

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE COUNTY, VIRGINIA, ON THE 21ST DAY OF MARCH, 1990, AT 7:30 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	AUBREY S. CLAY, VICE-CHAIRMAN	ELECTION DISTRICT #4
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #3
	CHARLES W. HARRISON	ELECTION DISTRICT #2
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	SAM SHANDS	DEPUTY SHERIFF
	DANIEL M. SIEGEL	INTERIM COUNTY ATTORNEY

IN RE: MINUTES

Correction - March 7, 1990 Regular Meeting:

Page 5, para. 9, change the motion to read: Mr. Tickle "abstain".

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the March 7, 1990 Regular Meeting are hereby adopted and approved with corrections in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims be approved and funds appropriated for same using checks #7936 - #8049 (void #7935): General Fund - \$63,188.13; Self-Insurance - \$3,886.75; E911 - \$96.88; Law Library - \$72.00, for a total of \$67,243.76.

IN RE: CAPITAL PROJECTS - ECONOMIC DEVELOPMENT FUND

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that a fund be established to earmark funds for Economic Development within the Capital Projects Fund to be used for expenses of prospective industries interested in locating within the County.

IN RE: CITIZEN COMMENTS

No one spoke.

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Harrison, seconded by Mr. Tickle, Mr. Bracey, Mr. Harrison, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", the Agenda was amended as follows:

8.f. P-90-4 - IDA -- Postponed to April 4, 1990

Add 10.b. Landfill Hours

Add 14.c. Land Acquisition

IN RE: DIVISION OF FORESTRY - ANNUAL REPORT

Mr. C. Crockett Morris, Jr., Regional Forester, presented the Department of Forestry 1989 Yearly Report.

IN RE: PUBLIC HEARING -- C-90-1 - STACY E. & ROBERT D. BENTON

Mr. Leonard Ponder, Director of Planning, advised Stacy E. and Robert D. Benton withdrew their conditional use permit that was advertised for a public hearing.

Mr. Tickle stated the Planning Commission needed to address the gray area in allowing kennels in a small lot A-2 subdivision.

IN RE: PUBLIC HEARING -- A-90-1 - SETBACKS

This being the time and place as advertised in the Progress-Index Newspaper on Wednesday, March 7, and 14, 1990, for the Board of Supervisors to conduct a Public Hearing to consider a proposed amendment to Section 22-241 "Front Setback Regulations" of the Code of Dinwiddie.

Mr. Leonard K. Ponder, Director of Planning, presented the proposed changes to Article V, Supplementary District Regulations, Section 22-241, Front Setback Regulations. In synopsis, the minimum setback would be 150 feet on the following State Routes: Rt. 627 (from Rt. 1 to Rt. 751); Rt. 613 (from Rt. 1 to Rt. 611); Rt. 611 (from Rt. 627 to Rt. 460); Rt. 601 (from Rt. 600 to 708). Minimum setback of 100 feet on the following: Rt. 1 (from City of Petersburg to the County of Brunswick boundary); Rt. 460 (from Rt. 1 to Nottoway County boundary).

Mr. Ponder advised at the February 14th meeting, the Planning Commission unanimously recommended approval of the amendment, as they see this as being a step towards planning for residential and commercial growth in the County.

The following spoke against the amendment:

Gilbert Charboneau, Rt. 4, Box 482, Petersburg, VA 23803
Anne Blazek, Rt. 4, Box 500, Petersburg, VA 23803

No one spoke in favor of the amendment.

Upon motion of Mr. Bracey, seconded by Mr. Harrison, Mr. Bracey, Mr. Harrison, Mr. Clay voting "aye", Mr. Tickle, Mr. Moody voting "no", A-90-1 is postponed for 90 days in order that further consideration can be given to this ordinance change and a workshop to discuss this matter might be held.

IN RE: PUBLIC HEARING -- A-90-2³ - BUSINESS LICENSE

This being the time and place as advertised in the Progress-Index Newspaper on Wednesday, February 28, and March 7, 1990, for the Board of Supervisors to conduct a Public Hearing to consider a proposed amendment to Section 13-39 of the Dinwiddie County Code.

No one spoke in favor of or against the amendment.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie County Code, as previously adopted and amended, be further amended by the following addition of Chapter 13, Section 39 thereof by the addition of subsection (1) thereto, and in all other respects be reordained:

CHAPTER 13, SECTION 39

(1) Any person engaged in the business of operating a warehouse and distribution facility which stores and distributes goods and merchandise solely to retain facilities owned by the same person and which receives no gross receipts for such services shall be exempt from the license tax levied by this section.

IN RE: PUBLIC HEARING -- P-90-1 - ROBERT & DOROTHY MENGEL

This being the time and place as advertised in the Progress-Index Newspaper on Wednesday, March 7, and March 14, 1990, for the Board of Supervisors to conduct a Public Hearing to consider an application submitted by Robert and Dorothy Mengel to rezone tax parcel 57-79A from Business, General, District B-2 to Agricultural, General, District A-2.

Mr. Leonard Ponder, Director of Planning, presented the request stating Mr. and Mrs. Mengel wished to build a dwelling on the property and in its present zoning classification this would not be permitted. He stated the Planning Commission approved the request at its February 14th meeting.

No one spoke in favor of or against the rezoning.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that land parcel 57-79A of the Dinwiddie County Zoning Maps, located on U.S. Route 1 in the Rowanty Magisterial District, is amended by changing the district classification from Business, General, District B-2 to Agricultural, General, District A-2. In all other respects, said zoning ordinance is hereby reordained.

IN RE: PUBLIC HEARING -- P-90-2 - ARLINE A. CLEMENTS

This being the time and place as advertised in the Progress-Index Newspaper on Wednesday, March 7, and March 14, 1990, for the Board of Supervisors to conduct a Public Hearing to consider an application submitted by Arline A. Clements to rezone tax parcels 19-99 and 19-101 from Agricultural, General, District A-2 to Business, General, District B-2.

Mr. Leonard Ponder, Director of Planning, presented the request stating Ms. Clements wished to make an addition to a business currently located on the properties and wanted to have the proper zoning for prospective new businesses on the property. He stated this is a housekeeping measure as the hardware store currently on the property has been in existence for several years. He stated the Planning Commission approved the request at its February 14th meeting.

No one spoke in favor of or against the rezoning.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that land parcels 19-99 and 19-101 of the Dinwiddie County Zoning Maps, located on U.S. Route 460 from the intersection of State Route 631 in the Namozine Magisterial District, is amended by changing the district classification from Agricultural, General, District A-2 to Business, General, District B-2. In all other respects, said zoning ordinance is hereby reordained.

IN RE: PUBLIC HEARING -- P-90-4 - IDA

Although advertised, this public hearing is postponed until the April 4, 1990 Board of Supervisors Meeting. Proper readvertising will be done.

IN RE: RURAL DEVELOPMENT PROGRAM

Ms. Carmencita Vaughan advised she was participating in the Virginia Rural Leadership Development Program, a single, joint endeavor of Virginia's Land-grant Universities, conducted by the Virginia Cooperative Extension Service of VPI and Virginia State University, with initial support from the W. K. Kellogg Foundation. Ms. Vaughan stated that she is a resident of the County, and is interested in developing a leadership program for Dinwiddie County to prepare future leaders and better equip persons holding leadership positions.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to continue working with Ms. Carmencita Vaughan in developing a leadership program for Dinwiddie County.

IN RE: RECYCLING COMMITTEE

Ms. Kay Winn, representing the Recycling Committee, advised Draper Aden Associates is progressing on the state funded waste recycling study of Dinwiddie County, and has suggested that a survey questionnaire be circulated to approximately 5,000 families in the County. She advised the School Board approved distribution through the school system.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Recycling Committee is authorized to distribute a Recycling Poll questionnaire through the Dinwiddie school system.

IN RE: LANDFILL SUMMER HOURS

Several Board members requested the County Administrator and Director of Sanitation increase the hours of the Landfill for the spring/summer season and advertise these changes to inform the citizens.

IN RE: RESOLUTION CONCERNING EMPLOYMENT GENERATING ACTIVITIES -
JOB TRAINING PARTNERSHIP ACT (JTPA)

Mr. Dewey Cashwell, County Administrator, advised Southside Central Private Industry Council has requested the County assist in their efforts to sustain and increase Congressional funding for the JTPA category which provides dollars for activities which generate employment. This resolution supports the acquisition of funds to provide follow-up employment opportunities following training.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mr. Bracey, Mr. Harrison, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Job Training Partnership Act now permits expenditures of funds for employment-generating activities; and

WHEREAS, the need for creation of jobs or expansion of existing business is critical to the economic development of any jurisdiction; and

WHEREAS, it is essential to have jobs for the clients training under the JTPA Law; and

WHEREAS, Congress will be considering JTPA Amendments which will affect the Administration and Support categories from which employment generating activities are utilized;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, encourages the continuation of employment-generating activities as allowable costs; and,

BE IT FURTHER RESOLVED that the amount allocated be increased or at least remain at the current permissible level.

IN RE: MUTUAL AID AGREEMENT -- FORT LEE, VIRGINIA

Mr. Jim Rice, Public Safety Officer, presented a Mutual Aid Agreement for fire protection between the County of Dinwiddie and the Commanding General of Fort Lee, which must be reviewed and updated every two years.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to sign the renewal Mutual Aid Agreement for fire protection between the County of Dinwiddie and the Commanding General of Fort Lee, Virginia.

IN RE: HVAC STUDY -- COUNTY BUILDINGS

Mr. Dewey Cashwell, County Administrator, advised a Heating, Ventilation and Air Conditioner (HVAC) Study had been requested by some County employees dealing with the indoor air quality of the buildings. He stated air exchange and filtration must be carefully managed to ensure that air problems do not result in worker health problems. Mr. Cashwell suggested that air sampling and testing should be conducted on a periodic basis, and that Dinwiddie County has never performed such testing on its buildings. Mr. Cashwell stated this was brought to the Board's attention as a result of concern expressed by an employee who believes their existing respiratory difficulties may be aggravated by the system.

He received bids ranging from \$2,900 for the Pamplin Building only, to \$6,000 for the Pamplin Building and the five other County buildings.

The Board agreed to look at the HVAC study during the budget workshop sessions.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mr. Bracey, Mr. Harrison, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", pursuant to Section 2.1-344(A)(1),(3),(5) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 9:42 p.m. to discuss the following: personnel, acquisition of real property, and prospective industry where no previous announcement has been made. A vote having been made and approved, the meeting reconvened into Open Session at 11:17 p.m.

IN RE: CERTIFICATION OF EXECUTIVE MEETING

Upon motion of Mr. Clay, seconded by Mr. Harrison, Mr. Bracey, Mr. Harrison, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", the following certification resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Invitation for the 1990 Spring Pre-Allocation Hearing for the Interstate Primary and Urban Systems which will be held April 12, 1990, at 10:00 a.m., Colonial Heights, VA. Discussion will include allocation of FY 1990-91 funds and updating the six year improvement program.

2. The Board authorized the County Administrator to provide them with a copy of an ordinance and suggested season for a special muzzle loading rifle (black powder) license for deer hunters, as prepared by the Game & Inland Fisheries Commission.

3. The County Administrator is authorized to purchase an industrial quality lawn mower to be used by the Building and Grounds Department, once prices are obtained and tested by the Department.

IN RE: BUDGET WORKSHOP DATE

The Board agreed to meet on Wednesday, March 28, 1990, 8:00 a.m. to receive budget briefings from the Department Heads and Constitutional Officers on their FY 1990-91 budget requests.

IN RE: MAY 2, 1990 -- CHANGE OF MEETING TIME

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the time for the May 2, 1990 Regular Board of Supervisors Meeting scheduled for 7:30 p.m. will be changed to 12:00 Noon, May 2, 1990. Proper advertising will be administered.

IN RE: ADVERTISEMENT -- ASSISTANT BUILDING INSPECTOR

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Bracey, Mr. Harrison, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", the County Administrator is authorized to advertise for the position of Assistant Building Inspector.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Harrison, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", the meeting was adjourned at 11:48 p.m. to be continued at 8:00 a.m., March 28, 1990.


Harrison A. Moody, Chairman

ATTEST:


Dewey P. Cashwell
County Administrator