

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 20TH DAY OF SEPTEMBER, 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	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	LEENORA EVERETT	ELECTION DISTRICT #3
	DUTCH BUMGARDNER	COUNTY ATTORNEY

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IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the agenda was amended as follows:

- Add, 13. Executive Session
- (a) Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body.
  - (b) Section 2.1-344(a) 3-Acquisition or use of real property for public purpose.
  - (c) Section 2.1-344(a) 5-Discussion concerning a prospective business or industry.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the September 6, 1995 Continuation Meeting and the minutes for the September 6, 1995 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mr. Haraway questioned a payment to Victor Products Corp. for repairs to the new ice machine in the Concession Stand. He felt that the machine was new enough that the warranty should still be in effect to cover any repairs that may be needed. He suggested holding the check until it could be looked into.

Mrs. Everett questioned a payment to Ritz Camera for repairs on a camera. She thought that it was a surveillance camera and felt that there should also be a warranty on it. She also wanted to hold this check until it could be looked into.

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, 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 checks (void #35600) #35601 - #35727 (check #35728 was not approved pending an investigation) #35729 - #35754 (check #35755 was not approved pending an investigation) #35756 - #35784 for General Fund \$143,405.83, Self Insurance Fund \$5,923.58, CDBG Fund \$112,770.70, E911 Fund \$2,009.47, Law Library \$83.33, Fire Programs/EMS \$5,025.00 for a total of \$269,217.91.

IN RE: CONVEYANCE OF TOT LOT TO WEST PETERSBURG & VICINITY AWARENESS, INC.

This being the time and place as advertised in the Dinwiddie Monitor on September 6, 1995 and September 13, 1995, for the Board of Supervisors to conduct a public hearing for the purpose of passing a resolution concerning the disposal and conveyance of the County's



ownership interest in real property known as Lots 546 and 547, West Petersburg Subdivision, Rohoic District, Dinwiddie County, located on Brunswick Avenue to the east of Potomac Street. The real property is to be conveyed to West Petersburg Vicinity Awareness, Inc. ("WPVA").

Wendy Weber Ralph, Ass't County Administrator, came before the Board and stated that Reverend Peter Jeffrey was as at the meeting representing WPVA and he would be available to answer any of the Board's questions. She stated that the purpose of the public hearing was to receive public comment on transfer of the ownership of the property. After the tot lot is constructed, ownership would be conveyed to West Petersburg Vicinity Awareness, Inc. so that they may maintain the property and the equipment.

Mrs. Everett stated that her only concern was about the insurance liability.

Reverend Peter Jeffrey came before the Board and stated that they currently had a \$1,000,000 general liability coverage on the organization. He also stated that they are still exploring whether or not there are any more insurance needs. If the Board wished they could secure more.

After some discussion between the Board they decided to add in the resolution that will be adopted; that Dinwiddie County will be named as "additional insured" and that WPVA will maintain adequate amounts of insurance.

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

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that it being in the best interests of Dinwiddie County so to do, the Board of Supervisors of the County (the "Board"), following a duly noticed and called public hearing this 20th day of September, 1995, hereby approves the conveyance of Lots 546 and 547 situated on Greensville Avenue, West Petersburg Subdivision, Rohoic District, Dinwiddie County, Virginia, to West Petersburg Vicinity Awareness, Inc. ("WPVA") to be used by it for a children's playground; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Supervisors of Dinwiddie County, Virginia, that the instrument of conveyance shall provide that WPVA, its successors and assigns, shall maintain the property and any playground equipment thereon and other improvements thereto in reasonable condition and repair at its sole expense; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County shall enter into an agreement with WPVA providing that WPVA will maintain at its sole expense, including the cutting of grass and trimming of other vegetation thereon, all property acquired by the County pursuant to Community Improvement Grant No. 92-20, and WPVA shall agree to indemnify and hold harmless the County of Dinwiddie from any and all claims by maintaining adequate insurance coverage or otherwise until such time as such property has been conveyed by the County or WPVA, as applicable, to a grantee or grantees qualifying under the terms of such Community Improvement Grant; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Chairman and Vice-Chairman of the Board, acting individually or together are hereby authorized and directed to execute and deliver such deeds, instruments, agreements and other papers as they in their sole and absolute discretion deem necessary or desirable in order to carry out the purposes and effects of these resolutions, including without limitation, the deed attached hereto as Exhibit A, with such changes or modification to such deeds, instruments, agreements and papers as they deem advisable, in their sole and absolute discretion, the exercise of which discretion shall be conclusively evidenced by their signature thereto.

EXTRACT

IN RE: CONVEYANCE OF EASEMENT TO LEBANON UNITED METHODIST CHURCH

This being the time and place as advertised in the Dinwiddie Monitor on September 6, 1995 and September 13, 1995, for the Board of Supervisors to conduct a public hearing for the purpose of passing a resolution concerning the disposal and conveyance of certain interests in real property, specifically nonexclusive easements, which real property is owned by Dinwiddie County and located in an area around the Lebanon United Methodist Church building and an area between the Lebanon United Methodist Church building and the Dinwiddie County Courthouse. These areas are located approximately to the southeast of the intersection of Route 1 and Courthouse Road in Dinwiddie County. The easement interests are to be conveyed to Lebanon United Methodist Church for parking, access and church building purposes, and to grant rights for the use of drinking water from a well owned by Dinwiddie County.

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

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that it being in the best interests of Dinwiddie County so to do, the Board of Supervisors of the County (the "Board"), following a duly noticed and called public hearing this 20th day of September, 1995, hereby approves the conveyance of an easement (the "Easement") to the Lebanon United Methodist Church (the "Church") (a) permitting the Church's existing structure to encroach on the Property (as hereafter defined) for so long as the encroaching portions of the structure continue to exist and (b) for the limited use of certain property owned by the County (the "Property") and adjacent to property owned by the Church for the purpose of parking during Church functions and for ingress to and egress from such parking lot, as well as a limited right to use the County's well located near the Church for water for Church functions, the rights granted under the Easement to continue only for so long as a parking lot and well continue to exist on the Property; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that such Easement shall be subject to the following conditions:

1. It shall be transferable to another church only and run with the land;
2. The Church, at its sole expense, shall provide a plat of survey in recordable form depicting the location of the parking lot, the well and the Church's property for the purpose of describing the Easement and attaching to the instrument of conveyance;
3. The Church will reimburse the County for its out of pocket expenses, including legal fees, in connection with the preparation and conveyance of the Easement;
4. The County shall have no duty or obligation to maintain, repair or replace the parking lot or the well or to continue the existence of either, and the Church shall have the rights granted in the Easement only so long as the County owns the Property, the parking lot continues in existence as a public parking lot and the County elects to maintain the well for its use;
5. The Church shall not charge any fees for the use of the parking lot or the water from the well by its members, parishioners, guests, invitees or any other person or entity; and
6. All rights hereunder shall be limited to the use by the Church of the Property for Church purposes.

Extract

7. The Church shall indemnify, defend and hold the County harmless from and against any and all claims, demands, actions, causes of action, suits and damages (whether direct, indirect, incidental or consequential), including its attorney's fees, resulting from the use of the Property, the parking lot, the well, the water from the well, or any other right granted in the Easement, by the Church, its members, parishioners, guests and invitees; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Chairman and Vice-Chairman of the Board, acting individually or together are hereby authorized and directed to execute and deliver such deeds, instruments, agreements and other papers as they in their sole and absolute discretion deem necessary or desirable in order to carry out the purposes and effects of these resolutions.

IN RE: P-95-5 -- NEAL JOHNSON -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on September 6, 1995 and September 13, 1995, for the Board of Supervisors to conduct a public hearing to consider rezoning a 2.36 acre portion of Tax Parcel 21-98 from Agricultural, General, A-2 to Business, General, B-2. The property is located at the intersection of Blue Tartan Road and Frontage Road near Route 1.

W.C. Scheid, Director of Planning stated that the applicant is seeking a rezoning of this parcel in order to construct a building to house a machine shop for rebuilding and reconditioning engines. The property is located in the Northeast portion of the County. This case was heard by the Planning Commission at their August 23, 1995 meeting. It is their recommendation to the Board of Supervisors that this request be granted if the applicant is willing to proffer the following conditions:

1. All of the work associated with the rebuilding and reconditioning of engines will be conducted within the building to be constructed;
2. There will not be any storage of vehicles, operative or inoperative, on the premises other than employee vehicles;
3. The use shall front on Frontage Road;
4. Ingress and egress shall be from Frontage Road, only; and
5. A 15 foot buffering strip consisting of suitable vegetation approved by the Planning Department shall be planted along the southeast portion of the property.

Mr. Scheid presented the following proffers that were made by the applicant:

1. Any building constructed on the parcel would have to front Frontage Road, #F081.
2. All access to any building would be from Frontage Road, #F081, and not from Blue Tartan Road.
3. All work performed on the lot would be performed inside the building to be constructed on the lot.
4. No inoperable motor vehicles are to be placed or kept on the lot.
5. A buffer zone of 15 feet in width along the East property line, along Blue Tartan Road is to be left in woods or planted with additional trees as needed.

Mr. Scheid also submitted a request for denial of the rezoning that was signed by 20 citizens.

Mr. Haraway stated that he was concerned about what type of building would be constructed.

Mr. Neal Johnson, Providence Road, Petersburg, VA, came before the Board and presented a picture of the building that would be constructed if his request were approved.

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

1. Bertha Bonner, Frontage Road, Petersburg, VA. She stated that she was a resident in the area of which Mr. Johnson wants to put his business and she is concerned about what type of building would be put there.

She was shown the picture of the proposed building that would be put there.

Mr. Bracey wanted to know what the hours of operation would be.

Mr. Johnson stated that they would be from 8:00 A.M. to 5:00 P.M.

Mr. Bracey wanted that to be a part of the conditions.

Mr. Johnson stated that he would be glad to put that in the conditions but he wanted to clarify that from 8:00 A.M. to 5:00 P.M. they would be open to the public and if they had a lot of work to do they would still be in the shop working after 5:00 P.M. until they were done.

Mr. Bracey stated that Mr. Johnson could work all night as far as he was concerned but there would be no transaction of business after 5:00 P.M.

Mr. Johnson added the following to his list of proffers:

1. Hours of Operation: 8:00 A.M. to 5:00 P.M. Monday through Friday and 8:00 A.M. to 12:00 P.M. on Saturday.

Because of an addition to the applicants proffers the Chairman opened the floor for public comment: No one wanted to speak.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that land parcel 21-98 of the Dinwiddie County Zoning Maps, located at the intersection of Blue Tartan Road and Frontage Road near Route 1, is amended by changing the district classification from Agricultural, General, A-2 to Business, General, B-2, with acceptance of the following proffers submitted by the applicant:

1. Any building constructed on the parcel would have to front Frontage Road, #F081.

2. All access to any building would be from Frontage Road, #F081, and not from Blue Tartan Road.

3. All work performed on the lot would be performed inside the building to be constructed on the lot.

4. No inoperable motor vehicles are to be placed or kept on the lot.

5. A buffer zone of 15 feet in width along the East property line, along Blue Tartan Road is to be left in woods or planted with additional trees as needed.

6. Hours of Operation: 8:00 A.M. to 5:00 P.M. Monday through Friday and 8:00 A.M. to 12:00 P.M. on Saturday.

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

IN RE: P-95-4 -- ROSLYN FARMS CORPORATION -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor of September 6, 1995 and September 13, 1995, for the Board of Supervisors to conduct a public hearing to consider rezoning a portion of Tax Parcel 21-(4)-1 to M-2-C to permit, among other uses, petroleum storage and to review those conditions previously adopted for this parcel in rezoning case P-91-7. The property is located on Weakley Road across from Ingram.

W.C. Scheid, Director of Planning stated that at the August 23, 1995 Planning Commission meeting the Planning Commission reviewed the case. It is their recommendation to the Board of Supervisors that this request be granted if the applicant is willing to proffer the following conditions:

Extract

1. All permitted uses currently permitted in the M-1 zoned district shall be allowed;
2. Only the following permitted use in M-2 will be allowed as identified in Section 22-223 of the Zoning Ordinance.
  - (10) Petroleum storage.
  - (18) Off-street parking as required by this chapter.
  - (19) Public utilities.
  - (27) Governmental Offices.
  - (28) Communication tower with station, with a conditional use permit.
  - (30) Manufacturer's outlet stores in association with on-site manufacturing.
  - (31) Component assembly and product distribution.
  - (32) General and cogeneration of electricity to exclude the burning of municipal solid wastes (MSW) as a source of fuel.
3. A site plan, to include an erosion and sedimentation control plan prepared by an engineer licensed by the Commonwealth of Virginia, shall be submitted to and approved by the Planning Department prior to the issuance of any building or land distributing permits. The site plan shall include pre-construction and as built elevations at a maximum of one-foot contours.
4. A six (6) foot high, cyclone-type fence with barbed wire shall be constructed so as to enclose the entire facility which consists of (1) 30,000 gallon tank with accessories. Said fence shall not be located closer than twenty (25) feet to the property line along State Route 603. The fence shall include at least one fence gate constructed and located to provide access for fire and rescue vehicles. Construction of said fence and gate(s) must be completed prior to the issuance of a Certification of Occupancy. Said gate(s) shall be closed and locked at all times when the facility is not being utilized.
5. A copy of all applicable state and federal permits required for the construction of the facility must be on file with the County prior to the issuance of a (Certificate of Occupancy).
6. Training for local volunteer firefighters shall be provided by the owner of the facility prior to issuance of the certificate of occupancy for the facility.
7. Conversion to coal as a fuel would require approval by the Planning Commission and the Board of Supervisors.
8. Any driveway from Route 603 or U.S. Route 1 will be in compliance with VDOT standards. However, any driveway will also be asphalt or concrete for at least forty-five feet from the edge of the pavement of any state maintained road.
9. The twenty-five (25) foot area between the chain link fence and Route 603 shall be planted with (1) row of 6' evergreens acceptable to the Planning Commission.

Derrick Johnson, J.K. Timmons & Associates, came before the Board and stated that he was representing Roslyn Farms.

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

1. Paul Gaddes from Ingram Book Company, which is right across the street from the referenced site, came before the Board and stated that there company has radio frequency terminals and he is concerned about the proposed propane tanks. He stated that radio frequency waves and petroleum products do not mix. He wanted the Board to delay action until the subject could be looked into.

Mr. Johnson stated that he has no knowledge of any prior problems. He stated that there are several gas stations across the street from Ingram and they have not had any problems.

Mrs. Everett stated that she has concerns about these issues and feels that this should be looked into before a decision is made.

Mr. Clay feels that there have been no prior problems and doesn't see any problems happening now.

Mr. Scheid stated that when this was originally planned for a site in DeWitt, the Safety Director did a very extensive study and nothing to this nature was ever raised.

Oscar Edwards, Rosalyn Farms, stated that he has no concerns.

Upon motion of Mr. Bracey, seconded by Mr. Clay,

Mrs. Everett wanted to know shouldn't the approval of this request be contingent upon these questions about radio frequency waves being looked into.

Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", Mrs. Everett "abstain",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that a portion of land parcel 21-(4)-1 of the Dinwiddie County Zoning Maps, containing 1 acre and more specifically shown by a plat prepared by Timmons dated 6-12-95 entitled Completed Plat Showing Proposed 1.000 AC Parcel to be Created from Existing Parcel 3, fronting on Weakley Road, is amended by changing the district classification from M-2-C (with conditions) to M-2-C with the following conditions proffered by the applicant:

1. All permitted uses currently permitted in the M-1 zoned district shall be allowed;
2. Only the following permitted use in M-2 will be allowed as identified in Section 22-223 of the Zoning Ordinance.
  - (10) Petroleum storage.
  - (18) Off-street parking as required by this chapter.
  - (19) Public utilities.
  - (27) Governmental Offices.
  - (28) Communication tower with station, with a conditional use permit.
  - (30) Manufacturer's outlet stores in association with on-site manufacturing.
  - (31) Component assembly and product distribution.
  - (32) General and cogeneration of electricity to exclude the burning of municipal solid wastes (MSW) as a source of fuel.
3. A site plan, to include an erosion and sedimentation control plan prepared by an engineer licensed by the Commonwealth of Virginia, shall be submitted to and approved by the Planning Department prior to the issuance of any building or land distributing permits. The site plan shall include pre-construction and as built elevations at a maximum of one-foot contours.
4. A six (6) foot high, cyclone-type fence with barbed wire shall be constructed so as to enclose the entire facility which consists of (1) 30,000 gallon tank with accessories. Said fence shall not be located closer than twenty (25) feet to the property line along State Route 603. The fence shall include at least one fence gate constructed and located to provide access for fire and rescue vehicles. Construction of said fence and gate(s) must be completed prior to the issuance of a Certification of Occupancy. Said gate(s) shall be closed and locked at all times when the facility is not being utilized.
5. A copy of all applicable state and federal permits required for the construction of the facility must be on file with the County prior to the issuance of a (Certificate of Occupancy).
6. Training for local volunteer firefighters shall be provided by the owner of the facility prior to issuance of the certificate of occupancy for the facility.
7. Conversion to coal as a fuel would require approval by the Planning Commission and the Board of Supervisors.
8. Any driveway from Route 603 or U.S. Route 1 will be in compliance with VDOT standards. However, any driveway will also be asphalt or concrete for at least forty-five

feet from the edge of the pavement of any state maintained road.

9. The twenty-five (25) foot area between the chain link fence and Route 603 shall be planted with (1) row of 6' evergreens acceptable to the Planning Commission.

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

IN RE: A-95-8 -- MANUFACTURED HOMES -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on September 6, 1995 and September 13, 1995, for the Board of Supervisors to conduct a public hearing to consider the County of Dinwiddie's request for an amendment to various sections of the Zoning Ordinance relating to residential use and placement of manufactured homes on agriculturally zoned parcels in order to conform to Section 15.1-486.4 of the Code of Virginia, 1950, as amended.

Mr. W.C. Scheid stated that the Planning Commission reviewed the emergency Manufactured Home Ordinance passed by the Board of Supervisors at their June 21, 1995 meeting. As a result of the August 23, 1995 Planning Commission meeting, Mr. Scheid reviewed a few additions to the emergency ordinance that were recommended.

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

Mr. Bracey asked if these suggested changes will take care of the ordinance.

Mr. Scheid stated that in the short time that everyone had to look at it; it is the best thing that they have at this point. He stated that he thinks that the Planning Commission feels comfortable with it. He could not say whether or not there would be changes proposed in the future.

Mr. Haraway stated that he hopes that the Planning Commission will do some further studying on the issue and come up with something that will decrease the number of mobile homes coming into the County. He feels like the County has a real problem with the number of mobile homes that have come into the County since July 1st. He doesn't see anything in the ordinance that is going to decrease the number of mobile homes that are coming into the County. He hopes that the Planning Commission will not stop with this ordinance and go back and see what other Counties have done that have had more success in halting the influx of mobile homes into the County.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the following amendments to the Dinwiddie County Code are hereby adopted and the Dinwiddie County Code in all other respects be and hereby is reordained:

Sec. 22-1. Definition.

Foundations, permanent. A foundation that meets one of the following:

- (a) masonry piers and anchoring systems, specified by the manufacturer of the home in the installation instructions, and required and approved in accordance with the Federal Manufactured Housing Construction and Safety Standards;
- (b) concrete foundations or permanent wood foundation systems constructed in compliance with ASNI A225.1 Manufactured Home Installation Standards;
- (c) foundations meeting the requirements of the U. S. Department of Housing and Urban Development Handbook 4930.3, Permanent Foundations Guide for Manufactured Housing;
- (d) foundation systems for manufactured homes over basements; and
- (e) any other foundation system approved as a permanent foundation by the Authority having jurisdiction as outlined in Section 107.1 of the USBC.

Extract

Sec. 22-25. Reserved.

Sec. 22-26. Requirements for Farm Operation Manufactured Homes.

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 any other requirements as may be 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. This paragraph shall not apply to manufactured houses for farm workers employed in farming operations.

(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.

Sec. 22-44. Reserved.

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; and
  - (b) manufactured homes that do not have a permanent foundation and are not on an individual lot.
- (2-26) No change to existing language.
- (27) DELETED.
- (28) Farm operation manufactured home subject to the requirements of Section 22.26.
- (29) DELETED.

Sec. 22-71. Permitted uses.

In agricultural district A-2, 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; and
  - (b) manufactured homes that do not have a permanent foundation and are not on an individual lot.

(2-25) No change to existing language.

(26) Manufactured home park with a conditional use permit in accordance with the special conditions and provisions contained in Section 22.238.

(27-47) No change to existing language.

(48) Farm operation manufactured home subject to the requirements of Section 22.26.

(49-56) No change to existing language.

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 a 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 ventilation.

- (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 manufactured home shall be placed 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 eight-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, Section 17.97; ord. of 12.2.87)

IN RE: AWARD OF CONTRACT FOR DEMOLITION -- WEST PETERSBURG

Mr. W.C. Scheid, Director of Planning came before the Board and stated that there are six sites in West Petersburg that need to be demolished and only one contractor, Herbert A. Phillingane & Son submitted a bid. This demolition work is part of the requirements of the Community Development Block Grant program and funds are provided within the grant.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid submitted by Herbert A. Phillingane & Son is

EXTRACT

accepted to demolish a structure at 25710 Dinwiddie Avenue - Winston in the amount of \$2,000.00 and the County Administrator is authorized to execute the necessary contract.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from Herbert A. Phillingane & Son is accepted to demolish a structure at 25614 Greensville Avenue - Beloate in the amount of \$500.00 and the County Administrator is authorized to execute the necessary contract.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from Herbert A. Phillingane & Son is accepted to demolish a structure at 25505 Greensville Avenue - Fenderson in the amount of \$400.00 and the County Administrator is authorized to execute the necessary contract.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from Herbert A. Phillingane & Son is accepted to demolish a structure at 25628 Dinwiddie Avenue - Simmons in the amount of \$1,000.00 and the County Administrator is authorized to execute the necessary contract.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from Herbert A. Phillingane & Son is accepted to demolish a structure at 25705 Nottoway Avenue - Burton in the amount of \$1,700.00 and the County Administrator is authorized to execute the necessary contract.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from Herbert A. Phillingane & Son is accepted to demolish a structure at 25703 Nottoway Avenue - LeLand in the amount of \$1,700.00 and the County Administrator is authorized to execute the necessary contract.

IN RE: AWARD OF BID FOR TOT LOT -- WEST PETERSBURG

Wendy Weber Ralph, Ass't County Administrator came before the Board and stated that the following two bids were received to construct the Tot Lot in West Petersburg:

West Petersburg Vicinity and Awareness	\$12,145.00
Virginia Concrete Construction Co., Inc.	\$24,859.00

Mrs. Weber stated when this was discussed with the Department of Housing & Community Development, the requirements of this bid were that the bidder have a contractor's license. West Petersburg Vicinity and Awareness (WPVA) does not have a contractor's license. In order for them to be able to carry out this project and use the subcontractors that they have listed on their bid, they had to contract with someone who would allow them to use their contractor's license. Calvin Ellington, Ellington Contracting, Inc. has agreed to serve as the contractor of record.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from West Petersburg Vicinity & Awareness be

Extract

accepted to construct the Tot Lot in West Petersburg in the amount of \$12,145.00 and the County Administrator is authorized to execute the necessary contract.

IN RE: ADOPTION OF RESOLUTION -- SUBDIVISION STREET ADDITIONS --  
MANSFIELD SUBDIVISION

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

WHEREAS, Gaydell Drive, Keithwood Drive and Timpam Lane described on form SR-5(A), Proposed Additions to the Secondary System of State Highways, fully incorporated herein by reference, are shown on plats dates 09/09/93 recorded in Deed Book 15, Page 91-92 in the Clerks Office of the Circuit Court of Dinwiddie County, and

WHEREAS, the Resident Engineer for the Department of Transportation has advised the Dinwiddie County Board of Supervisors that Gaydell Drive, Keithwood Drive and Timpam Lane meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, requests the Virginia Department of Transportation to add Gaydell Drive, Keithwood Drive and Timpam Lane described on the Form SR-5(A) to the Secondary System of State Highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills, and drainage, and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Charles W. Burgess, Jr., County Administrator asked the Board for authorization to advertise for the position of Construction Inspector for the Capital Improvements Project. He stated that a copy of the job description was sent to the School Board for their approval and they had "no comment".

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, 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 the position of Construction Inspector for the Capital Improvements Project.

2. Mr. Burgess and the Board discussed available dates to have the joint session between the Planning Commission and the Board to discuss private roads, curb and gutter requirements and an overview of the revisions to the Comprehensive Plan.

IN RE: CLAIM

During claims in the beginning of the meeting the claim that Mrs. Everett questioned was a payment to Ritz Camera for repairs on a camera for the Sheriff's Department. She thought that it was a surveillance camera. Mrs. Ralph, during the meeting, went and pulled the invoice. She stated that the invoice did not specifically say it was for a surveillance camera; she felt that it was a camera assigned to a deputy.

Upon motion of Mrs. Everett, 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 claim was approved and funds appropriated for same using check #35728 for repairs to a camera in the amount of \$64.95.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- CONTINUED

3. Wendy Weber Ralph, Ass't County Administrator, came before the Board and stated that at a previous meeting the Board approved a list of surplus property to be sold at public auction and she got a request after that day from the Sheriff's Department to add a item to that list. The item is a very old Xerox copier that has been replaced and it is nonrepairable.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a Xerox machine from the Sheriff's Department be added to the list of surplus property to be sold at public auction.

IN RE: CDBG PROGRAM -- DOWN PAYMENT ASSISTANCE

Mrs. Wendy Ralph stated that she has two Community Development Block Grant items that need to be discussed before September 30th. The Board will not meet again before the 30th and it requires the writing of checks.

She stated that there were 5 houses to be built; that is why the County bought the property on Greensville Avenue and tore the houses down so that WPVA could construct homes. There was down payment assistance money available for five homes, \$10,000 total, \$2,000 per home. That money is available upon closing. At this point WPVA will hopefully have two houses sitting on the lot by September 30th. The state has told Mrs. Ralph that they would allow \$4,000 to be used, a draw down for those two houses. Reverend Jeffrey would like to pursue that because he has made some commitments to several individuals. That will be between Reverend Jeffrey and the State but Mrs. Ralph felt that it would be wise, if he can convince the State to allow him to use the full \$10,000 that authorization be given to go ahead and write a check from the Block Grant Program and hold it until those houses are ready for distribution of the funds, at closing. At this point it is \$4,000; but if he can convince the state to allow him to use the \$10,000, then she would request that the Administration be allowed to write a check before September 30th and hold it until time of distribution.

Reverend Jeffrey stated that several Dinwiddie County residents have entered into contractual obligations with WPVA to build them a house. Two of the peoples houses will be completed in the next week. The others could not be started because they couldn't get construction loans until they finished with the first two. There have been some problems with the first two and it has delayed the whole project and because they have been delayed the other people who were promised this down payment assistance are at risk of losing it to no fault of their own if the Board does not authorize the signing of these checks.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a check be approved and funds appropriated in an amount up to \$10,000 before September 30, 1995 from CDBG funds to be used for down payment assistance on homes that are to be built by WPVA but held until the houses are ready for closing and distribution of funds.

IN RE: CDBG PROGRAM -- RELOCATION ASSISTANCE

Mrs. Wendy Ralph stated that part of the Community Development Block Grant Program is also relocation assistance. On Greensville Avenue where the houses were torn down to construct new ones there were four people that lived there and they were relocated. As a part of the program you provide relocation assistance; it can be in the form of rental payments if they move into qualified houses or it can be in the form of a

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down payment on a new house. The difficult part comes to the time period that the County is required to hold this money for these individuals and that amount of money is \$80,000.00. It must be held for sixty months; that is the period of time that they are eligible to draw. However, if they do not make a decision in twelve months that they want the assistance then their eligibility ends and that money must be returned to the state. Then there is \$80,000 that cannot be used for Rehabilitation or any other project you have got to hold in case these people want to use it. An escrow account needs to be set up and it needs to be a noninterest bearing account. This also requires that a check be written to such account before September 30th.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer is authorized to establish a CDBG Escrow Account through an agreement with a bank or a separate account in the General Fund; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Attorney is authorized to draft an escrow agreement for execute between a bank and the County of Dinwiddie and the County Administrator is authorized to execute said agreement; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a check be approved and funds appropriated in the amount of \$80,000 from the CDBG Fund by September 30, 1995 to be placed in a noninterest bearing account to be held no longer than 60 months to be available for relocation assistance.

IN RE: BOARD MEMBER COMMENTS

Mrs. Everett talked about how discouraging a Forum was that she and Mrs. McElveen had attended in Richmond which was due to a lot of budget cuts.

She also stated that the Five Forks Reenactment is scheduled for March of 1996 and they are trying to raise money and in doing so they are selling a number of the civil war stamps. She encouraged the citizens to help in their support and purchase some of the things from their fund raisers.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 3-Acquisition or use of real property for public purpose; Section 2.1-344(a) 5-Discussion of a prospective business or industry where no previous announcement was made; the Board moved into Executive Session at 9:35 P.M. A vote having been made and approved the meeting reconvened into Open Session at 10:15 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the following 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;

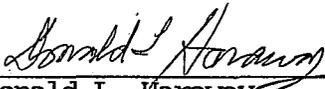
NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each

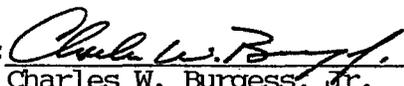
Extract

member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 10:17 p.m.

  
\_\_\_\_\_  
Donald L. Haraway  
Chair, Board of Supervisors

ATTEST:   
Charles W. Burgess, Jr.  
County Administrator

/rle