

VIRGINIA: AT A CONTINUATION OF THE NOVEMBER 3, 1990 MEETING OF THE BOARD OF SUPERVISORS HELD IN THE MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE COUNTY, VIRGINIA, ON THE 5TH DAY OF DECEMBER, 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
	THOMAS KEARNEY	COUNTY ATTORNEY

IN RE: WORKSHOP -- SUBDIVISION ORDINANCE

Mr. Len Ponder stated that this series of workshops is designed to address the need for reviewing certain land use and subdivision regulations in Dinwiddie County as we prepare for the growth that is imminent. Some of the issues that the Planning Staff, concerned citizens, and developers have addressed as needing review are as follows.

(1) Private roads - Does the current regulation allowing five built lots on a private roads amount to good land use? Can we allow any private roads, knowing that eventually they will come back to haunt us?

(2) Multi-family housing - Does the current six units to the gross acre allow any multi-family housing development in the County? Is there a need for multi-family housing?

(3) Subdivisions - Is curb and gutter necessary in all areas of all subdivisions? Has science proven natural methods of storm water management more efficient? Should roads in subdivisions be asphalt or concrete rather than tar and gravel? Should landscaping requirements be added to subdivision regulations? Should all or a majority of improvements be in place before final plat approval is given? Should we make an ordinance that requires creativity in planning subdivision rather than having all of them looking the same?

(4) Setbacks also need to be reviewed particularly in areas where growth and road expansion will take place.

Mr. Ponder stated that he would like to add the definition of "subdivision." The language does not specify residential, commercial or industrial; therefore, subdivision regulations could apply to industrial zoning. He suggested that the Board set an agenda and prioritize the items. The Planning Commission will address each item and make recommendations to the Board in thirty day periods.

Mr. Moody stated he would like to consider permitted uses in small lot subdivisions in A-2 areas. Mr. Ponder stated that he found in talking with SCS representatives that they feel curb and gutter is not recommended in all areas, only in severely eroded areas.

Mr. Tickle stated he felt R-1 zoning should be a high priority. In the case of Mt. Pleasant subdivision, the development behind this subdivision never got to the Board for discussion. Mr. Ponder pointed out that R-1 zoning could be considered along with the subdivision ordinance. The County Administrator suggested the discussion stay away from subjective aesthetics. Mr. Bracey stated he hoped the developers and citizens would be more involved. He suggested each Board member appoint someone to a committee to work on the issues.

Mr. Ponder stated private roads is another issue to be considered. Mr. Moody stated he had mixed feelings about junk cars in agriculture areas. Mr. Clay stated they do not need to restrict everyone. Mr. Moody stated maybe they could address the issue in small lot subdivisions in A-2 areas with buffering.

Mr. Ponder suggested the first workshop be held in late January and the Board appoint members to a Task Force within the next ten days which should include developers.

Mr. Bracey brought up a case where the house burnt down on one acre which could only be replaced with a conventional house. Mr. Bracey asked Mr. Ponder to send a letter to the individual indicating his decision and what options are available.

IN RE: DISCUSSION OF TEN PERCENT PENALTY

Mrs. Debbie Marston, Commissioner of the Revenue, reviewed with the Board the background information on the ordinance imposing a 10% penalty for failing to return personal property returns on time. She stated that the taxpayers are required to file a return. If not, under the law, the Commissioner is authorized to put in the best information he can. Mrs. Marston stated she asked for the ordinance to give her teeth to enforce what she is already charged to do by law. Less than 40% of the citizens have been filing. She then sent out fliers and advertised in the paper about the ordinance.

Mrs. Marston suggested an affidavit as a possibility for providing relief for those individuals who believe they did file a timely return. The County Attorney prepared an amendment that would remove the penalty for this year only; however, there would be cost implications. The County Attorney recommended against allowing a credit on taxes for the penalty as opposed to a refund.

Mr. Bracey suggested part of the problem could be sending out the forms in the State income tax mailing. Mrs. Marston stated it was a way to also mail out other things. Mr. Clay asked if she was required by law to file state income taxes for people. Mrs. Marston stated she didn't know if it was required but it was a service her office provided. She added the cost of affidavits would be for a limited group of people. Mr. Clay stated he had no sympathy for those who didn't file, but he did for those that did file. Mrs. Marston stated if an individual's CPA filed the return, all she needs to see is a copy. Mr. Bracey stated he was okay with the affidavit. No action was taken.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Harrison, seconded by Mr. Bracey, 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; and (7) legal, the Board moved into Executive Session at 5:45 p.m. A vote having been made and approved, the Session ended at 7:15 p.m.

(The Board moved to the Home Place Restaurant to continue the meeting.)

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.

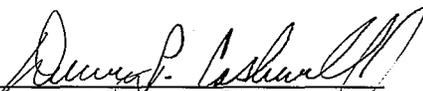
IN RE: ADJOURNMENT

Upon motion of Mr. Tickle, seconded by Mr. Bracey, Mr. Bracey, Mr. Harrison, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", the meeting adjourned at 7:16 p.m.



Harrison A. Moody
Chairman, Board of Supervisors

ATTEST:



Dewey P. Cashwell, Jr.
County Administrator



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 5TH DAY OF DECEMBER, 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
	CLATBORNE FISHER	DEPUTY SHERIFF
	THOMAS KEARNEY	COUNTY ATTORNEY

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the November 7, 1990 Regular Meeting, November 13, 1990 Continued Meeting, November 21, 1990 Regular Meeting and the December 3, 1990 Continued Meeting are hereby adopted and approved in their entirety as presented.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mr. Harrison, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Tickle, 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 #11446 thru #11757 (void checks #11428 to 11445 and 11580): General Fund - \$277,623.35; E911 - \$2,577.51; Self Insurance - \$40,599.51; Law Library - \$241.25; for a total of \$321,041.68.

IN RE: AMENDMENTS TO AGENDA

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

Executive Session was removed from the meeting agenda because the items were discussed in Executive Session during the Continuation meeting held at 4:00 p.m.

IN RE: PRESENTATION OF 1989-1990 AUDIT

Mr. Spencer Elmore, of Robinson, Farmer, Cox Associates, reported the audit has not been formally approved but that Dinwiddie County had a very good year. The reserve was at 8.7% of the annual operating requirement with the target being at 10%. The revenues exceeded expenses by 1.1 million dollars. Actual revenues when compared to budgeted amounts was \$683,000 more than budgeted. On the other side of the coin expenditures for the general fund were \$270,000 less than budgeted, which speaks well of the stewardship over the expenditure operations of the County Government. Mr. Elmore cautioned that the County had to be extremely conservative in their budget estimates because of the cutbacks in State funding for the coming year. This year the County can't expect the same revenue windfall as it did last year. But overall, the County is in a very positive financial position.

IN RE: REPORT -- VIRGINIA DEPARTMENT OF TRANSPORTATION

Mrs. Penny Forrest, Resident Engineer, Virginia Department of Transportation stated that the bridge on Route 642 is open and the road is completed at this point. Route 644 is complete except for the final surfacing which will be put down in the Spring. Clearing has been started

on Route 697 and as soon as a permit can be obtained they will get started on Route 1401.

Mr. Moody asked Mrs. Forrest to check the lighting situation on I-85 North where the toll booths were removed. He asked if all the lights were necessary now. Mrs. Forrest stated that that area was still the toll road responsibility, but that she would check to see if she could do something about it.

Mrs. Quesenberry stated that Mr. Carl Pearce had submitted a petition to have Route 694 tarred and graveled. There are four residents who have allergies which are aggravated by the dust; one requires two allergy shots each week. Mrs. Forrest stated that the six-year-plan would be up for review in January, February of 1992. The review is done every other year, and at that time, the Board can add to or revise the plan whichever way they see fit. The road would be up for surfacing in 1997 if the County adds it to the list. Mrs. Forrest stated in light of the State's budget, that she did not know if they would be doing an interim revision. If the forecasts are down, there is a possibility they may have a revision because some of the projects will fall out of the six-year-plan because of lack of funding. If there is a revision she will let the Board know.

IN RE: TREASURER -- REQUEST FOR APPROVAL OF AGENTS

Mr. William E. Jones requested the following be approved for license agents:

VEHICLE LICENSE AGENTS

Namozine Fire Department	William Queen
Reams Ruritan Club	Calvin Ellington
Wilson-Hebron-Ford Ruritan Club	Fred Sahl
Wallace Supermarket	Robert Wallace

DOG LICENSE AGENTS

Country Hardware	George Williams
Edgehill Supermarket	Louis Dowdy
Bolsters Store	Mike Barnes
Baltimore Corner Grocery	Diane Bishop
Wallace Supermarket	Robert Wallace
Reams Ruritan	Albert Fried

Mr. Jones also requested that Mr. Fred Rogers be taken off bonding and to add Mr. Robert Wallace to be bonded in the amount of \$10,000.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following agents be approved for Vehicle licenses.

VEHICLE LICENSE AGENTS

Namozine Fire Department	William Queen
Reams Ruritan Club	Calvin Ellington
Wilson-Hebron-Ford Ruritan Club	Fred Sahl
Wallace Supermarket	Robert Wallace

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following agents be approved for Dog licenses.

DOG LICENSE AGENTS

Country Hardware	George Williams
Edgehill Supermarket	Louis Dowdy
Bolsters Store	Mike Barnes
Baltimore Corner Grocery	Diane Bishop

Wallace Supermarket
Reams Ruritan

Robert Wallace
Albert Fried

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Fred Rogers be released from bonding and Mr. Robert Wallace be added to the list for bonding in the amount of \$10,000.00.

IN RE: COMMONWEALTH ATTORNEY

Mr. Rainey thanked the Board for the Courthouse lawn improvements. He also requested they continue planning for the Courthouse renovations since the docket is growing continually and overcrowding is a major problem.

IN RE: REPORT -- BUILDING INSPECTOR

Mr. Dwayne Abernathy submitted his report for the month of November.

IN RE: REPORT -- ANIMAL WARDEN

Mrs. Quesenberry presented the animal control report for the month of November. The fowl claim was postponed until Mr. White could be present to answer any questions.

IN RE: REPORT -- DIRECTOR OF PLANNING

Mr. Tickle stated that one of his constituents had contacted him concerning the road at the front entrance to Waterford Subdivision indicating there has not been a proper gravel application. Also, he wants Mr. Ponder to check on the erosion and sedimentation problem. Mr. Ponder said that he would take a look at the problems and would check with the Virginia Department of Transportation regarding the gravel application.

IN RE: REPORT -- DIRECTOR, SOCIAL SERVICES

Mrs. King Talley reported she has been in Richmond all day and the only news was sad news. The financial and revenue picture for now is that there will be some consolidation of Social Services Boards by the State because of the \$2 million cut in funding. Mr. Howard Cullum, Secretary of Human Resources, will reveal the State plan on Friday, December 7, and Mrs. Talley will keep the Board informed.

IN RE: SUPERINTENDENT OF SCHOOLS

Mr. Bracey asked Dr. Vaughn to check on the lights at the recreation field across from the High School. He had gotten several reports of them being left on with no one on the fields. Dr. Vaughn said he would check on the situation to see what was happening.

IN RE: DINWIDDIE INDUSTRIAL DEVELOPMENT AUTHORITY -- \$7 MILLION BOND ISSUE

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

WHEREAS, the Industrial Development Authority of Dinwiddie County, Virginia (the Authority), has considered the request of Maclin-Zimmer-McGill Tobacco Company, Incorporated (the Company), a wholly-owned subsidiary of Universal Leaf Tobacco Company, Incorporated, for the issuance of the Authority's industrial development revenue bonds in an amount not to exceed \$7,000,000 (the Bonds) for the acquisition, construction, and equipment of a manufacturing facility for the processing of leaf tobacco for the Company in Dinwiddie County, Virginia (the Project) and has held a public hearing thereon on November 26, 1990; and

WHEREAS, the Authority has requested the Board of Supervisors (the Board) of Dinwiddie County, Virginia to approve the issuance of the Bonds to comply with Section 147(f) of the Internal Revenue Code of 1986, as amended (the Code) and Section 15.1-1378.1 of the Code of Virginia of 1950, as amended (the Virginia Code); and

WHEREAS, a copy of the Authority's resolution approving the issuance of the Bonds, subject to terms to be agreed upon, a record of the public hearing and a "fiscal impact statement" with respect to the Project have been filed with the Board;

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA:

1. The Board hereby approves the issuance of the Bonds by the Authority for the benefit of the Company to the extent required by Section 147(f) of the Code and Section 15.1-1378.1 of the Virginia Code, to permit the Authority to assist in the financing of the Project.

2. The Board hereby agrees to apply, if necessary, to the Allocation Administrator to request an allocation of \$7,000,000 of the State Ceiling to the Bonds, pursuant to the Virginia Industrial Development and Revenue Bond Act, and directs the County Administrator to prepare and file an application therefore as promptly as practicable.

3. Approval of the issuance of the Bonds, as required by Section 147(f) of the Code and Section 15.1-1378.1 of the Virginia Code, does not constitute an endorsement to a prospective purchaser of the Bonds or the creditworthiness of the Project or the Company, but, as required by Section 15.1-1380 of the Virginia Code, the Bonds shall provide that neither the County nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefore, and neither the faith or credit nor the taxing power shall be pledged thereto.

4. This resolution shall take effect immediately upon its adoption.

IN RE: REPORT -- INTERIM RECREATION DIRECTOR

Mrs. Heiser submitted her report for the month of November.

IN RE: REPORT -- DIRECTOR OF PUBLIC SAFETY

Mr. James C. Rice, was not present because of illness; however, his report for the month of November was presented to the Board.

IN RE: TARGET RANGE PERMITS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, that the target range permit for L. T. and Jim Slaughter be approved as presented with the conditions stated therein.

IN RE: REPORT -- DIRECTOR OF WASTE MANAGEMENT

Mr. Denny King gave his report for the month of November.

IN RE: PART-TIME RECYCLING ASSISTANT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a Part-Time Recycling Assistant position is authorized to be advertised with total hours not to exceed 20 hours per week.

IN RE: APPOINTMENT -- BOARD OF ASSESSORS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the resignation of Mr. Louis C. Blazek, Board of Assessors, be accepted.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Robert Ragsdale be appointed to the Board of Assessors, to fill the vacancy due to the resignation of Mr. Louis C. Blazek.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Cashwell stated he had the opportunity to meet with several concerned citizens about the issue of animal control and the issue of the operation of the pound and the welfare of the animals kept there. He is pleased to report that we have some folks who are both concerned and very level headed about the issue and are looking forward to some improvements out there. Mr. Cashwell cited that he had met with Crystal Elder, Dot Mengel, and Nancy Batte in regard to some operational improvements that could be implemented at the pound. Particularly important are some adoption efforts that we are seeking to cooperate with them on and he appealed to the citizens to open their homes to some of these animals. These ladies are going to start some adoption hours at the pound in hopes to help relocate some of the animals. Announcements will be posted in the local newspapers for the adoption days. He thanked them for their participation in this endeavor.

2. The County Administrator presented a request from the Crater District Area on Aging requesting an amendment to their charter to expand the number on the present Board of Directors. This would provide a broader base in the community.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that three members-at-large be added to the Board of Directors to be appointed by their Board, for the Crater District Agency on Aging. Mr. Bracey stated that this is with the stipulation that no pay is involved.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the funds for the Beef Check off Funds be used on behalf of Agricultural Commodity Groups to promote their industry, and not be diverted for other purposes.

4. Mr. Cashwell stated that on March 23, 1991 we will see the ceremony to have the National Park System take in the Five Forks Battlefield area thereby making it a full entity system with all the protection that entails. The Secretary of the United States Interior, Mr. Manuel Lujan will be presiding over the ceremony which will be quite an honor for Dinwiddie County.

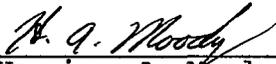
5. Mr. Cashwell noted that there will be some redistricting public hearings and workshops coming up very soon. A hearing is scheduled in Petersburg, Tuesday, December 11, at 7:00 p.m. in the Petersburg City Council Chamber at City Hall. Earlier in the day at 2:00 p.m. there will be a workshop scheduled to go over that subject. He state that there are some new tools available to help ease that process in computer software that will really help us theoretically at least get this process over with and meet all the necessary requirements in a speedy fashion.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the 1952 Willys Jeep be approved sale for the December 8, 1990 auction.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Harrison, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Tickle, Mr. Moody voting "aye", the meeting adjourned at 8:47 p.m.



Harrison A. Moody
Chairman, Board of Supervisors

ATTEST: 
Dewey P. Cashwell, Jr.
County Administrator