

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, MAY 19, 2009, IN THE BOARD ROOM OF THE
HISTORIC COURTHOUSE, SALUDA, VIRGINIA:

Present: Kenneth W. Williams, Pinetop District
Robert A. Crump, Saluda District
John D. Miller, Jr., 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

CALL TO ORDER

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

PUBLIC HEARING – REZONING APPLICATION 2009-002, WILLIAM BERKELEY FERGUSSON

Planning Director, Matt Walker, presented this application to amend the previously approved proffers accepted at the time of rezoning granted with Phase 1 of Rezoning Application 2006-006. The Board, on April 17, 2007, approved the conditional rezoning of a portion of Tax Map 37-39 from Low Density Rural to Residential. Included in the approval was a proffered maximum number of lots of 31 based upon an understanding that there were 40 +/- acres available on the site for development within Phase 1. The Planning Commission heard the application on May 14, 2009 and recommended approval with conditions. The applicant has submitted a revised list of 13 proffers that incorporate the Planning Commission's recommendations for a maximum of 31 lots and maintaining a 50-foot wooded buffer between the property and an existing horse farm (Wall). Other submitted proffers include minimum dwelling size of 1,900 square feet, architectural review, on-site water and sewer and property uses; cash proffers to the county in the amount of \$4,980.00 per lot at the time of building permit issuance remains the same.

Mr. Crump opened the hearing for comments from the public. Mr. Fergusson made a presentation on developments he has done in the past. The homes he plans to build on this property will be between \$250,000 and \$300,000. There being no additional comment, the public portion of the hearing was closed.

It was confirmed that Mr. Fergusson was currently proposing to develop the property into 31 lots, not 38 as he originally proposed to the Planning Commission. Mr. Williams questioned what would be done with the remaining acreage (the total

property, by new survey, is 88.4 acres, rather than 40 +/- in the original application. Mr. Fergusson stated that he only had plans to develop 31 acres at this time.

The motion to accept the proffers and layout plans dated April 14, 2009, and received in the Planning Office on May 18, 2009, for development of 31 lots was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

DONALD HART, JR., VACO PRESIDENT

Mr. Donald Hart, Jr., President of the Virginia Association of Counties, was present to comment about their willingness to assist with any problem we need assistance with.

ADOPTION OF FY 2010 SCHOOL BUDGET

Mr. Culley presented figures for the FY 2010 school budget and noted that the capital improvement funds are earmarked for two specific projects. The motion to adopt the following resolution was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously:

**2009-2010 MIDDLESEX SCHOOL BUDGET
APPROPRIATION RESOLUTION**

WHEREAS, the Middlesex County Board of Supervisors has heretofore received a budget from the Middlesex County School Board; and

WHEREAS, the Middlesex County Board of Supervisors has held a public hearing for the School Board's Budget for fiscal year 2009-2010; and

WHEREAS, the Middlesex County Board of Supervisors has included funds in the County General Fund for School Operations Fund in the amount of \$6,700,850.00, and in the amount of \$1,227,919.00 for school debt service, and in the School's Capital Improvement Fund of \$35,000.00, and

WHEREAS, the Middlesex County School Board has adopted a General School Fund Budget for the fiscal year 2010, and

NOW, THEREFORE, BE IT RESOLVED that the Middlesex County Board of Supervisors hereby appropriates to the following categories the Middlesex County General School Fund Budget:

<i>Instruction</i>	<i>\$8,451,890.00</i>
<i>Administration, Attendance & Health</i>	<i>\$769,008.00</i>
<i>Pupil Transportation</i>	<i>\$835,155.00</i>
<i>Operation & Maintenance</i>	<i>\$1,375,077.00</i>
<i>Technology</i>	<i>\$503,530.00</i>
<i>Debt Service - Local Money</i>	<i>\$1,227,919.00</i>
<i>State Funds – Debt Service</i>	<i>\$0.00</i>
<i>Total School General Fund</i>	<i>\$13,162,579.00</i>

E IT FURTHER RESOLVED THAT the Middlesex County Board of Supervisors hereby appropriates to the School Food Fund, the School Textbook Fund, and the Capital Improvement Fund, the following amounts:

<i>School Food Fund</i>	<i>\$485,609.00</i>
<i>Textbook Fund</i>	<i>\$47,521.00</i>
<i>Capital Improvement Fund</i>	<i>\$35,000.00</i>

APPOINTMENTS

The motion to reappoint John McKone to the Board of Zoning Appeals representing the Pinetop District, was made by Mr. Crittenden, seconded by Mr. Williams and carried unanimously. This will be a 5-year term beginning May 1, 2009.

The motion to appoint Ruby Easton to replace Elizabeth Anderson on the Social Services Board representing the Jamaica District was made by Mr. Jessie, seconded by Mr. Williams. This will be a 4-year term beginning July 1, 2009.

The motion to reappoint Carlton Revere to a 1-term on the Planning District Commission was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously. This term will begin July 1, 2009.

The motion to reappoint Tom Hawksworth to a 5-year term on the Wetlands Board, representing the Pinetop District, was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously. This term will begin July 1, 2009.

The motion to reappoint Theresa Anderson, Saluda District, to a position on the Planning Commission was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. The motion to reappoint Melvin Beverley, Jamaica District, to a position on the Planning Commission was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously. Each of these is a 4-year term that begins July 1, 2009.

No action was taken regarding the terms of Randy Coulson and John Moffatt currently serving on the Airport Committee. These terms expire August 31, 2009.

PAYROLL

The motion to approve payroll for the month of May was made by Mr. Miller, seconded by Mr. Williams and carried unanimously. Checks numbered 64729 through 64796 and 64870 through 64871 totaling \$175,683.38 were disbursed as approved.

DISBURSEMENTS

The motion to approve the disbursements was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. Checks numbered 64803 through 64869 totaling \$173,154.89 were disbursed as approved.

WASTEWATER TREATMENT PLANT

Janet Smith commented that the Town of Urbanna had applied for Tier Three status with the Department of Environmental Quality. Ms. Smith asked that the County consider withdrawing its request for a sewage treatment plant.

No action was taken on this request.

RECESS

There being no further business, the meeting was recessed until the May 21, 2009, joint meeting with the Planning Commission to discuss the Comprehensive Plan.

Robert A. Crump, Chairman
Board of Supervisors