

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA ON THE 21ST DAY OF DECEMBER, 1983 AT 8:00 P.M.

PRESENT: STEVE WEBER, CHAIRMAN ELECTION DISTRICT #2  
G.S. BENNETT, JR., VICE-CHAIRMAN ELECTION DISTRICT #1  
G.E. ROBERTSON, JR. ELECTION DISTRICT #2  
M.I. HARGRAVE, JR. ELECTION DISTRICT #3  
A.S. CLAY ELECTION DISTRICT #4  
  
L.G. ELDER COUNTY ATTORNEY  
  
ABSENT: C.L. MITCHELL SHERIFF

IN RE: MINUTES

Upon motion of Mr. Bennett, seconded by Mr. Hargrave, Mr. Bennett, Mr. Hargrave, Mr. Robertson, Mr. Clay, Mr. Weber voting "aye", the minutes of the December 7, 1983 meeting were approved as presented.

IN RE: CLAIMS

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

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

General Fund checks-numbering 83-2541 through 83-2772 amounting to \$164,021.56; Water & Sewer Fund check-#W&S-83-5 in the amount of \$6890; Library Fund checks-numbering LF-83-23 and 24 amounting to \$46.61.

IN RE: COMMISSIONER OF REVENUE--COMPARATIVE REPORT 1982-83 PUBLIC SERVICE CORPORATION ASSESSMENTS

Mr. W.E. Bolte, Commissioner of Revenue, presented a Comparative Report on 1982 and 1983 public service corporation assessments. He pointed out that the major increase is in the railroad assessments because of the change in the method of assessing the roadbeds. Also, the responsibility has been transferred to the Department of Taxation.

He also pointed out an increase in the VEPCO assessment which he felt was due to the remainder of the transmission line going through the County.

IN RE: PUBLIC HEARING--A-83-5--LOUIS SHELL

This being the time and place as advertised in the Progress-Index on Wednesday, December 7 and Wednesday, December 14, 1983 for the Board of Supervisors to consider the adoption of an amendment to the conditional rezoning application P-80-2 submitted by Mr. Louis Shell seeking to temporarily rescind the conditions imposed upon the development of land designated as Section 7, Parcels 1F and 2.

Mr. W.C. Scheid, Director of Planning, presented the amendment and reviewed the action of the Planning Commission wherein they recommended approval at their November 8, 1983 meeting. He stated Mr. Shell is seeking a temporary waiver of the 100 foot buffer area restrictions adjacent to Lake Chesdin so that a drainage problem may be corrected and the land contour improved.

Upon correction of the drainage problem, said conditions established for the 100 ft. buffer area shall be restored. Mr.

Scheid added that the work will benefit the Water Authority as well as help erosion control in the area.

Mr. Robertson asked how long is temporary. Mr. Scheid stated Mr. Shell indicated five years, but it is subject to the market and the weather. Mr. Hargrave stated he felt Mr. Scheid should be notified when the work is done.

Mr. Louis Shell was present in support of the amendment. No one appeared in opposition.

Mr. Shell indicated he would be glad to work with Mr. Scheid and notify him when the work was started. He also stated he would rather not have a time limit because he really didn't know when he would be able to start. Mr. Bennett stated his only concern was how long the project would lay after it was started. Mr. Shell indicated he would not be opposed to a twelve-month limit after the work is started.

Mr. Hargrave added that he felt it important that the only material to be placed in the low areas would be that which came out of the lake rather than outside material.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the Dinwiddie County Code so adopted April 1, 1970, and as heretofore amended be further amended by temporarily rescinding the conditions imposed upon the development of land designated as Section 7, Parcel 2A and a portion of Section 7, Parcels 1F and 2 and more specifically referenced in rezoning application P-80-2. Said rescinding of conditions is temporary, only, and subject to the following:

1. The County Planner shall be notified prior to any earthmoving activities.
2. The construction period shall not exceed 18 months from the date construction began.
3. This waiver shall be reviewed five (5) years from the date of issuance if work has not begun.

In all other respects said Zoning Ordinance is hereby reordained.

IN RE: PUBLIC HEARING--A-83-6--DILAPIDATED STRUCTURES

This being the time and place as advertised in the Progress-Index on Wednesday, December 7, and Wednesday, December 14, 1983 for the Board of Supervisors to conduct a public hearing to consider for adoption an ordinance to amend Chapter 12, Offenses, Miscellaneous, of the Dinwiddie County Code by adding Section 7.

Mr. W.C. Scheid, Director of Planning, presented the amendment and reviewed the action of the Planning Commission wherein they recommended approval at their October 12, 1983 meeting. He pointed out that the amendment deals with residential and commercial areas only.

Mr. Hargrave expressed a concern about truly agricultural areas that are zoned residential and those complaints about the aesthetic appearance of an old barn or building. Mr. Scheid stated a consideration would be its proximity to other buildings. He could not see the County getting involved for aesthetic reasons only.

Mr. Robertson asked about a building that was structurally sound but grown up with weeds. Mr. Scheid stated the determination would be on whether it is structurally sound only. The County would get involved if it's a safety hazard or health problem.

Mr. Clay asked how the ordinance would be enforced. He felt there was no need for another ordinance if it's not going to

be enforced. Mr. Scheid stated it would be mainly by complaints.

Mr. Robertson asked about buildings that are occupied but may not be structurally sound. The County Attorney pointed out that the State Code pertains to vacant buildings.

The County Administrator stated he could foresee two problem areas: 1. These types of complaints will place added pressure on the Zoning Administrator. 2. The County will, 75 to 80% of the time, be forced to pay to have the problem corrected.

The County Attorney pointed out that notification of the owner should be spelled out in the ordinance.

Mr. Hargrave suggested Mr. Scheid might want to discuss administration of the ordinance with other localities who have had experience in this area.

No one appeared in support or opposition to this amendment.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Chapter 7, Offenses-Miscellaneous, of the Dinwiddie County Code be amended by adding the following section:

Section 12-7. Removal, repair, etc. of buildings and other structures in residential and commercial zones.

(a) It shall be unlawful for any vacant building and/or other structure to be kept within a residential or commercial zone which is deemed by the County to pose a threat to the public health or safety. In reaching a decision, the County shall consider such factors as the structural condition of the unit, proximity to other structures, last date of occupancy and/or current use.

(b) Upon notification of a violation by the County, the owner of the property and/or structure shall have ninety (90) days to remove, repair or secure any building, wall or other structure which endangers the public health or safety.

(c) Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, after conviction thereof, each successive day that the violation continues shall constitute a separate violation.

(d) In the event the owner shall fail to have corrected said violation, the County through its own agents or employees may remove, repair or secure any building, wall or other structure which might endanger the public health or safety of other residents of the County.

In the event the County removes, repairs or secures any building, wall or other structure, the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by the County as taxes and levies are collected.

Every cost authorized by this section with which the owners of the premises shall have been assessed shall constitute a lien against the property and the lien shall continue until actual payment of such costs shall have been made to the County.

In all other respects, said ordinance is hereby reordained.

IN RE: APPOINTMENTS--DINWIDDIE COUNTY WATER AUTHORITY

Mr. Robertson nominated Mr. Jack DeBoer to replace Mr. John Scarborough. Mr. Bennett nominated Mr. James Davis for reapp-

pointment. Mr. Hargrave moved that the nominations be closed. Mr. Clay seconded the motion. Mr. Hargrave, Mr. Clay, Mr. Bennett, Mr. Robertson, Mr. Weber voted "aye".

Mr. Hargrave, Mr. Clay, Mr. Robertson, Mr. Bennett, Mr. Weber voting "aye", Mr. Jack DeBoer and Mr. James Davis were appointed to the Dinwiddie County Water Authority, terms expiring December 31, 1987.

IN RE: APPOINTMENT--CHAPTER 10 BOARD

The Appointment to the Chapter 10 Board was postponed.

IN RE: APPOINTMENTS--CRATER PLANNING DISTRICT COMMISSION

Mr. Weber asked Mr. Robertson to nominate Mr. Emery Veazey for him to replace Mr. Charles Titmus who could not be reappointed.

Mr. Hargrave nominated Mr. G.E. Robertson, Jr. for reappointment.

Mr. Robertson nominated Mr. Kenneth Wright to replace Mr. G.S. Bennett, Jr.

Mr. Hargrave moved that the nominations be closed. Mr. Clay seconded the motion. Mr. Hargrave, Mr. Clay, Mr. Robertson, Mr. Bennett, Mr. Weber voted "aye".

Mr. Hargrave, Mr. Clay, Mr. Robertson, Mr. Bennett, Mr. Weber voting "aye", Mr. Emery Veazey, Mr. G.E. Robertson, Jr. and Mr. Kenneth Wright were appointed to the Crater Planning District Commission, terms expiring December 31, 1987.

IN RE: APPOINTMENT--CRATER CRIMINAL JUSTICE ACADEMY

Mr. Robertson nominated Mr. John Talmage for Mr. Weber to replace Mr. C.E. Veazey, Sr. Mr. Robertson moved that the nominations be closed. Mr. Clay seconded the motion. Mr. Robertson, Mr. Clay, Mr. Bennett, Mr. Hargrave, Mr. Weber voted "aye".

Mr. Robertson, Mr. Clay, Mr. Bennett, Mr. Hargrave, Mr. Weber voting "aye", Mr. John Talmage was appointed to the Crater Criminal Justice Academy, term expiring December 31, 1987.

IN RE: RESOLUTION OF APPRECIATION--JOHN W. SCARBOROUGH

Upon motion of Mr. Robertson, seconded by Mr. Hargrave, Mr. Robertson, Mr. Hargrave, Mr. Clay, Mr. Bennett, Mr. Weber voting "aye", the County Administrator was instructed to draft a resolution of appreciation to John W. Scarborough for his years of service on the Dinwiddie County Water Authority.

IN RE: ACCEPTANCE OF DONATED LAW LIBRARY BOOKS

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

WHEREAS, Eugene R. Marable, Jr., Attorney-at-Law in Petersburg, Virginia is closing his office; and

WHEREAS, there are several volumes of law books he will no longer need and would like to donate to the Dinwiddie County Law Library;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia gratefully accepts this gift of law books for the Dinwiddie County Law Library; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator draft a letter of appreciation to Mr. Eugene R. Marable, Jr.

IN RE: BINGO & RAFFLE PERMIT--DINWIDDIE SENIOR HIGH SCHOOL

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

WHEREAS, the Dinwiddie County Senior High School has made application to the Board of Supervisors to renew their Bingo and Raffle Permit for the calendar year 1984; and

WHEREAS, the Dinwiddie Senior High has paid the \$10.00 fee and meets the requirements of the State Code of Virginia;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Bingo & Raffle Permit for the Dinwiddie County Senior High School be renewed for the calendar year 1984.

IN RE: BINGO & RAFFLE PERMIT--NAMOZINE VOLUNTEER FIRE DEPARTMENT

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

WHEREAS, the Namozine Volunteer Fire Department has made application to the Board of Supervisors to renew their Bingo and Raffle Permit for the calendar year 1984; and

WHEREAS, the Namozine VFD has paid the \$10.00 fee and meets the requirements of the State Code of Virginia;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Bingo & Raffle Permit for the Namozine VFD be renewed for the calendar year 1984.

IN RE: VACO/VML TELEPHONE STEERING COMMITTEE

The County Administrator reviewed a letter from the Virginia Municipal League concerning the establishment of a joint steering committee with the Va. Association of Counties to negotiate telephone rates with the C&P Telephone Company. In the letter, the Committee asks the Board of Supervisors to pass a resolution supporting the committee's efforts to negotiate rates on behalf of the County. The County Administrator added that he felt the Board would also be asked for monetary support.

After a brief discussion, no action was taken.

IN RE: COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT

Mr. W.C. Scheid, Director of Planning, presented an agreement to be executed between the County of Dinwiddie and the Va. Department of Housing and Community Development for a Community Improvement Grant not to exceed \$660,807. The grant will provide funds for a water and sewer project in the Piney Beach/Oak Hill area.

Because there were questions pertaining to the role of the Water Authority and since the Water Authority will be at the January 4, 1984 meeting to present an Agreement to be executed with the County concerning the same grant, action was postponed until that time.

IN RE: JIMMY KARNES DAY

Mr. Robertson advised the Board that Jimmy Karnes passed away December 18, 1983 and the funds collected on Jimmy Karnes Day, declared by the Board of Supervisors, paid his medical and burial expenses. He commended the County and the citizens for their effort on behalf of Jimmy Karnes.

IN RE: PRESENTATION OF GAVEL TO STEVE WEBER, CHAIRMAN 1983

Mr. G.S. Bennett, Jr., Vice-Chairman presented a gavel to Mr. Steve Weber in recognition of his service as Chairman of the Board for the year 1983.

Mr. Weber expressed his appreciation to each member for their support and cooperation.

Mr. Robertson expressed the appreciation of the citizens of District II for Mr. Weber's service as a member of the Board for the past four years.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Hargrave, seconded by Mr. Clay, Mr. Hargrave, Mr. Clay, Mr. Bennett, Mr. Robertson, Mr. Weber voting "aye", pursuant to Sec. 2.1-344 (1) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 9:48 P.M. to discuss personnel matters. The meeting reconvened into Open Session at 10:01 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Hargrave, seconded by Mr. Robertson, Mr. Hargrave, Mr. Robertson, Mr. Clay, Mr. Bennett, Mr. Weber voting "aye", the meeting adjourned at 10:02 P.M.

STEVE WEBER, CHAIRMAN

ATTEST: W.C. KNOTT