

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, SEPTEMBER 16, 2008, IN THE BOARD ROOM OF THE
HISTORIC COURTHOUSE, SALUDA, VIRGINIA:

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

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

Absent: John D. Miller, Jr., Saluda District

CALL TO ORDER

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

PUBLIC HEARING –REZONING APPLICATION 2008-006

Planning Director, Matt Walker, presented this application from Steven J. Bland to reclassify Tax Map 36-32, 10.694 acres, from Low Density Rural (LDR) to Residential (R) with proffered conditions. The purpose of the rezoning is to allow the development of a subdivision of 9 single family dwelling lots with 3.3 acres, or 31% of the parcel set aside for open space. The applicant has submitted 16 proffers, which were summarized by Mr. Walker.

Properties surrounding the parcel are zoned LDR and are currently in residential uses, vacant or wooded. The property is located outside of any areas identified for planned development but the Comprehensive Plan also states that the Future Land Use Plan does not specifically identify a preferred location for residential development. The Plan notes that there are not areas of the County considered unacceptable for residential development.

Mr. Williams opened the hearing for comments from the public. The applicant, Mr. Bland, noted that the proffers had been summarized by Mr. Walker and there were 16 total. He was available to answer questions from the Board. There were no other comments and the public portion of the hearing was closed.

Mr. Crump commented that he had heard from some citizens of the area opposing the application. Mr. Crump was also concerned about the lot set aside for open space not being contiguous to the remainder of the property. Mr. Crump suggested waiting until Mr. Miller was present for action by the entire board.

Mr. Jessie noted that he had also received calls in opposition and did not know why some of the same citizens who called him and were present at the meeting did not speak. Mr. Jessie also suggested that a full board should be present before action was taken.

The motion to table action until the October 21st meeting was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously.

PUBLIC HEARING – ORDINANCE AMENDMENT #2008-06

Mr. Walker presented the ordinance amendment request to amend the Middlesex County Erosion and Sediment Control Ordinance as required by the State's Department of Conservation and Recreation. The purpose of the amendment is to conform to revisions made to the Virginia Code and specifically the state's Erosion and Sediment Control Law. Most of the changes are to the definitions. The proposed ordinance also provides an ability to consider variances, which is not in the original ordinance adopted in 1994.

Mr. Williams opened the hearing for comments from the public. There being no comments, the public portion was closed. The motion to adopt the revised ordinance as proposed was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously.

RATIFICATION OF EMERGENCY DECLARATION

The motion to ratify the Declaration of Emergency for Tropical Storm Hanna was made by Mr. Crump, seconded by Mr. Jessie 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, 2008.*

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

- 1. That due to the occurrence of Tropical Storm Hanna the County of Middlesex was 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 was 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 existed 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 were 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.

Board of Supervisors, Middlesex County, VA

<i>Robert A. Crump</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>

RABIES CLINIC

The Board endorsed holding the Rabies Clinic on November 1, 2008 and charging fees of \$5.00 per shot for dogs and either \$5.00 or \$7.00 per shot for cats.

FIRE PREVENTION WEEK

Captain Joe Moschetti from the Middlesex Volunteer Fire Department was present to request the Board's endorsement of the following proclamation of National Fire Prevention Week. The motion to adopt the following proclamation was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously:

PROCLAMATION

National Fire Prevention Week

Whereas Fire Prevention Week was established to commemorate the Great Chicago Fire which began on October 8, 1871, and

Whereas, most of the damage occurred October 9th when more than 250 people were killed, more than 100,000 left homeless, more than 17,400 structures destroyed and more than 2,000 acres burned; and

WHEREAS, since 1922, Fire Prevention Week has been observed on the Sunday through Saturday period in which October 9 falls; and

WHEREAS, the theme for this year is: It's Fire Prevention Week! Prevent Home Fire; and

WHEREAS, during this week, fire safety advocates will spread the word to their communities that, with a little extra caution, preventing the leading causes of home fires – cooking, heating, electrical and smoking-materials – is within their power.

NOW, THEREFORE, BE IT RESOLVED, that the Middlesex County Board of Supervisors hereby declares October 5 – 11, 2008, as Fire Prevention Week in Middlesex County.

<i>Kenneth W. Williams</i>	<i>aye</i>
<i>Fred S. Crittenden</i>	<i>aye</i>
<i>Robert A. Crump</i>	<i>aye</i>
<i>John D. Miller, Jr.</i>	<i>aye</i>
<i>Wayne H. Jessie</i>	<i>aye</i>

DEDICATION/OPEN HOUSE – COURTHOUSES

Mrs. Jones informed the Board of Supervisors that Judge Shaw had asked that a dedication and open house for the new courthouse be scheduled. The date of November 19 would fit his schedule. The Judge also asked that the historic courthouse be opened for the public to see the recent renovations. Mr. Culley would be meeting with the Judge to see if he just wants to have the buildings open to the public, or if he truly wants to have a dedication event. Refreshments will be served at both locations.

PAYROLL

The motion to approve payroll for the month of September was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. Checks numbered 62762 through 62835 totaling \$329,493.59 were distributed as approved.

DISBURSEMENTS

The motion to approve the disbursements as corrected was made by Mr. Jessie, seconded by Mr. Crump and carried unanimously. Checks numbered 62837 through 62914 totaling \$89,196.99 were disbursed as approved.

NEW BUSINESS

Mr. Shannon Gimbert was present and requested the Board's assistance in having something done to clean up the property of the former J and M Marina in Deltaville. According to Mr. Gimbert, boats and equipment have been left abandoned for several years and the site has become overgrown. Mr. Gimbert said that the property should either be cleaned up or screened from public view. Mr. Soberick said that the County does not have a property maintenance ordinance, however, the Department of Environmental Quality and Health Department would be contacted with the concerns.

ADJOURNED

There being no further business, the meeting was adjourned until the next regular meeting scheduled for October 7, 2008, 9:00 a.m., in the Board Room of the Historic Courthouse.

Kenneth W. Williams, Chairman
Board of Supervisors