

VIRGINIA: AT A REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE AGRICULTURAL BUILDING DINWIDDIE, VIRGINIA, ON THE 21ST DAY OF APRIL, 1976 AT 8:00 P. M.

PRESENT: M. I. HARGRAVE, JR., CHAIRMAN ELECTION DISTRICT #3
L. A. HODNETT, VICE CHAIRMAN ELECTION DISTRICT #2
G. S. BENNETT, JR. ELECTION DISTRICT #1
A. S. CLAY ELECTION DISTRICT #4
B. M. HEATH DEPUTY SHERIFF

ABSENT: T. J. LEFTWICH ELECTION DISTRICT #2
LARRY ELDER COMMONWEALTH'S ATTORNEY

IN RE: MINUTES

Upon motion of Mr. Hodnett, seconded by Mr. Clay, Mr. Hodnett, Mr. Clay, Mr. Bennett, Mr. Hargrave, voting "aye", the minutes of the April 7th regular meeting were approved as presented.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims were approved:
General Fund - checks 76-621 thru 76-724 amounting to \$56,972.01;
Revenue Sharing checks RS-76-8 thru RS-76-11 amounting to \$49,503.40;
and Library Fund checks LF-76-5 thru LF-76-6 amounting to \$217.21.

IN RE: P. D. WILLIAMS SHOOTING RANGE APPLICATION

In accordance with Chapter 14 of the Dinwiddie County Code, the County Administrator presented to the Board of Supervisors a request for renewal of the permit for operation of a target range in Dinwiddie County by Mr. P. D. Williams.

Upon motion of Mr. Hodnett, seconded by Mr. Bennett, Mr. Hodnett, Mr. Bennett, Mr. Clay, Mr. Hargrave, voting "aye", the Board acknowledged receipt of this shooting range application and instructed the County Administrator to place this item on the agenda for the May 19th Board of Supervisors meeting.

IN RE: AMENDMENT TO ZONING ORDINANCE SECTION 17-63
ADDITION OF CABINETS, FURNITURE AND UPHOLSTERY SHOPS.

This being the time and place as advertised in the Progress-Index on April 7th and 14th for the Dinwiddie County Board of Supervisors to conduct a public hearing to consider for adoption, an Ordinance to amend, Section 17-63 of the Dinwiddie County Code to add to the list of permitted uses the following: (31) Cabinets, furniture and upholstery shops, with conditional use permit

The amendment was reviewed by the Planning Commission at their March 16, 1976 Planning Commission meeting. Their recommendation to the Board was "approval" with the following stipulations:

1. A significant portion of the business must function in a retail capacity.
2. Air and noise pollution must be kept to a minimum, and if they reach the level of becoming a nuisance, then the conditional use permit should be voided.

Mr. W. C. Scheid, Director of Planning, was present and stated that he felt a distinction needed to be made between the business functioning in a retail capacity as opposed to light industry. The Board agreed that the amendment should contain limitations as to the functions of the business under a B-2 classification, to prevent it from becoming "light industrial".

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the adoption of an ordinance to amend Section 17-63 of the Dinwiddie County Code to add to the list of permitted uses the following: (31) Cabinets, furniture, and upholstery shops with conditional use permits be postponed and placed upon the May 5th agenda in order to make the revisions required to prevent this added business from becoming industrial in nature under a B-2 classification.

IN RE: FIRE HOUSE -- FORD VOLUNTEER FIRE DEPARTMENT

Mr. Gerald Cook and Mr. Wayne Cook of the Ford Volunteer Fire Department appeared before the Board to present plans and the following three (3) bid proposals for the construction of a fire house for the Ford Volunteer Fire Department:

NEAL A. BARNES CONSTRUCTION COMPANY	-	\$35,140
WALTHALL CONSTRUCTION COMPANY	-	36,090
R. J. BEASLEY CONSTRUCTION COMPANY	-	37,666

Mr. Wayne Cook stated that the land for the fire house had been deeded to the County, and requested that the Board review the bid proposals and advise the Ford Volunteer Fire Department of their decision on the bids as soon as possible.

Upon motion of Mr. Hodnett, seconded by Mr. Bennett, Mr. Hodnett, Mr. Bennett, Mr. Clay, Mr. Hargrave, voting "aye", the following resolution was adopted:

WHEREAS, the Board desires to review the bid proposals before making a decision, and

WHEREAS, the Ford Volunteer Fire Department members present stated that they would be willing to wait until the May 5th meeting for a decision on the bid proposals, however they desire to at least be authorized to grade the land and begin the process of installing a well as soon as possible.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County that a decision upon a bid proposal for the Ford Volunteer Fire Department Fire House will be made at the May 5th meeting, and

BE IT FURTHER RESOLVED that the Ford Volunteer Fire Department is hereby authorized to grade the site and dig or drill a well.

IN RE: APPOINTMENT OF ROADVIEWERS - 1976

Upon motion of Mr. Clay, seconded by Mr. Hodnett, Mr. Clay, Mr. Hodnett, Mr. Bennett, Mr. Hargrave, voting "aye", Mr. C. Y. Avery, Jr. was reappointed to the 1976 Roadviewers representing District #4.

Upon motion of Mr. Hodnett, seconded by Mr. Clay, Mr. Hodnett, Mr. Clay, Mr. Bennett, Mr. Hargrave, voting "aye", Mr. Clifford E. Thweatt was reappointed and Mr. Joe Brown was appointed to the 1976 Roadviewers representing District #2.

Upon motion of Mr. Bennett, seconded by Mr. Clay, Mr. Bennett, Mr. Clay, Mr. Hodnett, Mr. Hargrave, voting "aye", Mr. Cabel Bishop was appointed to the 1976 Roadviewers representing District #1.

Upon motion of Mr. Bennett, seconded by Mr. Hodnett, Mr. Bennett, Mr. Hodnett, Mr. Clay, Mr. Hargrave, voting "aye", Mr. T. O. Rainey, III was appointed to the 1976 Roadviewers representing District #3. Mr. Rainey was recommended by Mr. M. I. Hargrave, Jr.

IN RE: APPOINTMENT OF EXTENSION AGENT -- JON M. GEHRING

Upon motion of Mr. Clay, seconded by Mr. Hodnett, Mr. Clay, Mr. Hodnett, Mr. Bennett, Mr. Hargrave, voting "aye", the following resolution was adopted:

WHEREAS, Mr. Jim Williamson has resigned as Extension Agent for Dinwiddie County, and

WHEREAS, Mr. D. T. Rogers, Jr., District Agent of the Cooperative Extension Service, has recommended that Mr. Jon M. Gehring be appointed to the position vacated by Mr. Williamson, and

WHEREAS, Mr. Gehring has met and had a favorable impression upon the Board.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, appoints Mr. Jon M. Gehring to the position of Extension Agent in Dinwiddie County.

IN RE: W. E. BOLTE - COMMISSIONER OF REVENUE'S REQUEST FOR ADDITIONAL 1975-76 BUDGET FUNDING

Mr. W. E. Bolte, Commissioner of the Revenue, appeared before the Board to request an additional appropriation of \$350 for budget year 1975-76 to comply with the requirements as set forth by Section 58-792.01 of the State Code "Notice of increase in assessment".

This section requires the Commissioner of the Revenue to send notices by mail to each landowner who experiences any change in the assessed value of his real estate. Mr. Bolte felt that \$350. would cover postage and printing for 1975-76. The expense for 1976-77 is included in his 1976-77 budget.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that \$350 be appropriated to the 1975-76 budget for the Commissioner of the Revenue to meet the regulations as set forth by Section 58-792.01 of the Virginia State Code.

IN RE: CONTRACT WITH SPCA FOR USE OF COUNTY DOG POUND RUN

The County Administrator presented to the Board for their review copies of the contract between the County and the SPCA for use of a run in the Dog Pound.

After reviewing the contract, the Board recommended the following changes:

1. That the run would be used by the SPCA only during the hours of landfill operation.
2. The run is to be maintained in a condition comparable to the other runs of the dog pound.

Upon motion of Mr. Clay, seconded by Mr. Hodnett, Mr. Clay, Mr. Hodnett, Mr. Bennett, Mr. Hargrave, voting "aye", the County Administrator was authorized to execute the contract with the SPCA, upon making the designated changes.

IN RE: AMENDMENT TO ORDINANCE -- ISSUANCE OF BUILDING PERMITS WITHOUT ROAD FRONTAGE

The County Administrator presented to the Board for their review, the following proposed amendments to Section 17-14, 17-21, and 17-29 concerning road frontage in Agricultural A-1, A-2, and A-3 areas:

Proposed amendments to the above sections: ... Provided that any lot containing an area of 5 acres or more shall not be required to have state road frontage if such lot has a right of way referred to in the deed to said parcel at least 50 feet in width. Provided further that no more than three (3) parcels of land are served by such right of way with each parcel having a minimum frontage of 50 feet on said right of way. Said right of way must be in actual existence as determined by the Zoning Administrator, at such time as any building permit is issued. The Zoning Administrator shall indicate on each building permit issued under the "5 acres or more" provision of this section that said right of way is not a part of the state system of highways and neither the State nor County has an obligation to maintain said right of way.

Prior to the sale of any lot under the "5 acres or more" provision of this section, a plat showing said right of way and parcels to be served thereby must be approved by the Zoning Administrator and duly recorded in the Office of the Clerk of the Circuit Court of Dinwiddie County.

If any landowner violates the letter or the spirit of this ordinance, the Zoning Administrator shall provide no further relief to said landowner under the "5 acres or more" provisions of this section.

After reviewing the proposed amendments, the Board made the following recommendations and instructed the County Administrator to pass this on to the Planning Commission for their review.

	#Parcels on Right of Way	#Right of Ways by Land Owner	#Acres in Each Parcel
Hodnett	3	1	5
Clay	3	1	5
Hargrave	2	1	5
Bennett	3 or 4	not to exceed 1 per year	2½

It was the general feeling of the Board that some type of effective time control should also be included under the Subdivision ordinance to regulate the separation of these parcels from the parent tract. Mr. Scheid stated that he understood the direction indicated by the Board and would communicate their recommendations to the Planning Commission for further discussion and work on the proposed amendments.

IN RE: AMENDMENT TO ORDINANCE -- REGULATION OF TRASH CONTAINERS

As requested by the Board of Supervisors at the April 7th meeting, the County Administrator presented an ordinance Section 12-5 concerning Garbage Dumpsters, to be added to the present County Ordinance, Chapter 12. The County Administrator informed the Board that, if desired, the ordinance could be adopted as an emergency ordinance effective immediately. Because the Board has received a considerable amount of concern from citizens about the misuse of the garbage dumpsters placed in the County, they felt that some type of action was needed as soon as possible.

Upon motion of Mr. Hodnett, seconded by Mr. Clay, Mr. Hodnett, Mr. Clay, Mr. Bennett, Mr. Hargrave, voting "aye", the following ordinance was adopted as an emergency ordinance effective midnight, April 21, 1976.

Any person shall be guilty of a misdemeanor who shall misuse the garbage containers placed throughout the County for use by the public. Misuse shall mean (1) the dumping or placing of garbage, trash, etc. around the container rather than in such containers, (2) the placing of materials in the containers which are not to be placed therein as stated on said containers. (3) the failure to properly close such containers or the placing of refuse in said containers when such container is overflowing, or (4) physically damaging any such containers.

Any person convicted of such violation shall be guilty of a misdemeanor and punished accordingly.

The County Administrator was then instructed to properly publicize the emergency ordinance.

IN RE: BOAT LANDING -- LAKE CHESDIN

Upon motion of Mr. Clay, seconded by Mr. Hodnett, Mr. Clay, Mr. Hodnett, Mr. Bennett, Mr. Hargrave, voting "aye", the following resolution was adopted:

WHEREAS, the County received a memorandum of Agreement from the Virginia Commission of Game and Inland Fisheries at the April 7th meeting stating their duties and the requirements expected of the County concerning the operation of the Boat Landing at Lake Chesdin, and

WHEREAS, the Board reviewed the Agreement and return it requesting that modern facilities be installed rather than the pit-type proposed by the Commission and further requesting that the Commission be responsible for opening and closing the gate, and

WHEREAS, the Commission replied to the Board's requested changes by insisting that pit-type facilities would be sufficient for the operation of the Boat Landing, and further that they would be willing to work with the Commission in maintaining the gate.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors agrees to and authorizes the County Administrator to enter into this agreement with the Virginia Commission of Game and Inland Fisheries for a trial period of one year only, and

BE IT FURTHER RESOLVED that the County will accept the responsibility of maintaining the gate at its own discretion during the hours of operation.

IN RE: CANCELLATION OF AFTERNOON BOARD MEETINGS JUNE - SEPTEMBER

Upon motion of Mr. Clay, seconded by Mr. Hodnett, Mr. Clay, Mr. Hodnett, Mr. Bennett, Mr. Hargrave, voting "aye", the afternoon Board meetings scheduled for June 2nd, July 7th, August 4th and September 1st are cancelled.

IN RE: AUTHORIZATION OF PUBLIC HEARING ON TAX RATE - 1976

Upon motion of Mr. Hodnett, seconded by Mr. Clay, Mr. Hodnett, Mr. Clay, Mr. Bennett, Mr. Hargrave, voting "aye", the County Administrator was authorized to advertise a proposed tax increase of 20¢, a tax rate of \$4.10, for the year 1976 for a public hearing on May 19th, 1976 at 8:00 P. M.

IN RE: '701' PLANNING ASSISTANCE GRANT

Mr. W. C. Scheid, Director of Planning, appeared before the Board to request their approval of an application for a '701' Planning Assistance Grant to be submitted to the Department of Housing and Urban Development.

This grant would consist of \$20,000 in federal monies and \$10,000 local monies. Mr. Scheid stated that the \$10,000 local share would be divided between in-kind services consisting of his salary and the balance, which he budgeted for in his 1976-77 budget request.

Upon motion of Mr. Bennett, seconded by Mr. Hodnett, Mr. Bennett, Mr. Hodnett, Mr. Clay, Mr. Hargrave, voting "aye", the application for the '701' Planning Assistance Grant was approved for submission to the Department of Housing and Urban Development.

IN RE: AUTHORIZATION TO REIMBURSE FIRE DEPARTMENT MEMBERS FOR PICKING UP NEW TRUCK

Mr. Robert Mengel, Chief of Dinwiddie Volunteer Fire Department, appeared before the Board to request reimbursement for expenses of five firemen who have agreed to fly to New York to pick up the two new fire trucks for the County. In his estimation, this effort would save the County approximately \$600 in freight charges. In addition, these men would be trained in-house in the new trucks which would allow them to come back and train the other members of the departments.

Upon motion of Mr. Hodnett, seconded by Mr. Bennett, Mr. Hodnett, Mr. Bennett, Mr. Clay, Mr. Hargrave, voting "aye", the expenses for five volunteer fire department members to fly to New York to pick up two new fire trucks and receive in-house training are hereby approved upon the submission of all expense vouchers.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Hodnett, seconded by Mr. Clay, Mr. Hodnett, Mr. Clay, Mr. Bennett, Mr. Hargrave, voting "aye", the Board moved into Executive Session at 10:20 P. M. The Board reconvened into Open Session at 10:55 P. M.

IN RE: ADJOURNMENT

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

ATTEST:


W. C. KNOTT


M. I. HARGRAVE, JR.