

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, NOVEMBER 21, 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.

MIDDLESEX ALL-STARS

Members of the Middlesex Little League All-Star team that traveled to the State tournament in Richlands, Virginia, were in attendance to present the Board of Supervisors with a team photograph and to thank the Board for their contribution to their trip expenses.

PUBLIC HEARING – SPECIAL EXCEPTION 2006-12, HORSES IN A RESIDENTIAL ZONE

Planning Director, Matthew Higgins, presented a request for special exception from Arthur and Bonita Cuffman for the keeping of horses for noncommercial purposes at property that is zoned Residential, at Tax Map 43A-3-14. The property is 5.8814 acres in size, big enough to accommodate a maximum of three (3) horses; the applicant has requested approval for two. Mr. Higgins reported that the proposal is generally harmonious with the surrounding area, as 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 Planning Commission recommended approval of the application on the condition that the property shall have a maximum of two (2) horses. 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 on the condition that the property only has a maximum of two (2) horses was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously.

PUBLIC HEARING - SPECIAL EXCEPTION 2006-13, ACCESSORY DWELLING UNIT

Mr. Higgins presented an application from William Powell, Jr. for an accessory dwelling unit to be constructed at Tax Map 38-300B, in a Low Density Rural zone. The applicant has already submitted a Zoning Permit application to construct a 68' x 44' (2,992 square foot) dwelling on the property. The applicant also seeks to construct a 640 square foot accessory dwelling unit, with a 1,344 square foot garage underneath, for dwelling purposes prior to the construction of the single-family dwelling. The application meets the requirements of the Zoning Ordinance for accessory units. The Planning Commission unanimously recommended approval of the application.

Mr. Miller opened the hearing for comments from the public. Mr. Powell requested approval of the application. There being no other comments, the public portion of the hearing was closed. The motion to approve the application as submitted was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously.

BAY AGING LEASE

Mr. Culley informed the Board that the lease between the County and Bay Aging for the senior center at the Puller Building would expire at the end of November. Bay Aging wishes to renew the lease. Mr. Culley has been contacted by Charles Walsh of the Community Services Board who said the agency wants to use at least a portion of the area that was currently being used by Bay Aging, and would provide its own maintenance. The motion to continue working on getting prices to repair the water damage and get a written proposal from Mr. Walsh was made by Mr. Crittenden, seconded by Mr. Crump and carried unanimously.

APPROPRIATIONS

Four for Life: The motion to approve the appropriation of funds received from the State for distribution to the two rescue squads was made by Mr. Williams, seconded by Mr. Crump and carried unanimously: FROM: 3-1-02040-0009, \$20,740.94 TO: 4-1-32030-5604, \$10,370.47 and 4-1-32030-5605, \$10,370.47.

Social Services: The motion to approve an appropriation of funds to the Department of Social Services for adoption subsidies was made by Mr. Jessie, seconded by Mr. Crump and carried unanimously: FROM: 3-1-41060-0001, \$25,000.00 TO: 4-1-53010-5719.

RESOLUTION

The motion to adopt the following resolution and request that Mr. Miller attend the next Board meeting for presentation of the resolution was made by Mr. Crump, seconded by Mr. Crittenden and carried unanimously:

WHEREAS, B. ULMAN MILLER was appointed to the Middlesex County Wetlands Board in July 1984; and

WHEREAS, MR. MILLER served in this position, being reappointed by five other Boards of Supervisors, until his retirement from the Wetlands Board effective November 14, 2006; and

WHEREAS, MR. MILLER has served the citizens of Middlesex County for more than 22 years, doing his best to protect the wetlands and natural shore lines of Middlesex County;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Middlesex County Board of Supervisors expresses its sincere thanks and appreciation to B. ULMAN MILLER for his years of public service to the citizens of Middlesex County.

DISBURSEMENTS

The motion to approve disbursements was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously. Checks numbered 56772 through 56850 for \$106,736.57 were disbursed as approved.

PAYROLL

The motion to approve payroll for the month of November was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. Checks numbered 56703 through 56769 totaling \$285,564.79 were distributed as approved.

REFUNDING BOND

Mr. Culley informed the Board that after the November 7th meeting he had met with representatives of Davenport & Company who were also researching the savings potential for refinancing the refunding bonds. Mr. Culley and Mr. Miller then met again with the VACo/VML Financial Group representatives to discuss options. Mr. Culley and Mr. Miller agreed that Davenport & Company presented a proposal that showed a greater savings, however, expenses would be higher and the risk would be greater to not achieve the potential savings. The VACo/VML proposal had fewer variables and less cost up front and was less of a risk. No action was taken by the Board; the Board will continue working with VACo/VML.

AIRPORT FUELING PROJECT

Mr. Culley requested that the Board consider using Jones & Frank to install a new dispenser and move the hose reel outside of the fence at the airport. This would allow the system to be used 24-hours to dispense fuel. The price prepared by Jones & Frank was \$9,750.51. If the new dispenser was eliminated and a new prepay valve installed (required to make the existing meter work correctly), the cost would be \$800 less (\$8,950.51).

The Department of Aviation has stated that they may participate in partial funding if the proper application is made, including obtaining additional bids for the project. The funding request would not be considered until February 21, 2007 at the earliest. Mr. Williams questioned whether the Department of Aviation was going to require the airport to be completely fenced in for security purposes. The Board suggested that Mr. Culley obtain additional prices for moving the equipment as proposed by Jones & Frank.

CHRISTMAS DINNER

Mrs. Jones invited the Board to attend the annual employee Christmas dinner which is scheduled to be held on December 12, 2006. Mrs. Jones also asked that some revenue from the Pepsi fund be used to offset the cost of the room rental and the meal. The motion to pay the room rental and contribute to the meal cost with the remaining meal expense to be \$10.00 per person was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously.

CLOSED MEETING

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

There was no action taken following the closed session.

NEW BUSINESS

Mr. Crump asked the Board to review a letter he had drafted to David Ekern, Commissioner with the Department of Transportation regarding Route 629 and needed improvements at the Healy's Mill Pond. The Board agreed with Mr. Crump's letter and agreed that it should be sent to the Commissioner under Mr. Crump's and Mr. Miller's signatures.

ADJOURN

There being no further business, the meeting was adjourned until the next meeting scheduled for December 5, 2006.

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