

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 7<sup>TH</sup> DAY OF JUNE, 2005, AT 7:30 P.M.

PRESENT: HARRISON A. MOODY – CHAIRMAN ELECTION DISTRICT #1  
MICHAEL W. STONE - VICE CHAIR ELECTION DISTRICT #5  
DONALD L. HARAWAY ELECTION DISTRICT #2  
ROBERT L. BOWMAN IV ELECTION DISTRICT #3  
DORETHA E. MOODY ELECTION DISTRICT #4

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**IN RE: CIP WORK SESSION WITH STAFF**

Mr. Haraway opened the work session at 5:36 p.m.

Mr. Massengill discussed some of the major projects and outlined the financial side of what can be done over the next ten years. He emphasized that the planning projects, over the next couple of years, are more likely to be done verses projects in year seven, eight, nine and ten.

Mr. Horwedel discussed the financial assumptions that staff has operated under in putting together the program for the Board.

Upon Motion of Mr. Bowman, Seconded by Ms. Moody, Mr. Haraway, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody voting “Aye”, the meeting adjourned at 6:35 P.M.

**IN RE: CLOSED SESSION**

Mr. Moody said he wanted to add an appointment under section 2.2-3711 (A)(1) to the close session.

Mr. Bowman moved to close the meeting in order to discuss matters exempt under section: 2.2-3711 (A)(5) – Business and Industry Development; 2.2-3711 (A)(7) – Legal Matters; 2.2-3711 (A)(1) – Appointments

Ms. Moody seconded the motion. Mr. Haraway, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody voting “Aye”, the Board moved into the Closed Meeting at 6:36 P.M.

The meeting reconvened into Open Session at 7:30 P.M.

**IN RE: CERTIFICATION**

**Whereas**, this Board convened in a closed meeting under: 2.2-3711 (A)(5) – Business and Industry Development; 2.2-3711 (A)(7) – Legal Matters; 2.2-3711 (A)(1) – Appointments;

**And whereas**, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

**Now be it certified**, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

Upon Motion of Stone, Seconded by Mr. Bowman, Mr. Haraway, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody voting “Aye”, this Certification Resolution was adopted.

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 7:32 P.M. followed by the Lord’s Prayer and the Pledge of Allegiance.

**IN RE: AMENDMENTS TO THE AGENDA**

Mr. Bowman asked if number seven under the public hearings could get moved up to number five. This would move the present number five to the sixth position and number six to the seventh position.

Upon Motion of Mr. Stone, Seconded by Mr. Bowman, Mr. Haraway, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody voting “Aye”, the above amendment was approved.

**IN RE: MINUTES**

Upon Motion of Mr. Haraway, Seconded by Ms. Moody, Mr. Haraway, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody voting “Aye”,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that approval of the April 19, 2005 Continuation Meeting, May 3, 2005 Continuation Meeting, May 3, 2005 Regular Meeting are approved.

**IN RE: CLAIMS**

Upon Motion of Mr. Haraway, Seconded by Ms. Moody, Mr. Haraway, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, 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 1049429 through 1049557 (voided check number(s) 1049428).

**FY – 04/05**

**Accounts Payable:**

(101) General Fund	\$	184,454.55
(103) Jail Commission	\$	
(105) Playground Equipment	\$	
(209) Litter Control	\$	
(222) E911 Fund	\$	5,343.20
(225) Courthouse Maintenance	\$	1,670.71
(226) Law Library	\$	71.30
(228) Revenue Federal	\$	
(228) Fire Programs & EMS	\$	3,323.88
(229) Forfeited Asset Sharing	\$	
(304) CDBG Grant Fund	\$	290.51
(304) Capital Projects Fund	\$	1,783.25
(401) County Debt Service	\$	<u>35,931.00</u>

**TOTAL** \$ **232,868.40**

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 1049559 through 1049565 (voided check number(s) 1049558).

**FY – 04/05**

**Accounts Payable:**

(101) General Fund	\$	<u>1,700.00</u>
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**TOTAL** \$ **1,700.00**

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 1049345 through 1049422 (voided check number(s) 1049344).

**PAYROLL**

**May 31, 2005**

(101) General Fund	\$	487,876.32
(222) E911 Fund	\$	45,306.44
(229) Forfeited Asset Sharing	\$	
(304) CDBG Grant Fund	\$	<u>7,838.83</u>

**TOTAL**

**\$ 541,021.59**

**IN RE: CONTRIBUTION – COALITION OF HIGH GROWTH COMMUNITIES**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the contribution for the coalition of high growth communities be approved.

**IN RE: RESOLUTION TO ADD SWAMILL ROAD TO SIX YEAR SECONDARY ROAD PLAN**

Mr. Ray Varney – Resident Engineer – VDOT requested that Sawmill Road be added to the six year secondary road plan so as to complete the last 3/10 of a mile on the road prime and sealed with reconciliation money.

The Chairman asked if there was anyone signed up to speak to the public hearing and with there being no one he closed the public hearing.

**RESOLUTION**

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia at its regular meeting on June 7, 2005 in the Board Room, in the Pamplin Administration Building present were: Mr. Harrison Moody, Mrs. Doretha Moody, Mr. Michael Stone, Mr. Robert Bowman and Mr. Donald Haraway, and

WHEREAS, the Sawmill Road project has recently been identified as a critical need and must be added to the existing 2004-2005 Secondary Six-Year Plan:

Route:	688 (Sawmill Road) – Dinwiddie County
From:	0.21 mi. west of Route 667
To:	Route 667
Scope of Work:	Reconstruction to RRR standards, 0.21 miles of existing unpaved road.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby approved this project for addition to the Secondary Six-Year Plan for FY 2005 through 2006 and funds are to be allocated for preconstruction development.

Upon Motion of Mr. Haraway, Seconded by Ms. Moody, Mr. Haraway, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, voting "Aye", the resolution was approved.

**IN RE: A-05-7 – CURFEW ORDINANCE**

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF DINWIDDIE, AS AMENDED, BY ENACTING SECTION 15-7, PROVIDING FOR A CURFEW FOR MINORS AND PROVIDING FOR A PENALTY

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County:

(1) *That Section 15-7 of the Code of the County of Dinwiddie, as amended, is hereby enacted to read as follows:*

**Sec. 15-7. Curfew for Minors.**

- (a) It shall be unlawful for any child under the age of 18 years to be upon the streets or in other public places in the county between 11:00 p.m. and 6 a.m. of the following day unless accompanied by a parent, guardian, or some adult person lawfully in charge of such child.
- (b) This section shall not be construed to prohibit children under 18 years of age from discharging their lawful employment duties or attending adult supervised religious, school, county-sponsored, or civic organizational functions unaccompanied by a parent, guardian, or other adult person lawfully in charge of such child.
- (c) It is an affirmative defense to subsection (a) that the minor was involved in an emergency situation that required immediate action to prevent serious bodily injury or loss of life. An emergency situation includes but is not limited to a fire and a natural disaster.
- (d) Pursuant to § 15.2-926 of the Code of Virginia, a violation of this ordinance by a minor shall be disposed of as provided in §§ 16.1-278.4 and 16.1-278.5 of the Code of Virginia.

(2) *This ordinance shall be effective upon adoption.*

Sheriff's Shands stated that this is a good ordinance. It is good for the county and the youth in the county. He thanked the Board for their support in bringing the ordinance to the fore front.

The Chairman opened the public hearing for this case.

Michael W. Bratschi – 23500 Cutbank Road – McKenney VA said the code is vague. He would like for the ordinance to address some punishments for the children if they are picked up the first time and then the parents if they are picked up a second time.

The Chairman closed the public hearing for this case.

Michael Drewery – the county attorney stated the code section mentioned in the ordinance does allow the judge to enforce some penalty on the youth and to place a civil fine on the parents if they do not comply.

Upon Motion of Mr. Stone, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, voting “Aye”, the curfew ordinance was approved.

**IN RE: LEASE OF COUNTY PROPERTY – ROUTE 460 TENANT FARMER**

Mr. Massengill stated that Mr. Donald Turner had asked the county if he could enter into a lease agreement with the county concerning the 30 acres of the county’s property that is farming. He said because the county’s plan for this area is an eventual commerce park some type of arrangement was needed to allow Mr. Turner to continue to farm the land beyond the May 1, 2005 expiration date.

The Chairman opened the public hearing for this case.

Michael W. Bratschi – 23500 Cutbank Road – McKenney VA said the land was purchased with tobacco money for a commerce park and he does not believe the grant allows for someone to pay \$600 a month to farm on it. He believes the county would be violating the grant.

The Chairman closed the public hearing for this case.

Upon Motion of Mr. Bowman, Seconded by Ms. Moody, Mr. Haraway, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, voting “Aye”, the lease agreement of county property was approved

**IN RE: SC-05-1 – STREET NAME CHANGE**

Mr. Scheid stated that each Board Member has before them the Staff Summary Report and supplemental data and he will read from the staff report.

**Summary Report**

**File: SC-05-1**

**Applicant: Bertha E. Pryor**

The applicant, Bertha E. Pryor of 20317 Wallace Road, Sutherland, VA is seeking to change the street name of Wallace Road to Bonner Drive. Such request has been filed according to the provisions contained in section 17.5-27 of the Dinwiddie County Code.

The Chairman opened the meeting and asked for the staff report. Mr. Scheid read the staff report in which it was recommended to the Planning Commission that the request be recommended for approval to the Board of Supervisors. Mr. Harrison Pryor spoke on behalf of the applicant. He explained that only relatives of the Bonner family lived on Wallace Road. Mr. Wallace owns an adjacent parcel of land and rents the home. The tenants of the home have a tendency to use their road thinking that Mr. Wallace has ownership of the road. Upon conclusion of his comments, the Chair asked for citizen comments. While several members of the Bonner family were in attendance in support of the street name change, no one came forth to speak on this matter. The public hearing portion of the meeting was closed by the Chairman.

In view of staff analysis and recommendation, the Planning Commissioners voted unanimously to recommend approval of the road name change to the Board of Supervisors.

**BE IT RESOLVED, that in compliance with Dinwiddie Code Section 17.5-27, I move that case SC-05-1 be (approved OR disapproved) by the Board of Supervisors.**

The Chairman opened the public hearing for this case.

Bertha Pryor – 20317 Wallace Road – Sutherland VA spoke in favor for the street name change.

The Chairman closed the public hearing for this case.

Ms. Moody stated be it resolved, that in compliance with Dinwiddie Code Section 17.5-27, I move that SC-05-1 be approved by the Board of Supervisors. The motion was seconded by Mr. Haraway. Mr. Haraway, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, “voting “Aye”, SC-05-1 was approved.

**IN RE: A-05-6 – AMENDMENT TO COUNTY CODE – TO DELETE THE DEFINITION OF ADMINISTRATIVE VARIANCE FROM SECTION 22-1 AND TO DELETE SECTION 22-27, ENTITLED ZONING ADMINISTRATOR, AUTHORITY TO GRANT ADMINISTRATIVE VARIANCE**

Mr. Scheid stated that each Board Member has before them the Staff Summary Report and supplemental data and he will read from the staff report.

## **Summary Report**

**File:** A-05-6  
**Applicant:** Dinwiddie County Planning Department  
**Zoning:** Ordinance amendment

The applicant, Dinwiddie County Planning Department, is seeking to amend the Dinwiddie Zoning Ordinance by deleting the definition of administrative variance from section 22-1, Definitions, and deleting in its entirety section 22-27, entitled Zoning Administrator, authority to grant administrative variance.

The Chairman introduced this case and requested staff's report. Mr. Scheid stated that when staff proposed this amendment to the Planning Commission and the Board of Supervisors several years ago, it was staff's opinion that this procedure would expedite the variance procedure to the benefit of the applicant and the citizens of Dinwiddie County. After working with this procedure over several years, it appears to staff that more citizen involvement should be provided for than the current system allows. By deleting the 'administrative variance' procedure, all requests for a variance will be treated the same in that they will be referred to the Board of Zoning Appeals for public hearing and decision.

Upon conclusion of staff's report, the Chairman opened the meeting for public comment. No one signed the public hearing sheet for this case. The Chairman closed the public hearing portion of the meeting. With a 6-0-1 vote of the Planning Commission (Mr. Stone abstaining), the Planning Commission voted to recommend approval of the amendment to the Board of Supervisors.

Since this is a zoning matter, the standard statement for zoning matters must be read and is attached for your reference

**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 zoning amendment A-05-6 be (approved OR disapproved) by the Board of Supervisors.**

The Chairman opened the public hearing for this case and since there was no one signed up he closed the public hearing.

Mr. Stone 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 A-05-6 be approved by the Board of Supervisors. The motion was seconded by Ms. Moody. Mr. Haraway, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, "voting "Aye", A-05-6 was approved.

**IN RE: P-05-3 – REZONING REQUEST – KEITH AND TAMMY WATKINS**

Mr. Scheid stated that each Board Member has before them the Staff Summary Report and supplemental data and he will read from the staff report.

**Summary Report**

**File: P-05-3**  
**Applicant: Keith and Tammy Watkins**  
**Address: 3407 Marmora Drive, Sutherland, VA 23885**  
**Acreage: 19.04 acres**  
**Tax Map/Parcels: 5-47F, 5(4)A & 5(4)C**  
**Zoning: Rural, conservative R-R to Agricultural, general A-2**

The following is a brief summary of the Planning Commission meeting held on May 11, 2005 during which the rezoning case of Mr. Watkins was heard. A draft extract of the Planning Commission minutes have been included in your material. The Chairman introduced the case and explained the process the Commission would follow for the hearing. Mr. Scheid read the staff report and the recommendation for disapproval. The recommendation was based upon the conclusion that Namozine road is a rational method for separating the zoning districts, the current zoning of R-R is reasonable, and reclassification of Mr. Watkins property without a proper study of reclassification of other properties zoned R-R in the vicinity of Mr. Watkins property appears inappropriate. Mr. Satterwhite, an attorney, appeared on behalf of the applicant, Mr. Watkins. Essentially, Mr. Satterwhite questioned the rationality of Namozine Road as the dividing line between the 2 zoning districts. In this case, the land across the road is zoned A-2 which is the zoning category requested by Mr. Watkins. Additionally, the type of business Mr. Watkins is conducting is one that should be encourage since he works on much of the equipment that citizens in the area own. The truck traffic generated by his business is minimal (average 4 trucks daily) compared to the logging trucks and other truck traffic that use the road on a regular basis.

Upon conclusion of staff and applicant statements, the Chairman opened the floor for public comment. It is estimated that 60-70 people were in attendance supporting the request. Those speaking in favor were Oscar Edwards, Paul Smith, Tracy Bishop, Calvin Potts, James Potts, Tammy Watkins, Billy Bain, Margaret Lewis, Chip Bain, Rodney Perkinson, John Edmunds, Beth Nicholson, Gerrie Perkinson and Tim Ogburn. Mr. Ogburn stated that he was speaking on

behalf of the Dinwiddie Sheriff's Department as well as on his own behalf. People stated that Mr. Watkins operated a clean business and located it upon the property in such a way that it was not very visible. It was noted that the Watkins family has owned lands in the area since (approximately) the 1770's. No one spoke in opposition to his request.

Upon conclusion of the public comments, the Planning Commissioners discussed the matter amongst themselves. Generally, they agreed that the type of business conducted by Mr. Watkins was needed in the area. It was further noted that if permitted with proper conditions it would be an asset to the County. Without further discussion, the Planning Commission voted unanimously to recommend approval to the Board of Supervisors with the proffers submitted by Mr. Watkins.

Since this is a zoning matter, the standard statement regarding your action must be read. In order to assist you in this matter, the statement is attached and reads as follows:

**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 application P-05-3 be (approved OR approved with proffers OR disapproved) by the Board of Supervisors.**

The proffers offered by the applicant state that only the following uses shall be permitted on the properties:

1. Single family dwelling;
2. Agriculture;
3. General farming;
4. Home occupation;
5. Directional and location signs; and
6. Automotive (or vehicular) body repair and fender work, and servicing with a conditional use permit for work upon tractor-trailers and trucks.

Darvin Satterwhite, attorney for the Watkins – 3013 River Road West, Goochland VA – said as you heard Mr. Watkins repairs heavy equipment and may be the only heavy equipment operator of this magnitude in Dinwiddie County. He services tractor trailers, heavy farm equipment and some of the larger vehicles that the county has such as their trash trucks. He said there is little traffic involved with the business. His home is in close proximity to the business and there is a fairly substantial buffer area between his shop and Namozine road. His business is generally conducted inside his shop and that coupled with the fact it does sit quite a ways off of Namozine road makes this business operation go almost unnoticed. Mr. Watkins business started out with a home occupation permit, but has grown and he has not tried to hide anything. Once it was identified that the business has become an issue, he has been

working with county staff to resolve it and get the proper zoning for the business. He said this request should not be that controversial since they are asking for A-2 zoning in an area that is very close to other A-2 zonings. He said they are consistent with the comprehensive plan.

The Chairman opened the public hearing for this case.

Margaret Lewis – 14121 Main Street – Dinwiddie VA – wrote a letter that spoke in favor for the rezoning request.

Billy Bain – 19509 Bain Road – Dinwiddie VA – spoke in favor for the rezoning request.

Tracey Bishop – 3357 Marmora Drive – Sutherland VA – spoke in favor for the rezoning request.

Paul Smith – 24512 Cox Road – Petersburg VA – spoke in favor for the rezoning request.

Carol Wade – 15603 Namozine Road – Sutherland VA – spoke in favor for the rezoning request.

Beth Nicholson – 15721 Namozine Road – Sutherland VA – spoke in favor for the rezoning request.

John Edmunds – 8510 McKenney Hwy – McKenney VA – spoke in favor for the rezoning request.

Chip Bain – 14608 Sleepy Hollow Road – Dinwiddie VA – spoke in favor for the rezoning request.

Margie Flowers – 14919 Wilkerson Road – Dewitt VA – spoke in favor for the rezoning request.

Theresa Crowder – 16330 Namozine Road – Sutherland VA – spoke in favor for the rezoning request.

Tammy Watkins – 3407 Marmora Drive – Sutherland VA – spoke in favor for the rezoning request.

The Chairman closed the public hearing for this case.

Mr. Bowman said he did not want everyone to think he was the bad guy. He believes the Watkins's are wonderful people in the county as evident of the people who have come out in support. He said it is his intention to help the Watkins family. He just wants to make sure it is done in the best way for the county. He is in favor of the rezoning, but not in favor of a business use like this in the A-2 zoning.

Mr. Haraway said this is a unique situation and he can not remember seeing the board room so full of citizens to hear a case and no one is speaking against it. He said all the telephone calls he has received have been in support of this rezoning. He said his job is to represent the people and the people have let it be known to him that they want Mr. Watkins to stay in business. He is therefore in support of the rezoning.

Mr. Moody said that at some point in the near future the board needs to look at changing the rezoning all the way to Sutherland Road. He also agrees that this is a unique situation. The business is a benefit to the county and why would we let this business go to another county when Dinwiddie can reap the tax base from the business. He is in favor of recommending the rezoning.

Ms. Moody asked if there was any way for Mr. Watkins to remain in business and another study done concerning reclassification of other properties zoned RR and present it to the board at our next meeting.

Mr. Stone 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 P-05-3 be approved with proffers and the dedicated 25' right a way to Dinwiddie County or it's designee by the Board of Supervisors. The motion was seconded by Mr. Haraway. Mr. Haraway, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, "voting "Aye", P-05-3 was approved.

The Chairman gave a five minute recess at 9:55P.M. The meeting reconvened at 10:00 P.M.

**IN RE: A-05-5 – AMENDMENT TO COUNTY CODE TO ADD TO THE AGRICULTURAL, GENERAL DISTRICT, SECTION 22-71 USES (51) AND (52) TO INCLUDE VEHICULAR BODY, FENDER WORK, SALES AND/OR SERVICES**

Mr. Scheid stated that each Board Member has before them the Staff Summary Report and supplemental data and he will read from the staff report.

## **Summary Report**

**File: A-05-5**  
**Applicant: Keith and Tammy Watkins**  
**Zoning: Ordinance amendment**

The applicants, Keith and Tammy Watkins, are requesting an amendment to the agricultural, general district, section 22-71 of the Dinwiddie County Zoning Ordinance, such that uses (51) and (52) would be expanded to include vehicular body and fender work and vehicular sales and/or services in addition to automotive body and fender work and automotive sales and/or services already permitted.

The Planning Commission heard this case at their May 11, 2005 meeting. The Chairman introduced the case and request staff to present their report. Mr. Scheid read the staff report in which they recommended disapproval of the

zoning amendment. It was staff's opinion that the request was not consistent with the Comprehensive Land Use Plan in that the plan suggested a reduction in the number of uses permitted in the agricultural zoning district. Mr. Satterwhite represented the applicant, Mr. Watkins. Mr. Satterwhite believed that expanding upon the 2 uses already permitted by Code with a conditional use permit would provide the community with the protection needed to promote the public's health, safety and general welfare.

Upon conclusion of the staff's report and the applicant's statements, the Chairman opened the public hearing portion of the meeting. No one signed up to speak on this issue. With a brief discussion among the Planning Commission, the Planning Commissioners voted unanimously to recommend approval of zoning amendment A-05-5 to the Board of Supervisors.

Since this is a zoning matter, the standard statement for zoning matters must be read and is attached for your reference.

**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 zoning amendment A-05-5 be (approved OR disapproved) by the Board of Supervisors.**

Darvin Satterwhite, attorney for the Watkins – 3013 River Road West, Goochland VA stated that he agrees with the Planning Commission's recommendation and ask for the Board's support.

The Chairman opened the public hearing for this case.

Tracey Bishop – 3357 Marmora Drive – Sutherland VA – spoke in favor for the amendment request.

Margaret Lewis – 14121 Main Street – Dinwiddie VA – wrote a letter that spoke in favor for the amendment request.

The Chairman closed the public hearing for this case.

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 A-05-5 be approved by the Board of Supervisors. The motion was seconded by Mr. Stone. Mr. Haraway, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, "voting "Aye", A-05-5 was approved.

**IN RE: FY05/06 TO FY09/10 CAPITAL IMPROVEMENT PLAN**

Kevin Massengill presented the following CIP presentation:

•**DINWIDDIE COUNTY Capital Improvements Plan (C.I.P.) FY05/06 to 09/10**

•**BACKGROUND**

- The Board of Supervisors in March of 2005 approved a 5 year CIP that identified \$32.4 million in projects.
- This plan included both vehicle replacement and traditional construction projects.
- Traditionally, the Board has allocated \$1 million in CIP funding, and vehicles and construction projects have been in competition with one another.

•**BACKGROUND**

- The Board of Supervisors approved a budget that was predicated on a 10 cents tax increase (for School Bond Issuance)
- After the adoption of the FY05/06 budget, the CIP Committee reconvened to develop the document before you today.
- With the desire to expedite the process, the committee's focus was directed on remaining projects and no new projects were submitted.

•**BACKGROUND**

- Traditionally, the CIP has always been one (1) fiscal year behind. Any remaining overage from the operating budget went to fund the CIP for the following year.
- Staff recommends the CIP be adopted to coincide with the proposed operating budget. This allows for better financial control and continuity with proposed capital and operating expenditures.

•***A New Approach...***

- This years CIP is predicated on one major change:
  1. Chief Hale has been working with the Fire and Rescue Association to develop a vehicle replacement program.
  2. Construction projects will be evaluated separately from vehicles and apparatus.
- Therefore, staff is recommending, and presenting tonight, two separate CIP programs:
  1. Vehicle / Apparatus
  2. Bricks and Mortar (construction)

•***Fire & Rescue Apparatus Lease/Purchase Program***

- Vehicle Replacement Program
  - Fire Apparatus***
  - EMS Ambulance Replacement***
  - Law Enforcement Vehicles***
  - Other County Vehicles***
  - School Buses***

- Staff recommends lease purchase as the funding mechanism for the Vehicle Replacement Program (when appropriate)
- Fire and EMS apparatus will be purchased in accordance to a replacement schedule and older apparatus will be cycled through the system.

Mr. Hale came forward to further explain the following items;

**•Where are we today?**

- Currently we have the need to replace:
  - 5 (of 11) engines or tankers that have an average age of 22 years
  - 3 Brush Trucks (Average age of 20 years)
  - 3 Ambulances
- Currently the CIP has funded 1 engine and 2 ambulances

**•How have we gotten here?**

- Dramatic increase in fire apparatus costs
- Fire/Rescue replacement schedule decreased fleet size from 3 to 2 apparatus per station while increasing water and pump capacity
- CIP funding did not coincide with the fire/rescue plan
- Ambulances have not had a defined replacement schedule

**•Why Lease Purchase?**

- Allows all critical needs to be addressed immediately
- Consistent expenditure
- Replacement schedule will be 2 years ahead in 2011
- Brings apparatus fleet in line with other initiatives
- Brings ambulances into the replacement schedule

**•5 Year Lease/Purchase**

- Year 1 – Lease/Purchase 1 Engine, 2 Tankers, and 1 Ambulance. Purchase 1 Brush Truck.
- Year 2 – Rechassis 1 Ambulance
- Year 3 – Purchase 1 Brush Truck
- Year 4 – Rechassis 1 Ambulance
- Year 5 – Purchase 1 Brush Truck

Mr. Massengill came forward to continue with the presentation.

**•Construction Projects: FY 2005 – 2006**

- Department of Waste Management
  - Second convenience center
  - Replacement of backhoe
- Fire and Rescue Association
  - Ford Volunteer Fire and EMS
  - Renovation and addition

•**Construction Projects: FY 2005 – 2006**

- Dinwiddie County School Board
  - Transportation Department: Emergency Generator
- Department of Parks & Recreation
  - Eastside renovation
  - Finish 8 remaining classrooms

•**Construction Projects: FY 2005 – 2006**

- Department of Parks & Recreation
  - Eastside Outdoor Recreation
    - Two multipurpose fields (i.e. Regulation Softball fields and Soccer)
    - Site lighting
    - Walking trail
    - Paved multipurpose court

•**Construction Projects: FY 2005 – 2006**

- Department of Parks & Recreation
  - McKenney Community Wellness Center
    - Shared community resource room
    - Health Department, DSS, Extension Service and other similar departments
  - McKenney Library (shared use computer lab)
  - Staff office
  - Shared community resource room

•**Construction Projects: FY 2005 – 2006**

- FY2006-2007(Planning Phase)***
  - Department of Waste Management
    - Third Convenience Center
- FY2007-2008 (Planning Phase)***
  - Department of Information Technology
    - Upgrade: AS400 (IBM) Computer System
- FY2008/2009 (Planning Phase)***
  - No projects identified
- FY2009/2010 (Planning Phase)***
  - Department of Social Services, Health Dept, Public Safety
    - Human Services Building

•**Construction Projects ~ Long Range ~ 19.4 Million**

- Other identified projects
  - Minimal Security Facility (11.7 Million)
  - Eastside Multi-activity Center (2.9 Million)
  - Sutherland Fire Station (1.8 Million)
  - South Central Waste Water Treatment Plant Expansion (\$3 Million)

•**School Construction**

•**FY2005-2006**

- New Rohoic Elementary School(1<sup>st</sup> half)
- New High School (1<sup>st</sup> half)
- Water System Project at Dinwiddie Elementary

•**FY2006-2007**

- New Rohoic Elementary School (2<sup>nd</sup> half)
- New High School (2<sup>nd</sup> half)

•**FY2007-2008**

- New High School (3<sup>rd</sup> half)
- Relocate Middle School to Old High School

•**FY2008-2009**

- Relocate Middle School to Old High School (2<sup>nd</sup> Half)
- Future Use of Middle School Facility

•**FY2009-2010**

- Midway Additions and Renovations
- Southside Addition and Renovations
- Sunnyside Additions and Renovations

Mr. Haraway said he would like to request a report. He said when the Board had its bond issue Davenport had a horizontal bar-graph showing the long term hit on the county and how we compared with other counties of our similar size. He would like for administration to add the lease purchase programs to the bar-graph so we can see the effects of our long term dept and how it compares with other counties of similar size.

The Chairman opened the public hearing for this case.

Michael W. Bratschi – 23500 Cutbank Road – McKenney VA said the county should not spend \$30,000 on a new generator for the School Board Transportation Department, but it should consider fixing the one sent to the land fill after Hurricane Isabel. He asked that the county would look into fund raisers the Fire Departments have and who owns those funds. He said he disagrees with lease purchase and thinks the county should buy them. He said he would like to see the road deputy's get the new vehicles and not administration.

Charles Lewis – 17302 Ramble Road – Dinwiddie VA the Chief Fire and EMS at the Dinwiddie Fire Station and the Chairperson of the county's apparatus and equipment committee. He said a lot of work went into putting together the program you saw tonight with replacement of the vehicles. One vehicle at a time will not get it done. He requested that the Board support the approval of the CIP project.

Ronald Erb – 3802 Ferndale Circle – Petersburg VA the Chief Fire and EMS at the Namozine Fire Station said he agrees with everything Mr. Lewis has

said. He said we have to go to other counties to borrow their equipment and that is a bad position to put citizens in the county in. He requested that the Board support the approval of the CIP project.

The Chairman closed the public hearing for this case.

**IN RE: ACTION ITEMS**

Mr. Haraway said Susan Watkins accepted to serve on the RC&D council and asked for a motion to accept.

Upon Motion of Haraway, Seconded by Mr. Bowman, Mr. Haraway, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody voting "Aye", the Appointment was approved.

**IN RE: CITIZENS COMMENTS**

1) David Dudley – 25907 Smith Grove Road – Petersburg VA asked questions concerning the Dinwiddie County Animal Shelter. He stated that the county needs to start watching the School Board and how they spend the citizen's money.

2) Geri Barefoot – 7411 Frontage Road – Petersburg VA said she agrees with Mr. Haraway about the county being heavy in debt and she agrees that we need to start saving money. She would like for the county to start putting ads back into the Monitor, because the county spends less with the Monitor than it does with the Progress Index.

3) Michael Wilde – 11647 Old Stage Road – Dinwiddie VA said he disagrees with Mr. Bowman concerning the county being headed in the right direction.

4) Michael Bratschi – 23500 Cutbank Road – McKenney VA said he would like for the Board to asked the School Board if an audit was done and if so provide the paperwork from the first audit.

5) Anne Scarborough said she is very concern after finding out that we are not being covered for fire protection during the daytime. She asked when the Board is going to address the issue to the citizens of this county.

**IN RE: BOARD MEMBER COMMENTS**

Ms. Moody thanked the citizens for a better Dinwiddie in there efforts to raise money to improve the animal shelter. Dinwiddie needs an ordinance to address large animals, such as bulls, cows, and horses when they roam on other person's property. Who is responsible when these animals get loose and

terrorize their neighbors? They do it buy digging up front yards with their hooves and leaving cow pies. She said when owners are approached they say Dinwiddie has an open range law. She wants administration and the county attorney to check into the matter. She read that VECO has an approved discount card to help customer deal with the high price of prescription drugs. It is free to the counties and their residents. She wants administration to look into how we can get on board and apply for this card.

Mr. Bowman thanked Ms. Barefoot for her donation to the animal shelter. He asked administration how the county stands on Planning Consultant Services contract.

Mr. Horwedel said it has not been finalized at present, but he will have a more definitive answer by the next meeting on the 21<sup>st</sup>.

Mr. Stone asked Mr. Horwedel about the network copier/scanner update.

Mr. Horwedel said he will have an answer for that question at the next meeting on the 21<sup>st</sup>.

Mr. Stone said he would like for administration to take charge in putting together a schedule with the School Board to address some concerns the Board members have. He said Mr. Slaven is still under contract for one additional meeting and we need to get him back to complete that contract. He said at the last meeting he asked for a copy of the contract with the construction company who's doing the pavilion at Eastside. While the attorney is working on the hand book, he would like the other Board members to consider returning to the nepotism policy.

Mr. Moody he said CIP was pretty much the same as they have had in the past with some different outlooks on how we do business. He said he has some concerns with it and really needs to do some soul searching in the up coming weeks.

**IN RE: COUNTY ADMINISTRATOR COMMENTS**

Mr. Horwedel said the picnic shelter area and the playground at Eastside Community Enhancement is done and everyone is welcomed to the dedication service on Thursday June 23, 2005 at 6:30 p.m. Chief Hale reports that the dry hydrants are operational.

**IN RE: ADJOURNMENT**

Upon Motion of Mr. Stone, Seconded by Mr. Moody, Mr. Haraway, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody voting "Aye", the meeting was continued until June 16<sup>th</sup>.

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Harrison A. Moody, Chairman

ATTEST: \_\_\_\_\_  
Gregory Horwedel  
County Administrator

/abr