

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, DECEMBER 19, 2006, IN THE BOARD ROOM OF THE  
WOODWARD BUILDING, SALUDA, VIRGINIA:

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

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

**CALL TO ORDER**

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

**PUBLIC HEARING – SPECIAL EXCEPTION 2006-14, HORSES IN A RESIDENTIAL ZONE**

Mr. Culley presented a request for special exception from T. Michael and Nancy Jackson for the keeping of horses for noncommercial purposes at property that is zoned Residential, at Tax Maps 43A-7-46A and 43A-8-20. Lot 46A is 18.5 acres, large enough to accommodate a maximum of eleven (11) horses; lot 20 is 10.35 acres, large enough for (6) six horses. The proposal conforms to the ordinance requirements, as only four (4) horses have been requested on each property. The proposal is generally harmonious with the surrounding area; the development is surrounded by mature trees for screening and adequate area exists for the use proposed. In addition, other properties within the subdivision have similarly obtained special exceptions to keep horses on their property, and horses are generally permitted by the covenants of the homeowners association for this subdivision. The applicant does not currently reside on either property, so the applicant will have to establish a permanent residence at this site prior to the keeping of horses and construction of any accessory structures at the properties.

The Planning Commission recommended conditional approval of the application. Mr. Miller opened up the hearing for comments from the public. There being no comments, the public portion of the hearing was closed. The motion to approve the application with the following conditions was made by Mr. Crump, seconded by Mr. Crittenden and carried unanimously:

1. Per the applicant's request, Lot 46A is permitted to have a maximum of four (4) horses and Lot 20 is permitted to have a maximum of four (4) horses;
2. No horses shall be kept on a lot until such time as a single-family dwelling is constructed on that lot and a certificate of occupancy has been obtained for the dwelling.

3. Any accessory structures for the keeping of horses shall not be constructed until after a Zoning and Building Permit has been issued for the construction of a single-family dwelling at each site.

### **APPROPRIATIONS**

***Insurance Reimbursement:*** The motion to approve the appropriation of funds received as an insurance reimbursement was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously: FROM: 3-1-18030-0006, \$2,799.35 TO: 4-1-31020-5407, Sheriff – Vehicle Repair

***Insurance Reimbursement:*** The motion to approve the appropriation of funds received as an insurance reimbursement was made by Mr. Crump, seconded by Mr. Williams and carried unanimously: FROM: 3-1-18030-0006, \$839.10 TO: 4-1-31020-5407, Sheriff – Vehicle Repair

***Abandoned Vehicle Program:*** The motion to approve an appropriation of funds received from the DMV Abandoned Vehicle Program was made by Mr. William, seconded by Mr. Crittenden and carried unanimously: FROM: 3-1-24040-0030, \$5,800.00 TO: 4-1-81040-5412. A total of \$7,250 was received from the State for 145 vehicles; \$5,800.00 would be disbursed to “Doc” Jones.

### **DISBURSEMENTS**

The motion to approve disbursements was made by Mr. Crittenden, seconded by Mr. Crump and carried unanimously. Checks numbered 57180 through 57274 for \$98,844.37 were disbursed as approved.

### **PAYROLL**

The motion to approve payroll for the month of December was made by Mr. Jessie, seconded by Mr. Crump and carried unanimously. Checks numbered 57091 through 57179 totaling \$284,047.93 were distributed as approved.

### **CLOSED MEETING**

The motion to meet in Closed Session to discuss items related to personnel, potential litigation and land acquisition, pursuant to Code of Virginia, §2.2-3711.A1, A7 and A6, was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. Upon reconvening in open session, the following motion was made by Mr. Crump, seconded by Mr. Williams 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.A1, A7 and A6 as identified in the motion by which the Closed Meeting convened were heard, discussed, or considered by the public body.

Action:

The motion to respond to Mrs. Rice with a letter signed by both Mr. Soberick and Mr. Culley stating that there would be no further negotiations was made by Mr. Crump, seconded by Mr. Williams and carried by a vote of four (4) in favor (Miller, Williams, Crump, Crittenden) to one (1) opposed (Jessie).

The motion authorizing the County Attorney to file for a declaratory judgment to determine ownership of the dam at Healy's Mill and to require that the dam be repaired and the road reopened was made by Mr. Crittenden,, seconded by Mr. Crump and carried unanimously.

**ADJOURN**

There being no further business, the meeting was adjourned until the organizational meeting scheduled for Thursday, January 4, 2007.

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John D. Miller, Jr., Chair  
Board of Supervisors