

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, JUNE 16, 2009, IN THE BOARD ROOM OF THE  
HISTORIC COURTHOUSE, SALUDA, VIRGINIA:

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

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

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

**CALL TO ORDER**

Mr. Crump called the meeting to order and offered a prayer. Mr. Culley led the Pledge of Allegiance.

**PUBLIC HEARING – VDOT – SIX YEAR SECONDARY PLAN AND BUDGET**

Saluda District Administrator, Marcie Parker, presented the FY 10-15 plan and FY 10 budget for the local district. The plan only has projects for which there is funding. Currently, Route 630 and Route 629 are listed as the paved projects, with Route 630 due for advertisement in September 2009 and construction beginning in December or January. Only one project is listed on the unpaved list – Parkview Lane. Rocks Lane was previously on the list, but was removed from the plan due to revenue shortfalls. Mr. Crump opened the hearing for comments from the public.

Lewis Briggs, who lives on Route 619, requested that Route 619 be added to the list for improvements. He commented that the road conditions were bad before, but with additional traffic cutting through from the Route 629 detour, conditions are much worse and the narrow road cannot handle the additional traffic. It was suggested that funds from the Parkview Lane project could be used to make improvements to Route 619.

Nancy Denny, who also lives on Route 619, commented that the road is not posted for speed limits, is not wide enough for emergency vehicles to pull off and there is no way to get out if the road floods. Also, high grass on the sides of the road make it difficult to see.

Bill Harris commented that farm equipment driving on the road is another problem, as it leaves no room for vehicles to pass.

There being no further comment, the public portion of the hearing was closed.

Mrs. Parker commented that a safety study can be conducted for speed limits and curve posting and she would also look into newer road counts. The School Board asks for bus stop signs and has been good in the past about getting information to the highway department.

Mr. Williams commented that the Board has done all it can do to get Route 629 open again. Until the issue of ownership of the property is settled, the project on the plan for Route 629 is for a new bridge downstream of the dam.

Mr. Crittenden asked for an explanation of the Rural Rustic Road Program. Mrs. Parker explained that Unpaved Road funds were being used for the Parkview Lane project. The State establishes separate categories for funding that cannot be mixed.

Mrs. Denny questioned the cost for repair of the dam. Mr. Culley commented that the estimate to repair the VDOT part of the spillway would be one million dollars, however, the costs are unknown for the dam/road construction.

Mr. Crump requested that VDOT take a look at the road and do whatever they can within budget constraints to help. He also requested a report at the next meeting of traffic counts, maintenance conditions and grass issues for Route 619.

The motion to approve the Secondary Road FY 10-15 plan and the FY 10 budget was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously:

At a regular meeting of the Board of Supervisors of the County of Middlesex, held at the Middlesex County Historic Courthouse on June 16, 2009 at 7:30 p.m.

Present were: Fred S. Crittenden  
Kenneth W. Williams  
Wayne H. Jessie, Sr.  
Robert A. Crump

On motion by Mr. Williams, seconded by Mr. Crittenden and carried unanimously:

WHEREAS, Sections 33.1-23.1 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan,

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2009/10 through 2014/15) as well as the Construction Budget (2009/10) on June 16, 2009 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Budget Priority List,

WHEREAS, M.C. Parker, P.E., Residency Administrator, Virginia Department of Transportation, appeared before the board and recommended approval of the Six-Year Plan for Secondary Roads (2009/10 through 2014/15) and the Construction Budget (2009/10) for Middlesex County,

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the Secondary Road System in Middlesex County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2009/10 through 2014/15) and Construction Budget (2009/10) are hereby approved as presented at the public hearing.

**PUBLIC HEARING – SPECIAL EXCEPTION APPLICATION SP-2009-04**

Matt Walker, Planning Director, presented the application submitted by William Harris, on behalf of Randolph Segar, requesting approval to place a 784 square foot accessory dwelling unit on the property. This property, Tax Map 36-9, is zoned Low Density Rural, and is over 1022 acres in size. Article 15, Section 15-22 of the Zoning Ordinance specifies requirements for accessory dwelling units. This application meets those requirements and the Planning Commission has recommended approval of the application.

Mr. Crump opened the public hearing for comments. There being no comments, the public portion of the hearing was closed. The motion to approve the application as proposed was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously.

**PUBLIC HEARING – SUBDIVISION ORDINANCE AMENDMENT APPLICATION AM-2009-002**

Mr. Walker presented the proposed application to amend Article 3-6 of the Subdivision Ordinance, initiated by the Board of Supervisors at their April 7, 2009 meeting to clarify and amend requirements for family exemption subdivisions. The draft language addresses certain aspects of a family exemption subdivision, including septic disposal. Following are proposed additions to Section 3-6:

- B. If the proposed lot is not immediately intended for residential use an area approved by the Health Department for the installation of a septic system or other approved means for on-site sewage disposal shall not be required at the time of subdivision. On such plats the subdivider shall include language that clearly indicates that the parcel has not been evaluated for the installation of a septic system or other approved means for on-site sewage disposal. The final recorded plat and all deeds of subdivision shall contain the following note:

“The lot(s) created by this subdivision is/are not immediately intended for residential use. An area approved by the Health Department for the installation of a well and septic system or other approved means for on-site sewage disposal has not been located at the time of this subdivision. The parcel(s) has/have not been evaluated for the installation of a well and septic system or other approved means for on-site sewage disposal at this time.”

- C. The subdivider must have held title to the property being split for period of not less than five (5) years.

An additional phrase is proposed for Section E adding that the plat must meet other code requirements.

Mr. Walker noted that he recommended having some holding period, though it did not have to be 5-years. Other changes to the subdivision ordinance discussed at the April 7<sup>th</sup> meeting are undergoing further study by the Planning Commission.

Mr. Crump opened the hearing for public comment. Board members were in general agreement with the proposed language. Mr. Williams commented that government should be kept out as much as possible, but could see where family subdivisions could get out of hand. Mr. Crump requested that the language on the plat be required to be large and clear.

The motion to approve the draft language and require that the above language be included on the plat was made by Mr. Jessie, seconded by Mr. Crittenden and carried unanimously.

### **VEHICLE POLICY**

As a way to clarify different instructions made to the Sheriff throughout the years regarding vehicle policy, Mr. Culley requested that the Board consider adopting the following policies:

- All vehicles will be marked patrol cars purchased through the County Administrator's Office through State Contract. Non-marked vehicles must be approved in advance by the Board of Supervisors and bid out by the County Administrator's office and purchase approved by the Board of Supervisors. All titles will remain in the County Administrator's office.
- For every new vehicle purchased, one is to be returned to the County for the Board to decide its disposal. Used parts are not to be stripped from vehicles prior to disposal.
- Only vehicles purchased by the Board of Supervisors will be fueled and insured by the County.
- There will be no payments authorized for vehicles purchased outside of these policies.

It was noted that the Sheriff's Department has been the only department that has not come through the Administrator's office for purchasing vehicles. The motion to adopt the above policies was made by Mr. Jessie, seconded by Mr. Crittenden and carried unanimously.

### **WAIVE/REFUND FEES**

The motion to waive the fees associated with the planning and building fees for the new Hands Across Middlesex/Habitat for Humanity building and refunding those fees already paid for the site plan review and rezoning application was made by Mr. Williams seconded by Mr. Crittenden and carried unanimously.

### **APPROPRIATIONS**

The motion to approve rolling the textbook funds was made by Mr. Jessie, seconded by Mr. Williams and carried unanimously: FROM: 3-1-41060-0001, \$134,840.66 TO: 4-073-061100-6020-200-100, \$67,420.33; and 4-073-061100-6020-310-100, \$67,420.33.

It was noted that the remaining appropriations were to cover on paper expenditures that have already been incurred.

The motion to approve an additional appropriation toward the wastewater treatment plant design was made by Mr. Jessie, seconded by Mr. Crittenden and carried unanimously: FROM: 3-1-41060-0001, \$295,000.00; TO: 4-1-10010-7009, \$295,000.00

The motion to approve an appropriation to cover some expenses associated with the Board of Equalization last July was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously: FROM: 3-1-41060-0001, \$748.00 TO: 4-1-12100-3001, \$748.00.

The motion to approve the appropriation of funds from courthouse security fees revenue to courthouse security expense was made by Mr. Jessie, seconded by Mr. Williams and carried unanimously: FROM: 3-1-16010-0011, \$10,000.00 TO: 4-1-21010-1003, \$10,000.00

The motion to approve a transfer of funds from non-secure detention and an appropriation of additional funds from the fund balance to the Merrimac Center – Detention Costs was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously: FROM: 4-1-21030-3005, \$22,667.00 and 3-1-41060-0001, \$17,688.00 TO: 4-1-21050-3005, \$40,335.00.

The motion to approve additional funds to cover costs of furniture for the Commonwealth's Attorney was made by Mr. Jessie, seconded by Mr. Williams and carried unanimously: FROM: 3-1-41060-0001, \$8,346.00 TO: 4-1-22010-7002, \$8,346.00.

The motion to approve an additional appropriation to Comprehensive Services was made by Mr. Jessie, seconded by Mr. Williams and carried unanimously: FROM: 3-1-41060-0001, \$170,000.00 TO: 4-1-53150-5713, \$170,000.00.

The motion to approve an additional appropriation to the planning department for professional services on the comprehensive plan was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously: FROM: 3-1-41060-0001, \$16,810.00 TO: 4-1-81010-3002, \$16,810.00.

## **PAYROLL**

The motion to approve payroll for the month of June was made by Mr. Jessie, seconded by Mr. Williams and carried unanimously. Checks numbered 64944 through 65020 totaling \$327,754.03 were disbursed as approved.

## **DISBURSEMENTS**

The motion to approve the disbursements was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously. Checks numbered 65021 through 65115 totaling \$65491.30 were disbursed as approved.

**BROAD CREEK DREDGING**

Mr. Williams suggested that the County contact Army Corps regarding the berm and any work the County needed to be doing in preparation for the dredging.

**ADJOURNED**

There being no further business, the meeting was adjourned until the regular meeting scheduled for July 7, 2009.

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Robert A. Crump, Chairman  
Board of Supervisors