

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 7th DAY OF FEBRUARY, 2001, AT 7:30 P.M.

PRESENT: HARRISON A. MOODY - CHAIRMAN ELECTION DISTRICT #1  
DONALD L. HARAWAY - VICE-CHAIR ELECTION DISTRICT #2  
ROBERT L. BOWMAN IV ELECTION DISTRICT #3  
EDWARD A. BRACEY, JR., ELECTION DISTRICT #4  
AUBREY S. CLAY ELECTION DISTRICT #5

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Harrison Moody, 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**

Mr. Moody asked if there were any amendments to the agenda.

Mr. Long stated Agenda Item 7 – 2 Public Hearing – C-00-6 was withdrawn and requested to be placed on the agenda for the March 7, 2001 meeting at the petitioner's request.

Upon Motion of Mr. Clay, Seconded by Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above amendment to the Agenda is hereby approved.

**IN RE: MINUTES**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the January 17, 2001 Continuation Meeting and the January 17, 2001 Regular Meeting are approved in their entirety.

**IN RE: CLAIMS**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1023990 through 1024068 (void check(s) numbered 1023989); for

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**Accounts Payable:**

(101) General Fund	\$ 214,691.02
(103) Jail Commission	\$ 44.13
(104) Marketing Fund	\$ 3,993.07
(222) E911 Fund	\$ 6,844.90
(223) Self Insurance Fund	\$ .00
(225) Courthouse Maintenance	\$ .00
(226) Law Library	\$ 1,377.35
(228) Fire Programs & EMS	\$ 6,46.45



(229) Forfeited Asset Sharing	\$ 460.44
(304) CDBG Grant Fund	\$ 21.80
(305) Capital Projects Fund	\$ 19,282.81
(401) County Debt Service	\$ 672.40

**TOTAL \$ 246,989.47**

**PAYROLL 12/22/00**

(101) General Fund	\$ 363,842.87
(222) E911 Fund	\$ .00
(304) CDBG Fund	\$ 3,180.80

**TOTAL \$ 367,023.67**

**IN RE: CITIZEN COMMENTS**

Mr. Moody asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting.

There were no citizens signed up to address the Board:

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

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 publics' 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, location map(s), proffers (if applicable), soils data, comprehensive land use maps and references, etc. With this information noted, I will proceed with the case(s)."

**IN RE: PUBLIC HEARING – C-00-05-MID-ATLANTIC TOWER**

This being the time and place as advertised in the Dinwiddie Monitor on January 24, 2001 and January 31, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on and to propose for the issuance of a conditional use permit submitted by Mid Atlantic Tower, LLC, to construct a 330 foot tall-guyed telecommunications tower on the east side of Route 692, Sapony Church Drive approximately ¾ mile south of McKenney Highway (Rt 40). The Commissioner of the Revenue designates the parcel as Tax Map/Parcel 80-47.

Mr. Scheid read excerpts from the following Summary Staff Report on C-00-5.

**Summary Staff Report**

**File: C-00-5**  
**Applicant: Mid Atlantic Tower**  
**Property Address: Sapony Church Road (Rt. 692)**

**Magisterial District:** Darvills  
**Acreage:** 17.29 acres  
**Tax Map Parcel:** 80-47  
**Zoning:** Agricultural, General, A-2

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The applicant, Mid Atlantic Tower LLC, is seeking a conditional use permit to construct and maintain a three hundred thirty (330) foot guyed wire telecommunications tower on the east side of Route 692, Sapony Church Drive approximately  $\frac{3}{4}$  mile south of McKenney Highway (Rt 40). The Commissioner of the Revenue designates the parcel as Tax Map/Parcel 80-47. The land is generally located in the McKenney area and is currently owned by John and Deborah Robertson.

The Planning Commission reviewed this case at their December 13, 2000 meeting. The Commissioners noted several factors that reflected favorably on this request on a vote of 7-0; the Planning Commission recommended to the Board of Supervisors approval of the conditional use permit C-00-5 with conditions and to grant the two (2) side yard variances as permitted by Section 22-274. The conditions are as follows:

1. The tower proposed by Mid-Atlantic Tower LLC shall not exceed three hundred thirty (330) feet in height and shall be located on the property as shown on the "amended" plat.
2. A red beacon, not a strobe light, shall be utilized in lighting the tower.
3. The applicant and/or any subsequent owners shall allow at least two (2) other wireless telecommunications providers to locate on the tower and site and shall provide the County, upon request, verifiable evidence of making a good faith effort to allow such location;
4. Mid-Atlantic shall develop the proposed tower site as detailed in the support documentation submitted with, and becoming a part of, the application;
5. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions; and
6. The County shall be provided co-location opportunities without compensation as a community benefit to improve radio communications for the County departments and emergency services.

Furthermore, it is hereby noted that the Board of Supervisors grant a side yard variance for the tower as permitted by Section 22-274(2).

Mr. Charles Grigg, the applicant, came forward representing Mid-Atlantic Towers and TelPage Inc., the wireless communication provider providing paging in this area. He requested that the Board approve a conditional use permit for a 330' pole location communications tower on the property located on Sapony Church Road, Route 692. He stated the property for the tower would be purchased from the owner Mr. Johnny Robertson.

Telpage is a paging carrier that will be leasing space from Mid-Atlantic in order to expand its paging system. He informed the Board the paging requires antennas to be placed on towers at heights higher than three hundred (330) feet. Pagers generally require a little higher height than most services because pagers do not have antennas on them and are basically self-contained units. Most people wear them on their belts and when riding in their vehicle below the metal on cars, therefore it is harder to reach.

Telpage Internet Services is also proposing to put a system on the tower with high-speed internet access.

Mr. Grigg stated that the County ordinance requires co-location on this site. By extending the height to 330 feet for paging and allowing the County to use it for emergency services and nTelos placing their antennas at 275 feet; this gives them spot locations at 290 feet, 305 feet, and 320 feet for co-location purposes. This will allow other site carriers to co-locate on this tower and not have to construct additional towers.

The tower will be provided for Dinwiddie County to use for emergency services or public safety at no charge to the County.

Mr. Grigg commented that the tower meets and exceeds all the requirements except for the side setback of 110% and he requested a variance on the side setback requirement. The tower is designed to fall within the "fall zone" if for primary structure failure, it will fall all within the primary structure lines on the property.

Mr. Grigg stated there would be minimal visual impact on the surrounding area. The tower will be unpainted and have one white strobe light during the day so that the tower will not have to be painted red and white. The light will turn into a red beacon at night on top and blink. It will also have solid side markers half way down the tower for night, according to the FAA rules, E1. The sight has been approved by the FAA and presents no hazard for air navigation in this area. Security fencing will be placed around the perimeter with, three strands of barbwire, the appropriate anti-climbing device. The County requires the applicant to post a bond equivalent to the cost of removal of the facility in case of abandonment and Mid-Atlantic will adhere to this requirement.

Mr. Grigg respectfully requested approval of the application.

Mr. Moody called for Board questions at this time. The Board had no comments at this time.

Mr. Steve Muscarella came forward representing nTelos one of the co-locators for the tower. He stated nTelos is a trade name for what was formerly Prime Co in the Central Virginia area and they combined with CFW out of the western part of the State, forming a new entity. Mr. Muscarella stated that presently nTelos is expanding their coverage area down both Interstate 95 and I-85 to the North Carolina border. Mr. Muscarella commented there is a 20 mile span of I-85 which nTelos has to provide coverage to, in Dinwiddie County. A plan was presented to the County, which includes having five (5) sites that nTelos would locate on, this being one of them. According to Mr. Muscarella other sites were considered but because of poor signal coverage, mainly due to heavy foliage, those facilities could not be utilized.

Mr. Moody called for Board comments or questions.

Mr. Long stated he didn't know if it made a difference or not, but according to the information on the application Mid-Atlantic Tower, LLC, by Mr. Charles Grigg, was the applicant. But tonight Mr. Grigg introduced himself to the Board as representative for Mid-Atlantic and Telpage. He continued that this was the first mention of Telpage and he just wanted to be clear who the applicant is for application.

Mr. Muscarella stated at the Planning Commission meeting, Mr. Grigg did present himself, both, as the tower builder, Mid-Atlantic, and Telpage as a co-user on that tower.

Mr. Bracey called for a copy of the application from Mr. Scheid.

Mr. Scheid stated the application was in the Board packet and that Mid-Atlantic LLC, is the actual applicant, tower builder, on that application.

Mr. Long stated he did not know if it mattered either way, but he wanted to clarify that up front.

Mr. Grigg stated Telpage is the wireless provider and Mid-Atlantic is the builder for the tower.

Mr. Bracey stated this should be made clear before the Board moved forward.

Mr. Moody responded that Mid-Atlantic is the applicant, with nTelos and Telpage as co-locators on the tower.

Mr. Moody stated this is a Public Hearing and asked if any citizens wished to speak for or against C-00-5.

No citizen came forward to address the Board.

Mr. Moody closed the Public Hearing for C-00-5 Mid –Atlantic Tower.

Mr. Moody called for Board comments on this case:

Mr. Bracey asked for some clarification on the paging system because of the extra height of the tower.

Mr. Grigg stated according to the drive test for nTelos the lowest height they could possibly use was 275 feet due to the heavy foliage along I-85. The County's ordinance requires the applicant to have co-location opportunities for three other carriers. He stated there was no other way for the tower to go; because it has been proven the lower heights would not work. The paging antenna will be located on the top.

Mr. Bracey asked Mr. Scheid if he was aware of any other towers in the County with paging systems involved.

Mr. Scheid responded he did not know if there was any other paging sites and that he could only address the issue since he has come to work for the County. No tower has been approved above 250 feet in height and that height has always been adequate for the towers located in the County in the past. Mr. Scheid continued that it was mentioned at the Planning Commission meeting, if the tower height became an issue, Mr. Briggs would be willing to accept the height of 310 feet. He noted this was reflected in the Planning Commission minutes.

Mr. Long restated the fact that Mr. Scheid was not aware of any of the former applicants who had paging.

Mr. Scheid responded that he was not aware of any. He stated in order to see if there were other paging systems located on the towers he would have to drive to the towers and check for a whip antenna at the top. If they did have one he would assume there was a paging system.

Mr. Grigg stated at the height of 285 feet they could not accommodate any co-locaters. The next provider who came in the County would have to build another tower.

Mr. Muscarella stated he did not want to mislead the Board to indicate that a PCS provider could not locate on a structure under 285 feet. They can. There would be a lot of factors that they would have to weigh if they chose that

structure. How far is it to the next sight; what is the terrain like between the towers; what is the call frequency in the area. Along I-85 some of the problems that nTelos has been experiencing is the heavy foliage and terrain modulations. It would be costly to build a lot of the smaller 100 foot towers. If it is high ground and the sites are in close proximity they may be able to locate the towers from 225 – 265 foot range. The desire is to get as much range coverage as possible.

Mr. Moody commented at the Planning Commission meeting there was some discussion regarding the heights and all at the meeting; and there were some thoughts of having fewer towers at higher heights. It was also discussed more towers and lower heights. He stated there are some Counties that don't allow but certain height towers, but in the scheme of things the County would be required to have a lot of towers.

Mr. Muscarella stated from the technology standpoint that would work, but from an economic standpoint they could not operate. Wireless providers could not stay in business and the customer couldn't afford to use their phone. It is not economically feasible he continued and I don't think the Board wants me in front of you 20 times for twenty 100 foot towers. In Albermarle County there are mountains where the 100 foot towers are placed but there are a lot of dropped calls in that area also.

Mr. Muscarella explained to the Board their company analyzed the sites. The SBA site, which is by the Phillip Morris Plant, was too far to the west and the available height was too low. Within the next five years in Dinwiddie County the tower inventory is not going to be sufficient to handle the voice let alone the wireless data. If the Board is going to approve towers that are not in objectional areas then you really want to have the ability to co-locate not just the carriers that are here today, but also the carriers that will be coming down the road in 3 to 5 years with wireless data.

Mr. Bowman asked how close can towers be vertically.

Mr. Muscarella stated the vertical separation roughly tipped one antenna to the top of the other antenna, somewhere between 10 – 15 feet that is the reason for the 15 foot separation between the platforms. Horizontally about the same distance 10 – 15 feet if not in the same plane.

Mr. Bowman asked if the Federal Government exempted towers from paying taxes.

Mr. Muscarella stated towers are not exempt from taxes. The value of the equipment on the tower is around \$300,000 to \$500,000 thousand dollars, and would be taxed as personal property tax.

Mr. Grigg responded that he would be paying real estate taxes on the property and the tower would be listed as improvements and taxed also.

Mr. Bracey asked approximately what amount would be paid in taxes on the tower.

Mr. Grigg stated the value of the tower with the equipment is somewhere in the neighborhood of \$1 to \$1.5 million. The amount is pretty mind-boggling.

Mr. Bracey wanted to know if this was the only site that could be found in that area.

Mr. Grigg commented a site which would have worked well was North East of the rest stop but it had already been leased.

Mr. Grigg stated the traffic in the area is probably one car once a day, the guy who lives on the dirt road has no problem with the location of the tower. It is

a dead-end dirt road. The company goes to great length to make sure the sites are least intrusive as possible. It is a very rural area.

Mr. Long suggested that the Board defer the voting until next month to allow the Board to look at both, C-00-5 and C-00-6 applications, of the submissions as a whole.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", action on Conditional Use Permit C-00-5 is postponed until March 7, 2001.

**IN RE: PUBLIC HEARING – A-00-12 – SEC. 22-2 & 22-185 –  
DEFINITION OF AND PERMITTED USE OF LAYDOWN  
YARD IN BUSINESS DISTRICT, B-2**

This being the time and place as advertised in the Dinwiddie Monitor on January 24, 2001 and January 31, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on and to propose an ordinance to amend Chapter 22 of the Code of the County of Dinwiddie, Virginia, as amended, by amending and reenacting Section 22-1, definitions, by adding "Laydown Yard" as a definition and amending and reenacting Section 22-185, permitted uses in a business, general, B-2, to allow a "Laydown Yard" District, with a conditional use permit.

Mr. Scheid read excerpts from the following Summary Staff Report on A-00-12.

## Planning Staff Summary

**File:** A-00-12  
**Applicant:** Planning Department  
**Property Address:** N/A  
**Acreage:** N/A  
**Tax Map Parcel:** N/A  
**Zoning:** N/A

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The Dinwiddie County Planning Department is seeking to amend the Code of the County of Dinwiddie, Virginia, Chapter 22 (Zoning) by amending the following: Section 22-1 (definitions) and section 22-185 (permitted uses). The purpose of the amendments is to define a laydown yard and to permit a laydown yard, with a conditional use permit, in the general business district, B-2.

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Mr. Bose has contacted my office regarding part of the proposed definition. He is concerned about the amount of required front yard buffer. In our conversation, I mentioned that the buffer might be reduced if the height of the stored products was reduced. Thus, there would be a correlation between paragraph (a) and (b). An example of this is as follows: (a) Products stored on premises not exceeding a height of ten (10) feet shall be required to maintain a minimum distance of one hundred (100) feet from a State maintained road; and (b) Products stored on premises at a height between ten (10) feet and fifteen (15) feet shall be required to maintain a minimum distance of two hundred (200) feet from a State maintained road. Additionally, if this change is desired by the Board, it is suggested that the main part of the definition contain language to the effect "temporary storage of manufactured finished products consisting of lumber, steel, concrete or plastic products shall not exceed a height of fifteen (15) feet and will be bounded by ..."

(47) The Planning Commission heard this case at their January 10, 20, 2001, public hearing and on a vote of 5-2 recommended approval. No one spoke in opposition to the proposed amendments.

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## Sec. 22-1. Definitions

The following definition shall be added to the definition section:

*Laydown yard. A parcel of land containing no less than five (5) acres which will be used for the temporary storage of manufactured finished products consisting of lumber, steel, concrete or plastic products and will be bounded by the following:*

- (a) Products stored, shall not exceed a height of fifteen (15) feet;*
- (b) Products shall not be stored within two hundred (200) feet of a State maintained road;*
- (c) Products shall not be stored within twenty-five (25) feet of an adjacent property line; and*
- (d) Products must be properly screened from public view.*
- (e) No manufacturing, assembling or disassembling of materials shall occur on premises.*

## Sec. 22-185. Permitted Uses

The following use shall be added:

*Laydown yard, with a conditional use permit*

Mr. Moody stated this is a Public Hearing and asked if any citizens wished to speak for or against A-00-12.

The following citizen came forward to address the Board:

1. Mr. David Skelton came forward stating his concern is that this is going to be located on a main corridor and there is going to be semi-truck trailers bringing towers in and if he is coming south on Route 1 making a hard left turn into the lay-down yard the road will be blocked. This is a safety issue. Someone is going to end up hitting one of these trucks. If the truck comes from I-85 on Route 703 and gets to the Dinwiddie Supermarket that whole intersection will be blocked when it turns north. The yard is between two school zones and there is a lot of traffic and the Board should take this into consideration.

Mr. Moody closed the Public Hearing for A-00-12.

Mr. Moody called for Board comments on this case:

Mr. Bowman stated he had one for Mr. Scheid. He stated is this good zoning practice to allow heavy trucks in B-2 zoning.

Mr. Scheid responded that this is normally associated with industrial use and normally the County tries to separate commercial and industrial uses.

Mr. Bowman continued that his concern is that the County had problems with certain businesses trying to operate truck stops. The County passed zoning ordinances to restrict heavy trucks in B-2 zoning, once the County allows heavy trucking in the B-2 district for one use, would that weaken the code. He stated once the County allows that lay-down yard in B-2 it is opening this whole area around the Courthouse to this type of business. Mr. Bowman stated he would rather see it spot zoned industrial which does allow heavy truck traffic, rather than put the lay-down yard in B-2.

Mr. Bracey responded that the whole corridor of Route 1 has trucks in and out. He stated his main thing with it that the County didn't have to go this far to cause a man not to make a living. But since it had to be done this way, 200 feet

on a 6 acre piece of property is a long, long way down the road. It is limiting that yard. A plan has been drawn for buffering the property from the road. He stated the Planning Commission is being a little bit hard on a person or is this one of your hoops a person has to jump through. He stated a person should be allowed to make a living if it did not infringe upon the rights of others. The 200 feet is just outrageous.

Mr. Clay agreed that the 200 feet is excessive, especially on a small piece of property. If the property was 100 acres then 200 feet would not be too much, but by taking 200 feet off 5 acres that is a whole lot of land.

Mr. Haraway stated he had no comment, except to answer Mr. Bracey's question, 200 feet is two-thirds of a football field.

Mr. Moody stated he stepped off 200 feet and the lay-down yard loses one section across the front, but there is still a lot of property left. He continued that a lot of metal can still be stacked on that property. Mr. Moody continued that this is not something we want up and down Route 1, by putting the 200 foot and 5 acre restriction that limits immensely this happening along Route 1. The man is still going to have a lot of property to do what he wants to do with it, but it will not open the door to everyone. He stated he felt this was a good compromise.

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Upon Motion by Mr. Haraway, Seconded by Mr. Bowman, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Moody voting "Aye", Mr. Bracey voting "Nay",

BE IT RESOLVED BY THE BOARD OF SUPERVISORS of Dinwiddie County, that Section 22-1 and Section 22-185 of the Code of the County of Dinwiddie, Virginia, is amended and reenacted to read as stated above and recommended by the Planning Commission; and

BE IT FURTHER RESOLVED, that in order to assure compliance with the Virginia Code Section 15.2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good fiscal practice.

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**IN RE: RECESS**

Mr. Moody called for a five- (5) minute recess at 9:00 P.M.

The Board reconvened at 9:07 P.M.

**IN RE: RIDLEY ROAD – LETTER FROM VDOT**

Mr. Bracey requested that the letter received from Mr. Caywood, Resident Engineer, Virginia Department of Transportation regarding Ridley Road, be read and included in the minutes.

Tuesday, February 6, 2001

Dear Mr. Long,

I am writing in reference to the citizens information meeting regarding the Ridley Road project that was held on January 25. At this meeting, you requested that VDOT investigate the possibility of utilizing the previously allocated \$65,000.00 to "straighten out the curves and put down a tar and gravel surface, then wait until later to lay asphalt." You also requested that I not comment on this proposal until I had had the opportunity to discuss this concept with others within VDOT.

As you requested, VDOT has carefully considered your proposal. While VDOT appreciates your suggestion, I regret that it will not be possible to complete this project in the manner that you have proposed for two principal reasons.

First, paving Ridley Road without making any changes to the existing layout of the road would leave several existing safety deficiencies uncorrected. As you and I have discussed on a number of occasions, VDOT has an obligation to improve gravel roads to current safety standards as they are paved. This has been our practice for many years.

While the "pave in place" program has given Counties and VDOT greater flexibility in paving gravel roads within existing right of way and easements, roads paved under this provision must still meet minimum safety standards. These safety standards include minimum criteria for the following characteristics: sight distance, pavement width, shoulder width, curve radii, a minimum clear zone, and several other characteristics. All of these criteria are designed to improve the safety of the road for both residents who live along the road and for other users as well. These safety standards are very similar to those that have been used for many years during the paving of gravel roads in Dinwiddie County.

The existing conditions on Ridley Road that need to be corrected include insufficient sight distance at several locations, fixed objects including utility poles located immediately adjacent to or within the existing gravel surface, insufficient lane widths in several locations, inadequate curve radii, and drainage problems at two locations. I have discussed the need to correct these deficiencies with you and the Board of Supervisors on several occasions over the past 6 months. All of these deficiencies were also raised as concerns by the residents who live along the road at the citizen's information meeting on the 25<sup>th</sup>.

The second concern that VDOT has regarding your proposal is the fact that paving the road in its current condition may actually reduce safety. Ridley Road is somewhat unusual in that it has several areas that are very flat and straight which are followed by very tight curves with limited sight distance. Paving the existing gravel road might increase the operating speed, particularly on the straight portions of the road. This potential increase in operating speed could intensify the negative effects of the limited sight distance in the curves. Paving the road without other improvements may also make new users of the road less likely to drive at a speed that would be safe in these curves.

While I regret that VDOT cannot improve Ridley Road in the manner that you have suggested, I would like to offer several alternatives for you to consider:

1. Pave and reconstruct Ridley Road in accordance with the recently approved 6 Year Secondary Highway Improvement Plan. Make no other improvements at this time.
2. Pave the initial portion of the road and make spot improvements to the two flood prone areas that were identified at the citizen's meeting with the previously allocated \$65,000.00. Make additional improvements in accordance with the approved 6 Year Plan.
3. Use Revenue Sharing funds to accelerate the project. This would require approximately \$135,000.00 in County funds to be matched by VDOT in accordance with the guidelines for the Revenue Sharing Program. You should have recently received the letter of invitation for participation in the Revenue Sharing Program.
4. Move Ridley Road to a higher priority in the 6 Year Plan at the time of the next plan update. This would impact the schedules of several other projects

While each of these alternatives has advantages and disadvantages, all 4 would yield the same final product. We are currently pursuing the 1<sup>st</sup> Option. I would recommend that consideration be given to the second option. I believe that this option would make a noticeable improvement with the existing funding. This option also would not impact other projects. I have previously presented the option of paving the initial portion of the road to the County Board of Supervisors. However, to date I have not received any formal indication that the Board favors this approach.

I look forward to discussing the above options with you prior to my next appearance before the Board of Supervisors on the 21<sup>st</sup>.

Sincerely,

Richard L. Caywood, P.E./Resident Engineer

Mr. Bowman commented that  he did know why the areas that are washed out on Ridley Road did not qualify for maintenance replacement funds. The funds do not come out of the County funds and it would be a great saving for us.

Mr. Bracey stated he was going to call the Governors Office to set up an appointment because he didn't feel VDOT was treating these people fairly.

**IN RE: EMERGENCY ORDINANCE - EXTENSION OF CABLE TELEVISION**

Mr. Long advised the Board that we are working out final details with Adelphia Cable, through legal counsel, before coming to you with an ordinance to renew the franchise agreement. We need to pass an emergency ordinance to keep the current agreement in affect until the new ordinance is advertised and adopted. The original agreement expires this month.

WHEREAS, Chapter 7 of the code of Dinwiddie County governs the operation of a cable television system in Dinwiddie County (the "County") by SVHH Cable Acquisitions, LP d/b/a Adelphia Cable Communications (the "Company"); and

WHEREAS, representatives of the County have negotiated for months with representatives of the Company concerning the terms of an ordinance to renew the Company's cable television franchise in the County; and

WHEREAS, the Company has agreed to the short-term extension of the present ordinance pending the completion of such negotiations and adoption by the County of a new ordinance, and the Board of Supervisors of the County (the "Board") is expected to hold a public hearing on the same on March 7, 2001; and

WHEREAS, the Board of Supervisors has determined that a short-termed extension of the present ordinance from February 1, 2001 to March 31, 2001 should be adopted on an immediate and emergency basis pending the consideration of a new ordinance, in order to promote the health, safety and welfare of County citizens.

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

1. The terms of Chapter 7 of the Dinwiddie County Code Governing cable television systems in the County are extended to March 31, 2001.
2. This ordinance is effective immediately, is adopted on an

Emergency basis, and the terms of this ordinance shall not be enforced for more than sixty days from the date of adoption without readoption in conformity with the provisions of the Code of Virginia.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the Emergency Ordinance for the extension of Chapter 7 of the Dinwiddie County Code governing Cable television systems is adopted.

**IN RE: APPOINTMENT – DISTRICT 19 CHAPTER 10 BOARD**

Mr. Long stated that an appointment was needed for the District 19 Chapter 10 Board for a vacancy left by Mr. Daniel Rapp. Mrs. Peggy McElveen has agreed to serve on this Committee.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. Peggy McElveen is hereby appointed to serve on the District 19 Chapter 10 Board, for a term expiring December 31, 2003

**IN RE: COUNTY ADMINISTRATOR COMMENTS**

1. Mr. Long stated that an appointment was also needed for the Crater Services Disabilities Board due to Mrs. Carol Gittman's recent resignation. This means that Dinwiddie and its consumers are not fully represented on the Disabilities Board as mandated by the Code of Virginia.
2. The Board requested additional information on the Agency.
3. Mr. Long stated an updated copy of the Laundry List was enclosed in the Board packet and asked if anything needed to be added to or amended on the list.

Mr. Haraway asked that a target date for completion column be added to the list.

**IN RE: RESOLUTION - THE VIRGINIA INDUSTRIAL SITE DEVELOPMENT FUNDS PLANNING GRANT**

Mr. Long stated a Resolution for planning purposes only for a Regional Industrial Site on Halifax Road was included in the Board packet; this would be for probable design location of utilities to the site and feasibility of the site as an industrial location which is currently owned by Bob Walker.

Upon Motion of Mr. Haraway, Seconded by Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the following Resolution was adopted:

**RESOLUTION BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA FOR THE VIRGINIA INDUSTRIAL SITE DEVELOPMENT FUNDS PLANNING GRANT**

**WHEREAS**, the Board of Supervisors of Dinwiddie County, Virginia recognizes the fiscal benefits and the enhancement to the quality of life for our citizens that quality economic development provides; and

**WHEREAS**, the Board of Supervisors of Dinwiddie County, Virginia has participated in regional economic development efforts through ABIDCO, the

Crater Regional Partnership and other initiatives in order to enhance economic development opportunities for Dinwiddie County and the region; and

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia has authorized ABIDCO to apply for a Virginia Industrial Site Development Funds Planning Grant on behalf of Dinwiddie County; and

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia has approved the submission of property located on Halifax Road in Dinwiddie County for the proposed Halifax Road Regional Industrial Park as identified in the Planning Grant Application, Attachment 1; and

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia has authorized ABIDCO to seek a Planning Grant for \$25,000.00; and

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia acknowledges that ABDICO, being a regional economic development organization supported by the participants in this planning grant application, will provide the local matching funds necessary to comply with the Planning Grant Application; and

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia acknowledges that the proposed Halifax Road Regional Park is a regional initiative that is entered with the cooperation of Petersburg, Prince George, and Hopewell; and

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of Dinwiddie County, Virginia authorizes the County Administrator to sign and submit all appropriate information necessary to complete the application for Virginia Industrial Site Development Funds Planning Grant.

**IN RE: OLD COURTHOUSE HVAC SYSTEM**

Mr. Long stated there is a recommendation from Don Swofford, Architect, for a Geothermal HVAC system for the Historic Courthouse and Mr. Donnie Faison would present the recommendation.

Mr. Faison stated recently there was a meeting with Cheyenne Sheafe, Don Swofford, John Owen, PE, and the administrative staff to discuss the potential for installing a geothermal heating/cooling system in the historic courthouse. Based on the information presented it is our recommendation that the County allow the architect to move forward with the design of this system. The Phase 2 construction documents for the proposed work in rehabilitating the interior of the historic courthouse calls for the heating system to be refurbished and put back into operation. Mr. Faison pointed out that the system was more expensive initially but the pay back in savings would be approximately 6 years.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", authorization was approved for the Architect to proceed with the design of a geothermal heating/cooling system so the Architect can complete design of Phase 2 which is the interior renovation for the historic courthouse.

**IN RE: DINWIDDIE BRANCH LIBRARY – BIDS FOR HVAC**

Mr. Faison presented the following bids for the proposed removal of the existing equipment and the installation of a new 2.5 heat pump system for the Dinwiddie Branch Library.

UNION AIR	\$2,950.00
BARNES HEATING AND COOLING	2,978.00
CENTRAL YORK CORPORTION	3,423.00

Mr. Faison stated the low bidder was Union Air with a \$28.00 dollar difference in the next bid from Barnes Heating and Cooling. He stated one bid included the replacement of a thermostat and installing a 10.05 seer unit which is a little over the specifications. The low bid does not specify these two items and he said he would like to check this out before making a decision. Mr. Faison asked authorization to proceed with one of the two bids. The Library Foundation has agreed to pay for the system.

Mr. Moody stated you sold me on the new geothermal system now you want to put an old conventional system in the Library. If the County can save money it would be good to take a look at getting the same system for the Library.

The Board conceded and instructed Administration to investigate the alternative and report back to the Board at the February 21<sup>st</sup> 2001 meeting.

**IN RE: EASTSIDE RENOVATIONS - CHANGE ORDER # 3**

Mr. Faison presented the Board with change order # 3 for Eastside in the amount of \$1,862.42 which will increase the contract approximately \$608.00 because of change order number 2 which was a credit. The largest item was the \$1,867.00 to correct a mistake made by the Engineer for the wiring of the 2<sup>nd</sup> stage heat A.H.V. The Engineer will reimburse the County 5% for this mistake.

Upon Motion of Mr. Bracey, Seconded by Mr. Bowman, Mr. Clay, Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", change order #3 for Eastside was approved in the amount of \$1,862.42.

Mr. Faison invited the Board to go by Eastside and take a look at the progress.

Mr. Bowman stated when he took the tour of the building, the widows at the back section where the classrooms are located the windows were boarded up with rotting plywood. Mr. Bowman asked if Mr. Faison had gotten any estimates on replacing those windows.

Mr. Faison responded the contractor had given him an estimate of \$24,120.05 to replace the eight classroom widows in the section that was not included in the renovation. These replacements would match the existing windows.

The Board discussed the advantages of replacing the windows at this time so that they would match the existing windows.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to execute a change order with Evans Construction, Inc., for the purchase of eight replacement windows at Eastside as described at a cost not to exceed \$24,120.05 to be funded by a transfer of funds from the undesignated fund balance.

**IN RE: BOARD MEMBER COMMENTS**

Mr. Moody asked if the Board had any quick comments.

Mr. Bowman He stated he had mentioned before that Pamplin Park was interested in paying for having their name on the County Decal for promotional purposes. This would

include the design, printing and purchase of all the decals needed for the County for one year.

- Mr. Bowman He stated he would like to see the project for an ordinance to prohibit heavy trucks over a certain weight in subdivisions on the laundry list. The Planning Department was waiting to see if the Board wanted to proceed with the ordinance before they wasted a lot of time preparing the document.
- Mr. Bracey He stated several people had brought it to his attention that they pay for Satellite service and they aren't able to get local stations. These folks still have to put up antennas to get the local stations. He asked Mr. Long to look into the matter.

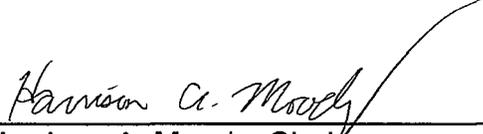
Mr. Moody He commended all of the volunteer firemen for the professional job they did last Saturday when his silo caught on fire.

There were no additional comments from the Board.

**RE: ADJOURNMENT**

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the meeting adjourned at 10:03 P.M. to be continued until 1:00 P.M. on Wednesday, February 14, 2001 in the Multi-purpose Room of the Pamplin Administration Building for a budget workshop.

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Harrison A. Moody, Chairman

ATTEST:   
R. Martin Long  
County Administrator

/abr