

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, OCTOBER 18, 2005, IN THE BOARD ROOM OF THE
WOODWARD BUILDING, SALUDA, VIRGINIA:

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

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

CALL TO ORDER

Mr. Crittenden called the meeting to order at 7:30 P.M. and Mr. Williams gave a prayer. Mr. Culley led the group in the Pledge of Allegiance.

REZONING APPLICATION – 2005-06, DOUGLAS AND JAMES GRAY, VILLAGE COMMUNITY TO GENERAL BUSINESS

Planning Director, Matthew Higgins, presented the application, submitted by Douglas and James Gray, to rezone an eight-acre portion of Tax Map 26-54 from Village Community district to the General Business district, with proffers. The intent of the application is to relocate the existing Urbanna Lumber business to this site. Surrounding properties are all zoned Village Community, and the properties across Route 17 are zoned Low Density Rural, excluding the Food Lion property that is zoned General Business. Mr. Higgins expressed his concerns with restricting uses on the property, establishing areas of screening and buffering from highways and addressing access points from abutting highways. The Planning Commission recommended approval of the application as submitted, although proffers were submitted prior to their hearing.

The applicants had proffered that the following uses would not be allowed by right: hospitals, automobile and farm implement sales and service; mobile home and manufactured home sales; convenience stores; garage, repair; garage, public; and body shop; animal hospital; cabinet, furniture, and upholstery fabrication with building size five-thousand square feet or less and no outside operations or storage; food processing with building size five-thousand square feet or less and no outside operations or storage; light manufacturing uses with building size five-thousand square feet or less and no outside operations or storage. Any other uses would be as permitted under Article 11: General Business (GB) District of the Middlesex County Zoning Ordinance.

Mr. Williams asked Mr. Gray to address the concerns of the Planning Department. Douglas Gray stated that it was the intent to keep the business in the

County rather than move it to Gloucester. Regarding buffering, there is already some on the property. Access to the site will most likely be by a single entrance. Mr. Williams expressed his concern that other uses may not be compatible with the school. Mr. Soberick advised the Board of their options regarding the application.

Mr. Crittenden opened the hearing for comments from the public. John England commented that the plan as submitted was a good one and he encouraged the Board to approve the application, with the proffers that were submitted. There being no further comments, the public portion of the hearing was closed.

Mr. Miller commented that he did not have a problem with adopting the proffers as submitted. Mr. Soberick offered further clarification, stating that the proffers limit the uses of the property by right. The uses that are stated, which normally would be allowed, would only be allowed after a public hearing to amend the application and proffers. Mr. Crittenden stated that he was sorry that the Planning Commission did not accept the proffers that were submitted. He also noted that there needs to be more done with regard to screening. Mr. Miller commented that the site plan could address screening.

The motion to approve the application as submitted with proffers was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

SPECIAL EXCEPTION APPLICATION 2005-08, CLARENCE MILLER

Mr. Higgins presented Special Exception Application 2005-08, an application to replace an existing manufactured home in a Village Community zoning district. The Zoning Ordinance includes a stipulation that the home must have been occupied within the past two years. During a staff site visit, it was found that the existing manufactured home, a 1969 model, was highly dilapidated and not in a livable condition. The last real estate assessment of the property in 2003, noted that the manufactured home was being utilized for storage. Based on the lack of evidence that the existing manufactured home was being utilized as a bona fide residence, staff could not recommend replacement.

Mr. Crittenden opened the public hearing for comments from the public. The applicant, Clarence Miller, commented that the existing single family dwelling on the property was difficult to maintain and heat and would be financially difficult for him to maintain. Mr. Miller stated that he desired to replace the existing mobile home with a double-wide manufactured home. There being no further comments, the public portion of the hearing was closed.

Mr. Jessie commented that replacing the existing manufactured home would be a great improvement to the area. The motion to approve the request was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously. Board members reminded the applicant that he would be required to post a \$500.00 bond for removal of the existing manufactured home and conform to health department requirements.

MEALS TAX ENDORSEMENT

The motion to adopt the following resolution and requesting that it be published in the Southside Sentinel was made by Mr. Miller, seconded by Mr. Williams and carried unanimously:

RESOLUTION SUPPORT OF MEALS TAX REFERENDUM

WHEREAS the Board of Supervisors of Middlesex County, Virginia, recognizes the need to broaden the existing tax base for the County, and

WHEREAS the Board has a responsibility to provide for the efficient use of taxpayer dollars in providing funds for the operation of the County and the Schools and

WHEREAS the County continues to grow, and operational expenses continue to climb due to many factors including, but not limited to, higher fuel costs, and

WHEREAS almost all services that the County provides are mandated by State Government, with additional mandates being added each year, and

WHEREAS the County has already implemented most sources of alternative tax revenue and a meals tax should generate enough extra revenue to equal 3 cents on the real estate rate, and

WHEREAS given the large number of tourists and visitors who frequent the County and eat at local establishments, a large portion of the revenue obtained by this tax will not be borne by local citizens, and

WHEREAS without the meals tax revenue the only two choices are reduced services and higher real estate taxes,

NOW, THEREFORE, BE IT HEREBY PROCLAIMED that the Board of Supervisors of the County of Middlesex, Virginia, support adoption of a Meals Tax as an important source of funds for many years that will help provide additional funds to the schools and the general operations of the County.

Adopted this 18th day of October, in the year of 2005.

SCHOOL MATTERS

Health Insurance:

Mr. Goforth advised the Board that the preliminary count of students indicated that there were twenty more in the system than were budgeted for; therefore additional state revenue should be forthcoming. In addition, the School Board has saved approximately \$20,000 by bidding out their property and liability insurance. Mr. Goforth would like to take the \$20,000 savings and apply it to the School's health insurance premium; he would like for the Board of Supervisors to match the amount to allow a reduction in premium cost of \$31.50. Mr. Crittenden noted that the County would be receiving its notice of premium increases at the next meeting and would address both policies at that time.

Roof Project:

A change order in the amount of \$9,949.50 was presented for replacing the trusses in the area where rotting had occurred because of poor ventilation. The ventilation problem has been corrected. The motion to approve the change order and authorizing an additional appropriation was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

The motion to approve an additional appropriation of \$8,000.00 for replacement of the roof on the pumphouse was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously. Mr. Crittenden requested an update on the maintenance of the water system in the pumphouse at the Board of Supervisors next meeting. Dr. Spencer was also asked to make sure that the engineering firm, PSI, did not charge any fees for addressing the pumphouse issue.

Humidity:

Mr. Culley expressed his concerns that School Board employees at the Cooks Corner Office Complex had made statements at a School Board meeting regarding humidity levels that were not correct and insinuating that there was a mold problem like last year. According to a recent newspaper report of the meeting, the staff person reported that humidity levels had been over 77% on several occasions. Mr. Culley presented data to dispute this statement, noting that on only one occasion out of 17,057 recorded times, with the computer recording data every ten minutes, did the humidity level go above 75%. Mr. Culley noted that many preventative measures had been put in place to prevent a mold problem from occurring and there did not appear to be a problem.

Mr. Culley commented that the staff person might have been reading a temperature level on a wall sensor. Dr. Spencer requested that Mr. Culley meet with employees to instruct them in the correct way to read the sensor. Mr. Goforth noted that the staff person had made the comments during a public comment portion of the School Board meeting.

PAYROLL

The motion to approve payroll for the month of October was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. Checks numbered 53167 through 53316 totaling \$248,170.49 were disbursed as approved.

DISBURSEMENTS

The motion to approve disbursements was made by Mr. Jessie, seconded by Mr. Williams and carried unanimously. Checks numbered 53317 through 53381 and totaling \$206,164.84 were disbursed as approved.

HOLLY POINT

County staff are waiting for the return of the contract from Dangerous Tree Removal, the lowest bidder for doing work at the Holly Point Nature Park. The contractor has been contacted to re-calculate his price to include hauling the debris away from the site. If the revised bid is not lower than the next lowest bidder, then the next lowest bidder, Tree Top Service, will be contacted to perform the work.

WETLANDS MITIGATION

Board members reviewed the response from Virginia Marine Resources Director Bill Pruitt regarding the State's wetlands mitigation policy. The Board of Supervisors also reviewed the County's response. The Board asked that Mr. Pruitt be invited to attend the meeting. There would be no implementation of the State's requirements at this time.

ADJOURN

There being no further business, the meeting was adjourned until November 1, 2005, at 9:00 A.M.

Fred S. Crittenden, Chair
Board of Supervisors