

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF  
DINWIDDIE COUNTY, VIRGINIA, HELD IN THE BOARD MEETING  
ROOM OF THE ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA  
ON THE 18TH DAY OF JULY, 1984 AT 8:00 P.M.

PRESENT: G.S. BENNETT, JR., CHAIRMAN ELECTION DISTRICT #1  
M.I. HARGRAVE, JR., VICE-CHAIRMAN ELECTION DISTRICT #3  
H.L. CLAY, JR. ELECTION DISTRICT #2  
G.E. ROBERTSON, JR. ELECTION DISTRICT #2  
A.S. CLAY ELECTION DISTRICT #4  
  
T.O. RAINEY, III ASS'T. COUNTY ATTORNEY  
TIMOTHY OGBURN DEPUTY SHERIFF

IN RE: MINUTES

Upon motion of Mr. H. Clay, seconded by Mr. Hargrave,  
Mr. Clay, Mr. Hargrave, Mr. Clay, Mr. Robertson, Mr. Bennett  
voting "aye", the minutes of the June 20, 1984 special meeting,  
the June 20, 1984 regular meeting and the June 27, 1984 special  
meeting were approved as presented.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie  
County, Virginia that the following claims be approved and the  
funds appropriated for same:

General Fund checks-numbering 84-1290 through 84-1495  
amounting to \$228,015.85; Law Library Fund checks-numbering  
LF-84-9 thru LF-84-11 amounting to \$928.00; Leo Williams Fund  
checks-numbering LW-84-2 thru LW-84-5 amounting to \$5370.67;  
Johnsongrass Control checks-numbering JCG-84-4 and 5 amounting  
to \$223.25; History Book Fund-check #HB-84-3 in the amount of  
\$4.10.

IN RE: DINWIDDIE COUNTY WATER AUTHORITY--INTERIM FINANCING

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

WHEREAS, the Dinwiddie County Water Authority is  
proposing to provide extension of water and sewer lines for  
the Piney Beach-Oak Hill area and to Picture Lake down U.S.  
#1; and

WHEREAS, one of the conditions imposed by the Farmers  
Home Administration prior to closing the loan to the Water  
Authority is that the Authority shall have collected \$70,593.00  
in connection fees; and

WHEREAS, the connection fees cannot be collected  
before water and sewer is made available to the customers;  
and

WHEREAS, the County previously guaranteed the repay-  
ment of a loan for the initial construction of water and sewer  
lines in the Northeast part of the county;

NOW THEREFORE BE IT RESOLVED that the Board of Super-  
visors of Dinwiddie County, Virginia guarantees the repayment of  
a loan, in the amount of \$70,593 to be used by the Dinwiddie  
County Water Authority for the Piney Beach-Oak Hill and U.S.  
No. 1; extensions to be repaid by the Authority when connection  
fees are collected.

IN RE: CABLETELEVISION UPDATE

Mr. George Robertson stated that he had contacted Mr. Paul Bland of Crater General Communications to find out the status of cabletelevision for the County of Dinwiddie. Mr. Bland was awarded the franchise for the County, November 2, 1983. He explained that several meetings have been held with Mr. Bland and at the last meeting in April of this year, there were two conditions that Mr. Bland would have to meet in providing this service: 1. A financial statement 2. A layout of the system. Mr. Robertson stated he became concerned because he had not heard any thing since and, therefore, wrote Mr. Bland a letter in June. Mr. Bland replied stating that progress has been slower than expected, basically because he was trying to secure a contractor to construct a break-even system. He was investigating overhead lines and needs a new contractor. He also stated he was trying to keep costs down for the subscribers and was not going to make any hasty financial decisions.

Mr. Robertson stated that he was concerned that they had not been able to provide cabletelevision for the citizens. He suggested that the County Administrator and County Attorney investigate the status of the system to see if action can be expedited. Then, the Board can consider action accordingly. The other members concurred with Mr. Robertson's suggestion.

IN RE: DINWIDDIE MAILING ADDRESS--NORTHEAST SECTION OF THE COUNTY

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

WHEREAS, numerous residents in the Northeast portion of the County have expressed a desire to have their mailing address reflect they live in the County of Dinwiddie; and

WHEREAS, when a resident of the County with a Petersburg address purchases a vehicle or mobile home, the tax accruing from such transaction, on many occasions, is credited to the City of Petersburg rather than the County of Dinwiddie; and

WHEREAS, the Board of Supervisors believes the Dinwiddie mailing address should encompass the Northeast section of the County to enhance the industrial, commercial and residential development of the area; and

WHEREAS, the citizens residing in the Northeast section of the County believe a change in mailing address to Dinwiddie would promote understanding and closer relationships among all citizens of the County;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the United States Postal Services is requested to study the relocation of the Petersburg postal routes in Dinwiddie County to the Dinwiddie Post Office, the Sutherland Post Office, and the Carson Post Office; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that a copy of this resolution be sent to the County's representatives in Congress and in the General Assembly.

IN RE: TREASURER

Mr. W.E. Jones presented his report for the month of June, 1984.

IN RE:       TREASURER--PURCHASE OF "LOCAL GOVERNMENT LAWS OF VIRGINIA"

Mr. W.E. Jones appeared before the Board to request authorization to purchase a two-volume set of books called "Local Government Laws of Virginia" to be used for reference in the Treasurer's Office. The volume is \$70.00 with a 1982 supplement. He requested approval to purchase the books through the Law Library account.

Upon motion of Mr. H. Clay, seconded by Mr. A. Clay, Mr. Clay, Mr. Clay, Mr. Robertson, Mr. Hargrave, Mr. Bennett voting "aye", Mr. W.E. Jones was authorized to purchase a two-volume set of reference books entitled Local Government Laws of Virginia for \$70.00 through the Law Library Fund.

IN RE:       RAYMOND MCCANTS--NEIGHBORHOOD WATCH

Mr. Raymond McCants stated that he and the residents of Chesdin Road were going to be working with the Sheriff's Department to set up a Neighborhood Watch.

IN RE:       BUILDING INSPECTOR

Mr. James L. Blaha was not present but his report for the month of June, 1984 was read.

IN RE:       ANIMAL WARDEN

Mr. L.A. Brooks, Jr. was not present but his reports for the months of May and June were read.

IN RE:       LIVESTOCK CLAIMS--VIRGINIA MOORE & OKEY DONAHUE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. Virginia Moore be awarded \$117.60 for two (2) hogs; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Okey Donahue be awarded \$51.00 for two (2) goats.

IN RE:       JEAN MILLS--DOG COMPLAINTS

Mrs. Jean Mills, a resident of Rt. 613, appeared before the Board to register a complaint about stray dogs running through her yard and taking things. She indicated she was told the Animal Warden could not shoot the dog unless it is a threat to livestock or is rabid. She also stated that three of the stray dogs in her neighborhood had held her husband in his truck one afternoon. She indicated the Animal Warden has already set a trap in the area and it did not work. She wanted to know what the Board was going to do about her problem.

Mr. Robertson recommended, and the Board concurred, that the County Administrator and Animal Warden get together to resolve the problem as soon as possible. Mr. Roy Coleman and Mr. Charles Titmus also stated they had problems with stray dogs in their neighborhood. Mrs. Rita Ennas stated she was chased by a German Shepherd while riding her bike. She was instructed to leave her name and phone number and the Animal Warden would contact her.

IN RE:       SPECIAL ENTERTAINMENT PERMIT--ROBERT M. BROWDER

The Director of Planning presented a request from Mr. Robert M. Browder for an entertainment permit to hold a

music festival on July 28, 1984 at the ball field on Rt. 605. Mr. Browder was not present.

The Director of Planning stated he had not heard of any problems before with similar events at this location and recommended approval.

Upon motion of Mr. Hargrave, seconded by Mr. H. Clay, Mr. Hargrave, Mr. Clay, Mr. Robertson, Mr. Clay, Mr. Bennett voting "aye", Mr. Robert M. Browder was granted a Special Entertainment Permit to hold a music festival on July 28, 1984 on Rt. 605 from 9:00 P.M. until 1:00 A.M. with the conditions as stated therein.

IN RE: RIVER ROAD FARMS SUBDIVISION--SECTION 2--AWARD OF PAVING CONTRACT

The Director of Planning presented the following bids received for paving Shoreview Drive, Waterview Court and Rivercrest Drive in River Road Farms, Section 2 per the County's specifications:

1. Burton P. Short Paving Co. - \$16,200
2. Prince Paving Co., Inc. - \$17,100

The Director of Planning recommended that the low bid be accepted.

Mr. Hargrave asked how long it would take to complete. The Director of Planning stated 7 to 10 days. There is a quicker method but it is more expensive.

Upon motion of Mr. Robertson, seconded by Mr. H. Clay, Mr. Robertson, Mr. Clay, Mr. Clay, Mr. Hargrave, Mr. Bennett voting "aye", Burton P. Short Paving Co. was awarded the paving contract for the roads in River Road Farms, Section 2 per county specifications at a cost of \$16,200.

IN RE: SOCIAL SERVICES--APPROVAL OF 1984-85 BUDGET

Mrs. King B. Talley, Director, appeared before the Board to request approval of her 1984-85 budget. She stated the State share has been reduced \$25,000 and the County share \$9,000. She requested that the \$9,000 local share remain in the budget to allow her to use as up front money to draw down federal funds. She stated she would come back to the Board to gain their approval to use the \$9,000.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Social Services 1984-85 budget be approved as presented.

IN RE: VIRGINIA DEPARTMENT OF HIGHWAYS & TRANSPORTATION-- ADOPTION OF 1984-85 SECONDARY ROADS IMPROVEMENT BUDGET

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

WHEREAS, the Board of Supervisors met with representatives of the Va. Dept. of Highways & Transportation in a workshop session on June 6, 1984 to discuss the construction priorities for the 1984-85 Secondary Roads Improvement budget; and

WHEREAS, a public hearing was held jointly with the Va. Dept. of Highways & Transportation on June 20, 1984 to receive public input on the 1984-85 Secondary Roads Improvements budget; and

WHEREAS, after giving consideration to the comments made at the public hearing and recommendations from the VDH&T representatives, the Board of Supervisors concurs with the priorities as listed in the 1984-85 Secondary Roads Improvement budget;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the priority list of construction projects for Dinwiddie County's 1984-85 Secondary Roads Improvement budget be adopted as presented by the Va. Department of Highways & Transportation.

IN RE: VIRGINIA DEPARTMENT OF HIGHWAYS & TRANSPORTATION

Mr. Mac Neblett, Resident Engineer, Va. Dept. of Highways & Transportation, appeared before the Board to answer any questions they might have.

1. Mr. H. Clay advised Mr. Neblett that Rt. 613, 3/4 mile south of Rt. 673 experiences a considerable amount of flooding when it rains.
2. Ms. Josephine Dillon asked if Rt. 674 has been considered for hard paving. Mr. Neblett stated that according to traffic count, it is 20th on the dirt road list. Ms. Dillon asked if anything could be done about the potholes. Mr. Neblett advised her he would have someone look at it.

IN RE: PUBLIC HEARING--C-84-1--CONDITIONAL USE PERMIT--  
HENRY ANDERSON

This being the time and place as advertised in the Progress-Index on Tuesday, July 3 and Wednesday, July 11, 1984 for the Board of Supervisors to consider adoption of a conditional use permit for Mr. Henry J. Anderson seeking to establish a Home for the Aged on a 41.4 acre tract of land designated as Sec. 21, Parcel 84 and currently owned by Mrs. H.P. Collier, Jr. Said property is located on the west side of Rt. 670 (Duncan Road) approximately 1 mile east of Rt. 1.

Mr. W.C. Scheid, Director of Planning, presented the information and reviewed the Planning Commission action wherein they recommended approval with conditions at their June 13, 1984 meeting.

The conditions are as follows:

1. limit the number of residents to 12;
2. no change in the outer appearance of this home;
3. relocate existing driveway;
4. No illuminated signs, no signs greater than 4 sq. ft. advertising 'Home for Adults';
5. all visitor parking must be located to rear or side of home;
6. the existing home should be used as the Anderson's primary residence and the existing building should not be turned exclusively into a home for adults.

Mr. Scheid also distributed a letter delivered by Mrs. Anderson from Dr. William S. Sloan concerning the advantages of having a nursing home.

Mr. & Mrs. Henry Anderson were present in support of their request. They were represented by Mr. Jay W. DeBoer.

Mr. DeBoer stated that the property is presently zoned A-2 and his client is proposing to establish a Home for the Aged. The proposal is for 12 females that will be private referrals. He indicated that the Andersons were not proposing a facility for deinstitutionalization of mental patients. He continued by stating that most of the area is agricultural and is in crops. The Andersons have followed county and state procedures. A conditional use permit has been recommended by the Planning Commission for approval with conditions.

Mr. DeBoer stated that he felt the Andersons have answered the objections of the neighbors. He added the agriculture use will not change. The proposed use is not a business.

He indicated another concern expressed was traffic. Duncan Road has been repaved. The request for a permit is limited to 12. Mr. DeBoer stated that if each resident had one visitor each day, it would only increase traffic by 12 cars a day.

Mr. DeBoer stated that the objections were emotional and understandable. He stated Agricultural A-2 allows for an orderly expansion where the need exists and where water and sewer is available. He continued by saying he did not agree a Home for the Aged for ladies is commercial or urban. He added that the appearance will not change and the area will not change. There is a need for this type of facility in that area.

Mr. DeBoer stated that the proposed Home for the Aged is very attractive and A-2 provides for unattractive uses without a conditional use permit, i.e. cemetery. He reiterated that the proposed limit is 12. The Andersons would like to expand to 20 but they will have to come back to the Board for approval.

Mr. DeBoer stated he talked with Cathy Thomas, licensing specialist with the Department of Social Services, concerning whether the facility can adequately house 12 residents. Ms. Thomas informed Mr. DeBoer that she had checked the facility and it is adequate. She added it could house a larger number.

Mr. DeBoer closed by stating he commended the application to the Board. The input from the public has been stated and the comments are valid. The Andersons have tried to accommodate the citizens in the area and have agreed to their conditions.

Mr. Anderson stated that he had no extra input.

The following people spoke in opposition:

1. Ms. Rebecca Bryant presented a petition with 38 names in opposition. Ms. Bryant stated she was speaking on behalf of those residents located primarily between Gerow Ruritan Club and the 90 degree curve on Duncan Road. Her main objections were:

1. Property values will decrease.
2. Business begets business.
3. They question the need for this type of facility in this area.
4. They question if this will become a typical home for the aged, i.e. low-income, emotionally & mentally handicapped on public assistance.

She added that Dinwiddie County already has allowed 5 of these homes in the County. Prince George County denied a similar request from the Andersons. Also, the Planning Commission vote was not unanimous.

Ms. Bryant closed by asking the Board to consider the equities of the homeowners in this area and deny the request for a home for the aged.

Mr. Walter Kelly, an adjacent property owner spoke in opposition. Mrs. Josephine Dillon and Mrs. Eunice Lunsford spoke in opposition. Mr. Roy Coleman also spoke in opposition.

Mr. DeBoer spoke to each of the objections Ms. Bryant raised stating that the Board's job tonight is to decide whether this conditional use permit is a reasonable use and if the public's concerns have been met with the conditions imposed. He stated it appeared they had.

Mr. Robertson asked the Assistant County Attorney, Mr. T.O. Rainey, III, what were the Board's legal alternatives.

Mr. Rainey advised: 1. consider the issue further. 2. Accept the request. 3. Turn it down.

Mr. Robertson stated that he had no problem with a Home for the Aged but he did not feel this area was the place for it.

Mr. Robertson moved that C-84-1, request for a conditional use permit for a Home for the Aged by Mr. Henry Anderson be denied. Mr. H. Clay seconded the motion.

Mr. Bennett read the following statement: "I believe that this use will not be detrimental to this area for the following reasons. 1. the area is sparsely populated and lends itself to a quiet atmosphere which a home for the aged requires. 2. there will not be alot of traffic generated by visitors or service vehicles. 3. while this is a business, it may be closely associated with "home occupation" which is a use permitted in an agricultural area without conditions. 4. the Andersons have agreed to several conditions which provide some protection to area residents. 5. This is not a means of commercializing the neighborhood since they are not seeking a rezoning of the property but wish to establish a use which is defined as permissible (with conditions) under current zoning. 6. with the expansion of water & sewer into this area, future development along Duncan Road is inevitable. It would seem that this type of use would be compatible with low density dwellings.

The general population of the United States and Dinwiddie is getting older and there is a growing need for such homes.

It does not appear reasonable that these homes be limited to remote portions of the County. The type of person which will occupy this home will be able to think, reason and move about and do the things a younger person can do except that they have reached the age that they need some help.

Where should such a home be located? It seems that regardless of the need and sympathy given the elderly, very few people want a home located near them.

There are several reasons which a person may cite as saying this location is the right one:

1. It is a very large house.
2. It is located well off the state road.
3. It is reasonably close to they city so that medical, social and other needs may be obtained.
4. The home sits on 40+ acres.
5. It is sparsely populated.
6. Public water & sewer lines are near enough so that if needed they could be extended."

Mr. Robertson, Mr. Clay, Mr. Clay, Mr. Hargrave voting "aye", Mr. Bennett voting "nay", C-84-1, request for

a conditional use permit by Mr. Henry Anderson to establish a Home for the Aged was denied.

IN RE: RECESS

The Chairman declared a brief recess at 10:05 P.M. The meeting reconvened at 10:19 P.M.

IN RE: PUBLIC HEARING--P-84-3--LAWRENCE ANDREWS

This being the time and place as advertised in the Progress-Index on Tuesday, July 3, 1984 and Wednesday, July 11, 1984 for the Board of Supervisors to consider adoption of an ordinance to change the district classifications of parcels 29-21, 29-23 and 29-26 from Agricultural, General A-2 to Agricultural Rural Residential, AR.

Mr. W.C. Scheid, Director of Planning, presented the information and reviewed the Planning Commission action wherein they recommended disapproval at their June 13, 1984 meeting. He further stated that the property has had a considerable amount of flooding, recently addressed by the Va. Department of Highways & Transportation. The property is presently zoned Agricultural A-2 and Mr. Andrews is seeking the A-R classification to develop it into a subdivision.

Mr. Scheid stated that the major concern is there is no legally described right-of-way to the property. Mr. Wayne Edmunds has given Mr. Andrews permission to use the dirt road crossing his property.

Mr. Andrews was present in support of his request. No one appeared in opposition.

Mr. H. Clay asked Mr. Andrews how he would develop the property without a right-of-way. Mr. Andrews stated he thought the County could condemn a 50 ft. right-of-way and build a road into his property. He added that Mr. Edmunds has agreed to donate sufficient right-of-way if the County will build a state maintained road. Mr. Andrews indicated he had filled out and left some paperwork with the County Administrator concerning this.

The County Administrator stated that the Roadviewers petition on the road was on file. The Roadviewers denied the request.

Upon motion of Mr. H. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Clay, Mr. Robertson, Mr. Bennett voting "aye", rezoning application P-84-3 of Mr. Lawrence Andrews was denied.

IN RE: PUBLIC HEARING--A-84-5--ETHANOL PLANT

This being the time and place as advertised in the Progress-Index on Tuesday, July 3, 1984 and Wednesday, July 11, 1984 for the Board of Supervisors to consider adoption of an amendment to add to Sec. 17-18, permitted uses, an agriculturally oriented ethanol plant with conditional use permit in an Agricultural, General A-2 District.

Mr. W.C. Scheid, Director of Planning, presented the information and reviewed the Planning Commission action, wherein they recommended approval at their July 11, 1984 meeting. Mr. Scheid indicated that if the amendment is approved, a request for a conditional use permit will follow.

Mr. Granville Maitland appeared in support of his request. No one appeared in opposition.

Mr. Hargrave stated that he felt the description of the ethanol use should be tied to agriculture. Mr. Scheid stated that he really did not know how to word it. Mr. Hargrave stated maybe it could be put in the conditions. He did not want to see the agricultural use become industrial and he felt it should be clarified in the ordinance.

Mr. Robertson suggested using the words "agriculturally oriented" ethanol plant.

Mr. Brooks Whitehurst, representing the proposed ethanol plant, was present to answer any technical questions they might have.

Mr. Hargrave asked about the disposal of coal ash. Mr. Whitehurst stated that using a patented process, the plant will be totally electric. He added the start up process may be an electric boiler, but if fuel is needed it would probably be wood.

Mr. Hargrave pointed out that they need to be concerned with the size of the plant. The shipments in and out may require an industrial location, or a size boundary for the agricultural location.

Mr. Whitehurst stated that after a certain size, it becomes a grain handling company. It will be naturally limiting. What Mr. Whitehurst stated they envisioned is using Mr. Maitland's location as the hub and have satellite plants elsewhere.

Mr. H. Clay asked about the fire hazards. Mr. Whitehurst stated the motors are explosion proof and they have a 1 acre cooling pond.

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

BE IT ORDAINED by the Board of Supervisors, Dinwiddie County, Virginia that the Dinwiddie County Code be amended by adding the following use to Section 17-18, Permitted Uses in an Agricultural, General, A-2 District.

(45) Agriculturally oriented Ethanol plant, with conditional use permit.

In all other respects said zoning ordinance is hereby reordained.

IN RE: PUBLIC HEARING--A-84-4--INOPERATIVE AUTOMOBILES

This being the time and place as advertised in the Progress-Index on Tuesday, July 3, 1984 and Wednesday, July 11, 1984 for the Board of Supervisors to conduct a public hearing to consider for adoption an ordinance to amend Chapter 12, Section 3, Inoperative Automobiles--Keeping in Residential Zones.

Mr. Scheid stated that this amendment has been reviewed several times by the Planning Commission. The proposed amendment will apply to residential zoned areas only. Mr. Scheid stated that as Sec. 12-3 now reads it is hard to enforce. It defines inoperative autos as "not economically, practical to repair". He stated it usually becomes one mechanics word against another.

Mr. A. Clay asked how it will be enforced. Mr. Scheid stated he would be responsible, but it will usually be in response to a complaint.

No one appeared in support of the amendment. Mr. Jerome Smith spoke in opposition. His main concern was that it would soon be applied to agricultural areas as well. He felt the government was beginning to take away the rights of people.

Mr. Bennett stated that they have not pursued the agricultural areas. But he did feel the people in subdivisions have a problem.

Mr. A. Clay stated he agreed with Mr. Smith about his concern for agricultural areas.

Mr. Hargrave stated he did feel sympathy for the residential areas and that the law on the books now is more stringent. He stated he was concerned about regulating the agricultural areas. The Board is responsible for public health and safety and there are some bad areas in the County. He felt the law is needed in the heavily developed residential areas. He did not foresee the Board adding agricultural areas.

Upon motion of Mr. Robertson, seconded by Mr. Hargrave, Mr. Robertson, Mr. Hargrave, Mr. H. Clay, Mr. Bennett voting "aye", Mr. A. Clay voting "nay",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie County Code be amended as follows:

Delete: Section 12-3. Inoperative automobiles--Keeping in residential zones.

It shall be unlawful for any person to keep, except within a fully enclosed building or structure, on any property zoned for residential purposes any one or more automobiles whose condition is such that it is economically impractical to make it or them operative.

In its stead, add:

Section 12-3. Inoperative motor vehicles, trailers and semi-trailers--keeping in residential zones.

(a) It shall be unlawful for any person, firm or corporation to keep on any property zoned residential purposes, any motor vehicle, trailer or semi-trailer, as such are defined in Chapter 46.1-1 of the 1950 Code of Virginia, as amended, which is inoperative except as herein provided:

- (1) vehicles may be kept within a fully enclosed building;
- (2) a maximum of two (2) vehicles to be restored may be stored upon the property but the vehicles must be screened from public view by a suitable fence, vegetation or a combination thereof.

(b) As used in this section, an 'inoperative vehicle' shall mean any motor vehicle which is not in operating condition or which, for a period of ninety (90) days or longer, has been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential parts required for operation of the vehicle and for which there is no valid license plate or inspection sticker.

(c) The owners of property zoned for residential purposes shall, within thirty (30) days after receiving written notice from the County, remove therefrom any such inoperative motor vehicle, trailer or semi-trailer that is in violation of this section.

(d) In the event the Owner shall fail to have corrected



BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia accepts the alternate bid from Mack Trucks, Inc. for a MR686S Mack truck chassis in stock at a total cost of \$57,929.00; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia accepts the bid from Cavalier Equipment Company for a E-Z Pack FLSC35 compaction body at a cost of \$28,850.

IN RE:       JOHNSONGRASS CONTROL AGREEMENT--ADDENDUM TO EXTEND PROGRAM

The County Administrator presented an addendum to the agreement between the Va. Dept. of Agriculture and Consumer Services and the County of Dinwiddie for the Cooperative Johnsongrass Control Program. This addendum will extend the agreement until terminated by either party rather than initiate an addendum to the agreement each year as has been necessary in the past.

Mr. Hargrave stated he would still like the Board to be made aware of the renewal time each year.

Upon motion of Mr. Hargrave, seconded by Mr. Robertson, Mr. Hargrave, Mr. Robertson, Mr. Clay, Mr. Clay, Mr. Bennett voting "aye", the Chairman was authorized to sign the following addendum:

To continue the above named agreement indefinitely, until terminated by either party, it is mutually agreed by both parties that Section B & C be changed to read as follows:

B. The Department agrees to the following:

1. The Department will reimburse the County for fifty percent (50%) of all its authorized expenditures made pursuant to this agreement provided that the total contribution by the Department for this purpose shall not exceed \$5,000 during each fiscal year beginning July 1 of the current year and ending June 30 of the following year, subject to the provisions of paragraph C.2. below.

C. It is agreed upon by both parties that:

1. This agreement shall remain in effect until terminated by either party upon delivery of a written notice to the other party at least 60 days prior to the effective date of the termination.
2. The Department may, on or before March 31 of each year, review the expenditures of the County made pursuant to this agreement, and, if at that time there are any funds of the \$5,000 allocated to the County which have not been expended, or obligated to be spent by the end of the fiscal year, then such sums may, as mutually agreed upon, be withdrawn from the use of the County, and its total allocation under this agreement reduced accordingly. Funds collected by the County for materials or services shall not be considered expended for cost-share purposes.

This addendum shall become effective July 1, 1984.

IN RE:       DINWIDDIE CORRECTIONAL UNIT 27--DISPOSAL OF SLUDGE

The County Administrator presented a letter from Mr. John Makriyanis, Water Systems Treatment Plant Specialist

Department of Corrections, requesting that the County consider disposing of the sludge from the sewage treatment facility of Field Unit 27 in the County Landfill. He also distributed correspondence from the Health Department stating they would allow sludge to be disposed of in the County Landfill provided certain guidelines and standards are met.

The County Administrator recommended that he be authorized to hold discussions with Field Unit 27 to develop a contract to be presented to the Board for approval. He suggested that the compensation be in manpower rather than monetary.

Upon motion of Mr. Hargrave, seconded by Mr. H. Clay, Mr. Hargrave, Mr. Clay, Mr. Clay, Mr. Robertson, Mr. Bennett voting "aye", the County Administrator was authorized to proceed with discussions with Field Unit 27 and the Health Department to draw up an agreement for the Board to consider for disposal of their sludge in the county's landfill.

IN RE: ENHANCED 911 EMERGENCY SYSTEM

Wendy Quesenberry asked the Board if they would be interested in having a C&P representative explain the new enhanced 911 system to them at their next meeting. Several of the surrounding localities are considering its installation. The Board agreed to a short presentation.

IN RE: BINGO & RAFFLE PERMIT--WILSON-HEBRON-FORD RURITAN CLUB

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

WHEREAS, the Wilson-Hebron-Ford Ruritan Club has made application to the Board of Supervisors for a Bingo & Raffle permit for the calendar year 1984; and

WHEREAS, the Ruritan Club meets the requirements of the State Code of Virginia and has paid the \$10.00 application fee;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Wilson-Hebron-Ford Ruritan Club be granted a Bingo & Raffle permit for the calendar year 1984.

IN RE: INDUSTRIAL BROCHURE--AUTHORIZATION TO SIGN AGREEMENT

Upon motion of Mr. Hargrave, seconded by Mr. Robertson, Mr. Hargrave, Mr. Robertson, Mr. Clay, Mr. Clay, Mr. Bennett voting "aye", the Chairman was authorized to sign the agreement with Harrison & Lephoe to provide an industrial brochure for the County.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Robertson, seconded by Mr. Hargrave, Mr. Robertson, Mr. Hargrave, Mr. Clay, Mr. Clay, Mr. Bennett voting "aye", pursuant to Sec. 2.1-344(6) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 12:01 A.M. to discuss legal matters. The meeting reconvened into Open Session at 12:25 A.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Robertson, seconded by Mr. Hargrave, Mr. Robertson, Mr. Hargrave, Mr. Clay, Mr. Clay, Mr. Bennett voting "aye", the meeting was adjourned at 12:26 A.M.

  
G.S. BENNETT, JR. CHAIRMAN

ATTEST

  
W.C. KNOTT

