.

Gary Ellis – no hanger space within 300 miles that is available; Hummel is a functional airport, supporting real estate, the Civil Air Patrol, Coast Guard; there is a definite need for hangars and County would have no problem renting them out.

Don Serio – people would drive from 100 miles away for a hangar; FAA certifies the field and a safety factor is built in; accident rate at Hummel is no greater than anywhere else; pilots abusing the weight/size limits is not the fault of the Airport of the field; the people attracted to Hummel are those that come to spend money in the County.

Scott Kauffman – The Airport is self-supporting; each \$1.00 spent equals \$1.52 in economic activity; each \$1.00 spent in construction equals \$2.00 in economic activity.

Larry Hardwicke - the Airport is bringing revenue in; Virginia Defense Force brings a minimum of seven aircraft to the field one weekend each month.

Bob Crump – Airport generates businesses and provides employment.

Jamie Barnhardt – Airport provides benefits that cannot be measured, such as Nightingale flights; doctor flights to Tangier Island; donations to Hartfield Volunteer Fire Department.

John Waldrop – private hangers create more through-the-fence operations adding security risks; Hummel has more planes based than any other general aviation facility.

Maude Maxine Walker – Airport is a great asset to several counties.

There being no additional comments, the public portion of the hearing was closed. Board members presented the following comments:

Mr. Crittenden - questioned a 1986 letter from the Department of Aviation that pointed out some safety issues and what had been done to correct them. Mr. Crump stated that the threshold at Route 3 had been displaced to give a longer approach. The one obstruction left is in the side glide slope, not in the approach. Mr. Crump added that it is the pilot's responsibility to know his plane and capabilities. Mr. Crittenden commented that funding requests for school needs needed to be taken to the school board.

Mr. Jessie – commented that Hummel Field has been an asset to the County, with jobs and real estate; hangars will be a benefit.

Mrs. Weber – questioned if the doors on the hangars were required to obtain higher rent amounts. Mr. Coulson responded that hangars with doors would generate more rent and would also be needed for increased security.

Mr. Crittenden – County built docks for the watermen; could build hangars for the pilots use.

It was a consensus of the Board that a decision on the matter be tabled until the Board's August 20th meeting.

ZONING ORDINANCE AMENDMENT – SIGNS

Mr. Miller noted that he was pleased that Mr. William Orrock, VDOT Outdoor Advertising Specialist, attended the July Planning Commission meeting and provided comments on the proposed ordinance. Mrs. Weber commented that the Commission should think about putting in provisions for requiring that signs be maintained.

The motion to adopt the amendments was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

STREET NAME REQUEST

A petition had been received requesting that the street name Sugar Shack Lane be changed to Duck Pond Drive. It was noted that the Board of Supervisors had adopted a policy in November 2001 that there would be no changes to street names until at least January 2004. A copy of the minutes from the November meeting would be sent along with an explanation to all the petitioners.

The motion to approve the new name Industrial Way for a private road off Route 3 to property adjoining the airport was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

PIER AT MEACHUMS CREEK

No action would be taken regarding the bids received for purchasing the easement to Meachums Creek. The Commissioner of the Revenue is researching records to try to determine ownership. Citizen, Nick Lukowsky volunteered to help maintain the property.

APPROPRIATION AND DISBURSEMENTS

The motion to appropriate \$5343.00 to fund the purchase of the County flags and to charge \$60.00 per flag was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously. The motion to approve disbursements was made by Mrs. Weber,

seconded by Mr. Jessie and carried unanimously. Checks numbered 42320 through 42323 totaling \$26,401.71 were distributed as approved.

ACCOUNTING CONTRACT

The motion to approve a contract with the accounting firm Robinson, Farmer, Cox Associates to perform the GASBY34 inventory was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

FLEET FUELING

There was little discussion regarding the discounts proposed for fleet fueling. It was decided that even though Neighborhood Convenience offered a greater discount it was not enough to warrant changing credit card companies. The motion to award the contract for fleet fueling to Robins Texaco was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously.

DELINQUENT TAX LIST

The motion to advertise the delinquent taxpayer list was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

CLOSED MEETING

The motion to meet in closed session pursuant to §2.2-3711.A1 to discuss a personnel issue was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously. Upon reconvening the following motion was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously:

- To the best of the members' knowledge only public business matters lawfully exempted from open meeting requirements under Code of Virginia §2.2-3711. A.1 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 taken as a result of the closed meeting.

ADJOURN

The motion to adjourn the meeting until August 6, 2002, at 9:00 A.M. was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously.

Kenneth W. Williams, Chairman
Board of Supervisors