

The minutes to Board of Supervisors meetings contained within this website are **unofficial** and are provided solely for the convenience of the website user. The **official** minutes to Board of Supervisors meetings are maintained on paper, bound and are available to the public Monday through Friday 8:30 a.m. - 5:00 p.m. in the office of the County Administrator, located in the Pamplin Government Center, 14016 Boydton Plank Road, Dinwiddie, Virginia. For further information, please contact the Clerk of the Board of Supervisors at (804) 469-4500 or by e-mail at [arussell@dinwiddieva.us](mailto:arussell@dinwiddieva.us).

VIRGINIA: AT THE REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 5<sup>TH</sup> DAY OF JUNE, 2002, AT 7:30 P.M.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	ROBERT L. BOWMAN, IV, VICE-CHAIR	ELECTION DISTRICT #3
	HARRISON A. MOODY	ELECTION DISTRICT #1
	DONALD L. HARAWAY	ELECTION DISTRICT #2
	AUBREY S. CLAY, (absent)	ELECTION DISTRICT #5

OTHER:	JACK CATLETT	COUNTY ATTORNEY
	WILL HAZEL	COUNTYATTORNEY

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**IN RE: INVOCATION – PLEDGE OF ALLEGIANCE – AND CALL TO ORDER**

Mr. Edward A. Bracey, Jr., called the regular meeting to order at 7:30 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

**IN RE: PRESENTATION OF PLAQUE**

The County Administrator presented Mr. Harrison Moody a plaque for serving as Chairman of the Board of Supervisors for the year 2001. She also extended heartfelt sympathy to the families of Mr. John Hayes and Mr. Howard Carmichael. They both made many valuable contributions to the County.

**IN RE: AMENDMENTS TO THE AGENDA**

There were no amendments to the agenda.

**IN RE: MINUTES**

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the May 15, 2002 Continuation Meeting and the May 15, 2002 Regular Meeting are approved in their entirety.

**IN RE: CLAIMS**

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Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1030587 through 1030821 (void check(s) numbered 1030589, 1030666 – 1030667, 1030669, 1030754 and 1030763) for:

**Accounts Payable:**

(101) General Fund	\$ 177,720.57
(103) Jail Commission	\$ 148.24
(104) Marketing Fund	\$ .00
(222) E911 Fund	\$ 5,497.77
(223) Self Insurance Fund	\$ .00
(225) Courthouse Maintenance	\$ 8,693.12
(226) Law Library	\$ 42.30
(228) Fire Programs & EMS	\$ 2,898.46
(229) Forfeited Asset Sharing	\$ 423.07
(304) CDBG Grant Fund	\$ .00
(305) Capital Projects Fund	\$ 87,497.51
(401) County Debt Service	\$ <u>.00</u>
<b>TOTAL</b>	<b>\$ 282,921.04</b>

**PAYROLL 05/31/02**

(101) General Fund	\$ 406,526.41
(222) E911 Fund	\$ 3,413.52
(304) CDBG Fund	\$ <u>3,368.39</u>
<b>TOTAL</b>	<b>\$ 413,308.32</b>

**IN RE: AUTHORIZATION TO TRANSFER FUNDS FROM IDA**  
**1995A- REFUND ACCOUNT TO SCHOOL FUND**  
**FACILITIES ACCOUNT**

Mrs. Ralph stated at the Dinwiddie County Board of Supervisors Meeting (May 1, 2002), approval was granted for a total payment of \$21,583.00 to BCWH. However, the funds need to be transferred to the School Account # 260 001501-0100 (Facilities) from the General Fund so the School Board can make the payment to BCWH Professional Services. She requested authorization to transfer \$21,583.00 to the facilities account for that payment.

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Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the transfer of \$21,583 from the IDA 1995A – Refund Account to the School Fund Facilities Account # 260 001501-0100 is approved.

**IN RE: SUPPLEMENTAL APPROPRIATIONS #4 AND #5 - FY02 SCHOOL BOARD**

The County Administrator stated she received the following requests from Dr. Leland Wise, Jr., Superintendent of Schools.

"Supplemental appropriation #4 represents \$255,623 in additional state funding due to our increased ADM (average Daily Membership) as of March 31, 2002. We would like to allocate these funds to maintenance. These funds will be used to complete various maintenance jobs in all division facilities including painting and cleaning, additional paving and concrete work, boiler repair and updates, playground equipment and landscaping, fencing replacement and repair, k-5 facilities updating of toilets and related equipment and replacement of maintenance vehicles. These funds will help to "catch up" on items that have been postponed or delayed due to budget limitations or reductions in the capital outlay fund requests during the past few years." The maintenance items are included in the following project list:

**Dinwiddie County Public Schools  
Maintenance and Facility Budget Projects  
(2002-2003)**

	Fiscal Year
<b>Dinwiddie Elementary School</b>	
<b><i>Repair &amp; Replacement</i></b>	
Install handicap ramp for stage (A.D.A.)	2002
Install appropriate handicapped access ramp for stage area	2002
Remove two large trees from playground area	2002
Hang cork strips in designated areas of hallways	2002
Inspection of current playground equipment	2002
Spread sufficient layer of mulch in playground equipment area (safety)	2002
Roof inspection	2002
Clean & paint front columns	2002
Paint baseball field bleachers	2002
Cut and remove 2 trees in playground area	2002
Install additional electrical outlets in classrooms and offices	2002
<b><i>Major or New Projects</i></b>	
Renovate and reduce "low dividing wall" in Library	2002
Install additional playground equipment to meet needs of K - 5 program	2002

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Install exterior bell system and speaker system to allow for return of students after drills	2002
<b>Equipment</b>	
Install age-appropriate playground equipment and landscaping	2002
Provide appropriate custodial & cleaning equipment	2002

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## **Dinwiddie High School**

### **Repair & Replacement**

Replace damaged wall tile (ceramic) in Band Room and Gym Hall	2002
Repair concrete overhang in English wing	2002
Paint 5 classrooms	2002
Paint 2 exterior cafeteria doors	2002
Paint Field House	2002
Paint stadium restrooms	2002
Repair or replace exterior door (cafeteria hall)	2002
Repair or replace interior door (English hall)	2002
Repair or replace interior door (Girls' locker room)	2002
Repair or replace interior door (Boy's locker room)	2002
Repair or replace 4 interior doors (Gymnasium)	2002
Repair or replace 2 water fountains (Gymnasium)	2002
Replace floor electrical recepticals with pole-type (Business Rooms)	2002
Repair or replace restroom partition (Girls' Restroom - English wing)	2002
Repair or replace restroom partition (Boy's Restroom - English wing)	2002
Repair or replace restroom partition (Girls' Restroom - Cafeteria area)	2002
Replace light fixtures (Girls' restroom - English wing)	2002
Replace light fixtures (Boy's restroom - English wing)	2002
Repair Agriculture Shop brick wall (hole remains from renovation)	2002
Install steel access platform for fuel tank	2002

### **Major or New Projects**

Pave major portion of the parking lots	2002
Replace gymnasium floor	2002
Replace fence around stadium	2002
Install fence around HVAC equipment	2002

### **Equipment**

Replace 30 classroom telephones	2002
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## **Dinwiddie Middle School**

### **Repair & Replacement**

Replace carpets in modular classrooms	2002
Replace ramps and porches of modular classrooms	2002
Repair concrete library steps	2002

### **Major or New Projects**

Install two additional mobile classrooms (Move from Midway)	2002
Paint basement hallway	2002
Create new gravel or paved parking lot (teachers/parents) SAFETY ISSUE	2002
Install "split air condition" system for "Head-In" room in Library	2002

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## **Midway Elementary School**

<b>Repair &amp; Replacement</b>	2002
Install handrails for stage steps	2002
Install appropriate handicapped access ramp for stage	2002
Install "adult sized" water fountain on second floor	2002
Install appropriate parking lot signs ("Handicapped", "Staff", "Visitors")	2002
Paint appropriate parking lines, arrows, and crosswalk area	2002
Wash second story windows	2002
Remove several large trees from playground area and from around building (roots undermining foundation)	2002
Repair or replace wooden ramps and/or steps	2002
Repair of modular classroom roofs	2002
Replace modular classroom carpet	2002
Repair or replace modular classroom skirting	2002
Spread sufficient layer of mulch in playground equipment area (Safety)	2002
Landscaping (annual)	2002
<b>Major or New Projects</b>	
Replace boiler	2002
Replace flooring in gymnasium restrooms	2002
Repave basketball court	2002
Install exterior security lights	2002
<b>Equipment</b>	
Purchase additional four additional "walkie-talkies"	2002
Install four elliptical mirrors in stairwells (security)	2002
Replace old playground equipment with new "age appropriate" equipment	2002

## **Rohoic Elementary School**

<b>Repair &amp; Replacement</b>	
Replace all hallway and cafeteria ceiling tiles	2002
Repair outdoor fences and locks	2002
Repair floor tile in gymnasium	2002
Replace all toilet seats and tissue holders in hall bathrooms	2002
Repair damage due to leaks in modular #141/142	2002
Repair or replace wooden steps and ramps to all modular classrooms	2002
<b>Major or New Projects</b>	
Install security lighting to north and west parking lot	2002
Replace all bathroom fixtures throughout building	2002
Install sidewalk between 5th grade modular classrooms and modular classroom #141/142	2002

## **Southside Elementary School**

<b>Repair &amp; Replacement</b>	
Replace all broken and unsecured light covers	2002
Replace main office blinds with new mini-blinds	2002
Re-finish stage (sand and varnish)	2002
Address and repair all cracks in exterior brick walls	2002
Repaint flag pole	2002
Replace or repair outside water fountain	2002
Address all handicap ramps and rails	2002
Repair or replace wooden steps or ramps	2002
<b>Major or New Projects</b>	

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Address and replace plumbing with age-appropriate size units	2002
Install three additional mobile classrooms (HEADSTART)	2002
Install exterior security lights	2002
Address playground (add equipment to meet K-5 needs, regrade/reseed former modular area)	2002

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### **Sunnyside Elementary School**

#### ***Repair & Replacement***

Replace some damaged ceiling tiles (due to past roof leaks)	2002
Replace some light fixtures in building	2002
Computer network wiring should be incased in conduit. (Some hanging from ceiling)	2002
Replace kitchen tile (safety & health hazard)	2002
Repair or replace wooden steps or ramps	2002
Repair rusted floor molding around kitchen office	2002

#### ***Major or New Projects***

Install water fountains in modular classrooms	2002
Install additional electrical outlets throughout the building (Fire Marshall has cited extension cords)	2002
Install exterior security lights	2002
Repair roof	2002
Install additional mobile classroom	2002

### **Alternative Education Center (Old McKenny Elementary School)**

Paint exterior boards covering windows to protect particle board	2002
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### **Maintenance Department**

#### ***Equipment***

Two new vehicles (trucks) *one for new plumber, **one to replace truck to be taken off road	2002
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### **Transportation Department**

#### ***Major or New Project***

Repair or Replace HVAC System	2002
Repair Roof	2002
Upgrade electrical system	2002

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<b>District-Wide</b>	2002
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#### ***Major or New Project***

*Repair and/or replace wooden steps and ramps at all schools (total)	2002
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## **SUPPLEMENTAL APPROPRIATION #5 - FY02**

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“The Dinwiddie County School Board budget for FY2002 was approved in the spring of 2001. The following appropriations (Supplemental Appropriation #5) represent revenue contributed and/or donated for specified purposes:

\$1,472	Donations	Specified for court service youth
\$4,000	Donations	Specified for Project DEAR salaries
\$ 400	Donations	Specified for mentors.
\$ 50	Fees	Specified for the “Ropes Course”
\$1,050	Donations	Specified for the volunteer conference
<b>\$6,972</b>	<b>Total</b>	

This represents additional funding of \$6,972, which we wish to allocate to O.Y.C.S.

The Dinwiddie County School Board reviewed this information at its May 14, 2002 meeting, voted to amend its FY2002 Budget for these funds and to seek the supplemental appropriation from the Board of Supervisors.”

The County Administrator recommended that the Board approve Supplemental Appropriation #4 with the contingency that none of the funds be expended on items that were included and then value engineered out of the CIP. Remaining bond funds should be used for those items.

Mr. Bracey commented the maintenance items do not include the costs. In the past, the School Board always provided an itemized list. Who is going to be handling these funds? Mr. Worner replied he would be happy to supply an itemized cost list to the Board and they would comply with the contingencies recommended by the County Administrator.

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Moody, Mr. Haraway, Mr. Bowman voting “Aye”, Mr. Bracey voting “Nay”,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board’s request for the supplemental appropriation #4 listed above is approved with the contingency that none of the funds be expended on items that were included and then value engineered out of the CIP; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board’s request for supplemental appropriation #5 listed above is approved as presented.

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**IN RE: CITIZEN COMMENTS**

Mr. Bracey asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting.

The following citizens came forward to address the Board:

1. Michael W. Bratschi, 23500 Cutbank Road, McKenney, Virginia, came before the Board with the following comment and questions:
  - a. He supported waiting six months to adopt the Comprehensive Land Use Plan.
  - b. Why Deputies are present at Board meetings/who is paying them?
  - c. When was the CIP public hearing held?
  - d. Did the money for carpet come from the 2002-2003 budget?

**IN RE: AUTHORIZATION TO NAME NEW AIRPORT ENTRANCE ROAD – BECK-CHAPPELL DRIVE**

David Ploeger, Airport Manager, came forward and stated per your request I met with the agencies involved in the naming of the new airport entrance road. Mr. Caywood at VDOT stated that the Department would leave the decision of the road name to the County. We discussed the issue of naming the service road and the new entrance road "Airport Road", the same as the current entrance road. Mr. Caywood had no objection to the name, but stated that the new entrance road will have a separate route number from the current entrance road (due to the fact that the service road joining them is considered a private road). This would create a situation where "Airport Road" would have two separate route numbers associated with it. Mr. James Bland, with the Virginia Department of Aviation who funded the service road, stated that they will have no input with regard to the name of the service road. Mr. Scheid stated that, with regard to all three roads being named "Airport Road", it is unusual for a road to have a 90 degree intersection without changing names (and this road would have two such intersections). However, this situation has occurred in other roads in the County. At its meeting on May 21<sup>st</sup> the Airport Authority discussed this issue. Several variations of "Airport Road" were discussed (South Airport Road, East Airport Road, ect.) as well as other possible names. It is the belief of the Authority that there are already too many roads in the vicinity of the airport with the "Airport" or something similar associated with them and they did not wish to further complicate the situation. In order to help prevent confusion regarding road names, and to honor two men who contributed greatly to the development of the airport, the Airport Authority requests that the new entrance road be named "Beck-Chappell Drive".

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Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Airport Authority is authorized to name the new entrance road "Beck-Chappell Drive".

**IN RE: AUTHORIZATION TO ISSUE MANUAL CHECK -  
AIRPORT AUTHORITY STATE REIMBURSEMENT**

The County Administrator stated the Airport Authority has been waiting for VDOT to issue a check in the amount of \$230,000 for the new road. However, VDOT must send the funds to the County and then we will have to write a check to the Airport Authority. She requested authorization to issue a manual check to the Airport Authority in the amount of the check from VDOT once the County receives the funds.

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Staff is authorized to issue a manual check to the Airport Authority in the amount of the check from VDOT once the County receives the funds.

**IN RE: CITIZENS COMMENTS CONT'**

2. Mr. Dwayne Person, 3900 Shoreview Drive, Sutherland, VA, neighborhood watch coordinator for River Road Farm Subdivision, presented the Board with a petition to pass a resolution to forward VDOT to install "Watch for Children" signs for the safety of the Children in the neighborhood. He also commented he supported waiting six months in order to provide time for the citizens to review the Comprehensive Land Use Plan.

**IN RE: STATEMENT PRIOR TO PUBLIC HEARING**

Mr. William C. Scheid, Director of Planning, came forward to make the following statement prior to the Public Hearings.

"As previously requested by the Board of Supervisors, Draft copies of the Planning Commission Meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting room. The purpose of doing so is to expedite the hearing process without compromising the publics' access to pertinent information. It is noted that the Board has been given various information on all of the hearing(s) to include, the

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application, zoning map, adjacent property owner list, locational map(s), proffers (if applicable), soils data, comprehensive land use maps and references, etc. With this information noted, I will proceed with the case(s).”

**IN RE: PUBLIC HEARING – COMPREHENSIVE LAND USE PLAN**

This being the time and place as advertised in the Dinwiddie Monitor on May 22, 2002 and May 29, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on the County’s Comprehensive Land Use Plan.

Mr. Scheid stated State Code requires the local planning commission to prepare and recommend a comprehensive land use plan for the physical development of the territory within its jurisdiction and every governing body shall adopt a comprehensive plan for the territory under its jurisdiction. Section 15.2-2230 of the State Code requires the review of this plan at least once every five years. With the above in mind, the Board of Supervisors chose to create an Advisory Committee to assist the Planning Commission in the review and development of an updated comprehensive land use plan. The Committee held many meetings during the past 1-½ years in which public participation was encouraged. The Advisory Committee met with the Planning Commission in December 2001 and “handed off” the plan to the Planning Commission for them to hold their public hearing. The public hearing of the Planning Commission was held on January 9, 2002. There was no one in attendance opposing the Plan. On a unanimous vote of 7-0, the Planning Commission sent the Plan Update to the Board of Supervisors with a recommendation of approval. The Board of Supervisors held a workshop on the Comp Plan update on April 17<sup>th</sup>. Mr. Turner of Landmark Design Group reviewed with the Board the Plan, in general, and summarized some of the events I have stated herein. The public hearing was advertised for this evening for the Board of Supervisors to hold its Comprehensive Land Plan Update.

Mr. Bracey opened the Public Hearing.

Mrs. Barefoot requested that the Board make available copies of the Plan to allow Citizens an opportunity to read it over and then hold meetings in each district to allow them to ask questions and clarify issues they may have about the Plan. She also requested that the Board wait six months before adopting the Comprehensive Land Use Plan.

The following Citizens supported the six months waiting period:

1. Michael Bratschi, 23500 Cutbank Road, McKenney, VA
2. Dwayne Person, 3900 Shoreview Drive, Sutherland, VA
3. Geri Barefoot, 7411 Frontage Road, Petersburg, VA,

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4. Edward H. Williams, 23515 Cox Road, Petersburg, VA
5. Merry F. Williams, 23515 Cox Road, Petersburg, VA
6. Glenn Stevens, 24620 Smith Grove Road, Petersburg, VA
7. Cynthia Marshall, Wilkinson Road, DeWitt, VA
8. Julia Benner, 20214 Ann Road, Sutherland, VA
9. Odessa Winfield, 20201 Harris Drive, Sutherland, VA
10. Arthur Goodwyn, 7104 Boydton Plank Road, Petersburg, VA

Mr. Bracey closed the Public Hearing.

Mr. Bowman made a motion to table the hearing for six months and set up some meetings at the Eastside Community Enhancement Center so citizens could have the opportunity to ask questions about the plan.

Mr. Dean McCray, Chairman of the Planning Commission and member of the Advisory Committee, came forward stating the committee had numerous meetings with groups and citizens. I feel it is a good plan and so does a great number of other people. However, if the citizens wanted additional meetings held, he would have no problem being a part of them.

Mr. Moody stated he felt a couple of months would allow a sufficient period of time to delay the plan; but six months is too long.

Mr. Bracey asked Ms. Barefoot if there was a particular area or reason that she had a problem with the Plan. She responded the more she read the draft plan the more the whole document confused her. Mr. Bracey commented he didn't feel the Plan should be held up six months for review. He felt four months was reasonable.

Mr. Bracey asked Mr. Turner if he would find out how long and how much it would cost for a copy of the Plan and let the Planning Department know. Mr. Bracey asked the Citizens who were interested in purchasing a copy of the Plan to sign the sheet and they would be called when we found out what the costs would be. He stated the Planning Department and Planning Commission could set up workshops for each district to meet with the citizens to discuss the draft plan after the copies come in.

Mr. Bowman withdrew his former motion.

Upon Motion of Mr. Bowman, Seconded by Mr. Haraway, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the Comprehensive Land Use Plan is tabled for four months to allow the Citizens time to receive copies of the plan and then set up meetings to be held in each district or combined districts.

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**IN RE: PUBLIC HEARING – C-02-2 – L. F. HARRISON –  
CONDITIONAL USE PERMIT**

This being the time and place as advertised in the Dinwiddie Monitor on May 22, 2002 and May 29, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a request from Mr. L. F. Harrison, Jr., who is seeking a conditional use permit to establish a cabinet shop at 5906 Boydton Plank Road.

Mr. Scheid read excerpts from the following Summary Staff Report on C-02-2:

**Planning Summary Report**

File: C-02-2  
Applicant: L. F. Harrison, Jr.  
Property Address: 5906 Boydton Plank Road

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The applicant, Mr. L. F. Harrison, Jr., is seeking a conditional use permit to establish a cabinet shop at 5906 Boydton Plank Road. The property is designated as tax map/parcel 21-113A by the Commissioner of the Revenue's office and is located in the southwest corner of the intersection of Boydton Plank Road (Rt. 1) and Hofheimer Way. The Board of Supervisors rezoned the property to Business, general B-2 on September 4, 1996 in anticipation of a day care center being established. The property is located within the urban planning boundary as defined by the County's comprehensive land use plan. No citizens appeared in support of, or opposition to, the request. Upon a vote of 7-0, the Planning Commission recommended approval with conditions to the Board of Supervisors

1. Landscaping shall be provided and maintained within areas between adjacent residential properties and Route 1. The landscaping plan shall be submitted to the Planning Department for review and approval. The plan must be implemented prior to issuance of a certificate of occupancy;
2. Exterior lighting shall be located and directed such as to illuminate the area of the cabinet shop and not be directed toward adjacent properties;
3. A commercial entrance permit shall be obtained from VDOT if, at anytime, entrance to the property is accessed off Route 1 as opposed to Hofheimer Way;

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4. The driveway entrance and parking area shall be asphalt and be constructed to County standards; and
5. The cabinet shop shall be a one- (1) story structure.

Mr. Bracey opened the Public Hearing.

No one spoke for or in opposition to the rezoning request.

Mr. Bracey closed Public Hearing C-02-1.

Mr. Moody stated, be it resolved, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning case C-02-1 be approved with the conditions recommended by the Planning Commission.

The motion was seconded by Mr. Haraway, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that rezoning request C-02-1, as stated above, is hereby approved, with the conditions recommended by the Planning Commission.

**IN RE: PUBLIC HEARING – P-02-1 – RANDOLPH H. HERRING –  
REZONING REQUEST**

This being the time and place as advertised in the Dinwiddie Monitor on May 22, 2002 and May 29, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment for a rezoning application submitted by Mr. Randolph Herring.

Mr. Scheid read excerpts from the following Summary Staff Report on P-02-1:

**Planning Summary Report**

File: P-02-1  
Applicant: Randolph H. Herring  
Property Address: Hamilton Arms Road

The applicant, Mr. Randolph H. Herring, is seeking a rezoning from Business, General B-2 to Agricultural, General A-2 of a 6.1-acre parcel of land that was recently subdivided from land parcel 69-57A. The original tract of land contained 11.3 acres. The tract under consideration is located to the rear of Mr.

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Herring's property located at 16001 Hamilton Arms Road in DeWitt. The County's comprehensive land use plan designates this area as rural conservation. No citizen appeared in support of, or opposition to, the request. Upon a vote of 7-0, the Planning Commission recommended approval to the Board of Supervisors.

Mr. Bracey opened the Public Hearing.

No one spoke for or in opposition to the rezoning request.

Mr. Bracey closed the Public Hearing.

Mr. Bracey called for a Motion.

Mr. Haraway stated, be it resolved, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning case P-02-1 be approved.

The motion was seconded by Mr. Moody, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that rezoning request P-02-1, as stated above, is hereby approved.

**IN RE: RECESS**

Mr. Bracey called for a recess at 8:56 P.M. The meeting reconvened at 9:07 P.M.

**IN RE: PUBLIC HEARING – A-02-2 – FEE FOR PROCESSING PERSONS TO JAIL**

This being the time and place as advertised in the Dinwiddie Monitor on May 22, 2002 and May 29, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on an amendment to Chapter 15 of the Code of Dinwiddie County to establish a processing fee of Twenty-Five Dollars (\$25) for persons admitted into the jail.

The County Administrator stated this ordinance is to authorize additional fees to defray the costs of processing arrested persons into the Dinwiddie County Jail. The public hearing will be held tonight; but the Board can take no action until June 19, 2002 because there are fees involved, which require a waiting period.

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Mr. Bracey stated this is a Public Hearing and asked if any citizens wished to speak for or against A-02-2.

1. Mr. Michael Bratschi spoke in opposition of the amendment.

Mr. Bracey closed the Public Hearing for A-02-2.

**IN RE: PUBLIC HEARING – A-02-3 AMENDMENT –  
COURTHOUSE SECURITY FEE**

This being the time and place as advertised in the Dinwiddie Monitor on May 22, 2002 and May 29, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on an amendment to the Code of Dinwiddie County to impose a Five Dollar (\$5.00) fee on those convicted in General District or Circuit Court to assist with the funding of courthouse security as authorized by the General Assembly.

The County Administrator stated the ordinance is to authorize additional cost in criminal and traffic cases for the funding of Courthouse security personnel. The public hearing will be held tonight; but the Board can take no action until June 19, 2002 because there are fees involved, which require a waiting period.

Mr. Bracey stated this is a Public Hearing and asked if any citizens wished to speak for or against A-02-3.

1. Mr. Michael Bratschi spoke in opposition of the amendment.

Mr. Bracey closed the Public Hearing for A-02-3.

**IN RE: PUBLIC HEARING – A-02-4 – TRAFFIC LAWS -  
RECODIFICATION**

This being the time and place as advertised in the Dinwiddie Monitor on May 22, 2002 and May 29, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing on an ordinance amending Sections 14-3 and 14-4 of the Dinwiddie County Code to incorporate provisions of state law related to the control of traffic and to driving under the influence of alcohol or other intoxicants.

Mrs. Ralph stated this is an amendment to the ordinance amending Sections 14-3 and 14-4 of the Dinwiddie County Code to incorporate provisions of State Law related to the control of traffic and to driving under the influence of alcohol or other intoxicants. This is a yearly revision to coincide with the action

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taken by the General Assembly amending certain sections. It was pointed out that the amendment had been drafted by the County Attorney and was enclosed in the Board's packet.

This being a Public Hearing Mr. Bracey opened the floor for citizen comments.

1. Mr. Michael Bratschi supported this amendment.

Mr. Bracey closed the Public Hearing on A-02-4.

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye",

**WHEREAS**, Section 46.2-1313 of the Code of Virginia 1950, as amended, authorizes the incorporation of provisions of state law into local ordinances; and

**WHEREAS**, the Board of Supervisors of Dinwiddie County, Virginia deems it in the best interest of the County to effectively incorporate such provisions of state law into Dinwiddie County Code Sections 14-3 and 14-4 to reflect the County's adoption of such statutes;

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Supervisors of Dinwiddie County, Virginia that Sections 14-3 and 14-4 of the Dinwiddie County Code should be amended as follows:

**Sec. 14-3 Adoption of state law as to motor vehicles and traffic and driving under the influence of alcohol or drugs.**

1. Pursuant to the authority of Section of 46.2-1313 of the Code of Virginia, all of the provisions and requirements of the laws of the Commonwealth contained in Title 46.2 and in Article 2 (Section 18.2-266 et seq.) of Chapter 7, Title 18.2 of the Code of Virginia, as amended except those provisions and requirements which, by their nature, can have no application to or within the County, and except those provisions of law which may not be adopted or incorporated, are hereby adopted and incorporated mutates mutandis in this Ordinance by reference and made a part of this Chapter as fully as though set out herein and are herein and hereby applicable within Dinwiddie County.
2. References to "highways of the state" contained in such provisions and requirements adopted by this Section shall be

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deemed to refer to the streets, highways, and other public ways within the County.

3. The provisions and requirements referred to the subsection (a) of this Section are hereby adopted, mutates mutandis and made a part of this Section as fully as though set forth at length herein, and it shall be unlawful for any person within the County to violate, or fail, neglect, or refuse to comply with, any such provision or requirement; provided, however, that, in no event shall the penalty imposed for the violation of any such provision or requirement exceed the penalty imposed for a similar offense under the state law hereby adopted.

**Sec. 14-4. Adoption of state law as to the operation of motor vehicles.**

Pursuant to the authority of Section of 46.2-1313 of the Code of Virginia, the following provisions and requirements of Title 46.2 of the Code of Virginia, as amended, are hereby adopted and made a part of this chapter as fully as though set out therein and are hereby applicable within Dinwiddie County: sections 46.2-100, 46.2-103, 46.2-300 to 46.2-302, 46.2-341.1 to 46.2-341.34, and 46.2-800 through 46.2-946.

This Ordinance shall become effective immediately.

**IN RE: COUNTY ADMINISTRATOR COMMENTS**

1. Mrs. Ralph commented the Governor is authorizing Friday July 5<sup>th</sup> as a holiday in addition to July 4<sup>th</sup>. She stated she wanted them to be aware of the extra day and that it was the County's policy to grant the holidays authorized by the State. There was no comment from the Board members.

**IN RE: RESOLUTION AUTHORIZING COMPETITIVE NEGOTIATION FOR RADIO SYSTEM ENGINEERING SERVICES**

The County Administrator commented we are ready to advertise the RFP for the consultant to assist us with the specifications for the E911 Public Safety Radio System. A resolution is required when the method of competitive negotiation is used.

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

WHEREAS, the Board of Supervisors of Dinwiddie County (the "Board")

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wishes to receive proposals from qualified vendors for services to assist in the design and/or review of a countywide E911 Public Safety radio system and further to negotiate specific contractual terms and conditions favorable to Dinwiddie County (the "County"); and

WHEREAS, Section 11-41 of the Virginia Public Procurement Act provides that goods and services may be procured by competitive negotiation upon a determination in writing that competitive sealed bidding is not advantageous to the public; and

WHEREAS, the county has made this determination based on the following reasons:

1. Time is of the essence.
2. These are personal competitive services where Dinwiddie County will get the best value if it procures these services thru competitive negotiation.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia:

1. Staff is authorized to issue on behalf of the County a written request for proposals for radio system engineering services;
2. This Resolution shall constitute a written determination that competitive sealed bidding is not advantageous to the public for the reasons stated above.
3. This resolution shall be effective as of June 5, 2002.

**IN RE: HEALTH DEPARTMENT FEES**

2. The Health Department will be initiating a fee beginning July 1, 2002 for all the permits/services they now provide. This would include approvals for Special Entertainment Permits, testing of water samples, etc. At this time, no fee schedule has been established. This will have the greatest impact on us with the sampling required on the jail well.

**IN RE: AUTHORIZATION TO ADVERTISE INMATE WORKFORCE ORDINANCE**

The County Administrator stated a draft ordinance to establish an inmate work force in the County was enclosed in your packets. The Sheriff is working with the judges and feels if this ordinance is put in place, they can provide the

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manpower and equipment to put it into effect. She asked for authorization to advertise the ordinance for a public hearing to be held July 3, 2002.

Upon Motion of Mr. Moody Seconded by Mr. Haraway, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to advertise the ordinance for public hearing on July 3, 2002 as described above.

**IN RE: AUTHORIZATION FOR COUNTY ADMINISTRATOR TO SIGN LETTER OF AGREEMENT – ECONOMIC DEVELOPMENT FROM TOBACCO COMMISSION**

Upon Motion of Mr. Bowman Seconded by Mr. Moody, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to sign the Letter of Agreement for the economic development grant with the Tobacco Indemnification and Community Revitalization Commission.

**IN RE: COUNTY ADMINISTRATOR COMMENTS CONT'**

4. Vacation schedules for the Board – We have some meetings for the Board that need to be scheduled for July and/or August; therefore, if you have a vacation planned or definite weeks you would not be able to meet, please let Staff know. The tour of the County with the Planning Commission has been proposed for July 10, 2002.
5. Our next meeting, June 19<sup>th</sup> is one of the meetings, which the Board scheduled to start at 10:00 A.M. instead of the regular time at 2:00 P.M.

**IN RE: BOARD MEMBER COMMENTS**

There were no Board Member comments.

**IN RE: ADJOURNMENT**

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 9:26 P.M.

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Edward A. Bracey, Jr., Chairman

ATTEST: \_\_\_\_\_  
Wendy Weber Ralph  
County Administrator

/abr