

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, MAY 21, 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 – ZONING ORDINANCE AMENDMENT #2002-04 PROPOSED AMENDMENTS TO RESCIND AND ADOPT NEW REGULATIONS FOR ARTICLE 1.6, SIGNS, AND TO AMEND SIGN DEFINITIONS CONTAINED IN ARTICLE 22, DEFINITIONS.

Mr. Thomas Jordan, Deputy Planning Director, presented the proposed amendment initiated by motion of the Board of Supervisors, and additionally, a recommended narrative change to Section 16-3-7 relating to sign height. He explained that the majority of sign requirements would not be changed under the proposed amendment, although there were minor changes throughout the text to provide clarity of terms and requirements. Mr. Jordan noted that the proposed amendment was in substantial accord with the provisions of the Middlesex County Comprehensive Plan and would more effectively implement the recommendations and strategies of the Plan concerning the use of signs than the current regulations of Article 16. Mr. Jordan presented a visual display of sign sizes for further clarification, and offered to answer any questions the Board may have. The Planning Commission recommended approval of the proposed amendment.

Mr. Williams opened the hearing for comments. Mr. Steve Smith, a signmaker in the Deltaville area, commented that good taste could not be legislated, but limits could be imposed. He noted that bigger was not necessarily better, and applauded efforts to control unnecessary signage clutter.

Mr. John Coe, agreed with the desire to maintain an uncluttered community, and offered his opinion that the revisions were well thought out. Mr. Coe expressed the opinion that the one-year allowance for temporary signs should possibly be reduced and that maintenance of signs should also be addressed.

Mr. John England, chairman of the Planning Commission, explained that there were not many changes to the current ordinance, and that the attempt was to clarify the ordinance. He further suggested that sign maintenance should be addressed and asked for direction from the Board on behalf of the Planning Commission.

Ms. Tina Ammons, resident of the Jamaica district, expressed full support for the proposed amendment and noted that with further development of the Virginia Motor Speedway on Rt. 17, larger businesses and larger signs would follow. She noted her support for the racetrack, but was against large signs.

There being no further comments, the public portion of the hearing was closed. Mr. Miller commented that rather than allowing non-illuminated or externally illuminated signs to receive a total square footage bonus of 25% in addition to the maximum permitted size, he favored one standard for all applicants. He further noted that he had contacted representatives of the Virginia Department of Transportation (VDOT) to obtain Federal and State regulations, and ascertain how the County's amendment might be effected. With this in mind, Mr. Miller made a motion to continue action on the proposal until the next scheduled meeting of the Board.

Mrs. Weber expressed agreement, although noting that the County has problems attracting tourism, which is somewhat dependent on the locating of signs. She further commented that she had observed signs on trucks and trailers positioned in various locations in the County, and asked how this might be controlled.

Mr. Culley responded that violation letters could be issued to property owners, but currently, no civil penalties could be assessed. Additionally, the maintenance issue might possibly be covered under State of Virginia codes, rather than through the Zoning Ordinance, he explained, and could provide a means to deal with older, dilapidated or out of date signs.

Mr. Williams agreed that 300 sq. ft. signs, as presently allowed, were too large, but speaking for a County attempting to promote business and tourism, signs were necessary.

The motion to continue action until after meeting with VDOT representatives was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously.

PUBLIC HEARING – REZONING R-2002-01, WILLIAM AND JANET NAUMANN

Mr. Culley presented application R-2002-01, an application to reclassify Tax Map 40-140, a 6.74-acre parcel from Residential to Waterfront Commercial. The property is surrounded by residential zoning use, with Waterfront Commercial zoning on the north across State Route 33. A boat storage facility was proposed, although no proffers were offered. The Planning Commission recommended denial by a 4-3 vote.

Mr. Williams opened the hearing for comments. Mr. England explained that while there was no intent to discourage development, the location of the property in a largely residential area had been the basis of concern to the Planning Commission. There being no further comments, the hearing was closed.

Mr. Miller further noted that the Planning Commission vote was close, citing concerns of further Waterfront Commercial activities being initiated if the property were to be sold in the future. He expressed that the proposal was a good concept for the area, but not in the Residential vicinity as proposed.

Mrs. Weber commented that without the submission of proffers, and a binding agreement, she was concerned that the property could develop into more intrusive use in the future. Mr. Crittenden agreed, and stated that the proposal would appear to be spot zoning. He further noted that the applicants could explore other options, such as proffers, and re-submit at a later date if so desired.

The motion to deny the application was made by Mr. Crittenden, seconded by Mr. Jessie, and carried unanimously.

PUBLIC HEARING – SPECIAL EXCEPTION APPLICATION 2002-03, MARY SCOTT AND CHARLES ROYE

Mr. Culley presented Application 2002-03, an application from Mary Scott and George Roye requesting the approval of a second dwelling on a single parcel of land for immediate family occupancy. The property is zoned Low Density Rural and located on Silver Ridge Road, State Route 681, Tax Map 29-56. The Planning Commission recommended approval of the application.

Mr. Williams opened the public hearing for comments. There being none, the hearing was closed.

There being no further comments, Mr. Williams closed the hearing. The motion to grant Special Exception 2002-01, the permitting of a second family dwelling at Parcel 29-56 was made by Mr. Miller, seconded by Mr. Jessie, and carried unanimously, conditioned upon removal of the dwelling if vacated by an immediate family member.

PUBLIC HEARING – ZONING ORDINANCE AMENDMENT APPLICATION 2002-01 (revised) – CHESAPEAKE BAY AGENCY ON AGING, INC.

Mr. Culley presented the proposed amendment to add the use classification “multi-family dwelling for supportive housing for the elderly” as a special exception use to Article 8-3, Village Community District and Article 11-4, General Business District of the Middlesex County Zoning Ordinance. He explained that the amendments as revised and recommended by the Planning Commission set guidelines to control the proposed type of development when applied for as a Special Exception.

Mr. Williams opened the hearing for comments from the public. There being none, the public portion of the hearing was closed. Mr. Williams expressed his opinion that this was a good project. The motion to approve the application as revised by the Planning Commission was made by Mr. Miller, seconded by Mrs. Weber, and carried unanimously.

RESOLUTION – AIRPORT ACTIVITIES

Mr. Culley introduced a resolution in support of the Airport Committee, stating that the Board was in support of change in status of Hummel Airport from local service to general community status, which if passed, would be sent to the new Director of Aviation for the Virginia Department of Aviation. The motion adopting the following resolution was made by Mr. Crittenden, seconded by Mrs. Weber and carried unanimously:

*RESOLUTION IN SUPPORT
OF CHANGE IN STATUS OF HUMMEL AIRPORT
FROM LOCAL SERVICE TO GENERAL COMMUNITY STATUS*

WHEREAS, over the past few years, the citizens and Board of Supervisors of Middlesex have realized the importance of Hummel Airport to the growing needs of the Middle Peninsula; and

WHEREAS, the Middlesex County Board of Supervisors and the Middlesex County Airport Committee have been active in obstruction removal and obtaining a stand-alone Global Positioning Satellite approach system making Hummel one of the safest general aviation airports in Virginia; and

WHEREAS, the number of based aircraft has increased from seven in 1975 to 37 in 2002 and the number of transient aircraft has also increased, including some that remain for summer months; and

WHEREAS, the Middlesex County Airport Committee is attempting to respond to the service demands created by the increased activity and are analyzing existing and potential capabilities of the Airport, planning improvements which will impact both the general aviation community and the public; and

WHEREAS, with thirty-seven based aircraft the total economic impact for Hummel Field has increased dramatically from a calculated \$514,200 based on seven aircraft in 1995 and documented in the Virginia Department of Aviation's "Economic Impact of Aviation"; and

WHEREAS, an aeronautical study in 2001 disclosed that Hummel has more than 10,000 operations per year making it the most active general aviation airport in the middle peninsula area;

NOW, THEREFORE BE IT RESOLVED, that the Middlesex County Board of Supervisors requests the Virginia Department of Aviation and any other regulatory agency review these statements and the accompanying "Focus on Hummel Field", and

BE IT FURTHER RESOLVED, that the Middlesex County Board of Supervisors endorses and requests a change in the status of Hummel Field from Local Service (LO) to General Community (GC).

FOCUS ON
HUMMEL FIELD

"GATEWAY TO MIDDLESEX COUNTY"

May 2002

- *Growing retirement community is seeking airport facilities for leisure*
- *North-South general aviation traffic stops for fuel, food and rest*
- *General aviation recreational use is attractive to new residents*
- *Increased use by real estate brokers for prospective buyers*
- *Mercy hospital flights and similar local emergencies*
- *New Civil Air Patrol Squadron at Hummel Airfield supports State-wide patrol network*
- *Medical support to Tangier Island and other remote areas*
- *Continued support to the Menhaden fishing industry*
- *Local agriculture use of Hummel Airport for emergency delivery of farm machinery parts*
- *Rapid transportation outlet for new industry considering Middlesex County for operations*
- *Increased use of airport by seasonal residents*
- *Rapid access for outside support in the event of a local natural disaster*
- *A speaker's bureau has been established from the Airport Committee to address local clubs and organizations*
- *Site of "Wings and Wheels", an annual air and car show that attracts over 10,000 spectators.*

RESOLUTION – AUTHORIZING AGREEMENT – REGIONAL DOG POUND FACILITY

Mr. Culley presented the resolution awarding the contract for architectural services to the firm of Daggett and Griggs Architects for the construction of a regional animal shelter to be shared by Middlesex, King and Queen, and King William counties. He explained that the architectural contract cost of \$48,000 was to be divided equally among the three counties.

Mr. Crittenden asked if the Board had voted to proceed with the regional plan rather than continue individually. He expressed concerns related to relinquishing management decisions, and noted that he had not seen itemized related costs. Mr. Soberick advised that the Board had agreed to a study of the regional animal shelter.

Mr. Williams commented that he had attended a meeting with Mr. Culley, Mrs. Jones, and the architect, and was confident that the cost would be much less for the County to join the regional group, rather than to proceed alone. Mr. Culley agreed, and explained that while transportation would be an added expense, there would be savings in daily operation, maintenance, and staffing of a regional shelter.

Mrs. Weber commented that she thought the Board's consensus was towards the regional shelter, and that estimated costs had been provided in a letter from the architect.

The motion to approve joining the regional animal shelter to be located in King and Queen County was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

The motion to adopt the Resolution Awarding the Contract for Architectural Services to the firm of Daggett and Griggs Architects was made by Mrs. Weber, seconded by Mr. Jessie, and carried unanimously.

SCHOOL MATTERS – Adoption of Appropriation Resolution

Mr. Culley introduced the 2002-2003 Middlesex School Budget Appropriation Resolution. Mr. Williams commended the School Board for their efforts.

Mrs. Weber asked if there were advantages to making School Board disbursements quarterly, rather than annually. Mr. Culley commented that there might be some advantage if the number of students decreased, but if the Board were comfortable with the School Board's student projections, annual disbursements would be more efficient.

The motion to approve the 2002-2003 Middlesex School Budget Appropriation Resolution was made by Mr. Crittenden, seconded by Mr. Miller, and carried unanimously.

**2002-2003 MIDDLESEX SCHOOL BUDGET
APPROPRIATION RESOLUTION**

WHEREAS, the Middlesex County Board of Supervisors has heretofore received a budget from the Middlesex County School Board; and

WHEREAS, the Middlesex County Board of Supervisors has held a public hearing for the School Board's Budget for fiscal year 2002-2003; and

WHEREAS, the Middlesex County Board of Supervisors has included funds in the County General Fund for School Operations Fund in the amount of **\$5,614,390.00**, and in the School's Textbook Fund of **\$54,252.00**, and in the School's Capital Improvement Fund of **\$296,333.00** for the purchase of three (3) new buses and furnishings for the new schools; and

WHEREAS, the Middlesex County School Board has adopted a General School Fund Budget for the fiscal year ending June 30, 2003, and

NOW, THEREFORE, BE IT RESOLVED that the Middlesex County Board of Supervisors hereby appropriates to the following categories the Middlesex County General School Fund Budget:

Instruction	\$7,384,679.00
Administration, Attendance & Health	\$519,041.00
Pupil Transportation	\$645,902.00
Operation & Maintenance	\$863,748.00
Debt Service - Local Money	\$1,074,676.00
Total School General Fund	\$10,488,046.00

BE IT FURTHER RESOLVED THAT the Middlesex County Board of Supervisors hereby appropriates to the School Food Fund, the School Textbook Fund, the Capital Building Fund, and the Capital Improvement Fund, the following amounts:

<i>School Food Fund</i>	<i>\$417,488.00</i>
<i>Textbook Fund</i>	<i>\$97,365.00</i>
<i>Capital Building Fund – State Funds - Debt Service</i>	<i>\$228,192.00</i>
<i>Capital Improvement Fund</i>	<i>\$296,333.00</i>

CLOSED MEETING

The motion to meet in closed session pursuant to §2.2-3711.A7 for consultation with staff members, including School Board members Richard Shores and John Moore and School Superintendent Michael Myers, and personnel issues pursuant to §2.2-3711.A1 was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. Upon reconvening the following motion was made by Mr. Miller, seconded by Mr. Jessie 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 §2.2-3711.A7 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.

RECESS MEETING

Mr. Williams adjourned the meeting until June 4, 2002, at 9:00 A.M.

Kenneth W. Williams, Chairman
Board of Supervisors