

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 20TH DAY OF SEPTEMBER, 1978 AT 8:00 P.M.

PRESENT: A.S. CLAY, CHAIRMAN  
G.S. BENNETT, JR., VICE-CHAIRMAN  
M.I. HARGRAVE, JR.  
T.J. LEFTWICH  
L.A. HODNETT  
ELECTION DISTRICT #4  
ELECTION DISTRICT #1  
ELECTION DISTRICT #3  
ELECTION DISTRICT #2  
ELECTION DISTRICT #2  
L.G. ELDER  
C.L. MITCHELL  
COMMONWEALTH ATTORNEY  
SHERIFF

IN RE: DOG WARDEN--DISCUSSION OF EXTRA HELP

Mr. G.T. Hughes appeared before the Board to discuss several items:

1. His present workload and its effect on the condition of his injured leg--Mr. Hughes stated that he was advised to do light work until his leg fully recovers and that would require some extra help under his present workload.

The Board advised Mr. Hughes that he could request the assistance of the Deputy Dog Warden when needed until November 1, 1978.

2. Emergency ordinance in certain areas to tie dogs running loose--The Dog Warden stated that he had been contacted by citizens in the West Petersburg, Piney Beach area and by Central State concerning stray dogs running loose and becoming a nuisance. He requested that the Board adopt an ordinance that would provide the Dog Warden with authority to have all dogs tied for thirty days in certain areas where needed. This would allow him time to collect and remove the stray dogs.

3. Discussion of enclosing female dogs in season--The Dog Warden stated that female dogs in season left accessible during this period caused considerable problems by attracting stray dogs. He stated he would like to further look into an ordinance to present to the Board that would help alleviate this problem in the County.

IN RE: MINUTES

Upon motion of Mr. Leftwich, seconded by Mr. Hodnett, Mr. Leftwich, Mr. Hodnett, Mr. Bennett, Mr. Hargrave, Mr. Clay voting "aye", the minutes of the August 16, 1978 meeting were approved as presented.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims be approved: General Fund checks-numbering 78-1534 thru 78-1742 amounting to \$112,790.00; Dog Fund checks-numbering D-78-87 thru D-78-93 amounting to \$1,482.92 and D-78-94 thru D-78-100 amounting to \$355.50; History Book Fund checks-numbering HB-78-16 thru HB-78-19 amounting to \$897.04; Land Use Plan checks-numbering LUP-78-3 in the amount of \$5316.73; County Construction Fund checks-numbering CCF-78-30 thru CCF-78-34 amounting to \$28,911.12.

IN RE: PUBLIC HEARING--A-78-4--CONDITIONAL ZONING

This being the time and place as advertised in the Progress-Index on Wednesday, September 6, 1978 and Wednesday, September 13, 1978 for the Board of Supervisors of Dinwiddie County, Virginia to consider for adoption the following amendment to the Zoning Ordinance:

A-78-4. Add to Sec. 17.1. Definitions-Conditional Zoning and Special Exception.  
Add a new Section 17-93A. Conditional Zoning.

The Director of Planning presented this amendment and recommended its adoption. It was approved by the Planning Commission at the August 9, 1978 meeting.

No one appeared in support or in opposition to this amendment.

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

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that the Dinwiddie County Code, as adopted April 1, 1970, and as heretofore amended, be further amended by making the following changes to Chapter 17, Zoning Ordinance:

1. add to Section 17-1. Definitions, the following:
  - a. Conditional zoning. The reclassification of land from one zoning district to another with reasonable conditions governing the use of such land, such conditions being in addition to the regulations provided for in the particular zoning district sought.
  - b. Special exception. A special use, that is a use not permitted in a particular district except by a conditional (special) use permit granted under the provisions of Section 17-93.
2. add a new section as follows:

Section 17-93A. Conditional zoning.

- a. It is the general policy of the County in accordance with the provisions of the Code of Virginia (15.1-489) to provide for the orderly development of land, for all purposes, through zoning and other land development legislation. Frequently, where competing and incompatible uses conflict, traditional zoning methods and procedures are inadequate. In these cases, more flexible and adaptable zoning methods are needed to permit differing land uses and at the same time to recognize effects of change. It is the purpose of Section 17-93A to provide a more flexible and adaptable zoning method to cope with situations found in such zones through conditional zoning, whereby a zoning reclassification may be allowed subject to certain conditions proffered by the zoning applicant for the protection of the community that are not generally applicable to land similarly zoned. The provisions of this section shall not be used for the purpose of discrimination in housing.
- b. The applicant may make a voluntary proffering in writing of reasonable conditions, prior to a public hearing before the governing body, in addition to the regulations provided for the zoning district or zone by this ordinance, as a part of a rezoning or amendment to a zoning map; provided that (1) the rezoning itself must give rise for the need for the conditions; (2) such conditions shall have a reasonable relation to the rezoning; (3) such conditions shall not include a cash contribution to the county; (4) such conditions shall not include mandatory dedication of real or personal property for open space, parks, schools, fire departments or other public facilities not otherwise provided for in the Code of Virginia 15.1-466 (f); (5) such conditions shall not include payment for or construction of off-site improvements except those provided for in the code of Virginia 15.1-466 (j); (6) no condition shall be proffered that is not related to the physical development or physical operation of the property; and (7) all such conditions shall be in conformity with the duly adopted land use plan if applicable.
- c. The zoning administrator shall be vested with all nec-

cessary authority to administer and enforce conditions attached to a rezoning or amendment to a zoning map, including (1) the ordering in writing of the remedy of any noncompliance with such conditions (2) the bringing of legal action to insure compliance with such conditions, including injunction, abatement, or other appropriate action or proceeding; and (3) requiring a guarantee, satisfactory to the governing body, in an amount sufficient for and conditioned upon the construction of any physical improvements required by the conditions, or a contract for the construction of such improvements and the contractor's guarantee, in like amount and so conditioned, which guarantee shall be reduced or released by the governing body, or agent thereof, upon the submission of satisfactory evidence that construction of such improvements has been completed in whole or in part. Provided, further, that failure to meet all conditions shall constitute cause to deny the issuance of any of the required use, occupancy, or building permits, as may be appropriate.

- d. The Zoning map shall show by an appropriate symbol on the map the existence of conditions attaching to the zoning on the map. The zoning administrator shall keep in his office and make available for public inspection a Conditional Zoning Index. The Index shall provide ready access to the ordinance creating conditions in addition to the regulations provided for in a particular zoning district or zone.
- e. Any zoning applicant who is aggrieved by the decisions of the zoning administrator pursuant to the provisions of the Code of Virginia 15.1-491.3 may petition the governing body for the review of the decision of the zoning administrator.
- f. There shall be no amendment or variation of conditions created until after a public hearing before the governing body as advertised pursuant to the provisions of the Code of Virginia 15.1-431.

In all other respects, the Dinwiddie County Zoning Ordinance is hereby reordained.

IN RE: REGIONAL HOUSING AUTHORITY

Mr. Charles Turner, Executive Director, CPDC appeared before the Board to discuss the creation of a Regional Housing Authority.

The proposal would include a joint effort of the Counties of Dinwiddie, Greensville, Prince George, Surry and Sussex for the purpose of implementing and operating needed housing programs in these areas of District 19. Mr. Turner stated that he was presenting the proposal for discussion and did not need a decision by the Board at this meeting.

Several questions arose from the Board and people present, which Mr. Turner stated he would investigate and report his findings to the Board before a decision was made.

IN RE: TRI-CITIES SOLID WASTE STUDY--PHASE TWO

Mr. Charles Turner, Executive Director, CPDC, appeared before the Board to present a proposal for Dinwiddie's participation in the market criteria and design basis phase of the Tri-Cities' resource recovery program. The study would determine whether a market commitment was substantial enough to make a refuse/energy program feasible in the tri-cities area or not. Dinwiddie County did not participate in the first phase. Chesterfield, Colonial Heights and Hopewell have already agreed to participate. The total cost of the project would be approximately \$8500 at the most, and could be less, divided among the participants.

The Board advised Mr. Turner that they would consider the information for action at their October 4, 1978 meeting.

IN RE: FORD VFD--DISCUSSION OF PUMPER

Mr. Maurice Harver, Chief, Ford VFD, appeared before the Board to discuss the condition of the Department's pumper and request their assistance in obtaining a new one. He stated that the truck was in deplorable condition which made it very hazardous for the firemen when sent to fight a fire.

Mr. Bennett stated that he would like to look at the truck himself and asked that some action be taken at the October 4, 1978 meeting.

The Board agreed to look at the truck and advised Mr. Harver they would meet with him on Thursday night before the regular fire department meeting.

IN RE: INCREASE IN TELEPHONE RATES ON THE DINWIDDIE EXCHANGE

Connie Akers, Manager of the Petersburg Office of the Chesapeake and Potomac Telephone Company, appeared before the Board to explain why the Dinwiddie exchange, effective September 8, 1978, will receive a rate increase ranging from 55¢ to \$3.60 per customer.

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

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Attorney is hereby instructed to contact the State Corporation Commission to determine: 1. Why the Petersburg exchange has a lower monthly rate than the Dinwiddie exchange. 2. What constitutes the formula known as "weight factor". 3. A detail explanation of how the weight factor is applied to the Dinwiddie exchange and to the Petersburg exchange.

IN RE: COMMISSIONER OF REVENUE

Mr. W.E. Bolte, Commissioner of Revenue, presented the following reports for the Board's review: Comparison of Taxes Assessed-1977 & 1978; Comparative Report on Applications for Real Estate Exemption for the Elderly.

Mr. Bolte also stated that he had requested participation from the Compensation Board in the cost of restoring the land records. The Compensation Board informed Mr. Bolte that they could not participate as it was totally a county project.

IN RE: TREASURER

Mr. F.E. Jones presented his regular report for the month of August, 1978. An additional report was submitted showing receipts and disbursements for each fund during the month of August.

Mr. Jones stated that tax tickets would be mailed in a few weeks. He also stated that the County presently had \$1.3 million on certificates of deposit.

IN RE: PETITION FOR INT. OF RT. 665 and RT. 698

Mr. Larry G. Elder presented a petition containing 34 signatures requesting that the intersection of Routes 665 and 698 be examined to determine what steps should be taken to alleviate the hazardous traffic situation that exists.

The petition was turned over to the Highway Safety Committee for their review and recommendations.

IN RE: APPROVAL OF PURCHASE OF NEW LENS--SHERIFF'S DEPARTMENT

Sheriff C.L. Mitchell presented a request for approval to purchase a 135mm "zoom lens" for the 35mm camera used by his depart-

ment. He stated that the present lens was not sufficient for its intended use and would be allowed \$75.00 as a trade-in on a new lens. The cost of the new lens would be \$350.00.

The Commonwealth Attorney stated that the lens would be very beneficial in investigative uses such as drugs and related situations in which observations were needed.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Sheriff be authorized to purchase a 135 mm "zoom lens" for his department at a cost of \$350.00.

IN RE: BUILDING INSPECTOR

Mr. James L. Blaha presented his report for the month of August, 1978.

IN RE: DOG WARDEN

Mr. G.T. Hughes presented his report for the month of August, 1978.

IN RE: DIRECTOR OF PLANNING

Mr. W.C. Scheid appeared before the Board to discuss the following items:

A. Comprehensive Plan Hearings - The Planner distributed documents to be used by the Board during the Comprehensive Plan public hearings and asked for their comments on the format to be used. The Chairman stated that he felt the Planning Commission should chair the meetings as they had worked with the plan more than the Board members. The Board agreed to meet Monday, September 25, 1978 at 7:30 P.M. with the Planning Commission to discuss the plan and format to be followed at the hearings.

B. Flood Insurance Program - The Planner advised the Board that he had discussions with representatives concerning the flood insurance program for flood plain areas in the County. He stated that an ordinance could be adopted to provide for what would be allowed in a flood plain area. The Board authorized him to investigate such an ordinance and present it to the Planning Commission for their review and recommendations.

C. Vacant Lot Ordinance - The Planner presented information concerning a vacant lot ordinance for the County. Concern had been expressed by the West Petersburg Council for the hazards that these lots cause in a community if they are not maintained. It had been previously introduced to the Planning Commission and they hesitated to take any action without some direction by the Board.

The Board instructed the Planner to accumulate further information on such an ordinance to present for their consideration on or before the October 18, 1978 meeting.

IN RE: DIRECTOR OF SOCIAL SERVICES

Mrs. King B. Talley presented her reports for the month of August, 1978.

IN RE: SLH CONTRACTS--MEDICAL COLLEGE OF VIRGINIA, PETERSBURG GENERAL HOSPITAL

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Chairman is hereby authorized to sign contracts for State and Local Hospitalization with the Medical College of Virginia at the rate of \$153.20 per day and Petersburg General Hospital at the rate of \$116.08 per day.

IN RE: SUPERINTENDENT OF SCHOOLS

Dr. R.L. Vaughn presented an invitation to the Board to view the schools in the County on Thursday, October 5, 1978.

Mr. Bennett asked if the ventilation problem was being taken care of at the Jr. High School. Dr. Vaughn stated that the maintenance contractor was aware of the problem and was working to remedy it.

IN RE: APPOMATTOX SCENIC RIVER ADVISORY COMMITTEE APPOINTMENTS

Upon motion of Mr. Hodnett, seconded by Mr. Hargrave, Mr. Hodnett, Mr. Hargrave, Mr. Bennett, Mr. Leftwich, Mr. Clay, voting "aye", the following resolution is adopted:

WHEREAS, the Honorable John N. Dalton, the Governor of Virginia, has made the following appointments and reappointments to the Appomattox Scenic River Advisory Committee: Warren C. Purcell, Chesterfield County; Dr. Joseph Hillier, Chesterfield County; Dr. George Partin, Chesterfield County; D. W. Cook, Sr., Dinwiddie County; Raymond Hensahw, Dinwiddie County; Tom Miller, Petersburg; G. Richard Beck, Petersburg; C. Bernard Gilpin, Petersburg; Dr. Freddie W. Nicholas, Chesterfield County; Howard C. Clayton, Chesterfield County; and

WHEREAS, the County of Chesterfield's membership on this committee has increased from three (3) to five (5); and

WHEREAS, the City of Petersburg's membership on this committee has remained unchanged at three (3); and

WHEREAS, Dinwiddie's membership has decreased from three (3) to two (2); and

WHEREAS, all members of this Appomattox Scenic River Advisory Committee were reappointed except W. C. Scheid, the Director of Planning for Dinwiddie County; and

WHEREAS, the Board of Supervisors of Dinwiddie County is concerned about the re-shaping of the Appomattox Scenic River Advisory Committee to the detriment of Dinwiddie County.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Chairman of this Board is hereby directed to write the Governor asking (1) why was the Appomattox Scenic River Advisory Committee restructured so that the County of Chesterfield would have five (5) members and Dinwiddie County would only have two (2) members; (2) why the Director of Planning of Dinwiddie County, W. C. Scheid, was not reappointed to the Appomattox Scenic River Advisory Committee; 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 the General Assembly.

IN RE: JUVENILE SERVICES STUDY STEERING COMMITTEE

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

WHEREAS, Mr. Herman Bates, Juvenile Services Planner, appeared before the Board at the August 16, 1978 meeting to discuss the Juvenile Services study conducted jointly by the CPDC and the Virginia Department of Corrections; and

WHEREAS, incident to this study a comprehensive analysis of areas of need within the youth services field for Dinwiddie County will be prepared; and

WHEREAS, the Board of Supervisors has been asked to appoint a steering committee of three to five persons to assist in this analysis; and

WHEREAS, the Board of Supervisors does not desire to participate unless a real need can be shown for appointing such a committee;

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, chooses not to appoint a steering committee for the Juvenile Services study in Dinwiddie County.

IN RE: DISCUSSION OF NEW ASCS CONTRACT

The County Administrator presented a new contract prepared by the ASCS office for rental of office space in the Social Services building. Because of differing opinions on the interpretation of the contract, the Board agreed to postpone action until these items were clarified.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that action on the rental of the Social Services building to the ASCS office be postponed contingent upon clarification of the intent of the contract.

IN RE: ELEVATOR MAINTENANCE CONTRACT

The County Administrator presented Full Maintenance and Service proposals from Virginia Elevator Co., Inc. for the elevator located in the Administration Building. He stated that other companies had been contacted but were reluctant to give proposals for maintenance on equipment they did not install.

The Board took these proposals into consideration and instructed the County Administrator to investigate the minimum safety maintenance requirements for an elevator of this type before any action on a proposal is taken.

IN RE: BINGO & RAFFLE PERMIT--DINWIDDIE YOUTH FOOTBALL LEAGUE ASSOCIATION

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

WHEREAS, the Dinwiddie Youth Football League has made application to the Board of Supervisors for a Bingo and Raffle Permit; and

WHEREAS, the Association meets the requirements as set forth in Sec. 18.1-340 of the Code of Virginia and has filed the required \$10.00 fee;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Dinwiddie Youth Football League Association is hereby granted a Bingo & Raffle Permit for the calendar year 1978.

IN RE: TURKEY SHOOT APPLICATION--ST. JOHN'S CATHOLIC CHURCH

The County Administrator introduced an application for a turkey shoot for St. John's Catholic Church on Route 613, Dinwiddie County.

According to Sec. 14-3 of the County Code, the Board of Supervisors "shall grant or deny its approval of a particular target or shooting range by proper resolution not less than 28 days from the date of presentation of the application therefor to the Board."

The County Administrator was instructed to place the application on the agenda for consideration by the Board of Supervisors at their October 18, 1978 meeting.

IN RE: NAMOZINE VFD--DISCUSSION OF PROPERTY

Mr. Loid A. Hodnett advised the Board that the Namozine VFD has been offered two proposals for the property upon which their

fire department building is located:

1. To buy the whole parcel, approximately 6 acres at \$32,000
2. To buy the 2 acres on which the building is located for \$12,000.

After a brief discussion, the Board agreed to meet at 7:00 P.M. at the Namozine VFD, Thursday afternoon to look at the property in question.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Hargrave, seconded by Mr. Hodnett, Mr. Hargrave, Mr. Hodnett, Mr. Leftwich, Mr. Bennett, Mr. Clay voting "aye", the Board moved into Executive Session at 11:10 P.M. to discuss personnel matters. The Board reconvened into open session at 12:20 P.M.

IN RE: REQUEST FOR NEW CARDIAC CAR--RESCUE SQUAD

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

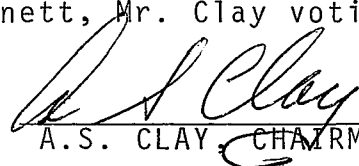
WHEREAS, Mr. Hodnett stated that if there was another car available, the Rescue Squad would like to have a replacement for the cardiac unit that was wrecked; and

WHEREAS, the County Administrator advised the Board that George Soloe was preparing the old Sheriff's cars for use by the School Board and County departments, one of which could be made available for use by the Rescue Squad.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Rescue Squad be provided with one of the old Sheriff's cars when they were made available for use as a cardiac unit.

IN RE: ADJOURNMENT

Upon motion of Mr. Hargrave, seconded by Mr. Hodnett, Mr. Hargrave, Mr. Hodnett, Mr. Leftwich, Mr. Bennett, Mr. Clay voting "aye", the meeting adjourned at 12:35 P.M.

  
A.S. CLAY, CHAIRMAN

ATTEST: \_\_\_\_\_  
W.C. KNOTT