

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD
IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION
BUILDING, DINWIDDIE, VIRGINIA, ON THE 5TH DAY OF NOVEMBER,
1997 AT 7:30 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	LEENORA EVERETT	ELECTION DISTRICT #3
	AUBREY S. CLAY	ELECTION DISTRICT #5
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	BEN EMERSON	COUNTY ATTORNEY

IN RE: CALL TO ORDER - INVOCATION - PLEDGE OF ALLEGIANCE

Chairman Harrison A. Moody called the meeting to order at 7:32 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENT TO AGENDA

Chairman Harrison Moody asked the Board and staff if there were any amendments to the agenda. There were no requests for amendments.

IN RE: MINUTES

Upon Motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the October 15, 1997 regular meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using checks # 1007922 - 1008109 (void check(s) 1007921; 1007923; 1007988; and 1008005); for Accounts Payable in the amount of \$71,389.45; General Fund \$49,072.87; Jail Commission Fund \$600.93; E911 Fund \$2,068.00; Self Insurance Fund \$11,690.24; Fire Program and EMS Fund \$1,389.41; CDBG Grant Fund \$6,568.00; Payroll General Fund \$279,261.59; and CDBG Grant Fund \$1,446.82.

IN RE: APPROVAL OF REQUISITION #7 --COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator stated that Requisition #7 for the Courthouse consists of payments to:

ECS, Inc.	\$ 555.45
Dunbar, Milby, Williams, Pittman & Vaughan	400.00
Gulf Seaboard General Contractors Inc.	378,861.90
Total	\$ 379,817.35

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #7 in the amount of \$379,817.35 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #3 - SCHOOL CONSTRUCTION

Mrs. Ralph stated that Requisition #3 for the School Construction consists of the following invoices:

KBS, INC.	\$ 1,250,671.72
Froehling & Robertson, Inc.	446.25
Stroud, Pence & Associates, LTD	4,420.00
Ballou Justice Upton	16,349.47
American Academic	2,232.54
Wenger	4,160.00
Southside Electric Coop.	21,434.65
Walker Hudson Construction	16,640.00
Virco	3,752.05
Work Environment Assoc.	350.00
TOTAL	\$ 1,320,456.68

Mr. Bracey requested information on Stroud, Pence & Associates, LTD., who provides the special inspections, regarding the total contract price and information regarding the original firm contracted. Mrs. Troilen Seward, Superintendent of Schools, stated that she would provide Mr. Bracey with the requested information.

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #3 in the amount of \$1,320,456.68 be approved and funds appropriated for CIP expenses for the School Construction Fund.

IN RE: CITIZEN COMMENTS

The following person addressed the Board:

1. Robert Ragsdale, 8511 Boynton Plank Road, came before the Board to voice his concerns regarding the requirements for drilling a well. He felt that the requirements were too high for a well to water his garden. It should not take two or more weeks to obtain a permit to dig a well to water a garden.

Mr. Moody stated that he did not know what state or federal regulations there were regarding the digging of a well but that his concerns would be passed on to the correct personnel.

Mr. Ragsdale also voiced concern about a fertilizer spill incident that the Sheriff's Department was suppose to report on. Mr. Ragsdale stated that to date he has not received any information on that spill.

Mr. Ragsdale was informed by staff that a request to the Sheriff had been made. Mr. Bracey stated that the Board had requested that information from the Sheriff; however, Mr. Ragsdale needed to understand that the Sheriff is an elected official and the Board could not make him do anything.

Mr. Ragsdale continued that he felt that the County had a double standard going -- he could not sell his property because of the chemicals and trucks involved but the County could bring in a steel mill that would pollute the air, as well as the water, and put hundreds of trucks on the back roads of the County.

2. Mike Parrish, Extension Agent, came before the Board to thank them for their participation in the Hazardous Waste Program that was held on October 25, 1997. They collected approximately seven thousand (7,000) pounds of unwanted household hazardous waste. We had funds for five thousand (5,000) pounds and found alternate sources to remove two thousand (2,000) additional pounds.

We also had great success with the Ag Clean-up held earlier this year where we collected thirty-three thousand (33,000) pounds of old pesticides. This exceeded all the other twenty-one (21) counties that participated in this program.

Mr. Parrish continued that when the plastic container recycling that is done for the agricultural producers, this year the container numbers were up. This year they disposed of approximately five thousand (5,000) plastic pesticide containers that will be recycled into plastic pallets or used for incinerator fuel. He again thanked the organizations that helped in these programs.

Mrs. Everett asked about the drought disaster relief. Mr. Parrish stated that all the data had been submitted and is currently being reviewed by the Farm Service Agency and they will submit to the Governor. He hoped to hear something within the next two (2) weeks. He felt that they are looking at over a thirty (30%) percent loss for 1997 crops.

IN RE: JOINT MEETING WITH THE PLANNING COMMISSION

Mr. Moody invited Mr. Daniel Lee, Chairman for the Planning Commission, to join him at the head table for the joint Public Hearing.

Mr. Lee called the Planning Commission meeting to order at 7:53 P.M. Mrs. Pamela A. Mann, Administrative Secretary, called the roll and reported that all members were present.

IN RE: C-97-7 -- CONDITIONAL USE PERMIT -- PUBLIC HEARING
CHAPARRAL STEEL COMPANY

This being the time and place as advertised in the Dinwiddie Monitor on October 22, 1997 and October 29, 1997, for the Planning Commission and the Board of Supervisors of Dinwiddie County, Virginia to conduct a joint public hearing for the purpose of considering a request for a conditional use permit which has been submitted by Chaparral East (Texas Industries is the parent company) in compliance with sections 22-22, 22-23 and 22-230.1B of the Dinwiddie County Zoning Ordinance. The following tax parcel numbers are parcels zoned FMD (Planned Industrial District) and requesting the conditional use permit. Section 21 - Parcels 47G, 47H, 47I, & 47L. Section 22 - Parcels 20, 20A, 20B, 20C, 38A, 38B, 38C, 39, 42, 43, 56, 59, (4) A-B-C-D-E-F, 44, 46, (49{NOW (6) 1-2-3}), 52, 55, 45, 47, 48, 50, 50A, 50B, 50C, 50D, 63, 51, 53, 54, 62 & 64. The property is generally bounded on the west by Church Road, south by Flank Road, east by Squirrel Level Road and north by the railroad tracks.

Mr. Guy Scheid, Director of Planning, came forward to present C-97-7, stating he would like to read from the prepared statement and would then be available to answer any questions by the Boards. He described where the property in question was located and is as stated above. The property is multiple parcels in the northeastern portion of the County, located in the Rohoic magisterial district. This property contains approximately 769 acres, which is zoned Planned Industrial District - FMD. This property has public water and sewer disposal.

The applicant, Chaparral Steel Company, is seeking a conditional use permit as permitted by section 22-230.1b (2) of the Dinwiddie County Zoning Ordinance. Mr. Barry Bone, a representative of Chaparral Steel Company, has made this request for the purpose of developing the property for a ferrous & non-ferrous metals and plastics recycling facility. Mr. Scheid continued by stating that the information enclosed in the Board packets included the following:

1. Letter-Texas Industries dated: October 17, 1997
2. Letter-CSX Transportation dated: October 14, 1997
3. Conditional Land Use Application
4. Zoning Disclosure Affidavit
5. Existing Property Owner List
6. Adjacent Property Owner List
7. Site Maps
8. Newspaper Ad (Progress Index and Dinwiddie Monitor)
9. FMD Ordinance
10. Various articles submitted by citizens

In accordance with Section 22-23 and Section 22-142 of the Code of the County of Dinwiddie, the enclosed information is forwarded for your consideration.

BACKGROUND INFORMATION

The Board of Supervisors and Planning Commission have held several public hearings within the past month regarding amendments to the comprehensive land use plan, zoning ordinance and zoning map. The purpose of these hearings was to establish a Planned Industrial District in the County in which it could consider the location of a mini-steel mill (recycling plant) in the northeastern portion of the County.

On October 1, 1997 a joint hearing was held by the Planning Commission and Board of Supervisors to consider A-97-11, which would amend the zoning ordinance by creating a new zoning classification, a Planned Industrial District, PMD. Upon unanimous vote of the Planning Commission and the Board of Supervisors, the amendment was adopted. This district allows with a conditional use permit, a company involved in reprocessing, rolling, drawing, extruding, casting and forging of ferrous and non-ferrous metal and plastic to operate as a permitted use. Obviously, if the Board of Supervisors issues the conditional use permit, they may attach conditions which are deemed necessary or appropriate by the Board to carry out the intent of the zoning ordinance (reference is made to section 22-22 of the County Zoning Ordinance, conditional use permits generally).

An amendment to the Comprehensive Land Use Plan was heard at the joint meeting mentioned above. The amendment, A-97-12, proposed two (2) changes to page 109 of the Comprehensive Land Use Plan as follows: "to designate the area generally bounded on the west by Church Road, south by Flank Road, east by Squirrel Level Road and north by the railroad tracks for industrial purposes and related infrastructure, including streets and connections to existing streets and public utilities; and to extend the Urban Planning Area boundary line from Church Road along Flank Road to Squirrel Level Road and then to proceed north along Squirrel Level Road to the City of Petersburg limits." This amendment was unanimously approved by the Planning Commission and Board of Supervisors according to the provisions in Section 12, Implementation, page 118, Plan Amendment, of the Comprehensive Land Use Plan.

The Planning Commission held a public hearing on October 8, 1997 to consider the rezoning request P-97-15. This request sought to change the district classification of many land parcels in the northeastern portion of the County as previously referenced to PMD. Upon the conclusion of the public hearing, the Planning Commission voted unanimously to recommend approval of P-97-15 to the Board of Supervisors (action taken in compliance with section 22-5 of the County Code and section 15.1-431 of the Code of Virginia).

The Board of Supervisors held a public hearing on October 15, 1997 for the rezoning request P-97-15. Upon the conclusion of the public hearing, the Board of Supervisors unanimously voted to accept the recommendation of the Planning Commission. They rezoned those parcels noted in P-97-5 to PMD with the exception of parcels 21-47E, 21-47F, 21-47J, 22-40 and 22-41, which were withdrawn at the request of the property owners. These actions were taken in accordance with the provisions of Section 22-5 of the County Code and Section 15.1-431 of the Code of Virginia.

Texas Industries (TXI), which is the parent company of Chaparral Steel Company, sent a letter (dated October 17, 1997) to Dinwiddie County which confirmed their agreement "to purchase the options held by the Industrial Development Authority" for those properties recently rezoned to PMD. Additionally, they agreed to complete a full application for a conditional use permit. The conditional use permit application has been completed and is on file with the Planning Department.

The County of Dinwiddie is pursuing funding from the Community Development Block Grant program for new road construction and the extension of public water/sewer lines to the proposed Chaparral Steel site. It is recognized that the existing secondary road system is not adequate to serve the anticipated truck traffic. A road must be constructed from the industrial site to Route 1. Since it is anticipated that approximately 900,000 gallons of water per day will be needed, the County is seeking funding for the extension of water/sewer lines. The Dinwiddie County Water Authority has stated that they will be able to supply the volume of water needed once the lines are extended.

There have been discussions held with other service providers (i.e. electricity, gas, railroad, etc.) and it appears that they will be able to adequately service the needs of Chaparral Steel Company. An issue raised by many citizens living in the general vicinity of the proposed Chaparral Steel site is rail access from Collier railroad yard to the site by CSXT. A letter written by David Hemphill, Assistant Vice President for Industrial & Economic Development of CSXT, dated October 14, 1997 addresses this concern. It stated that Norfolk Southern Railway Company has given CSXT verbal assurances that it will grant CSXT access to the proposed Chaparral Steel site via connecting tracks owned by Norfolk-Southern. This access would utilize existing railroad right-of-way to connect with the property optioned for the proposed Chaparral Steel project. If this agreement becomes a reality, then a spur line from Collier Railroad yard will not be necessary.

ANALYSIS

Staff has spent considerable time and effort in studying the effects of locating of Chaparral Steel East in Dinwiddie County. The Planned Industrial District regulations were developed in order to address those issues which were considered by staff to be of most concern to the citizens. Various issues raised at the public hearing which appear to be addressed, at least in part, by the ordinance are listed below with reference made to the appropriate code section (please refer to the attached County Code, Division 15):

1. secondary road access to the site - Section 22-230.3(1);
2. buffering - Sections 22-230.2(2) & 230.4;
3. noise/smell/odor - Sections 22-230.2(1) & 230.2(3)
4. water/sewer - Section 22-230.3(2);
5. environmental issues - Section 22-230.4;
6. stock pile of raw material - Section 22-230.2(2)
7. impact on neighborhoods - Sections 22-230.2, 22-230.3, 22-230.4, 22-230.5, 22-230.6;
8. lighting - Section 22-230.3(4);
9. utilities - Section 22-230.3(3); and
10. contract with the County - Section 22-22.

In addition to the above, concerns were raised over the following: construction of a railroad spur line from Collier Railroad yard to the Chaparral site; the existing railroad bridge over Squirrel Level Road; additional buffering criteria; use of "state of the art" technology; use of the secondary access road into the Chaparral site; having a landfill on premises; tires; civil war/historical sites; wetlands; a "watch committee"; truck traffic and traffic increase on existing secondary road system.

It appears to the staff that some of the citizens concerns are adequately addressed in existing County, State and Federal regulations. Other concerns are beyond the scope of local ordinances. But, there are several concerns which are proper to address and include in a conditional use permit. Staff has created the conditions contained herein with those in mind.

STAFF RECOMMENDATION

It is the recommendation of staff that the conditional use permit requested in case number C-97-7 be granted with the following conditions attached:

1. Copies of all federal, state and local permits or licenses associated with this industry must be on file with the Planning Department prior to the issuance of a Certificate of Occupancy.
2. Primary access to the Chaparral Steel site shall be from Route 1. A newly constructed access road shall provide the access for all non-emergency vehicular traffic associated with the industry and Chaparral Steel Company will require all vehicular delivery traffic to use this access;
3. The secondary access road shown in the site development plan presented by representatives of the Chaparral Steel Company shall be used for emergency purposes, only. This secondary

road was shown to enter the existing State secondary road system in the general vicinity of Flank Road and Squirrel Level Road;

4. Rail access to the Chaparral Steel site shall be from the existing Norfolk-Southern railroad tracks which bound the northern portion of the site. If an agreement between CSX and Norfolk-Southern can not be reached such that CSX can cross their lines to the Chaparral Site, then a spur line from Collier Railroad yard to the Chaparral Steel site will be permitted;
5. Adequate on site parking shall be provided for all trucks providing services and/or materials;
6. A buffer/landscape area of 500 feet in depth shall be provided along Church Road, Squirrel Level Road and Flank Road. Adequate buffering and screening along the Norfolk-Southern railroad line shall be required in order to minimize the industry's impact on the subdivision located to the north of the railroad tracks;
7. Actions acceptable to the County shall be taken to protect any site(s) determined by the Planning staff to have significant historical value;
8. The steel mill (reprocessing plant) shall contain only state of the art equipment which shall use electricity as its primary power source;
9. Chaparral Steel Company shall train and equip their personnel to provide adequate emergency medical and fire protection for their employees and facilities.
10. There shall not be a landfill located on premises. Any waste material generated at this facility shall be properly disposed of at an approved landfill site. Trash receptacles located on premises shall be screened;
11. This permit shall expire and be null and void if, (a) the real property for the facility is not acquired from its present owners and Chaparral Steel Company does not break ground and commence construction of its facility within six (6) months after the date of issuance of this permit and, (b) Chaparral Steel Company does not commence operations in the facility within twenty-four (24) months after the date of issuance of this permit.
Notwithstanding the foregoing, the Board of Supervisors, without a public hearing, may extend the expiration date of this permit for up to an additional six (6) months for good cause shown;
12. Final interpretation of all conditions attached to this permit shall be made by the County.

Mr. Scheid stated that concluded his report. Mr. Moody asked if there were any questions from either Board. Mr. Tickle and Mr. Perkinson requested corrections in the document that Mr. Scheid presented. The corrections were noted.

Mr. Moody asked the Chaparral Steel officials if they wished to speak at this time.

Mr. Barry Bone, Vice-President for Real Estate with TXI, which is the parent corporation for Chaparral Steel came stating that at this time they agree with the staff recommendations and would now like to proceed to the public comment portion of the hearing.

Mr. Lee stated that at this time he would open the Public Hearing on C-97-7. Mr. Moody stated that both the Planning Commission and the Board of Supervisors would hold the Public Hearing jointly. He requested that the citizens hold their comments to three (3) minutes.

The following persons addressed the Boards:

1. Rebecca D. Zinn, 8817 Squirrel Level Road, came forward stating that she was opposed to Chaparral Steel coming into her neighborhood. Her biggest concern was the additional pollution. She wanted to know what would be done to stop the pollution. She was concerned for her child and father, who both suffer from breathing problems. She did not welcome this mill to her home.

2. Russell E. Stainback, 9309 Southwood Drive, came forward stating that he was opposed to the mill coming into Dinwiddie County. He was upset that Dinwiddie County was even considering to have this garbage dump. He felt that it was a low down trick for them to even think about taking in this garbage from all over the United States. He was concerned about the gas, oil, and the pollution that will be put in our soil and air.

3. Vincent Johnson, 20023 River Road, came before the Board to voice his concerns regarding the pollution of the soil, air, and water. He was also concerned about the roads in this area. He hoped that the EPA will come in and watch this mill very closely.

4. Richard Hotchkiss, 27518 Flank Road, came forward to voice his concern about the violations that Chaparral Steel has had in their mill in Midlothian, Texas. He was very much against this mill coming to Dinwiddie County. He also stated his concern about the property values in his neighborhood, he had been told that the value will drop 80 to 90 percent. Also he was upset about the battlefields in this area. He asked the Board to stop and think before they make this choice.

5. Robert Belcher, 27516 Flank Road, came forward stating that he was against this mill. He was upset about the property values and the changes that will occur in this area of the County. He also questioned why Hoke County, North Carolina pulled itself out of the race to secure their site for this new mill.

6. Richard Lonermann, 7902 Halifax Road, came forward to express his concerns for the safety of residents, health issues, and pollution of the air and water. He asked the Board to look to the common good. He stated he is not anti-business and that is not the stance he is taking, he only asks that the Boards look carefully at all the facts that have been presented to them before they make this decision.

7. Grace Dunford, 6513 Church Road, came forward stating that she was one of the property owners. She stated that she had mixed feelings about the steel mill coming; however, her family had come to a decision. She understands the concerns that many residents have voiced. She hates to leave her home, a home located on land that has been in her family for over 150 years. She does feel that they are doing this for the good of Dinwiddie County. She is in support of this industry coming to our area because the young people of our area will need good jobs. She is not in support of this industry because they will be buying her land, she is doing this for the future of our area.

8. Susan Mayes, 6510 Church Road, came forward to support the industry coming to our County. She also expressed her concern for the future of her children and trusted that the Board and Chaparral will live up to the promises to keep our soil, air and water pure. She stated that she is a creature of habit and does not like change; however, change is inevitable and we are lucky to have such a large company coming into our area that can provide the safety measures needed. She is in favor of this and hopes that this change is for the better.

9. Charlotte Moore, 8201 Squirrel Level Road, came forward stating that she still had major concerns regarding environmental issues. She was concerned about the water, the wetlands in the area, the noise level, Petersburg's reaction to this industry, the property values, and how the residents in this area will be compensated? She stated that several residents in the area have been contacted by Jerry Cook to sell their property, why? She wanted to commend the Board of Supervisors for their hard work in trying to find industry for Dinwiddie County. Mr. Tickle had stated to her after the last meeting that this was basically a done deal and these hearings are being done for protocol. Mr. Tickle interrupted stating that was in his opinion. She only asked that the Boards listen to the citizens, please don't shut them out.

10. Art DeMario, 7410 Vaughan Road, came forward stating that he would like to thank the Boards for allowing him to address them again. He voiced concerns about the pollutants that would be entering our area if this steel mill was allowed to come into Dinwiddie County. He voiced his concerns about co-generation plants, land fills, wetlands, fluff waste,

odors, noise, dust, and roads. He asked the Boards to think hard before the vote.

11. Issac Kelley, 7010 Church Road, came forward stating that he was concerned over the same items as the other speakers of this night. He thanked Mr. Tickle for his honest reports about this being a done deal.

12. Margaret Gafford, Vaughan Road and Fort Emory Road, came forward stating that she raised horses, geese and dogs. She is upset about industry coming into this beautiful agricultural community. She was concerned about the pollution. She hopes that the Board will look at all the issues and give our children the proper environment, a better environment to grow up in.

13. Barbara Moore, 10024 Vaughan Road, came forward expressing concern about the livestock. She has been a resident for thirty-five (35) years and is very concerned about the breeding, pastures, water supplies, and pollution that a steel mill produces. This is a residential area and an agricultural area and it should remain that way. She cannot imagine anyone wanting a steel mill or wanting their children to work in a steel mill. She is concerned about her neighbors. There are young people in her neighborhood who have put their life savings into a home and now this, what do these young people have to look forward to now?

14. Martin Jones, General Manager of the New Millennium Studios which is a neighbor on the north, came forward stating that he is concerned about the steel mill coming into the area. He would prefer a non-polluting industry. He is a father and business owner in this area. They moved the studio operation from California to Virginia because of the area and he does not want this area destroyed by pollution and excessive traffic. He stated that there are jobs in the movie business and he wanted to see the young people use their imagination and creativity. A steel mill is heavy labor. He urged the Boards to consider their decision carefully and to keep Virginia the beautiful area that it is.

15. Deborah DeViassi, who lives off of Circlewood Road, in the Virginia Hills area, came forward providing information of the two (2) steel mills. She advised the Boards and citizens to not trust environmental agencies. She asked the Boards to postpone their decision until they reviewed all the facts. She asked them to please reconsider.

16. Tammy Valenski, Circlewood Drive, came forward stating that she is a former employee of the Department of Environmental Quality and among the many reasons that she left service with the State, after serving for six (6) years, was that she had a very close unpleasant relationship with one of the steel mills in Virginia. This caused her blood pressure to go up quite a bit. She wanted to tell the Boards and citizens that they do not want a steel mill! You don't want your kids to work in steel mills! The health hazards are numerous. She wanted to be sure that the Board's staff had done their jobs by informing them of what she felt was a very critical issue in the proposal. The legal term she used was environmental justice. She wanted to raise that issue, raise it to their awareness, make sure the staff has done their work and done a sufficient job of researching that issue and informing you as to whether or not you need to be concerned about it.

Mr. Moody declared the joint Public Hearing on C-97-7 closed. He invited the Chaparral Steel representative to come forward to address the issues that had been raised by the citizens.

Mr. Dennis Beach, Vice-President of Administration for Chaparral Steel, came forward stating that he worked in a steel mill and had worked in a steel mill for 22 years. He thanked the citizens for being very courteous to him as being someone who is visiting from out of state and the comments that have been received tonight and taken with the respect that he felt that they were intended. He stated that he would try to answer these issues in broad terms and will try to get as specific as he could. The steel making facility will be located in the center of this tract and there is going to be a buffer area of about five hundred feet (500') surrounding it on three (3) sides. The fourth side is somewhat smaller as it is a rail track. The state of the art technology is what is being employed in our plant in Midlothian. While that plant has been

there for twenty-two (22) years, it has been continually upgraded to where it today still has the latest technology. There are other technological advances that we will make in that facility that will continue to improve our environmental impact. The land, the water and the water tables and the air around that site, which is the one he is familiar with, because it is producing about a million seven hundred thousand tons of steel. This is being done in a very similar manner in which this site will produce steel. There is no impact from the plant on the land or in the water table at that site. He stated that he does not anticipate there will be at this site. Yes, they will have to acquire permits. There is not a land fill on this site so that is not a permit that they will have to acquire. There will be no discharge of water on this site. We will test periodically for what will be going into the air. We go to a great deal of effort and expense to capture those particulates. They are permitted, they are monitored by the Virginia Department of Environmental Quality. The relationship between Chaparral Steel and the Virginia Department of Environmental Quality has been very positive. They have found them to be very professional. In addition, there are certain national standards that must be subscribed to. These will be monitored by the United States Environmental Protection Agency. There is no water that will escape this site. As far as noise is concerned, on our site in Midlothian we do not have as up to date technology as the proposed plant. He reported to the citizens that you can stand at the perimeter of the building, housing the noisiest equipment, and carry on a conversation. You can stand at the perimeter, which is only three hundred (300) acres compared to this one which is almost seven hundred (700) acres, and not hear anything except for normal noises that you hear in any area. Noise does carry; however, you cannot hear any noise beyond the perimeter of the site. The Boards members and other parties that visited the site will tell you that is just not so. The story of sounding like thunder twenty-four hours per day miles away from the site, is just not true. A citizen asked if the plant was operating when they visited the site? Mr. Beach stated that it was, it operates twenty four hours per day, seven days a week, except for the eight hours a day which is used for maintenance and repairs. There is no odor associated with the manufacture of steel. He again repeated there is no odor associated with the manufacture of steel. The things that have been discussed such as some type of chemical smell just does not occur in this type of recycling operation. A citizen interrupted -- asking may I please speak sir? Mr. Moody stated would you please let Mr. Beach complete his comments. Mr. Beach stated this was fine, he felt that this was the purpose of this hearing. He stated he was here to try to address the citizens concerns. One concern that he cannot address is that will it change the environment, will it change the area from a rural to something other than that? He stated he was here to tell them that it will. To say anything else would be an insult to everyone's intelligence. Yes, it is a plant that will be producing steel. Yes, there will be traffic. We will do what we can to minimize that because of the new road will access the plant from Route 1. Will there be additional traffic on the roads surrounding the site. Perhaps so, because of routes employees use to get to work but it will not be truck traffic from the plant. A citizen asked when you bring the scrap cars and stuff into the plant, this states you do not get tires, you do not get Freon, you do not get antifreeze, that is all eliminated at the junk yards. Mr. Beach stated that is correct. The citizen continued that the citizens should be concerned as to what the junk yards are doing with these pollutants. Mr. Beach stated that in the contracts with vendors specifically states that they do not accept tires, batteries, exhaust systems, etc. We do not store these items on site. These items are divided into metallic or nonmetallic. The metallic are recycled. The remaining fluff has some fuel value and they are studying how they can use this in their operations. A citizen stated that they probably have less pollution than the galvanizing plant that just opened on Halifax Road. Mr. Beach stated that he could not comment on that but he would like to comment on some of the other steel companies that are in the United States. He stated that they all operate under certain rules and regulations. They feel that they are doing better than the regulations require. A citizen asked what about the light pollution that your factory will have? Mr. Beach responded with there will be lights on the site because it is a twenty four hour operation. The lights will be directed toward the ground. He felt that with the buffer no light will escape the site. If the power fails then they would be without lights as there is no back up system on site. The citizens questioned the noise created by the trucks. Mr. Beach stated that the access to the site is on

the northwest side of the site and that is as much as they can do to minimize the noise is to put the new access road in this area, which is the shortest distance from Route 1. Mr. Beach explained the process of capturing the pollutants for disposal in response to a citizens question. Mr. Beach asked the Boards how they felt about him continuing to answer questions from citizens or if his three minutes were up. The Boards stated that they felt that he was addressing citizens concerns and that he was welcome to continue. The next citizen concern was smoke stacks, were there any, if so how many? Mr. Beach stated that there was no smoke stack but there was a smoke stack type of thing that is off the bag house. This is where they monitor emissions. There is no smoke. This is a requirement for monitoring emissions only. A citizen asked about water run off. Mr. Beach stated that they had one instance where this happened and there was no contamination and no damage done. There is a farm directly attached to the plant site that was there before the plant. The farmer raised hay or grass to feed his cattle. For some reason the cattle would not eat the grass or hay. Testing was done on the grass or hay and nothing was found. We do not know why they cattle would not eat this grass or hay. We felt that as a good neighbor we had an obligation to a neighbor to help them out of this situation. A citizen asked about problems that had been encountered with older steel mills. Mr. Beach stated that he understood that her experience had been with these older steel mills that were actually constructed under different environmental rules and regulations then the new steel mills have. He continued by stating that they did not anticipate any metal impact in storm water run off. The citizen asked if they do storm water testing in Texas? Mr. Beach replied that they do storm water testing in Texas. Mr. Belcher asked if he intended to answer his question? Mr. Beach laughed stating probably not. He continued by stating that his question had to do with the Hoke County and did they run them off? Mr. Beach stated the answer to that question is absolutely not. They had questions and we intended to answer them but we do have two (2) sites still remaining in the running. Dinwiddie County is one (1) and the other one (1) is in Chatham County, North Carolina. If both of those were not to be available to them then they would go back to Hoke County. If you will ask the Hoke County officials if they still want Chaparral Steel, that is where you will find your real answer. They have indicated to Chaparral Steel that they still do. Mr. Beach asked Mr. Barry Bone if he would like to address the citizens and Boards at this time. Mr. Barry Bone came forward to address the issues that he was more familiar with. He stated that he understood that or could tell by all the comments tonight that not everyone attended the previous meetings that the Boards have held. The Boards and Chaparral Steel have gone through a public process. There are some items that seem to be repeated like land fill, if you will look at the staff recommendation and their agreement you will see there will not be a land fill on the site. The staff has looked at this and made their recommendations on the plan development. Chaparral Steel has agreed to the proposed recommendations. He wanted to address a couple of items such as wetlands. They intend to do their best to not impact wetlands on the site. We will impact some wetlands on the site. In closing he would like to say that their reputation is extremely important to them. They go to public hearings all the time. Their reputation precedes them and will follow them. They are a New York Stock Exchange company and it is important to them now and always that their reputation is, how they conduct their business, and he would like to say that he is proud to work for Chaparral Steel. They do take into account the concerns, they do follow the rules and regulations that are set down by the local communities, state and federal governments. They appreciate their time and comments.

Mr. Moody stated that he would now turn the meeting over to the Planning Commission for their portion of the Public Hearing.

Mr. Lee asked for questions from the Planning Commission for Mr. Beach or Mr. Bone.

Mr. Titmus asked about power supply, would there be a co-generation plant put on this site to help with the needed power supply needed?

Mr. Beach stated that there were no plans at this time to put any alternate power supply.

Mr. Titmus asked the Board of Supervisors if Petersburg might have plans to annex this plant at a later date.

Mr. Moody stated that he could not answer for the rest of the Board but there are quite a lot more counties in the state than there are cities and politically they have more control over the General Assembly as far as annexation goes and he did not think that there was a county out there that would like to be annexed. He felt like they were on pretty good ground as far as annexation goes.

Mr. Tickle added an addendum to that -- under State Law presently they are not allowed to annex, under the new rules of legislation, presently they can not do that. Mr. Moody stated that the law would have to be changed. Mr. Tickle said to do that.

Mr. Hamilton stated that he was aware of the concerns and fear that the citizens have expressed tonight. Not knowing what is going to happen, not knowing if what you are hearing is true or false. What we have heard tonight may or may not be true, we just do not know. That is what we are concerned with. He also hoped that we will think about this as well. We have to be concerned with change sometimes. As we get older our bodies change, we don't like it, but we cannot do anything about it. Things are going to change, he just hoped that they change for the better. He is certain that both the Board of Supervisors and your Planning Commission will consider everything that has been said and we will try to make the very best decision. It may not be the decision that you would make but we will make the very best decision that we can.

Mr. Wood stated that he had a couple of items to bring up. He was concerned about the five hundred (500') buffer on three (3) sides, the plant being located in the center of the property, with storage and additional buildings to encompass the entire property. The next question is, if that is the case then you do not have any plans to bring in any additional industry on that property. This property is zoned for your plant and not to bring in additional industry, related or unrelated. Also he is concerned about the lighting and security; security as it pertains to fencing or guards to protect children from entering the property.

Mr. Bone stated that the plant has been moved from the center of the property because of the wetlands. Until that process is complete he could not tell the Board where that spot is but there will be the five-hundred foot (500') buffer. Regarding the lighting, he does not know -- his engineer told him that the lighting will be directed down toward the ground because that is the efficient thing to do. It is not to light the sky it is to light the ground. He stated that he did not know at this date and time if fencing the property is in the plans. He agrees that Chaparral is aware of what can happen when people come onto their property. In Texas they do not have the entire site fenced but they do have guards. All vehicles coming in or out of the site are checked by a guard. You have to have a pass to get in. It is controlled access. With reference to the property being purchased, it is being purchased for TXI/Chaparral Steel only.

Mr. Perkinson stated that he was concerned about security and fencing. Mr. Beach stated that the processing area is done in an enclosed building with controlled access. Mr. Perkinson felt that fencing should be provided for the acres within the work area. Mr. Bone stated that would be approximately two hundred (200) acres. Mr. Bone stated that he did not come prepared on that issue but that they were open to that suggestion.

Mr. McCray stated that he was concerned about the levels of zinc that Mr. DeMario has reported, five million pounds! He stated that he understood that this was collected. Mr. Beach stated that he did not believe that five million tons was accurate -- There was some confusion as to the validity and source of the report presented by Mr. DeMario. Mr. Beach stated that these contaminants are captured and recycled, that all of them are measured but they are not released into the atmosphere. Some contaminants are measured and some are calculated.

Mr. Bone interjected that they had discussed fencing and that they will agree to fence the portion of the site where the plant is located with the exception of where the railway enters the property.

Mr. Perkinson stated that he did not see why the railway entrance could not be gated. It is done in other industries. He knows this to be a fact, the railway people have keys to the gates.

Mr. Bone stated that because this is a twenty four hour facility he did not feel that gating the railway entrance was practicable.

Mr. McCray stated that he still had questions regarding the zinc. Mr. Beach stated that some contaminates are omitted and he could not tell you how much. Mr. McCray continued by saying that when they stated that they were accepting these conditions, he had a couple of questions to ask about: In Item 5. Adequate on site parking shall be provided for all trucks providing services and/or materials; -- does that mean that you know that no trucks will be parked off site, on the side of the road. Mr. Beach stated yes. Next Mr. McCray asked about the buffer zone. In that zone there are no out buildings or sheds, no other items in the buffer zone. Mr. Bone stated that there are some existing things in this zone and the access road will go through this zone also. Continuing Mr. McCray asked about "State of the Art", that is a wide open subject. He stated he assumed that that meant new equipment, not equipment from all steel mills. Mr. Beach stated that this equipment has not even been built yet. At this point Mr. McCray referred back to a question that Mr. Wood has posed regarding additional industry. On the land use amended application that you submitted on 10-22-97 where it was mentioned that future development of the site could include other industrial uses commonly found in industrial parks. In that same paragraph it states there will be outside storage of the products. Mr. Bone stated that is accurate and we are not planning to locate any other industry in this site, he included that because there could be some surplus land and when he was filling out the applications he felt that it was a good idea to put this in.

Mr. Perkinson stated that before any other industry can be located on that property they must come back before the Board.

Mr. Perkinson was informed that in a PMD it must come back before the Board.

Mr. Beach stated that the outside storage of products would be the finished product. The steel beams - I or H shape - and they are stacked approximately eight feet high.

Mr. McCray asked if Chaparral Steel would be willing to have a community group to work with them to insure that some/all of the things are being done. This would be employment and community involvement. He hoped that they would pull their employment from a 20/40 etc mile radius.

Mr. Beach stated that the community that surrounds the plant in Texas is approximately 5,000 people. We employ about 1,100 at that single site. We have drawn from about a 50 mile radius. What has happened over the years is people have moved to where almost 57% are within a 15 mile radius. We are very actively involved in the community as well as other communities. The way we do that is not necessarily by donating money to charity drives or that sort of thing. We ask our employees to participate in local clubs such as Lions Clubs, Chamber of Commerce, City Councils, we encourage that type of participation. From an employment stand point is that we would be reluctant to limit ourselves to any radius. What we want to do is offer employment to qualified people and have them go through our continuing education program. We do not want a community committee to make decisions that are more properly that of management or production. Community is our employees and we are very active in that. We sponsor baseball teams, we are very much a part of the community.

A citizen questioned the secondary road section of the conditional use permit. This is Item 3 which states: The secondary access road shown in the site development plan presented by representatives of the Chaparral Steel Company shall be used for emergency purposes, only.

This secondary road was shown to enter the existing State secondary road system in the general vicinity of Flank Road and Squirrel Level Road;

Mr. Bone stated that it was his belief that this road will not be built but wished to leave it in as it may be needed for emergency purposes. Mr. Moody stated for your emergency exit. Mr. Beach stated that it has been removed from the plans. Mr. Moody asked Mr. Ronald Reekes from the Virginia Department of Transportation to give an insight as to where the proposed road would be located.

Mr. Reekes stated that the proposed industrial access road that will serve the plant will take off from Route 1, about where the Produce Center is now, from the Produce Center straight across the Walker's property and ties into Church Road where the old abandoned railroad line it. That is the access road that will serve the property. The road will be about twenty-four (24) feet wide with a heavy pavement design. It will be able to accommodate truck traffic. There is a proposed signal at Route 1 and the industrial access road.

Mr. Lee asked if there was any other discussion or questions.

Mr. Titmus asked about fire suppression and medical care. He questioned the wage information for this area.

Mr. Beach stated that they were accustomed to working in a rural area where everything was volunteer. They will provide their own fire suppression and ambulance service. As for the wages in this area a local survey will need to be done. At their plant in Midlothian an entry level pays \$18,000 where a production position pays \$43,000. This is before overtime, benefits, or profit sharing.

Mr. McCray stated that he wanted to say that this may not be the best deal for all the citizens adjacent to the plant and he is sorry that their property is connected to the plant. He stated that he does have industry out behind him but he feels that for the entire County it is a good deal. He stated that he felt we needed it and he would support it.

Mr. Lee stated that he was in support of this conditional use permit.

Mr. Wood stated that he felt that since they had agreed to fence the area that we needed to add that condition to this permit.

Mr. Scheid read the statement presented him by Mr. Ben Emerson, County Attorney, which read as follows:

13. All areas actively used in the processing, production, or storage of raw materials or finished products, with exception of the area where the spur line enters the property, shall be fenced to a minimum height of eight (8') feet above the ground level using chain link fencing topped by triple strand barbed wire.

There was discussion regarding rail access being gated. Mr. Ben Emerson stated that if they trespass on a railway right of way, the railroad is going to take them to court. They are not going to be liable because it is illegal to trespass on railroad right of ways. They are very protective of that. If they are made aware of anyone going on their right of ways they take them to court very quickly. That may help in making this decision. It was decided to go with the above verbiage.

Upon motion of Mr. Hamilton, seconded by Mr. Wood, Mr. McCray, Mr. Perkinson, Mr. Moody, Mr. Wood, Mr. Titmus, Mr. Hamilton, Mr. Lee, voting "aye", the Planning Commission unanimously voted to recommend C-97-7 -- Conditional Use Permit for Chaparral Steel -- to the Board of Supervisors with the following thirteen (13) conditions:

1. Copies of all federal, state and local permits or licenses associated with this industry must be on file with the Planning Department prior to the issuance of a Certificate of Occupancy.

2. Primary access to the Chaparral Steel site shall be from Route 1. A newly constructed access road shall provide the access for all non-emergency vehicular traffic associated with the industry and Chaparral Steel Company will require all vehicular delivery traffic to use this access;
3. The secondary access road shown in the site development plan presented by representatives of the Chaparral Steel Company shall be used for emergency purposes, only. This secondary road was shown to enter the existing State secondary road system in the general vicinity of Flank Road and Squirrel Level Road;
4. Rail access to the Chaparral Steel site shall be from the existing Norfolk-Southern railroad tracks which bound the northern portion of the site. If an agreement between CSX and Norfolk-Southern can not be reached such that CSX can cross their lines to the Chaparral Site, then a spur line from Collier Railroad yard to the Chaparral Steel site will be permitted;
5. Adequate on site parking shall be provided for all trucks providing services and/or materials;
6. A buffer/landscape area of 500 feet in depth shall be provided along Church Road, Squirrel Level Road and Flank Road. Adequate buffering and screening along the Norfolk-Southern railroad line shall be required in order to minimize the industry's impact on the subdivision located to the north of the railroad tracks;
7. Actions acceptable to the County shall be taken to protect any site(s) determined by the Planning staff to have significant historical value;
8. The steel mill (reprocessing plant) shall contain only state of the art equipment which shall use electricity as its primary power source;
9. Chaparral Steel Company shall train and equip their personnel to provide adequate emergency medical and fire protection for their employees and facilities.
10. There shall not be a landfill located on premises. Any waste material generated at this facility shall be properly disposed of at an approved landfill site. Trash receptacles located on premises shall be screened;
11. This permit shall expire and be null and void if, (a) the real property for the facility is not acquired from its present owners and Chaparral Steel Company does not break ground and commence construction of its facility within six (6) months after the date of issuance of this permit and, (b) Chaparral Steel Company does not commence operations in the facility within twenty-four (24) months after the date of issuance of this permit.
Notwithstanding the foregoing, the Board of Supervisors, without a public hearing, may extend the expiration date of this permit for up to an additional six (6) months for good cause shown;
12. Final interpretation of all conditions attached to this permit shall be made by the County; and
13. All areas actively used in the processing, production, or storage of raw materials or finished products, with exception of the area where the spur line enters the property, shall be fenced to a minimum height of eight (8") feet above the ground level using chain link fencing topped by triple strand barbed wire; and

BE IT RESOLVED, that the Planning Commission hereby finds that the general location, character and extent of the use proposed by Chaparral Steel Company in conditional use permit case no. C-97-7 and related infrastructure are substantially in accord with the County's Comprehensive Plan, and approves the conditional use permit requested in case no. C-97-7, with and subject to the conditions set forth therein; and

BE IT ORDAINED, that in order to assure compliance with Virginia Code Section 15.1-491 (g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practices.

Mr. Moody stated that we would now have discussion by the Board of Supervisors members.

Mrs. Everett stated that she wished to share a letter from Dr. J. B. Darby, Jr. who lives in Cape Cod and is a native of Dinwiddie County. He is retired from the Department of Energy, he is a metallurgist, and he writes that he hopes that Chaparral Steel chooses Dinwiddie County. He says that in mini mill it is clean, it remelts scraps, he feels that the area needs this industry and no one should be concerned about having it in Dinwiddie County. She continued that she was glad that Mr. Bone and Mr. Beach answered so many of the concerns. Those who went to Texas to view this plant were very much impressed. She stated in Texas the outside storage of finished beams was most impressive. They were lined up so straight and perfect that you could just not believe it. As far as the noise factor, there was very little noise. There is not to be a land fill, the water is recycled, we have talked about the access roads, and have raised concerns about Petersburg's feelings. Any official that she had spoken with from the City of Petersburg is very supportive of this venture for Dinwiddie County. They hope that Chaparral Steel will locate in Dinwiddie County. As for smoke stacks there are not any. There is an adequate buffer zone. She knows that this is a farming community that is changing but lets face it we have got interstate roads and railways and it is going to go industrial. When we visited Texas we found that they were good community people and they got high marks from the citizens and employees. About battlefields and tourism, we have discussed these matters and it looks like a win-win situation for the battlefields.

Mr. Clay stated that he was very impressed with the employees. He asked Mr. Beach to report on the turnover of employees.

Mr. Beach stated that over the past twenty (20) years their turnover has ranged from five (5%) percent of the total work force on an annual basis to ten (10%) percent. Of the original two hundred thirty five employees that were hired in May of 1974, about sixty (60%) percent of them are still employed.

Mr. Bracey questioned the report that Mr. DeMario had presented, who or what company made this document. In looking at the document there was no name on the company. He stated that he was in support of Chaparral and hoped that they would drop their anchor here. He would be proud to have them here in Dinwiddie County.

Mr. Tickle stated that he was very proud of all the citizens who voiced their concerns on this matter. You are expressing your democratic rights by voicing your concerns. Just as the young lady came forward and spoke earlier, Mrs. Moore, he stated he had indeed spoken with her and made that comment. That was an accurate statement that she portrayed and he felt that he could make that comment due to the fact that he had actually traveled to the site. He had some questions for Mr. Beach. He stated that his background is that he is a biochemist, so he knew a little bit about the chemicals that were on the report presented by Mr. DeMario. He gave a brief synopsis of what he determined the data presented to say. He stated that this company is not a utopia just as it is not a wolf. He asked if they had any employees that have tested for heavy metals? Have you had employees that have had been tested for blood work for other reasons and had heavy metals in their blood?

Mr. Beach stated that they required their employees to be tested, to have a physical examination, paid by the company, every two (2) years. For those employees that are working in the steel production facility they require a blood annually. In their twenty (20) years of testing they have not had anyone test over the number allowed.

Mr. Tickle stated that several citizens voiced concern over the wetlands. He felt that Mr. Beach did an adequate job in addressing that issue. It would be kind of nice if Mr. Beach would bring up the number of wetland acres that you started out with and how you have tried to mitigate it down to a minimum.

Mr. Bone stated that the best information he had was at one time he was over forty (40) acres of wetlands on the site that they planned to

purchase. The impact that they felt this might have was too great. They now felt that fifteen (15) acres would be impacted. By moving the building they might be able to minimize it to five (5) acres or less.

Mr. Tickle expressed concern about the historical and tourism for this area. He would like for them to tell him how they were going to assist us in our historical area and protect this.

Mr. Beach stated that he would like for Mr. Harold Green, Director of Communications for TXI, to come forward. Mr. Green stated that he was head of community relations and community involvement and the historical side of this has been given to him. He stated that he had spent a great portion of the day walking the site. He stated that he was a civil war history buff, he had a great grandfather who was killed in the battle of Mansfield, and his grandmother was, he won't say -- He laughed stating he was a Texan so guess! The fact of the matter is that his grandmother was from Virginia so he is very interested in this subject. He stated that he had spent a great deal of time of the past couple of months looking at this issue. They have talked with the National Park Service because we will be locating next to them and we have numerous conversations with Pamplin Park about how they can work with them and better see to their situation is protected. We have not only done a phase one historical survey but because there were some issues of things on the property he had initiated a phase two and phase three to find out what is there. We have engaged a company to do a complete study of what happened on the site where we are to see what actually occurred so that he could develop plans in the future of how we can work with the County and work with the National Park Service to see that this is a beneficial historic site for this area and for the people of the United States. He walked the site today along with company that is doing the survey and the historian that is working with them. It is one thing to read it in a report it is another thing to see it. We were looking for one of the forts that is lost in the woods and he felt that they had found it today. This is a major interest of his and he is pleased to work for a company that has taken this as a serious issue for our company.

Mr. Tickle stated that he had talked with Mr. Green when he was in Texas and felt that the citizens should know about these efforts. If this company was not coming into the area and neighborhoods were established these sites would have been destroyed and lost forever. He stated that he was very impressed with the people that spoke tonight; however, he stated that he could not in good conscious vote for this if he did not believe it was best for all citizens of this County. He further stated as he had told Mrs. Moore and others that he lives close to a parcel 750 acres, it is within a couple of miles as the crow flies for him and it has attached directly to Lake Chesdin. One day that is going to be an industrial complex. It is not going to be the best kind, it is going to be a heavy industry. He stated he was not going to like it, he is not going to appreciate it but if it came tomorrow with good conscious he would have to vote for it because he has been there, he has seen it, and it not as bad as what you hear. If it was as bad as what he has heard from the citizens, if he had not seen it he would have to vote against it. The citizens have done a great job of persuading him and presenting a policy -- it gave him chill bumps just thinking about it -- so he would have voted against it. However, he was there and he cannot in good conscious not support it.

Mr. Long asked if he could say something. Mr. Moody yes sir. Mr. Long continued that he had been hired 3 1/2 months ago to serve as the County Administrator. He stated that he takes his job very seriously. He had been working on the issue with the citizens and staff for a while now and he has heard the concerns that have been brought up in the meeting tonight. He can tell us that each and every one of them have gone through his head as well. He stated that he currently approximately a mile and half to two miles from where we are talking about locating this facility. In dealing with all of this a greater thing comes to mind for him and that was his two boys. He stated that he had a five year old and a two year old. All that he could ask the citizens of the county to do is believe him when he tells them that he could not just go along with something if he did not think it was going to be comfortable for him raising his two children. He could not just do that. Even if it meant his job -- his children mean everything in the world to him and he had his family there.

He stated that he also traveled with the group that toured the facility in Texas. He stated that he was very comfortable at this point and felt that he should share that with the citizens.

Mr. Moody stated that he visited the site and was very comfortable with the industry that has come to locate in Dinwiddie. He is comfortable with the pollution situation, he is comfortable with almost everything that has been addressed. One thing that he knows and it gives him some discomfort is the displacing of the people and moving of traffic in that area but changes do occur. If dual rail existed in his area then he would be the one moving. He felt that this would be best for Dinwiddie County. We have many many things looking at us in the future and far as expenses. He felt this was a good company and is very comfortable voting for this amendment.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye"

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby finds that the general location, character and extent of the use proposed by Chaparral Steel Company in conditional use permit case no. C-97-7 and related infrastructure are substantially in accord with the County's Comprehensive Plan, and approves the conditional use permit requested in case no. C-97-7, with and subject to the conditions as set forth therein; and

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491 (g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practices.

IN RE: ADJOURNMENT -- PLANNING COMMISSION

Mr. Lee called for a motion to adjourn the Planning Commission.

Upon motion of Mr. Titmus, seconded by Mr. McCray, Mr. McCray, Mr. Perkinson, Mr. Moody, Mr. Wood, Mr. Titmus, Mr. Hamilton, Mr. Lee voting "aye" the Planning Commission voted to adjourn their meeting at 10:36 P.M.

Mr. Moody stated that the Board of Supervisors meeting was still in session and there would be a ten (10) minute recess.

IN RE: CALL BACK TO ORDER

Mr. Moody called the meeting back to order at 10:52 P.M.

IN RE: C-97-5 -- PUBLIC HEARING -- CONDITIONAL USE PERMIT -- VIRGINIA MOTORSPORTS PARK

This being the time and place as advertised in the Dinwiddie Monitor on October 22, 1997 and October 29, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering a conditional use permit request submitted by Paul Coleman, General Manager for the Virginia Motorsports Park seeking to amend C-97-1 to allow racing on Wednesday nights from 5:00 P.M. until 11:00 P.M. Additionally, Virginia Motorsports Park seeks a conditional use permit to operate a campground in compliance with the Commonwealth Public Health Regulations. They are also requisition approval of Virginia Motorsports Park as the Red Cross Dinwiddie Administrative Headquarters in the event of a natural disaster. The property is located at 8018 Boydton Plank Road adjacent to the H&B of Virginia Campground.

Mr. Guy Scheid came forward to present C-97-5 - Conditional Use Permit for Virginia Motorsports Park.

Applicant:	Virginia Motorsports Park	Paul Coleman,
General	Manager	
Property Address:	8018 Boydton Plank Road	
Magisterial District:	Rohoic	

Acreage: 641.0 + acres
Tax Map Parcel: 20-59, 20-(3)-A, and 33-2
Zoning: Agricultural, General, A-2 district
Water Source: Public
Sewer Disposal: Public

EXECUTIVE SUMMARY

The applicant is seeking a conditional use permit to:

- A. amend condition # 15 to allow VMP to operate Wednesday night racing from 5:00 p.m. until 11:00 p.m.;
- B. add a condition #16 to allow the Operation of a campground in compliance with Commonwealth of Virginia Public Health Regulations; and
- C. add a condition # 17 to approve VMP as a Red Cross Dinwiddie Administrative Headquarters in the event of a natural disaster.

The property is located at 8018 Boydton Plank Road adjacent to Picture Lake.

Staff recommends APPROVAL of the request for a conditional use permit subject to the conditions contained under the section entitled RECOMMENDATION.

As required under Section 22-23 of the Code of the County of Dinwiddie, the enclosed information is forwarded for your consideration.

BACKGROUND INFORMATION & ANALYSIS

The Planning Commission and Board of Supervisors have reviewed similar requests in the past for Wednesday night racing, C-97-1, and for campgrounds. Minutes of previous meetings held by the Planning Commission and Board of Supervisors on these issues are enclosed for your review.

The first issue is the amendment of condition # 15. The most recent case involving VMP, C-97-1, dealt with the addition of condition # 15 to the original Conditional Use Permit, C-92-2. Condition # 15, as approved by the Board of Supervisors on May 7, 1997, reads as follows:

"Wednesday race events will be permitted from May 1st through September 30th, for the year 1997, from 5:00 p.m. until 11:00 p.m."

The addition of Wednesday night racing was reported to have been a very successful venture for VMP, enabling the Park to more effectively serve its clientele and reduce the backlog of racers on Friday nights. It should be noted that Staff did not receive any complaints concerning Wednesday racing. Staff suggests modifying Condition # 15 as follows:

"Wednesday race events will be permitted from May 1st through September 30th, for the year 1997, from 5:00 p.m. until 11:00 p.m."

The second issue is the addition of a condition to allow VMP to operate a campground on the premises. As you may be aware this issue has been one of great debate. VMP recently appealed a determination made by the Zoning Administrator which limited RV parking at the track to only forty (40) RV spaces and three (3) race events per year. The Board of Zoning Appeals heard Virginia Motorsports Park's appeal at their August 21, 1997 meeting and upheld the Zoning Administrator's determination.

It has been staff's opinion that if VMP wanted to increase the scale of its operation concerning RV parking that it should obtain a Conditional Use Permit, which has been required of all of the other campground facilities in the County.

Therefore, Staff recommends the amending of C-92-2 by adding a Condition # 16 to permit the operation of a campground at VMP with conditions. These conditions are those which have been imposed on the existing campground facilities in the County.

The final issue of this application is an amendment to the conditional use permit, C-92-2, to designate VMP as the Dinwiddie Administrative Headquarters for the American Red Cross in the event of a natural disaster.

There are several reasons that have been given for this request, such as, the presence of a emergency generator and the availability of telephone lines which make this an ideal facility for such a headquarters. Staff fully supports actions which serve to benefit the community, and the use of this facility by the American Red Cross is one such action. Staff would only suggest that this designation be expanded to include the use of the facility by Dinwiddie County if the need were to arise.

RECOMMENDATION

Staff recommends APPROVAL of the amended conditions as follows:

- A. Amend C-97-1, Condition # 15 to read: "Wednesday race events will be permitted from May 1st through September 30th, from 5:00 p.m. until 11:00 p.m."
- B. Add a condition #16 to allow the Operation of a campground in compliance with Commonwealth of Virginia Public Health Regulations with the following conditions:
 1. Subject to all provisions, rules, and regulations of the Virginia Department of Health of the Commonwealth of Virginia, including provisions of construction and maintenance.
 2. Subject to all provisions of State Law.
 3. To be occupied only by persons in camping units as defined by State Law or Virginia Department of Health regulations and only by such persons when they are involved in recreation, vacation, leisure time or travel.
 4. All permanent buildings and structures in campgrounds shall be constructed under the provisions of the Uniform Statewide Building Code and the regulations of the Virginia Department of Health. Any reconstruction, alteration, conversion, or repairs required by the application of the Virginia Code and the regulations of the Virginia Department of Health shall be carried out in accordance with the provisions of the Uniform Statewide Building Code. Construction and alterations shall remain in conformity with the law or code under which they were constructed.
 5. All water sources and sewer or septic facilities shall comply with the regulations of the Virginia Department of Health, the State Water Control Board, and, if connected to public utilities, the Dinwiddie County Water Authority.
 6. The campground operator shall maintain a register for each campground lot for at least the previous year which shall be made available at the request of the Sheriff or Captain of the Dinwiddie County Sheriff's Department, the Sergeant of the State Police, the Virginia Department of Health Commissioner, and the Director of Planning or Zoning Administrator for Dinwiddie County during an inspection of the campground. The register shall contain:
 - a. The name and addresses of each camper, owner, and occupant;
 - b. The date of the campsite occupancy;
 - c. The number of campsites occupied; and
 - d. The license number of each camper who has on the campground a vehicle requiring a license.

7. This conditional use permit shall expire and shall be deemed to be abandoned after a period of twenty-four (24) months continuous nonuse and such abandonment of the use shall render condition # 16 null and void.

C. Add a condition # 17 to approve "Virginia Motorsports Park as the designated American Red Cross Dinwiddie Administrative Headquarters, and the Emergency Operation Center for Dinwiddie County, if needed, in the event of a natural disaster."

Mr. Moody asked if there were any questions from the Board members. There being none Mr. Moody asked the applicant if he would like to make a statement.

Mr. Moody opened the Public Hearing on C-97-5.

The following person addressed the Board:

1. Robert Ragsdale, 8511 Boydton Plank Road, came before the Board to express his concern over the noise generated by the Motorsports Park.

There being no other citizens wishing to speak Mr. Moody closed the Public Hearing.

Mr. Coleman came forward stating that he felt that the Virginia Motorsports Park has met all the regulations and conditions that had been set by the County. He stated that he did not feel that he and Mr. Ragsdale would ever agree on what was a nuisance and what was not a nuisance. Mr. Coleman stated that the berms were there and exceeded what the County conditions required. He stated that Mr. Ragsdale receives a check regularly to compensate him for what they are doing.

Mr. Scheid was asked if Virginia Motorsports Park had met the conditions. He stated that he felt that they had been met.

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Moody voting "aye", Mr. Bracey "abstaining"

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that C-97-5 - Conditional Use Permit for Virginia Motorsports Park is hereby approved as follows:

A. Amend C-97-1, Condition # 15 to read: "Wednesday race events will be permitted from May 1st through September 30th, from 5:00 p.m. until 11:00 p.m."

B. Add a condition #16 to allow the Operation of a campground in compliance with Commonwealth of Virginia Public Health Regulations with the following conditions:

1. Subject to all provisions, rules, and regulations of the Virginia Department of Health of the Commonwealth of Virginia, including provisions of construction and maintenance.

2. Subject to all provisions of State Law.

3. To be occupied only by persons in camping units as defined by State Law or Virginia Department of Health regulations and only by such persons when they are involved in recreation, vacation, leisure time or travel.

4. All permanent buildings and structures in campgrounds shall be constructed under the provisions of the Uniform Statewide Building Code and the regulations of the Virginia Department of Health. Any reconstruction, alteration, conversion, or repairs required by the application of the Virginia Code and the regulations of the Virginia Department of Health shall be carried out in accordance with the provisions of the Uniform

Statewide Building Code. Construction and alterations shall remain in conformity with the law or code under which they were constructed.

5. All water sources and sewer or septic facilities shall comply with the regulations of the Virginia Department of Health, the State Water Control Board, and, if connected to public utilities, the Dinwiddie County Water Authority.
6. The campground operator shall maintain a register for each campground lot for at least the previous year which shall be made available at the request of the Sheriff or Captain of the Dinwiddie County Sheriff's Department, the Sergeant of the State Police, the Virginia Department of Health Commissioner, and the Director of Planning or Zoning Administrator for Dinwiddie County during an inspection of the campground. The register shall contain:
 - a. The name and addresses of each camper, owner, and occupant;
 - b. The date of the campsite occupancy;
 - c. The number of campsites occupied; and
 - d. The license number of each camper who has on the campground a vehicle requiring a license.
7. This conditional use permit shall expire and shall be deemed to be abandoned after a period of twenty-four (24) months continuous nonuse and such abandonment of the use shall render condition # 16 null and void.
- C. Add a condition # 17 to approve "Virginia Motorsports Park as the designated American Red Cross Dinwiddie Administrative Headquarters, and the Emergency Operation Center for Dinwiddie County, if needed, in the event of a natural disaster"; and

BE IT ORDAINED, that in order to assure compliance with Virginia Code Section 15.1-491 (g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practices.

IN RE: AWARD OF CONTRACT -- DEPARTMENT OF PUBLIC SAFETY --
 AMBULANCE

Mr. Tony Burrow and Ms. Dawn Titmus came before the Board to present the bids for the new ambulance. The bids being as follows:

Fire X	\$97,585 to \$124,986	
P. L. Customs	\$93,698 to \$114,981	
Chief Inc.	\$81,675 to \$103,220	
Wheeled Coach	\$69,356 to \$83,321	THE LOW PRICE BEING A DEMO
Magri Sales	\$76,941	
Northwestern		
Emergency	\$78,250	

Mr. Burrow presented discussion on why they are recommending Northwestern Emergency. They received three bids that were within their price range. Magri Sales, the lowest bidder, did not meet the specifications. Northwestern met the specifications to the letter. Wheeled Coach has a ambulance already set up but it does not meet our specifications but for some additional funds will attempt to meet our specifications. This is not a new unit it is a demo. This is on the grant that was given in July. The state awarded them \$54,882.00 and the County will be responsible for the balance of \$23,368.00. This was a 80/20 grant.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted to accept the bid from Northwestern Emergency for a 1997 Super Duty ambulance in the amount of \$78,250.00 of which \$54,882.00 will be reimbursed by the State.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that funds be appropriated from the undesignated fund balance to purchase from Northwestern Emergency a 1997 Super Duty ambulance in the amount of \$78,250.00 of which \$54,882.00 will be reimbursed by the State and \$23,368.00 will be the responsibility of the County.

IN RE: AWARD OF CONTRACT -- DEPARTMENT OF WASTE MANAGEMENT --
SILLO CLEAN OUT

Mr. Denny King came before the Board presenting the bids he had received for the tank/silo cleanout project. The bids are as follows:

- | | |
|---|-----------|
| 1. Hydro Chem | \$58,085. |
| 2. Waste Management Industrial Services, Inc. | \$43,308. |
| 3. BFC Corporation | \$58,300. |
| 4. Clean Harbors | \$62,359. |

Mr King recommended the low bid from Waste Management Industrial Services. He assured the Board that he felt that this Company could provide the services needed and that he had done his homework and checked references.

There were some questions as to why they were so much lower than others. Mr. King stated that they had different methods for the cleanout. Mr. King stated that DEQ approved of the process that this company uses.

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye"

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted to contract with Waste Management Industrial Services, Inc. for tank/silo cleanout for a contract price of \$43,308.00 and that funds be appropriated from the undesignated fund balance.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- PRESERVATION OF WATER
QUALITY AND AIR QUALITY ORDINANCE

Mr. Long stated that he had received information from the County of Brunswick on the issue of hog farms. This information was included in your Board packets. It is late and this is an important issue and he felt that we may wish to wait on this issue until the next meeting. It was decided to address this issue at the next meeting.

IN RE: COUNTY ADMINISTRATOR COMMENTS --RABIES CLINICS

Mr. Long stated that we had received a schedule from Petersburg Animal Hospital for four (4) rabies clinics to be held around the County. There was some discussion as to why Chesdin Animal Hospital was not holding these clinics as we want to promote County businesses before we allow outsiders to come in. If we receive a request from Dr. Grenoble then we will allow him to hold the clinics.

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Moody voting "aye", Mr. Bracey voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted for Petersburg Animal Hospital to hold four (4) rabies clinics during the months of November, December 1997 and January 1998 at various locations in Dinwiddie County.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- RESOLUTION -- MOUNT LEVEL
BAPTIST CHURCH 130TH ANNIVERSARY

Upon motion of Mr. Clay, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye"

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that following resolution be adopted and presented to Mount Level Baptist Church on November 9, 1997 for their 130th Anniversary:

RESOLUTION

OF THE

DINWIDDIE COUNTY BOARD OF SUPERVISORS

NOVEMBER 5, 1997

IN RECOGNITION OF THE

MOUNT LEVEL BAPTIST CHURCH
130TH ANNIVERSARY

WHEREAS, in 1867 a Church was formed under the name of Mount Level Baptist Church in the section of the county known as the Saint Thomas Community, and

WHEREAS, Mount Level Baptist Church has set aside November 9, 1997 to celebrate its 130th year of service in the Dinwiddie community, and

WHEREAS, the Church has been able to support many members and friends in the community by tithing in the Church and establishing a Mission Fund, and

WHEREAS, the Board of Supervisors would like to participate in the celebration with this resolution of recognition for its many years of growth and prosperity.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Mount Level Baptist Church for devoted service and for its accomplishments in the community and in the County, and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a copy of this resolution be presented to Mount Level Baptist Church for its November 9, 1997 celebration and a copy spread upon the minutes of this meeting.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated that the only other item he had was a letter from the Governor updating the County on the status of the disaster relief request. He also stated that information on Chaparral Steel information had been placed in the packets. Also there was information enclosed from the Superintendent regarding the Governor's School.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- HOLIDAYS

Mr. Long stated that he had a letter from the Governor's Office that went to all State Employers regarding the upcoming holiday schedule. The State is giving half day on Wednesday, November 26th, half day on Wednesday, December 24th, Friday, December 26th, and Friday, January 2nd, along with Thanksgiving Day, Christmas Day, and New Year's Day.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that additional holidays will be given to employees which shall include half day, November 26th, half day, December 24th, along with December 26th and January 2nd.

IN RE: ADDITIONAL PARKING AREA FOR THE NEW COURTHOUSE COMPLEX

Mr. Long stated that Donnie Faison, the Construction Inspector, had presented the staff with a plan to provide additional parking in the Administration Building complex parking lot. While the contractors were paving the new parking lot he asked them for a price to undercut an area 185' X 34' X 6' and backfill this area with 21B stone. This would provide a good parking area for the County vehicles. The total price of this would be \$2,875.36 to prepare the area for paving and would be done by Richard L. Crowder Construction, Inc.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to enter into a contract with Richard L. Crowder Construction, Inc. to prepare an additional parking area 185' X 34' X 6' for county vehicles at a cost of \$2,875.36 with said money being appropriated from the Building and Grounds Fund.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay -- He just wanted to let the County know that McKenney Fire had applied for a grant for a first responder unit. This would be an 80/20 grant.

Mr. Bracey -- He stated that he would like to have some additional information on the Governor's School.

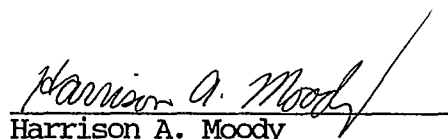
Mr. Tickle -- no comments

Mrs. Everett -- She invited the Board to attend a function at Southside Elementary School on Saturday night in support of the EMS people in McKenney Area.

Mr. Moody -- He stated that Hermie Reames was over 100 years old and he felt that we needed to adopt a resolution for her. Mr. Moody was requested to obtain additional information for staff to prepare the resolution.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 11:43 P.M. to be continued at 7:30 A.M. November 6, 1997 for travel to Charlottesville for a Board Retreat.


Harrison A. Moody
Chair, Board of Supervisors

ATTEST: 
R. Martin Long
County Administrator

/pam