

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE COUNTY, VIRGINIA, ON THE 4<sup>TH</sup> DAY OF AUGUST, 1999, AT 5:30 P.M.

PRESENT:	LEENORA V. EVERETT, CHAIRMAN	ELECTION DISTRICT #3
	AUBREY S. CLAY, VICE-CHAIRMAN	ELECTION DISTRICT #5
	DONALD L. HARAWAY	ELECTION DISTRICT #2
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	HARRISON A. MOODY	ELECTION DISTRICT #1

OTHER: BEN EMERSON COUNTY ATTORNEY

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**IN RE: CALL TO ORDER**

Ms. LeeNora V. Everett, Chairman, called the continuation meeting to order at 5:30 P.M.

**IN RE: CLOSED SESSION**

Mr. Bracey moved that the Board now close their meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

1. The subject matter to be discussed in closed meeting is Administration; Public Safety; Fire Stations and Schools.
2. The purpose of the closed meeting is Personnel Matters and Investment of Public Funds.
3. The subject and purpose falls within the following exemption(s) under Section 2.1-344A of the Code of Virginia:
  - **Personnel Matters, Section 21.-344A.1 of the Code of Virginia,** candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees)
  - **Investment of Public Funds, § 2.1-344 A. 6 of the Code of Virginia,** (competition or bargaining is involved and public disclosure initially would adversely affect the financial interests of the governing body)

Mr. Haraway seconded the motion. Mr. Moody, Mr. Bracey Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye" the Board moved into the Closed Meeting at 6:00 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:15 P.M.

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**IN RE: CERTIFICATION**

**Whereas,** this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote on the motion to close the meeting to discuss Personnel and Investment of Public Funds for the purpose of Administration; Public Safety; Fire Stations and Schools in accordance with Section 2.1-344 A.1 and Section 2.1-344 A.6 of the Virginia Freedom of Information Act;

**Whereas,** Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such executive meeting was conducted in conformity with Virginia law;



Now, therefore be it resolved that the board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the executive meeting to which this certification applies; and (2) on such public business matters as were identified in the motion by which the executive meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon motion of Mr. Moody, Seconded by Mr. Haraway.

Before a vote is taken on this resolution, is there any member who believes that there was a departure from the requirements of number (1) or Number (2)? If so, identify yourself and state the substance of the matter and why in your judgment it was a departure.

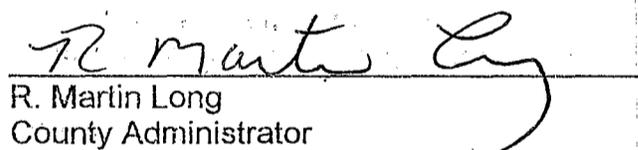
Hearing no statement, Mrs. Everett called the question.

Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett Voting "Aye". This Certification Resolution was adopted.

**IN RE: ADJOURNMENT**

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Clay, Mr. Haraway, Mrs. Everett voting "aye", the meeting adjourned at 7:16 P.M.

  
LeeNora V. Everett  
Chairman

  
R. Martin Long  
County Administrator  
/pam

VIRGINIA: AT THE REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 4<sup>TH</sup> DAY OF AUGUST, 1999, AT 7:30 P.M.

PRESENT: LEENORA V. EVERETT, CHAIRMAN ELECTION DISTRICT #3  
AUBREY S. CLAY, VICE-CHAIRMAN ELECTION DISTRICT #5  
DONALD L. HARAWAY ELECTION DISTRICT #2  
EDWARD A. BRACEY, JR. ELECTION DISTRICT #4  
HARRISON A. MOODY ELECTION DISTRICT #1

OTHER: BEN EMERSON COUNTY ATTORNEY

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**IN RE: INVOCATION – PLEDGE OF ALLEGIANCE – AND CALL TO ORDER**

Mrs. LeeNora V. Everett, Chairman, called the regular meeting to order at 7:30 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

**IN RE: AMENDMENTS TO THE AGENDA**

Mrs. Everett stated that the Board had received in writing from the Dixieland Corporation a request to withdraw Agenda Item Number 9; therefore, would the Board like to remove that item from the Agenda.

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mrs. Everett asked if there was a consensus to accept this change. The Board responded with "Aye".

**IN RE: MINUTES**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the July 21, 1999 Continuation meeting and the July 21, 1999 Regular meeting are hereby approved in their entirety.

**IN RE: CLAIMS**

Mrs. Pamla A. Mann, Administrative Secretary, stated a Claims Supplement had been placed in front of them.

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. 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 numbered 1016169 through 1016379 (void check(s) numbered 1016158; 1016172; [end of box 1016247 through 1016250]; 1015879; 1015994; 1016269; 1016316; 1016342; 1016352; and 1016269); for

	FY 98-99 Dated 8/4/99	FY 99-00 Dated 8/4/99
Accounts Payable:		
(101) General Fund	\$ 98,338.73	53,205.90
(103) Jail Commission	\$ -	339.92

(104) Marketing Fund	\$	-	-
(222) E911 Fund	\$	244.20	368.00
(223) Self Insurance Fund	\$	-	-
(225) Courthouse Maintenance	\$	-	-
(226) Law Library	\$	-	-
(228) Fire Programs & EMS	\$	-	-
(229) Forfeited Asset Sharing	\$	503.03	-
(304) CDBG Grant Fund	\$	13.46	1,416.84
(305) Capital Projects Fund	\$	108,565.80	150.00
(401) County Debt Service	\$	-	-
<b>TOTAL</b>		<b>\$ 207,665.22</b>	<b>55,480.66</b>

**CLAIMS SUPPLEMENT**

**Accounts Payable:**

**FY 98-99**

(101) General Fund	\$3,00,329.00
(103) Jail Commission	\$ -
(104) Marketing Fund	\$ -
(222) E911 Fund	\$ -
(223) Self Insurance Fund	\$ -
(225) Courthouse Maintenance	\$ -
(226) Law Library	\$ -
(228) Fire Programs & EMS	\$ -
(229) Forfeited Asset Sharing	\$ -
(304) CDBG Grant Fund	\$ -
(305) Capital Projects Fund	\$ 1,542.50
(401) County Debt Service	\$ -

**TOTAL \$3,001,871.50**

**PAYROLL (JULY 31, 1999)**

General Fund	\$ 350,183.47
E911 Fund	\$ -
CDBG Grant Fund	\$ 2,840.48
<b>TOTAL</b>	<b>\$ 353,023.95</b>

Mr. Bracey questioned the Deputy vehicle claim and wanted to know from Mrs. Glenice Townsend, Fiscal Officer, if the officer driving was reviewed or charged with the accident.

Mrs. Townsend replied that she did not know what action was taken on behalf of the Sheriff's Department but did know that according to the insurance company it was noted who the driver was at the time of the accident.

Mr. Bracey requested the County Administrator to write a letter to the Sheriff requesting he report on this issue at the August 18<sup>th</sup> meeting.

**IN RE: CITIZEN COMMENTS**

Mrs. Everett asked if there were any citizens signed up to speak.

Mrs. Mann stated no citizens had signed up to speak.

**IN RE: PUBLIC HEARING – E-99-1 – SOUTHSIDE ELECTRIC COOPERATIVE**

This being the time and place as advertised in the Dinwiddie Monitor on July 28, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing for E-99-1, for the purpose of considering an easement request by Southside Electric Cooperative seeking an easement across County property, designated by the Commissioner of the Revenue's Tax Maps as Section 56, Parcel 22. The easement sought is 15' wide running parallel to the 30' public right of way (Route 646) from side property line to side property line.

Mr. R. Martin Long, County Administrator, stated we had a request for a right-of-way easement across a piece of County property located on Glebe Road for the purpose of installing power lines to the property of Joe Lee and Debra J. Johnson.

Mr. William C. "Guy" Scheid, Director of Planning, came forward stating this is fairly straight forward agreement that most citizens sign when power lines are extended up a road. He stated there was a representative from Southside Electric Cooperative present, Mr. Tim Payne.

Mrs. Everett asked Mr. Payne if he wished to address the Board at this time. Mr. Payne declined.

This being a Public Hearing Mrs. Everett asked if there were any citizens signed up to speak on E-99-1. There being none, Mrs. Everett moved forward by closing the Public Hearing.

Upon Motion of Mr. Bracey, Seconded by Mr. Moody, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that E-99-1 is hereby approved and authorization is granted for the County Administrator to sign the right-of-way easement.

**IN RE: PUBLIC HEARING – A-99-9 – ELECTION DISTRICT ONE – CHANGE IN POLLING PRECINCT TO BOTT MEMORIAL PRESBYTERIAN CHURCH**

This being the time and place as advertised in the Dinwiddie Monitor on July 21, 1999 and July 28, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing for P-99-9, for the purpose of considering a proposed amendment to Section 8-3 of the Code of the County of Dinwiddie (Precincts-Names, number and polling places) to provide that the place for the Darvill's Precinct (Precinct Number 101) shall be moved from the Cut Bank Hunt Club, 16106 Old Cryors Road, McKenney, Virginia 23872 to the Bott Memorial Presbyterian Church, 17113 McKenney Avenue, DeWitt, Virginia 23841.

Mr. Long stated to the Chairman that she had before her the information regarding the location of a polling place in District One that was previously located in Darvills and was moved to Cut Bank Hunt Club. Mr. Moody had received petitions requesting the County look at alternate locations for such. The Bott Memorial Presbyterian Church offered the use of their facility and that is what is in front of the Board this evening.

Mr. Bracey asked Mr. Long if his staff had looked into this matter and everything is in order, in line?

Mr. Long replied it was.

Mrs. Everett asked Mr. Long if he, along with Mr. Moody, had surveyed the District.

Mr. Long stated they did ride through the District.

Mrs. Everett stated and you found nothing centrally located.

Mr. Long replied not that was available.

Mrs. Everett opened the Public Hearing for A-99-9.

Mrs. Mann stated she had no citizens signed up to speak.

Mrs. Everett asked if there was any citizen present who wished to speak. There being none Mrs. Everett closed the Public Hearing for A-99-9.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "Aye",

BE IT ORDAINED by the Board of Supervisors of the County of Dinwiddie, Virginia, that A-99-9 – an amendment of the ordinance – Chapter 8, Section 8-3 of the Code of the County of Dinwiddie, Virginia to change the polling place of Precinct 101 of Election District Number 1 from Cut Bank Hunt Club to the Bott Memorial Presbyterian Church be approved to read as follows, and in all other respects be reordained:

WHEREAS, the voting place for Darvills Precinct in Election District Number 1, the Cut Bank Hunt Club was deemed by the citizens of Election District Number 1 to be unsuitable; and

WHEREAS, the Board of Supervisors did properly advertise a Public Hearing which was held at the regular Board Meeting of August 4, 1999 at 7:30 P.M.; and

WHEREAS, it is necessary to change the voting place from the Cut Bank Hunt Club by reason of being an unsuitable location by the citizens.

NOW THEREFORE, BE IT ORDAINED that the polling place for Precinct 101 of Election District Number 1 be changed from the Cut Bank Hunt Club to the Bott Memorial Presbyterian Church, located at 17113 McKenney Avenue, DeWitt, Virginia 23841 and that such change be made to Section 8-3 of the Dinwiddie County Code.

This amendment to the Code of Dinwiddie County shall become effective immediately.

**IN RE: STATEMENT PRIOR TO PUBLIC HEARINGS**

Mr. William C. Scheid, Planning Director, came forward to make the following statement prior to the Public Hearings.

"As previously requested by the Board of Supervisors, Draft copies of the Planning Commission Meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting room. The purpose of doing so is to expedite the hearing process without compromising the public's access to pertinent information. It is noted that the

Board has been given various information on all of the hearing(s) to include, the application, zoning map, adjacent property owner list, locational map(s), proffers (if applicable), soils data, comprehensive land use maps and references, etc. With this information noted, I will proceed with the cases."

**IN RE: PUBLIC HEARING – P-99-3 – REZONING – DIXIELAND CORPORATION**

This being the time and place as advertised in the Dinwiddie Monitor on July 21, 1999 and July 28, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing for P-99-3, for the purpose of a considering an rezoning application submitted by Dixieland Corporation seeking to rezone, with proffers, Tax Parcel 55-23 containing 77.93 acres from Agricultural, General, A-2 to Residential, Conservative, R-R. The property is located on the north and south side of Doyle Road (Route 647) approximately ¼ mile west of Hudgins Road (Route 648). The property is located with a rural conservation area, which recommends an average overall residential density of one (1) dwelling unit per five (5) acres. The current zoning requires a minimum lot size of three (3) acres per dwelling unit. The zoning requested requires a minimum of five (5) acres per dwelling unit.

It was again noted that this request had been withdrawn and would not be heard.

**IN RE: PUBLIC HEARING – C-99-3 – SPRINT PCS – CONDITIONAL USE PERMIT**

This being the time and place as advertised in the Dinwiddie Monitor on July 21, 1999 and July 28, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing for P-99-3, for the purpose of a considering a conditional use permit request submitted by Sprint PCS, on behalf of Kirit T. and Jyoti Mehta, to erect a 250' tall telecommunications tower on property identified as Tax Map 81-2 and is located along Unico Road in the Sapony Magisterial "District. The property is zoned Industrial, Limited M-1 district.

Mr. Scheid came forward stating the applicant, Sprint PCS, is seeking a conditional use permit to construct, operate, and maintain a two hundred fifty (250) foot lattice telecommunications tower, related equipment and improvements for the purpose of mounting wireless telecommunications antennas. The proposed site is located on the east side of Unico Road (Route 748) south of Ashby Road (Route 652) containing 10,000 square feet of leased space. The site is identified as Tax Map 81, Parcel 2 by the Commissioner of the Revenue's Office; is currently zoned Industrial, limited M-1; and is owned by Kirit T. and Jyoti Mehta. The property is currently vacant with young pine trees growing on the site. This area is zoned for light industrial purpose and there are a few industrial buildings located in the area.

Mr. Scheid continued that the Planning Commission reviewed this case at their July 14<sup>th</sup> meeting and voted 5-2, with Mr. Gilbert Wood and Mrs. Lillian Stewart in opposition, to recommend approval to the Board of Supervisors of the conditional use permit with conditions attached. The conditions to be imposed are those found in Section 22-274, General Standards, of the Zoning Ordinance. Additionally, the applicant was directed to respond in writing to the Planning Department on those issues raised in the staff report. The applicant sent a letter dated July 15<sup>th</sup> which addressed all of the issues raised by staff. This letter of commitment on behalf of Sprint PCS outlines specific actions which will become

a part of the conditions if the use permit is issued. He further stated no one appeared in support of or opposition to the request.

Mr. Scheid stated he did have one letter come into the office this morning, from a Margarita Ragsdale who lives at 20414 Boydton Plank Road, McKenney, Virginia, in which she expressed opposition. Mr. Scheid continued that he did try to go by and see the Ragsdale's this afternoon but there was no one home. He stated he had left his card in their door. He stated he had marked off how far their house was from the proposed tower site and it is approximately ¼ miles.

Mr. Scheid stated this concluded his presentation and he would try to address any questions the Board might have.

Mrs. Everett stated in the letter from the Ragsdale's they talk about their residential tract, with residential underlined, but she further stated residential is not the zoning of that land. This land in question is zoned industrial, is that correct?

Mr. Scheid stated that was correct.

Mrs. Everett asked what the Ragsdale's property was zoned.

Mr. Scheid stated their zoning was Agricultural A-2.

Mr. Clay stated this is part of the land that the Board rezoned for the Industrial Park in McKenney.

Mr. Scheid stated that was correct. This was land that is all contained within, what he considered, the McKenney Industrial Park. It is not land that is actually in the town of McKenney. It is where Phillip Morris is located.

Mr. Clay stated where the little boat place is.

Mr. Scheid stated it is on the other side of that closer to Phillip Morris and it is back off the road in the tree line.

Mr. Bracey asked how far this tower was from the hard surface road.

Mr. Scheid asked the Sprint PCS representative if that figure was available?

Mr. Long stated it was 206 feet from the right-of-way of Unico Road.

Mr. Bracey stated this tower – what relationship to the other tower is this tower, "how far are they apart.

Mr. Scheid stated he could only respond in road miles that he mapped off from where Ashby Road intersects Route 1, if you were to head north on Route 1 coming toward Dinwiddie Courthouse, the gravel road that goes into the tower is approximately 2.6 miles. That is not air miles. Obviously if you were to go air miles they would be a little bit closer.

Mrs. Everett asked if the Sprint representative had any thing to say.

Mr. Ted Kruger, Sprint PCS representative, came forward giving his office address as 236 Clearfield Avenue, Virginia Beach, VA. He stated he was the Zoning Approval Coordinator for Sprint PCS. He stated if he might, since Sprint PCS has two (2) applications before the Board, address all the comments; all the

comments he was making would address both sites. He gave the Board a brief overview of the endeavors of Sprint PCS. Mr. Kruger also stated their company would always try to co-locate whenever possible because it was more cost effective for them; however, in these two (2) cases there were no sites available that would allow them to place their antenna high enough to meet their needs. On these two (2) towers they have reserved space on the tower for the County to place an antenna. In conclusion he stated Sprint appreciates the concerns of the Planning Commission and the issues that were brought to his attention and Sprint as a Company is pleased to agree to all of those items that they indicated on their comments. He stated they thought it made good sense to co-locate when possible so they would welcome any other carrier who wants to come on and Sprint would appreciate the Board's approval and at the appropriate time he would be pleased to try to answer the Board's questions. He thanked the Board.

Mrs. Everett opened the Public Hearing on C-99-3.

Mrs. Mann stated there were no citizens signed up to speak on C-99-3.

Mrs. Everett asked if there were any citizens present who wished to speak. There being none Mrs. Everett closed the Public Hearing.

Mrs. Everett asked for comments from the Board members.

Mr. Bracey remarked call it minus or plus two (2) miles apart and the gentleman spoke about co-location and so forth, he continued that he would like to know the tower that is a mile or so from the proposed spot is that not a proper tower for Sprint, or Sprint can not use it?

Mr. Kruger stated Sprint could not get the height needed on the current tower. He explained to Mr. Bracey how the system is designed to work.

Mr. Bracey voiced opposition to the towers stating something is wrong with the technology.

Mr. Moody stated he knew the County had a lot of towers but the County also had guidelines from the FAA that had to be followed. If the County does not allow the tower, unless there are very extenuating circumstances, the County could be in a lawsuit.

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Moody, Mr. Haraway, Mr. Clay, Mrs. Everett voting "Aye", Mr. Bracey voting "Nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that C-99-3, Sprint PCS, conditional use permit, is hereby approved with conditions as found in Section 22-274, General Standards, of the Zoning Ordinance.

**IN RE: PUBLIC HEARING – C-99-4 – SPRINT PCS – CONDITIONAL USE PERMIT**

This being the time and place as advertised in the Dinwiddie Monitor on July 21, 1999 and July 28, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing for P-99-4, for the purpose of considering a conditional use permit request submitted by Sprint PCS, on behalf of William N. Poarch, to erect a 250' tall telecommunications tower on property identified as Tax Map 94-37, and is located along Walkers Mill Road in the

Sapony Magisterial District. The property is zoned Agricultural, General, A-2 District.

Mr. Scheid came forward stating the applicant, Sprint PCS, is seeking a conditional use permit to construct, operate, and maintain a two hundred fifty (250) foot lattice telecommunications tower, related equipment and improvements for the purpose of mounting wireless telecommunications antennas. The proposed site is located on the west side of Walkers Mill Road (Route 665) south of McKenney Highway (Route 40). The site is identified as Tax Map 94, Parcel 37 by the Commissioner of the Revenue's Office and is owned by William N. Poarch. The property is used for farming and is currently in the land use taxation program. There are two (2) homes located across from this site. Planning staff visited the owners of these homes and explained the request and the process being followed. There are other single family homes scattered in this area.

Mr. Scheid continued that the Planning Commission reviewed this case at their July 14<sup>th</sup> meeting and voted 7-0 to recommend approval to the Board of Supervisors of the conditional use permit with conditions attached. The conditions to be imposed are those found in Section 22-274, General Standards, of the Zoning Ordinance. Additionally, the applicant was directed to respond in writing to the Planning Department on those issues raised in the report. The applicant sent a letter dated July 15<sup>th</sup> which addressed all of the issues raised by staff. This letter of commitment on behalf of Sprint PCS outlines specific actions which will become part of the conditions if the use permit is issued.

Mr. Scheid stated no one appeared in opposition to the request. Mr. Billy Bain called the Planning Office to express his support of the request. He is currently farming the lands of Mr. Poarch and he does not believe there will be any detrimental effects if the conditional use permit is granted. Mr. Bain offered to drive Mr. Poarch to the Planning Commission meeting but had to go to Richmond. Due to Mr. Poarch's age and inability to drive at night, he was not able to attend the meeting.

Mr. Scheid stated this concluded his presentation and he would try to address any questions the Board might have.

Mrs. Everett opened the Public Hearing on C-99-4.

Mrs. Mann stated there were no citizens signed up to speak on C-99-4.

Mrs. Everett asked if there were any citizens present wishing to speak. There being none Mrs. Everett closed the Public Hearing.

There was discussion regarding the tower located on Quaker Road and the lighting of said tower.

Mr. Scheid stated he had contacted the owner, who was no longer the applicant who applied for the permit, and had met with him at the site this date. The new owner had agreed to correct the lighting problem as they wish to be in compliance with the FAA and the County of Dinwiddie.

Mr. Scheid is to report back to the Board at the August 18<sup>th</sup> meeting regarding this tower and the compliance status.

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Moody, Mr. Haraway, Mr. Clay, Mrs. Everett voting "Aye", Mr. Bracey "Abstaining".

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that C-99-4, Sprint PCS, conditional use permit, is hereby approved with conditions as found in Section 22-274, General Standards, of the Zoning Ordinance.

**IN RE: PUBLIC HEARING – A-99-6 – AMENDMENT TO ZONING ORDINANCE**

This being the time and place as advertised in the Dinwiddie Monitor on July 21, 1999 and July 28, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing for the purpose of considering an amendment to Article V, Supplementary District Regulations, of the Dinwiddie County Zoning Ordinance by adding the following:

Section 22-241. One main building on each residential and agricultural lot.

Except in the case of planned residential developments, every principal, detached residential building structure, including a permanent manufactured home or mobile home, hereafter erected, installed or structurally altered shall be located, when permitted, in a Residential or Agricultural zoning district, and in no case shall there be more than one (1) such building per lot, unless otherwise permitted in this chapter.

Mr. Scheid continued that the Planning Department introduced this amendment in order to state clearly the intent and interpretation of various sections of the Zoning Ordinance regarding the placement of a detached residential building in an Agricultural and Residential district. Each dwelling shall be placed upon its own individual lot and only one principal use may be contained on the lot. This is the policy followed in other Counties as well as our own. A few citizens have questioned the intent and interpretation in the past and this is a means whereby staff can clearly cite a code section addressing their challenge.

The Planning Commission reviewed this amendment at their May 12<sup>th</sup> meeting, June 9<sup>th</sup> meeting and July 14<sup>th</sup> meeting. Discussion was held regarding possible impact on farming operations and the construction of "frame" homes for farm labor. After considerable discussion, it was stated that this amendment merely stated policy that is currently being followed by the County. There is a separate code section which addresses migrant farm labor being housed in manufactured housing. Upon a vote of 6-0-1, with Mr. Edward Titmus, III abstaining, the Planning Commission voted to recommend approval of the amendment to the Board of Supervisors.

Mrs. Everett opened the Public Hearing on A-99-6.

Mrs. Mann stated there were no citizens signed up to speak on A-99-6.

Mrs. Everett asked if there were any citizens present wishing to speak on A-99-6. There being none Mrs. Everett closed the Public Hearing.

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "Aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the Code of the County of Dinwiddie, Virginia, as amended, be amended and reenacted by adding Section 22-241 to Article V of Chapter 22, as follows:

Sec. 22-241. One main building on each residential and agricultural lot.

Except in the case of planned residential developments, every principal, detached residential building structure, including a permanent manufactured or mobile home, hereafter erected, installed or structurally altered shall be located when permitted in a Residential or Agricultural zoning district, and in no case shall there be more than one (1) such building per lot, unless otherwise permitted in this chapter.

This ordinance shall become effective immediately. In all other respects said zoning ordinance shall remain unchanged and be in full force and effect.

**IN RE: SHERIFF'S DEPARTMENT – MARKING OF VEHICLES**

Mr. Long stated, as requested by the Board at its July 21, 1999 meeting, staff had reviewed the FY99 Sheriff's budget. It appears that there will be \$3,000.00 left over to cover this expense. Staff's suggestion, however, would be to let the Sheriff take these funds from his existing budget, and if this causes a shortfall at some point, the Sheriff can then come before the Board and request the re-appropriation from the undesignated fund balance.

**IN RE: SHERIFF'S DEPARTMENT – OVERTIME FOR SURVEILLANCE**

Mr. Long continued, the Board at its July 21, 1999 meeting also requested, and staff reviewed the question of funds for overtime surveillance. If the Sheriff cannot provide this surveillance to assist a County Department through the regular shifts of his personnel and must use off-duty personnel, staff would suggest that these funds be expended from the part-time/overtime category of the Sheriff's Department current budget which contains \$16,000 of total local funds for FY2000. The Sheriff had approximately \$7,600 left in this category for FY99.

**IN RE: BOARD OF ELECTIONS – REAPPROPRIATION REQUEST**

Mr. Long stated as directed by the Board of Supervisors at the July 21, 1999 meeting, staff had reviewed the status of the FY99 budget for the Board of Elections to determine if the \$5,000 for a Special Election in FY99 would be available at the end of the fiscal year. While it does appear that these funds would be available to be re-appropriated, staff had the following concerns:

1. The \$5,000 was placed in the budget of the Board of Elections for the purpose of expenses for a Special Election.
2. \$7,000 was budgeted for Extra Help for FY99 and only \$6,185 was spent. In the FY2000 budget, \$10,000 was provided for Extra Help which represents a \$3,000 increase.
3. During the preparation of the FY2000 budget, the Board met with the Registrar and discussed, in great length, the funding of a full-time position for her office. The Board pointed out to her that with the \$10,000, she could hire a part-time person that could work on a regular

basis at least twenty (20) hours per week, beginning in July. The Registrar advised the Board that she would not be attempting to hire someone until January of 2000 after the November 1999 elections.

Mr. Long continued that since this is a position fully funded by the Board, it would fall under the policy the Board adopted which requires a job description be developed and presented for authorization to be advertised.

4. If during the year, the Registrar actually depletes the \$10,000 she had dedicated to part-time help, she can approach the Board, at that time, and request a re-appropriation of funds.

Mr. Long stated that from a good sound fiscal policy he had trouble recommending that we amend any budget item thirty (30) days into a budget. He continued that he certainly did not see a problem with that when we get to a point that these budget items are threatened to run over that that agency or department head come to the Board to request consideration for that item.

Mrs. Everett asked the Board if there was a consensus to accept the recommendations of the Administration Staff. The Board responded by stating "Aye".

**IN RE: COUNTY ADMINISTRATOR COMMENTS**

Mr. Long stated he had enclosed in the Board packet information provided by the Registrar regarding Senate Bill 511. This is a Federal Bill that is before Congress. It has not passed but it is one that they are considering. Basically if approved it would become a non-funded mandated. It is to comply with the Americans with Disabilities Act. This obviously is a good thing to comply with but the question is again if it is passed and the County has to adjust every precinct we have in the County, voting booths and locations alike, where is the funding coming from to do it with. He thought it was always a valid question when the state and federal government passes a new law that is going to cost the localities several thousand dollars with no indication of where that is coming from. He stated it was just an issue he wanted to bring to the Board's attention.

**IN RE: COUNTY ADMINISTRATOR COMMENTS – JOINT MEETING WITH THE SCHOOL BOARD**

Mr. Long stated at the last meeting he had been asked to talk to the Superintendent of Schools to consider a meeting date appropriate for a quarterly meeting between the two (2) Boards. At this point he had two (2) dates to offer: August 17<sup>th</sup> or August 31<sup>st</sup> at 7:30 P.M.

The Board agreed that August 17<sup>th</sup> was a good date.

**IN RE: DONATION FROM SOUTHSIDE REGIONAL MEDICAL CENTER FOR THE CAIRNS IRIS THERMAL IMAGING SYSTEM**

Mrs. Ralph came forward stating the County had received a check from Southside Regional Medical Center as a donation toward the purchase of an Cairns Iris Thermal Imaging System. The staff would like to recommend this check be passed on to the Namozine Volunteer Fire Department because they are the only department in the County with such a system.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted to cut a check in the amount of \$5,000 using check number 1016380 to the Namozine Volunteer Fire Department toward the purchase of the Cairns Iris Thermal Imaging System with the proceeds donated by the Southside Regional Medical Center.

Mrs. Everett requested the County write a thank you note to Southside Regional Medical Center for this donation.

**IN RE: AWARD OF CONTRACT – DSA – DON SWOFFORD & ASSOCIATES**

Mrs. Ralph stated her second item was the contract with the architect for the old Courthouse renovation is finalized and the architect had contacted her today and was anxious to sign it. She stated this signing would be taking place within the next few days and she requested authorization for the County Administrator to sign the contract. He plans to start – there is an historical review that is – they will use several historical documents from the State Library and what ever we might have here in the County – that will start immediately. The field work will probably start August 24<sup>th</sup>, when they will actually come here and start examining the Courthouse. They want to see what things can be saved before they – for example the roof – they would like to thoroughly investigate it to see if it could just be repaired and painted rather than completely replaced.

Mrs. Everett asked Mrs. Ralph to report the name of the architect for the public.

Mrs. Ralph stated it was DSA – Don Swofford & Associates out of Charlottesville, Virginia.

Mrs. Everett stated the committee that was named would also be working with this.

Mrs. Ralph stated the architect had been included in discussion regarding the committee's role in this process. Mr. Swofford stated he would have some recommendations to bring them early on in the process.

Mr. Haraway stated he felt the committee that the Board appointed, their perception right now is not too good. We appointed this committee several months ago and the way he understood it from some of the committee members they have not received anything telling them anything about this. He was wondering if the County Administrator could write a letter to this committee thanking these people for serving and give them an idea of when they would be called upon to meet. Right now, he thought, the committee members had a lot of questions.

Mr. Long stated as he recalled it there was an initial letter sent out but he could be wrong but as he had stated in a previous meeting he was waiting on trying to get the architect on board and then they would convene the committee to discuss with the architect to get them lined up to talk to the architect as well.

Mr. Haraway stated maybe just a letter to bring them up to date on what has happened.

Mr. Clay stated it seemed to him that there ought to be a meeting before the architect starts. He needs to find out exactly what the people of Dinwiddie County want.

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to execute the contract with DSA (Don Swofford & Associates) for the architectural services on the old Courthouse Complex.

**IN RE: COUNTY ADMINISTRATOR COMMENTS -- SPECIAL ENTERTAINMENT PERMIT**

Mr. Long stated he did have one more item, a Special Entertainment Permit. This permit request is from Mr. John Nobles. Mr. Long explained that the applicant had been to the offices obtaining all the necessary permits and no one had informed him he needed a Special Entertainment Permit. This is for the Matoaca Gospel Hall for a gospel event which will be August 8<sup>th</sup> - 31<sup>st</sup> at 7:30 P.M. and will be held on Simmons Avenue.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that approval is granted for the above described Special Entertainment Permit.

**IN RE: BOARD MEMBER COMMENTS**

Mr. Moody                      No comments

Mr. Haraway                    No comments

Mr. Clay                        He suggested the Board recognize the Major League team that had won the District Tournament in Crewe, Virginia and was now in Salem playing the championship game of the State Tournament. He stated that if they win tonight they will go to Texas as Virginia's State Champs; if not they will be home tonight.

It was suggested they be invited to the day meeting on August 18<sup>th</sup>.

Mr. Bracey                    He stated his question was for the County Administrator. Mr. Christopher, who lived on his road before you get to his house, was concerned about the road improvement in front of the Administration Building. He would like to know if we had anything that we authorized or just out of the clear blue that the State Highway Department came along and fixed that section of road. Mr. Bracey stated the only thing he was asking was that Mr. Long calls or writes Mr. Christopher to that effect.

Mrs. Everett

She reported to the Board that Mr. David Ploeger, Manager of the Dinwiddie-Petersburg Airport had been named Manager of the Year by Virginia Department of Aviation. She stated she thought that was a very fine honor for him and a very deserving one.

She asked about Mr. Anderson's request for the Food Closet.

Mr. Bracey stated Mr. Ray Watson was going to let him know.

**IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION –  
WATCH FOR CHILDREN SIGNS**

Mrs. Everett stated the County had received two letters from residents, which pertained to "Watch For Children" signs. During the General Assembly session of 1997 they passed into law a requirement for the Department of Transportation to install "Watch For Children" signs; however, the law strictly states the County or the Municipality must pass a resolution supporting this. The requests received were from:

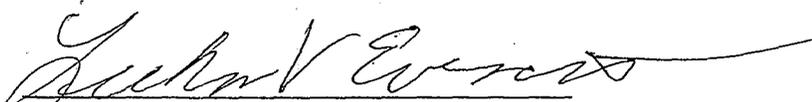
1. Walkers Landing
2. Whitmore Road, McKenney

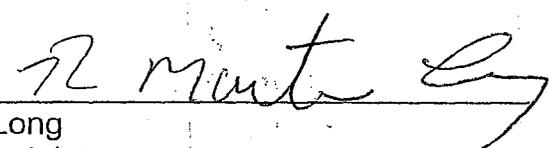
Upon Motion of Mr. Bracey, Seconded by Mr. Moody, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that a Resolution is adopted for Walkers Landing Subdivision and Whitmore Road, McKenney, to have "Watch For Children" signs installed.

**RE: ADJOURNMENT**

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett Voting "Aye", the meeting adjourned at 8:39 P.M. to be continued at 7:30 P.M. on August 17<sup>th</sup> in the multi-purpose room for a public joint meeting with the Dinwiddie County School Board.

  
LeeNora V. Everett  
Chairman, Board of Supervisors

ATTEST:   
R. Martin Long  
County Administrator

/pam

