

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 5TH DAY OF JULY, 1995, AT 7:30 P.M.

PRESENT: DONALD L. HARAWAY, CHAIR ELECTION DISTRICT #2
AUBREY S. CLAY, VICE-CHAIR ELECTION DISTRICT #5
HARRISON A. MOODY (ABSENT) ELECTION DISTRICT #1
EDWARD A. BRACEY, JR. ELECTION DISTRICT #4
LEENORA EVERETT ELECTION DISTRICT #3
RUDOLPH BUMGARDNER COUNTY ATTORNEY

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the June 21, 1995 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Clay, Mr. Haraway 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 check #34494 - 34596 (void #34493) for Payroll in the amount of \$272,244.02; check #34598 - 34757 (void #34597) for General Fund \$109,365.84, E911 Fund \$505.50, Self Insurance Fund \$2,899.09, CDBG Fund \$15,167.00, Law Library Fund \$106.31, Fire Programs/EMS \$1,328.13, Courthouse Maintenance \$41,731.80, and Jail Commission \$604.80 for a total of \$171,708.47.

IN RE: RESOLUTION OF APPRECIATION -- ROBERT J. FERRELL

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Clay, Mr. Haraway voting "aye", the following resolution of appreciation was adopted:

WHEREAS, Robert J. Ferrell has served the Department of Transportation as a Maintenance Superintendent at the Dinwiddie Area Headquarters with distinction and integrity for more than thirty-seven years; and

WHEREAS, the Board of Supervisors on this 5th day of July, 1995, is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW, THEREFORE BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Robert J. Ferrell for his many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be delivered to Robert J. Ferrell, and a copy spread upon the minutes of the meeting.

IN RE: RESOLUTION OF APPRECIATION -- RUSSELL M. ECHOLS

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Clay, Mr. Haraway voting "aye", the following resolution of appreciation was adopted:

WHEREAS, Russell M. Echols has served the Department of Transportation as a Maintenance Superintendent at the Church Road Area Headquarters with distinction and integrity for twenty-six years; and

WHEREAS, the Board of Supervisors on this 5th day of July, 1995, is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW, THEREFORE BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Russell M. Echols for his many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be delivered to Russell M. Echols, and a copy spread upon the minutes of the meeting.

IN RE: RESOLUTION OF APPRECIATION -- DAVID A. SPIERS

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Clay, Mr. Haraway voting "aye", the following resolution of appreciation was adopted:

WHEREAS, David A. Spiers has served the Department of Transportation as a Senior Construction Inspector at the Petersburg Residency with distinction and integrity for more than thirty-two years; and

WHEREAS, the Board of Supervisors on this 5th day of July, 1995, is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW, THEREFORE BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia, hereby commends David A. Spiers for his many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be delivered to Davis A. Spiers, and a copy spread upon the minutes of the meeting.

IN RE: RESOLUTION OF RECOGNITION -- WAYNE D. P. KNOX

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

WHEREAS, Wayne D. P. Knox has served the County of Dinwiddie with distinction and integrity from February, 1993 until May, 1995; and

WHEREAS, the Board of Supervisors on this 5th day of July, 1995, is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Wayne D. P. Knox for his many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be delivered to Wayne D. P. Knox, and a copy spread upon the minutes of the meeting.

IN RE: PUBLIC HEARING -- SV-95-1 -- DAN STREET -- WEST PETERSBURG

This being the time and place as advertised in the Dinwiddie Monitor Newspaper on June 21, 1995 and June 28, 1995 for the Board of Supervisors of Dinwiddie County, Virginia to consider adopting an ordinance to vacate a portion of the undeveloped street known as Dan Street from its intersection with Surry Avenue to its northern terminus.

The Street vacation is needed as the existence of the street hinders the placement of new dwellings on Greenville Avenue. The placement of the new dwellings on Greenville Avenue is part of the Community Development Block Grant (CDBG) program.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that a portion of Dan Street is hereby declared a vacant street, shown on Tax Map 21A, Plat Book 2, Pages 6 and 19, as part of the West Petersburg Plat; situated between Lots #128 and #129 and along lots #333 and #334 from its intersection with Surry Avenue to its northern terminus, with Lots #1 and #10 of the resubdivision of Lots 314 to 353 receiving a portion of the land constituting Dan Street and Lots #128 and #129, each receiving fifty (50) percent of the remainder of Dan Street.

IN RE: PUBLIC HEARING -- P-95-1 -- DONALD & RAYMOND HENSHAW

This being the time and place as advertised in the Progress-Index on June 21, 1995 and June 28, 1995 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing to consider a conditional rezoning per Section 22-23 and 22-24 of the Dinwiddie Zoning Ordinance for the purpose of creating a residential development. The request is to rezone Tax Parcels 8-20, 21, 22, and 23 situated off of State Route 601 at the intersection of Route 632, from A-2, Agricultural General District to R-1A, Residential Limited District.

Mr. Charles W. Burgess, Jr., Interim Planning Director, read the following proffers that were submitted by the applicants:

1. Thirty-five (35) feet from the center of River Road and Olgers Road will be dedicated free and unrestricted to the County of Dinwiddie for right of way. This shall be dedicated either at the time that lots adjacent to these roads are recorded or when the County needs the right of way for road improvement.

2. All lots shall have selective cutting of timber.

3. A thirty (30) foot buffer shall be maintained adjacent to the wetlands that are immediately contiguous to the creek running through the property from south to north. No disturbance of vegetation shall be allowed within this buffer except for the removal of dead, diseased or dying trees and installation of utilities to serve this project. This shall be noted on all subdivision plats.

4. Instead of the tar and gravel roads required by the Subdivision Ordinance, the developer will pave all interior roads with one and one half (1 1/2) inches of bituminous asphalt.

5. All new site utilities shall be placed underground.

6. The developer will submit plans for storm water management that will be equal to or more effective than the curb and gutter required by the Ordinance. The developer will also agree to pay for an independent review of the plans to verify this.

7. The entire property will be developed as a single family residential subdivision.

8. The minimum lot size will be increased from 15,000 to 20,000 square feet.

9. Public Water and public sewer will be provided to each residential lot at the developer's cost.

Mr. Burgess stated that the Planning Commission approved the applicants request subject to the following conditions:

1. Provisions be made for the widening of Routes 601 and 632, per VDOT specifications.
2. Utility improvements are the developer's responsibility.
3. That there be selective cutting of the trees (no less than 22 trees per acre).
4. Before curb and gutter would be waived, there must be extensive discussion with the Board of Supervisors to present supporting evidence which supports the use of an open

ditch system in lieu of a curb and gutter system.

Mr. Burgess brought to the Board's attention a letter from the Dinwiddie County Water Authority signed by A. J. Eubank as Director of the Water Authority, stating that the flow from this proposed subdivision may or may not be accepted by the Waste Water Treatment Plant in the City of Petersburg. Mr. Burgess stated that this letter raises the question "can you actually approve a subdivision when you do not know that the sewer system would actually be serviced by your only waste water treatment service available."

Mr. Burgess showed the Board a petition signed by sixteen citizens who reside on Route 632 in the County and oppose of the property being rezoned.

This being a public hearing, the Chairman opened the floor for public comment:

1. Anne Scarborough, P.O. Box 415, Dinwiddie, VA. Came before the Board and wanted to know if the County has an impact study on file. She has been very concerned about that for a number of years. She thinks that the County should have one on file when the County gets into something that is sizeable. She is also concerned about a subdivision this size. What will it do to the Recreation Facilities and Schools in the County?

Mr. Haraway stated that the County does not have an impact study on file.

2. Lawrence Brooks, 4706 Olgers Road, Sutherland, VA. He stated that he was a resident of Route 632 and he was asked by the residents of Route 632 to speak on their behalf. He asked if there was a plan to widen Route 632.

Mr. Burgess stated that it was offered as a proffer if the right-of-way would be provided by the Virginia Department of Transportation, if needed.

Mr. Brooks stated that he and the citizens that he was representing feel that they have enough burden from the subdivisions in that area, as far as traffic goes. He also wanted to know what the impact would be on the school system and the Waste Water Treatment Plant.

Leonard Ponder came before the Board and stated that he was representing the applicants. He stated that the site was very attractive to new people coming into the County for various reasons. It would bring in new revenue for the County. He took some pictures of some other subdivisions that do not have curb and gutter, they have curb side ditches. He feels that this particular site has the proper topography for curb side ditches. He stated that the projected cost of the houses in this subdivision will be around \$100,000 and it will take about 10 years to develop. He also stated that in response to Mrs. Scarborough's question about an impact study, the Code as it is now does not require an impact study to be done.

Mr. Collins, Charles Townes & Associates, came before the Board and stated that he was the Engineer on the project. He stated that curb and gutter is very expensive opposed to road side ditches. He also stated that road side ditches are better for the environment.

Mr. Bracey stated that he understands Mr. Collins explanation about the ditches and agrees with him.

Mrs. Everett stated that she has some concerns over where the sewage will go.

Mr. Collins stated that the developer will submit plans to the County and the State. The State requires, regardless of the project, that the capacity be available for that particular project. If that capacity is not available that project will not proceed.

Mr. Burgess recommended the waiver of curb and gutter be deferred to the Planning Commission.

Mr. Bracey hopes that this will be passed because nothing can be built until after the water problems are addressed.

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

In order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that tax map parcels 8-20, 21, 22, and 23 of the Dinwiddie County Zoning Maps, are amended by changing the district classification from A-2, Agricultural, General to R-1A, Residential, limited, contingent upon the following proffers:

1. Thirty-five (35) feet from the center of River Road and Olgers Road will be dedicated free and unrestricted to the County of Dinwiddie for right of way. This shall be dedicated either at the time that lots adjacent to these roads are recorded or when the County needs the right of way for road improvement.
2. All lots shall have selective cutting of timber.
3. A thirty (30) foot buffer shall be maintained adjacent to the wetlands that are immediately contiguous to the creek running through the property from south to north. No disturbance of vegetation shall be allowed within this buffer except for the removal of dead, diseased or dying trees and installation of utilities to serve this project. This shall be noted on all subdivision plats.
4. Instead of the tar and gravel roads required by the Subdivision Ordinance, the developer will pave all interior roads with on and one half (1 1/2) inches of bituminous asphalt.
5. All new site utilities shall be placed underground.
6. The developer will submit plans for storm water management that will be equal to or more effective than the curb and gutter required by the Ordinance. The developer will also agree to pay for an independent review of the plans to verify this.
7. The entire property will be developed as a single family residential subdivision.
8. The minimum lot size will be increased from 15,000 to 20,000 square feet.
9. Public Water and public sewer will be provided to each residential lot at the developer's cost; and

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the waiver of the curb and gutter requirements be deferred to the Planning Commission.

IN RE: RESOLUTION -- LAND HOLDINGS BY A BENEVOLENT
ORGANIZATION -- ROCKY RUN

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everette, Mr. Bracey, Mr. Clay, Mr. Haraway voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, in accordance with Section 19-4 of the Dinwiddie County Code, Rocky Run Ruritan Club is authorized to take and hold a quantity of real estate in the County not exceeding ten (10) acres at any one time.

Extract

IN RE: CITIZEN COMMENTS

1. Robert Ragsdale, 8511 Boydton Plank Road, Petersburg, VA. He came before the Board and asked them to delay voting on a firm for the upcoming General Reassessment. He feels that action should be taken by the Board that will be elected this November.

Mr. Ragsdale also recommended that Brown Brothers Roofing be awarded the bid for the new roof on the Pamplin Administration Building. He feels that the bid should go to a firm here in the County.

IN RE: AMENDMENTS TO BUDGET -- FY 96

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following amendments to the FY 96 budget are approved:

AMENDED BUDGET - FY 96

	TOTAL	STATE	LOCAL	SOURCE
Com. Rev.	1187	594	594 (1/2)	CR Budget
Treas.	1303	652	652 (1/2)	TR Budget
Com. Atty	<u>1354</u> 3844	<u>1354</u> 2600	<u>1246</u> (absorbed in existing budgets)	State
	54700			- budgeted for Juvenile Detention Home
Juv. Det.	- <u>25000</u>		25000	County
	29700 Balance to be used as follows:			
Zoning	5745		5745	County
Planner	5863		5863	County
Bd of Supv	18,092		18,092	County
EMS	43245		43245 (reappropriated from FY 95 budget)	
Fire Prog. Fund	744.50	744.50		State (grant)
Early Retirement	0	Balance		
Capital Projects	165,000			

Extracts

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer set up a County Construction Fund and is authorized to make transfers from the General Fund to this Fund as needed for the Courthouse Construction, to be reimbursed from the interim financing; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Treasurer transfer \$64,010 (designated for Vehicles in the General Fund) to the Capital Projects fund, retroactive to June 30, 1995; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer transfer \$448.47 from the General Fund to the Law Library Fund, retroactive to June 30, 1995 to balance; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer appropriate an additional \$7,565 to the Capital Projects Fund for the Ford Fire truck.

IN RE: APPROPRIATIONS RESOLUTIONS -- 1995-96

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

Whereas, the final 1995-96 budget has been adopted by the Board of Supervisors; and

Whereas, in order for the various departments and agencies to make expenditures within this budget, an appropriation of funds must be authorized by the Board of Supervisors; and

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the total General Fund budget in the amount of \$14,090,142 will be appropriated on a monthly basis as claims are approved; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Law Library Fund in the amount of \$3,500; the School Textbook Fund in the amount of \$342,020; Va. Public Assistance Fund in the amount of \$1,612,969; E911 Fund in the amount of \$41,481; Self Insurance Fund in the amount of \$275,000; OYCS Fund in the amount of \$54,160; General Capital Fund in the amount of \$165,000; Fire Programs Fund in the amount of \$28,744.50; CSA Fund in the amount of \$528,792; Jail Phone Commission Fund in the amount of \$16,500; Courthouse Maintenance Fund in the amount of \$18,000 be appropriated beginning July 1, 1995; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board budget be appropriated by category as follows, beginning July 1, 1995:

Instruction	\$14,754,812
Administration, Attendance & Health	\$ 581,310
Pupil Transportation	\$ 1,305,154
Operation & Maintenance	\$ 1,952,476
School Food Service	\$ 921,026
Facilities	\$ 0
Debt Service	\$ 973,017

IN RE: COURTHOUSE PROPERTY -- ASBESTOS & ENVIRONMENTAL TESTING

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that at the last Board meeting, there was a discussion over testing for soil contamination and lead paint testing at the Hargrave site. The Architect is recommending that the tests be done because the State does require testing to be done for asbestos. Also, if there are soil contaminants or lead paint found after the purchase of the property, the County will be responsible for their proper removal.

Mr. Bracey stated that there was no way around the tests, but he did not understand why the County was responsible for having to pay for them to be done.

Mr. Haraway stated that he could not vote in favor of it because he felt that the project might not materialize because of the legal issues and he was not going to waste the County's money.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Clay voting "aye", Mr. Haraway voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the fee proposal submitted by Hankins/Anderson, Inc., to do Asbestos Testing, Lead Paint Testing and Site Environmental Inspection of the Hargrave Property for the New Courthouse is approved at a cost of \$1300.

IN RE: GENERAL REASSESSMENT -- AWARD OF CONTRACT

Rudolph Bungardner, County Attorney, requested that the Board approve the contract submitted by Wingate Appraisal Service for the upcoming General Reassessment subject to review by the County Administrator and County Attorney.

Mr. Haraway stated that he felt that the Board needed to go ahead and make a decision on the Company that was going to do the General Reassessment. He understood it needed to begin now to be completed by January of 1997.

Mr. Clay felt that Wingate Appraisal Service was a good firm compared to the several firms that were interviewed and he hoped this General Reassessment would be different from all of the rest.

Mr. Bracey stated that he couldn't vote for Wingate because he felt that there was a better firm that could do the job.

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Haraway voting "aye", Mr. Bracey voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the contract submitted by Wingate Appraisal Service for the upcoming General Reassessment be approved subject to review and approval by the County Administrator and County Attorney.

IN RE: AUTHORIZATION TO ADVERTISE PUBLIC HEARING --
JR. FIREFIGHTER ORDINANCE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise for public hearing an ordinance to provide for Volunteer Junior Firefighter Programs in the County.

IN RE: AUTHORIZATION TO ADVERTISE PUBLIC HEARING -- ACTION TO
RESCIND ORDINANCE -- BOARD SALARIES

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

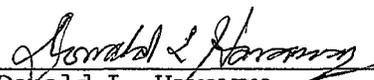
BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise for a public hearing concerning rescinding the ordinance that set the Board of Supervisors Salaries in 1992.

IN RE: COUNTY ADMINISTRATOR COMMENTS

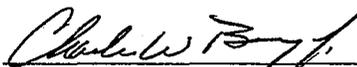
Mr. Charles W. Burgess stated that Congressmen Sisisky met with the Fort Pickett support group and did not have any plans for the future of Fort Pickett. He also stated that the group will continue with one elected official to represent six localities.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 9:10 P.M.



Donald L. Haraway
Chair, Board of Supervisors

ATTEST: 

Charles W. Burgess, Jr.
County Administrator

/rle