

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 JANUARY, 1994, AT 7:30 P.M.

PRESENT:	LEENORA EVERETT, CHAIR	ELECTION DISTRICT #3
	DONALD L. HARAWAY, VICE-CHAIR	ELECTION DISTRICT #2
	HARRISON A. MOODY	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	BENJAMIN EMERSON	COUNTY ATTORNEY
	TOMMY GIBBS	DEPUTY SHERIFF

COUNTY ADMINISTRATOR PRESIDING

IN RE: ELECTION OF CHAIR -- 1994

Mr. Haraway nominated Ms. LeeNora Everett for Chairman. Mr. Clay seconded the nomination. Mr. Clay made the motion to close the nominations. Mr. Moody seconded the motion. Mr. Clay, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", Ms. Everett "abstaining", the nominations were closed. Mr. Clay made the motion to elect Ms. Everett for Chairman. Mr. Moody seconded the motion. Mr. Clay, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", Ms. Everett "abstaining", Ms. LeeNora Everett, was elected Chair for the year 1994 or until her duly elected successor assumes office.

MS. LEENORA EVERETT, ASSUMED THE CHAIR.

IN RE: TERM OF CHAIR AND VICE-CHAIR

Upon motion of Mr. Moody, seconded by Mr. Haraway, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", the Chair and Vice-Chair for the Board of Supervisors will serve a one-year term of office.

IN RE: ELECTION OF VICE-CHAIR -- 1994

Mr. Moody nominated Mr. Donald L. Haraway for Vice. Mr. Bracey seconded the motion. Mr. Clay made the motion to close the nominations. Mr. Bracey seconded the motion. Mr. Clay, Mr. Moody, Mr. Bracey, Ms. Everett, voting "aye", Mr. Haraway "abstaining", the nominations were closed. Mr. Clay made the motion to elect Mr. Donald L. Haraway for Vice-Chair. Mr. Moody seconded the motion. Mr. Clay, Mr. Bracey, Mr. Moody, Ms. LeeNora Everett voting "aye", Mr. Haraway "abstaining", Mr. Donald L. Haraway, was elected Vice-Chair for the year 1994 or until his duly elected successor assumes office.

IN RE: SCHEDULE OF MEETINGS AND DATES FOR 1994

Mr. Bracey stated he felt more citizens would attend the meetings if both were held at 7:30 P.M. instead of the second meeting of the month being held at 2:00 P.M. He asked how the other members of the Board felt.

The Chair responded it was more convenient for the Constitutional Officers and Department Heads because they were readily available. It also gave citizens who don't want to travel at night an opportunity to attend.

Mr. Moody stated all the public hearings were held on the first Wednesday meeting at 7:30 P.M. and that the 2:00 P.M. meeting gave retired citizens and persons that work evenings an opportunity to attend.

Mr. Clay agreed.

Mr. Haraway stated it didn't matter to him.

The Chair stated it didn't matter to her either.



Mr. Bracey made the motion to hold the Board Meetings on the first and third Wednesday of each month at 7:30 P.M., the motion was seconded by Mr. Haraway; Mr. Moody, Mr. Clay, Mr. Haraway, Ms. Everett, voting "nay", Mr. Bracey voting "aye", the motion was denied.

Mr. Moody made the motion to hold the Board Meetings on the first Wednesday at 7:30 P.M. and the third Wednesday at 2:00 P.M., the motion was seconded by Mr. Clay. Mr. Moody, Mr. Clay, Mr. Haraway, Ms. Everett, voting "aye", Mr. Bracey, voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following schedule is established for the regular meetings of the Board of Supervisors for the calendar year 1994:

<u>DATES</u>	<u>TIME</u>
January 5	7:30 p.m.
January 19	2:00 p.m.
February 2	7:30 p.m.
February 16	2:00 p.m.
March 2	7:30 p.m.
March 16	2:00 p.m.
April 6	7:30 p.m.
April 20	2:00 p.m.
May 4	7:30 p.m.
May 18	2:00 p.m.
June 1	7:30 p.m.
June 15	2:00 p.m.
July 6	7:30 p.m.
July 20	2:00 p.m.
August 3	7:30 p.m.
August 17	2:00 p.m.
September 7	7:30 p.m.
September 21	2:00 p.m.
October 5	7:30 p.m.
October 19	2:00 p.m.
November 2	7:30 p.m.
November 16	2:00 p.m.
December 7	7:30 p.m.
December 21	2:00 p.m.

IN RE: MINUTES

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the December 15, 1993, Continuation Meeting, December 15, 1993, Regular Meeting, are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, 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 #27089 thru #27315, (void checks #27087 and 27088); General Fund - \$313,743.32; E911 - \$2,907.62; Self Insurance - \$14,965.76; CDBG - \$2,425.00; Capital Projects - \$379.05; Law Enforcement - \$228.43; for a total of \$334,649.18.

IN RE: CITIZEN COMMENTS

1. Mr. Jack Mayes approached the Board about the purchase of the 16 acres of land for \$480,000 for the Courthouse Complex. He stated he felt the 150 acres near the high school would have been the best investment for the money.

2. Mr. Robert Ragsdale questioned the Board regarding the following:

a. The purchase of the trailers for the school system - why didn't the school board move the trailers at Northside instead of buying new ones? The trailers didn't meet state code.

b. The amount paid to Neal Barnes on the projects at the Airport. Mr. Ragsdale was informed to ask the Dinwiddie County Water Authority regarding any fund expended with that Authority.

c. He thanked Mr. Bracey for his effort in trying to change the time for the second Board Meeting back to 7:30 P.M.

3. Mr. William Brown of Troublefield Road stated there was still ice on his road from the snow storm and the VDOT trucks never came through to scrape or put down sand. He was directed to the VDOT.

4. Ms. Lottie Williams appeared before the Board to request assistance with the removal of an excessive amount of gravel being applied to Rt. 636. She stated it was chipping the paint on the cars traveling to Rocky Run Church. Ms. Williams also stated the Church would like to replace their sign which the VDOT removed when the road was paved. She told the Board the VDOT stated the sign did not meet the State Regulations. After much discussion the Board instructed Mr. Wayne Knox to find out what the State requires. Ms. Brown asked the Board to be consistent with what is going to be enforced. She stated there were other Churches which had signs that were not in compliance. Mr. Harold Dyson of VDOT stated he had given them an option, but he would meet with them on site again. He stated he was not aware of any other Churches who are not in compliance at this time. Ms. Everett asked Mr. Knox to report back to the Board on his findings.

IN RE: AMENDMENTS TO THE AGENDA

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", the following amendments were approved.

- Add: 7. a. Rescue Squad
- 7. b. Executive Session - 1. Legal
- Move: 10. #2 - Refinancing of Dinwiddie County Water Authority Bond Issue to #14
- Add: 10. 2. School Bond Issue

IN RE: INTRODUCTION OF DINWIDDIE VOLUNTEER RESCUE SQUAD OFFICERS AND MEMBERS

Ms. Sherri Hoover, President, Dinwiddie Rescue Squad, appeared before the Board and introduced the new elected officers. She said the Rescue Squad appreciates the continued support and involvement of the Board. Ms. Hoover stated that the new officers will ensure that DVRS continues with its community involvement by providing quality emergency care to the citizens of Dinwiddie County.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) (7) Legal, the Board moved into Executive Session at 8:16 p.m. A vote having been made and approved, the meeting reconvened into Open session at 8:33 p.m.

IN RE: CERTIFICATION OF EXECUTIVE MEETING

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett 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: PUBLIC HEARING -- A-93-8 -- AMENDMENTS TO MANUFACTURED HOMES ORDINANCE

This being the time and place as advertised in the Monitor Newspaper on December 15, 1993, and December 22, 1993, for the Board of Supervisors to conduct a public hearing to consider the adoption of certain amendments to the Dinwiddie County Zoning Ordinance recommended by the Dinwiddie County Planning Commission. The proposed amendments consist of technical changes to the Zoning Ordinance to clarify certain provisions relating to the use of manufactured homes in the County, including without limitation, the definitions of single family dwelling, manufactured housing and mobile home, among others, as well as the requirements for the issuance of permits for certain manufactured homes to be located in Dinwiddie County.

The present ordinance adopted on June 2, 1993, is as follows:

Add:

Definitions Section 22-1

Farm operation manufactured home- A manufactured home, more or less than 19 feet in width, occupied as a residence by an employee of a farm, not the owner of the farm, and that employees immediate family.

Mobile home- A travel trailer or other structure designed as a transportable residence, other than a manufactured home, and manufactured homes that are less than nineteen feet in width.

Change:

Definitions Section 22-1

Dwelling, Single-family: A structure, other than a mobile home dwelling or travel trailer, arranged or designed to be occupied by one family, the structure having only one dwelling unit.

To:

Dwelling, single-family- A structure, other than a mobile home dwelling, travel trailer or manufactured housing, arranged or designed to be occupied by one family, the structure having only one dwelling unit.

Definition of mobile home park or subdivision to:

Manufactured home park or subdivision: Any area of ten (10) acres or more designed to accommodate fifty (50) or more manufactured homes or mobile homes intended for residential use where residence is in manufactured or mobile homes exclusively with travel trailers not allowed..

Change:

Section 22-6. Districts established and enumerated.

Agricultural, conservative, A-3.
Agricultural, rural residential, A-R.,

To:

Residential, conservative, R-R.
Residential, Rural, RR-1.

Change:

Section 22-59:

(27) Mobile home, with a conditional use permit

To:

(27) Manufactured home that is nineteen feet (19') or more in width having a permanent foundation on an individual lot.

Add:

(28) Farm operation manufactured home with a conditional use permit and subject to the conditions and provisions of Section 22-78 and 22-79.

(29) Mobile home, with a conditional use permit and subject to the conditions and provision of Section 22-78 and 22-79.

Change:

Section 22-71:

(26) Mobile home park in accordance with a conditional use permit and provisions contained herein.

(48) Mobile home, with a conditional use permit and submit to (requirements of) section 22-78 and section 22-79 of this Code.

To:

(26) Manufactured home park, with a conditional use permit and in accordance with the special conditions and provisions contained in Sections 22-78 and 22-79 and 22-238.

Add:

(48) (a) Manufactured home that is nineteen (19) feet or more in width having a permanent foundation on an individual lot.

(b) Farm operation manufactured home with a conditional use permit and subject to the conditions and provisions of Sections 22-78 and 22-79.

(c) Mobile home, with a conditional use permit and subject to the conditions and provisions of Sections 22-78 and 22-79.

Change:

Section 22-78. Special conditions for mobile homes.
(see attached section)

To:

Section 22-78. Special conditions for manufactured homes and mobile homes subject to conditional use permits.

The following provisions and conditions apply to all manufactured homes and mobile homes which are subject to obtaining a conditional use permit.

1. For purposes of this section landowners and/or mobile home or manufactured housing owner, and/or mobile home or manufactured housing occupant shall be one and the same.
2. For purposes of this section landowner shall be defined as including the lawful owner or owners of the real estate, their spouse, and immediate family. Immediate family shall include children, parents, grandparents, and brothers and sisters of the landowner and his/her spouse.

3. Any conditional use permit for a manufactured or mobile home shall require a three hundred (\$300) dollar fee upon application for the permit.
4. Any conditional use permit shall be null and void after one (1) year of disuse.
5. Farm operation manufactured homes shall not exceed four (4) manufactured homes per farm according to the following table:

Number of Manufactured Homes Permitted	Minimum Acreage in Farm Operation
1	25
2	200
3	300
4	400

The location, placement and use of such manufactured homes shall be subject to the following conditions in addition to such other conditions as are set forth in this Section:

(a) Head of household. The head of the household who occupies each such manufactured home shall be gainfully employed full time on the farm operation.

(b) Reclassification. In the event the land upon which each such manufactured home is located shall be reclassified to a residential, business or industrial district, the affected manufactured home shall be removed from the land so reclassified within ninety (90) days following the effective date of the reclassification.

(c) Accounting. Any farm operation with manufactured homes for farm employees must give the County a sworn accounting of the status of these manufactured homes between January 1 and January 31 of every year. This accounting will include persons who have lived in these homes for the past twelve months and their employment status on this farm.

6. Each manufactured home shall be considered a conventional dwelling within the terms of this chapter, and the general regulations of the district in which each manufactured home is located shall apply to each such manufactured home.
7. Each manufactured home shall be connected to an approved septic system and to a satisfactory water supply.
8. No manufactured housing or mobile home less than nineteen (19) feet in width will be allowed to be placed in the County with the following exceptions:

(A) Manufactured homes less than nineteen (19) feet in width will be allowed for four (4) years with a one (1) year extension, in A-2, and A-1 zoning districts, but only until a conventional single-family dwelling is constructed or a manufactured home of 19 feet or more in width is placed on the property. The fee for this initial conditional use permit will be \$150.00. At the end of this four (4) year period the manufactured home will be removed from the property. A one year extension may be granted by the Zoning Administrator. The fee for this extension will be one hundred fifty (\$150) dollars. *AMENDED* No manufactured or mobile home over ten (10) years old at the time of placement for temporary usage shall be allowed.

(B) A three hundred (\$300) dollar fee will be required when any manufactured or mobile home is placed in such a park. No manufactured or mobile home over ten (10) years old at time of placement in the park will be allowed in any park.

9. No manufactured or mobile homes may be used for any purpose other than a residence, including without limitation, storage purposes.
10. All manufactured housing shall be of Hurricane and Windstorm Resistive Design.
11. Skirts shall be defined as the area between the bottom of the walls of the mobile unit and ground surface and must be neatly skirted with material fabricated from metal, wood, concrete, masonry, rigid vinyl or fiberglass; such skirts must be of one (1) color which harmonizes with the color of the mobile home; such skirts must be rattle-free and installed in a manner to accommodate frost heave.
12. No additions that will increase the living space or storage space of the manufactured home or mobile home will be allowed. Decks and porches will be allowed on manufactured homes, but they must meet all building codes.
13. All manufactured housing must have an "A" pitched roof.

Change:

Section 22-79. Issuance of permits for mobile homes.

All permits for {or} conditional use permits for mobile homes shall be issued by the zoning administrator.

To:

Section 22-79. Issuance of permits of manufactured homes

All permits for {or} conditional use permits for manufactured or mobile homes shall be issued by the Zoning Administrator or the Director of Planning.

Change:

Division 4. Agricultural, Conservative, District A-3

To:

Division 4. Residential, Conservative, District R-R

Change:

Section 22-83. Composition; purposes.

Generally, agricultural, conservative, district A-3 covers the territory immediately adjacent to public bodies of water which may be used for recreational purposes. This district is established for the purpose of:

To:

Generally, residential, conservative, district R-R covers the territory immediately adjacent to public bodies of water which may be used for recreational purposes. This district is established for the purpose of:

Change:

Section 22-84. Permitted uses.

In agricultural district A-3, structures to be erected or land to be used shall be for one or more of the following uses:

To:

In residential district R-R, structures to be erected or land to be used shall be for one or more of the following uses:

Change:

Section 22-85. Minimum lot area.

The minimum lot area for permitted uses in agricultural district A-3 shall be five (5) acres or more.

To:

The minimum lot area for permitted uses in residential district R-R shall be five (5) acres or more.

Change:

Section 22-86. Setback.

Structures in agricultural district A-3 shall be seventy-five (75) feet or more from any street right-of-way which is fifty (50) feet or greater in width or one hundred fifty (150) feet or more from the center line of any street right-of-way less than fifty (50) feet in width, except that signs advertising land or sale of the premises may be erected up to the property line.

To:

Structures in residential district R-R shall be seventy-five (75) feet or more from any street right-of-way which is fifty (50) feet or greater in width or one hundred fifty (150) feet or more from the center line of any street right-of-way less than fifty (50) feet in width, except that signs advertising land or sale of the premises may be erected up to the property line.

Change:

Section 22-87. Frontage.

The minimum frontage for permitted uses in agricultural, conservative, district A-3 shall be three hundred (300) feet.

To:

The minimum frontage for permitted uses in residential, conservative, district R-R shall be three hundred (300) feet.

Change:

Section 22-88. Yards.

In agricultural district A-3, the yard regulations shall be as follows:

To:

In residential district R-R, the yard regulations shall be as follows:

Change:

Section 22-89. Special provisions applicable to corner lots.

In agricultural district A-3, the following provisions shall apply to corner lots.

To:

In residential district R-R, the following provisions shall apply to corner lots.

Change:

Section 22-95. Purpose; applicability of other ordinances; etc.

The purpose of the agricultural, rural residential, A-R district is to encourage continued agricultural and forest uses, protect environmentally and ecologically sensitive areas and preserve the natural beauty of rural areas of the county where urban services (i.e., water and sewer mains, etc.) are not planned. At the same time, the district ...

To:

The purpose of the residential, rural, RR-1 district is to protect environmentally and ecologically sensitive areas and preserve the natural beauty of rural areas of the county where urban services (i.e., water and sewer mains, etc.) are not planned. At the same time, the district...

Change:

Section 22-96. Permitted uses.

In agricultural, rural residential, district A-R, structures to be erected or land to be used shall be for one (1) or more of the following.

To:

In residential rural district RR-1, structures to be erected or land to be used shall be for one (1) or more of the following.

Change:

Section 22-97. Minimum lot area.

The minimum lot area for permitted uses in the agricultural district A-R shall be two (2) acres.

To:

The minimum lot area for permitted uses in the residential, rural district RR-1 shall be two (2) acres.

Change:

Section 22-98. Setback.

In the agricultural district A-R, all structures shall be located fifty (50) feet or more from any street right-of-way which is fifty (50) feet or greater in width or seventy-five (75) feet or more from the center line of any street right-of-way less than fifty (50) feet in width.

To:

In the residential district RR-1, all structures shall be located fifty (50) feet or more from any street right-of-way which is fifty (50) feet or greater in width or seventy-five (75) feet or more from the center line of any street right-of-way less than fifty (50) feet in width.

Change:

Section 22-99. Frontage

The minimum frontage for permitted uses in the agricultural district A-R shall be two hundred (200) feet.

To:

The minimum frontage for permitted uses in the residential district RR-1 shall be two hundred (200) feet.

Change:

Section 22-100. Yards

In agricultural, rural residential, district A-R, the yard regulations shall be as follows:

To:

In rural residential, district RR-1, the yard regulations shall be as follows:

Change:

Section 22-101. Height of buildings.

Buildings and structures in agricultural district A-R may be erected up to thirty-five (35) feet in height, except that:

To:

Buildings and structures in residential district RR-1 may be erected up to thirty-five (35) feet in height, except that:

Change:

Section 22-102. Special provision applicable to corner lots.

In agricultural district A-R, the following provisions apply to corner lots:

To:

In residential district RR-1, the following provisions apply to corner lots:

Mr. Ben Emerson, County Attorney, stated that due to a pending law suit with the County there were some changes that were made this summer to the present ordinance. Through discussions with the plaintiff an agreement has been reached that certain counts of the law suit can be dismissed if these changes are made to the Ordinance. The changes that were made to the Ordinance did not affect the integrity of the Ordinance; but they deal principally with semantic differences we had with the plaintiff over the way the Ordinance was drawn. The dismissal of these counts would allow the law suit to focus on certain remaining counts which we believe are irreconcilable differences. Mr. Emerson read the following summary of the revisions of the Ordinance:

Sec. 22-1. Definitions.

Double-wide manufactured home: A manufactured home that is nineteen feet or more in width.

Dwelling, single-family: A structure, arranged or designed to be occupied by only one family, the structure having only one dwelling unit.

Dwelling unit: One or more rooms in a dwelling designed for living or sleeping purposes, and having at least one kitchen.

Farm operation manufactured home: A manufactured home situated on a farm and occupied as a residence by (i) an employee of the farm, not the owner of the farm, and the employee's immediate family, or (ii) several employees without their families.

Manufactured home park or subdivision: Any area of fifteen (15) acres or more designed to accommodate fifty (50) or more manufactured homes intended for residential use where residence is in manufactured homes exclusively.

Manufactured home: A structure subject to federal regulations, which is transportable in one (1) or more sections; is eight (8) body feet or more in width and forty (40) body feet or more in length in site traveling mode, or is three hundred twenty (320) or more square feet when erected onsite; is built on a permanent chassis, is designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to the proper utilities; and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure.

Mobile home: A structure not subject to federal regulations which is transportable in one (1) or more sections; is eight (8) body feet or more in width and forty (40) body feet or more in length in site traveling mode, or is three hundred twenty (320) or more square feet when erected onsite; is built on a permanent chassis, is designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to the proper utilities; and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure.

Single-wide manufactured home: A manufactured home that is less than nineteen feet in width.

Sec. 22-22. Conditional use permits generally.

(a) Where permitted by this chapter, the location of hotels, motels, manufactured home parks, campgrounds, commercial amusement parks, hospitals, airports, borrow pits, hog farms, sanitary fill method garbage and refuse sites, and other permitted uses of like nature shall require, in addition to the zoning permit and certificate of occupancy, a conditional use permit. Other permitted uses as provided by this chapter shall also require, in addition to the zoning permit and certificate of occupancy, a conditional use permit. Any provisions of this chapter which allow a use with a conditional use permit shall not prohibit the board of supervisors from denying an application for a particular permit upon a finding, after public hearing, that the issuance of such permit would not be in compliance with the intent, purpose and design of this chapter and/or section 22-2 of this Code.

Sec. 22-25. Administrative Permits for Certain Manufactured Housing.

(a) Where permitted by this chapter, the location of single-wide manufactured homes and farm-operation manufactured homes shall require, in addition to the zoning permit and certificate of occupancy, an administrative permit. An administrative permit shall be issued by the zoning administrator (or in the absence of the zoning administrator, the planning director).

(b) Administrative permits shall be issued by the zoning administrator when the applicant demonstrates to the zoning administrator that the requirements of Sec. 22-26 have been met.

(c) If the zoning administrator determines that the applicant does not meet all of the requirements of Sec. 22-26, the zoning administrator shall deny the application and notify the applicant in writing. Any such denial may be appealed to the Board of Zoning Appeals.

(d) Failure of the property owner to continue to comply with the requirements imposed for the administrative permit shall subject him to enforcement proceedings under this chapter, including revocation of the administrative permit by the zoning administrator after notice. The homeowner

may appeal the revocation of any administrative permit to the Board of Zoning Appeals.

(e) Any administrative permit for a manufactured home (including a manufactured home in a manufactured home park) shall require a three hundred (\$300) dollar fee upon application for the permit.

(f) An administrative permit shall be null and void after one (1) year of disuse.

Sec. 22-26. Requirements for Manufactured Homes Subject to Administrative Permits.

The following requirements apply to all manufactured homes including all manufactured homes in manufactured home parks with the exception of double-wide manufactured homes that have a permanent foundation (as defined by the Uniform Statewide Building Code) on individual lots and are located in either an A-1 or A-2 district.

- (1) For purposes of this section, landowner and manufactured home owner and manufactured home occupant shall be one and the same except in the case of a farm operation manufactured home.
- (2) For purposes of this section, landowner shall be defined as including the lawful owner or owners of the real estate, their spouse and immediate family. Immediate family shall include children, parents, grandparents, and brothers and sisters of the landowner and his/her spouse.
- (3) Farm operation manufactured homes shall not exceed four (4) manufactured homes per farm according to the following table:

Number of Manufactured Homes Permitted	Minimum Acreage in Farm Operation
1	25
2	200
3	300
4	400

The location, placement and use of such manufactured homes shall be subject to the following requirements in addition to such other requirements as are set forth in this section:

- (a) Head of Household. The head of the household who occupies each such manufactured home shall be gainfully employed full time on the farm operation.
- (b) Reclassification. In the event the land upon which each such manufactured home is located shall be reclassified to a residential, business or industrial district, the affected manufactured home shall be removed from the land so reclassified within ninety (90) days following the effective date of the reclassification.
- (c) Accounting. Any farm operation with manufactured homes for farm employees must give the County a sworn accounting of the status of these manufactured homes between January 1 and January 31 of every year. This accounting will include persons who have lived in these homes for the past twelve months and their employment status on the farm.

- (4) Each manufactured home shall be connected to a septic system and to a water supply both of which must be approved by the Health Department.
- (5) No single-wide manufactured home will be allowed to be placed in the County with the following exceptions:
 - (A) Single-wide manufactured homes will be allowed for four (4) years with a one (1) year extension, in A-2 and A-1 zoning districts, but only until a conventional single-family dwelling is constructed or a double-wide manufactured home is placed on the property. The fee for this initial administrative permit will be One Hundred and Fifty Dollars (\$150.00) instead of the fee required by Sec. 22-25(e). At the end of this four (4) year period, the single-wide manufactured home will be removed from the property. Upon application and payment of an extension fee of \$150.00, a one (1) year extension will be granted by the zoning administrator.
 - (B) Single-wide manufactured homes will be allowed in manufactured home parks subject to the administrative requirements of this chapter.
 - (C) No single-wide manufactured home over ten (10) years old at the time of placement shall be allowed for temporary usage or in a manufactured home park.
- (6) No manufactured home or mobile home may be used for any purpose other than a residence, including without limitation, storage purposes.
- (7) Skirts shall be defined as the area between the bottom of the walls of the manufactured home and ground surface and must be neatly skirted with material fabricated from metal, wood, concrete, masonry, rigid vinyl or fiberglass; such skirts must be of one (1) color which harmonizes with the color of the manufactured home; such skirts must be rattle-free and installed in a manner to accommodate frost heave.
- (8) No additions that will increase the living space or storage space of a manufactured home or mobile home will be allowed. Decks and porches will be allowed on manufactured homes, but they must meet all building codes.

Sec. 22-44. Temporary placement of manufactured homes.

The board of zoning appeals may authorize, upon application and after notice and hearing as provided by section 15.1-431 of the Code of Virginia, a special exception to allow the temporary placement of a manufactured home only for residential use on any parcel of land irregardless of its zoning classification, subject to the following restrictions and conditions:

- (a) Such special exception permit shall be for a period not to exceed twelve (12) months, which period may not be extended or enlarged under any circumstances, provided, however, that one (1) extension of such permit may be allowed by the board for one (1) additional period not to exceed twelve (12) months upon a new application and payment of an additional filing fee with new notice and hearing as provided by section 15.1-431 of the Code of Virginia. Upon expiration of the special exception permit the temporary manufactured home shall be removed.

- (b) Such manufactured home is only to provide temporary replacement living quarters for persons dispossessed of their home due to repair, remodeling or replacement of such home and such permit shall only be for placement of the temporary manufactured home on the same or an adjoining parcel of land as the home from which the person has been dispossessed.
- (c) The lot upon which the manufactured home is to be temporarily placed meets the size requirements for lots within its zoning classification.
- (d) The county health department has approved provisions for water and sewer.
- (e) A building permit has been issued for the repair, remodeling or replacement of the living quarters necessitating placement of the temporary manufactured home and such building permit continues in effect during the period of placement. Revocation or expiration of such building permit shall automatically revoke the special exception permit issued hereunder.
- (f) The manufactured home to be placed pursuant to the special exception permit must comply with the requirements of section 22-1 of the Dinwiddie County Code as defined under "Manufactured home."
- (g) The unit is so situated upon the parcel so that all yard requirements regarding accessory uses are met.
- (h) All provisions of the Virginia Uniform Statewide Building Code are complied with and a certificate of occupancy is issued by the county building inspector for the temporary manufactured home.
- (i) Unless the provision is for the one (1) extension of the existing permit allowed hereunder, no previous special exception permit under the provisions of this section has been granted either to the applicant, the parcel for which the permit is sought, or any adjoining parcel thereto owned by the same applicant for a period of two (2) years prior to the date of the current application.
- (j) Any special exception permit issued hereunder shall expire thirty (30) days after the issuance of the certificate of occupancy for the house whose repair, remodeling or replacement necessitates the temporary manufactured home, regardless of the remaining time period of the permit. This provision shall not extend or enlarge the permit period.
- (k) Such other conditions relating to the use as the board of zoning appeals may deem necessary in the public interest including a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.

Applications for the special exception permit allowed hereunder shall be filed with the zoning administrator and shall be accompanied by a check or money order in the sum of one hundred dollars (\$100.00) payable to the county treasurer. If actual expenses associated with the application exceed forty dollars (\$40.00) the applicant shall be billed the difference. (Ord of 2-15-89).

Sec. 22-59. Permitted uses.

In agricultural, limited, district A-1, structures to be erected or land to be used shall be for one or more of the following uses:

- (1) Single-family dwellings except:
 - (a) mobile homes and travel trailers;
 - (b) single-wide manufactured homes; and
 - (c) double-wide manufactured homes that do not have a permanent foundation on an individual lot.

(2-26)

(27) DELETED.

(28) Farm operation manufactured home with an administrative permit and subject to the requirements of Sections 22-25 and 22-26.

(29) Single-wide manufactured home, with an administrative permit and subject to the requirements of Sections 22-25 and 22-26.

Sec. 22-71. Permitted uses.

- (1) Single-family dwellings except:
 - (a) mobile homes and travel trailers;
 - (b) single-wide manufactured homes; and
 - (c) double-wide manufactured homes that do not have a permanent foundation on an individual lot.

(2-25) SAME.

(26) Manufactured home park with a conditional use permit in accordance with the special conditions and provisions contained in Section 22-238. Single-wide manufactured homes in manufactured home parks are subject to the administrative requirements of Sections 22-25 and 22-26 of this chapter.

(48) (a) DELETED.

(b) Farm operation manufactured home with an administrative permit and subject to the requirements of Sections 22-25 and 22-26.

(c) Single-wide manufactured home, with an administrative permit and subject to the requirements of Section 22-26.

(49-56) SAME.

Sec. 22-78. DELETED.

Sec. 22-79. DELETED.

Sec. 22-84. Permitted uses.

In residential district R-R, structures to be erected or land to be used shall be for one or more of the following uses:

- (1) Single-family dwellings except mobile homes, travel trailers and manufactured homes.

(2-4) SAME.

(5) DELETED.

(6) DELETED.

(7) horse raising.

DIVISION 5. RESIDENTIAL RURAL, DISTRICT RR-1

Sec. 22-96. Permitted uses.

In residential rural district RR-1, structures to be erected or land to be used shall be for one (1) or more of the following.

(1) Single-family dwellings except mobile homes, travel trailers and manufactured homes.

(2-7) Same.

Sec. 22-114. Permitted uses.

In residential district R-1, structures to be erected or land to be used shall be for one (1) or more of the following uses:

(1) Single-family dwellings except mobiles homes, travel trailers and manufactured homes.

(2-10) Same

(11) DELETED.

(12) Same.

Sec. 22-127. Permitted uses.

In residential district R-1A, structures to be erected or land to be used shall be for one (1) or more of the following uses:

(1) Single-family dwellings except mobiles homes, travel trailers and manufactured homes.

(2-11) Same.

(12) DELETED.

Sec. 22-140. Permitted uses.

In residential district R-2, structures to be erected or land to be used shall be for one (1) or more of the following uses:

(1) Single-family dwellings except mobiles homes, travel trailers and manufactured homes.

(2-21) Same.

(22) DELETED.

(23) Same.

Sec. 22-154. Permitted uses.

In planned residential development district PRD, the following uses may be permitted:

(1) Single-family dwellings except mobiles homes, travel trailers and manufactured homes.

(2-8) Same.

(9) DELETED.

Sec. 22-185. Permitted uses.

In business district B-2, structures to be erected or land to be used shall be for one or more of the following uses:

(1-31) Same.

(32) DELETED.

(33-38) Same.

Sec. 22-238. Requirements for manufactured home parks.

This section is intended to encourage site development for manufactured home parks in accordance with sound planning principles, and to prevent detrimental effects to the use of development of adjacent properties. A manufactured home park shall require a conditional use permit issued by the board of supervisors. In addition each manufactured home in a manufactured home park shall require an administrative permit and certificate of occupancy. Each conditional use permit may require additional requirements not herein set forth due to the characteristics of the property and/or adjacent property.

Operators of such parks shall comply with the following development standards for all manufactured home parks:

- (1) All manufactured home parks shall have a landscaped or wooded setback line of fifty (50) feet from any highway or public road right-of-way or seventy-five (75) feet setback from the center line of any highway or public road, whichever distance is greater.
- (2) Each manufactured home park shall have at least twenty-five (25) feet of open space abutting all adjoining property and shall be contained within a board fence, evergreen hedge or screen which shall be a minimum of eight (8) feet in height or of sufficient density to screen the site from adjacent properties. All borders shall be maintained properly in compliance with the intent of this requirement. No fence, hedge or screen need be constructed abutting any highway or public road provided paragraph (1) of this section is complied with.
- (3) All ingress and egress shall be to the required standards of the Virginia Department of Transportation.
- (4) The minimum size of any manufactured home park shall be fifteen (15) acres.
- (5) No manufactured home site shall be offered for sale or sold.
- (6) Streets within the manufactured home park must be constructed to the specifications of the Virginia Department of Transportation (i.e., secondary road standards). Proper storm water management design will be applied, with drop inlets (storm drains) for drainage where

necessary. Area for streets will be independent of manufactured home space area.

- (7) All utility lines shall be underground, including electrical wiring and telephone lines.
- (8) A minimum of ten (10) percent of the gross land area of the manufactured home park shall be reserved for recreational and open space uses. This area must be for recreational purposes.
- (9) All fuel tanks will be concealed except for necessary ventilations.
- (10) The manufactured home operator shall maintain a register for each manufactured home lot for at least the previous two (2) years; such register shall be available at all times for inspection by law enforcement officers, public health officials, and other state and local officials and representatives whose duties necessitate acquisition of the information contained in such register and shall contain:
 - a. The names of each manufactured home owner and occupants;
 - b. The dates of arrival and departure of each manufactured home on each manufactured home lot;
 - c. The name, make, date of manufacture, and serial number of the manufactured home;
 - d. The license number of each manufactured home and motor vehicle.

An updated copy of such register shall be filed each year in March with the county sheriff's department, the department of planning and community development, and the commissioner of revenue.

- (11) Manufactured home park owners/operators must create a set of rules and regulations for his/her park. Such rules and regulations shall be enforced by the owner/operator. A copy of these rules and regulations shall be filed in the office of the county sheriff's department and the department of planning and community development.
- (12) Refuse shall be the responsibility of the owner of the property to collect or contract for collection on a frequency of not less than twice weekly of all garbage, refuse and rubbish. Collection may be on a lot by lot basis or by a centralized box system. The storage and disposal of refuse must be handled in such a manner as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution.
- (13) Before an application for a permit for the construction of a manufactured home park shall be approved by the board of supervisors, the applicant shall, in lieu of construction, furnish cash escrow or a performance bond in an amount calculated by the board of supervisors to secure the required improvements in a workmanlike manner and in accordance with established or approved specifications and construction schedules, which bond shall be payable to and held by the county. The manufactured home park's plans, construction schedule, and amount of bond shall be re-evaluated by the board of supervisors at least once every year to insure compliance with the requirements of this section.

In lieu of bond, development may be presented for inspection in completed forms.

- (14) Manufactured home park site plan development shall follow procedure and approval as set forth in subdivisions in Chapter 18 of this Code.
- (15) No existing manufactured home park shall be enlarged or extended unless the addition to the park is made to conform to all requirements for a new manufactured home park.
- (16) No administrative permits for manufactured homes will be issued in a manufactured home park until development standards are met, either by completion of plan or by bond.
- (17) Minimum lot size for manufactured home lots shall be eighty-five hundred (8,500) square feet, with no lot line less than eighty-five (85) feet in length.
- (18) Every manufactured home space shall have all corners clearly marked and shall be designated a number, which shall be clearly visible from the roadway. These numbers shall be assigned in accordance with the 911 emergency system.
- (19) Each manufactured home space shall be directly accessible from an approved internal park street. No direct access to manufactured home spaces from public streets shall be permitted.
- (20) Parking shall be provided at the minimum rates of two (2) paved spaces for each manufactured home space. Such parking shall be conveniently located to manufactured home spaces. Each parking space shall be ten (10) feet by twenty (20) feet.
- (21) Each manufactured home lot shall have a patio, the minimum size not less than two hundred (200) square feet, convenient to the entrance of the manufactured home.
- (22) Each manufactured home lot shall be provided with individual water and sewer connections. All water and sewer lines shall be constructed with the approval of the Dinwiddie County Water Authority. Manufactured home parks will only be allowed in areas served by the Dinwiddie County Water Authority. All water lines shall be at least twenty-four (24) inches below the surface of the ground to prevent freezing and shall have a cut-off valve below frost depth; such valves shall be other than a stop and waste cock valve. All manufactured home park water and sewer lines shall be approved by the Dinwiddie County Water Authority in the same manner as subdivision systems. (By an authorized signature on a plat of the manufactured home park).
- (23) All manufactured homes will be parked on a bed of gravel or crushed stone two (2) inches in depth.
- (24) Each manufactured home shall front on, but be set back twenty (20) feet from, an internal manufactured home park street, road, or right-of-way.
- (25) Individual manufactured homes shall be situated so that there is a minimum of twenty (20) feet between manufactured homes.
- (26) Each manufactured home shall be provided with individual electrical service pedestals (meter and post).

(27) The open space beneath each manufactured home shall be skirted with approved material in accordance with the requirements of Section 22-26(7).

(28) All hitches will be concealed.

(29) DELETED.

(Code 1970, § 17-97; Ord. of 12-2-87)

The following people spoke in opposition to the ordinance:

1. Ms. Justine Cruz stated that this does not leave tax-payers out of the suit. She asked if the amendments still excluded mobile homes over ten years of age? The County Attorney replied that the definition of mobile homes has been changed to manufactured home in the new amendments and that HUD honors regulations prior to 1976 and that under the County ordinance it needs to be a post 1976 structure with approval from HUD. She stated mobile home parks can't discriminate on the age of the mobile home just on the condition. Mr. Emerson stated the condition of ten years is on single wides only. Mr. Mike DeCamps stated the lawsuit concerns the "constitutionality" issue at this point.

2. Mr. Gilbert Charboneau asked if his single-wide trailer burns down, could he replace it? Mr. Emerson replied yes, he could replace it with a comparable structure.

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett voting "aye",

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that the recommendation of the Planning Commission for the adoption of various amendments to the zoning ordinance as set forth in Exhibit A attached hereto and a part hereof, is hereby approved, and the amendments to the zoning ordinance set forth in Exhibit A are hereby adopted. Except as set forth in Exhibit A, the zoning ordinance shall remain unchanged by this action and, together with the amendments set forth in Exhibit A and the amendments adopted by the Board of Supervisors on June 2, 1993, is hereby ratified, approved and confirmed.

BE IT FURTHER RESOLVED, that in order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purposes for which these Resolutions are initiated are to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: RECESS

The Chair declared a recess at 8:51 P.M. The meeting reconvened at 8:59 P.M.

IN RE: PUBLIC HEARING -- SECONDARY SYSTEM SIX YEAR CONSTRUCTION PLAN

This being the time and place as advertised in the Monitor Newspaper on December 22, 1993, and December 29, 1993, and the Progress-Index on January 5, 1994, for the Board of Supervisors to conduct a public hearing for the purpose of receiving public comments for proposed improvements on the secondary road system six year construction plan.

Mr. Harold Dyson, Assistant Resident Engineer, VDOT introduced Mr. Dale Goodman, Acting Resident Engineer, to the Board. Mr. Goodman is from South Hill and will be in the Petersburg Office until the new Resident Engineer is hired.

Mr. Dyson stated this was the time advertised for the public comments for the secondary road system six year plan.

The following persons presented their concerns and requests:

1. Danny Erb concerned about Rt. 692 being moved on the six year plan again. He stated he would also like to see his end of the road started first.

2. John Cowdin, Cherry Hill Road, stated he would like to get Rt. 609 in the six year plan to be paved.

3. Verlie Williams, Williams Road, Rt. 730, .28 mile long, wants to get this road in the six year plan to be paved. There are eight families on the road.

4. Ruby Hall, Sutherland Road, Rt. 623, wants lines put back on the road due to boat traffic. Also, Rt. 611 from Rt. 708 to Rt. 623 needs to be widened.

5. Connie Angel, Lakeside Drive off Rt. 623, stated the lines on Rt. 623 needs to be restored.

6. Mickey Poe, Rt. 675, stated there are two dangerous curves on the road, one-fourth of a mile south of the horse farm, which needs to be straightened. He told the Board there have been several times when school buses and cars have been forced off the road. He stated there is a "School Bus Stop Ahead" sign up, but it doesn't help. He stated if the road can't be straightened then the curve needs to be cut down and banked, and the speed limit reduced to 35 MPH.

7. Franklin Zitta, Mertan Lane, asked that Blue Tartane Road be put into the six year plan to be completed to Duncan Road. He stated there is a landowner who will donate the land for the extension.

8. Joe Law, White Oak Road, wants Rt. 613, from Five Forks to Rt. 611, be put in the six year plan to be rebuilt.

9. Eric Hamilton, and Kim Becknor, Wheaton Road, Rt. 674, stated this road is #12 on the priority list to be paved on the six year plan, in 1958 it was 4th on the list. At the present time there are twenty one homes with a traffic count of 117 cars a day on the road. She stated at the public hearing last year the Board was told that the road would be graded and sprayed with chemicals to keep the dust down; but VDOT didn't do either.

10. Kathleen Brockwell, Old Stage Road, Rt. 604 needs to be resurfaced and widened.

11. Robert Coldwin, Cherokee Drive, Rt. 725, off Rt. 226, stated a subdivision is under development and the road is to be widened approximately 800' and the remaining 200' nothing is going to be done to it. He stated it wouldn't cost a lot more to do the remaining 200', if it is done at the same time.

12. Billy Bain, Bain Road, asked the Board why Rt. 619 is being split in two separate bid times. He stated it would be less expensive if it were bid out at the same time. Also, at the intersections of I-95 North and I-85 North there is a dangerous exit where the traffic narrows down to one lane.

13. Veronica Smith, Squirrel Level Road, stated once a year VDOT comes out and applies a little tar and dumps a lot of gravel on the road. She said this causes a lot of windshields to get broken and chips the paint off cars. She asked why VDOT wastes all this gravel. Ms. Smith said there a lot of dirt roads in the County that need to be paved, so please don't waste the gravel on their road.

Mr. Bracey stated the County needs to talk to the legislators because the County needs more money to do the projects. He asked VDOT who should the people call if there is a problem with the maintenance of the roads? Mr. Jack Osborne at 732-6811 is the contact person.

Mr. Haraway asked the County Planner to take a look at Cherokee Road to see if anything could be done to include it with the whole project.

Mr. Clay stated something needs to be done with the railroad crossing at the Sutherland Post Office. Also, Rt. 624 is in terrible condition.

Ms. Everett stated she is concerned about getting Wheaton Road and Blue Tartane paved.

Mr. Moody asked that Rt. 694 be added to the six year plan.

Mr. Harold Dyson stated he would like to schedule a workshop at 12:30 P.M. on January 19, 1993 and take action on the plan on February 2, 1994 meeting.

IN RE: PUBLIC HEARING -- SALE OF PUBLIC LAND

This being the time and place as advertised in the Monitor Newspaper on December 22, 1993, and December 29, 1993, for the Board of Supervisors to conduct a public hearing for the purpose of approving a deed disposing of real property by Dinwiddie County relating to approximately one acre of real estate contained within Bear Island Timberlands Company's Halligan Tract near State Route 669 in Dinwiddie County declared surplus by the Dinwiddie County School Board in order to clear title on land of Bear Island Timberlands Company, LP.

Mr. Ben Emerson, County Attorney, told the Board that in 1894, Robert Spiers dedicated one acre of property to the County to be used for public school purposes. The Deed did not lay out the location of the school lot by metes and bounds, so there is no way to be certain where it is. The Deed does mention, however, that the one acre site fronts on Old Stage Road, adjoining the Crawford Property, and is west of Shroud's Branch. He stated Bear Island Timberlands Company, LP., has found that in order for the cloud to be removed from the title, that the School Board had to release whatever rights it had in the one-acre school site. The School Board is not using the property nor do they have any interest in using it. The property has been declared surplus by the School Board. The School Board requested that any revenue derived from the relinquishing of the property, be returned to the school system as an additional appropriation.

No one spoke for or in opposition to the request.

Upon motion of Mr. Haraway, seconded by Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", the resolution of the School Board is hereby ratified and the land is conveyed to Bear Island Timberlands, Inc. for \$750.

The Board requested that the \$750 be designated for the school system capital projects fund.

IN RE: POLICY -- FREEDOM OF INFORMATION ACT

The County Administrator presented the following Freedom of Information Act Policy:

The procedures contained in this policy shall govern the management of operations directed toward the completion and fulfillment of Freedom of Information Act (FOIA) requests from clients directly to the County of Dinwiddie.

1. All Freedom of Information Act (FOIA) requests shall be delivered directly to the County Administration Office, Pamplin Administration Building.
2. Upon assessment of information requested, the County Administration shall communicate with the County department responsible for the fulfillment of such request in an effort to determine the actual staff time to be allocated for completion of the requested information.
3. Once the allocation of staff time has been determined by the County department, in conjunction with the County Administration, the staff allocation time shall be computed into an hourly rate for service based on the hourly rate for the staff person or persons involved. This charge shall be approved by the County Administration.
4. Once the staff allocation time has been determined and approved, the FOIA requesting party shall be advised by the County Administration of the cost associated with staff time preparation of information. This cost is in addition to the ten (10) cents per page charge for reproduction of County documents.

5. The FOIA requesting party shall be notified of the associated cost within the five (5) day guideline requirement as provided by the State Code of Virginia regulations which govern the Virginia Freedom of Information Act.

6. Upon receipt of such notice, the FOIA requesting party shall be required to submit, in writing, their intentions to provide payment for the estimated staff time utilized to complete the FOIA request.

7. Once notice from the FOIA requesting party and payment have been received, the County Administration shall be responsible for advising the departments to be utilized in completing the FOIA request of the designated timetables for completion, as previously discussed between the department and County Administration.

8. Amendments to service requests shall be considered a separate FOIA request independent of previous requests submitted.

9. Once FOIA requests have been submitted in their completed form, for distribution to the FOIA requesting party. The County Administration shall contact the FOIA requesting party and schedule pick-up dates for the information that has been prepared.

Mr. Haraway asked if someone came in and requested a copy of any materials that the Board discussed tonight would there be a charge for it. There would be a charge for the copies (10¢ each sheet) but not for research if the material is readily available.

1. Ms. Kay Winn had several questions and comments about the FOIA policy.

2. Ms. Anne Scarborough questioned the research process and charge.

3. Mr. Dewey Harrison stated the Board should check the policy thoroughly before passing it.

The County Administrator stated the policy would be studied further.

IN RE: RESOLUTION -- CENTENNIAL ANNIVERSARY OF VIRGINIA BANKERS

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", the following resolution is adopted:

WHEREAS, a sound banking system that serves the financial needs of the community is essential to economic growth and progress; and

WHEREAS, through the initiative and persistence of its local citizens, Virginia's first bank, in Alexandria, was established by Act of the General Assembly on November 23, 1792; and

WHEREAS, over the past 201 years, Virginia's bankers met to organize the Virginia Bankers Association, which in 1993 celebrates its centennial anniversary; and

WHEREAS, over its 100 years of service to the citizens of the Commonwealth, the Virginia Bankers Association has furthered and enhanced the integral contribution Virginia's bankers have made to the overall growth and prosperity of our community;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that the bankers of Dinwiddie County be hereby commended on the occasion of the centennial anniversary of the Virginia Bankers Association.

IN RE: RESOLUTION -- SCHOOL BOND ISSUE

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", the following resolution is adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia (the "Board"), has determined that Dinwiddie County (the "County") has an

immediate need for certain vehicles, equipment and other personal property (the "Property") and to construct certain improvements and repairs to real property owned by the County and/or the School Board of the County (the "Improvements"); and

WHEREAS, there has been presented to the Board a plan for lease financing of the acquisition, installation and construction of the Property and Improvements which would not create debt of the County for purposes of the Virginia Constitution; and

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia:

1. The following plan for financing the acquisition, installation and construction of the Property and Improvements for the County as described in the preambles above is hereby approved. The Authority will be requested to issue its lease revenue bonds in the maximum amount of \$495,000 (the "Bonds") and to use the proceeds therefrom to finance the acquisition, installation and construction of the Property and Improvements. The obligation of the Authority to pay principal and interest on the Bonds will be limited to rent payments received from the County. The obligation of the County to pay rent will be subject to the Board making annual appropriations for such purpose.

2. The Board has requested and received proposals from an underwriter to purchase the Bonds from the Authority and make a public offering of the Bonds. On the basis of such proposals, The Board has selected CKC Capital Markets, a Division of Carter Kaplan & Company as underwriter (the "Underwriter") for the Bonds, and the Authority is hereby requested to designate it as such.

3. The Chair or Vice-Chair of the Board, the County Administrator, and the County Treasurer and all other officers of the County are hereby authorized and directed to work with representatives of the Authority, the County Attorney, Bond Counsel, and CKC Capital Markets, a Division of Carter Kaplan & Company as the Underwriter to perform all services and prepare all documentation necessary to bring the Bonds to market.

4. This resolution shall take effect immediately.

IN RE: RESOLUTION -- VDOT DEPARTMENT'S TRAFFIC COUNT

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", the following resolution is adopted:

WHEREAS, the Virginia Department of Transportation is considering changes in the Department's Funding Formula; and

WHEREAS, these proposed changes appear to be detrimental to Dinwiddie County and rural Southside Virginia; and

WHEREAS, these proposed changes provide for formula changes based on population and mass transportation needs; and

WHEREAS, the unpaved road formula is proposed to increase from the current fifty (50) vehicles per day to one hundred (100) vehicles per day to qualify for pavement.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia opposes the formula changes based on population, and objects highly to the proposed changes in qualification requirements for unpaved roads; and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia respectfully requests that the Virginia Department of Transportation leave the unpaved road formula as it currently is; and

BE IT STILL FURTHER RESOLVED, that the Clerk to the Board of Supervisors is directed to forward a copy of this resolution to other affected Counties in Southside Virginia and request their support on these issues.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator told the Board he wanted them to be aware of these two meeting dates: 1) Department of Planning Budget - January 11, 1994 at 1:00 P.M. at the Richmond Marriott 2) January 17, 1994 at 2:00 P.M. - State Budget Hearing in the General Assembly Building.

2. The Assistant County Administrator informed the Board that there were some appointments needed for the month of January and February.

3. The Assistant County Administrator stated that as a result of the election of the Chair and Vice-Chair tonight as a matter of convenience if someone else could be designated to sign checks for the staff when the Chair and Vice-Chair are not accessible due to their location.

Upon motion of Mr. Haraway, seconded by Mr. Bracey, Mr. Moody, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", Mr. Clay "abstained", Mr. Aubrey Clay was authorized to sign documents in the absence of the Chair and Vice-Chair.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Bracey stated he would like to see the Board adopt the "Roberts Rules of Order" this year.

Mr. Bracey also asked where the County was as far as completing the Comprehensive Plan for the County and the Subdivision Plan.

He stated there was some land on Rt. 226 the County needed to deal with.

The Chair stated that these were some very important issues but she felt the Board needed to be fresh to deal with these issues.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Haraway, seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) (1) Personnel; Section 2.1-344(a) (6) Investment of Funds; Section 2.1-344(a) (7) Legal, Section 2.1-344(a) and (3) Acquisition of Real Property, the Board moved into Executive Session at 9:27 p.m. A vote having been made and approved, the meeting reconvened into Open session at 11:21 p.m.

IN RE: CERTIFICATION OF EXECUTIVE MEETING

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, 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: DINWIDDIE COUNTY VOLUNTEER RESCUE SQUAD -- POLICY

Upon motion of Mr. Moody, seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", the following policy was adopted for the paid personnel:

1. The Rescue Squad will provide a time clock for paid employees in order to keep accurate records of hours worked by each individual.

2. The Rescue Squad will provide a written handbook to each paid person that outlines their responsibilities, discipline process, etc. If the Board wishes to review this handbook prior to implementation, the Squad will provide them with a copy for their comments and input. This handbook will also be approved by the Rescue Squad Board of Directors and the members of the squad.

3. Per the original agreement with the Board, the Captain and Operations Officer will continue to schedule all paid and volunteer personnel. By honoring this original agreement, the County will immediately receive a savings of 50¢ per hour as one of the paid personnel was given a raise to schedule the paid personnel during the Squad's previous Captain's absence.

4. The Rescue Squad will provide monthly written reports to the County Administrator updating him of the activities of both the paid and volunteer members. The Rescue Squad will provide detailed, written recommendations regarding the need for hiring/firing of paid personnel.

5. The Rescue Squad will provide 24-hour access to the appropriate officers to the paid personnel, as well as the County Administrator.

6. The Rescue Squad will provide (at their expense) all training, uniforms, and necessary equipment in order to facilitate adequate coverage and quality emergency care to the citizens of the County.

7. The Rescue Squad will increase our efforts to find daytime drivers for the paid personnel, saving the County thousands of dollars by scheduling only one paid BLS provider. The Rescue Squad will also increase their efforts in providing volunteer EMTs, saving the County even more money while providing ALS coverage.

IN RE: RESOLUTION -- DINWIDDIE COUNTY WATER AUTHORITY
REFINANCING 1990 BONDS ISSUE

Upon motion of Mr. Moody, seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", the following resolution is adopted:

WHEREAS, the Board of Supervisors (the "Board of Supervisors") of Dinwiddie County, Virginia (the "County"), entered into a Support Agreement dated as of March 1, 1990 (the "Support Agreement"), with Dinwiddie County Water Authority (the "Authority"), and Crestar Bank, as Trustee under an Agreement of Trust dated as of March 1, 1990, with the Authority securing the Authority's Water and Sewer Revenue Bonds, Series of 1990A and 1990B, in the original principal amount of \$4,000,000 (the "1990 Bonds"); and

WHEREAS, the Authority is making application to Virginia Resources Authority for a loan in the amount of approximately \$4,580,000 to finance the costs of refunding the balance of the 1990 Bonds and undertaking additional water and sewer improvements discussed with the Board of Supervisors; and

WHEREAS, the loan by Virginia Resource Authority will be conditioned upon the Board of supervisors making appropriations for payment of debt service on bonds of the Authority;

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that the Board of Supervisors authorizes the Authority to make application to Virginia Resources Authority for a loan of approximately \$4,580,000 to finance costs of refunding the 1990 Bonds and undertaking additional water and sewer improvements; provided, however, the Authority is directed to include the County Administrator and County Attorney in any negotiations or discussions relating to such application and potential financing and all distributions of loan and

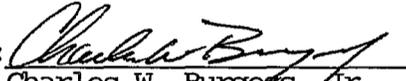
financing documents and the terms and conditions of the loan and the loan documents shall be subject to the approval of the Board of Supervisors.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", the meeting adjourned at 12:30 A.M. to be continued until January 19, 1994 at 12:30 P.M., at the Pamplin Administration Building for a workshop session with the Virginia Department of Transportation.



LeeNora Everett
Chair, Board of Supervisors

ATTEST: 
Charles W. Burgess, Jr.
County Administrator