

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS HELD ON
TUESDAY, MAY 2, 2023, IN THE BOARD ROOM OF THE HISTORIC COURTHOUSE,
SALUDA, VIRGINIA:

Present: Wayne H. Jessie, Sr., Jamaica District
Don R. Harris, Saluda District
Reginald A. Williams, Sr., Harmony Village District
Lud H. Kimbrough, III, Pinetop District
John B. Koontz, Jr., Hartfield District

Matthew L. Walker, County Administrator
Heather W. Lewis, County Attorney
Tammy-Lynn Gilbert, Deputy Clerk

CALL TO ORDER

Mr. Kimbrough called the meeting to order at 3:30 p.m. Mr. Williams led the group in prayer and Mr. Walker led the Pledge of Allegiance.

ROLL CALL

Attendance was taken by Mrs. Gilbert with the following roll call: Mr. Williams – Present; Mr. Koontz – Present; Mr. Harris – Present; Mr. Jessie – Present; and Mr. Kimbrough – Present. There was a quorum.

CONSENT AGENDA

Changes were made to the minutes from the April 4, 2023 and March 21, 2023 meetings. Due to scheduling, schools matters was moved to the first item under Agency and Staff Reports and also added under Agency and Staff Reports. Two additional items were added, the Heritage Committee and Fairfield Foundation and a presentation for the Maritime Museum sublease. Lastly, an additional closed session matter was added. The revised meeting packet was posted on the County website.

A motion to approve the Consent Agenda, as amended, was made by Mr. Jessie and seconded by Mr. Harris, and carried by the following roll call: Mr. Koontz – Aye; Mr. Harris – Aye; Mr. Jessie – Aye, Mr. Williams – Aye and Mr. Kimbrough – Aye.

The Consent Agenda included approval of disbursements dated May 2, 2023 through May 17, 2023, numbered 101817-101945 totaling \$515,648.15 and payroll dated May 15, 2023, totaling \$448,494.32.

PUBLIC COMMENT

Chairman Kimbrough opened the public comment period at 3:33 p.m.

Mr. Jeff Perkins voiced his disapproval of the proposed Family Dollar for its location and for traffic safety reasons.

Chairman Kimbrough closed the public comment period at 3:35 p.m.

CONSTITUTIONAL OFFICERS

Treasurer

Report Only.

Mr. Kimbrough mentioned that \$18,000.00 of interest was received from zero risk investments made through the Treasurer’s office.

Commissioner of Revenue

Report only.

Mr. Kimbrough briefly discussed the report, stating that businesses have increased this year, up 681 from 631.

AGENCY AND STAFF REPORTS

VDOT:

Mr. Lee McKnight provided a review of the VDOT monthly report, which included an overview of upcoming and future road projects in the County. He briefly touched upon VDOT's 13 comments regarding the proposed Family Dollar.

Schools:

Dr. Tracy Seitz explained Budget Supplement Request FY2023-37, stating this was to appropriate additional federal funds allocation into the FY23 budget for Title III material and supplies and Title IV salaries and wages.

A motion approving Budget Supplement Request FY2023-37 was made by Mr. Harris and seconded by Mr. Williams and carried by the following roll call: Mr. Harris - Aye, Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Aye and Mr. Kimbrough – Aye.

FROM:	AMOUNT:	TO:	AMOUNT:
3-071-038436-5000	(\$88.03)	4-071-061100-6000-900-100-415	\$88.03
3-071-038439-5000	(\$678.57)	4-071-061100-1120-900-100-450	\$678.57

Social Services:

Report Only.

Heritage Committee and Fairfield Foundation Update:

During the presentation, Ms. Patricia Satterfield gave an update on the Heritage Committee’s ongoing projects. These include signage along the Heritage Trail, as well as an application for historical designation for Saint Clair Walker Middle School and the cafetorium. Additionally, the committee was working on restoring and preserving the White Building.

Ms. Satterfield also shared that the Heritage Committee had submitted a grant application through the new Virginia Black, Indigenous, and People of Color Historical Preservation Fund. She explained the eligibility requirements of the program, which included granting a perpetual

easement to the Department of Historical Resources. To further elaborate on this topic, Dr. David Brown from the Fairfield Foundation was introduced to provide further explanation.

Dr. Brown shared some background information on the Fairfield Foundation and its function. He went on to talk about the grant, mentioning that while the County was not obligated to provide matching funds, any contributions made by the applicant, whether in cash or in-kind, would be taken into consideration during the grant application evaluation.

Dr. Brown also clarified that the perpetual easement would only apply to the White Building, and written verification that the County would provide the required easement would be sufficient at this stage. Additionally, he updated the Board on the maximum amount of the grant, which was \$1 million, as opposed to the \$250,000.00 figure that he had previously mentioned during earlier discussions.

Mr. Kimbrough asked the best way to proceed and voiced his support. The Board continued their discussion on the matter and no action was taken.

Deltaville Maritime Museum:

Mr. Bob LeBeouf requested the Board approve the museum's request to sublease a portion of the property to the Deltaville Boatyard. He explained this is necessary for insurance purposes, so the boatyard receives coverage for their equipment when moving boats.

Mrs. Lewis clarified that the lease between the County and the Deltaville Maritime Museum allows the museum to sublease property for up to one month in furtherance of its fundraising activities. She further explained the museum is asking to sublease the small portion called "The Field of Dreams" for 12-months with an option to renew. She said if the museum wishes to renew, then they would come back in 12-months and ask the Board for written approval to do so.

A motion to approve the sublease was made by Mr. Jessie and seconded by Mr. Harris and carried by the following roll call: Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Aye, Mr. Harris – Aye and Mr. Kimbrough – Aye.

Landfill – Resource International Update:

The Board received an update from Mr. Mike Fiore, the Vice President, and Mr. Bob Hundley, the Project Manager, regarding the post-closure procedures at the Middlesex County landfill. Mr. Fiore briefly discussed the reason for the Notice of Violation and acknowledged their obligation to address the issue, providing details of their remediation plan and readiness to bear the associated penalties.

Additionally, Mr. Fiore informed the Board of an upcoming meeting scheduled for May 11, 2023, with the DEQ to discuss the matter and present their case. Mr. Walker expressed his support for Resource International to continue serving as the County's agent to help resolve the matter.

Planning Director Update:

Mr. Kretz advised the Board that the Wake Boat Ramp recently underwent improvements. He said the grant from DCR provided less funding than originally expected but added the Board decided to use the funds to hire Wetland Study and Solutions to aid in finding a long-term solution. He said the primary concern is the sand causing the problems originates from the east and

homeowners both to the east and west of the cove are supportive of resolving the issue, recognizing the boat ramp's significance as a key economic driver in the region.

Mr. Kretz said that they will take immediate action by submitting a joint application for a maintenance dredge which will temporarily keep the boat ramp open. He added this is not a permanent solution. He said there was a possibility of conducting both pre and post dredge bathymetric surveys, which incurs additional costs and said the cost could be up to \$10,000.00.

After further discussion, a motion was made to authorize up to \$10,000.00 as needed to satisfy the bathymetric survey by Mr. Jessie and seconded by Mr. Harris and carried by the following roll call: Mr. Williams – Aye, Mr. Koontz – Abstain, Mr. Harris – Aye, and Mr. Kimbrough – Aye.

County Engineer Update:

On behalf of Mr. Beam, Mr. Walker updated the Board on the Puller Center renovation, stating that Bay Design was waiting for estimates on a few costs and will be at the June meeting to update the Board.

Regarding the water leak at the Historic Courthouse, Mr. Walker stated that Mr. Beam and staff are trying to find contractors to get estimates for the water leak which has been an ongoing issue for some time and although staff have had success to reduce the leak, they have not been able to completely stop it.

Mr. Walker said a contractor was hired to perform the masonry work at the Old Courthouse and the work is scheduled for this month.

Sewer Project Update:

Mr. Ken Turner provided the following updates for the wastewater collection system projects:

Topping, Phase I:

According to Mr. Turner, the field survey from Locust Grove to General Puller Highway has been finished, and the team is currently focused on the revised design. He mentioned that the revisions for the preliminary engineering report were completed and, once the final reviews are done, he would submit the report to the County for their review. In response to HRSD's request, the pump station site plan has been updated, and the environmental assessment for the Topping project has been initiated as instructed by DEQ. He said they are expecting to advertise in August 2023 for construction.

Deltaville Update:

Mr. Turner stated that mobile LiDAR equipment was used to conduct the field survey for all three phases and the work was complete. Currently, work was being done on the supplemental ground survey and property line location and added revisions to the PER are complete for all three phases of Deltaville. He said advertising for all three phases of Deltaville will be in December 2024.

Saluda Update:

Mr. Turner said that the County has been granted \$800,000.00 from the Straight-Line Pipe program, and he has assisted in submitting the required documentation to DEQ for accepting the grant. The Saluda PER has been submitted to the County for review, and upon approval, it will be forwarded to HRSD. Additionally, DEQ will assess the PER to determine if an environmental

assessment is necessary. The objective is to utilize previously disturbed rights-of-way and minimize the need for easements. However, there might still be a requirement for a few more easements. They aim to avoid the need for an environmental assessment, but a final determination will be made during the 30% design phase when their submission is sent to VDOT. Mr. Turner seeks approval to proceed with the design, with a budget of \$263,600.00, which is \$20,000.00 less than initially discussed.

After discussing the matter, the Board agreed to carry the matter over for a month to give the County Engineer, Mr. Beam, time to review the numbers.

Budget Supplement Request FY23-36:

Mr. Walker explained Budget Supplement Request FY23-36, stating this request was for the appropriation of funds, so the County can request reimbursement from the State for the two previously approved items, the Putt Property acquisition and the Runway planting.

A motion approving Budget Supplement Request FY23-36 was made by Mr. Koontz and seconded by Mr. Jessie and carried by the following roll call: Mr. Koontz – Aye, Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams – Aye and Mr. Kimbrough – Aye.

FROM:	AMOUNT:	TO:	AMOUNT:
3-001-012080-0007	(43,895.95)	4-001-010020-7006	\$43,895.95

REGULAR AGENDA ITEMS:

Citizen Appointments

There were several vacant positions with interested applicants. Mrs. Lewis advised the Board that Mr. Charles Miller submitted his application for reappointment the day of the meeting and therefore, it was not included in the meeting packet; however, copies had been provided to each member.

A motion approving Ms. Hammond for the Planning Commission, Jamaica District was made by Mr. Jessie and seconded by Mr. Koontz and carried by the following roll call: Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Aye and Mr. Kimbrough – Aye.

A motion approving Mr. Herb Johnston and Mr. Charles Miller reappointments to the Building Code Appeals Board was made by Mr. Koontz and seconded by Mr. Harris and carried by the following roll call: Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Aye, Mr. Harris – Aye and Mr. Kimbrough – Aye.

The Board agreed to table the applications of Mr. Chris Brewington and Ms. Zaneta Brewington until the next meeting and requested Mr. Koontz contact the applicants to obtain further information.

ADMINISTRATOR UPDATES

Cigarette Tax

Report Only

Staff Report

Report Only

Appropriation Resolution FY2024

After a brief discussion, a motion approving the FY2024 Appropriations Resolution was made by Mr. Jessie and seconded by Mr. Koontz and carried by the following roll call: Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Aye and Mr. Kimbrough – Aye.

**MIDDLESEX COUNTY
BOARD OF SUPERVISORS
RESOLUTION**

**AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS, HELD ON
TUESDAY, May 2, 2023, AT 3:00 PM: ON A MOTION DULY MADE BY SUPERVISOR JESSIE,
AND SECONDED BY SUPERVISOR KOONTZ, THE FOLLOWING RESOLUTION WAS
ADOPTED BY THE FOLLOWING VOTE:**

Lud H. Kimbrough, III	AYE
Don Harris	AYE
Reginald A. Williams, Sr.	AYE
John B. Koontz, Jr.	AYE
Wayne H. Jessie, Sr.	AYE

**A RESOLUTION APPROPRIATING FUNDS FOR THE FISCAL YEAR BUDGET
BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024
FOR MIDDLESEX COUNTY, VIRGINIA**

WHEREAS, upon notice duly published in the newspaper, a public hearing was held on April 13, 2023, concerning the adoption of the annual budget for Middlesex County for the fiscal year beginning July 1, 2023 and ending June 30, 2024; and

WHEREAS, the Board has held budget work sessions at which members have reviewed citizen comments, analyzed, deliberated, and made necessary revisions to create a budget; and

WHEREAS, the Board of Supervisors of Middlesex County, Virginia, approved said budget on April 20, 2023; and

WHEREAS, the approved FY 2024 budget contains funding for a cost-of-living adjustment (COLA) for employees of up to seven percent (7%) contingent upon state appropriation as currently proposed by the Virginia General Assembly; and

WHEREAS, as of the date of this Resolution the Commonwealth of Virginia has failed to adopt the requisite amendments to its biennium budget necessary to provide the proposed state funding for said COLA thereby making it necessary for the County to appropriate the FY 2024 budget contingent upon state funding; and

WHEREAS, it is now necessary to appropriate certain funds to implement the FY 2024 budget contingent upon state funding.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Middlesex County, Virginia this 2nd day of May 2023 preliminarily authorizes a five percent 5% cost-of-living adjustment effective July 1, 2023 and authorizes and appropriates up to an additional two (2%) COLA, for a total seven percent 7% cost-of-living adjustment effective July 1, 2023 contingent upon state appropriations expected to be approved in late June 2023 through state budget amendment processes and that the following appropriations are made for FY 2024 for the following functions:

Major Fund Number	Description	Adopted FY2024
10010	Total County Debt Service	1,319,797.00
10020	Total Airport	228,736.00
11010	Total Board of Supervisors	141,672.00
12010	Total County Administrator	562,741.00
12020	Total County Engineer	177,192.00
12040	Total County Attorney	254,219.00
12080	Total Independent Auditor	38,925.00
12090	Total Commissioner of Revenue	312,387.00
12100	Total Assessor	25,000.00
12130	Total Treasurer	373,324.00
12190	Total Insurance/Risk Management	154,947.00
12200	Total Technology Services	388,013.00
13010	Total Electoral Board	180,848.00
13020	Total Registrar	188,072.00
21010	Total Court Facility	239,451.00
21020	Total General District Court	12,150.00
21030	Total Juv. & Dom. Rel. Ct Services	43,275.00
21040	Total Magistrate	1,000.00
21050	Total Merrimac Center	84,460.00
21060	Total Circuit Court Clerk	394,546.00
21070	Total Victim/Witness	65,999.00
21100	Total Juvenile Court	4,869.00
22010	Total Commonwealth's Attorney	289,698.00
31020	Total Sheriff	2,549,028.00
31060	Total School Resource Officer	208,484.00
32010	Total Volunteer Fire Departments	400,000.00
32020	Total Fire Department Meals Tax	62,000.00
32030	Total Rescue Squads	241,000.00
32040	Total Rescue Squad Meals Tax	15,500.00
33010	Total Regional Jail	1,231,581.00

34010	Total Building Inspection	194,767.00
35010	Total Animal Control	147,864.00
35030	Total Medical Examiner	1,400.00
36010	Total Rescue Squad Coverage	625,000.00
36050	Total Emergency Services	379,619.00
36090	Total E911/GIS Mapping	120,161.00
42020	Total Litter	11,500.00
42030	Total Convenience Centers	175,003.00
42060	Total Landfill Maintenance	8,700.00
42070	Total VPPSA	952,579.00
43020	Total General Properties	786,920.00
43040	Total Custodial Services	107,377.00
51010	Total Health	247,043.00
52010	Total Mental Health	42,000.00
52020	Total Opioid Health	36,000.00
53010	Total Welfare	1,947,191.00
53050	Total Bay Aging	94,780.00
53090	Total Virginia Housing Dev.	2,361.00
53100	Total Vocational Rehab. Centers	5,000.00
53120	Total Animal Care Organizations	5,000.00
53140	Total Food Bank	5,000.00
53150	Total Comprehensive Services	744,000.00
53160	Total Workforce Development	2,695.00
60000	Total Education	7,175.00
71010	Total Parks & Recreation	83,795.00
71040	Total Sports Complex	31,000.00
71050	Total YMCA	47,500.00
72020	Total MUSEUMS	42,000.00
73020	Total Regional Library	145,000.00
81010	Total Planning	232,260.00
81040	Total Zoning Administration	78,972.00
81050	Total Econ. Dev. and EDA	97,146.00
81060	Total BZA	4,452.00
82030	Total Soil & Water Conservation	4,750.00
82040	Total Wetlands	14,118.00
82050	Total Forestry Service	3,693.00
83030	Total Extension Service	50,509.00
89000	Non-Departmental Exp.	1,763,546.00
99010	Total Transfers Out	17,639,420.00
	Total General Fund Expenses	\$37,076,210.00

BE IT FURTHER RESOLVED that an appropriation to the Middlesex County Public School's General Operating Fund (071) in the amount of \$21,329,121.00 inclusive of \$1,142,881.00 for School Debt Service is hereby approved subject to and contingent upon the availability of funding from the Federal government in the amount of \$977,596.00, from the state government in the amount of \$7,013,919.00, from the Middlesex County General Fund in the amount of \$12,105,334.00 and from other local revenues in the amount of \$89,391.00.

BE IT STILL FURTHER RESOLVED that the Middlesex County Board of Supervisors hereby appropriates categorically the Middlesex County Public School's General Operating Fund Budget (071) as follows:

Instruction	14,333,474.00
Administration, Attendance & Health	1,433,637.00
Pupil Transportation	1,629,968.00
Maintenance	1,557,471.00
Debt Service	1,313,172.00
Technology	1,061,399.00
Total School General Fund	21,329,121.00

BE IT STILL FURTHER RESOLVED that an appropriation to the Middlesex County Public School's Cafeteria Fund (072) in the amount of \$756,016.00 is hereby approved subject to and contingent upon the availability of funding from the Federal government in the amount of \$720,000.00, from the state government in the amount of \$16,016.00, and from local sales revenues in the amount of \$20,000.00.

BE IT STILL FURTHER RESOLVED that an appropriation to the Middlesex County Public School's Textbook Fund (073) in the amount of \$152,237.00 is hereby approved subject to and contingent upon the availability of funding from the state government in the amount of \$55,962.00 and local revenues in the amount of \$96,275.00.

BE IT STILL FURTHER RESOLVED that an appropriation to the Middlesex County Public School's Capital Improvements Fund (074) in the amount of \$1,100,000.00 is hereby approved.

Middlesex County Public Schools LED Lighting	300,000.00
EPDM Roofing System Replacement	800,000.00
Total School Capital Improvement Fund	1,100,000.00

BE IT STILL FURTHER RESOLVED that an appropriation to the Middlesex County Capital Improvements Fund (049) in the amount of \$3,195,000.00 is hereby approved.

Puller Center Sheriff's Office Reno.	500,000.00
Cooks Corner Park (Buddy Park)	250,000.00
Rapp. Central Elem. Repair & Reno.	320,000.00
Middlesex County Wastewater Collection System	2,000,000.00
Hummel Field Pump Island Improvement	125,000.00
Total County Capital Improvement Fund	3,195,000.00

BE IT STILL FURTHER RESOLVED that an appropriation to Middlesex Economic Development Authority in the amount of \$175,000.00 is hereby approved.

BE IT STILL FURTHER RESOLVED that an appropriation to the Middlesex Broadband Authority in the amount of \$0.00 is hereby approved.

BE IT STILL FURTHER RESOLVED that an appropriation to the Middlesex Water Authority in the amount of \$257,000.00 is hereby approved.

BE IT STILL FURTHER RESOLVED that the Board hereby establishes set-aside or reserve funds from the current unassigned fund balance in the amount of \$1,000,000.00 for the Middlesex County Dredging Fund Reserve, \$42,071.00 for a Middlesex County Election Equipment Fund Reserve, and \$0.00 for a Middlesex County Reassessment Fund Reserve is hereby approved.

BE IT STILL FURTHER RESOLVED that the County Administrator is authorized to redistribute appropriations within and among the funds under the control of the Board of Supervisors as may be necessary to meet the needs and interests of Middlesex County.

A Copy Teste:



Matthew Walker, County Administrator

COUNTY ATTORNEY UPDATE

Mrs. Lewis had nothing to report to the Board.

UNFINISHED/NEW BUSINESS

Unfinished Business

No unfinished business

New Business

No new business was discussed by the Board.

MATTERS PRESENTED BY THE BOARD

The Board members reported on their activities since the last Board of Supervisors meeting on April 4, 2023.

PUBLIC COMMENT

Chairman Kimbrough opened the public comment session at 6:16 p.m.

There were no public comments.

Chairman Kimbrough closed the public comment session at 6:16 p.m.

CLOSED SESSION

A motion to convene in a closed session pursuant to Virginia Code Sections 2.2-3711 (A)(3) and (A)(8), for the discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and for consultation with legal counsel employed or retained by the public body regarding specific legal questions about said acquisition of real property and pursuant to Code of Virginia, Section 2.2-3711(A)(1), discussion of personnel matters, specifically regarding the County Administrator was made by Mr. Koontz and seconded by Mr. Jessie and carried by the following roll call: Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Aye and Mr. Kimbrough – Aye.

RETURN TO OPEN SESSION

A motion to return from closed session with the following statement was made by Mr. Jessie and seconded by Mr. Koontz and carried by the following roll call: Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Aye, Mr. Harris – Aye and Mr. Kimbrough – Aye.

To the best of the members' knowledge, only public business matters lawfully exempted in the motion by which the closed session was called were considered or discussed in said closed session.

A motion to approve the County Administrator to return to the County's health care offerings as part of his updated contract was made by Mr. Koontz and seconded by Mr. Jessie and carried by the following roll call: Mr. Williams – Aye, Mr. Koontz – Aye, Mr. Harris – Aye, Mr. Jessie – Aye and Mr. Kimbrough – Aye.

PUBLIC HEARING

A. VDOT Secondary Six Year Plan

Mr. Ron Peaks reviewed VDOT's Secondary Six Year Plan for FY2024 for the Board. He said that Middlesex County was the only county in their six county residency with zero unpaved roads. He said currently, there are no projects on the plan for Middlesex County and have discussed with county administration to continue to work on identifying secondary road projects that can be completely funded within the six-year period. He reminded the Board the plan is only for improvements and new construction and does not include maintenance work such as patching potholes, pulling ditches, snow removal or repaving roads.

Chairman Kimbrough opened the Public Comments at 7:15 p.m.

There were no public comments.

Chairman Kimbrough closed the Public Comments at 7:15 p.m.

After additional discussions regarding VDOT's Secondary Six Year Plan, a motion was made to approve VDOT's Secondary Six Year Plan for FY2024 by Mr. Jessie and seconded by Mr. Koontz and carried by the following roll call: Mr. Koontz – Aye, Mr. Harris – Aye, Mr. Jessie – Aye, Mr. Williams – Aye and Mr. Kimbrough – Aye.

B. Special Exception 2023-01

Mr. Kretz explained Special Exception 2023-01 stating that it was submitted by Piedmont Companies, Inc. for approval of a special exception to establish an approximate 10,500 square foot retail store in accordance with Section 8-3.12 of the Middlesex County Zoning Ordinance. He said the property is zoned as Village Community and is located on Route 33, General Puller Highway, Saluda, VA. He stated the Planning Commission voted 6-0, with 1 abstention, 3 absent and 1 vacant to recommend approval of Special Exception 2023-01 with the following conditions:

- The ability at site plan time to see a rendering of variations of brick front, painted and not, external insulation and finishing system (EIFS) and hurricane shutters.

Mr. Larry Bearden, representative of Piedmont Companies, Inc. addressed the Board. He stated they have diligently tried to accommodate the requests for the exterior of the building. He mentioned one issue being the Family Dollar/Dollar Tree stores have specific identifiers for the exterior façade and he has tried to address all the concerns that were posed about traffic and said there was a traffic study conducted by VDOT which shows some of the concerns were not warranted. He said this would be a positive for the community and will help with the tax base.

Mr. Kimbrough opened the public comments at 7:43 p.m.

Ms. Jackie Taylor said her main issue was safety and said there is a multiple lane road that merges down to one and the development will be right at that section. She has lived there for 55 years and always sees accidents occur at the curve. She said she attended the Planning Commission meeting and heard the Developer state that they had VDOT's approval; however, when she went to VDOT, she found out that VDOT had not given approval and she had just recently received an email from VDOT with 13 issues letter. She also mentioned that the lot is 4 acres, and the Developer will only be using 1.923 acres. She was concerned with what would be developed on the unused portion. She advised this should not be taken lightly as it affects the whole community. She also discussed staffing issues the other area businesses experience. Ms. Taylor said there are plenty of places to shop because within the county there are three Dollar General stores. She does not think this is the right location for this business.

Mr. Mitch Johnson said his issues go beyond just traffic and added within 25 miles there are 10 Dollar General stores and 89 Dollar General stores within 50 miles and asked how many discount retail stores are needed and what will the Family Dollar/Dollar Tree stores bring to the community. He said the stores here are already struggling to find staff. The discount stores offer basically the same things and said the tax base will not increase; it will just be spread out between the different stores. Additionally, the new store will impact operations in the existing stores which will have an economic impact on the community.

Ms. Raynell Smith said that Family Dollar is a direct competitor to her business and giving special exceptions to Family Dollar will upset competitive businesses that are already established in the county. She would like to see preservation of the integrity of the community and also has the same safety concerns as the other speakers.

Ms. Jennifer Foster said she drives through Saluda often and is opposed to the Family Dollar/Dollar Tree. She stated traffic and safety as her main concern. She said she was in the Gloucester Family Dollar at 4:00 p.m. last Friday and said the store should have been busy but there was only one other customer. She does not want the Family Dollar in the county.

Ms. Sandra Collier said she lives on the adjoining property. She said that area is an accident waiting to happen and traffic is already a problem. She said it can sometimes take her ten to fifteen minutes to get out of her driveway and sometimes she has called the police to assist her to get out of her driveway.

Mr. Eric Messer said he was a job coach and helps people with disabilities get jobs. He said he is interested in seeing jobs come to the area but if people want a \$12 to \$15 an hour job, he can take them to Food Lion or Dollar General. He said business owners can't find help for their stores, and said the result is poor service and loss of customers. He asked the Board to consider the benefit this will bring to the area and what the tax base is on a store that has no business. He then discussed the traffic and safety concerns with that part of the road. He mentioned putting it in a different area.

Mr. David Edwards said he is opposed to the Family Dollar/Dollar Tree coming to the area and does not see the benefit it would bring to the county. He said there are already enough discount stores in the area and hopes the Board considers that.

Ms. Stephanie Hanley said she has lived here most of her life. She said the area is rural and does not want to see lights that are on 24 hours a day and a parking lot. She said like many others, she commutes through the area and is aware of the traffic problems in that area and does not think it is a safe area. She is also concerned with loitering, trash, traffic noise in a area that is a beautiful, lush green piece of heaven and wants the Board to consider another way.

Ms. Dawn Moore said she did not see this many people when money was being spent on a Water and Sewer system. She said the county needs tax relief. She said other businesses have tried to come to the county but are turned away. She is also tired of having to go outside of the County every time she needs to do something. She voiced concerns with the campground and campers' unsafe driving. She added that the campers may stop at the Urbanna or Deltaville Markets, but when they go back to the campground, they are not going to come back for anything.

Mr. Kimbrough closed the public comments at 8:14 p.m.

Mr. Bearden addressed some of the residents' key concerns:

- Traffic: He said that VDOT provided a listing of 13 items that must be in compliance. He added that is what the company is doing and said they are working with Mr. Dave Kretz so most of those issues will be addressed.
- Economic Impact: He listed two aspects, the first is a tax base revenue that produces. The second is hiring people and paying sales tax revenue on whatever is sold. He said the stores are very different from Dollar General.
- He said that the Dollar General store is 9,000 square feet and Family Dollar/Dollar Tree will be 10,500 square feet, approximately the same size.
- They are working with staff to ensure the architectural look of the building meets the wants of county staff.
- He did agree that the property will be subdivided but stated he doesn't intend to develop the remaining four acres and added it will provide a buffer for the adjoining properties.
- Lighting: He stated a new lighting plan was submitted which does not allow lights to go out onto the road and the lights do not stay on all night.
- He said the stores will make money and are successful and there is a lease that guarantees the stores will be open for at least 10 years with four or five year renewals regardless of how it operates.

He said he understands the community's concerns but encourages everyone's support. He also said they have spent a great deal of money on engineering and architectural testing to make sure the site will work correctly.

Mr. Jessie asked if they had ever invested where the business was not profitable. Mr. Beardon said he had and explained that his relationship is with the tenant, who pays him rent. He provides the tenant with a good location and a building. He briefly discussed the process for selecting the location.

Mr. Williams asked specifics about the front appearance of the building and asked would the parking lot be paved. Mr. Williams clarified that the area is only honorary historic and he does approve of the look of the building.

Mr. Koontz recognizes the shift in consumer behavior since the internet's launch and the lower-income demographic served by discount stores. Preserving historic buildings and reducing waste were highlighted, questioning the necessity of another discount store when there are already three. Concerns were raised about recycling existing dollars for the tax base and the potential benefit to non-community members. Mr. Koontz praised citizens for expressing their concerns but clarified his inability to personally support the project, advocating for sustainable and environmentally friendly investments.

Mr. Jessie asked to speak as he had not previously finished what he wanted to say. The Chairman approved his request. Mr. Jessie noted that the county needs more businesses to attract travelers who will spend money, and turning down businesses will stop growth. He suggested the traffic concerns could be controlled and that the store's location is good. Mr. Jessie said the new store will create jobs, help the community, and provide options for those without transportation. He acknowledged that some may disagree but asked for respect from them.

Mr. Harris thanked everyone for attending. He said he is the representative of the Saluda District and emphasized the Board's commitment to keeping taxes low and considering future development. He said the timing and impact of potential businesses are important factors to consider. He said the Board has been proactive in addressing the County's water, sewer and tourism needs to maintain low taxes. He added the County has managed to fund essential projects without raising taxes. He said he appreciates everyone coming out and voicing their opinions and assured the citizens that the Board takes them seriously.

Mr. Kimbrough stated if the applicant had proposed a 4900 square foot Family Dollar/Dollar Tree on the same property, there would be no need for this discussion as it is permitted by right. He said the safety concerns raised would be addressed by VDOT, which has a strong focus on safety in its designs. He said the government should not dictate which businesses should thrive or not but rather ensure compliance with regulations for a fair economic development and said the argument that we shouldn't have more businesses due to a lack of employees is not a viable strategy. He added that precedent matters and we should be open for business to diversify our tax base and reduce the burden on personal property and real estate taxes. He understands and appreciates the concerns presented but as a government representative, it is not his role to choose winners and losers in the business community. He thanked everyone for their meaningful involvement in the decision-making process.

A motion approving Special Exception 2023-01 was made by Mr. Jessie and seconded by Mr. Williams.

Mrs. Lewis asked for clarification on the motion and asked if the motion includes the Planning Commission reviewing the exterior of the building.

An amended motion approving Special Exception 2023-01 to include the condition that the Planning Commission has the ability at site plan time to see a rendering of variations of brick front, painted and not, external insulation and finishing system (EIFS) and hurricane shutters was made by Mr. Jessie and seconded by Mr. Williams and carries by the following roll call: Mr. Harris – No, Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – No and Mr. Kimbrough – No.

ADJOURN

A motion to adjourn until the next regular meeting scheduled for June 6, 2023 at 3:30 p.m. was made by Mr. Koontz and seconded by Mr. Jessie and carried by the following roll call: Mr. Jessie – Aye, Mr. Williams – Aye, Mr. Koontz – Aye, Mr. Harris – Aye and Mr. Kimbrough – Aye.

Lud H. Kimbrough, III
Chairman, Board of Supervisors