

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 19TH DAY OF SEPTEMBER, 1990, AT 7:30 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	A. 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
	FENDALL VAUGHAN	DEPUTY SHERIFF
	TOM KEARNEY	COUNTY ATTORNEY

IN RE: MINUTES

Upon motion of Mr. Tickle, 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 minutes of the August 22, 1990 Continuation Meeting are hereby adopted and approved in their entirety as presented.

IN RE: CLAIMS

Mr. Bracey requested a break down on prisoner confinement the County is handling for other localities to see if the County is making or losing money.

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 the following claims are approved and funds appropriated contingent upon the Boards review, with the release of the checks to be Friday, using checks #10060 thru #10463 (void #10187, #10282, #10464); General Fund - \$360,477.09; E911 - \$21,938.08; Self Insurance - \$7,499.69; Capital Projects - \$4,355.58; for a total of \$394,270.44.

IN RE: CITIZEN COMMENTS

No one spoke during this portion of the agenda.

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mr. Bracey, Mr. Harrison, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", the following amendments were made to the agenda:

Add 13.1 Appointments
Add 9.b. Greg Davis

IN RE: PUBLIC HEARING -- P-90-7 - C. W. HARRISON

This being the time and place as advertised in The Progress-Index Newspaper on September 5 and 12, 1990, for the Board of Supervisors to conduct a Public Hearing to consider a rezoning request submitted by Charles W. Harrison.

Mr. Leonard K. Ponder, Director of Planning, advised P-90-7 has been deferred until October 17, 1990; therefore, no action is needed. This item will go back before the Planning Commission October 10, 1990.

IN RE: PUBLIC HEARING -- P-90-8 - CHESDIN LIMITED

This being the time and place as advertised in The Progress-Index Newspaper on September 5 and 12, 1990, for the Board of Supervisors to

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conduct a Public Hearing to consider a rezoning request submitted by Chesdin Limited.

Mr. Leonard K. Ponder, Director of Planning, presented an application submitted by Chesdin Limited for rezoning of Tax Parcel 6-37 from A-3, Agricultural, Conservative to A-R-C, Agricultural, Rural Residential, conditional, located in the Namozine Magisterial District. This 432 acre parcel is currently zoned A-3 which requires a five acre minimum lot size. Under the terms of the proffered conditions, the lots will be capped at 130. The proffered conditions are a result of numerous meetings between the developers, citizen groups, and staff, and represents what these three groups see as being the best way to create a quality development.

Mr. Ponder advised that during the meetings, an environmental consultant was brought in at the expense of the developers and addressed the environmental concerns which led to the constraints on the buffer zone and the discussion of lot sizes.

Mr. Bracey asked Mr. Ponder to explain the purpose of an Architectural Review Board (ARB). Mr. Ponder stated this was a request of the citizens group and was a major part of their input. It is there to protect the people inside the development, as well as give people outside the development the security that their property values are going to remain and hopefully increase. The ARB will be composed of a member of the development group, a member adjacent to the development, and later on the majority will be people within the development. After the tone of the development has been set, then the people within the development will be in charge due to the majority of the voting on plans, fencing, etc.

Mr. Bracey asked how legal is an ARB with no County personnel on the Board and requested Mr. Ponder be included on it. Mr. Kearney, County Attorney, stated it was legal and stated the County's best interest will be represented by the citizens comprising the Board. Mr. Ponder explained it was not a normal practice for ARB's or homeowner associations to have county personnel on the Boards as this is an internal function to handle this type of situation.

Mr. Tickle stated he wished to abstain from voting on this issue due to the fact this property is adjacent to his lot.

The following people spoke during the public hearing:

Mr. Leon Elsarelli, Rt. 750, Sutherland, stated the Board charged the citizens and the developer over a month ago to try to work out a solution to the rezoning issue due to citizen concern. Since then, the citizens and developers have met on many occasions and have established a compromise in which Lake Chesdin was put first, density second and profit last. The citizens now feel the project is a good project, they support it, they have control of the project via the ARB. Mr. Elsarelli stated he did not know of anyone against the proposal as it stands right now. Covenants need to be added, but they will be worked out.

Mr. Art Rawlings, of Chesdin Limited, stated they felt they have reached a compromise and they will give Dinwiddie a quality development in the area compatible with the community and he wished to thank the citizens for working with them and for their input.

No one else spoke for or against the rezoning request.

Mr. Bracey requested the minutes of the meetings held with the citizens group be given to the County for future reference, as well as the report from the environmental consultant. Mr. Ponder stated the proffers are the minutes and results of all the meetings as no formal minutes were taken. The committee consisted of four members and two alternates, appointed by the people who live adjacent to and around the property. Mr. Bracey said to put the names and addresses of the people in a file for future reference. Mr. Ponder advised the environmental consultant presented an oral report.

Upon motion of Mr. Harrison, seconded by Mr. Clay, Mr. Harrison, Mr. Moody voting "aye", Mr. Bracey voting "no", Mr. Tickle "abstaining",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Tax Parcel 6-37 of the Dinwiddie County Zoning Maps, located off Route 623 in the Namozine Magisterial District, is amended by changing the district classification from A-3, Agricultural, Conservative to A-R-C, Agricultural, Rural Residential, conditional with the following proffers:

WHEREAS, the proposed owner intends to develop said property according to the common scheme of development; and it is the purpose of this declaration to declare and make known the covenants and restrictions to which said development may be subject, but not limited to as the owner reserves the right to add to this;

WHEREAS, the purpose of incorporating said plat by reference is to define the area to which the following covenants and restrictions should apply;

NOW, THEREFORE, Chesdin Limited, proposed owner, and developer of said property, and/or their assigns or successors, do hereby declare and make known that the following covenants and restrictions are to run with the land and shall be binding on all parties and persons for a period of 20 years from the date of recordation of this instrument;

After which date said covenants shall be automatically extended for successive period of ten (10) years unless an instrument signed by a majority of the homeowners has been recorded agreeing to change said covenants in whole or in part.

Invalidation of any one of these covenants or restrictions by judgment or Court order shall in no way effect the other provisions, which shall remain in full force and effect.

Enforcement of these covenants and restrictions shall be by proceedings at law or in equity against any lot owner who may violate or attempt to violate any covenants or restrictions. The Architectural Review Board (ARB), Dinwiddie County, and any individual lot owner or group of owners shall have the power to enforce these restrictions unless otherwise provided therein.

The following covenants and restrictions are intended to protect the investments and to assure the pleasant environment free of many of the disquieting aspects of denser and less inherently beautiful communities for those families who are residents.

1. Each house constructed will be built as a private residence and not as rental property. In the event of a resale or any other extraordinary circumstances, to be determined by the ARB, the house may be leased or rented with a lease of at least six months required, with the terms of the covenants to be in effect for any lessee.
2. ARCHITECTURAL REVIEW BOARD (ARB)
 - (a) All plans and specifications for any structure or improvement to be erected on or moved upon to any lot, and the proposed locations thereof, specifically site plans, or any lot or lots, the construction material, the roofs and exteriors, any later changes or additions after initial approval thereof and any remodeling, reconstruction, alterations, or additions thereto on any lot shall be subject to and SHALL REQUIRE THE APPROVAL IN WRITING before any such work is commenced by the ARB, as the same is from time-to-time composed and a Dinwiddie County building permit is required.
 - (b) The ARB shall be initially composed of four (4) members. One member shall be Chesdin Ltd., and one member each from Route 623, Route 750, and Oxford Point Subdivision. Upon completion of the fifth house, a member will be added from this subdivision. After completion of house number fifteen (15), the ARB will be composed of three (3) members from the development, one from Chesdin Ltd., and one from either Route 623, Route 750, or Oxford Point Subdivision. The two members from outside the

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subdivision will be voting members, but their main purpose will be that of guidance and being informed of the progress of the development.

- (c) There shall be submitted to the ARB two (2) complete sets of plans and specifications for any and all proposed improvements, the erection or alteration of which is desired, and no structure or improvements of any kind shall be erected, altered, placed, or maintained upon any lot unless and until the final plans, elevations and specifications have received such written approval as herein provided. Such plans shall include plat plans showing the location on the lot of any buildings, walls, fences, or other structures proposed to be constructed, altered, placed, or maintained, together with the proposed construction material.
 - (d) The ARB shall approve and disapprove of plans, specifications, and details within fourteen (14) days from receipt thereof. One set of said plans and specifications and details with the approval or disapproval endorsed thereon, shall be returned to the person submitting them and the other copy thereof shall be retained by ARB for its permanent files.
 - (e) The ARB shall have the right to disapprove any plans, specifications, or details submitted to it in the event the same are not in accordance with all the provisions of the deed restrictions or if the design of the proposed building or other structure is not in harmony with the general surroundings of such lot or with the adjacent buildings or structures. The decisions of the ARB shall be final.
 - (f) Neither the ARB or any agent thereof or Chesdin Ltd., its successors or assigns, shall be responsible in any way for any defects in any plans or specifications submitted, revised, or approved in accordance with the foregoing provisions, nor for any structural or other defect in any work done according to such plans and specifications. Chesdin Ltd. shall have no liability whatsoever to ensure the functioning of the ARB and shall have no obligation past the appointment of such ARB.
 - (g) The ARB reserves the right to make periodic inspections of all construction or improvements to determine if said construction or improvements are in accordance with the approved drawings and specifications for said construction or improvements.
 - (h) The ARB and subsequently the Homeowners Association shall possess the right to assess all property owners an annual fee.
3. A consultant will be hired to inspect the condition of the buffer zones and will report yearly to the ARB and homeowners association. The ARB and/or the homeowners association must accept the recommendation of the consultant and take whatever action (including litigation, if necessary) to make sure that all covenants are enforced.

Chesdin Ltd. will absorb the costs for the consultant for the first five (5) years, at which point the homeowners will be responsible.

4. Chesdin Ltd. will establish at the time of the first lot closing an account in the name of the future homeowners association with initial funding to be \$2,500 and to be perpetually funded by Chesdin Ltd. at the rate of \$500 for lake front lots and \$300 for any off-water lots. This money will be placed in the above referenced account at the time of closing on said lot. Chesdin Ltd. is exempted from making any payments on these first five water front lots. The

purpose of this fund is to provide for future amenities and any enforcement of the restrictions deemed necessary by the consultant.

5. The maximum number of lots on the four-hundred thirty-two (432) acre parcel will be one-hundred thirty (130).

The maximum number of water front lots along a line extending from the northwest boundary to Tax Parcel 7-(2)-4 to the nearest boundary of Tax Parcel 6-38 along Lake Chesdin will be fifty (50). Any future development along Old Whippernock Creek will be developed within the framework provided in this instrument.

6. Water front lots shall average 2.5 acres and no water front lots will be less than 2 acres. Interior lots shall be no less than 2.5 acres.
7. There will be a buffer zone consisting of a minimum of one hundred (100) feet from the one hundred sixty-four (164) foot contour or one hundred twenty-five (125) feet from the one hundred fifty-eight (158) foot contour. This will be clearly defined on the final subdivision plat submitted to the County.

The County modifications will be permitted within said buffer zone:

- (a) The soil and root mat will be left undisturbed except for a path to the lake which can be a minimum of ten (10) feet or a maximum of ten (10) percent of the frontage along the lake.
 - (b) Nothing can be cut that is larger than six (6) inches in diameter except in the exempted zone.
 - (c) Undergrowth can be cleared but no lower than six (6) inches.
 - (d) Branches can be trimmed up to a height of twenty (20) feet.
 - (e) Dead or diseased trees may be removed with the approval of the ARB.
 - (f) Best management practices shall be used at all times, but especially during the construction of bulkheads, docks, piers, etc., as permitted by the Appomattox River Water Authority.
- (8) There will be a fifty (50) foot buffer along all perennial streams. Perennial streams are those identified by a heavy blue line on the USGS quad maps. Road construction approved by VDOT is exempted.
 - (9) There will be a one hundred (100) foot buffer zone adjacent to the property line along Route 623, the property line bordering the William's property, and adjacent to the property line running parallel to Route 750 up until the first water front lot begins. This buffer shall be deeded to the lot owner and will be subject to select clearing and plantings. No trees over eight (8) inches in diameter shall be cut nor shall any construction be permitted in this zone except for the entrances constructed by Chesdin Ltd.
 - (10) Chesdin Ltd. will make its best effort to not locate a new road directly across from any current structure. This will be contingent upon VDOT requirements.
 - (11) Chesdin Ltd. agrees to submit a landscaping plan, to include anticipated signage, with the preliminary site plat for the entrances.
 - (12) Sizes of Homes

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- (a) No house placed on a water front lot shall have less than 2,200 square feet of heated space. A 10% variance below this minimum square foot requirement is allowed, but every square foot of heated space under 2,200 square feet must be replaced by two (2) square feet of unheated space. Unheated space is defined as garages, decks, patios, and covered porches.
 - (b) No house placed on a lot with frontage on a road servicing a water front shall have less than 1,800 square feet, with the same conditions as slated above.
 - (c) No house on an internal lot shall have less than 1,700 square feet, with the same conditions as slated above.
- (13) All utility lines must be located underground.
- (14) All roads will be designed and constructed in accordance with the subdivision street requirements of the Virginia Department of Transportation with the exception of the private road to be constructed to serve the three lots to be adjacent to Tax Parcels 7-(2)-4 and 7-(2)-3 of the northeastern part of the development.
- (15) Chesdin Ltd. will agree to add turn lanes to the proposed entrance on Route 623 and the first entrance to the development on Route 750 after leaving Route 623. These entrances, provided by VDOT, will be put in at the same time that the road connecting said entrances is constructed.

In all other respects, said zoning ordinance is hereby reordained.

IN RE: PUBLIC HEARING -- ROAD NAME CHANGES

This being the time and place as advertised in The Progress-Index Newspaper on September 5 and 12, 1990, for the Board of Supervisors to conduct a Public Hearing to change street names.

Mr. John Clarke, Planning Technician, presented the following proposed changes to the official street name maps adopted by the Board of Supervisors on February 7, 1990, as part of the Street Name and House number Ordinance, Chapter 23, Sections 1-18, of the Code of Dinwiddie County.

S-90-7 -- Mason Road to Barnes Road -- Mrs. Olive Barnes submitted an application to rename State Route 736 from Mason Road to Barnes Road.

S-90-8 -- Stingy Lane to Eastview Drive -- Reverend Thomas Lacy submitted an application to rename Stingy Lane to Eastview Drive. This is a private drive off State Route 740.

S-90-9 -- Battle Drive to Harris Drive -- Mr. Gene Winfield submitted an application to rename Route 690 from Battle Drive to Harris Drive.

S-90-10 -- Jordan Lake Drive to Spring Farm Drive -- Mrs. Sandra Harrison submitted an application to rename Jordan Lake Drive to Spring Farm Drive. This is a private drive off of State Route 632.

S-90-11 -- Rabbit Drive to Russell Lane -- Mr. John Russell, Jr. submitted an application to rename Rabbit Drive to Russell Lane. This is a private drive off of State Route 670.

Mrs. Lottie Williams stated the citizens should have had input on naming the roads and it was unfair to pay \$150.00 to have a road name changed. She requested the money be returned to the citizens.

No one spoke for or against the road name changes.



Upon motion of Mr. Bracey, seconded by Mr. Harrison, Mr. Bracey, Mr. Harrison, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", the following street name changes were approved:

Mason Road	to	Barnes Road
Stingy Lane	to	Eastview Drive
Battle Drive	to	Harris Drive
Jordan Lake Drive	to	Spring Farm Drive
Rabbit Drive	to	Russell Lane

IN RE: SETTING OF RATES -- BOARD OF ASSESSORS

Mrs. Deborah M. Marston, Commissioner of the Revenue, advised on September 10, 1990, the Board of Assessors were trained by Mr. Thomas E. Morelli, of the Department of Taxation.

Mrs. Marston requested the board set a rate of compensation per meeting for the Board of Assessors.

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 the Board of Assessors will be paid a rate of \$60.00 per meeting; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that if a meeting starts during the day, adjourns for dinner and resumes at night, it will be considered one meeting.

IN RE: REPORT -- SHERIFF

Mr. Tickle requested the Sheriff's Office ride through the dumpster sites and issue summons to those persons scavenging to let the citizens know it is against the law to scavenge in the dumpsters. He requested the Sheriff report back on this issue.

Ms. Pearl Bland stated there are citizens that go through the dumpsters to collect cans for income and she did not feel these people should be issued a summons. Mr. Tickle stated the Recycling Committee is in the process of formulating a recycling plan for the County and when this goes into effect, the County will have recycling bins placed at dumpster sites. However, this is illegal and a health hazard as well.

IN RE: FOWL CLAIM -- CHARLES E. COYLE

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 claim for Mr. Charles E. Coyle is approved for 20 chickens at \$3.50 each, for a total claim of \$70.00.

IN RE: RECOGNITION -- GENE WINFIELD

The County Administrator recognized Mr. Gene Winfield who installed a hot water heater at the Animal Pound with no labor charge, and expressed his appreciation for the work done.

IN RE: DISCUSSION OF NEW/USED ANIMAL CONTROL TRUCK

Mr. Dewey Cashwell, Jr., County Administrator, advised bids had been received for a 1/2 ton pickup to serve as an Animal Control vehicle. The two bids received exceed the \$10,000 budgeted figure. Therefore, he asked approval to allow Mr. Walker, Acting Animal Warden, to attend the Automobile Auction with a local dealer who has offered to allow him to participate in viewing the vehicles that are being auctioned and let him select one or two vehicles.

Mr. Bracey asked if an 8-ft. bed was necessary. Mr. Walker advised the cages were made to fit the 8-ft. bed, and it is needed for hauling traps to different locations.

Mr. Bracey asked the County Administrator to look into the smaller truck series, as he was in favor of approving additional money for two new smaller vehicles instead of the unknown at the Auction. Mr. Bracey stated the recommendation should come from the County Administrator, as the Animal Control Department did not have time to obtain bids.

Mr. Tickle stated the truck should have an automatic transmission and air conditioning, and questioned the width differences between a smaller and larger truck. Mr. Walker stated the larger truck was needed to haul the cages.

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 to obtain at least two bids each on a full size and smaller truck for the Board's consideration.

IN RE: REPORT -- WEST PETERSBURG

Mr. Len Ponder, Director of Planning, stated letters had been mailed to property owners in West Petersburg after identifying ten lots with structures on them. All four of the property owners on these ten lots have responded. One property owner has obtained a building permit to rehabilitate the structure; one property owner has torn down two houses on his own and is in the process of cleaning another lot; the third property owner has started cleaning up his first lot; and the fourth property owner is in the middle of contracting for someone to demolish her three structures. This is a good response, without having to expend any money. As soon as these ten are well in hand, they will identify ten more and go after them.

Mr. Tickle asked about the house on River Road. Mr. Ponder stated he has talked with the bank and they are going to knock the house down and build another one on the site; however, they have not given Mr. Ponder a time on this.

IN RE: E-911 UPDATE

Mr. John Clarke, Planning Technician, gave the following update on the E-911 System.

- 500 hand delivery addresses still need to be delivered;
- Ads have been placed in local papers and on cable television asking residents who have not received their address to come to the planning office to locate their homes on the map and receive their new address;
- A brochure is being developed to answer the most frequently asked questions about the system; as well as provide information about street name changes and the name change deadline;
- 40% of the sign installations have been completed.

Mr. Tickle asked when the brochure would be mailed out. Mr. Clarke stated it would be in October. Mr. Tickle pointed out that in the workshop, the Board set a target date of September 30th for all hand deliveries to be complete. He asked if someone could be hired to do the deliveries. Mr. Clarke stated a temporary has been hired just to help with the E911 phone calls and walk ins, and to answer questions while he is out making hand deliveries. Mr. Bracey suggested hiring postal workers on weekends as they know the area.

Upon motion of Mr. Tickle, 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 they reiterate their instructions of the August 22, 1990 Workshop that the County Administrator is given the latitude to make the

decisions to hire the necessary temporary people to meet the September 30th deadline to have all hand deliveries accomplished; and,

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bulk mailing of the brochures be accomplished to meet the deadline established by the Board at the August 22, 1990 Workshop; and,

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is instructed to keep the Board informed of the progress.

IN RE: E911 CITIZEN COMMENTS

1. Mr. Tom VanPelt asked if the Board was going to pass an ordinance foregoing the \$150.00 fee to change the road name if the original name changed was historical, as discussed in the workshop. Mr. Moody stated the Board was looking into this.

2. Ms. Tracy Martin stated a lot of elderly citizens would not be able to go to the Planning Office to receive their new address. She also commented that someone from the County should have been responsible for naming the road.

3. Ms. Margie Barnes suggested the following be included in the brochure -- that for individuals who own post office boxes, to not change their address to a street address as this address is for E911 purposes only. Thus, if an individual has a Post Office mailing address, it should remain as their mailing address.

IN RE: EMERGENCY ORDINANCE -- WAIVER OF FEES FOR STREET NAME CHANGE

Upon motion of Mr. Harrison, 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 Chapter 23, Section 7, House Numbering and Street Naming, of the Dinwiddie County Code is amended to waive the \$150.00 fee set for changing the street name once the petition is submitted to the Planning Department; and,

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that this action be adopted as an emergency ordinance to lapse November 19, 1990, if no further action is taken by the Board; and

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the \$150.00 fee already collected from individuals to have their street name changed is to be returned to the individual who paid the \$150.00 fee to the Planning Department.

IN RE: REPORT -- SOCIAL SERVICES

Mr. Bracey asked Mrs. King Talley, Director of Social Services, if there was some way her Department could check with the elderly citizens her department visits in the County to see if they need house numbering assistance. She advised her workers are in the process of checking with their clients, as well as delivering some of the addresses.

IN RE: REPORT -- SUPERINTENDENT OF SCHOOLS

Dr. Richard Vaughn, Superintendent, advised school opened smoothly with 3,591 enrolled.

Mr. Tickle requested a maintenance schedule on the repairs to Midway School.

Mr. Bracey asked what plan was going to be enacted to help increase the test scores in the County for the students. He stated the State Department of Education representative presented good points at the School Board meeting. Dr. Vaughn stated the staff was taking the

Department of Education's suggestions and would be developing a plan. They are looking at revising a six year improvement plan, which would not be presented to their Board for several months. Mr. Bracey asked if Dr. Vaughn had received any information on the State budget cuts. Dr. Vaughn stated the only information he had received was the reduction in Sales Tax and the elimination of the duty free lunch period.

IN RE: PERMISSION TO ADVERTISE

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 Commissioner of the Revenue is authorized to advertise an amendment to the Tax Relief for the Elderly ordinance, using the new values received by the Commissioner of the Revenue, for a public hearing to be October 17, 1990.

IN RE: ACCEPTANCE OF BISHOP STREET

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", (Mr. Harrison had stepped out); the following resolution authorizing the formal acceptance of Bishop Street (Route 1414) and use of such street by the Dinwiddie County Water Authority was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia (the "Board") has determined that it is in the best interests of the citizens of Dinwiddie County, Virginia (the "County") to formally accept that certain public highway known as Bishop Street which includes, but is not limited to existing State Route 1414, all as more particularly described in the Plat referenced below; and

WHEREAS, in the Clerk's office of the Circuit Court of the County there has been recorded in Plat Book 7 at page 14 a certain plat entitled "Map Showing Subdivision of S. E. Bishop property at Dinwiddie, Virginia," prepared by A. L. Butterworth and dated July 15, 1947 (the "Plat"); and

WHEREAS, the Plat dedicates Bishop Street to the County for the use and enjoyment of its citizens and for ingress and egress of abutting landowners; and

WHEREAS, the County desires to formally accept said dedication; and

WHEREAS, the Dinwiddie County Water Authority (the "Authority") has determined it to be in the County's best interests to use Bishop Street for access to a proposed sewer treatment plant and future utility lines;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Bishop Street, as shown on the Plat, be and hereby is formally accepted by the County; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Authority is hereby authorized to use such street for access to a proposed sewer treatment plant and for future utility lines.

This resolution shall be effective immediately.

IN RE: REPORT -- RECREATION

Ms. Fran Hart, Director of Parks and Recreation, presented her Progress Report from January - October 1990. Ms. Hart, who will be leaving the County October 1, 1990 to accept a new job, thanked the Board for the opportunity to create a successful Recreation Program for Dinwiddie County.

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

conduct a workshop to determine the direction of the Recreation Department and set a date to advertise for the Director of Parks and Recreation replacement.

The Workshop will be Wednesday, September 26, 1990, at 7:30 p.m., in the Pamplin Administration Building.

IN RE: AWARD OF BID FOR NEW DUMPSTERS

Mr. Dennis King, Director of Sanitation, presented the bid results for 30 recycling receptacles and 20 replacement trash containers as follows:

	W/LID & SIDE DOOR	W/OUT LID	DELIVERY
Lewis Steel	\$465.00	\$395.00	35 days
Cavalier Equipment	\$520.00	\$473.00	
Refuse Equipment	\$493.50	\$428.00	15-30 days

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 Lewis Steel is awarded the bid for 30 recycling receptacles at a cost of \$465.00 each, and 20 replacement trash containers, at a cost of \$395.00 each.

IN RE: SURPLUS BUSES

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 County accepts title from the School Board for three surplus school buses to be used to store and transport recyclables.

IN RE: DEPARTMENT NAME CHANGE

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 the Sanitation Department will hereafter be known as the Dinwiddie County Department of Waste Management.

IN RE: DUMPSTERS -- LAKE CHESDIN

Mr. Bracey expressed his concern to Mr. King, Director of Department of Waste Management, regarding the dumpsters at the Lake Chesdin Boat Landing. Mr. King stated the dumpster site was heavily used and abused being back off the road. Mr. King stated gravel was recently placed around the dumpsters and he would have his clean up crew make an extra pass by the dumpsters. With no further action by the Board, the dumpsters will remain in the same location.

IN RE: RENEWAL OF CONTRACT

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, the County Administrator is authorized to negotiate and renew the contract with Draper Aden Associates for engineering services for the Landfill for FY 1990-91.

IN RE: REPORT -- VIRGINIA DEPARTMENT OF TRANSPORTATION

Ms. Penny Kanode, Resident Engineer, VDOT, reported the only funds available for the installation of railroad crossing gates and arms at Sutherland are from the Secondary Construction Funds. If the Board wishes to move the project up on the Six-Year Plan, then it must be done at budget time. The site distance is adequate at the site, and there is no additional right-of-way available to clear the trees. On Rt. 1401, the right-of-way has been secured and the project will begin as soon as possible. The beams are back in place on the Route 642 project and should be open by winter.

Ms. Kanode advised VDOT had been asked about new County maps with street names on them. VDOT only deals with Route numbers and not street names and asked the Board what to advise the callers about street name maps. The Assistant County Administrator advised the Planning Department was selling the large maps to businesses for delivery purposes for \$3.00. Mr. Len Ponder advised the maps could be reduced, which would make the street names hard to read. Ms. Quesenberry stated there would be booklets published once all the street names have been finalized; however, they were primarily or use by emergency services departments. The Board instructed staff to investigate the possibility of reducing the maps for citizens.

The chairman declared a five minute recess at 10:20 p.m., with the meeting resuming at 10:28 p.m.

IN RE: RECREATION ADVISORY COUNCIL

Dr. R. R. Butterworth, representing the Recreation Advisory Council, recommended three proposals for the Recreation Department and offered the Council's assistance in carrying them to completion:

1. The Board of Supervisors pass a resolution recognizing the accomplishments by Ms. Fran Hart in establishing a full time, first class recreation program in Dinwiddie County.

2. The Board proceed immediately to advertise a replacement for the Director of Parks and Recreation, in order to maintain a full, strong recreation program in the County.

3. During the Interim period, while without a Director, allow Ms. Patty Heiser to be given the responsibility and authority to maintain the Recreation Department, and to receive the appropriate compensation for the job and responsibilities therein.

On behalf of the Recreation Advisory Board, a plaque was presented to Fran Hart expressing their appreciation to her for a job well done.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, instructed the County Administrator to prepare a resolution recognizing Ms. Hart for her contributions to the County.

Mr. Greg Davis spoke on behalf of a group of citizens actively involved with the Recreation programs asking the Board to advertise as soon as possible to fill the position of Director; thanked the Board for providing a high quality Recreation Department; and thanked Fran for making the Recreation Department a success and helping the children and residents of the County.

IN RE: COURTHOUSE LANDSCAPE COMMITTEE

Due to the absence of Mr. Jimmy Maitland, the County Administrator presented his report for the Courthouse Landscape Committee. He advised three appointees were missing from the Courthouse Landscape Committee and Mr. Maitland requested these positions be filled.

Upon motion of Mr. Bracey, 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 Boulevard Flowers, Inc. is awarded the bid of \$1,989.00 for the landscape project on the courthouse lawn, with the funds being appropriated from the Building and Grounds fund; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that contributions will be accepted for the beautification project at a minimum of \$25.00 each with the funds to replenish the Building and Grounds fund.

IN RE: RESOLUTION PETITIONING FOR STATE DESIGNATION OF A REGIONAL PLANNING BOUNDARY FOR REGIONAL SOLID WASTE MANAGEMENT PLAN

Mr. Dewey P. Cashwell, Jr., County Administrator, presented a resolution for the establishment of a Regional Planning approach for the issue of Solid Waste management which would be carried out through the Crater Planning District Commission. Approval of this joint planning effort does not commit the County to any specific course of action regarding landfills or any other solid waste issue. The County will be free to formulate and implement its own measures as the County sees fit. Whatever is discussed or decided on a regional basis will include Dinwiddie County's local efforts and measures.

Mr. Ron Abernathy, representing the Recycling Committee, stated when the issue was brought up the first of the year regarding the participation with the Richmond Regional Planning District, one of the County's requests was to study our participation with localities that were left out of the Crater Planning District. Therefore, they support the proposal and resolution.

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

Extract

WHEREAS, the Virginia Waste Management Board has adopted regulations which require every city, county, and town in the Commonwealth of Virginia to develop a solid waste management plan, in accordance with the provisions of the Virginia Waste Management Act and VR 672-50-01, Regulations for the Development of Solid Waste Management Plans, by July 1, 1991; and,

WHEREAS, although the regulations in VR 672-50-01 permit the solid waste management plans to be developed on an individual jurisdictional basis, the Board of Supervisors of Dinwiddie County, Virginia, supports the concept that these requirements can be more efficiently and effectively met through participation in a regional solid waste management plan; and,

WHEREAS, the regulations in VR 672-50-01 provide that jurisdictions may petition the Director of the Virginia Department of Waste Management to designate the petitioning jurisdictions as part of a region for the purposes of solid waste management planning and implementation in order to meet the requirements of the regulations; and,

WHEREAS, the County of Dinwiddie is a member jurisdiction of the Crater Planning District Commission, hereinafter called the "Commission", which has an established regional solid waste management planning program; and,

WHEREAS, the County of Dinwiddie actively participated in the development of the Commission's Solid Waste Management Plan, dated December 1989; and,

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia, supports the Commission's development of a regional solid waste management plan to cover the area consisting of the City of Emporia and the Counties of Dinwiddie, Greensville, Surry and Sussex.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, does hereby petition the Director of the Virginia Department of Waste Management to designate the regional area described above as the regional solid waste management planning boundary for the purposes of compliance with VR 672-50-01; and,

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, does hereby agree to participate with the Crater Planning District Commission in the development of a regional solid waste management plan, for the regional area described above, in meeting the requirements of VR 672-50-01.

IN RE: HEALTH INSURANCE -- ADOPTION OF RENEWAL PLAN

Mrs. Wendy Quesenberry, Assistant County Administrator, advised on September 7, the County received notice from its health insurance provider that the premiums were going up 61% on the contract renewal date of November 1, 1990. The State started a local choice program for localities, school boards, commissions, etc. and bid out an insurance plan. There were three options the County was able to participate in. Due to the fact the increase would be borne by the employees, the employees were surveyed and chose to participate in the Local Choice Keycare Program of Blue Cross & Blue Shield of Virginia.

Upon motion of Mr. Bracey, seconded by Mr. Harrison, Mr. Bracey, Mr. Harrison, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", the following resolution was adopted to enter into the Local Choice Program:

WHEREAS, the Department of Personnel and Training of the Commonwealth of Virginia (hereinafter referred to as the "Department"), has established the Health Benefits Programs (hereinafter referred to as the "Program") effective November 1, 1990; and

WHEREAS, the Governor has approved such Program; and

WHEREAS, pursuant to 2.1-20.1:02 of the Code of Virginia, local employers may, by making property application and complying with the regulations governing the Program, participate in the Program; and

WHEREAS, the County of Dinwiddie (hereinafter called the "Employer") is eligible to participate in the Program and become a party to any agreements established to carry out the funding of the Program, and wishes to adopt said Program for the benefit of its eligible employees, and to become a party to said agreements;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, by this instrument of writing, effective as of September 15, 1990, the Employer, acting herein by and through its duly authorized representatives, hereby adopts the Program for all of its eligible employees and subscribes to the provisions of the regulations and all agreements related thereto by and between the Department and any third party, effective November 1, 1990, all in accordance with the following:

(1) The Employer agrees to comply with the regulations governing the Program and the duties of Employers set forth therein. These duties include but are not limited to the following:

- Complete an employer application and execute an adoption agreement;
- Remit employer and employee contributions to the Department or its designee as set forth in regulations;
- Provide employees with enrollment forms, process and certify the same;
- Serve as a channel of communication between the Department and employees;
- Otherwise assist in administration of the Program as requested by the Department.

(2) The Employer agrees to be bound by all of the terms, provisions, conditions and limitations of the Program and any agreements which are pertinent to any entity defined as an "Employer" therein, with respect to its employees eligible for participation in the Program.

(3) The Employer agrees that the Department of Personnel and Training shall act as Plan Administrator for the Employer and its employee-participants under the Program in the same manner in which the Department acts for state employee-participants.

(4) The Employer agrees to provide 90 days notice to the Department in the event it wishes to cease participation in the Program. The Employer shall be obligated to pay any and all contributions otherwise required through the date of termination and interest related thereto as well as any adverse experience adjustment which may apply with respect to the year the termination occurred.

(5) The Employer understands and agrees that non-payment of contributions shall be considered a breach of the adoption agreement and the employer may be obligated to pay damages. In the event that the Employer terminates participation, such termination can only be prospective and the employer shall be obligated to pay the greater of past contributions or actual claims incurred during such period and any interest and damages that may be associated with such non-payment. In no event will the Department return to the Employer contributions made for ineligible employees.

(6) The Employer agrees to furnish from time to time such information with reference to its employee participants as may be required by the Plan Administrator.

(7) The Employer agrees to reimburse the Department for any expenses or settlement incurred by the Department as a result of any employee's bringing a cause of action based on the Employer's disregard to the regulations or violation of this adoption agreement.

(8) The Effective Date of the Program shall mean, in regard to the Employer and its employee participants.

IN RE: INSURANCE COSTS

The Board received a letter from the Sheriff's Office stating due to the rise in cost of the health insurance premium, some employees cannot pay the premium and requested the board to provide the \$104.00 employer contribution to each employee to put towards insurance coverage of their choice. After discussion, the Board instructed the County Attorney to send a letter to the Sheriff's Office advising the \$104.00 is a benefit which is part of the employment compensation package and if the employee chooses, he can join the plan that the County is a member of. If the employee opts out of that plan, the employee will lose that benefit of employment.

IN RE: BINGO AND RAFFLE PERMIT -- DINWIDDIE EXTENSION HOMEMAKERS

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

WHEREAS, Dinwiddie Extension Homemakers has submitted an application for a Bingo and Raffle Permit for Calendar Year 1990; and,

WHEREAS, Dinwiddie Extension Homemakers meets the requirements as set out in Section 18.2-340-10 of the Code of Virginia and has paid the Ten Dollar (\$10.00) application fee.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Dinwiddie Extension Homemakers is granted a Bingo and Raffle Permit for the Calendar Year 1990.

IN RE: APPOINTMENTS -- COMMUNITY CERTIFICATION COMMITTEE

Mr. Tickle nominated Mrs. Rennie Bridgeman, Sr.; Mr. Harrison nominated Mrs. Ann Blazek; Mr. Bracey nominated Mr. Thomas Rasberry.

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

Extract

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 following be reappointed to the Community Certification Committee:

Mrs. Rennie Bridgeman, Sr., as District #1 representative, with term ending September 1994;

Mrs. Ann Blazek, as District #2 representative, with term ending September 1994;

Mr. Thomas Rasberry, as District #3 representative, with term ending September 1994.

IN RE: GOVERNOR'S RURAL DEVELOPMENT CONFERENCE

Upon motion of Mr. Harrison, seconded by Mr. Tickle, Mr. Bracey, Mr. Harrison, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", the County Administrator and Director of Planning are authorized to attend the Governor's Rural Development Conference in Roanoke, VA, September 20-21, 1990.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Harrison, Mr. Bracey, Mr. Harrison, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a)(1) personnel; (3) acquisition of real property; (5) industrial and (7) legal matters, the Board moved into Executive Session at 11:40 p.m. A vote having been made and approved, the meeting reconvened into Open Session at 1:20 a.m., September 20, 1990.

IN RE: CERTIFICATION OF EXECUTIVE MEETING

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

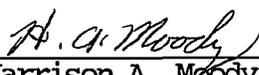
WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

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;

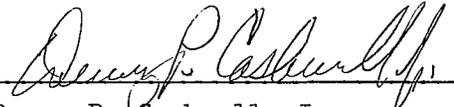
NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this 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: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mr. Bracey, Mr. Harrison, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", the meeting adjourned at 1:25 a.m., September 20, 1990, to be continued at 3:00 p.m., September 26, 1990.



Harrison A. Moody
Chairman, Board of Supervisors

ATTEST: 

Dewey P. Cashwell, Jr.
County Administrator