

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS HELD
ON TUESDAY, JUNE 15, 2010, IN THE BOARD ROOM OF THE HISTORIC
COURTHOUSE, SALUDA, VIRGINIA:

Present: Carlton S. Revere, Pinetop District
Fred S. Crittenden, Pinetop District
Pete W. Mansfield, Saluda District
Wayne Jessie, Sr., Jamaica District
John D. Miller, Jr., Saluda District

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

CALL TO ORDER

The Chairman, Mr. Miller, called the meeting to order and offered prayer. Mr. Culley led the Pledge of Allegiance.

PUBLIC HEARING – ANIMAL CONTROL ORDINANCE

Mr. Soberick advised the Board that most of the proposed changes were to make the county ordinance current with the State's Code. Articles concerning aggressive, destructive and vicious dogs have been removed and are enforced and punishable in accordance with State regulations. Proposed changes also include an increase in the license fee and availability of 3-year licenses. Mr. Soberick noted that a reference to Section 6.09 in Article 8.01 needed to be changed to read, Section 4.11. Mr. Miller opened the hearing for comments from the public. There being no comment, the public portion of the hearing was closed. The motion to adopt the ordinance as proposed and amended was made by Mr. Jessie, seconded by Mr. Mansfield and carried unanimously.

PUBLIC HEARING – INTENT TO ABANDON ROUTE 629

Mr. Miller opened a public hearing regarding the Board's consideration of abandoning the right of way on Route 629 at Healy's Mill Pond. A public hearing is required prior to the Board recommending abandonment to the Commonwealth Transportation Board; VDOT may discontinue maintenance on the right of way without the Board's approval.

Lewis Briggs requested that the road be repaired or something done to re-open the road, adding that people are being put in danger by offering detours on narrow roads.

Nancy Harris commented that something needed to be put into place to correct the problem.

Bill Price is located at the point where the proposed abandonment would end on the Hartfield side. Mr. Price spoke in favor of abandonment as he has enjoyed the quiet from the road not being used. Mr. Price noted that it is not inconvenient to drive around on Route 33 and the current road and area is dangerous.

Julie Colby spoke against abandonment and added that property owners cannot afford the responsibility of maintaining the spillway and/or dam. Other options need to be considered.

Daniel Downs commented that this is a county problem, not just a problem of the homeowners around Healy's Mill Pond. A lot of people are torn between abandonment and discontinuance. New property owners need to ask questions about who owns and maintains the dams and water on other ponds.

There being no further comments, the public portion of the hearing was closed. Board members asked questions and discussed the matter with Marcie Parker, Saluda Residency Administrator, VDOT.

Regarding the cul-de-sacs, Mrs. Parker commented that right of ways would have to be obtained and easements established for property owners that access their property past the cul-de-sacs. The six-year secondary transportation plan would have to be amended to add this construction in as a project. Mrs. Parker noted that if the Board appeared to be stalling on the issue, VDOT would discontinue at least the dam portion of the highway and would put up more permanent closure mechanisms.

Board members noted that they were uncomfortable making a decision at this time. Mr. Revere requested that Mr. Soberick provide decision options and their impact. The motion to table action for a period of 60 days was made by Mr. Revere, seconded by Mr. Crittenden and carried unanimously.

PUBLIC HEARING – REZONING APPLICATION 2010-001

Matt Walker, Planning Director, presented the application for rezoning Tax Map Parcels 37-4 and 37-4a from Low Density Rural to General Business as submitted by Delaware Corporation, represented by Oscar Barber. This is a 20.4 +/- portion of property with an existing use that is commercial in nature. The property is located on Route 33 East, near the intersection of Route 3 at Harmony Village. Proffers have been submitted by the applicant that include screening of trash receptacles, outside storage of equipment and work materials and HVAC and mechanical equipment. Development of any new structures would require site plan approval. The proposed rezoning is in compliance with the county's comprehensive plan and appears to have good frontage and access to General Puller Highway. The Planning Commission recommended approval of the application with the acceptance of the applicant

proffered conditions on exterior materials, underground utilities, screening, and mechanical equipment screening.

Mr. Miller opened the public hearing for comments. There being no comments, the public portion of the hearing was closed. The motion to accept the proffers as submitted and approve the application was made by Mr. Mansfield, seconded by Mr. Jessie and carried unanimously:

PROFFERS SUBMITTED AND ACCEPTED

These proffers are general in nature, and will be incorporated into each site plan that is submitted to the Planning Commission for approval as part of the Permitting Process. The parcel may be sub-divided on an as needed basis, with size and shape to comply with zoning laws and the needs of each individual applicant.

Exterior Materials: All buildings constructed on the property shall have exposed exterior walls of masonry, steel (as in prefabricated steel bldgs), vinyl siding and glass, unless the Planning Commission specifically approves different architectural treatment and/or materials at the time of Major Site Plan review.

Use Restrictions: Use will be restricted to those uses approved by the Middlesex County Zoning laws. Additionally, all uses must be approved by Developer.

Landscaping: Sufficient to comply with applicable building codes and ordinance.

Signs: Sufficient to comply with applicable building codes and ordinance.

Underground Utilities: Except for junction boxes, meters and existing overhead utility lines, all utility lines shall be underground.

Screening: All trash receptacles and outside storage of equipment and work materials shall be screened from view from Route 3 and 33.

Lighting: Sufficient to comply with applicable building codes and ordinance.

Mechanical Equipment Screening: All HVAC and mechanical equipment shall be screened from public view at the ground level at the property lines.

Severance: The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity of enforceability of the other proffers or the unaffected part of any such proffer.

PUBLIC HEARING – SPECIAL EXCEPTION APPLICATION 2010-001

Mr. Walker presented Application 2010-001, an application from Thomas Norment, Jr. and Timothy Trant, II, representing the property owners, Timothy and Judy Aldridge, requesting approval of a special exception to formally recognize an existing non-conforming land use as a junkyard, pursuant to Section 7-3 (14) of the Middlesex County Zoning Ordinance. The existing land use is a scrap metal recycling facility at Tax Map 18-97, a property of 24.27 acres zoned Low Density Rural. The limits of use (“footprint”) are under review by the Middlesex County Board of Zoning Appeals. BZA review has been deferred for four months at the request of counsels for both the property owners and adjoining property owners until the special exception request can be processed. The Planning Commission recommended approval of the application with the applicant’s revised proposed conditions dated June 9, 2010. Both

legal teams have worked together to try and produce a mutually acceptable proposal or at least specify the items to which agreement cannot be reached. Landscaping, hours of operation and height limitation seem to be the last areas of disagreement. The Board received a new list of proposed conditions, dated June 15, 2010.

Mr. Walker presented multiple photographs of the site including views from neighboring properties. The application has been submitted to DEQ, VDOT and the Department of Forestry for their review. An inspection report from DEQ on January 4, 2010, showed no corrective actions required. VDOT has made a preliminary inspection and the Department of Forestry has provided two relatively low cost methods to achieve a forested buffer. Mr. Walker noted that the application must satisfy the special exception criteria listed in Article 7-4 of the Zoning Ordinance. Fifteen conditions/proffers have been submitted by the applicant as a result of staff's suggestions and negotiations with the legal counsel for the adjoining property owners. It is staff's opinion that the criteria of Article 7-4 have been met. In addition, for approval, the Board of Supervisors must find that the application meets the criteria listed under Article 20-5-b of the Zoning Ordinance. Mr. Walker noted that if approved, with the most recent list of conditions, the application represents an enforceable, clearer framework under which the junkyard and associated uses could operate rather than continuing its operations under the current non-conforming designation.

Mr. Miller opened the hearing for comments. Mr. Trant, representing the applicants, noted that this application and submitted proffers was an attempt to end ten years of conflict. Mr. Trant outlined and illustrated the latest proposals, dated June 15, 2010, for landscaping, hours of operation and height limitations. A maximum height of 35 feet for any junk storage on the property has been proposed, with two exceptions illustrated – along the western border and a section added on the eastern side, both of which would be limited to 25 feet; landscaping would include berms with rows of white pine spaced 16' apart with wax myrtles in front; fences are to be added in between berms. The berms would be created along the western side of the property and a portion of the eastern side. A forested buffer consistent with a recommendation by the Virginia Department of Forestry in a letter to the Planning Director dated May 3, 2010, would be installed and maintained within the proposed non-expansion areas adjacent to property lines where existing or proposed landscaping is not at least 75' in width measured from the property line. This does not include the property line fronting Route 602 or the entrance road and the rear access road as shown on the applicant's Proposed Additional Landscaping Middlesex Metals plan dated June 15, 2010, as prepared by TAM Consultants, Inc. The proposed hours of operation would be as follows: open to the public Monday through Saturday from 8:00 a.m. to 6:00 p.m.; internal operation of junkyard business (other than office work) shall occur only during the hours of 7:00 a.m. to 7:00 p.m.; magnetic sorting and movement of metal (except that reasonably necessary to accommodate the purchase and storage of metal brought to the property and/or purchased from the property during the public hours of operation) shall not be conducted on Saturdays and Sundays. The hours of operation established herein may be temporarily extended from time to time on a case by case basis with the prior written consent of the Zoning Administrator or his designee, which consent shall be based on

his reasonable determination that such extended hours are necessary to respond to market conditions.

John Easter, representing several property owners, indicated that there has been considerable expansion of the operation since a judgment in 2002. He added that the neighbors would support the special exception if adequate conditions are included to protect the neighbors. Mr. Easter presented responses to the applicant's latest proposals: height – proposed that the eastern 25' area be limited to 14' and added a 14' height and limited use area across the front (south); landscaping – concerned that white pine will be slow growing and difficult to grow with summer heat and drought; fences will never screen more than 8 feet high; a single row of trees has large gaps in early years. Mr. Easter presented an alternate landscaping plan with four types of plantings, staggered in type and height, with no berms - southwest screening of 2 rows, northwest screening of 3 rows, northeast screening of 3 rows and southeast screening of 1 row and a re-forestation area in the back northeast corner. The neighbors agree with the proposed hours to be open to the public, but requested limiting the internal hours to 8:00 a.m. to 6:00 p.m., Monday through Friday. Several other concerns were listed in Mr. Easter's presentation but were not addressed because of time restrictions.

The following people spoke regarding the application. Unless noted, those speaking were property owners or residents of Middlesex County or they did not give their address:

Warren Palmer, Gloucester County – in favor of application;

Wendall Palmer, Gloucester County – in favor of application

Tina Ammons – applicants have met and gone beyond what is necessary to meet concessions.

Oscar Marshall – maybe the neighbors should build their own screening

Jean Whiting – support the business; a lot of money has been spent to make the operation presentable

Sharon Diaz, Gloucester County but also an adjoining property owner – reminded the Board that only 3 +/- acres were grandfathered for junkyard use, however 60% of the total 24 acres is now occupied; the business has expanded five times in size; requested a cut back in hours of operation and additional landscaping; the neighbors are trying to protect their property values.

George Dinaw, Mathews County – represents about 40 people that haul materials into site; has been hauling for 22 years; has never seen smoke on the property; believe all requirements have been met;

Katrina Marshall, Mathews County – operation provides recycling facility. The entire country is "going green"; what provisions will be made if this site is not allowed to operate.

Willis Braxton, Jr. – live across the street; a business cannot stay in business if it doesn't grow

David LaSalsky, Balzer and Associates - supported the multiple species/multiple rows plan for screening rather than berms

Bill Gresham – supported limiting the size limit to 14 feet on front and sides

Jerry Bray – supported the multiple species/multiple rows plan for landscaping without the berms; asked that the Board uphold the intent of the ordinance

Alva Bray – supported decreasing the hours of operation and noted neighbors are already limited at being able to conduct outside activities because of the noise.

Little Willie “Pete” O’Neal – a compromise should be able to be worked out

John Hoskins – suggested planting bamboo for screening, as it grows thick and tall in a short time.

Mr. Trant in his rebuttal noted that over 1400 trees have already been planted on the property, a diverse selection of indigenous plants, including pines and hardwoods. According to their consultant, over a period of time (about 10 years) these plants will create a thick, natural buffer. The berms were seen as a way to produce an immediate screen and buffer.

There being no further public comment, the public portion of the hearing was closed and opened for questions from the Board. Mr. Walker restated the proposal for hours of operation and showed the areas proposed for additional landscaping and berms. Mr. Walker believed that the screening and sound attenuation will do a lot to help appease the neighbors. Probably the loudest part of the operation is the magnetic sorting; stacked metal and the proposed stacked containers will help contain the sound on the property. Board members discussed the proposed hours of operation and expressed concern regarding Sunday operations, suggesting that there be no operations on Sunday, other than internal, office operations. Mr. Soberick noted that a time limit needed to be stipulated for the pest control plan and suggested 90 days. Board members also discussed the landscaping plan and screening.

Mr. Mansfield questioned Mr. Easter about additional concerns that were not addressed in his initial presentation. Mr. Easter commented that the shipping containers proposed to be relocated should be placed inside the mature tree line, should be three units high all the way across, with no gaps or gaps plugged, and containers in open view should be a neutral color. Mr. Easter noted that he did not believe that the front property berm would satisfy VDOT screen requirements for a junkyard. Mr. Easter suggested that language be included that the applicants will put in whatever screening VDOT will require to allow movement of the shipping containers currently used for screening.

Mr. Mansfield also questioned whether the applicant would be addressing the spacing of the shipping containers. Mr. Trant commented that they would if necessary; however, their sound consultant had said that small gaps would not make a difference.

The following amendments to the proffers submitted were made by the Board:

Proffer #10 – Hours of Operation: the words “purchase and storage” regarding the magnetic sorting and movement of metal were changed to “loading and unloading”. The following text is added: “Notwithstanding any of the foregoing, there will be no outside activity on Sunday. Only inside office work is permitted on Sunday.”

Proffer #12 – Pest Control: added the words “within 90 days of approval of the Special Exception” regarding submission of an insect and pest control plan.

The following motion was made by Mr. Jessie, seconded by Mr. Mansfield and carried unanimously: the Board of Supervisors finds that the criteria found in Article 20-5-B and Article 7-4 of the Zoning Ordinance have been met by the Applicant and the Board adopts the staff comments with regard to those criteria as well as the applicant’s proposed conditions as submitted and amended by the Board and approves the Special Exception Application 2010-001 for operation of a junkyard in LDR at Tax Map Parcel #18-97:

PROFFERS SUBMITTED AND AMENDED BY BOARD

1. Berms, Fencing, and Plantings. There shall be installed and maintained on the Property the berms, landscaping, and fencing (the “Buffer Measures”) as shown on that certain plan entitled “SPECIAL EXCEPTION PLAN PROPOSED ADDITIONAL LANDSCAPING MIDDLESEX METALS 2095 OLD VIRGINIA STREET URBANNA, VIRGINIA” dated June 15, 2010, prepared by TAM Consultants, Inc. (the “Landscape Plan”), a copy of which plan is on file with the Zoning Administrator.
2. Installation. The Buffer Measures as shown on the Landscape Plan shall be installed on the Property within 180 days after approval of the Special Exception.
3. Maintenance. The “EXISTING LANDSCAPE BERM, TREES, AND SCREENING SHRUBBERY” as shown generally on the Landscape Plan, as well as all proposed additional landscaping shown on the Landscape Plan shall be maintained, repaired, and replaced in accordance with the standards prescribed by Section 17B-8 of the Middlesex County Zoning Ordinance.
4. Non-Expansion. The area identified as “Non-Expansion Area” on that certain plan (the “Plan”) entitled “SPECIAL EXCEPTION PLAN NON-EXPANSION AREA LAYOUT MIDDLESEX METALS 2095 OLD VIRGINIA STREET URBANNA, VIRGINIA” dated June 15, 2010, prepared by TAM Consultants, Inc., a copy of which is on file with the Zoning Administrator, shall be set aside as buffer area for the purpose of mitigating the impacts of the specially excepted use to adjacent residential properties and, except for the areas shown on the Plan as “Entrance Road” and “Rear Access Road”, none of the activities permitted by this special exception shall be conducted in the Non-Expansion Area. Except for (i) the establishment and maintenance of the berms, landscaping, fencing, and buffer areas described herein (to include the mowing of grass), (ii) site signage in its present location as shown on the Plan, and (iii) any activities that may be required to comply with existing easements, applicable laws, ordinances, and regulations, the Non-Expansion Area shall be preserved in natural state; provided, however, the Entrance Road and Rear Access Road shall remain open travel ways and may be used for ingress, egress, and the movement of material and equipment about the Property.
5. Shipping Containers. Within 180 days after approval of this Special Exception, all shipping containers shall be removed from open view from a public street and from open view from adjacent properties, and replaced with the landscaping, berms, and fencing shown on the Landscape Plan.
6. Existing Mature Trees Outside Non-Expansion Area. Existing trees on the portion of the Property outside of the Non-Expansion Area with a trunk diameter of 8 inches or greater, measured at a height of 5 feet above ground, which comprise the perimeter “Mature Tree Canopy” as shown generally on the Landscape Plan shall not be removed. Diseased or dying trees which pose a threat to the health and integrity of the buffer area or other flora may be removed with the prior written consent of the Zoning Administrator or his designee, which consent shall be based on his reasonable assessment of the consistency of the request with the purpose of this condition.
7. Height Limitation. The maximum height of any junk storage on the Property shall be 35 feet except as otherwise noted on the Plan.
8. Lighting. No new permanent exterior lighting shall be constructed or installed on the Property without the consent of the Zoning Administrator or his designee based on consideration of the impact to adjacent property owners, which consent shall not be unreasonably withheld.

9. Intercom System. The existing intercommunication/public broadcast system shall not be operated in a way that constitutes a nuisance to adjoining properties as determined by the Zoning Administrator or his designee in his reasonable discretion based on sound impact. No new intercommunication/public broadcast system shall be installed on the Property without the consent of the Zoning Administrator or his designee based on consideration of the sound impact to adjacent property owners, which consent shall not be unreasonably withheld.
10. Hours of Operation. Any junkyard business operated on the Property may only be open to the public Monday through Saturday from 8:00 a.m. to 6:00 p.m. Internal operation of any junkyard business on the Property (other than office work) shall occur only during the hours of 7:00 a.m. to 7:00 p.m. The magnetic sorting of metal and the movement of metal about the Property (except that reasonable necessary to accommodate the loading and unloading of metal brought to the Property and/or purchased from the Property during the public hours of operation) shall not be conducted on Saturdays and Sundays. The hours of operation established herein may be temporarily extended from time to time on a case by case basis with the prior written consent of the Zoning Administrator or his designee, which consent shall be based on his reasonable determination that such extended hours are necessary to respond to market conditions. Notwithstanding any of the foregoing, there will be no outside activity on Sunday. Only inside office work is permitted on Sunday.
11. Dust Control. During dry conditions, water shall be applied (or such other measures as may be approved by the Zoning Administrator or his designee in his reasonable discretion based the ability of such alternative measures to control the dust in an effective, environmentally safe, and cost effective manner) to the portions of the Property susceptible to the generation of dust on an as needed basis to prevent excessive dust generation emanating from the Property in accordance with a dust control plan approved by the Zoning Administrator or his designee for consistency with this condition.
12. Pest Control. There shall be developed, implemented, and maintained, within 90 days of approval of the Special Exception, an insect and pest control plan for the Property which limits the potential for insect and pest activity thereon to that consistent with surrounding agricultural operations, which plan shall be subject to approval by the Zoning Administrator or his designee for consistency with this condition.
13. Open Burning. No open burning shall be conducted on the Property without the prior written approval of the Zoning Administrator or his designee based on his reasonable determination that such burning consists primarily of organic matter or does not otherwise pose a material negative impact to adjacent properties; provided, however, this condition shall not apply to the lawful burning in a single 55 gallon drum or in a comparable or smaller container.
14. Sound Attenuation. There shall be installed and maintained on the Property the "Sound Attenuation Measure" shown on that certain plan entitled "SOUND ATTENUATION PLAN" dated June 4, 2010, prepared by TAM Consultants, Inc., a copy of which plan is on file with the Zoning Administrator. Hydraulic crushing and magnetic sorting of metal on the Property shall be confined to the area shown as "HYDRAULIC CRUSHING & MAGNETIC SORTING AREA", unless otherwise approved by the Zoning Administrator or his designee based on comparable sound attenuation being provided. Notwithstanding Condition 5 above, a portion of the top row of shipping containers utilized in connection with achieving compliance with this condition may be in open view from adjacent properties. Any portion of such containers in open view from adjacent properties shall be painted an earth tone color approved by the Zoning Administrator or his designee based on his reasonable estimation of that which will minimize the visual impact on adjacent properties.
15. Reforestation of Perimeter Areas Along Property Lines Where Necessary. In the areas within the Non-Expansion Area, adjacent to the property lines (with the exception of the property line fronting State Route 602), where existing or proposed landscaping is not at least seventy five feet (75') in width measured from the property line, there shall be installed and maintained a forested buffer consistent with that recommended by the Virginia Department of Forestry in a letter to the County Planning Director dated May 3, 2010, a copy of which letter is on file with the Zoning Administrator. This shall not include the Entrance Road and the Rear Access Road as shown on the Plan.

APPROPRIATIONS AND BUDGET TRANSFER

The motion to approve the following appropriations was made by Mr. Jessie, seconded by Mr. Revere and carried unanimously:

FROM: 3-1-18030-0006, Insurance Reimbursed, \$396.03, TO: 4-1-31020-7002, Sheriff – Furniture, \$396.03. Appropriation of insurance money received to replace TV damaged with July 27, 2009 storm.

FROM: 3-1-18030-0006, Insurance Reimbursed, \$1,218.74 TO: 4-1-31020-5406, Sheriff – Wrecked Vehicles. Appropriation of balance remaining for vehicle repair (VIN 6236 - \$537.45 & VIN 6537 - \$681.29).

FROM: 4-1-99010-0041, Transfer to Capital Improvements, \$40,534.00 TO: 4-1-31050 Line Items: 1001-Compensation, \$28,987.00; 2001-FICA, \$2,218; 2002-VRS, \$3,247; 2005-Hospitalization, \$6,000; 2006-Group Life, \$82.00.

LEASE AGREEMENT – COMMUNITY SERVICES BOARD

The motion to approve the lease agreement with the Community Services Board for office space at the Puller Building was made by Mr. Revere, seconded by Mr. Mansfield and carried unanimously. It was noted that the requirement for the County to provide snow removal was removed. There were instances last winter when the CSB offices needed to be open before the parking areas could be cleared and a contractor was hired to clear them. With the new lease, if the County staff is able to clear the lot along with other county properties, then it will.

VRS PLAN 2

This item had been tabled from the day meeting. All surrounding counties and school boards will continue to pay the 5% employee contribution for all employees, including new hires. The motion to approve Middlesex County pay the 5% employee share for new hires was made by Mr. Jessie, seconded by Mr. Revere and carried by a vote of three in favor to two opposed (Mansfield, Crittenden).

RESOLUTION

Authorization to Pick-up the Employee's Contribution to VRS Under § 414(h) of the Internal Revenue Code For Plan 2 Employees

WHEREAS, the Virginia General Assembly, in its 2010 session passed legislation creating a separate retirement plan for employees hired on or after July 1, 2010 (hereafter referred to as "Plan 2 Employees"). The legislation stipulates that Plan 2 Employees will pay their 5 percent member contribution and that, absent other action by the employer, such contribution will be paid through salary reduction according to Internal Revenue Code § 414 (h) on a pre-tax basis; and

WHEREAS, the legislation allows certain employers, including Middlesex County, to pick-up and pay all or a portion of the member contributions on behalf of its Plan 2 Employees as an additional benefit not paid as salary; and

WHEREAS, the election to pick-up and pay all or a portion of the member contributions on behalf of its Plan 2 Employees as an additional benefit not paid as salary shall, once made, remain in effect for the applicable fiscal year (July 1 - June 30) and shall continue in effect beyond the end of such fiscal year absent a subsequent resolution changing the way the 5 percent member contribution is paid; and

WHEREAS, employee contributions that are picked-up as an additional benefit not paid as salary are not considered wages for purposes of VA Code § 51.1-700 et seq. nor shall they be considered salary for purposes of VA Code § 51.1-100 et seq.; and

WHEREAS, Middlesex County desires to pick-up and pay its Plan 2 Employees' member contributions to VRS as an additional benefit not paid as salary in an amount equal to five percent (5%) of creditable compensation; and

WHEREAS, VRS tracks such picked-up member contributions and is prepared to treat such contributions as employee contributions for all purposes of VRS.

NOW, THEREFORE, IT IS HEREBY RESOLVED that effective the first day of July, 2010, Middlesex County shall pick-up member contributions of its Plan 2 Employees to VRS as an additional benefit not paid as salary in an amount equal to five percent (5%) of creditable compensation subject to the terms and conditions described above; and it is further

RESOLVED that such contributions, although designated as member contributions, are to be made by Middlesex County in lieu of member contributions; and it is further

RESOLVED that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the picked-up contributions made by Middlesex County directly instead of having them paid to VRS.

Adopted in Saluda, Virginia this 15th day of June, 2010, by vote of the Middlesex County Board of Supervisors.

CONSENT AGENDA

The motion to approve payroll and disbursements was made by Mr. Mansfield, seconded by Mr. Jessie and carried unanimously.

Payroll: Checks numbered 67704 through 67761 totaling \$301,451.46 were disbursed as approved.

Disbursements: Checks numbered 67762 through 67830 totaling \$79,397.61 were disbursed as approved.

OLD/NEW BUSINESS

There was no old or new business brought forward.

PUBLIC COMMENT

Bob Calves requested that the Board of Supervisors investigate and explain why assessment information from 2008 presented during the budget process showed some assessments changed twice, while his assessment and others were not changed. Mr. Calves requested that the investigation include timelines of what occurred in the assessment process with the findings of the investigation reported at each Board meeting and included in the Board minutes of each meeting.

ADJOURNED

There being no further business, the motion to adjourn the meeting was made by Mr. Revere, seconded by Mr. Jessie and carried unanimously.

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