

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA ON THE 17TH DAY OF SEPTEMBER, 1986 AT 7:30 P.M.

PRESENT: A.S. CLAY, CHAIRMAN ELECTION DISTRICT #4
G.E. ROBERTSON, JR., VICE-CHAIRMAN ELECTION DISTRICT #2
G.S. BENNETT, JR. ELECTION DISTRICT #1
H.L. CLAY, JR. ELECTION DISTRICT #2
M.I. HARGRAVE, JR. ELECTION DISTRICT #3

T.O. RAINEY, III COUNTY ATTORNEY
B.M. HEATH SHERIFF

IN RE: MINUTES

Upon motion of Mr. Bennett, seconded by Mr. Hargrave, Mr. Bennett, Mr. Hargrave, Mr. Robertson, Mr. Clay, Mr. Clay voting "aye", the minutes of the August 20, 1986 regular meeting and the August 28, 1986 continued meeting were approved as presented.

IN RE: CLAIMS

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

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

General Fund checks-numbering 86-1779 through 86-2001 amounting to \$247,060.39; Law Library Fund checks-numbering LF-86-13 and 14 amounting to \$61.64; County Construction Fund check #CCF-86-4 in the amount of \$900; Water & Sewer Fund-check #W&S-86-11 in the amount of \$3013.42.

IN RE: DONATION OF HISTORICAL DOCUMENTS--JACQUELIN MONCURE SPIERS

Mr. W.E. Bolte, Commissioner of Revenue, presented several historical documents donated to the County by Mrs. Jacquelin Moncure Spiers. The Chairman accepted the documents on behalf of the County and asked that a letter of appreciation be forwarded to Mrs. Spiers.

IN RE: TREASURER

Mr. W.E. Jones presented his report for the month of August, 1986.

IN RE: SET-OFF DEBT RENEWAL

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

WHEREAS, the 1983 General Assembly of Virginia amended and approved Sec. 58-19.8 of the Code of Virginia, relating to the Set-Off Debt Collection Act to include County, City and Town governments; and

WHEREAS, under the provisions of the Act, as amended, a Virginia individual income tax refund can be subject to County, City and Town government claims; and

WHEREAS, the Treasurer reports a collection of \$2,920.07 for participation in the 1985-86 program and recommends that the program be renewed for 1986-87;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Department of Taxation be advised that the County of Dinwiddie wishes to participate in the Set-Off Debt Collection program for 1986-87; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia designates Mr. W.E. Jones, Treasurer, as the Set-Off Debt Coordinator.

IN RE: COUNTY ATTORNEY--REVIEW OF ORDINANCES

Mr. T.O. Rainey, III, County Attorney, presented two draft ordinances for the Board's consideration. He stated they were drafted with the Sheriff and his Captain to address two problem areas in the County--itinerant vendors and dance halls.

Mr. Hargrave asked that the Sheriff provide the Board with a list of problems he has encountered with itinerant vendors. Concerning the dance hall ordinance, Mr. Hargrave expressed his concern about the statement "not based on personal invitation". He felt this might be an easy way to circumvent the ordinance. Mr. Robertson asked if the ordinance would cover the permits the Board now issues. Mr. Rainey stated it would.

No action was taken.

IN RE: BUILDING INSPECTOR

Mr. Dwayne Abernathy was not present. The Chairman read his report for the month of August, 1986.

IN RE: ANIMAL WARDEN

Mr. L.A. Brooks, Jr. presented his report for the month of August, 1986.

IN RE: LIVESTOCK CLAIM--FRANK JONES

Upon motion of Mr. H. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Robertson, Mr. Bennett, Mr. Clay voting "aye", Mr. Frank Jones was awarded \$277.50 for four (4) hogs.

IN RE: POULTRY CLAIM--K.E. CROFT

Upon motion of Mr. Hargrave, seconded by Mr. H. Clay, Mr. Hargrave, Mr. Clay, Mr. Bennett, Mr. Robertson, Mr. Clay voting "aye", Mr. K.E. Croft was awarded \$115.50 for 33 chickens.

IN RE: STATE & LOCAL HOSPITALIZATION CONTRACTS--1986-87

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Chairman is hereby authorized to sign State and Local Hospitalization contracts with the following hospitals for 1986-87:

Greensville Memorial at the rate of \$278.07 per day; \$189.09 per day for outpatient services.

Southside Regional Medical Center at the rate of \$338.63 per day; \$230.27 per day for outpatient services.

Medical College of Virginia at the rate of \$459.57 per day; \$312.50 per day for outpatient services.

IN RE: DIRECTOR, SOCIAL SERVICES

Mrs. King B. Talley presented the 1985-86 annual report on state and local hospitalization contracts. She pointed out that they now offer outpatient rates.

She also stated that the cheese and butter distribution is scheduled for October 8 at Eastside Elementary School and they are using a self-declared method of determining eligibility.

IN RE: SCHOOL BOARD--REAPPROPRIATION OF 1985-86 FUNDS

Dr. Richard L. Vaughn, Superintendent, appeared before the Board to request the reappropriation of \$50,069.00 to the 1986-87 school budget from funds not expended in 1985-86.

These funds were held to pay for the Energy Management System budgeted last year but not installed until this school year.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby appropriates \$50,069.00 to the 1986-87 School Board budget to pay for their Energy Management System.

IN RE: SPECIAL ENTERTAINMENT PERMIT--OFFICE ON YOUTH & COMMUNITY SERVICES

Wendy Quesenberry, Executive Assistant, presented an application from the Office on Youth and Community Services for a Special Entertainment Permit to hold a benefit performance at their Outdoor Stage on September 21, 1986 from 4:00 P.M. to 6:00 P.M. The Stage is located beside the Dinwiddie County Senior High School football field on school property.

Upon motion of Mr. H. Clay, seconded by Mr. Robertson, Mr. Clay, Mr. Robertson, Mr. Bennett, Mr. Hargrave, Mr. Clay voting "aye", the Office on Youth & Community Services was granted a Special Entertainment Permit to hold a music festival at the Outdoor Stage at the Dinwiddie Senior High School, September 21, 1986 from 4:00 P.M. to 6:00 P.M. with the conditions stated therein.

IN RE: VIRGINIA DEPARTMENT OF HIGHWAYS & TRANSPORTATION--APPROVAL OF ADDITIONAL PROJECTS FOR 1986-87 SECONDARY ROADS IMPROVEMENT BUDGET

Mr. MacFarland Neblett, Resident Engineer, advised the Board due to the increase in the gasoline tax, the County has received an additional appropriation of \$161,000 in construction funds for the 1986-87 secondary roads improvement budget. He presented the Highway Department's recommendations for the use of these funds on projects under construction or due to be under construction by July 1, 1987.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia does hereby approve the additional priority construction list for the 1986-87 secondary roads improvement budget in the amount of \$161,000 as presented by the Va. Dept. of Highways and Transportation.

IN RE: VA. DEPT. OF HIGHWAYS & TRANSPORTATION

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

1. Mr. Bennett asked how far along was the installation of flashing lights on the railroad crossing on Rt. 625. Mr. Neblett stated the railroad has not given a firm date but he anticipated the Spring of 1987. The project is fully funded.

2. Mr. Robertson asked about the repairs to the Rt. 672 bridge promised in 1983 by the railroad. Mr. Neblett stated the railroad had done some minor repair work in the Spring, but he would ask them to take a look at it again.

3. Mr. Hargrave asked Mr. Neblett to check into cleaning the ditch on the North side of the Int. of Rt. 669 and Rt. 604 across from Jarratt's Store. He received a complaint from an adjoining landowner indicating his yard was being flooded.

4. Mr. Bennett pointed out that there is a bad bump at the Tobacco Warehouse on U.S. #1 where the shoulder doesn't meet the new pavement. Mr. Neblett stated they will be correcting the shoulders.

5. Mr. Neblett was asked to look at the placement of stop signs on Rt. 1310 and Rt. 1311. Trucks are still using Rt. 1310 as a shortcut. Mr. Neblett stated he would look at the stop signs but he felt it was an enforcement problem.

IN RE: FORD VFD--REQUEST FOR NEW FIRE TRUCK

Mr. Gene Jones, Chief, appeared before the Board to request a new fire truck be included in the budget for the Ford VFD. He stated they had encountered problems with the 1959 Pumper ever since it was refurbished. They have spent \$3300 since February, 1985 and there is an additional \$1300 work to be done. He said the Fire Chiefs' Association was in agreement with the purchase for Ford.

Mr. Bennett stated he met with the Chief to look at the truck and they wanted to make the Board aware of their needs so it could be placed in the upcoming budget.

Mr. Robertson asked if any thought had been given to using the older trucks in some departments to make way for special equipment, i.e. aerial trucks. Mr. Jones stated it was a possibility.

Mr. A. Clay stated a general set of specifications should be prepared so a new truck could be competitively bid.

Mr. Jones stated they had talked to three companies and the prices range from \$95,000 to \$120,000 for the same truck with a delivery date of 210 to 240 working days.

Mr. David (Butch) Henshaw stated they were looking at a cab-over truck. Mr. Bennett asked if the companies contacted would accept trade-ins. Mr. Henshaw stated only one company indicated they would but really did not want to.

Mr. Bennett stated he would like this to be placed on the October 1, 1986 agenda for action because of the long delivery date.

Mr. Hargrave agreed that a standard set of specifications should be prepared for all departments except for special needs. He suggested the Fire Chiefs draw up the specifications for the Board to review. Mr. Henshaw stated each department has different needs so it will be hard to have one or two sets of standard specifications.

The Chairman stated he felt they should be able to prepare some general specifications for the Board to consider.

IN RE: PUBLIC HEARING--P-86-5--REZONING APPLICATION--JON HILL

This being the time and place as advertised in the Progress-Index on Wednesday, September 3, 1986 and Wednesday,

September 10, 1986 for the Board of Supervisors to conduct a public hearing to consider for adoption an ordinance to change the district classification of a portion of Section 28, Parcel 43F containing 138.5 acres from Agricultural A-2 to Agricultural Rural Residential, AR.

Mr. Dennis R. Martin, Zoning Administrator, reviewed the application and the action taken by the Planning Commission which was approval at their August 13, 1986 meeting.

Mr. Hill appeared in support of his rezoning request. No one appeared in opposition.

Mr. Hill stated he wanted to divide the tract into 6 small farmettes. He stated he had a letter from a soil scientist stating the soils were suitable for this type of development.

Mr. Robertson stated that the land surrounding the property is zoned Agricultural A-2 and placing an AR classification in a remote area would not be in keeping with the Comprehensive Land Use Plan.

Mr. H. Clay stated it appears to be far away from the highly developed areas.

Mr. Hargrave stated the Agricultural A-R zoning allows 2-acre lots with road frontage. It, therefore, could turn into a small subdivision in a rural setting. This exposure is not in keeping with developing in populated areas with public services.

Mr. Hill stated the inside of the property doesn't fit with the two-acre development. He would need to place deed restrictions to limit development. He stated the development he proposed would be in keeping with the neighborhood.

Mr. A. Clay stated he felt the development was out of place on a small rural road. It could develop into a subdivision.

Mr. Hill stated the only zoning the County had to fit this type of development was AR. He further stated it will cost \$200/acre to reseed it. He would prefer to have brick homes like those across the road.

Mr. Hargrave asked what he had in mind when he bought it. Mr. Hill stated he had not really intended to buy the property. His bid was the only one made.

Mr. Bennett stated that the Planning Commission recommended approval but he voted against it. He sympathizes with Mr. Hill and found it hard to deny somebody a 45-acre lot to build a house on. Also the distance from the city doesn't bother him. But this is a parent tract with one building site. If the AR zoning is approved, then six others could come back and ask for AR zoning. He said maybe the Planning Commission needs to review the parent tract ordinance to see if it is still right for the County.

Mr. Bennett stated he was against the AR zoning and would still be unless the Board reopened all parent tracts to be re-subdivided.

Upon motion of Mr. Bennett, seconded by Mr. Hargave, Mr. Bennett, Mr. Hargrave, Mr. Clay, Mr. Robertson, Mr. Clay voting "aye", rezoning application P-86-5 submitted by Mr. Jon Hill was denied.

In all other respects said zoning ordinance is hereby reordained.

IN RE: PUBLIC HEARING--P-86-6--FIRST COLONIAL FINANCIAL CORPORATION

This being the time and place as advertised in the Progress-Index on Wednesday, September 3, 1986 and Wednesday, September 10, 1986, for the Board of Supervisors to conduct a public hearing to consider for adoption an ordinance to change the district classification of Section 10(2), Parcel C containing 0.8038 acres from Business B-3 to Business, General B-2.

Mr. Dennis R. Martin, Zoning Administrator, reviewed the application and the action taken by the Planning Commission which was approval at their August 13, 1986 meeting.

Mr. W.C. Scheid, representing First Colonial, appeared in support of the rezoning request. No one appeared in opposition.

Mr. Scheid stated the reason for the request was to build a branch bank. The B-3 zoning requires 3 acres for development. Pierce Development Corp. owns the surrounding property and has no objection to the construction of a bank. Public water and sewer is available and the zoning is compatible with the rest of the area. He stated the benefits to the area are employment, broadening the tax base and offering a service to the citizens.

Mr. H. Clay asked if Rt. 226 were widened to four lanes how it would affect the bank. Mr. Scheid stated the bank would be 60' from the highway, which is no closer than any of the other businesses.

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

BE IT ORDAINED by the Board of Supervisors, Dinwiddie County, Virginia that the district classification of Section 10(2), parcel C containing 0.8038 acres be amended from Business B-3 to Business, General B-2. Said parcel of land is designated by tax maps as situated on the south side of Cox Road, Route 226 in the Rohoic District, Dinwiddie County, Virginia.

In all other respects, said zoning ordinance is hereby reordained.

IN RE: PUBLIC HEARING--A-86-8--TRAVEL/MOBILE HOMES ORDINANCE

This being the time and place as advertised in the Progress-Index on Wednesday, September 3, 1986 and Wednesday, September 10, 1986 for the Board of Supervisors to conduct a public hearing to consider for adoption an ordinance to amend Chapter 22 of the Dinwiddie County Code to amend Section 22-71 and add Sections 22-78 and 22-79 to reflect the issuance of permits and special conditions for travel/mobile homes for use in Dinwiddie County.

Mr. Dennis Martin, Zoning Administrator, reviewed the ordinance and the action taken by the Planning Commission which was approval at their August 13, 1986 meeting.

Mr. Robertson asked why #4 "imposing a period of five years" was added to the ordinance. Mr. Martin stated it was to partially protect existing permits.

Mr. Bennett stated the Planning Commission's concern was for people investing a certain sum of money which might be lost the next day.

Mr. Robertson stated he felt the ordinance should have a grandfather clause to continue on as long as a trailer doesn't change. It should allow tenants to change without limiting the use to five (5) years. He said his original intent was to limit growth, not hurt already established trailers.

Mr. Martin stated he agreed it was to restrict future growth only.

Mr. Hargrave stated he wondered if they really understood what the Planning Commission meant. He felt they meant not to change the tenant but to change trailer or suffer an interruption for five years. Anything existing could continue and use could be changed up to five years. Mr. Bennett stated he thought that was the intent; to allow recovery of any investment up to five years.

Mr. Bennett asked if someone is renting trailers now, would they always be grandfathered in. He was advised they would with the clarification or removal of #4 of the proposed ordinance.

Mr. H. Clay suggested all of #4 be eliminated after 1986.

The following people spoke against or asked for clarification of the ordinance: Mr. Donald Andrews; Mr. Richard Earl, Mr. Ronald Williams, Mr. Otis Henshaw, Mrs. Pearl Bland, Mr. George Robinson; Mr. Thomas J. Puryear, Mr. John Boswell and Mrs. Margaret Boyner.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie County Code, as adopted, March 19, 1986, and as heretofore amended, be further amended as follows:

SECTION 22-71 PERMITTED USES

(49) Mobile home, "with conditional use permit".

SECTION 22-78 SPECIAL CONDITIONS FOR TRAVEL/MOBILE HOMES

(1) Land owner, trailer owner, and/or mobile home owner, trailer occupant and/or mobile home occupant shall be one and the same.

(2) Land owner shall be defined as including the lawful owner or owners of the real estate, their spouse, and immediate family; immediate family shall include children, parents, and grandparents of the land owner and their spouse.

(3) Any conditional use permit shall be null and void after one (1) year of disuse.

(4) The above section shall not apply to mobile home permits issued prior to May 21, 1986.

SECTION 22-79 ISSUANCE OF PERMITS

All permits for conditional use permits for travel/mobile homes shall be issued by the zoning administrator.

IN RE: RADIATION THERAPY SERVICE--SOUTHSIDE REGIONAL MEDICAL CENTER

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

WHEREAS, Southside Regional Medical Center, a modern 468 bed, short term, general, acute care, community hospital, the largest of two community hospitals currently serving the Tri-Cities area and Southside Virginia, has furnished the residents of this area with outstanding medical care and support since its opening in January 1953, and

WHEREAS, Southside Regional Medical Center currently has modern equipment and the capability to offer all the essential medical services for the highest quality health delivery systems for residents of Southside Virginia, and in support of its three schools for nursing and other technical services, and

WHEREAS, Southside Regional Medical Center wishes to establish a Radiation Therapy service in order to provide truly comprehensive cancer care to its community and service area, and to further enhance its excellent treatment capabilities to both its inpatients and outpatients, and

WHEREAS, the addition of this service to the services already available (i.e., medical oncology and surgical oncology) will enable the people of Southside Virginia to receive all three components of a comprehensive cancer program in one facility; and

WHEREAS, a patient requiring radiation therapy currently must travel at least 25 miles from the city to obtain such services,

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia endorses and supports the Southside Regional Medical Center's proposal to establish a Radiation Therapy service, in addition to those services currently available there, which will enhance the treatment ability of the hospital staff, will reduce the number of unnecessary admissions because of its ease of use on an outpatient basis, and will reduce the cost of medical care for the patients in the Southside Virginia area.

IN RE: APPOINTMENT--JOHN TYLER BOARD OF DIRECTORS

Upon motion of Mr. H. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Bennett, Mr. Robertson, Mr. Clay voting "aye", Mr. Thomas W. Newsom was appointed to the John Tyler Board of Directors to fill the unexpired term of Mr. H. Barner Batte, ending June 30, 1987.

MR. A. CLAY AND MR. BENNETT EXCUSED THEMSELVES FROM THE MEETING AT THIS POINT.

MR. ROBERTSON ASSUMED THE CHAIR.

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

Upon motion of Mr. H. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Robertson 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 and Raffle Permit for the calendar year 1986; and

WHEREAS, the Club meets the requirements as set forth in Section 18.1-340.12 of the Code of Virginia and has filed the required application fee;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Wilson-Hebron-Ford Ruritan Club is hereby granted a Bingo and Raffle Permit for the calendar year 1986.

MR. A. CLAY AND MR. BENNETT RETURNED TO THE MEETING. MR. A. CLAY ASSUMED THE CHAIR.

IN RE: INFORMATION

The following information was included the material presented to the Board at this meeting:

1. Summary of action taken by Equalization Board.

2. Announcement from the Dept. of Environmental Management concerning public hearings scheduled to receive public input on the utilization of private engineering firms for inspection of residential subdivision facilities.

3. Update from the Executive Director of the Va.
Association of Counties

IN RE: EXECUTIVE SESSION

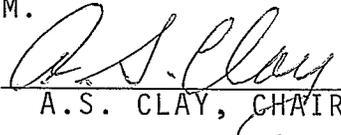
Upon motion of Mr. Robertson, seconded by Mr. H. Clay, Mr. Robertson, Mr. Clay, Mr. Bennett, Mr. Hargrave, Mr. Clay voting "aye", pursuant to Section 2.1-344 (6) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 10:55 P.M. to discuss legal matters. The meeting reconvened into Open Session at 12:10 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. H. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Robertson, Mr. Bennett, Mr. Clay voting "aye", the meeting adjourned at 12:11 P.M.

ATTEST:


W. E. KNOTT


A.S. CLAY, CHAIRMAN

