

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD  
IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING,  
DINWIDDIE, VIRGINIA ON THE 7TH DAY OF JANUARY, 1987 AT  
2:00 P.M.

PRESENT: H.L. CLAY, JR., CHAIRMAN	ELECTION DISTRICT #2
M.I. HARGRAVE, JR., VICE-CHAIRMAN	ELECTION DISTRICT #3
G.S. BENNETT, JR.	ELECTION DISTRICT #1
G.E. ROBERTSON, JR.	ELECTION DISTRICT #2
A.S. CLAY	ELECTION DISTRICT #4
T.O. RAINEY, III	COUNTY ATTORNEY
B.M. HEATH	SHERIFF

COUNTY ADMINISTRATOR PRESIDING

IN RE: TERM OF CHAIRMAN & VICE-CHAIRMAN

The County Administrator asked if there was any desire by the Board to change the present term of office for the Chairman and Vice-Chairman which is one year. No action was taken; therefore, the terms remain at one year.

IN RE: ELECTION OF CHAIRMAN FOR 1987

Mr. Bennett nominated Mr. H. L. Clay, Jr. Mr. Hargrave seconded the nomination.

Mr. Robertson nominated himself.

Upon motion of Mr. Bennett, seconded by Mr. Hargrave, Mr. Bennett, Mr. Hargrave, Mr. Robertson, Mr. Clay, Mr. Clay voting "aye", the nominations were closed.

The vote in reverse order was as follows:

Mr. G.E. Robertson, Jr. - Mr. Robertson, Mr. A. Clay voted "aye".

Mr. H. L. Clay, Jr. - Mr. Bennett, Mr. Hargrave voted "aye", Mr. H. Clay abstained.

Mr. Bennett suggested that Mr. Clay and Mr. Robertson both serve six month terms. Mr. Robertson stated he felt that would be a disservice to the public and he would be opposed to it.

There being a tie vote, the County Administrator asked for a second vote. The vote was as follows:

Mr. G.E. Robertson, Jr. - Mr. Robertson voted "aye".

Mr. H.L. Clay, Jr. - Mr. Bennett, Mr. Hargrave, Mr. A. Clay voted "aye". Mr. H. Clay abstained.

Mr. H.L. Clay, Jr. was elected Chairman for the year 1987 or until his duly elected successor assumes office.

IN RE: ELECTION OF VICE-CHAIRMAN FOR 1987

Mr. H. Clay nominated Mr. Robertson. Mr. Robertson declined the nomination.

Mr. Bennett nominated Mr. M.I. Hargrave, Jr. Mr. H. Clay seconded the nomination.

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

The vote was as follows:

Mr. M.I. Hargrave, Jr. - Mr. Bennett, Mr. Robertson, Mr. Clay, Mr. Clay voted "aye", Mr. Hargrave abstained.

Mr. M.I. Hargrave, Jr. was elected Vice-Chairman for the year 1987 or until his duly elected successor assumes office.

THE CHAIRMAN ASSUMED THE CHAIR.

IN RE: ESTABLISHMENT OF SCHEDULE AND TIME FOR 1987 REGULAR BOARD MEETINGS

Upon motion of Mr. A. 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 following schedule is established for the regular meetings of the Board of Supervisors for the calendar year 1987:

January 7; January 21; February 4; February 18; March 4; March 18; April 1; April 15; May 6; May 20; June 17; July 15; August 19; September 16; October 7; October 21; November 4; November 18; December 2; December 16, 1987; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the regular meetings scheduled for the first Wednesday in the month will be held at 2:00 P.M. and the regular meetings scheduled for the third Wednesday of each month will be held at 7:30 P.M.

IN RE: MINUTES

Upon motion of Mr. Hargrave, seconded by Mr. A. Clay, Mr. Hargrave, Mr. Clay, Mr. Bennett, Mr. Robertson, Mr. Clay voting "aye", the minutes of the December 17, 1986 meeting were approved as presented.

IN RE: CLAIMS

Upon motion of Mr. Bennett, seconded by Mr. A. Clay, Mr. Bennett, Mr. Clay, Mr. Robertson, Mr. Hargrave, 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 87-1 and 87-2 amounting to \$24,948.05.

IN RE: VPI EXTENSION SERVICE--REQUEST FOR TRANSFER OF POSITION

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

WHEREAS, the Dinwiddie County Extension Service is designated as a three agent staff: Agriculture, 4-H and Home Economics; and

WHEREAS, the 4-H position has been vacant for some time due to an unsuccessful attempt for an internal transfer; and

WHEREAS, Mrs. Patricia Barnes, Extension Home Economics Agent, has asked to transfer to the 4-H position; and

WHEREAS, VPI & SU Extension Division has approved this transfer pending approval by the local Board of Supervisors; and

WHEREAS, upon approval of this transfer, the position of Extension Agent Home Economics will be advertised immediately;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors concurs with the transfer of Mrs. Patricia Barnes to the 4-H position of the Dinwiddie County Extension Agent staff.

IN RE:       TREASURER

The Treasurer presented his report for the month of December, 1986. He also presented a report on tax collections to date.

IN RE:       REQUEST FOR TRANSFER OF FUNDS--EXTRA HELP

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia concurs with the Treasurer's request to the Compensation Board to transfer \$1,000 from Office Expenses to Extra Help within his 1986-87 budget.

IN RE:       SHERIFF

Sheriff B.M. Heath presented an activity report for his department for the year 1986.

IN RE:       SHERIFF--REQUEST FOR TEN NEW POLICE VEHICLES

Sheriff B.M. Heath requested that he be authorized to place an order now for ten (10) new police cars to be paid for within the 1987-88 budget. He stated the cars would have to be ordered before February 1, 1987 to receive them for the new fiscal year.

Sheriff Heath said the State contract has been awarded to Ford this year and he recommended that the Board approve purchase of ten (10) new police cars from the State contract.

After a brief discussion, the Board instructed the County Administrator to check with other car dealers to see what was available for police cars and report back at the January 21, 1987 meeting.

IN RE:       BUILDING INSPECTOR--DISCUSSION OF INCREASE IN FEE SCHEDULE

Mr. D.H. Abernathy presented his report for the month of December, 1986.

He also presented a comparison report of Dinwiddie's building fee schedule with surrounding localities. He stated the fees have not been changed in the past twelve (12) years and they are not covering the cost of operation. He stated he was also working on changing the fees for commercial buildings.

The Board asked Mr. Abernathy to check with the other localities to see if they are considering changing their present fees. Mr. Abernathy stated he would submit all this information later for the Board to consider for a public hearing.

IN RE:       ANIMAL WARDEN

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

IN RE:       PRESENTATION OF 1985-86 AUDIT

Mr. Spencer Elmore, representing Robinson, Farmer, Cox Associates, appeared before the Board to review the 1985-86

audit. Mr. Elmore advised the Board they ended the year in a good financial position; however, due to the establishment of a self-insurance fund, the year end balance has been pulled down below the recommended operating level. He suggested that the Board work towards rebuilding this fund balance.

IN RE: VIRGINIA DEPARTMENT OF HIGHWAYS & TRANSPORTATION

Mr. Mac Neblett, Resident Engineer, VDH&T, appeared before the Board to answer any questions they might have. He reported that all the right-of-way on Rt. 666 from Rt. 667 to Rt. 670 has been obtained so work can be completed next Spring.

(1) Mr. H. Clay stated he had been contacted about potholes on Rt. 460 in the Eastbound lane from Rt. 627 to Rt. 611.

(2) Mr. Hargrave asked if Mr. Neblett had made a determination on the blind access to the church on Rt. 605. Mr. Neblett stated the department is going to put up additional signing but he has gone as far as he can with the existing right-of-way.

(3) Mr. Bennett asked when they will work on the Six-Year Plan again. Mr. Neblett said probably in the Fall.

(4) Mr. Hargrave questioned the slow progress on removing the toll booths on I-85. Mr. Neblett stated he would check with the Turnpike Authority.

IN RE: ADOPTION OF A-86-10--DANCE HALL ORDINANCE

Upon motion of Mr. Hargrave, seconded by Mr. A. Clay, Mr. Hargrave, Mr. Clay, Mr. Bennett, Mr. Robertson; Mr. Clay voting "aye", amendment A-86-10, dance halls, was removed from the table.

Action was tabled at the December 17, 1986 meeting to obtain additional information from surrounding localities. Mr. T.O. Rainey, III, County Attorney, stated that he was asked to check with surrounding localities on closing times. He found that Prince George closed at 1:00 A.M. and Petersburg has no closing time. Sheriff B.M. Heath added that the Board has established a 1:00 A.M. closing time in its entertainment permits and he would like to see 1:00 A.M. adopted.

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

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

#### SECTION 3-70 Definition

For the purpose of this article, the term "Dance Hall" shall mean and include any business, profit or non-profit, with either live or recorded music or entertainment maintained for promiscuous and public dancing, the rules for admission to which are not based upon personal selection or invitation.

#### SECTION 3-71 Purpose of Article

This article is enacted pursuant to Section 15.1-510 of the Code of Virginia for the purpose of providing necessary regulations for the conduct and operation of dance halls in the interest of the public health, safety, and welfare of the citizens and inhabitants of the County.

#### SECTION 3-72 Violation of Article

(a) Any person who violates any provision of this article

shall be guilty of a Class 1 misdemeanor. The Board of Supervisors may bring suit in the Circuit Court of the County to restrain, enjoin, or otherwise prevent the violation of this article.

(b) Any person who violates any provision of this article may be required to cease operation when requested by an appropriate law enforcement officer of the county or state.

#### SECTION 3-73 Time Limit for Operation

No dance hall shall operate past 1:00 a.m. irregardless of when first performance began.

#### SECTION 3-74 Right of Entry

Any operator of a dance hall shall furnish to the Board of Supervisors written permission for the Board, its lawful agents and duly constituted law enforcement officers to go upon the property at any time and make an inspection for the purpose of determining compliance with the provisions of this article, or any appropriate county, state or federal ordinance, statute or regulation.

#### SECTION 3-75 Permit

(1) No person, partnership or corporation shall operate, maintain or conduct any dance hall unless he first files and obtains a permit from the County Administrator.

(2) Said application for a permit shall be in writing, on form provided for the purpose, and filed at least seven (7) days before date of dance hall operation.

(3) Application form shall include the following information:

- a. Name, address, telephone, and social security number of the owner of the property on which the dance hall shall exist and/or the name, address, telephone number and social security number of the dance hall operator, if different.
- b. A specific description of the dance hall location.
- c. An approved plan for adequate sanitation facilities and garbage, trash and sewage disposal for persons at the dance hall. This plan shall meet the requirements of all state and local statutes, ordinances and regulations and will not be accepted unless approved by the health officer.
- d. An approved plan for adequate parking facilities and traffic control in and around the dance hall, approved by the Sheriff's Department.
- e. An approved plan for adequate fire protection. This plan shall meet the requirements of all state and local statutes, ordinances and regulations.
- f. A statement that no music shall be played, either by mechanical device or live performance, in such manner that the sound emanating therefrom shall be unreasonably audible beyond the boundary lines of the property of which the dance hall is located.
- g. The County Administrator shall initially receive and review all applications. If an application is denied, the refusal shall be in writing and the reasons for such denial stated therein. Any person denied a permit shall have thirty (30) days from the date of the denial by the County Administrator to appeal the decision to the Board of Supervisors.

- h. The fee for such a permit will be One Hundred (\$100.00) Dollars, due annually, non-prorated.

SECTION 3-76 Exemption

The fee for the above permit may be waived for non-profit organizations provided the dance hall is not operated more than twice (2) in any calendar year.

SECTION 3-77 Revocation

The County Administrator shall have the right to revoke any permit issued under this article upon noncompliance with any of the provisions and conditions of the permit or the provisions of this article.

IN RE: APPOINTMENTS--TRANSPORTATION SAFETY COMMISSION

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Transportation Safety Commission be made up of representatives from the following agencies:

Board of Supervisors; Planning Commission; Pupil Transportation; Driver Education; Sheriff's Department; Railroads and Fire Departments; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following are appointed to the Transportation Safety Commission, terms expiring December 31, 1987:

Aubrey S. Clay, Max Roberts, Barbara Wilson, Becky Tilson, Tommy Gibbs, J.C. Goforth, and Robert Lewis, Jr.

IN RE: DISCUSSION OF ZONING CHANGES--LOT SIZES, CONDITIONAL USE PERMITS, AND TRAILER PARKS

The County Administrator distributed information on zoning changes for the Board to consider. These changes dealt with minimum lot sizes, issuance of conditional use permits, and trailer parks. Mr. Hargrave asked that he tabulate the requirements from surrounding localities for the Board to review. No action was taken.

IN RE: COMMONWEALTH GAS SERVICES--LINE EXTENSION AGREEMENT

Upon motion of Mr. Robertson, seconded by Mr. Bennett, Mr. Robertson, Mr. Bennett, Mr. Clay, Mr. Hargrave, Mr. Clay voting "aye", the Chairman was authorized to sign the following agreement with Commonwealth Gas Services for a gas line extension to the Airport Industrial Park:

The following Agreement is made on this 7th day of January, 1987, by and between the Board of Supervisors of Dinwiddie County, Virginia, hereafter called Applicant(s) and Commonwealth Gas Services, Inc., hereafter called Company:

(1) In order that gas service can be rendered to the premises of Applicant(s) on State Route 460, Dinwiddie County, Virginia, Company agrees to install approximately 28,000 feet of pipeline extension at a total cost of Two Hundred Eighty Thousand Dollars (\$280,000), or approximately Ten Dollars (\$10.00) per foot and upon completion of this extension to be ready to serve any and all qualified applicants adjacent thereto. Company agrees to provide 10,000 feet (at a cost of \$100,000) of the pipeline at no cost to Applicant(s).

(2) Applicant(s) agrees to pay the remaining cost of the installation by cash deposit of One Hundred Eighty Thousand Dollars

(\$180,000) to Company \$75,000 (seventy-five thousand) upon the acceptance of this Agreement and before said line extension is started, the remaining balance thirty (30) days thereafter.

(3) The Applicant(s) cash deposit of One Hundred Eighty Thousand Dollars (\$180,000) will not be refunded until sufficient loads have been added to eliminate the Company's investment of \$100,000. Both the credit applied to the Company's investment and the refund of the Applicant's cash deposit will use the following formula:

- a. Each residential customer added directly to this line extension shall result in an appropriate credit or refund of \$100.
- b. Each dekatherm (one million BTU's) of gas sold to commercial and industrial customers connected directly to this line extension will result in an appropriate credit or refund of 20¢/dekatherm.

Credits and/or refunds will be calculated on an annual basis, which will begin upon completion of the line extension. In no event shall the total of such refunds exceed the cost of the installation paid by the Applicant(s) pursuant to (2) above. The balance of applicant's deposit remaining at the end of a ten year period, if any, shall be refunded in total at that time. Pipeline extension cash deposits will not draw interest.

(4) It is mutually agreed:

- a. Company has the right to make additional extensions or laterals to the pipeline covered by this Agreement at any time and Applicant(s) will not be credited for any new customer served by such additions.
- b. Company will bear the costs of the customer service lines, where justified.
- c. Applicant(s) warrants that extension sought by it is in a public street or alley or that if not, Applicant(s) is owner and will grant, without cost, right(s)-of-way to Company to operate, maintain, repair and renew said extension. Applicant(s) agrees to save Company harmless from adverse claims of ownership.
- d. The pipeline extension installed pursuant to this Agreement shall be the property of Company and shall be maintained, repaired and renewed by it. The service line(s) on the premises of the Applicant(s) shall be the property of the Company and shall be maintained, repaired and renewed at the expense of the Company.

COMPANY:

APPLICANT

Title

WITNESS OR ATTEST:

WITNESS OR ATTEST:

IN RE: CSX TRANSPORTATION--ABANDONMENT OF LINE BETWEEN COLLIER YARD & MCKENNEY

Mr. Hargrave stated he read the letter concerning the application filed by CSX Transportation for the abandonment of 23.11 miles of its line between Collier Yd and McKenney. He suggested the Board contact the users and offer any support they might need in their objections.

Mr. W.E. Bolte, Commissioner of Revenue, stated his office will continue to tax the roadbed. He added it will be a real loss to the County.

It was agreed that there would be enough time by the next meeting if the Board chooses to take a position.

IN RE: COUNTY-WIDE COMPUTER SYSTEM--APPROVAL OF STATE ASSISTANCE

Wendy Quesenberry, Executive Assistant, advised the Board that she and the other department heads have been working towards the purchase and establishment of a county-wide computer system. The one stumbling block has been the lack of expertise in this area to help determine the needs of the County and draft an RFP to solicit proposals. She stated that the Auditor of Public Accounts has provided an individual from his staff to work with localities to help in the preparation of an RFP and to evaluate proposals. There is a cost associated with this assistance to cover expenses for the individual to visit the locality. This cost has been running approximately \$1500.

She requested authorization to contract with the State to provide assistance in this area.

Upon motion of Mr. Hargrave, seconded by Mr. Bennett, Mr. Hargrave, Mr. Bennett, Mr. Clay, Mr. Robertson, Mr. Clay voting "aye", Mrs. Quesenberry was authorized to contract with the State for assistance in the purchase of a county-wide computer system.

IN RE: INFORMATION

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

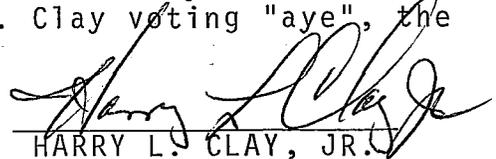
1. Letter from Dinwiddie Correctional Unit #27 concerning activities of inmates.
2. Letter from VDH&T -- Traffic signal study at Rt. 1, Rt. 142, and Rt. 1320.
3. Letter from VDH&T concerning CSX Transportation filing abandonment of lines between Collier Yard and McKenney.
4. Letter from VDH&T -- Public hearing on Revised Tentative Allocation of Funds -- 1986-87.

IN RE: EXECUTIVE SESSION

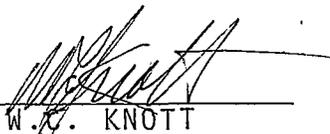
Upon motion of Mr. A. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Robertson, Mr. Bennett, Mr. Clay voting "aye", pursuant to Section 2.1-344 (1) and (6) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 3:34 P.M. to discuss legal matters. The meeting reconvened into Open Session at 5:18 P.M. Mr. Robertson left the meeting prior to Executive Session.

IN RE: ADJOURNMENT

Upon motion of Mr. Hargrave, seconded by Mr. Bennett, Mr. Hargrave, Mr. Bennett, Mr. Clay, Mr. Clay voting "aye", the meeting was adjourned at 5:19 P.M.

  
HARRY L. CLAY, JR.

ATTEST:

  
W. K. KNOTT