

VIRGINIA: AT A REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA ON THE 19TH DAY OF DECEMBER, 1979 AT 8:00 P.M.

PRESENT: G.S. BENNETT, JR., CHAIRMAN ELECTION DISTRICT #1
T.J. LEFTWICH, VICE-CHAIRMAN ELECTION DISTRICT #2
L.A. HODNETT ELECTION DISTRICT #2
M.I. HARGRAVE, JR. ELECTION DISTRICT #3
A.S. CLAY ELECTION DISTRICT #4

C.L. MITCHELL SHERIFF

ABSENT: L.G. ELDER COUNTY ATTORNEY

IN RE: PRESENTATION OF RESOLUTION--FRANCIS E. JONES

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

WHEREAS, Mr. F.E. Jones served the County of Dinwiddie as Treasurer from January 1, 1952 through December 31, 1979 with integrity, and dedication; and

WHEREAS, the current Board of Supervisors on the Nineteenth day of December, 1979, is desirous of acknowledging these qualities and further to express full awareness of, and appreciation for, his unselfish and honorable work in behalf of the County;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby commends Mr. Francis E. Jones for his many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED that this resolution be delivered to Francis E. Jones and a copy spread upon the minutes of this meeting.

IN RE: MINUTES

Upon motion of Mr. Hodnett, seconded by Mr. Leftwich, Mr. Hodnett, Mr. Leftwich, Mr. Clay, Mr. Hargrave, Mr. Bennett voting "aye", the minutes of the December 4, 1979 special meeting and the December 5, 1979 regular meeting were approved as presented.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims be approved:

General Fund checks-numbering 79-2446 through 79-2671 amounting to \$125,652.19; Va. Water Projects checks-numbering VWP-79-1 in the amount of \$15,300; Library Fund check-number LF-79-12 in the amount of \$249.00; Dog Fund checks-numbering D-79-159 thru D-79-168 amounting to \$1140.77.

IN RE: PETERSBURG-DINWIDDIE COUNTY AIRPORT & INDUSTRIAL AUTHORITY LEGISLATION

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

WHEREAS, the Board of Supervisors has, in the past, expressed an interest in the development of the Petersburg Municipal Airport for industrial purposes as well as expanded air

operations; and

WHEREAS, the County of Dinwiddie and the City of Petersburg have formed an Interim Airport Board whose purpose was to draft the appropriate language for the establishment of a Joint Airport Authority; and

WHEREAS, said Board has prepared a charter which would establish the Petersburg and Dinwiddie County Airport & Industrial Authority; and

WHEREAS, the Board of Supervisors of Dinwiddie County is desirous of establishing said Airport and Industrial Authority on a permanent basis;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the draft charter establishing the Petersburg-Dinwiddie County Airport and Industrial Authority be approved; and

BE IT FURTHER RESOLVED that said Charter be introduced to the 1980 General Assembly of Virginia so that appropriate action may be taken to establish the Airport and Industrial Authority as a permanent organization.

IN RE: APPROVAL OF ARCHITECTURAL PLANS--SCHOOL BUS GARAGE

Mr. William Moseley of Moseley-Hening & Associates appeared before the Board to review the site plan and architectural designs developed by his firm for the new school bus garage. Cost of the completed project is estimated to be \$354,000. The building would include 11,000 sq. ft. of maintenance area and 3,000 sq. ft. of office and classroom space.

Mr. Clay questioned gravelling the large parking area which would basically be used only for parking buses. Mr. Hargrave agreed that there was not an immediate need for gravelling the parking area and this would represent a substantial cost savings. Mr. Clay also stated he would like to see the entire area fenced because of the vandalism problem experienced with parked buses.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board be authorized to proceed with the drawings and design specifications as needed to submit to bid the construction of the school bus garage as presented; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that after receipt and review of the bids, a recommendation will be made to the Board of Supervisors for final approval.

IN RE: APPROVAL OF ARCHITECTURAL PLANS--NEW MCKENNEY SCHOOL

Mr. William Moseley, Moseley-Hening and Associates, appeared before the Board to present architectural designs and site plan for the new Sunnyside McKenney Elementary School. The new school would be located adjacent to the existing school which would be torn down. The building as designed would consist of 35,000 sq. ft. for a total cost of \$1,836,000.

Dr. Vaughn stated that application for a \$1,000,000 literary loan has been received but no action taken by the State to date. The balance of the cost could be financed through Va. Public School Authority funds or other loans.

Upon motion of Mr. Leftwich, seconded by Mr. Clay, Mr.

Leftwich, Mr. Clay, Mr. Hodnett, Mr. Hargrave, Mr. Bennett voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the School Board is authorized to proceed with the drawings and design specifications necessary to submit to bid the construction of the new Sunnyside-McKenney Elementary School as outlined; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that after receipt and review of the bids, a recommendation will be made to the Board of Supervisors for final approval.

IN RE: REZONING CASE--P-79-7--RONALD T. ELDER

Upon motion of Mr. Hodnett, seconded by Mr. Clay, Mr. Hodnett, Mr. Clay, Mr. Leftwich, Mr. Hargrave, Mr. Bennett voting "aye", rezoning case P-79-7 was removed from the table for discussion.

The Director of Planning reviewed additional information he had obtained requested by the Board of Supervisors at their November 21, 1979 meeting.

Upon motion of Mr. Hodnett, seconded by Mr. Clay, Mr. Hodnett, Mr. Clay, Mr. Hargrave, Mr. Leftwich, Mr. Bennett 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 1B-1 Section 7 of the Zoning Map from Agricultural A-3 to Agricultural Rural Residential A-R. The conditions to become a part of the rezoning are as follows:

1. All land within 100 feet of Lake Chesdin shall be subject to reasonable restrictions against disturbance of the soil or cutting of the timber. The purpose of these restrictions is to minimize the possibility of soil erosion into the Lake and these restrictions shall be in favor of both Dinwiddie County and the Appomattox River Water Authority.
2. All lots fronting on Lake Chesdin shall be subject to a restriction against the use of surface fertilizers, crop poisons, insecticides, gardening chemicals, and other hazardous chemicals and further the storage of these or other materials which would be hazardous due to leakage into the water supply.

IN RE: PUBLIC HEARING--A-79-5--TAX RELIEF FOR THE ELDERLY AND/OR PERMANENTLY AND TOTALLY DISABLED

This being the time and place as advertised in the Progress-Index on Wednesday, December 5, 1979 and Wednesday, December 12, 1979 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing to consider for adoption an ordinance to amend Chapter 8 of the Dinwiddie County Code to repeal the existing Article VI and re-enact new provisions dealing with tax relief for the elderly and/or permanently and totally disabled.

The County Administrator reviewed the contents of the ordinance. Mr. W.E. Bolte, Commissioner of Revenue, stated that he was satisfied with the requirements to establish eligibility as set out by the ordinance.

No one appeared in support or opposition.

Upon motion of Mr. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Leftwich, Mr. Hodnett, Mr. Bennett 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 the repeal of the existing Article VI of Chapter 8 and the addition of the following:

Chapter 8 - Finance and Taxation

Article VI. Real Estate Tax Exemption for Certain Elderly and/or Permanently and Totally Disabled Persons.

Section 8-15. Definitions

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Affidavit. The real estate tax exemption affidavit.

Commissioner. The commissioner of the revenue of the County or any of his duly authorized deputies or agents.

Dwelling. The full-time residence of the person or persons claiming exemption.

Exemption. Exemption from the county real estate tax according to the provisions of this article.

Permanently and Totally Disabled. Unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of such person's life.

Property. Real property.

Taxable year. The calendar year, from January 1 until December 31, for which exemption is claimed.

Treasurer. The treasurer of the county.

Section 8-16. Exemption authorized.

Real estate tax exemption is provided for qualified property owners, who are not less than sixty-five years of age and/or permanently and totally disabled and who are eligible according to the terms of this article. Persons qualifying for exemption are deemed to be bearing an extraordinary real estate tax burden in relation to their income and financial worth.

Section 8-17. Administration of exemption.

The exemption shall be administered by the commissioner according to the provisions of this article. The commissioner is hereby authorized and empowered to make such inquiry of persons seeking exemption, requiring answers under oath, as may be reasonably necessary to determine qualifications for exemption as specified by this article. The commissioner may require the production of certified tax returns to establish income or financial worth.

Section 8-18. Requirements for exemption.

Exemption shall be granted to persons subject to the following provisions:

(a) The title of the property for which exemption is claimed is held, or partially held, on January 1 of the taxable year, by the person or persons claiming exemption.

(b) The head of the household occupying the dwelling and owning title, or partial title, thereto is sixty-five years or older on December 31 of the year immediately preceding the taxable year or is permanently and totally disabled as defined herein on December 31 of the year immediately preceding the taxable year.

(c) The total combined income during the immediately preceding taxable year from all sources of the owners of the dwelling living therein, and of the owner's relatives, living the dwelling, does not exceed twelve thousand dollars; provided however, that the first four thousand dollars of income of each relative, other than spouse, of the owner or owners, who is living in the dwelling shall not be included in such total.

(d) The net combined financial worth, including equitable interests, as of the thirty-first day of December of the immediate preceding taxable year, of the owners, and of the spouse of any owner, excluding the value of the dwelling and the land, not exceeding one acre, upon which it is situated does not exceed twenty-five thousand dollars.

(e) If such exemption is claimed based on a permanent and total disability, the application for exemption shall have attached thereto a certification by the Social Security Administration, the Veteran's Administration, or the Railroad Retirement Board, or if such person is not eligible for certification by any of these agencies, a sworn affidavit by two medical doctors licensed to practice medicine in the Commonwealth, to the effect that they have conducted physical examinations of the applicant and such applicant is permanently and totally disabled as defined in Section 8-15.

Section 8-19. Application for exemption; affidavit.

(a) Annually, not later than May 1, and not before February 1, of the taxable year, the person or persons claiming an exemption must file a real estate tax exemption affidavit with the commissioner.

(b) The affidavit shall set forth, on a form to be furnished by the commissioner, the names of the related persons occupying the dwelling for which exemption is claimed, their gross combined income, and their total combined net worth, including equitable interests.

(c) If after any audit and investigation, the commissioner determined that the person or persons are qualified for exemption, he shall so certify to the treasurer, who shall deduct the amount of exemption from the claimant's real estate tax liability.

Section 8-20. Amount of exemption.

Where the person or persons claiming exemption con-

forms to the standards and does not exceed the limitations contained in this section, the tax exemption shall be as shown on the following schedule:

| <u>TOTAL INCOME ALL SOURCES</u> | <u>TAX EXEMPTION</u> |
|---------------------------------|----------------------|
| \$0 to \$4,000 | 100% |
| \$4,001 to \$5,000 | 90% |
| \$5,001 to \$6,000 | 80% |
| \$6,001 to \$7,000 | 70% |
| \$7,001 to \$8,000 | 60% |
| \$8,001 to \$9,000 | 50% |
| \$9,001 to \$10,000 | 40% |
| \$10,001 to \$11,000 | 30% |
| \$11,001 to \$12,000 | 20% |

Section 8-21. Changes in Status.

Changes in respect to income, financial worth, ownership of property or other factors occurring during the taxable year for which the affidavit is filed and having the effect of exceeding or violating the limitations and conditions provided in this article shall nullify any relief of real estate tax liability for the then current taxable year and the taxable year immediately the following.

Section 8-22. Violations.

Any person or persons falsely claiming an exemption shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than fifty dollars nor more than five hundred dollars for each offense.

Article VII. Real Estate and Personal Property Tax.

Section 8-23. Due date; penalty for late payment.

The payment of taxes due and owing for the current year to the county for real estate and/or for personal property, machinery and tools, shall be paid by or on behalf of persons owing such taxes by the fifth of December or by the first business day thereafter if the fifth of December is not a business day. Where such taxes have not been paid to the county by the close of business of the fifth of December or the first business day thereafter if the fifth of December is not a business day, there shall be due and owing by such taxpayer to the county a penalty sum in the amount of ten percent of the total sum of such taxes owed.

IN RE: PUBLIC HEARING--A-79-6--ADMISSIONS TAX

This being the time and place as advertised in the Progress-Index on Wednesday, December 5, 1979 and Wednesday, December 12, 1979 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing to consider for adoption an ordinance to amend Chapter 8 of the Dinwiddie County Code to add Article VIII, Sections 24 through 28 imposing an admissions tax pursuant to Sec. 58-404.2, Code of Virginia, 1950, as amended.

Mr. Billy Leonard spoke in opposition to the tax. Mr. Thomas Leetch spoke in favor of the admissions tax at 10%. Mr. M.T. Gravitte, Jr. also spoke in favor of the tax.

Mr. W.E. Bolte, Commissioner of Revenue, appeared before the Board to question their intent for exemption of jointly sponsored activities where one organization is profit-oriented and one is non-profit. He felt that administrative details of this type should be clearly stated in the ordinance. He also stated that he and the Treasurer could see no justification for

an extension for filing returns.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that A-79-6 to add Article VIII, Section 24-28 imposing an Admissions Tax not be adopted.

IN RE: SUSSEX COUNTY IMPROVEMENT ASSOCIATION COMMUNITY ACTION AGENCY

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

WHEREAS, Mr. James Perry, Director for the Sussex County Improvement Association, appeared before the Board at their February 21, 1979 meeting to request authorization to conduct a needs assessment survey in the County to determine the feasibility of establishing a Community Service Agency to include Dinwiddie County; and

WHEREAS, at the November 21, 1979 meeting, Mr. Gilbert Burrough, consultant for the Sussex County Improvement Association, appeared before the Board to request a resolution in support of the creation of a community action agency to include Dinwiddie, Sussex, Surry and Prince George counties; and

WHEREAS, no action was taken pending the accumulation of additional information; and

WHEREAS, after reviewing the preliminary data and discussions with other service agencies in the County, it was determined that services provided by a community action agency would duplicate those services already available to the County;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia chooses not to participate in the creation of a Community Action Agency.

IN RE: APPOINTMENTS

Upon motion of Mr. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Leftwich, Mr. Hodnett, Mr. Bennett voting "aye", the appointments of all members to the Appomattox Basin Industrial Development Corporation, one member to the Planning Commission, and two members to the Crater Planning District Commission were postponed until the January 2, 1979 meeting.

IN RE: SHERIFF'S DEPARTMENT--REQUEST FOR CROSSBAR LIGHTS

Sheriff C.L. Mitchell appeared before the Board to request authorization to purchase Sheriff Department emblems for his police vehicles and crossbar lights for seven of the cars. He stated that the request for this equipment was not funded through a grant application from the Department of Transportation Safety for the 79-80 period.

Upon motion of Mr. Hodnett, seconded by Mr. Hargrave, Mr. Hodnett, Mr. Hargrave, Mr. Leftwich, Mr. Clay, Mr. Bennett voting "aye", the Sheriff was instructed to reapply for the requested equipment through Transportation Safety Funding for the 1980-81 funding period.

IN RE: APPROVAL OF AGENTS TO SELL AUTO TAGS AND DOG TAGS

Mrs. Margaret Lewis, Deputy Treasurer, appeared before the Board to request approval to renew agreements with the fol-

Following agents to sell auto tags and dog tags for the County:

Auto Tags - Namozine VFD
Baltimore Corner Store - Bill Marston

Dog Tags - Wallace's Store - Robert Wallace
Bolster's Store - Mike Barnes
Edgehill Hardware - Johnny Howerton
Ford Market - Diane & John W. Bishop

She stated the Commission would stay the same - \$1.00 per auto tag and 10% on gross sales for dog tags.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the agents to sell auto tags and dog tags be approved as presented.

IN RE: TRANSFER OF FUNDS FROM GENERAL FUND TO DOG FUND

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that \$5,000 be transferred from the General Fund to the Dog Fund.

IN RE: EXECUTIVE SESSION

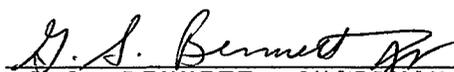
Upon motion of Mr. Leftwich, seconded by Mr. Clay, Mr. Leftwich, Mr. Clay, Mr. Hodnett, Mr. Hargrave, Mr. Bennett voting "aye", the Board moved into Executive Session at 10:55 P.M. to discuss personnel matters. The Board reconvened into Open Session at 11:35 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Leftwich, Mr. Clay, Mr. Leftwich, Mr. Hargrave, Mr. Hodnett, Mr. Bennett voting "aye", the meeting adjourned at 11:35 P.M.

ATTEST:


W.C. KNOTT


G.S. BENNETT, CHAIRMAN