

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, JULY 20, 2004 IN THE BOARD ROOM OF THE
WOODWARD BUILDING, SALUDA, VIRGINIA:

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

Charles M. Culley, Jr., County Administrator

Absent: Michael T. Soberick, County Attorney

CALL TO ORDER

Mrs. Weber called the meeting to order at 7:30 P.M. and opened with a prayer; Mr. Culley led in the Pledge.

PUBLIC HEARING – MAJOR SITE PLAN APPLICATION 2004-06, ROUTE 33 ENTERPRISES

Mr. Higgins presented application 2004-06, a major site-plan application that originally requested approval of 29,240 square feet of self-storage buildings to be located at Tax Map 27-181 and 181A, 2747 General Puller Highway, in the Cooks Corner area. The Board of Supervisors approved a special exception for the application in 2002, with the condition that a major site plan be submitted for public hearing by the Board of Supervisors. Per the Zoning Ordinance, nonresidential uses and buildings cannot be conducted closer than fifty-(50) feet to adjacent residential uses in the Village Community District. In addition, this buffer must be landscaped to minimize visual impact on residential uses. A revised site plan was submitted, eliminating two buildings and reducing the request to 23,000 square feet.

The Planning Commission voted 10-1 to recommend approval of the application with the following conditions:

1. The addition of proper landscaping along the fence line, to be approved by the Planning Director in accordance with the Planning Director's recommendations.
2. All structures, driveways and parking areas must be at least 10' from existing drainfields.

A notarized statement from the property owner agreeing to plant five (5) foot Leland cypress trees 5-7 feet apart has been received by Mr. Higgins. Mrs. Weber opened the hearing for comments from the public. There being no comments, the public portion of the hearing was closed. Mrs. Weber noted that she cast the dissenting vote at the Planning Commission because the complete plan had not been submitted prior to the meeting. The motion to approve the application as submitted,

and as recommended by the Planning Commission, was made by Mr. Miller, seconded by Mr. Jessie and carried by a vote of 4-1 (Mrs. Weber opposing).

VIRGINIA COOPERATIVE EXTENSION

David Moore was present to request the Board's assistance in completing a survey of needs for the County. Mr. Moore also informed the Board that the Extension Service would be providing dinner for the Board on the evening of their August 17th meeting.

SCHOOL MATTERS

Appropriation – Electric and Fuel Oil – FY 04

Mrs. Jones, Assistant Administrator, confirmed that School Board expenditures for electric and fuel oil had exceeded the approved budget for FY 04 by \$63,522.00. Mr. Williams reminded Board members that they had agreed to pay for overages in these accounts because these costs were unknown with the new buildings. The motion to approve the appropriation of \$63,522.00 was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously. FROM: 3-1-41060-0001, \$63,522.00 TO: 4-23-060010-6305.

Transfer of Funds – FY 04

The School Board has requested the transfer of funds from instruction (\$13,818.18), transportation (\$22,031.046), and administration (\$22,807.94) to balance over expenditures in the operation and maintenance category (\$58,657.58). Heather Lucas, Business Manager, explained that the over expenditure was due to increasing custodial positions to full time to handle the additional demands of the new elementary school and renovated high school, along with additional custodial supplies. Mrs. Lucas explained that these extra costs have been included in the FY 05 budget. Mr. Culley explained that the auditors would want to see this over-expenditure covered by other funds. The motion to approve the transfer of funds was made by Mr. Jessie, seconded by Mr. Williams and carried unanimously.

Mrs. Weber reminded Mrs. Lucas and School Board member, Richard Shores, that the Board has not committed to funding over-expenditures in the FY 05 budget

Gymnasium Air Conditioning

Mrs. Weber questioned whether or not the gymnasium air conditioning was doing the job it was supposed to do, as she had heard that it was not functioning properly and also was dripping condensation. Dr. Shores advised that the installing company has been back to work on the system, including adding insulation to prevent condensation. They will be waiting a few days to see if the problems have been corrected. The School Board is still holding 5% to insure satisfaction with the job.

Keys

Mr. Crittenden questioned whether the School Board had accounted for all the keys for the schools. Mrs. Lucas responded that Dr. Spencer had requested a list of key holders, which was being put together.

Appropriation FY 05 – Mold and Roof Surveys

Appropriation of funds for these surveys had been approved at the end of fiscal year 04, however the funds were not expended prior to the end of the year and needed to be appropriated again. The mold study has been completed and the roof surveys are under way. Mr. Crittenden wished to have a copy of the study before approving the appropriation. Copies will be made available to the Board. The motion to approve the appropriation of funds was made by Mr. Williams, seconded by Mr. Jessie and carried by vote of 4-1 (Crittenden opposed).

Appropriation FY 04 & FY 05 – Textbook Fund

The motion to approve the appropriation of funds collected from the rent/sale of textbooks in the FY 04 budget was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously: FROM: 3-26-16120-3001, \$1,231.00 TO: 4-26-63000-6200. The motion included approval of an appropriation to carry-over the balance in the Textbook Fund to the FY 05 budget: FROM: 3-1-41060-0001, \$69,432.00 TO: 4-26-63000-6210.

Appropriation – Budget Supplemental FY 05

The motion to approve a budget supplement of State funds not spent in FY 04 for the VPSA Technology Grant (total of grant - \$128,000) FROM: 3-23-24020-7400, \$70,706.00 TO: 4-23-060010-6210, was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously.

IMPACT STUDIES

Mr. Higgins informed the Board that he had contacted Gloucester County to see how its planning department had handled the verification of impact studies from large development projects. According to Gloucester County, the review of the financial and community impact statement, by an outside agency, for the Barren's Development cost the county \$11,000; the traffic impact study cost \$3,000. Mr. Higgins believed that County staff could validate the impact study for the proposed Rosegill development in-house, however, it does not have the tools available for the traffic study. Mr. Higgins is interested not only in whether the calculations are correct, but whether or not the road surface can handle the proposed traffic. It was suggested that Mr. Higgins contact VDOT to see what assistance they could provide and also to visit with Gloucester planners for assistance. Mr. Williams noted that this development will have great impact on how other areas of the county are developed. Mr. Higgins noted that

Gloucester County raised their fees so that there is enough to allow the County to pay for outside consulting services.

A worksession has been scheduled for August 2nd to conduct a worksession with the Planning Commission to hear a rezoning presentation from the Rosegill firms.

Mr. Crittenden commented that the Planning Commission should not have scheduled both the overlay district hearing and rezoning hearing for the same night. Mrs. Weber agreed, noting that creation of the overlay district should have been scheduled and acted on, then the rezoning into the overlay district should have been scheduled for another night. This would have avoided confusion with the public. Mr. Crittenden requested more information be brought to the Supervisors on the overlay district, and added that Mr. Soberick should be kept informed also.

Mr. Crittenden has requested that Mr. Culley look into the purchase of a PA system that could be taken to meetings so as not to have to rely on the school system for their equipment.

APPROPRIATION

Building Department - The motion to approve an appropriation of \$2,442.00, rolling additional part-time compensation approved in FY 04 for the Building Department to FY 05 was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously: FROM: 3-1-41060-0001 TO: 4-1-34010-1003

LEASE AGREEMENT

The motion to approve the lease agreement between the County and Evelyn Lawson to rent a portion of her property for \$400.00 for the Wings and Wheels event was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously.

DISBURSEMENTS

The motion to approve disbursements dated June 30th, numbered 49094 through 49099 totaling \$38,285.19 and those dated July 20th, numbered 49100 through 49129 totaling \$31,616.32 was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously.

APPOINTMENT

Board members had been notified that Diana Rollins had resigned from the Community Services Board. Chuck Walsh, Executive Director, had sent several names of persons who had expressed an interest in being on the board. The motion to

appoint David Harmon as the County's representative was made by Mr. Crittenden, seconded by Mr. Williams and carried unanimously.

TAX COMMITTEE

Mrs. Jones, Assistant Administrator, informed the Board that she and Mr. Culley had attended a meeting of the Tax Study Committee because the group had expressed concern with trash coming in from other counties to the County's disposal sites along with multiple loads of construction and demolition debris. Mrs. Jones has meet with management for the transfer station who has advised her that tighter control will be put into place at the station. Signs will be put in place advising that there is only one (1) load of construction debris allowed per building permit and that a copy of the permit is required prior to dumping. All other construction debris must be taken to the landfill in Gloucester or King and Queen.

CLOSED MEETING

The motion to convene in closed session to discuss matters relating to contracts, per Code of Virginia §2.1-3711.A7 was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

Upon reconvening in open session, the following motion was made by Mr. Crittenden, 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 §2.1-3711.A7 as identified in the motion by which the Closed Meeting convened were heard, discussed, or considered by the public body.

Action:

As a result of the Closed Session, there was no action taken.

ADJOURN

There being no further business, the motion to adjourn the meeting until Thursday, August 5, 2004, at 9:00 A.M. was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

Lenora O. Weber, Chair
Board of Supervisors