

VIRGINIA: AT THE REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 7TH DAY OF JUNE, 2000, AT 7:30 P.M.

PRESENT:	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	DONALD L. HARAWAY	ELECTION DISTRICT #2
	ROBERT L. BOWMAN, IV	ELECTION DISTRICT #3
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4

ABSENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
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OTHER:	DANIEL SIEGEL	COUNTY ATTORNEY
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IN RE: INVOCATION – PLEDGE OF ALLEGIANCE – AND CALL TO ORDER

Mr. Harrison A. Moody, Vice-Chairman, called the regular meeting to order at 7:48 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

Mr. Long stated there were none.

IN RE: MINUTES

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the May 17, 2000 Regular Meeting are approved in their entirety.

IN RE: CLAIMS AND CLAIMS SUPPLEMENT

Ms. Pamla A. Mann, Administrative Secretary/Clerk, stated this item would include the Claims Supplement that was delivered to them under separate cover on Monday, June 5, 2000.

Ms. Wendy Weber Ralph, Assistant County Administrator, stated one- (1) check to Communications Specialist in the amount of \$450.00 would be pulled out of the claims until further information is obtained.

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Bowman, Mr. Haraway, 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 numbered 1020559 through 1020800 (void check(s) numbered 1020661, 1018456, 1019771); for

Accounts Payable:

(101) General Fund	\$ 112,358.19
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 1,829.66
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00

(229) Forfeited Asset Sharing	\$ 413.46
(304) CDBG Grant Fund	\$ 1,500.00
(305) Capital Projects Fund	\$ 23,165.30
(401)County Debt Service	\$.00

TOTAL	\$ 139,266.61
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PAYROLL (5-31-00)

General Fund	\$365,452.81
E911 Fund	\$.00
CDBG Grant Fund	\$ 3,143.34

TOTAL	\$368,596.15
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Accounts Payable – Claims Supplement

(101) General Fund	\$ 8,410.00
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$.00
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$.00
(305) Capital Projects Fund	\$.00
(401)County Debt Service	\$ 35,667.00

TOTAL	\$ 44,077.00
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IN RE: SCHOOL CONSTRUCTION – REQUISITION NUMBER 55
– (IDA 1998A - #20)

Mr. Long stated this was the Requisition that was postponed at the last meeting. The additional information requested from the School Board, which is submitted to validate payment of this Requisition, was delivered to the Board under separate cover on Monday, June 5, 2000.

Mrs. Ralph stated the following invoice is included in Requisition #55 (IDA1998a - #20) for School Construction:

SOUTHSIDE ELECTRIC COOPERATIVE	<u>\$29,000.00</u>
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TOTAL REQUISITION NUMBER 55	\$29,000.00
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Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

There was discussion regarding this work and whether it was part of the original project. Mr. Bracey felt that someone, the engineer or architect, dropped the ball.

Ms. Troilen Seward, Superintendent, stated she had come before the Board in March 1999 to request this work be done and the Board had approved it providing the funds were available. She further stated she could not confirm or deny what happened before she became Superintendent.

Mr. Haraway had concerns about the price, asking if another company could have done this work. He also had questions regarding the price charged, asking if this was a fair price.

Ms. Seward stated that this work was done on Southside Electric's lines and no other company could have done this work because it was Southside Electric's property. She further stated she was at their mercy regarding the price because the work had to be done and done by them.

Mr. Faison tried to explain that from the pole to the building was not included in the price of renovation. The architect/engineer would design what would actually be in the building and the other service would be contracted through the electric supplier.

Mr. Bracey still had reservations and wanted some professional authority to come before the Board or provide information that would answer his original question of why this was not included in the original contract.

Again this Requisition was not acted on by the Board but postponed until further information could be obtained.

IN RE: CITIZEN COMMENTS

There being no citizens signed up, Mr. Moody moved forward.

IN RE: PUBLIC HEARING – P-00-2 – ROBERT H. MAYER

Mr. Long stated the applicants for P-00-2 had requested this rezoning request be postponed until the July 5th meeting. Mr. Long stated that Mr. Mayer stated this action was necessary due to further negotiations and planning on the part of the company desiring to begin operations on the property. Mr. Long stated that Mr. William C. Scheid, Director of Planning recommended Mr. Mayer's request be granted.

**IN RE: PUBLIC HEARING – A-00-6 – AMENDMENT TO THE
CODE OF THE COUNTY OF DINWIDDIE – CHAPTER 22
ZONING**

Mr. Scheid stated this amendment, submitted by the Planning staff, addresses several Zoning Ordinance issues that have caused concern during the past several months. The Planning Commissioners held their public hearing on A-00-6 on May 10th. There were no citizen comments offered during this public hearing. After a brief discussion among the Commissioners, they unanimously voted (7-0) to recommend approval to the Board of Supervisors. Copies of the amendment have been available to the public in the Planning office as well as provided at the rear of the meeting room. In order to expedite the meeting, the full text of the ordinance will not be read. I will point out the major changes proposed:

1. under definitions, clarification on the singular use of a mobile home or manufactured home;
2. under section 22-258. Dimensional requirements for permitted signs, it is proposed that paragraph (2) be deleted and a paragraph (4) adopted that establishes a maximum height of ten (10) feet for free standing signs;
3. a new Article XI entitled Overlay District be established and as the first division within this article, create an Airport Safety Zone; and
4. a new Article XII entitled Development Standards be established and within this article establish two (2) divisions, one entitled Landscaping and the other entitled Buffers and Screening.

Mr. Scheid stated he wanted to make clear that by deleting paragraph (2) and adding paragraph (4) that the free-standing signs such as Hardee's,

McDonald's, Texaco, etc. we currently have would no longer be allowed within Dinwiddie County.

Mr. Scheid stated the other item he wanted to touch on was the Overlay District regarding the Airport Safety Zone. This was important to insure that Federal and State funding would continue and not be denied because of invasion of the airspace. He stated the Planning Commission had received an extensive report from Mr. David Ploeger, Manager of the Dinwiddie Airport. He stated this was a basic district that the County must have. This would encumber 10,000 feet from the runway in any direction, which amounts to approximately two- (2) miles.

Mr. Bracey asked questions regarding the Landscaping, Buffers and Screening section wanting to know if this was what the County needed or was it just something on paper to pass them by today.

Mr. Scheid stated this was something that they had been looking at for quite a while. When they look at ordinances they are not starting these ordinances from scratch. They are bringing in ordinances from all other jurisdictions and are then merging them into the best ordinance for the County of Dinwiddie.

Mr. Bracey wanted to be certain that the basic issues were addressed in this ordinance change.

Mr. Scheid stated that they were.

Mr. Moody stated he felt this was a good ordinance, he further stated he would not say 100% because they might have somebody come up one day and say oops but he did feel it was a good ordinance.

Mr. Bowman stated he had one question on 22-419 – Parking lot landscaping required – questioning the ten- (10) foot landscape strip.

Mr. Scheid stated this was just a start and in some areas this would not be adequate. This was something that could be addressed also with proffers and also addressed with the corridor study.

Mr. Moody opened the Public Hearing on A-00-6.

There being no citizens present wishing to speak for or against A-00-6 Mr. Moody closed the Public Hearing.

Upon Motion of Mr. Haraway, Seconded by Mr. Bracey, Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, that the following amendments be made to Chapter 22 of the Code of the County of Dinwiddie, Virginia pursuant to A-00-6:

Sec. 22-1. Definitions.

Manufactured Home: A structure not subject to federal regulations which is transportable in one (1) or more sections; is eight (8) body feet or more in width and forty (40) body feet or more in length in site traveling mode, or is three hundred twenty (320) or more square feet when erected on site; is built on a permanent chassis, is designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to the proper utilities; and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure. *No manufactured home may be used for any purpose other than a residence including, without limitation, storage purposes.*

Sec. 22-1. Definitions.

Mobile home: A structure not subject to federal regulations which is transportable in one (1) or more sections; is eight (8) body feet or more in width and forty (40) body feet or more in length in site traveling mode, or is three hundred twenty (320) or more square feet when erected onsite; is built on a permanent chassis, is designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to the proper utilities; and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure. *No mobile home may be used for any purpose other than a residence including, without limitation, storage purposes.*

Sec. 22-258. Dimensional requirements for permitted signs.

- (1) Remains the same.
- (2) ~~At any interchange of any interstate highway identification signs for service oriented businesses may be erected on the premises of said business up to a maximum height of eighty five (85) feet, not further than two thousand (2,000) feet from the intersection of said interstate highway and the intersecting road. The size of this sign will not be counted as a part of maximum display area.~~
- (3) All other signs shall be subject to setback and height restrictions of the district in which said signs are placed.
- (4) The maximum permitted height of any sign shall be ten (10') feet above ground elevation.

ARTICLE XI. OVERLAY DISTRICTS

Sec. 22-283. Purpose of districts.

- (1) Overlay districts, as presented in this article, are created for the purpose of imposing special regulations in given designated areas of the county to accomplish stated purposes that are set forth for each overlay district. Overlay districts shall be in addition to, and shall overlap and overlay, all other zoning districts so that any parcel of land lying in an overlay district shall also lie in one or more of the other zoning districts provided for by this chapter. All regulations of the underlying zoning districts shall be applicable except as modified by the regulations imposed by the overlay districts.
- (2) Establishment and mapping of overlay districts. Overlay districts shall be established as set forth by this chapter in section 22-7 for the creation of zoning districts and in accordance with the provisions of state law. When so established, the boundaries of overlay districts shall be shown on the official zoning maps as provided in this chapter.

DIVISION 1. AIRPORT SAFETY ZONE OVERLAY

Sec. 22-284. Purpose and intent.

- (1) That it is necessary in the interest of the public health, safety, and general welfare that the creation or establishment of obstructions that are hazards to air navigation be prevented;
- (2) That the creation or establishment of an obstruction has the potential for being a public nuisance and may injure the area served by the airport;
- (3) That Dinwiddie County derives economic development and enhanced interstate commerce from the Dinwiddie County Airport when such airport and its surrounding vicinity is held strictly to the highest possible safety standards; and
- (4) That the prevention of these obstructions should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.

Sec. 22-285. Definitions.

As used in this ordinance, the following terms shall have the meanings respectively ascribed to them, unless the context clearly requires otherwise:

Administrator: The official charged with the enforcement of this ordinance. He or she shall be the Dinwiddie County Director of Planning and/or his designee.

Airport: Dinwiddie County Airport.

Airport Elevation: The highest point on any usable landing surface expressed in feet above mean sea level.

Approach Surface: A surface, whose design standards are referenced in section 22-286 of this ordinance, longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface, and at the same slope as the approach zone height limitation slope set forth in section 22-287 of this ordinance. In plan the perimeter of the approach surface coincides with the perimeter of the approach zone.

Approach, Transitional, Horizontal, and Conical Zones: The airspace zones as set forth in section 22-286.

Conical Surface: A surface, whose design standards are referenced in section 22-286 of this ordinance, extending and sloping horizontally and vertically from the periphery of the horizontal surface.

Hazard to Air Navigation: An obstruction determined by the Virginia Department of Aviation or the Federal Aviation Administration to have a substantial adverse effect on the safe and efficient utilization of navigable airspace in the Commonwealth.

Height: For the purpose of determining the height limits in all zones set forth in section 22-287 of this ordinance and shown on the zoning map, the datum shall be mean sea level (M.S.L.) elevation unless otherwise specified.

Horizontal Surface: A horizontal plane, whose design standards are referenced in section 22-286 of this ordinance, above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

Nonconforming Use: Any preexisting structure or object of natural growth, which is inconsistent with the provisions of this ordinance or any amendment to this ordinance.

Obstruction: Any structure, growth, or other object, including a mobile object, which exceeds a limiting height, or penetrates any surface or zone floor, set forth in section 22-287 of this ordinance.

Permit: A document issued by Dinwiddie County allowing a person to begin an activity which may result in any structures or vegetation exceeding the height limitations provided for in this ordinance.

Person: Any individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity. The term includes a trustee, a receiver, an assignee, or a similar representative of any of them.

Primary Surface: A surface, whose design standards are referenced in section 22-286 of this ordinance, longitudinally centered on a runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Runway: A specified area on an airport prepared for landing and takeoff of aircraft.

Structure: Any object, including a mobile object, constructed or installed by any person, including but not limited to buildings, towers, cranes, smokestacks, earth formations, towers, poles, and electric lines of overhead transmission routes, flag poles, and ship masts.

Transitional Surfaces: Surfaces, whose design standards are referenced in section 22-286 of this ordinance, which extend outward perpendicular to the runway centerline sloping from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces.

Vegetation: Any object of natural growth.

Zone: All areas provided for in section 22-286, generally described in three dimensions by reference to ground elevation, vertical distances from the ground elevation, horizontal distances from the runway centerline and the primary and horizontal surfaces, with the zone floor set at specific vertical limits by the surfaces found in section 22-287.

Sec. 22-286. Airport Safety Zones.

In order to carry out the provisions of this ordinance, there are hereby established certain zones which include all of the area and airspace of Dinwiddie County lying equal to and above the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Dinwiddie County Airport. These zones are established as overlay zones, superimposed over the existing base zones, being more specifically zones of airspace that do not affect the uses and activities of the base zones except as provided for in section 22-287 and section 22-288. An area located in more than one of the following zones is considered to be only in the zone with the most restrictive height limitation. These zones are as follows:

Airport Zone: A zone that is centered about the runway and primary surface, with the floor set by the horizontal surface.

Approach Zone: A zone that extends away from the runway ends along the extended runway centerline, with the floor set by the approach surfaces.

Transitional Zone: A zone that fans away perpendicular to the runway centerline and approach surfaces, with the floor set by the transitional surfaces.

Conical Zone: A zone that circles around the periphery of and outward from the horizontal surface, with the floor set by the conical surface.

The source and the specific geometric design standards for these zones are to be found in Part 77.25, 77.28, and 77.29, Subchapter E (Airspace), of Title 14 of the Code of Federal Regulations, or in successor federal regulations. A copy of these design standards shall be kept on file with the Department of Planning for the County of Dinwiddie.

Sec. 22-287. Airport Safety Zone Height Regulations.

- (1) Except as otherwise provided in this ordinance, in any zone created by this ordinance no structure shall be erected, altered, or maintained, and no vegetation shall be allowed to grow to a height so as to penetrate any referenced surface, also known as the floor, of any zone provided for in section 22-287.
- (2) The height restrictions, or floors, for the individual zones shall be those planes delineated as surfaces in Part 77.25, 77.28, and 77.29, Subchapter E (Airspace), of Title 14 of the Code of Federal Regulations, or in successor federal regulations. A copy of these design standards shall be kept on file with the Department of Planning for the County of Dinwiddie.

Sec. 22-288. Use Regulations.

Notwithstanding any other provision of this ordinance, and within the area below the horizontal limits of any zone established by this ordinance, no use may be made of land or water in such a manner as to:

- (1) Create electrical interference with navigational signals or radio communication between the airport and aircraft;
- (2) Diminish the ability of pilots to distinguish between airport lights and other lights;
- (3) Result in glare in the eyes of pilots using the airport;
- (4) Impair visibility in the vicinity of the airport;
- (5) Create the potential for bird strike hazards; or
- (6) Otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft in the vicinity of and intending to use the airport.

Sec. 22-289. Nonconforming Uses.

- (1) Except as provided in section 22-289(2) below and Sec. 22-290(2) of this ordinance, the regulations prescribed by this ordinance shall not require the removal, lowering, or other change or alteration of any structure or vegetation not conforming to the regulations as of the effective date of this ordinance, or otherwise interfere with the continuance of a nonconforming use. Nothing contained in this ordinance shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this ordinance, and is diligently prosecuted.
- (2) Notwithstanding the provision of section 22-289(1), above, the owner of any existing nonconforming structure or vegetation is hereby required to permit the installation, operation, and maintenance thereon of whatever markers and lights deemed necessary by the Federal Aviation Administration, the Virginia Department of Aviation, or the administrator to indicate to operators of aircraft the presence of that airport obstruction. These markers and lights shall be installed, operated, and maintained at the expense of the airport owners, and not the owner of the nonconforming structure in question.

Sec. 22-290. Permits and Variances.

- (1) Except as provided in subsections 1, 2, and 3 of this section, no structure shall be erected or otherwise established in any zone created by this ordinance unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which desired and contain sufficient geometric specificity to determine whether the resulting structure would conform to the regulations prescribed in this ordinance. No permit for a structure inconsistent with this ordinance shall be granted unless a variance has been approved as provided in subsection 22-290(4).
- (2) No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use or structure to become a greater hazard to air navigation than it was on the effective date of this ordinance or any amendments thereto other than with relief as provided for in subsection 22-290(4).
- (3) Whenever the administrator determines that a nonconforming structure has been abandoned or more than fifty percent destroyed, physically deteriorated, or decayed, no permit shall be granted that would enable such structure to be rebuilt, reconstructed, or otherwise refurbished so as to exceed the applicable height limit or otherwise deviate from the zoning regulations contained in this ordinance, except with the relief as provided for in subsection 22-290(4).

- (4) Any person desiring to erect or increase the height or size of any structure not in accordance with the regulations prescribed in this ordinance may apply for a variance from such regulations to the Dinwiddie County Board of Zoning Appeals. Such application shall be properly advertised and be reviewed and considered in a public hearing. Prior to being considered by the Dinwiddie County Board of Zoning Appeals the application for variance shall be accompanied by a determination from the Virginia Department of Aviation as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall only be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this ordinance.
- (5) Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this ordinance and be reasonable in the circumstances, be so conditioned as to require the owner of the structure in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be deemed necessary by the Federal Aviation Administration, the Virginia Department of Aviation, or the administrator. If deemed proper through the failure of the owner of the structure or with other reasonable cause by the Dinwiddie County Board of Zoning Appeals, this condition may be modified to require the owner of the structure in question to permit the airport owner, at his own expense, to install, operate, and maintain the necessary marking and lights.
- (6) Applications for permits and variances shall be made on forms available from the administrator, with such forms allowing for enough specific detail such that proper analysis can be given the request.

Sec. 22-292. Enforcement.

The administrator shall administer and enforce the regulations prescribed in this ordinance. He or she shall be vested with the police power incumbent to carry out and effectuate this ordinance, including the action of injunction, prosecution and other available means through the Dinwiddie County Circuit Court.

Sec. 22-293. Appeals.

Any person aggrieved, or any officer, department, board, or bureau of Dinwiddie County affected by a decision of the administrator may appeal such decision to the Dinwiddie County Board of Zoning Appeals.

Sec. 22-294. Judicial Review.

Any person aggrieved or any taxpayer adversely affected by any decision of the Dinwiddie County Board of Zoning Appeals may appeal to the Dinwiddie County Circuit Court.

Sec. 22-295. Penalties.

Each violation of this ordinance or of any regulation, order, or ruling promulgated under this ordinance shall constitute a misdemeanor and be punishable by a fine of no more than five hundred dollars. Each day on which a violation occurs shall constitute a separate offense.

Sec. 22-296. Conflicting Regulations.

Where there exists a conflict between any of the regulations or limitations prescribed in this ordinance and any other regulations applicable to the same subject, where the conflict is with respect to the height of structures or vegetation and the use of land, or any other matter, the more stringent limitation or requirement shall govern.

Sec. 22-297. Severability.

Should any portion or provision of this ordinance be held by any court to be unconstitutional or invalid, that decision shall not affect the validity of the ordinance as a whole, or any part of the ordinance other than the part held to be unconstitutional or invalid.

Sec. 22-298 – 22.399. Reserved.

ARTICLE XII. DEVELOPMENT STANDARDS

The requirements specified in this article shall apply to all developments within the county. In addition to these standards, there shall be additional standards, which apply to residential, office, business, and industrial developments, as well as signs, and access and internal circulation and other aspects of development as provided in this chapter.

DIVISION 1. GENERAL PROVISIONS – COUNTYWIDE

Sec. 22-400 – Sec. 22-410. Reserved.

DIVISION 2. LANDSCAPING

Sec. 22-411. Purpose and intent.

A comprehensive landscaping program is essential for the visual enhancement of the county. The purpose of this division is to: (i) facilitate the creation of a convenient, attractive and harmonious community; (ii) conserve and protect natural resources; (iii) enhance property values; (iv) preserve the unique character of an area; (v) encourage the appropriate use of land; (vi) decrease storm water runoff and aid in the prevention of erosion; and (vii) provide transition between neighboring properties. Additionally, this division is intended to require the landscaping of parking lots in order to minimize the effects of noise, glare and wind; and enhance public safety by defining spaces to influence traffic movement.

Sec. 22-412. Landscape plan.

- (1) A landscape plan shall be submitted in conjunction with final site plan and subdivision plan design approval. It shall be conceived in a total pattern throughout the site, integrating the various elements of site design, preserving and enhancing the particular identity of the site, and creating a pleasing site character.
- (2) The landscape plan shall be prepared by a landscape architect or engineer that is licensed or certified by the Commonwealth of Virginia; or a landscape designer that is certified by the Virginia Society of Landscape Designers.
- (3) The landscape plan shall include the following information:
 - a. Scale and scale graphic.
 - b. Dimensions and distances.
 - c. Delineation of existing and proposed parking spaces or other vehicle areas, access aisles, and driveways.

- d. Location, size, and description of all existing and proposed landscaping materials.
 - e. Limits of land disturbance
 - f. Tree protection measures.
 - g. Limits of wetlands, tributary streams and 100-year floodplains (base flood hazard area).
 - h. All existing and proposed easements including utility and drainage easements.
 - i. Tree cover calculations excluding one-family dwelling lots.
 - j. Procedures and schedules for the implementation, installation and maintenance of tree protection measures. The procedures and schedule must require that the tree protection measures shall be installed prior to any land disturbing activity.
 - k. The location of all buffers required by proffered zoning conditions or the county Code.
 - l. Identification of all zoning proffers relating to buffers, landscaping, screening, mounds, erosion and sediment control and water quality maintenance or protection.
- (4) The landscaping measures and tree cover required by this section shall be shown on such plan and shall be completed and/or installed or planted according to the approved plan and specifications prior to the issuance of any permanent certificate of use and occupancy or other final approval. Such approval shall be after appropriate inspection and certification by the director of planning that the provisions of this section and other provisions of this chapter have been met and that the installation and/or construction of all required landscaping and/or other required improvements is accomplished or otherwise guaranteed.

Sec. 22-413. Administration and approvals, revisions and appeals.

- (1) The director of planning, or his agents, shall be responsible for the administration, approval and enforcement of buffer and landscape plans as specified in this section. The review and approval of such plans shall be completed within sixty (60) calendar days from receipt of the applicant requests or consents to an extension beyond such time period.
- (2) Revisions, modifications and/or additions to approved plans shall be submitted, reviewed and approved in the same manner as previously approved.
- (3) Written appeals from final decisions of the director of planning shall be filed with the planning commission within fifteen (15) days of that decision. The commission shall fix a reasonable time for hearing the appeal. The commission may affirm, modify or reverse the decision. During the appeal period the director of planning shall not approve the plan or any permit for construction that would or could be affected by the appeal.

Sec. 22-414. Landscape standards.

The following standards shall apply to the preservation, installation and permanent retention of all landscaping, screens and buffers required by the provisions of this chapter:

- (1) Landscaping may include plant materials, such as trees, shrubs, ground covers, perennials and annuals; and other materials, such as, rocks, water, sculpture, art, walls, fences, paving materials and street furniture.

(2) Trees and other plant materials that are to be planted shall be selected from species suitable for the proposed site.

(3) All trees and shrubs shall be planted in accordance with the "Standardized Landscape Specifications," jointly adopted by the Virginia Nurseryman's Association, the Virginia Society of Landscape Designers and the Virginia Chapter of the American Society of Landscape Architects.

Sec. 22-415. Plant material specifications.

(1) Quality. All plant materials shall be living and in a healthy condition. Plant materials used in conformance with the provision of these specifications shall conform to the standards of the most recent addition of the "American Standard for Nursery Stock," published by the American Association of Nurserymen.

(2) Minimum size standard. All trees required to meet the provisions of this section shall meet the following minimum size standards:

- a. Large and medium deciduous trees: A large deciduous tree shall be of a species having an average minimum mature crown spread of greater than thirty (30) feet and a minimum caliper of at least three and one-half (3½) inches measured six (6) inches from ground level at the time of planting.
- b. Small deciduous trees: A small deciduous tree shall be of a species having an average minimum mature crown spread of greater than twelve (12) feet is required. At the time of planting, a minimum tree caliper of at least two and one-half (2½) inches and height of six (6) feet, measured six (6) inches from ground elevation after planting, is required.
- c. Evergreen trees: A minimum height of six (6) feet at the time of planting, measured from ground elevation after planting.
- d. Medium shrubs: Shrubs and hedge forms shall have a minimum height of two (2) feet at the time of planting, measured ground elevation after planting.

(3) Maintenance.

- a. The planting and maintenance of all trees and shrubs shall be in accordance with an approved landscape plan when required.
- b. The owner shall be responsible for maintenance, repair and replacement of landscaping materials, buffering and screening that is required by this chapter. Replacement landscaping must be in accordance with minimum standards of this chapter.
- c. All plant material shall be tended and maintained in a healthy growing condition, replaced when necessary and kept free of refuse and debris. All diseased and/or dead plant materials, except leaves and other normal forest litter, shall be promptly removed and replaced during the normal planting season and in all cases within a year.
- d. The owner shall maintain fences, walls and screens, including gates and doors, in good repair.

(4) Installation and bonding requirements.

- a. All landscaping shall be installed in accordance with professionally accepted landscaping practices. Landscaped areas shall require protection from vehicular encroachment by such means as, but not limited to, wheel stops, concrete or bituminous curbs.

- b. Where landscaping is required, no certificate of occupancy shall be issued until the required landscaping is completed in accordance with the approved landscape plan. When the occupancy of a structure is desired prior to the completion of the required landscaping, a certificate of occupancy may be issued only if the owner or developer provides a form of surety satisfactory to the director of planning in an amount equal to the costs of completing the required landscaping.
- c. All required landscaping shall be installed and approved by the first planting season following issuance of a certificate of occupancy or the surety described above may be forfeited to the county. This requirement shall not preclude the phasing of landscaping programs for larger development projects, the timing of which shall be approved by the director of planning.

Sec. 22-416. Tree cover requirements.

Except as exempted below, all developments requiring approval of a site plan and/or construction plan shall provide minimum tree cover at ten (10) years' maturity as set forth below.

<u>Zoning districts</u>	<u>Percent (%) Tree Cover</u>
M-1, M-2, and PMD	10
B-1, B-2, B-3,	10
R-1, R-1A, and R-2	15
R-R, RR-1, A-1, and A-2	20

Sec. 22-417. Tree cover calculations.

The tree cover requirement shall be calculated and shown on the landscape plans. The method of calculating the required tree cover shall be executed by using the following procedures:

- (1) Site plans. Tree cover requirements for site plans shall be calculated as follows:
 - a. Calculate the gross site area in square feet.
 - b. Calculate in square feet the ground coverage area of all buildings. Exclude parking structures, easements, parking areas, areas reserved or dedicated for future street construction, future school sites, playing fields or other public improvement, and other areas which are identified as exceptions (or modifications approved by the director of planning) to the tree cover requirements. Subtract this total from the gross site area and this is the adjusted gross site area.
 - c. Multiply the adjusted gross site area by the percentage of tree area cover required by the zoning district to obtain square feet of tree cover required. The minimum tree area cover required is found in section 22-416 above.
 - d. Calculate the square feet of tree cover provided by vegetation proposed to be preserved. Multiply this area by a factor of 1.25 to allow for 10-year growth of existing vegetation (a higher factor of up to 2.0 may be used for trees of outstanding size or quality if approved by the director of planning. If the area of tree cover to be provided by preserved vegetation does not meet that required as calculated in c. above, the deficiency shall be met by planting acceptable landscape trees.

- e. To calculate the area in square feet provided by proposed landscape trees consult the "Appendix A, Trees & Shrubs for Virginia Landscapes, Vol. 1 – Commonly Used Plants, Tree Canopy Spread & Coverage After 10 or 20 Years" adopted by the Virginia Nursery and Landscape Association, Inc. This provides areas credited to the planting of specific tree species according to the proposed size at planting. Add the square footage credits provided by all proposed trees to arrive at the total area to be provided by landscape planting.
- f. Add the area provided by existing vegetation to be preserved to the area provided by landscape planting (if needed) to determine the total proposed tree cover area. The total of proposed tree cover area must meet or exceed the percentage of 10-year tree cover area as calculated in c. above.

(2) Sections or Phases.

- a. When a development is divided into phases or sections, each phase or section shall be treated separately for tree cover requirements unless exemption is permitted by the director of planning pursuant to finding that a proposed alternative meets the intent and spirit of this section and all other requirements.
- b. In the event a development provides conservation or scenic easements or provides dedicated open spaces, tree cover provided in the dedicated open space may be credited toward meeting the tree cover requirement for the entire development. The remaining tree cover requirements shall be met in the individual phases or sections of the development. In such cases, the calculations showing a breakdown of where tree cover is to be provided in the open space and each section or phase shall be shown on overall plan and on each incremental phase or section submitted within the overall development.

Sec. 22-418. Tree preservation.

- (1) Preservation of existing vegetation shall be maximized, wherever practicable, to provide for continuity and improved buffering. Except when otherwise necessary to provide access or when exempted by this section, any tree eight (8) inches or greater in caliper located within the setback from a public right-of-way shall be retained. Tree removal may be approved where site design modification is not feasible. Any healthy existing tree or shrub may be included for credit towards the requirements of this section. If any preserved tree or shrub that has been credited dies within three (3) years of construction, trees or shrubs shall be planted to meet the minimum tree cover canopy density.

(2) Tree preservation credit.

- a. Existing trees which area to be preserved may be utilized to meet all or part of the tree cover requirements if these existing trees area identified on the approved landscape plan.
- b. The credit provided for freestanding trees or clusters of trees will be 1.25 multiplied by the area defined by the boundaries of the existing drip line of a freestanding tree or cluster of trees as surveyed in the field and delineated on the tree protection plan. A credit of up to 2.0 may be granted by the director of planning for trees of outstanding size and quality.

(3) Tree planting credit.

- a. Trees planted in parking lots interior landscaping, parking lot peripheral landscaping, transitional screening or buffer areas, landscaped open space, re-vegetation, tree supplementation, tree replacement and other trees that are planted on the site may qualify for tree cover credit.

- b. The tree cover calculations for planted trees shall be based upon the projected ten years' maturity for each tree. Other trees and larger tree sizes with submission of supporting tree cover data.

(4) Permitted deviations.

- a. The director of planning may approve a plan which deviates from the requirements of this section when necessary:
 - 1. to allow for the reasonable development of farmland or other areas devoid woody materials;
 - 2. to allow for clearing and grading required to achieve positive, proper drainage away from residential structures;
 - 3. to allow for the reasonable development of dedicated school sites, playing fields and other non-wooded recreation areas;
 - 4. to allow for the preservation of wetlands; and
 - 5. to avoid unreasonable hardship to the owner.
- b. When permitting deviations from the strict requirements of this section, the director of planning may impose conditions to accomplish the intent of this section.

Sec. 22-419. Parking lot landscaping required.

(1) Peripheral Parking Lot Landscaping. If any parking lot contains six (6) or more spaces and transitional buffering is not required, peripheral parking lot landscaping shall be required as follows:

- a. Where the property line abuts land other than the right-of-way of any street:
 - 1. A landscape strip ten (10) feet in width shall be located between the parking lot and the abutting property lines. Where such strip would adversely separate functional parking areas and reduce efficiency and vehicular circulation, an equivalent area may be provided in landscape islands.
 - 2. At least two (2) trees for each 100 linear feet shall be planted in the landscape strip. At least one (1) tree shall be planted in every landscape strip.
- b. Where the property line abuts the right-of-way of a street:
 - 1. A landscape strip ten (10) feet in width shall be located between the parking lot and the property line. The landscape strip may (*shall not*) include a sidewalk or trail. Where easements preclude such landscape strip adjacent to the right-of-way, it shall either be situated adjacent to the easement if practicable or an equivalent area shall be provided as close as practicable to the right-of-way or easement.
 - 2. At least two and one-half (2 1/2) trees for each 100 linear feet shall be planted in the landscape strip. At least one (1) tree shall be planted in every landscape strip.
 - 3. Where peripheral landscaping required by this section conflicts with the street planting regulations of the Virginia Department of Transportation, the regulations of the latter shall govern.

(2) Interior Parking Lot Landscaping:

- a. All parking lots of six (6) or more spaces shall be provided with interior landscape areas containing not less than five (5) percent of the total area of the parking spaces. Such landscaping shall be in addition to any planting or landscaping within six (6) feet of

a building, parking lot peripheral landscaping and transitional buffering required by this section.

- b. The primary landscaping materials used in parking lots shall be trees that provide shade or are capable of providing shade at maturity. Shrubs and other live planting materials may be used to complement the tree landscaping, but shall not be to the sole contribution to the landscaping.
- c. The landscape areas shall be reasonably dispersed throughout the parking lot.
- d. No parking area shall include a line of more than nineteen (19) spaces uninterrupted by a landscape area at least nine (9) feet in width and containing at least 162 square feet. The interior dimensions of any planting area shall be sufficient to protect all landscape materials planted therein.
- e. Areas for vehicle storage or nonpublic parking areas, such as vehicle storage lots and automotive display lots, shall be exempt from these requirements if the area is screened as otherwise required by this chapter in accordance with an approved plan.

DIVISION 3. BUFFERS AND SCREENING

Sec. 22-420. Purpose and intent.

- 1) Buffers shall be designed to provide a horizontal distance and open space between certain uses; preserve vegetation; provide transition and separation; reduce noise and glare; and/or maintain privacy. Buffers shall provide intermittent visual separation between uses;
- 2) Screening shall provide a vertical barrier and shall be designed to block visual or noise impact. When unrelated activities are located adjacent to one another, buffers and screening as required herein shall be used to ensure compatibility between adjacent uses.

Sec. 22-421. General provisions.

- 1) In addition to the buffers required herein, the board of supervisors; planning commission by modifications to development standards and requirements only; or board of zoning appeals may require buffers at the time of their final decision on applications before them. Buffers shall be of such length, width and type as will effectively and appropriately buffer one use from another use where such uses are deemed to be incompatible, whether such uses are within the same districts or in different districts. Such buffers shall not be used for any purpose other than as a permitted herein, or as permitted by the action of the board of supervisors, planning commission or board of zoning appeals.
- 2) Existing mature vegetation located within required buffers shall be maintained unless removal is approved during subdivision or site plan review. Further, preserved vegetation may be substituted for required landscaping materials if approved during subdivision or site plan review.
- 3) Buffers shall be provided on the lot or parcel pursuant to the matrix contained in Section 22-423.
- 4) When the development is to contain more than one use or group of uses, the more stringent requirements of the matrix shall apply.
- 5) Buffers shall be required at the outer boundaries of a lot along the rear and/or side property lines and shall be provided except where driveways or other openings may be required, as approved at the time of site plan approval.
- 6) Unless otherwise specified, buffers shall be inclusive of required yards.

- 7) When required, screening shall provide complete visual separation of outside storage, loading docks, overhead doors, service areas, trash collection storage areas, vehicle storage yards and similar uses.
- 8) The only uses permitted by right in buffers shall be landscaping and screening as permitted herein; however, signs; security fencing; utilities which run generally perpendicular through the buffer; pedestrian walkways; or similar uses may be permitted through subdivision, site plan review, provided that the purposes stated in section 22-420 are maintained.
- 9) Except for buffers required by the board of supervisors as a condition of zoning or by the board of zoning appeals, the requirements for buffers and screening may be waived and/or modified by the planning commission during site plan review and approval under any of the following conditions:
 - a. If the strict application of the provisions of the division reduces the usable area of a lot, due to lot configuration or size to a point which would preclude a reasonable use of the lot, buffer and/or screening requirements may be waived or modified provided the side or rear of a building, a barrier and/or the land between that building and the property line has been specially designed to minimize adverse impact through a combination of architectural and landscaping techniques.
 - b. If the building, a barrier and/or the land between that building and the property line has been specially designed to minimize adverse impact through a combination of architectural and landscaping techniques.
 - c. If the adjoining land is designated the county's adopted comprehensive plan for a use which would not require the provision of buffers or screens.
 - d. If the adjoining property is used for any public purpose other than a school, day care center or hospital.
 - e. If adjacent residential or agricultural property is used for a compatible use, which has, been permitted by the board of zoning appeals as a special exception or the board of supervisors as a conditional use.
 - f. If the topography is such that the requirements of this division would not be effective.
 - g. Between uses that area to be developed under a common development plan.
 - h. If adjacent residential or agricultural property is undevelopable for residential uses because it is a resource protection area.
- 10) Except for buffers required by the board of supervisors as a condition of zoning or by the board of zoning appeals, the requirements for buffers and screening may be waived and/or modified during site plan review and approval under any of the following conditions:
 - A. When the adjacent lot is in an R district and is occupied by a nonresidential use. If the adjacent lot is vacant, its use shall be considered as residential unless the county's adopted comprehensive plan designates such lot for nonresidential use.

Sec. 22-422. Buffer and screening requirements.

- 1) Buffers: Buffers shall be provided as shown on the buffer width matrix in section 22- 423. Landscaping shall be accomplished within required buffers as follows:

- a. A 10-foot buffer shall consist of an unbroken strip of open space and shall be planted with two (2) large deciduous or evergreen trees with an ultimate height of fifty (50) feet or greater and one (1) small deciduous or evergreen tree with an ultimate height of twenty (20) feet or greater and twenty-five (25) shrubs for every 100 linear feet or portion thereof.
 - b. A 25-foot buffer shall consist of an unbroken strip of open space and shall be planted with four (4) large deciduous or evergreen trees with an ultimate height of fifty (50) feet or greater and two (2) small deciduous or evergreen tree with an ultimate height of twenty (20) feet or greater and twenty-five (25) shrubs for every 100 linear feet or portion thereof.
 - c. A 50-foot buffer shall consist of an unbroken strip of open space and shall be planted with eight (8) large deciduous or evergreen trees with an ultimate height of fifty (50) feet or greater and four (4) small deciduous or evergreen tree with an ultimate height of twenty (20) feet or greater and twenty-five (25) shrubs for every 100 linear feet or portion thereof.
 - d. A 75-foot buffer shall consist of an unbroken strip of open space and shall be planted with ten (10) large deciduous or evergreen trees with an ultimate height of fifty (50) feet or greater and six (6) small deciduous or evergreen tree with an ultimate height of twenty (20) feet or greater and twenty-five (25) shrubs for every 100 linear feet or portion thereof.
 - e. A 100-foot buffer shall consist of an unbroken strip of open space and shall be planted with twelve (12) large deciduous or evergreen trees with an ultimate height of fifty (50) feet or greater and eight (8) small deciduous or evergreen tree with an ultimate height of twenty (20) feet or greater and twenty-five (25) shrubs for every 100 linear feet or portion thereof.
- 2) Screening: Screening shall be accomplished by building design or by the use of durable architectural walls or fences constructed of comparable materials to the principal building and using a design compatible to the principal building on the property.

Sec. 22-423. Buffer width matrix.

The required width of buffers shall be determined from the following matrix. The left column of the matrix represents the use of the zoning lot on which the buffer must be provided and the top column of the matrix represents the use of property contiguous to the zoning lot. The interior numbers in the matrix represent the width in feet of the required buffer on the zoning lot:

	A-1/A-2	RR/RR-1	R-1/R-1A/R-2
A-1/A-2	-	-	-
RR/RR-1	10	-	-
R-1/R-1A/R-2	25	10	-
B-1	10	10	10
B-2	25	25	25
B-3	50	50	50
M-1	50	50	50
M-2	75	75	75
PMD	100	100	100

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with the Virginia Code Section 15.2 – 2286 (A) (7) it is stated that the public purposes for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: APPOINTMENTS – APPOMATTOX REGIONAL LIBRARY BOARD – SOCIAL SERVICES BOARD – CRATER PLANNING DISTRICT COMMITTEE & METROPOLITAN PLANNING ORGANIZATION

Ms. Mann stated the following appointments are due by June 30, 2000:

APPOMATTOX REGIONAL LIBRARY BOARD

One Position: At Large – Ms. Cornelia Roberts has been serving on this Board since 1992. Having served two (2) consecutive full terms she is not eligible for reappointment.

Applications were received from Ms. Cynthia R. Sandlin, Ms. Joyce R. Wells and Shirley B. Woodlief. Copies of their applications included in the Board's packets review and consideration.

The Board requested this appointment be delayed until the next meeting.

SOCIAL SERVICES BOARD

Two Positions:

One Position – Board Representative – Mr. Aubrey S. Clay has been serving on this Board since 1996 and is seeking reappointment; and

One Position – In-County/By-District – Mr. Linwood Ernest Fitzgerald, Sr. has been serving on this Board since 1996 and is seeking reappointment.

No additional applications were received for these positions.

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Haraway, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Aubrey S. Clay and Mr. Linwood Ernest Fitzgerald, Jr. be reappointed to the Social Services Board for a term ending June 30, 2004.

CRATER PLANNING DISTRICT COMMITTEE & METROPOLITAN PLANNING ORGANIZATION

One Position: Board Representative -- Mr. Donald L. Haraway has been serving on this Board since 1999, replacing Ms. LeeNora V. Everett, and did not apply for reappointment. Mr. Haraway since that time has agreed to serve again.

Upon Motion of Mr. Bracey, Seconded by Mr. Bowman, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", Mr. Haraway "Abstaining",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Donald L. Haraway be reappointed to the Crater Planning District Committee & Metropolitan Planning Organization for a term ending June 30, 2001.

IN RE:

OFFICE ON YOUTH AND COMMUNITY SERVICES –
RECOMMENDATIONS FOR YOUTH COMMISSION
MEMBERS AND APPOINTMENT

Mr. Long stated this item was discussed during the last Board meeting but somehow the Board failed to take action. This was for the appointment of seven (7) potential new members. Mr. Long stated it has been the practice of the Board of Supervisors to receive recommendations from the existing Youth Commission for potential new members. Ms. Francene C. Newman, Director on Youth had sent a letter, which stated they would like to recommend the following people to serve on the Commission:

For three (3) year term:
Dayle Thomas

For one (1) year appointment to finish out a term:
David Johnson

For one (1) year term (students):
Shekenya Chamblee
Matthew Cunningham
Crystal Harrison
Holly Johnson
Taron Wyche

The Youth Commission make-up would be as follows with these nominations:

2000/2001
YOUTH SERVICES CITIZEN BOARD COMPOSITION

MEMBER NAME	OCCUPATION / BUSINESS	BIRTH DATE (IF BELOW 18)*	APPOINTMENT DATE	EXPIRATION DATE
AGENCY REPRESENTATIVES				
*Marie Andrews	VJCCCA Community Counselor		05-01-98	05-01-02
Patsy Barnes	Extension Agent		05-01-98	05-01-01
Dayle Thomas	DCMS Teacher		05-01-00	05-01-03
Claire Goad	Social Services		05-01-95	05-01-01
George Rivers	DARE Officer		05-01-96	05-01-02
Tom Wicks	DCHS Teacher		05-01-96	05-01-02
CITIZEN REPRESENTATIVES				
Thayer Baird	Reems Station, Inc.		05-01-99	05-01-02
Butch Cunningham	Phillip Morris		05-01-96	05-01-02
Cynthia Jackson	Cee's New & Used		05-01-95	05-01-01
**David Johnson	Edward Jones Investments		05-01-98	05-01-01
John Kirkland	ABC Enforcement Officer		05-01-99	05-01-02
Ester Robinson	Nottoway Schools		05-01-99	05-01-02
Odessa Winfield	Central State Hospital		05-01-98	05-01-01
YOUTH				
Shekenya Chamblee	Student		05-01-00	05-01-01
Matthew Cunningham	Student		05-01-00	05-01-01
Crystal Harrison	Student		05-01-00	05-01-01
Holly Johnson	Student		05-01-00	05-01-01
Taron Wyche	Student		05-01-00	05-01-01

- * one-year appointment initially to finish out unexpired term
- ** one-year appointment to finish out unexpired term

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Bowman, Mr. Bracey, Mr. Haraway, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above recommendations for appointment to the Youth Commission are hereby appointed for the terms so stated.

IN RE: VIDEO TELECONFERENCING – AVAILABLE GRANT FUNDS

Mr. Long stated there were two (2) letters enclosed in the Board's packet regarding Grant funds that have been made available to Dinwiddie County for the purpose of video-conferencing equipment. The first letter dated April 25, 2000 from Kenneth L. Mittendorff, Director of the Management Information Systems Department of the Supreme Court of Virginia addressed to Judge Hume, Chief Judge of this judicial district. The second letter is from Valentine W. Southall, Jr., Judge addressed to Mr. R. Martin Long. Judge Southall stated the letter from Mr. Mittendorff was self-explanatory. It offers the long-anticipated video-conferencing capability to the Juvenile and Domestic Relations Court. It was Judge Southall's understanding that the Dinwiddie Court had been added to the list of identified potential sites for this video teleconferencing equipment; however, he did not have written confirmation as of May 26, 2000. In order for them to obtain the offered equipment, the locality must make the commitments as outlined below:

- Installation of three (3) telephone lines (three (3) ISDN lines). Estimated at \$91.00 per line.
- Continuing charges for those lines. Estimated at \$27.00 to \$80.00 per line per month, depending upon local phone company.
- Any per minute charges on ISDN, estimated for all three (3) lines at \$0.12 to \$0.36 per minute based on distance to detention center per call. An approximately hourly court cost would be \$7.20 to \$21.60.
- Any courtroom or clerk's office renovations that may be required or desired must be borne by the locality. Electrical wiring, additional telephone installations, and/or facility modifications.

Mr. Long continued by stating that Judge Southall had written to seek these commitments from the County. Without question, Judge Southall stated, this equipment would save time and money for Dinwiddie County. Under the present setup, the Sheriff is obliged to expend dozens, if not hundreds, of man-hours annually to transport juvenile defendants between detention homes and Court for detention and other hearings; these hearings could be held at a remote location if such equipment were available. As the Board knew, the transportation is not only between Crater and Dinwiddie; frequently defendants are transported from Crater to Powhatan, Amelia or Nottoway for the seventy-two (72) hour hearings. The costs of this are huge in terms of dollars in terms of unavailability of deputies for other duties. Installation of this equipment would dramatically reduce these costs. Judge Southall wrote that he realized that the County was at the end of their budget process for the next fiscal year, and further wrote that had he known of this offer sooner, he would have written the Board sooner. Nevertheless, given the tremendous benefit from this proposal, he would hope that money could be found to meet the County's requirements. The grant runs until June 30, 2000; therefore, Judge Southall requested an early response in order that he could advise Mr. Mittendorff and reserve funds for Dinwiddie County.

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to investigate the above described proposal and if they deem the cost of participation to be reasonable and feasible for the County, to move forward with acceptance of the Grant Funds

IN RE: DINWIDDIE AMBULANCE AND RESCUE SQUAD – NEW AMBULANCE FUNDS REQUEST

Mr. Long stated he had included two (2) letters from Dinwiddie Ambulance and Rescue Squad regarding funds for the purchase of a new ambulance. They

have stated that the money the County allocated for DVRS in 1999 will be used to purchase a new ambulance and requested concurrence and assistance from the County in purchasing a new ambulance. Mr. Long further stated that he could not, in light of the CIP recommendations, recommend that this request be granted – to use operational funds for a capital improvement project.

Ms. Linda Ozmore, President, Dinwiddie Ambulance & Rescue Squad, Inc. came forward stating that she had become President as of December 1999. She further stated that she could not speak for what was done or not done prior to her taking office; however, she was willing to work with the Board in order to obtain the operating funds allotted to DVRS for the 1999/2000 budget year.

After discussion a motion was offered by Mr. Haraway, Seconded by Mr. Bowman, Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that upon presentation to Administration of proper documentation on DVRS's operating budget, expenditures and verification of same, that the funds allotted for the 1999/2000 Budget Year be disbursed accordingly.

**IN RE: ROSLYN FARM CORPORATION – BUFFERING OF SITE
ON U.S. ROUTE 1**

Mr. Long presented the Board with a letter and color-coded map from Mr. Robert C. Walker, President of Roslyn Farm Corporation regarding the buffering of their site on Route 1 behind the Waffle House. Mr. Long stated he would like to have comments from the Board regarding this matter. There seemed to be some opposition to the proposed buffering plan from the Board. Mr. Long stated after he received the Board's comments he would take their concerns back to Mr. Walker and they would continue to work on a proposed plan that would satisfy all involved.

**IN RE: FIRE/EMS BUILDING – MCKENNEY – WATER TAP – BID
RESULTS AND AWARD OF CONTRACT**

Mr. Donald W. Faison, Superintendent of Buildings and Grounds came forward stating that he had obtained bids for the water tap and service to the McKenney Fire/EMS Building. He reported to the Board that McKenney did not have the ability to perform this work. He also stated that Dinwiddie Water Authority did not have the ability to perform this work and had suggested some of the firms he had contacted for bids. The bids received were as follows:

ROCKY HILL CONTRACTING, INC.	\$7,380.00
6068 ROCKY HILL ROAD	
BLACKSTONE VA 23824	

KBS, INC.	\$8,118.00
8050 KIMWAY DRIVE	
RICHMOND VA 23228	

SOUTHERN CONSTRUCTION CO.	\$7,732.49
P. O. BOX 667	
PETERSBURG VA 23804	

Mr. Faison stated he recommended accepting the bid of Rocky Hill Contracting, Inc. for \$7,380.00.

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Haraway, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to move forward with

entering into a contract with Rocky Hill Contracting, Inc. to provide labor, materials, supervision, and equipment necessary to complete the 2" water tap including mobilization, installation of 2" water service line, meter, setter, concrete vault, pipe, select fill, asphalt patch and lane blockage as per Virginia Department of Transportation specifications at a cost not to exceed \$7,380.00.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman No comments

Mr. Bracey He requested Administration to find out when, where, and how the Dinwiddie County School Board will return an answer to the questions that the Board of Supervisors had forwarded to them several months ago. He would like a definite date because those items were requested under the Freedom of Information Act.

Mr. Moody stated Ms. Seward had indicated to him that the Chairman of the School Board would like to schedule a meeting with the Board in July to discuss those items.

Mr. Long stated the School Board wanted to answer those questions.

Mr. Bracey stated he did not want to discuss them. He further stated he understood that when you submitted in writing you were to receive a written answer. He stated he would like a date because he thought they had gone beyond the statute of Virginia. He also stated he felt that someone owed the Board an apology or to tell somebody something. He stated that if somebody does not hurry up and tell him something, he cannot speak for the Board, but he had a right to go see the Judge concerning this matter.

Mr. Haraway He requested that Administration provide the Board members with a copy of what had been given to the School Board so that when they do meet everyone will be looking at the same information.

Mr. Long indicated a copy would be provided.

He further requested information regarding the method in which the Treasurer was charging penalty on unpaid personal property taxes. He stated he understood that the penalty was being charged on the entire bill and not just the portion owed by the individual. By the entire bill he meant the portion due from the State that would be subtracted from the citizens bill due to the Personal Property Tax Relief Act. He asked for a consensus of the Board to have the County Attorney to look into this method and administer a ruling.

Mr. Long stated it is currently a part of the Code of the County of Dinwiddie, Virginia and it is a matter of interpretation.

Mr. Daniel M. Siegel, County Attorney was instructed to investigate this issue and report back to the Board.

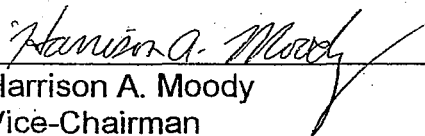
IN RE: JUNE 21, 2000 -- CHANGE IN MEETING TIME

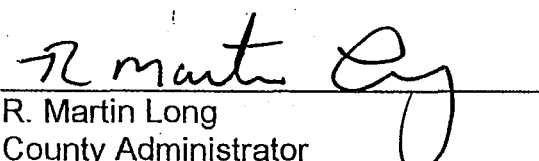
Mr. Moody stated that the agenda for the meeting on June 21, 2000 appeared to be light and the Board would like to change the time of that meeting

to 10:00 A.M. The Board would also like to dispense with the verbal Department Head Reports for that meeting but will be included as written for the packets. This would be an action agenda only.

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Bowman, Mr. Bracey, Mr. Haraway, Mr. Moody voting "Aye", the meeting adjourned at 9:45 P.M. The motion also authorized Administration to advertise a change in time for the June 21, 2000 Regular Board of Supervisors meeting from 2:00 P.M. to 10:00 A.M.


Harrison A. Moody
Vice-Chairman


R. Martin Long
County Administrator

/pam

