

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, SEPTEMBER 16, 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
Michael T. Soberick, County Attorney

CALL TO ORDER

Mrs. Weber called the meeting to order at 7:30 P.M.. Mr. Miller offered a prayer and Mr. Culley led in the Pledge of Allegiance.

RESOLUTION – DECLARATION OF EMERGENCY

As preparation for Hurricane Isabel, it was determined that a Declaration of Local Emergency was necessary. The motion to adopt the following resolution was made by Mr. Miller, seconded by Mr. Williams and carried unanimously:

DECLARATION OF A LOCAL EMERGENCY

*AT A MEETING OF THE BOARD OF SUPERVISORS OF MIDDLESEX COUNTY, VIRGINIA,
HELD AT 7:30 P.M. ON SEPTEMBER 16, 2003.*

WHEREAS, the Board of Supervisors of the County of Middlesex, Virginia, does hereby find as follows:

- 1. That due to the occurrence of Hurricane Isabel the County of Middlesex is facing a condition of extreme peril to the lives, safety and property of the residents of Middlesex County;*
- 2. That as a result of this extreme peril, the proclamation of the existence of an emergency is necessary to permit the full powers of government to deal effectively with this condition of peril.*

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Board of Supervisors of the County of Middlesex, Virginia, that a local emergency now exists throughout the County of Middlesex; and

IT IS FURTHER PROCLAIMED AND ORDERED that during existence of this emergency the powers, functions, and duties of the Director of Emergency Services and the Emergency Services organization and functions of the County of Middlesex shall be those prescribed by the laws of the Commonwealth of Virginia and the ordinance, resolutions and approved plans of the County of Middlesex in order to mitigate the effects of said emergency.

In order to carry out the effect of this resolution, a sum of money, not to exceed \$10,000.00 is hereby appropriated from the county's unappropriated fund balance to cover the reasonable operational costs of emergency services pending further report to this Board and such additional appropriations as shall be deemed necessary to cover the expected scope of this emergency.

Board of Supervisors, Middlesex County, VA

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

Dated: September 16, 2003

Attest: _____
Clerk, Board of Supervisors
Middlesex County, Commonwealth of Virginia

It was noted that the County offices, convenience centers and airport would be closed on Thursday.

EMERGENCY PERMITTING PROCEDURES

Also in preparation for the aftermath of the hurricane, Planning Director, Matt Higgins, requested that the Board of Supervisors consider adoption of a policy similar to what was adopted after Hurricane Floyd, which greatly reduced the time period required for people to obtain repair permits for certain marine structures. The Board suggested that this be extended to all building permits and agreed that the permit fees would be waived. Mr. Higgins commented that he and David Selph, the Building Official, would revise the wording and bring it back to the Board for consideration later in the meeting.

PUBLIC HEARING – SITE PLAN 2003-09, DENTAL OFFICE

Mr. Higgins presented application for Site Plan approval 2003-09, to locate a 2,304 square foot dental office at Tax Map 40-30, a five-acre parcel zoned Low Density Rural, in the Hardyville area of the County. Mr. Higgins noted that there were two items overlooked on the site plan: a location for trash disposal facilities and the location and intensity of lighting. These have been included along with others in the conditional recommendation for approval granted by the Planning Commission.

Mrs. Weber opened the hearing for comments from the public. There being none, the public portion of the hearing was closed. Mr. Crittenden requested that the landscaping plan include the height of the trees to be planted. Mr. Higgins noted that the recently revised ordinance requires evergreens to be five feet tall and that there be provisions for on-going maintenance. Mr. Crittenden requested a copy of the ordinance. The motion to approve the site plan with the following conditions was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously:

1. A sewage disposal system construction permit shall be approved by the Health Department prior to the issuance of a Zoning and Building Permit.
2. A VDOT Commercial Entrance (CE-7) permit shall be approved by the Virginia Department of Transportation prior to the issuance of a Zoning and Building Permit.
3. All outdoor lighting shall be fully shielded per the requirements of Section 17C of the Zoning Ordinance.
4. All trash disposal facilities shall be screened from view of Route 33.

PUBLIC HEARING – ZONING ORDINANCE AMENDMENT 2003-07

Matthew Higgins, Planning Director, presented a request for amendment of the Zoning Ordinance to remove from Section 8-2, Permitted Uses and add to Section 8-3, Special Exceptions the following: “multi-family dwellings up to two (2) stories in height with no more than four (4) dwelling units per building and no more than four (4) dwelling units per acre.” This recommendation follows a request from Andrew Condlin, attorney for several Water View residents, requesting that the Planning Commission and Board of Supervisors address residents’ zoning concerns in Water View. Three of the four recommendations by Mr. Condlin were determined to be inappropriate and legally questionable for addressing citizens’ zoning concerns. However, one recommendation was determined to be a reasonable solution to a County-wide issue of the appropriateness and public cost of multi-family housing in the VC District. Mr. Higgins noted that the Planning Commission and the Board of Supervisors would have a greater ability to review multi-family developments in the VC Districts throughout the County, and ensure that these developments are compatible with the community and do not unnecessarily increase costs to the County and the general public.

Mrs. Weber opened the hearing for comments from the public. Caroline Browder, who works with Mr. Condlin, requested a show of hands in support of the amendment. There being no further comment, the public portion of the hearing was closed. All Board members expressed their agreement that this amendment was a good one. The motion to approve the amendment as presented was made by Mr. Jessie, seconded by Mr. Williams and carried unanimously.

REQUEST FOR REFUND

The Ruark’s, who had requested to be placed on the agenda to discuss a request for refund of an after-the-fact fee, were not present. This item would be rescheduled for a time that the Ruark’s could be present.

YMCA

A report from the Health Department was included in the Board information that stated that the septic and water system at Wilton School was suitable for use by the YMCA. The group has stated that they would agree to a November 1st start date. It was noted that the last sentence in the draft agreement regarding option to purchase was to be deleted, and monthly payments were to be made in accordance with the

previously agreed amount. The motion to accept the lease agreement with the YMCA was made by Mr. Crittenden, seconded by Mr. Williams and carried unanimously.

BAY AGING LEASE

The motion to renew the lease agreement with Bay Aging for leasing a portion of the Puller Center for the senior program was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. There is no fee charged for this lease.

APPROPRIATION REQUEST

The motion to take \$2,300.00 from the Gymnasium Air Conditioning Account and the remaining \$2,200.00 from the General Fund to pay for removal of the trailers and debris from Rappahannock Central School was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

DISBURSEMENTS

The motion to approve disbursements dated September 16, 2003, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. Checks numbered 46294 through 46305 totaling \$24,786.68 were disbursed as approved.

WINGS AND WHEELS

Mr. Culley suggested canceling the Wings and Wheels event due to current wet conditions at Hummel Field and also the pending hurricane and expected damages. It was suggested that a decision be made by Monday evening by the Board representatives on the Airport Committee, the Airport Committee Chair and the Chairman of the Wings and Wheels event.

EMERGENCY PERMITTING

Mr. Higgins returned to the meeting. He commented that he and the Building Official had met and added language to the proposed policy which included a deadline of October 3rd to register for emergency permitting. The motion to enact this policy was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

PERMIT APPROVAL

Mr. Crittenden questioned the delay in getting permits processed and expressed his opposition to telling people that they could be waiting as much as two weeks to receive their permit, even if it were for an accessory structure. Mr. Culley commented that permits were processed as they were received and some require additional

information. Mr. Culley also noted that he had already discussed the issue with the Planning and Building Departments and they would no longer be telling citizens that there could be a two-week wait.

ADJOURN

The motion to adjourn until the Board's meeting on October 7, 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