

VIRGINIA: AT A REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE AGRICULTURAL BUILDING, DINWIDDIE, VIRGINIA, ON THE 19TH DAY OF NOVEMBER 1975 AT 2:00 P.M.

PRESENT:	M. I. HARGRAVE, JR., CHAIRMAN	ELECTION	DISTRICT	#3
	G. S. BENNETT, JR., VICE CHAIRMAN	ELECTION	DISTRICT	#1
	R. H. RUNDLE	ELECTION	DISTRICT	#2
	L. A. HODNETT	ELECTION	DISTRICT	#2
	A. S. CLAY	ELECTION	DISTRICT	#4
	C. L. MITCHELL		SHERIFF	
	J. F. ANDREWS		COMMONWEALTH'S ATTORNEY	

IN RE: MINUTES

Upon motion of Mr. Hodnett, seconded by Mr. Clay, Mr. Hodnett, Mr. Clay, Mr. Rundle, Mr. Bennett, Mr. Hargrave voting "aye", the minutes of the November 5, 1975 meeting were approved as presented.

IN RE: CLAIMS

Upon motion of Mr. Rundle, seconded by Mr. Hodnett, Mr. Rundle, Mr. Hodnett, Mr. Clay, Mr. Bennett, Mr. Hargrave voting "aye", be it ordered by the Board that the accounts against the following funds for the month of October 1975, be issued payable out of the respective accounts. General Fund - Checks numbering 75-1595 through 75-1799 amounting to \$111,245.43. Water Authority - Check number WA-75-3 amounting to \$12,833.37.

IN RE: REZONING APPLICATION P-75-9 JACOB WIGGINS

This being the time and place as advertised in the Progress-Index on November 5th and 12th for the Dinwiddie County Board of Supervisors to conduct a public hearing to consider for adoption an ordinance to change the district classification from Agricultural A-2 to Residential R-1 of a portion of land parcel 74 and 75 as shown on Section 20 of the zoning map of Dinwiddie County.

Mr. Fred Jones appeared on behalf of Mr. Wiggins. The Planning Commission at its meeting on October 21, 1975, recommended to the Board that this amendment to the zoning ordinance be denied because the City of Petersburg was conducting a study of the Petersburg Airport. Since the land in question was adjacent to the Petersburg Airport, it might be affected by either expansion or contraction of the Petersburg Airport facilities.

Mr. Paul Gholson, representing the City of Petersburg, repeated what had been said at the Planning Commission meeting, and asked that the Board of Supervisors delay a decision on this rezoning request until such time as the study and the master plan was completed.

Mr. Jacob Wiggins and Mrs. Dorothy Wiggins spoke in support of this rezoning request. A petition containing 19 names opposing the rezoning was submitted to the Board.

At the Planning Commission meeting, it was the feeling of the Commission members that Mr. Wiggins requests should be tabled, but Mr. Jones representing Mr. Wiggins, demanded that a final decision be made on the rezoning application. After considering all aspects of the application, the Planning Commission voted to recommend to the Board that the rezoning request be denied. Mr. Rundle did not feel that it was proper that Mr. Jones should now appear before the Board and request that this rezoning application be tabled. He felt that if the Board tabled this matter, it would be deminishing the authority of the Planning Commission.

Upon motion of Mr. Hodnett, seconded by Mr. Clay, Mr. Hodnett, Mr. Clay, Mr. Bennett, Mr. Hargrave voting "aye", Mr. Rundle "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that action on this ordinance amendment be tabled until such time as the Board of Supervisors is presented with a copy of the completed study and master plan of the Petersburg Municipal Airport.

IN RE: REZONING APPLICATION P-75-10 LOUIS E. SULLIVAN

This being the time and place as advertised in the Progress-Index on November 5th and 12th for the Dinwiddie County Board of Supervisors to conduct a public hearing to consider for adoption, an ordinance to change the district classification from Agricultural A-2 to Business B-2 of land parcel 7 as shown on Section 69A of the zoning map of Dinwiddie County.

Mr. Louis E. Sullivan appeared in behalf of his rezoning request. He had been operating a service station and a garage in Agricultural A-2 as a non-conforming use for a number of years. Mr. Sullivan closed his establishment in the spring of 1973 to accept a position at Fort Lee. This past summer he rented this facility for use as a service station, garage and used car lot. These uses did not conform to the zoning classification applied to this property, Agricultural A-2, therefore, these activities must be discontinued or the property rezoned to Business B-2 to allow these uses. Once a non-conforming use ceases to operate, it cannot start again without complying with all the requirements of the zoning ordinance.

No one appeared to oppose Mr. Sullivan's rezoning request.

Upon motion of Mr. Rundle, seconded by Mr. Hodnett, Mr. Rundle, Mr. Hodnett, Mr. Bennett, Mr. Clay, Mr. Hargrave voting "aye",

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that the Dinwiddie County Code, as adopted April 1, 1970, and as heretofore amended, be further amended by changing the district classification of Parcel 7 of the acreage parcels, lying on the south side of U. S. Highway #1, Section 69A of the Zoning Map from Agricultural A-2 to Business B-2 and in all other respects, said Zoning Ordinance is hereby reordained.

IN RE: AMENDMENT TO ZONING ORDINANCE SECTION 17-18 ADDITION OF KENNELS

This being the time and place as advertised in the Progress-Index on November 5th and 12th for the Dinwiddie County Board of Supervisors to conduct a public hearing to consider for adoption an ordinance to amend the zoning ordinance of the Dinwiddie County Code, Section 17-18, to add kennels as a permitted use in the Agricultural A-2 District, with a conditional use permit.

The Chairman stated that the definition as contained in the zoning ordinance is not the definition applied to the word "kennel" as contained in the animals and fowl ordinance. The word "kennel" as contained in the animal and fowl ordinance is defined by the State Code as being a group of dogs and the basis for which dog tags are purchased. The definition of "kennel" contained in the zoning ordinance refers more to a commercial kennel, a place prepared to house, board, breed, handle or otherwise keep or care for dogs for sale or in return for compensation. The definition of kennels as contained in the zoning ordinance in no way affects the kennels that presently exist throughout the County. By the addition of this particular word "kennel" to section 17-18, means that it is permitted to place a commercial kennel within a A-2 area.

Mr. Gilbert Marek appeared before the Board to request that guidelines be drawn up and stated in the ordinance rather than guidelines being drawn up and applied to each conditional use permit as requested.

Mr. Robert L. Grigbsy appeared in support of this request.

The Planning Commission recommended approval of the revised zoning ordinance amendment to read kennels, commercial, with conditional use permit.

Upon motion of Mr. Rundle, seconded by Mr. Bennett, Mr. Rundle, Mr. Bennett, Mr. Clay, Mr. Hodnett, Mr. Hargrave voting "aye",
BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that the Dinwiddie County Code, as adopted April 1, 1970, and as follows, at the end of Section 17-18:

(37) Kennels, with conditional use permits.

In all other respects said Section 17-18 is reordained.

Upon motion of Mr. Rundle, seconded by Mr. Bennett, Mr. Rundle, Mr. Bennett, Mr. Clay, Mr. Hodnett, Mr. Hargrave voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator and the County Planner are instructed to prepare guidelines for the kennel conditional use permit, to be presented at the December 17, 1975 Board meeting.

IN RE: RECESS

The Chairman declared a recess at 9:15 P.M. The Board reconvened at 9:30 P.M.

IN RE: BUILDING FEE SCHEDULE

This being the time and place as advertised in the Progress-Index on November 5th and 12th for the Dinwiddie County Board of Supervisors to conduct a public hearing to consider for adoption, an ordinance to amend Section 6-3 "Fee Schedule" of the Dinwiddie County building regulations so as to change and increase plumbing, electrical, heating, air conditioning and building permit fees.

The Chairman requested that the fee on electrical motors, part B-14C be changed to read more than 5 horsepower, \$15.00 and 14D be deleted completely. The Board concurred with this change.

The County Administrator stated that a copy of this amendment to the building regulations was sent to the Home Builders Association, and they were in accord with the proposed fee schedule.

Upon motion of Mr. Hodnett, seconded by Mr. Rundle, Mr. Hodnett, Mr. Rundle, Mr. Clay, Mr. Bennett, Mr. Hargrave voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie Code, as adopted April 1, 1970, and as heretofore amended, be further amended as follows:

Section 6-3. Fee Schedules is repealed and deleted, and in its stead the following is substituted as and for Sec. 6-3:

Section 6-3. Fee Schedules. No permit to begin work for new construction or other building operation shall be issued until the fees prescribed hereby have been paid, nor shall an amendment to a permit be approved until the addition fee, if any, due to an increase in the square footage of the construction or other building operation shall have been paid. No fee shall be charged for building and plumbing permits for the construction or alteration of farm outbuildings located on a bona fide farm and used in connection with farming operations which cost less than ten thousand dollars. A fee shall be charged for electrical permits for the construction or alteration of farm outbuildings.

The area of a structure shall be determined by its exterior dimensions.

(A) Building permit fees, except as above set forth, shall be as follows;

- (1) Single-story dwellings, including additions
3 cents per square foot.
- (2) Basements, second and higher stories, and attached garages
2 cents per square foot

- (3) Industrial buildings, detached garages, storage buildings, churches, schools
3 cents per square foot
- (4) Remodeling or rebuilding of existing buildings
2 cents per square foot
- (5) Installation or set-up of Mobile Homes
 - (a) Single-wide \$10.00
 - (b) Double-wide \$20.00
- (6) Addition of brick, or other siding to a building
\$20.00
- (7) Swimming pools
\$10.00
- (8) Signs:
 - (a) Up to 10 square feet in surface area, (20 square feet for a double-faced sign), the top of said sign being 10 feet or less from the ground
\$10.00
 - (b) More than 10 square feet in surface area (more than 20 square feet for a double-faced sign) or a sign the top of which is more than 10 feet from the ground
\$25.00
- (9) Removal of a building or structure from one lot to another or to a new location within the same lot
\$25.00
- (10) Demolition of a building or structure
\$25.00
- (11) The fee for the erection or installation of a structure other than a building shall be calculated at a rate of 1.0 percent of the actual cost of the work.
Minimum fee - \$5.00
- (12) When the building official requires a plan examination to be performed by the Virginia State Housing Board or by the Building Officials and Code Administrators International, Inc., the fee charged the County for such plan examination shall be paid to the County by the applicant.

(B) Electrical Fees:

No permit to install, alter or remove any building services equipment, electrical equipment or electrical service equipment shall be issued until the fees prescribed below shall have been paid to the building official, nor shall an amendment to a permit necessitating an additional fee because of an increase in the estimated cost of the work involved be approved until the additional fees have been paid to the building official:

- (1) For light outlets; from 1 to 5 outlets, inclusive
\$1.00
 - 6 to 15 outlets, inclusive
\$3.00
 - 16 to 50 outlets, inclusive
\$5.00
 - 51 and over
\$10.00
- (2) For receptacle outlets:
 - from 1 to 5, inclusive
\$1.00
 - 6 to 15, inclusive
\$3.00

- 16 to 50 outlets, inclusive
\$5.00
- 51 and over
\$10.00
- (3) Electric range
\$2.00
- (4) Non-duct electric heat per room
\$2.00
- (5) Water Heater
\$2.00
- (6) Connecting neon signs
\$5.00
- (7) New furnace hook-up (non-replacement) \$2.00
- (8) Room air conditioner wiring and receptacle
\$2.00
- (9) Water pump
\$2.00
- (10) Electric dryer
\$2.00
- (11) Meter base
\$5.00
- (12) Exhaust fan
\$1.00
- (13) Electric meter and disconnect box for mobile home
\$5.00
- (14) Electric motors (each):
(a) 1/2 - 1 horsepower
\$5.00

(b) more than 1 and up to 5 horsepower
\$10.00

(c) more than 5 horsepower
\$15.00
- (15) Temporary electric service
\$5.00
- (16) Minimum electrical permit
\$5.00

(C) Plumbing Fees:

No permit to begin work for new construction or alteration shall be issued until the fees prescribed below shall have been paid to the building official nor shall an amendment to a permit necessitating an additional fee because of the additional work involved be approved until the additional fee shall have been paid to the building official:

For each permit requiring inspection, a fee of \$2.00 for each fixture, drain or other connection requiring a trap.

(D) Heating and air conditioning:

- (1) Heating and Air Conditioning, with ducts:
(a) Each room with 4 ducts or less
\$2.00

- (b) Each room with more than 4 ducts
\$2.00 plus \$1.00 for each duct over 4
- (2) New or replacement boiler or furnace
\$20.00
- (E) The minimum fee for any permit shall be \$5.00
- (F) When building inspection is requested, if the building is not open for inspection at the time designated for inspection, or if the job is not ready for inspection at such time, an additional charge of \$5.00 will be levied for the building inspector's visit to the site on such occasion.
- (G) When work upon a job is begun prior to the obtaining of the necessary permits, fees therefor are doubled. Payment of such penalty shall not relieve the violator from court action.
- (H) Penalty for using or occupying building or structure prior to issuance of certificate. Any person who uses or occupies a building or structure prior to the issuance of a "Certificate of Use and Occupancy" shall pay a penalty of \$25.00. Payment of such penalty shall be made to the building official before the "Certificate of Use and Occupancy" is issued.
- (I) Penalties. Any person, firm or corporation violating any provisions of this ordinance shall be subject to the penalties set forth in Section 15.1-505 of the Code of Virginia (1950, as amended).
- (J) Effective date. This ordinance shall be in full force and effect on and after January 1, 1976.

IN RE: DINWIDDIE COUNTY WATER AUTHORITY AGREEMENT APPROVAL

Upon motion of Mr. Rundle, seconded by Mr. Bennett, Mr. Rundle, Mr. Bennett, Mr. Clay, Mr. Hodnett, Mr. Hargrave voting "aye", the Chairman and the County Administrator were authorized to sign the following agreement.

THIS AGREEMENT, made and entered into as of the 19th day of November in the year 1975, by and between the COUNTY OF DINWIDDIE, (hereinafter referred to as the "County"), a County and political subdivision of the Commonwealth of Virginia, party of the first part, and the DINWIDDIE COUNTY WATER AUTHORITY (hereinafter referred to as the "Authority"), a public body politic and corporate, organized and existing under the "Virginia Water and Sewer Authorities Act"; its successors and assigns, party of the second part;

WHEREAS, the Authority is desirous of obtaining an adequate and dependable water supply; and

WHEREAS, the County, by an Agreement with the Appomattox River Water Authority dated September 9, 1964, a copy of which is attached and made a part hereto, has available an adequate and dependable water supply.

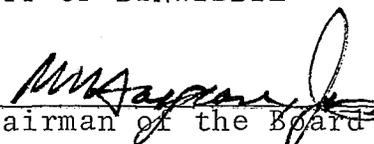
NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements herein contained, the parties hereto agree as follows:

1. The Authority will purchase from the County its entire requirements of water for use and resale when practical to do so, and the County shall sell and furnish to the Authority its entire requirements for water as aforesaid, both subject to the terms of the attached Agreement.
2. The Authority shall pay to the County for all water furnished to it at the same rate charged to the County by the Appomattox River Water Authority under the terms as set forth in the attached Agreement.

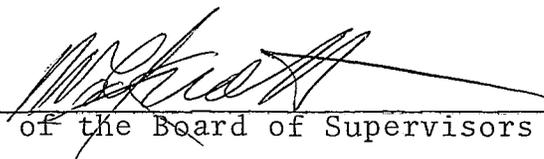
3. The County will make available for inspection by the Authority all financial records and audits of the County as they pertain to the procurements, use and resale of water from the Appomattox River Water Authority.
4. The County will act on behalf of the Authority in all matters pertaining to the Appomattox River Water Authority wherein the Authority has reason to believe that its interests are being adversely affected.
5. This agreement shall continue in force and effect for the same period of time as the attached Agreement and subject to the same extension of terms, subject however to mutual agreement for the dissolution of this Agreement by the parties thereof and with the concurrence of the trustee (s) for any noteholders or insurees.
6. It is contemplated that the construction of the water distribution system by the Authority will be financed by a loan made or insured by, and/or a grant from, the United States of America, acting through the Farmers Home Administration of the United States Department of Agriculture, and the provisions hereof pertaining to the undertakings of the Authority are conditioned upon the approval, in writing, of the State Director of the Farmers Home Administration.
7. In the event of any occurrence rendering the Authority incapable of performing under this Agreement, any successor of the Authority, whether the result of legal process, assignment, or otherwise, shall succeed to the Authority here under.

IN WITNESS WHEREOF, the County and the Authority have caused their respective corporate seals to be hereunto affixed and attested, and these presents to be signed by their respective officers thereunto duly authorized, and this Agreement to be dated as of the date and year first above written.

COUNTY OF DINWIDDIE

By 
Chairman of the Board of Supervisors

ATTEST:

By 
Clerk of the Board of Supervisors

DINWIDDIE COUNTY WATER AUTHORITY

By _____
Chairman

ATTEST:

By _____
Secretary

IN RE: APPROVAL OF DINWIDDIE COUNTY WATER AUTHORITY WATER SYSTEM

Upon motion of Mr. Rundle, seconded by Mr. Hodnett, Mr. Rundle, Mr. Hodnett, Mr. Clay, Mr. Bennett, Mr. Hargrave voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that in accordance with Section 15.1-326 and 15.1-341, of the Code of Virginia 1950 as amended, the water system proposed to be installed in the Norther part of the County by the Dinwiddie County Water Authority is hereby approved.

IN RE: RICHARD BLAND COLLEGE REQUEST USE OF FREQUENCY 39.44

The County Administrator presented a request from Richard Bland College to allow their campus policemen to use the County's private frequency of 39.44. Mr. Phil Spencer, Assistant Business Manager for Richard Bland College explained that they had one police vehicle with one police radio, and they do not desire to buy a base station and hire the necessary personnel to man the base station. They would rarely have need to communicate with our police department, but if their policemen should find themselves in a tight situation, it would give them a means to communicate their position and call for help if necessary.

The County Administrator indicated that the Sheriff had given his approval to these policemen operating on his 39.44 frequency.

Upon motion of Mr. Clay, seconded by Mr. HODnett, Mr. Clay, Mr. Hodnett, Mr. Bennett, Mr. Rundle, Mr. Hargrave voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Richard Bland College is hereby authorized to use the County's frequency, 39.44 upon approval by the federal communications commission.

IN RE: SCHOOL BOARD APPOINTMENTS

Upon motion of Mr. Clay, seconded by Mr. Rundle, Mr. Clay, Mr. Rundle, Mr. Bennett, Mr. Hodnett, Mr. Hargrave voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is hereby instructed to place upon the agenda for the December 17, 1975 Board meeting, the appointment of the 5 school board members, said appointment necessitated by the 1975 Court ordered redistricting of Dinwiddie County.

Mr. Clay asked that this be printed in the newspaper. Mr. Hargrave asked that the Board be supplied with the existing members and terms of office.

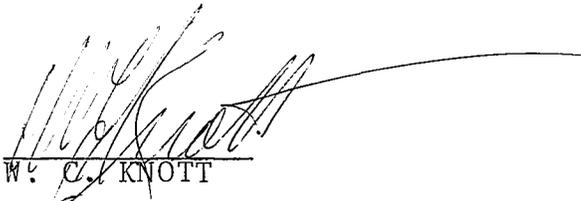
IN RE: EXECUTIVE SESSION

Upon motion of Mr. Hodnett, seconded by Mr. Bennett, Mr. Hodnett, Mr. Bennett, Mr. Clay, Mr. Rundle, Mr. Hargrave voting "aye", the Board moved into executive session at 10:10 P.M. The Board reconvened into open session at 11:00 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Hodnett, Mr. Clay, Mr. Hodnett, Mr. Bennett, Mr. Rundle, Mr. Hargrave voting "aye", the meeting adjourned at 11:00 P.M.

ATTEST:


W. C. KNOTT


M. I. HARGRAVE, JR., CHAIRMAN