

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 5TH DAY OF MAY, 1982 AT 2:00 P.M.

PRESENT: G.E. ROBERTSON, JR., CHAIRMAN ELECTION DISTRICT #2
STEVE WEBER, VICE-CHAIRMAN ELECTION DISTRICT #2
M.I. HARGRAVE, JR. ELECTION DISTRICT #3
A.S. CLAY ELECTION DISTRICT #4

L.G. ELDER COUNTY ATTORNEY
C.L. MITCHELL SHERIFF

ABSENT: G.S. BENNETT, JR. ELECTION DISTRICT #1

IN RE: INVOCATION

The Chairman opened the meeting with the Lord's Prayer, which was followed by the Pledge of Allegiance.

IN RE: MINUTES

Upon motion of Mr. Weber, seconded by Mr. Clay, Mr. Weber, Mr. Clay, Mr. Hargrave, Mr. Robertson voting "aye", the minutes of the April 21, 1982 regular meeting and the April 29, 1982 continued meeting were approved as presented.

IN RE: CLAIMS

Upon motion of Mr. Hargrave, seconded by Mr. Weber, Mr. Hargrave, Mr. Weber, Mr. Clay, Mr. Robertson voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims be approved: General Fund checks-numbering 82-773 through 82-863 amounting to \$76,734.69.

IN RE: PUBLIC HEARING--VIRGINIA DEPARTMENT OF HIGHWAYS & TRANSPORTATION 1982-83 SECONDARY ROADS BUDGET

This being the time and place as advertised in the Progress-Index on Friday, April 30, 1982 and Tuesday, May 4, 1982 for the Board of Supervisors to conduct a public hearing jointly with the Department of Highways & Transportation to receive comments from interested citizens concerning the 1982-83 secondary roads improvement budget.

Mr. C.B. Perry, Resident Engineer and Mr. B.C. Medlock, Assistant Resident Engineer, VDH&T, were present to open the hearing and answer any questions.

The following comments were made:

1. Mr. G.C. Crumpler appeared before the Board to request that Rt. 738 be improved. He stated it was a 1.10 mile dirt road connecting Rt. 645 and Rt. 647, and saved approximately five to six miles travel time for working people. Mr. Crumpler indicated that the road was in such bad shape that it was difficult to make the turn into the road without sliding in the ditch. He added that some work had been done; however the traffic had mashed the dirt down and reopened the ruts. Mr. Herbert Martin was also present in support of improvements to the road.

Mr. Perry stated the road had been in the six-year plan but had been pushed back due to a shortfall in funds.

Mr. Clay asked if these roads pushed back would be brought back into the six-year plan as funds became available. He was also interested in having improvements made to Rt. 738.

Mr. Perry advised the Board that all the roads would be considered again when the Board met to update the six-year plan and establish priorities. In the meantime, Mr. Perry indi-

cated the Department could shape up the road.

Mr. Robertson asked for a report after Mr. Perry reviewed the road.

2. Mr. Sid Mayes appeared before the Board to discuss Route 142. The portion he was concerned about lies within the city limits of Petersburg; however, he thought if improvements were made, it would probably have to be a joint effort with the County. He stated the road is a real safety hazard.

Mr. Perry advised Mr. Mayes to forward his concern to the City of Petersburg because it does lie within the City's boundaries.

This concluded the public hearing.

IN RE: PUBLIC HEARING--A-82-5--CHANGE IN POLLING PLACE

This being the time and place as advertised in the Progress-Index on Wednesday, April 21, 1982 and Wednesday, April 28, 1982 for the Board of Supervisors to conduct a public hearing to consider for adoption an ordinance to amend Chapter 7A of the Code of the County of Dinwiddie, Virginia, to reflect a change in the polling place for Precinct Number 302 from Baird's Store to Oak Grove United Methodist Church.

The change is recommended by the Electoral Board and Registrar to provide an improved facility for voting purposes.

No one appeared in support or opposition.

Upon motion of Mr. Hargrave, seconded by Mr. Clay, Mr. Hargrave, Mr. Clay, Mr. Weber, Mr. Robertson 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 following changes:

CHAPTER 7A - ELECTIONS

Section 7A-3. Precincts - Names, number and polling places.

ELECTION DISTRICT NUMBER 3

Precinct

Polling Place

Number 302, Reams

Oak Grove United Methodist Church

IN RE: PUBLIC HEARING--A-82-4--VEHICLE LICENSES AMENDMENT

This being the time and place as advertised in the Progress-Index on Wednesday, April 21, 1982 and Wednesday, April 28, 1982 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing to consider for adoption an ordinance to amend Chapter 11 of the Code of the County of Dinwiddie, Virginia, to repeal Sections 11-12, 11-13 and 11-18 of Chapter 11, Article II and adding revised Sections 11-12, 11-13 and 11-18 dealing with vehicle licenses.

Mr. Elder presented the amendment indicating the change clears up who is responsible for enforcing the ordinance, and aides the Sheriff's Department in carrying out their duties.

No one appeared in support or opposition.

Upon motion of Mr. Weber, seconded by Mr. Hargrave, Mr. Weber, Mr. Hargrave, Mr. Clay, Mr. Robertson 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 repealing Sections 11-12, 11-13, and 11-18 of Chapter 11, Article II and replacing them by the following:

Chapter 11. Motor Vehicles and Traffic

Article II - VEHICLE LICENSES

Section 11-12. Licenses Required

There is hereby imposed a license tax upon every motor vehicle, trailer or semitrailer normally garaged stored or parked in the county.

Section 11-13. Exemptions

The provisions of this article shall not apply to any vehicle exempted by the provisions of sections 46.1-45 to 46.1-48 and section 46.1-66 of the Code of Virginia, nor shall the provisions of this article apply to any vehicle licensed pursuant to sections 46.1-49 or 46.1-50 of the Code of Virginia, nor to any vehicle displaying special permanent plates as approved and issued by the division of motor vehicles pursuant to sections 46.1-149.1 of the Code of Virginia to veterans with service-connected disabilities nor to any vehicle otherwise exempted by state law.

Section 11-18. Licensing requirements and tags, stickers, etc., generally.

Any person coming under the provisions of this article shall make application for license upon forms prescribed by the treasurer of the county, and upon payment of the required tax shall be issued, as evidence thereof, a tag, tin or sticker such as may be prescribed by the board of supervisors which shall be conspicuously placed upon the vehicle so licensed, in such a manner as instructed by the treasurer of the county. Operating any vehicles required to be licensed by this article on the streets, highways or roads of this county without displaying such tag, tin or sticker shall be a violation of this article, even though the license tax has been paid.

No vehicle so taxable shall be licensed unless and until the applicant for such license shall have produced satisfactory evidence that all personal property taxes upon all motor vehicles, trailers or semitrailers which personal property taxes have been assessed or are assessable against such applicant for the taxable year 1968 and every subsequent year thereafter, have been paid.

IN RE: PUBLIC HEARING--A-82-6--LAND HOLDINGS OF BENEVOLENT ASSOCIATIONS

This being the time and place as advertised in the Progress-Index on Wednesday, April 21, 1982 and Wednesday, April 28, 1982 for the Board of Supervisors to conduct a public hearing to consider for adoption an ordinance to amend Chapter 8 of the Dinwiddie County Code to add Article IX, Sec. 8-32, authorizing benevolent associations to hold up to ten (10) acres of real estate.

No one appeared in support or opposition.

Upon motion of Mr. Hargrave, seconded by Mr. Weber, Mr. Hargrave, Mr. Weber, Mr. Clay, Mr. Robertson 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 addition of Article IV, Section 8-32:

CHAPTER 8 - FINANCE AND TAXATION.

Article IX - Miscellaneous Exemptions

Section 8-32. Benevolent Associations - Real Estate Held

Pursuant to Section 57-20 of the Code of Virginia the trustees of any benevolent or other such association as enumerated in Section 57-19 of the Code of Virginia are hereby authorized to take and hold a quantity of real estate in Dinwiddie County not exceeding ten (10) acres at any one time. All such holdings heretofore acquired are validated.

IN RE: CONFEDERATE WOODS SUBDIVISION--SECTION TWO--ADDITION OF STONEWALL DRIVE

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

BE IT RESOLVED by the Dinwiddie County Board of Supervisors this 5th day of May 1982, that the Virginia Department of Highways and Transportation be and is hereby requested to add a section of road known as Stonewall Drive, beginning at a point on Route 1405, 0.20 mile east of Route 627 and running in a southeasterly direction 0.43 mile to dead end with a turn-around. This road has been constructed, drained, and surfaced in accordance with the Virginia Department of Highways and Transportation Specification and County Ordinances; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that this road in Confederate Woods Subdivision, Section Two, if accepted, be added to the Secondary System of Dinwiddie County, effective on the date of approval of the Highway Commission with a maintenance bond and fee, pursuant to Section 33.1-229 of the Code of Virginia (1950, as amended); and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, does guarantee the Commonwealth of Virginia, a minimum unrestricted right of way of fifty (50) feet with necessary easements for cuts, fill, and drainage as recorded in Plat Book 10, Pages 100 and 101, dated January 6, 1977.

IN RE: TREASURER

Mrs. Margaret W. Lewis presented her report for the month of April, 1982.

IN RE: SHERIFF

Mr. Weber asked if the Sheriff's Department had been holding road checks for county decals. The Sheriff stated they had been and have taken several to court.

IN RE: BUILDING INSPECTOR

Mr. James L. Blaha presented his report for the month of April, 1982.

Mr. Hargrave stated he had spoken with the Building Inspector about an improperly wired trailer. He asked that the County Administrator and Building Inspector look into providing for proper grounding requirements when an inspection is made.

Mr. Robertson asked if a written report had been submitted for the inspection of the Amusement Center in the old Stuckey's building.

The County Administrator stated an inspection had been made but the written report was not finalized.

Mr. Robertson requested a copy of the report when it is finished.

IN RE: ANIMAL WARDEN

Mr. L.A. Brooks, Jr., presented his report for the month of April, 1982.

Mr. Brooks also presented two livestock claims for the Board's consideration and indicated he had verified the values.

Mr. Robertson stated that in the future, he would like for Mr. Brooks to indicate on the claim whether he recommended approval or not.

IN RE: LIVESTOCK CLAIM--A.W. BROWDER

Upon motion of Mr. Clay, seconded by Mr. Weber, Mr. Clay, Mr. Weber, Mr. Hargrave, Mr. Robertson voting "aye", Mr. A.W. Browder was awarded \$71.25 for three (3) pigs.

IN RE: LIVESTOCK CLAIM--H.N. VANCLEEF

Upon motion of Mr. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Weber, Mr. Robertson voting "aye", Mr. H.N. VanCleeff was awarded \$266.80 for two (2) calves.

IN RE: LITTER CONTROL GRANT -- FY 1982-83

The Director of Planning presented a resolution for the Board's consideration to approve submission of an application to renew the County's Litter Control program for 1982-83. He explained that the total amount of the grant is \$3795, \$250 of which goes to the Town of McKenney unless they choose to return it to the County for use as they have done in the past.

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

WHEREAS, the Board of Supervisors recognizes the existence of a litter problem within the boundaries of Dinwiddie County; and

WHEREAS, the Virginia Litter Control Act of 1976 provides, through the Department of Conservation and Economic Development, Division of Litter Control, for the allocation of public funds in the form of Grants for the purpose of enhancing local litter control programs; and

WHEREAS, having reviewed and considered the Regulations and the Application covering administration and use of said funds;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby endorses and supports such a program for the County of Dinwiddie as is indicated in the attached Application Form LC-G-1; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby authorizes the County Administrator to plan, budget, and apply for a Grant, which if approved, will be used to fund said Program; and

BE IT FURTHER RESOLVED that the Board of Supervisors of

Dinwiddie County, Virginia hereby requests the Department of Conservation and Economic Development, Division of Litter Control, to consider and approve said Application and Program, said Program being in accord with the regulations governing use and expenditure of said funds.

IN RE: EXTENSION OF ON-PREMISES BEER SALES TO 2:00 A.M.

Mr. Mastin Kitchen, owner of Kitchen's Restaurant, appeared before the Board to request the extension of on-premises beer sales until 2:00 A.M. Presently, beer can be sold until 12:00 Midnight, but with the change to daylight savings time, Mr. Kitchen stated it gets dark later and the time limit, therefore, cuts into his business sales. He added that since all the surrounding localities had extended their on-premises sales until 2:00 A.M. and his business is very close to Petersburg, he lost a lot of business to the City. Mr. Kitchen indicated that he had not decided he would keep his business open until 2:00 A.M., but he would like the option if customers wanted to stay longer and finish their beer or he was having a dance with a well-mannered crowd.

Mr. Richard B. Temple, Temple's Exxon, appeared in support of the extension of time. Wilmurt's Restaurant and the El Matador Restaurant were also represented.

The County Attorney advised the Board that any action on extending the time would have to be considered by the Alcoholic Beverage Control Board and a request to them would have to be by a unanimous vote of those Board members present.

Mr. Robertson asked what kind of time frame would there be for consideration by the ABC board. The County Attorney indicated he really couldn't say, but he thought there could be a decision made by the end of the month.

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

WHEREAS, there are numerous ABC Board licensees in Dinwiddie County; and

WHEREAS, under existing rules and regulations, beer and wine sales are prohibited after 12:00 Midnight; and

WHEREAS, the adjoining City of Petersburg has approved liquor by the drink and service of all alcoholic beverages is permitted until 2:00 A.M., and

WHEREAS, this results in a loss of revenue to Dinwiddie County businesses due to customers patronizing businesses in the City of Petersburg;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia unanimously requests that an exception be granted to Dinwiddie County, Virginia for beer and wine sales on-premises until 2:00 A.M.

IN RE: SPECIAL ENTERTAINMENT PERMIT--PATTERSON'S MILL SOFTBALL CLUB

Mr. W.C. Scheid, Director of Planning, appeared before the Board to present a request from the Patterson's Mill Softball Club for a Special Entertainment Permit to hold a Blue Grass Concert at the Patterson's Mill Ball Park on July 17, 1982. Mr. Earl Elder and Mr. Jerry Stigall, applicants, were present to answer any questions about their request. The proceeds from the function are to be used for improvements to the ball park and to help the finances of the Ball Club.

Mr. Scheid stated the applicants have given evidence of meeting all the requirements of the application to the County Administrator's and his satisfaction. They have made

the proper contacts for fire, rescue and police protection and have assured him they would shut down at 12:00 Midnight. They expect to sell 750 tickets.

Mr. Clay stated he had not received any objections to the concert in the area.

Upon motion of Mr. Clay, seconded by Mr. Weber, Mr. Clay, Mr. Weber, Mr. Hargrave, Mr. Robertson voting "aye", a Special Entertainment Permit was approved for the Patterson's Mill Softball Club to hold a Blue Grass Concert at the Patterson's Mill Ball Park on July 17, 1982 subject to the conditions as stated in the permit.

IN RE: APPROVAL OF STREET LIGHT--ROUTE 601

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

WHEREAS, the Board of Supervisors has been requested by John Drinkwater to place a streetlight along Route 601 in the vicinity of his house; and

WHEREAS, the County Administrator and the VEPCO representative recommend that this streetlight be installed;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is directed to have installed on Route 601 a streetlight on VEPCO pole #8.

IN RE: DISCUSSION OF 1982-83 AIRPORT BUDGET REQUEST

Mr. Robertson stated he felt the Board should indicate their position on the budget request of \$21,000 for the Airport Authority, an additional \$6,000 on the present proposed budget allocation. He added that since Petersburg City Council has asked the City Manager to come up with \$21,000 in their budget, he felt their decision would be predicated on what Dinwiddie is going to appropriate.

Mr. Hargrave stated he wanted to better understand the need for the items outlined in the budget requested. He questioned the amount listed for heat and light with so few workers and the need for part-time clerical help.

Mr. W.C. Scheid, Secretary-Treasurer to the Airport Authority, briefly commented on a few of the line items, indicating the justification for the amounts. He stated that the Authority had a contract with the Airport Manager to fund the heat and light for the terminal building on a de-escalating basis. He added that some of the light cost was fixed because the runway and beacon lights had to be kept on. The contingency funds were set aside for repairs that had to be made or the airport would have to be closed down. Mr. Scheid indicated they did not want to dip into the funds set aside for improvements because they expected the federal government to come up with the match. He stated that the clerical personnel was needed because there was correspondence that had to be handled on a daily basis dealing with grants and airport activities, between the hours of 9 and 5.

Mr. Hargrave stated his only concern was that the funding requested was for items that were truly needed.

Mr. Clay indicated he was willing to make an effort to find the \$6,000 extra appropriation. Mr. Hargrave agreed.

Mr. Weber stated he felt the \$6,000 additional appropriation for the Airport Authority should be added to the budget.

He felt the Airport Manager was doing a good job and it was the Board's duty to keep it going.

Mr. Clay stated he was impressed with the Airport operations but he wanted to see where the money was coming from before making a commitment.

Mr. Robertson asked if the \$6,000 was available. The County Administrator stated the Board would have to approve what changes were made to come up with the extra \$6,000. Mr. Robertson asked if it could be taken from the General Fund. The County Administrator stated it could.

Upon motion of Mr. Weber, seconded by Mr. Hargrave, Mr. Weber, Mr. Hargrave, Mr. Clay, Mr. Robertson voting "aye",

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, is in favor of an effort to find \$6,000 additional funding for the Airport Authority in the 1982-83 budget.

IN RE: RANDY FITZGERALD--RECOGNITION OF BIRTH OF SON

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

WHEREAS, Randy Fitzgerald, the esteemed and renowned reporter for the Richmond News Leader and his wife, Kristie, brought into this world, Kyle Randolph, their first-born son, on April 1, 1982 at 8:15 A.M.; and

WHEREAS, the Board of Supervisors of Dinwiddie County is desirous of recognizing this momentous occasion in the lives of Randy and Kristie Fitzgerald;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby memorializes this day in history by recognizing Kyle Randolph as the junior reporter for the News Leader; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Kyle's first article will be a plea to Randy and Kristie to bring into this world a brother or sister; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that this resolution be delivered to Kyle Randolph Fitzgerald and a copy spread upon the minutes of this meeting.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Weber, Mr. Robertson voting "aye", pursuant to Sec. 2.1-344(6) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 3:14 P.M. to discuss legal matters. The meeting reconvened into Open Session at 3:30 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Weber, Mr. Robertson voting "aye", the meeting adjourned at 3:30 P.M.

ATTEST:


W.C. KNOTT


G.E. ROBERTSON, JR., CHAIRMAN