

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY HELD AT THE AGRICULTURAL BUILDING OF SAID COUNTY ON THE 21ST DAY OF APRIL 1971 AT 8:00 P.M.

PRESENT: A. M. SMITH, CHAIRMAN ROHOIC DISTRICT
S. E. WINN, VICE CHAIRMAN DARVILLS DISTRICT
T. H. TUNSTALL SAPONY DISTRICT
G. M. WATKINS NAMOZINE DISTRICT
M. I. HARGRAVE, JR ROWANTY DISTRICT

A. H. BURTON SHERIFF

IN RE: MINUTES

The minutes of the previous meeting were read and approved.

IN RE: PAYMENT OF CLAIMS

Upon motion duly made and carried it is ordered by the Board that the accounts against the following funds for the month of March-1971 be issued payable out of the respective accounts. General Fund - Checks numbering 71-367 through 71-456 amounting to \$32,949.46.

IN RE: \$10,000.00 LOAN MADE TO DINWIDDIE COUNTY WATER AUTHORITY

Mr. M. G. Rainey, chairman, Dinwiddie County Water Authority appeared before the Board to request funds for the Water Authority to cover administration cost. Two items the money will be for are: 1- To hire a full time administrator for the Water Authority; 2- To cover the cost of collecting the down payment on the connection fee for Water and Sewer.

Upon motion of Mr. Tunstall, seconded by Mr. Winn, the chairman voting "aye" the Board unanimously agreed to lend to the Water Authority \$10,000.00. No repayment terms was specified. It having been previously indicated that once the authority was financially able to do so, they would repay the loan.

IN RE: MUSIC FESTIVAL ORDINANCE - APPROVED

This being the time and place as advertised in the Progress-Index to hold a public hearing to consider the adoption of an ordinance pertaining to outdoor festivals. It appearing to the Board that no one appeared either for or against this ordinance and upon motion of Mr. Winn, seconded by Mr. Watkins, the chairman voting "aye" the following ordinance was adopted.

WHEREAS, the Board of Supervisors recognized that it is necessary and proper to enact an ordinance in the interest of the public health, safety and general welfare to provide for the control and regulation of musical or entertainment festivals conducted in the open and of groups or gatherings of persons for the purpose of listening to or participating in such festivals; and

WHEREAS, notice having been given in the manner prescribed by law of the intent of the Board of Supervisors to propose this ordinance for passage.

NOW, THEREFORE, be it ordained by the Board of Supervisors of Dinwiddie County:

Section 1. This ordinance is enacted pursuant to Section 15.1-510 of the Code of Virginia for the purpose of providing necessary regulation for the conducting of musical or entertainment festivals conducted in open spaces not within an enclosed structure and of any gathering or groups of individuals for the purpose of listening to or participating in entertainment which consists primarily of musical renditions conducted in open spaces not within an enclosed structure in the interest of the public health, safety and welfare of the citizens and inhabitants of Dinwiddie County.

Section 2. When used in this ordinance, the following words shall mean:

(a) Board shall mean the Board of Supervisors of Dinwiddie County, Virginia.

(b) Musical or entertainment festival shall mean any gathering of groups or individuals for the purpose of listening to or participating in entertainment which consists primarily of musical renditions conducted in open-spaces not within an enclosed structure.

Section 3. (a) No person, firm, corporation or partnership shall state, promote, or conduct any musical or entertainment festival in the unincorporated areas of Dinwiddie County unless there shall have been first obtained from the Board a special entertainment permit for said festival.

(B) Application for such special entertainment permits shall be in writing on forms provided for the purpose and filed in duplicate with the Executive Secretary at least twenty-two (22) days before the date of such festival. Such applications shall have attached thereto and made a part thereof the plans, statements, approvals and other documents required by this ordinance. A copy of such application shall be sent by certified mail by the Executive Secretary to each member of the Board the day such applications are filed.

(C) The Board shall act on such applications within twenty-one days from the filing of the same. If granted, the permit shall be issued in writing on a form for the purpose and mailed by the Executive Secretary to the applicant at the address indicated. If denied, the refusal shall be in writing and the reasons for such denial stated therein, and mailed by the Executive Secretary to the applicant at the address indicated.

Section 4. Such permit shall not be issued unless the following conditions are met and the following plans, statements and approvals submitted to the Board with the application:

(a) Said application for special entertainment permit shall have attached to it a copy of the ticket or badge of admission to said festival, containing the date or dates and time or times of said festival, together with a statement by the applicant of the total number of tickets to be offered for sale and the best reasonable estimate by the applicant of the number of persons expected to be in attendance.

(b) A statement of the name and address of the promoters of the festival, the financial backing of the festival, and the names of all persons or groups who will perform at said festival.

(c) A statement of the location of the proposed festival, the name and address of the owner of the property on which said festival is to be held, and the nature and interest of the applicant therein.

(d) A plan for adequate sanitation facilities and garbage, trash and sewage disposal for persons at the festival. This plan shall meet the requirements of all state and local statutes, ordinances and regulations, and shall be approved by the county health officer.

(e) A plan for providing, food, water, and lodging for the persons at the festival. This plan shall meet the requirements of all state and local statutes, ordinances and regulations, and shall be approved by the county health officer.

(f) A plan for adequate medical facilities for person at the festival, approved by the county health officer.

(g) A plan for adequate parking facilities and traffic control in and around the festival area, approved by the Sheriff's Department.

(h) A plan for adequate fire protection. This plan shall meet the requirements of all state and local statutes, ordinances and regulations, and shall be approved by the county forest warden.

(i) A statement specifying whether any outdoor lights or lighting is to be utilized, and if so, a plan showing the location of such lights and shielding devices or other equipment to prevent unreasonable glow beyond the property on which the festival is located, such plan to be approved by the Executive Secretary.

(j) A statement that no music shall be played, either by mechanical device or live performance, in such manner than the sound emanating therefrom shall be unreasonably audible beyond the boundary lines of the property on which the festival is located.

Section 5. Music shall not be rendered nor entertainment provided for more than eight (8) hours in any twenty-four (24) hour period, such 24 hour periods to be measured from the beginning of the first performance at said festival.

Section 6. No person under the age of eighteen (18) years of age shall be admitted to any festival unless accompanied by a parent or guardian, the parent or guardian to remain with the said person at all times.

Section 7. No permit shall be issued under this ordinance unless the applicant shall furnish to the Board written permission for the Board, its lawful agents, or duly constituted law enforcement officers to go upon the property at any time and made an inspection for the purpose of determining compliance with the provisions of this ordinance. The Board shall have the right to revoke any permit issued under this ordinance upon noncompliance with any of its provision and conditions.

Section 8. Any person, firm or corporation who violates any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding Three Hundred Dollars (\$300.00) or by confinement in jail not exceeding Thirty (30) days, or by both such fine and imprisonment. Each individual violation and each individual violation continuing in excess of 24 hours shall constitute a separate individual violation and each such violation shall constitute a separate offense. The Board may bring suit in the Circuit Court of Dinwiddie County to restrain, enjoin, or otherwise prevent violation of this ordinance.

Section 9. It is declared to be the intent of the Board that if any section, subsection, sentence, clause, phrase, or portion of this ordinance shall for any reason be held invalid, or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and individual provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 10. The provisions of this ordinance shall be liberally construed in order to effectively carry out the purposes of this ordinance in the interest of the public health, welfare and safety of the citizens and residents of Dinwiddie County.

Section 11. This ordinance shall be in full force and effect upon adoption by the Board of Supervisors of Dinwiddie County.

IN RE: SHOOTING RANGE PERMIT - P. D. WILLIAMS, APPROVED

Mr. P. D. Williams, request for a shooting range permit having been introduced at the Board meeting on March 17, 1971 was presented for final action.

Upon motion of Mr. Hargrave, seconded by Mr. Tunstall the shooting range permit for Mr. P. D. Williams was unanimously approved.

IN RE: CRATER PLANNING DISTRICT - 30¢ PER CAPITA -- APPROVED

Mr. Charles F. Turner, Executive Director, Crater Planning District, appeared before the Board to explain the per capita contribution request from the member governments of the Crater Planning District. Mr. Turner stated that as originally figured, 20¢ per capita would be sufficient for the year 1971-72. This request having been based upon the estimated population of the Planning District. When the census count for 1970 was made the actual population was less than the estimation. Therefore, to meet the budget for 1971-72 a per capita contribution of 22½ cents was needed. Mr. Turner further explained that for 30¢ per capita for 1971-72 the Planning District could hire a full time planner to serve all the member governments. Since it was almost impossible for each individual government to hire planners this would be the only way a planner could be obtained.

Upon motion of Mr. Hargrave, seconded by Mr. Winn, the Chairman voting "aye" the Board unanimously agreed to contribute 30¢ per capita for the year 1971-72.

IN RE: JUVENILE DETENTION HOME

Mr. C. F. Turner explained to the Board that the Bureau of Probation and Parole of the State Department of Welfare and Institutions is on the verge of locating a juvenile detention center in Chesterfield County to the exclusion of a similar facility in Planning District 19. The Board and Mr. Turner agreed that Planning District 19 should have a juvenile detention center of its own and not rely upon the facilities of Chesterfield County on a space available basis.

Upon motion of Mr. Hargrave, seconded by Mr. Tunstall the chairman voting "aye" the Board unanimously adopted the following resolution:

WHEREAS, the Board of Supervisors of Dinwiddie County, having been informed of the current status of the long-proposed juvenile detention center, to the effect that the Bureau of Probation and Parole of the State Department of Welfare and Institutions is on the verge of an apparently irreversible decision to locate the said facility outside State Planning District 19, to the exclusion of a similar facility in District 19 in the foreseeable future, and,

WHEREAS, the said governing body is of the firm opinion that the best interests of this jurisdiction and District 19 will not be served by such a decision, because of the relative remoteness of the other location, because of our interest in a strong regional community as intended by the Metropolitan Areas Study Commission and Planning District concept, and because conservative population projections are evidence that his District can easily support such a facility,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County hereby endorses the need for having a juvenile detention center located within Planning District 19, as originally proposed by the said Bureau; and that present plans of the Bureau be changed, respect to our use of the facility contemplated for construction outside the District.

IN RE: EXECUTIVE COMMITTEE MEMBER CRATER PLANNING DISTRICT - DEFERRED

The appointment of an executive committee member for the Crater Planning District was deferred until a later meeting.

IN RE: APPOINTMENT OF ROADVIEWERS

Upon motion duly made and carried the following roadviewers were reappointed for the year 1971:

Mr. M. E. Bass, Rowanty District; Mr. C. E. Thweatt, Rohoic District; Mr. W. A. Procise, Darvills District; Mr. William F. Green, Namozine District and Mr. C. Y. Avery, Jr, Sapony District.

IN RE: ADOPTION OF SOUTHERN BUILDING CODE - APPROVED

This being the time and place as advertised in the Progress-Index to hold a public hearing to consider the adoption of the Southern Building Code. Mr. Thomas F. Elmore, Executive Director, Southside Home Builder's Association, Mr. Neil Barnes and Mr. James L. Blaha, Building Inspector, Dinwiddie County appeared in behalf of this adoption. No one appeared in opposition.

Upon motion of Mr. Hargrave, seconded by Mr. Winn, the chairman voting "aye" the Board unanimously adopted for the purpose of establishing rules and regulations for the construction, alteration, improvement, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, that certain building code known as the Southern Standard Building Code, being particularly the 1969 edition thereof and the whole thereof, as amended, except Section 107.4A, of which not less than two copies have been and now are filed in the office of the clerk of the circuit court of the county and the same are hereby adopted and incorporated in this chapter as fully as if set out at length herein, and the provisions thereof shall be controlling in the construction and alteration of all buildings and structures therein contained within unincorporated areas of the county.

IN RE: SCHOOL BOARD BUDGET APPROVED FOR YEAR 1971-72

Mr. T. W. Newsom presented the school board budget for the year 1971-72. Upon motion of Mr. Winn, seconded by Mr. Hargrave, the school budget was unanimously approved as presented. Total budget is \$3,663,713.71 and of this total the County's portion is \$1,755,793.71.

IN RE: EXTENSION SERVICE BUDGET APPROVED FOR 1971-72

The Extension Service budget for the year 1971-72 in the amount of \$15,000.00 was accepted. The original amount requested was \$16,950.00. Of this \$15,000.00 approved \$14,000.00 was budgeted for salaries and \$1,000.00 for telephones.

IN RE: HEALTH DEPARTMENT BUDGET 1971-72 - APPROVED

Upon motion of Mr. Hargrave, seconded by Mr. Watkins, the Board unanimously approved the Health Department Budget in the amount of \$14,613.00 for the year 1971-72.

IN RE: RESOLUTION - 1-85 & 460

Upon motion of Mr. Winn, seconded by Mr. Hargrave, the Board unanimously approved Project #0085-026-101, L-803. This project pertaining to landscaping of 1-85 in Dinwiddie County.

Upon motion of Mr. Watkins, seconded by Mr. Tunstall the Board unanimously approved Project # 646-026-104, PE-103, C-506, RW-206. This project dealing with the re-location of Route 460 in Dinwiddie County.

IN RE: DINWIDDIE COUNTY VOLUNTEER FIRE DEPARTMENT

Mr. Robert L. Mengel, Fire Chief, Dinwiddie County Volunteer Fire Department appeared before the Board to discuss rental of a building or the erection of a new building to house the Dinwiddie Fire Department vehicles.

After much discussion, Mr. Mengel was advised that the Board would look into this matter and he would be notified to appear at a later meeting. The Executive Secretary was instructed to contact the owners of the old Dinwiddie Motor Company building relative to rental or purchase of this building.

Mr. Mengel told the Board of Supervisors that no one would even look at the old jail to remodel for a fire house or remodeling for any use.

There being no further business to be brought before the Board the meeting adjourned at 10:35 P.M.

ATTEST


W. G. Knott


A. Mitchell Smith, Chairman

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