

**AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, JULY 15, 2003, IN THE BOARD ROOM OF THE
WOODWARD BUILDING, SALUDA, VIRGINIA:**

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

Charles M. Culley, Jr., County Administrator

CALL TO ORDER

Mrs. Weber called the meeting to order at 7:30 P.M.. Mr. Crittenden offered a prayer and Mr. Culley led in the Pledge of Allegiance. It was noted that Mr. Soberick, the County Attorney would not be present at the meeting.

PUBLIC HEARING – ZONING ORDINANCE AMENDMENT 2003-06

Matthew Higgins, Planning Director, presented Zoning Ordinance Amendment Application 2003-06, an application to increase the open space requirements from 10% to 30% for multi-family, condominium and townhouse developments and to increase the minimum distance between multi-family, condominium and townhouse development units from 30 feet to 60 feet. The Planning Commission has taken action to recommend approval of the open space requirement, however, it tabled action on the second part of the application with comments that it wanted to have justification to increase the space, noting that it cannot be a density issue.

Mrs. Weber opened the hearing for comments. John England, Planning Commission Chairman, reiterated Mr. Higgins interpretation of the Commission action. There being no further comment the public portion of the hearing was closed. Mr. Culley suggested taking the part of the application dealing with building separation to the emergency services committee for their recommendation. Mr. Miller noted that at a Department of Forestry meeting, the foresters were talking about increasing the separation distance and maybe it should be more. Mr. Crittenden added that there was not much room if fire equipment and personnel needed to be in between the buildings and the Board should look out for the safety of volunteers. The motion to approve increasing the open space requirement from 10% to 30%, and taking no action on the building separation distance, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

PUBLIC HEARING – ZONING ORDINANCE AMENDMENT 2003-03

Mr. Higgins presented a proposed amendment to amend Section 6.9, Multiple Minor Subdivisions of the Middlesex County Subdivision Ordinance, removing language regarding “adjoining” minor subdivisions and to amend related definitions contained in Article 9, Definitions. To prevent the creation of multiple minor subdivisions that circumvent the major subdivision ordinance requirements, a general statement eliminating multiple minor subdivisions that increase the total lot count of combined subdivisions to more than six (6) lots for the purpose of circumventing the Subdivision Ordinance has been added. At the Planning Commission hearing held in June, the Commission had questions as to whether or not the amendment could be made retroactive to apply to all subdivisions approved since the effective date of the Subdivision Ordinance and also recommended some changes to the proposed language of the amendment to refer to minor subdivisions created from the same parent tract. The County Attorney was contacted and had ruled that any changes could not be retroactive.

Mrs. Weber opened the hearing for comments from the public. There being no comments, the public portion of the hearing was closed. It was noted that this amendment was done in an effort to preserve large lots and forest tracts. The motion to approve the amendment as follows was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously: “Multiple minor subdivisions from the same parent tract that increase the total lot count of the combined subdivisions to more than six (6) lots for the purpose of circumventing this ordinance shall not be permitted.”

DRAFT OYSTER FESTIVAL AGREEMENT

Mr. Culley presented a proposed ordinance which would allow the Town of Urbanna to regulate a portion of the County during the Oyster Festival and noting that this was a regulatory issue, to regulate food and items that were not acceptable as part of the Oyster Festival. The area to be included would be Route 602 from the Town limit to Lord Mott Road and on the south end of town from the Bridge to Ivy Shores Boulevard. Police powers in effect within the Town would also extend to these areas for enforcement of the Festival plan and regulations. The motion to advertise the proposed ordinance for hearing at the August 19th meeting was made by Mr. Miller, seconded by Mr. Williams and carried unanimously.

DISBURSEMENTS

The motion to approve disbursements dated June 30th, numbered 45705 through 45707 and totaling \$29,000.49 and dated July 15th, numbered 45708 through 45727 and totaling \$22,925.90 was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

SALARIES

The motion to approve the following salaries for County employees for the year beginning July 1, 2003, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously:

**MIDDLESEX COUNTY EMPLOYEES
SALARIES
EFFECTIVE JULY 1, 2003**

Department	Name	Salary
10020	Colleen Miller	7.16/hr.
10020	Tommy McCoy	6.95/hr.
12010	Charles Culley	82,941.00
12010	Marcia Jones	39,808.00
12010	Betty Muncy	26,149.00
12010	Etta Taylor	8.52/hr.
12040	Mike Soberick	37,552.00
12090	Donna Powell	17,000.00
12100	Jean Clark	10.40/hr.
12100	Elaine Freim	10.40/hr.
34010	James Blake	28,600.00
34010	Shirley Hart	22,733.00
34010	David Selph	38,536.00
35010	Michael Sheffield	21,840.00
36090	Kevin Jordan	31,038.00
42030	Nancy Brooks	6.24/hr.
42030	Barbara Chandler	6.76/hr.
42030	Odell Charnick	6.24/hr.
42030	Richard Faivre	6.24/hr.
42030	William Landon	6.24/hr.
42030	Jeanette Langford	7.59/hr.
42030	Duval Robins	6.00/hr.
42030	Donald Rowland	6.24/hr.
42030	William Sibley	6.40/hr.
42030	Franklin Smith	6.24/hr.
42030	Shirley Trevilian	6.24/hr.

42030	Jennifer Uphold	6.76/hr.
43020	John Blake	14.42/hr.
43020	John Dunlevy	8.68/hr.
43020	Henry French	8.35/hr.
43020	Roberta Osbourne	16,113.00
43020	Diana Nicholas	7.90/hr.
43020	Charles Shiflett	8.32/hr.
71010	Karen Reed	20,194.00
81010	Matthew Higgins	41,600.00
81040	Cathy Shiflett	20,587.00
81040	Richard Faivre	8.32/hr.
82040	Carissa Lee	23,920.00

APPROPRIATION

The motion to approve the appropriation of funds received from the Office of Emergency Medical Services as a grant used to purchase defibrillators was made by Mr. Williams, seconded by Mr. Miller. It was noted that three of the units went to the Sheriff's Office, one to the Health Department and one to Lower United Methodist Church. FROM:3-1-25020-0042, \$7,700.00 TO: 4-1-31020-7008, \$7,700.00. These funds were received prior to June 30th.

ANIMAL SHELTER

Discussion continued from the July 1st meeting regarding the proposal submitted by Mosby West to design a heating and air conditioning system to meet State requirements. The motion to approve a contract with Mosby West for \$2,720.00 for design and construction documents was made by Mr. Miller, seconded by Mr. Jessie. The motion carried by a vote of three (3) (Miller, Jessie, Weber) to two (2) opposed (Crittenden, Williams).

AIRPORT LIGHTING

Board members discussed recent complaints regarding military flight training occurring late at night at Hummel and that at times hovered so close that limbs were broken from trees. It had been suggested that the runway lights be put on a timer and left on all night, which would deter the night training, however, Mrs. Weber commented that in the past, there were also complaints by citizens that the lights were left on all the time. Airport Committee Chairman, Robert Crump, is in the process of contacting the different military branches that use Hummel as a training facility, asking them to curtail training at the site by 9:30 P.M., and leave the area by 10:00. Several Board members

stressed that while they support the military and homeland security operations, they did not approve of the late night disturbances. Mr. Crittenden suggested letting the Airport Committee work on the issue and make recommendations back to the Board of Supervisors.

COURTHOUSE PROJECT

Request to Close Road:

The contractor for the courthouse construction project has asked that the Board of Supervisors endorse a request to VDOT to close a portion of Bowden Street to allow the storage and assembly of the building's structural steel. The contractor has requested a 90-day closure period beginning August 1st. The motion to endorse the request was made by Mr. Miller, seconded by Mr. Williams and carried unanimously.

Change Orders:

Mr. Crittenden requested that the Board of Supervisors be allowed to review and vote on major change orders for the Courthouse project.

OTHER BUSINESS

School Expenditures:

A report, requested at the last meeting, which showed the end of year expenditures by the schools was presented.

Fire Wall:

Board members were reminded that the fire wall at the high school had to be in place prior to school opening in the fall.

Site Plan:

Board members discussed a change that had been made from the site plan for Delaware Corporation on property adjoining the airport. According to Mr. Higgins, the site plan called for locating a temporary office trailer on the site while a permanent building was constructed for the flight school operations. An office trailer has been placed on the property in a different location than proposed; the Board discussed whether or not a revised site plan was required. It was requested that the County Attorney review the current site plan and determine whether or not a revision could be required.

Rosegill:

Mary Helen Morgan requested the Board send another letter of endorsement for locating a state park at Rosegill be sent to the state. It was a consensus of the Board that this be done.

ADJOURN

The motion to adjourn until the Board's meeting on August 5, 2003, at 9:00 A.M. was made by Mr. Miller, seconded by Mr. Williams and carried unanimously.

Lenora O. Weber, Chair
Board of Supervisors