

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 18TH DAY OF DECEMBER 2007 AT 3:00 P.M.

PRESENT:	MICHAEL W. STONE - CHAIR	ELECTION DISTRICT #5
	JOHN V. TALMAGE – VICE CHAIR	ELECTION DISTRICT #3
	HARRISON A. MOODY	ELECTION DISTRICT #1
	DONALD L. HARAWAY	ELECTION DISTRICT #2
	DORETHA E. MOODY	ELECTION DISTRICT #4

ADMINISTRATION

PRESENT: KEVIN MASSENGILL, COUNTY ADMINISTRATOR
MICHAEL DREWRY, COUNTY ATTORNEY
ANNE HOWERTON, FINANCE DIRECTOR

=====

1.2.& 3. ROLL CALL – INVOCATION – PLEDGE OF ALLEGIANCE

The Chairman called the meeting to order at 3:00 p.m., followed by the roll call, invocation and pledge of allegiance.

ROLL CALL

PRESENT: Mr. Haraway
Mr. Moody
Ms. Moody
Mr. Talmage
Mr. Stone

4. AMENDMENTS TO AGENDA

There were no amendments to the agenda.

Upon motion of Mr. Talmage, seconded by Mr. Moody,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the agenda is approved as presented.

Ayes: Mr. Haraway, Ms. Moody, Mr. Moody, Mr. Talmage, Mr. Stone
Nays: None

5.A. CONSENT AGENDA: APPROVAL OF MINUTES FOR NOVEMBER 20, 2007 SPECIAL MEETING

Upon motion of Mr. Haraway, seconded by Mr. Moody,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the November 20, 2007 Special Meeting Minutes are approved.

Ayes: Ms. Moody, Mr. Moody, Mr. Haraway, Mr. Talmage, Mr. Stone
Nays: None

CONSENT AGENDA: APPROVAL OF MINUTES FOR NOVEMBER 20, 2007 REGULAR MEETING

Upon motion of Mr. Haraway, seconded by Mr. Moody,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the November 20, 2007 Regular Meeting Minutes are approved.

Ayes: Ms. Moody, Mr. Moody, Mr. Haraway, Mr. Talmage, Mr. Stone
Nays: None

5. B. CONSENT AGENDA: CLAIMS

Upon motion of Mr. Haraway, seconded by Mr. Moody,

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

Ayes: Ms. Moody, Mr. Moody, Mr. Haraway, Mr. Talmage, Mr. Stone
 Nays: None

CLAIMS	Nov. 26, 2007	Dec. 7, 2007	Dec. 14, 2007	Payroll Nov 2007	TOTALS
	VOID 1060931 1060932 - 1061055	VOID 1061132 1061133 - 1061209	VOID 1061210 1061211 - 1061272	VOID 1061056 1061057 - 1061131	
101 - General Fund	\$34,727.22	\$95,433.23	\$50,715.12	\$735,973.77	\$916,849.34
103 - Jail Commission					\$0.00
105 - Playground Equipment		\$888.51	\$317.80		\$1,206.31
209 - Litter Grant Fund					\$0.00
222 - E911 Fund					\$0.00
225 - Courthouse Maintenance Fees		\$4,017.31			\$4,017.31
226 - Law Library		\$392.30			\$392.30
228 - Fire Programs & EMS	\$3,028.60	\$105.00	\$2,596.12		\$5,729.72
229 - Forfeited Asset Sharing Program					\$0.00
304 - CDBG Grant Fund	\$146.99	\$242.42	\$173.31	\$12,298.93	\$12,861.65
305 - Capital Projects Fund	\$30,573.31	\$57,826.45	\$10,849.88		\$99,249.64
401 - County Debt Service	\$42,667.00	\$42,689.29	\$38,900.07		\$124,256.36
TOTALS	\$111,143.12	\$201,594.51	\$103,552.30	\$748,272.70	\$1,164,562.63

**5. C. CONSENT AGENDA: SCHOOL BOND REQUISITIONS FROM PROJECT FUND:
HS-33; ES-36**

The Board received the following requisitions from Dr. Charles Maranzano, Jr., Superintendent of Schools. These requisitions were approved by the School Board at their meeting on Tuesday, December 11, 2007.

Upon motion of Mr. Haraway, seconded by Mr. Moody,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that a total disbursement of \$1,829,049.31 from the Lease Revenue and Refunding Bonds, Series 2004B; and the Lease Revenue Bonds, Series 2006.

Ayes: Ms. Moody, Mr. Moody, Mr. Haraway, Mr. Talmage, Mr. Stone
 Nays: None

No. HS -33

REQUISITION FROM THE PROJECT FUND

[Indicate whether from Note Account or Bond Account of Project Fund by marking a line through incorrect amount]

Note/Bond Account

Industrial Development Authority of Dinwiddie County, Virginia
~~\$15,000,000 Lease Revenue Notes, Series 2004A~~ and
 \$41,040,000 Lease Revenue and Refunding Bonds, Series 2004B
 \$6,000,000 Lease Revenue Bonds, Series 2006

TO: SunTrust Bank

FROM: The Industrial Development Authority of Dinwiddie County, Virginia,
Project Fund

DATE: December 11, 2007

The undersigned Authorized County Representative requests that you make the following disbursements from the referenced Project Fund:

<u>AMOUNT</u>	<u>TO</u>	<u>PURPOSE</u>
\$ 1,679,001.03	Kenbridge Construction Co., Inc.	Application for Payment #16
\$ 105,162.78	Castle Heights Construction Co.	Utilities
\$ 23,950.00	Moseley Architects	Construction Administration
\$ 11,010.00	Moseley Architects	Inspection Services
\$ 2,442.00	Moseley Architects	Irrigation Design
\$ 1,465.00	Froehling & Robertson, Inc.	VDOT Work (Testing Services)
\$ 2,500.00	Froehling & Robertson, Inc.	Water Tank (Testing Services)
\$ 2,768.50	Froehling & Robertson, Inc.	Construction Testing Services
\$ 750.00	Timmons Group	Easement Plat (Engineering)
\$ 1,829,049.31	TOTAL OF THIS REQUISITION	

Upon motion of Mr. Haraway, seconded by Mr. Moody,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that a total disbursement of \$465,736.83 from the Lease Revenue and Refunding Bonds, Series 2004B; and the Lease Revenue Bonds, Series 2006 is approved.

Ayes: Ms. Moody, Mr. Moody, Mr. Haraway, Mr. Talmage, Mr. Stone
Nays: None

No. ES- 36

REQUISITION FROM THE PROJECT FUND

[Indicate whether from Note Account or Bond Account of Project Fund by marking a line through incorrect amount]

Note/Bond Account

Industrial Development Authority of Dinwiddie County, Virginia
~~\$15,000,000 Lease Revenue Notes, Series 2004A and~~
\$41,040,000 Lease Revenue and Refunding Bonds, Series 2004B
\$6,000,000 Lease Revenue Bonds, Series 2006

TO: SunTrust Bank

FROM: The Industrial Development Authority of Dinwiddie County, Virginia,
Project Fund

DATE: December 11, 2007

The undersigned Authorized County Representative requests that you make the following disbursements from the referenced Project Fund:

<u>AMOUNT</u>	<u>TO</u>	<u>PURPOSE</u>
\$ 457,210.09	Kenbridge Construction Co., Inc.	Application for Payment No. 16

\$	4,460.82	Moseley Architects	Construction Administration
\$	2,442.00	Moseley Architects	Design
\$	997.42	R. Stuart Royer & Associates, Inc.	Utilities
\$	392.50	Froehling & Robertson, Inc.	Construction Testing Services
\$	234.00	Petersburg Alarm Company, Inc.	Utilities
\$	465,736.83	TOTAL OF THIS REQUISITION	

5.D. CONSENT AGENDA: DINWIDDIE COUNTY PUBLIC SCHOOLS SUPPLEMENTAL APPROPRIATIONS #1 & #2

Supplemental Appropriation #1:

The Board received the information below from Lynne A. Venter, Executive Director Fiscal Operations, Dinwiddie County Schools.

Background Information:

The FY 07 Annual Audit Report was presented to the County Board of Supervisors on November 20, 2007. Once the audit has been received, the school division must request to have FY 07 carryover funds and FY 07 year-end balances reappropriated.

Administrative Consideration(s):

Request the following FY 07 carryover balances be reappropriated by the Dinwiddie County Board of Supervisors.

School Nutrition Fund	15,280.90
School Textbook Fund	307,277.10
School Capital Fund	191,618.29

Also request reappropriation of the year end balance in the School Fund of \$442,980.35 to the following accounts.

Technology	167,000.00
School Capital Account	275,980.35

Implementations funded from Technology Budget: Transportation Routing System, Financial and Human Resource Software and the Wide Area Network projects are multi year projects approved in FY 07. Funds budgeted in FY 07 and e rate revenue received in FY 07 must be carried forward to the year(s) of completion. Also request that the balance be reappropriated to the school capital account. This will allow the school division to fund capital projects included in the County's five year CIP that will not be funded until sufficient debt capacity and is estimatd to be in the years 2012-2013.

The CIP committee will reconvene to review and prioritize capital projects from the existing five years Capital Improvement Plan.

Upon motion of Mr. Haraway, seconded by Mr. Moody,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that FY 07 carryover balances be reappropriated \$15,280.90 to School Nutirition Fund, and \$307,277.10 to School Textbook Fund, and \$191,618.29 to School Capital Fund, and

BE IT FURTHER RESOLVED that the year end balance in the School Fund of \$442,980.35 be reappropriated \$167,000.00 to Technology and \$275,980.35 to School Capital Account.

Ayes: Ms. Moody, Mr. Moody, Mr. Haraway, Mr. Talmage, Mr. Stone
Nays: None

Supplemental Appropriation #2:

The Board received the information below from Lynne A. Venter, Executive Director Fiscal Operations, Dinwiddie County Schools.

There is a slight decrease in overall federal funding for FY2008. There is \$168,263.25 in carryover funds from FY2007 federal grants. This money is part of the 2006-2007 grant

allocations and is carried over due to timing of expenditures and the difference between the federal grant period and our fiscal year 9ex. Summer Institute). Some of these funds have already been expended over the summer and beginning of school.

The money would be appropriated as follows.

\$168,263.25 Instruction Category

Request:

Request that the Board appropriate an additional \$168,263.25 to the FY2008 budget due to carryover funds.

Upon motion of Mr. Haraway, seconded by Mr. Moody,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that an additional \$168,263.25 be appropriated to the FY2008 School budget due to carryover funds.

Ayes: Ms. Moody, Mr. Moody, Mr. Haraway, Mr. Talmage, Mr. Stone

Nays: None

5.F. CONSENT AGENDA: LIVESTOCK CLAIM - PIGS

The Board received the memo below from Kelly Hart, Dinwiddie Animal Control Officer.

On October 22, 2007 I received a call involving pigs being attacked. On arrival at the scene I spoke to Mr. Meredith. He did not see the attack happen, but found a dog's collar in the pig lot with black and white dog hairs in it. I set a trap and took pictures of the injured pig. On October 24, 2007 Mr. Meredith called to let know the pig died. I took pictures. On November 17, 2007 I received another call from Mike Hamer from across the road. He advised me that the pigs had been attacked again by two black labs and that he had shot at the dogs. I arrived to find two pigs severely injured, and due to the suffering of the pigs they were euthanized by Mike Hamer. The trap is still currently there.

November 26, 2007 I called the Blackstone stockyard for prices for pigs. It is currently .55 cents per pound. 3 pigs x150 pounds @.55 = \$247.00

Since this time Mr. Meredith has passed away so payment would need to be made to Mrs. Meredith.

Upon motion of Mr. Haraway, seconded by Mr. Moody,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia according to §3.1-796.118 of the State Code of Virginia, Compensation for livestock and poultry killed by dogs, to appropriate \$247.00 payment to Mrs. William Meredith for loss of livestock.

Ayes: Ms. Moody, Mr. Moody, Mr. Haraway, Mr. Talmage, Mr. Stone

Nays: None

5.G. CONSENT AGENDA: LIVESTOCK CLAIM - GOATS

The Board received the memo below from Debbora Dean, Dinwiddie Animal Control Officer.

On November 15, 2007, I was dispatched to 12112 Quaker Road for dogs attacking livestock. When I arrived, I found two (2) goats mauled and one (1) severely injured, but still alive. I euthanized the goat, witnessed by Deputy Rhodes. Later that evening, Mr. Green had two (2) other goats killed and he shot two (2) dogs. One dog was a Jack Russell 6 months old, and the other was a Shepherd mixed – 1 year old. No owners were ever located.

I called Southside Livestock for the estimated value of the three (3) goats. The goats were Toggenburg Boer mix – estimated value of \$75.00 each for a total of \$225.00.

Upon motion of Mr. Haraway, seconded by Mr. Moody,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia according to §3.1-796.118 of the State Code of Virginia, Compensation for livestock and

poultry killed by dogs, to appropriate \$225.00 payment to Mr. Arthur Green for loss of livestock.

Ayes: Ms. Moody, Mr. Moody, Mr. Haraway, Mr. Talmage, Mr. Stone

Nays: None

6.A. REPORT: VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Ray Varney, VDOT Resident Engineer, discussed the following: the VDOT, Virginia State Police and Division of Motor Vehicles shared goal of reducing the number of fatalities that occur in Virginia by 100 per year (currently approximately 900 people each year lose their lives on the highway – the major cause of fatalities being not wearing a seat belt); Rt. 40 bridge – should be finished by the end of the current week; bids due January 23rd for Squirrel Level – road under construction beginning of Spring; speed limit sign on Lewis Road.

Mr. Stone asked timing for the speed limit increase on I-85.

Mr. Varney replied that he was not sure, but that it would be done after completion of the replacement asphalt shoulder on the inside. The increased speed limit will be south of Rt. 460 on I-85.

6.B. REPORT: SCHOOL CONSTRUCTION UPDATE

Mr. Claude Shell, Executive Director, Administrative Services, Dinwiddie County Schools, presented the following update, accompanied by Dr. Charles Maranzano, School Superintendent.

Elementary School Project:

The contractor is currently finishing the remaining items critical to achieving substantial completion from the Architect, final inspections from the Dinwiddie County Building Inspectors Office, and the certificate of occupancy. The ribbon cutting and opening date remain as planned by DCPS.

The contractor is currently working punch lists which have now been provided for all areas of the school. The owner's move-in of furnishings and classroom material is well underway with many rooms now looking like classrooms. Communication between the owner, contractor and architect are being given special attention during the few remaining weeks of construction close-out. Progress meetings are occurring weekly, and all parties are communicating daily to ensure coordination of the remaining activities. Various sessions of owner training are taking place.

Recently completed activities include the installation of the SOS, asphalt top-coating of the road to the school, final placement and dressing of top-soil at the site, VCT installation, Health Department approval on the kitchen, casework installation, commissioning of mechanical and electrical equipment, etc. Areas A & B are now basically complete with the exception of finishing touches and final adjustments. Key current activities include the final adjustments to the mechanical systems, building automation system, fire protection system, 460 road work and fire lane markings.

High School Project:

Construction continues to run close to schedule with masonry and metal roofing anticipated to finish ahead of schedule, shifting the critical path to glass work for closing in the building. Recent weather has remained favorable with minimal impact.

In Areas E & F, light fixtures are now being installed, refrigeration equipment for the main kitchen has been installed, the propane tank has been set for the host water heater, painting continues, RTU units are ready to run, and steel doors are being installed. Recent work in Areas C & D includes completion of installation and painting of auditorium ceiling work, starting of metal roof panel installation, and continued general painting. At the academic areas (A,B,G, and H), all interior and exterior CMU work is near completion, metal roofing has started on Area G, ballasted and fully adhered membrane roofing has also started on Area G, and light gage metal framing is nearing completion. Mechanical, electrical and plumbing work continues in all areas of the school. Curtain wall and glass work continues in C, D, E and F.

Recent civil activities include permanent power being activated to the main switchgear of the building, installation of grease traps, and the completion of the soccer field. The waste water pump house and domestic water pump house have been set. Foundation piers have been poured for the domestic water hydro tank.

Mr. Talmage asked Dr. Maranzano the status of Rohoic and whether it will be kept open in any form.

Dr. Maranzano replied that a committee is exploring the best use for Rohoic and the intent is to keep it open to be used as a facility. In what final shape or form that facility will be used will be determined by the committee in the short run; and then a broader look as to how to continue to keep the building operational as an educational facility in the long run. He stated that the comprehensive study that was conducted of that facility indicated that in order to continue to maintain that facility as a school for the next 10, 15 or 20 years, it would need full system integration renovations with a price tag (in 2007 dollars) of about \$8 million. He said the question would be whether that investment would be a good return on investment in terms of square footage for educational space. He said there are very tight specs for educational use. He said that building could be maintained at a much lower cost by other agencies. Dr. Maranzano stated that the intent has always been that they would like to keep that space viable and accessible as school space. He said that although they would like to keep it open as an educational facility, there are three factors to consider: 1) if you were to build an educational facility today, would you build it where Rohoic is located and the answer is no – it is too close to an airport runway; 2) is adjunct to a commercial development and; 3) is much too close to Rt. 460.

Mr. Talmage stated that he just wanted to be sure that the building is not left to deteriorate like Northside – he wants it to stay viable and usable for some purpose, particularly education.

Dr. Maranzano said that they did also, but it would take considerable investment to meet current standards.

6.C. REPORT: DINWIDDIE COUNTY CHAMBER OF COMMERCE

There was no one present for the Dinwiddie County Chamber of Commerce report.

7.A. ACTION ITEM: MOTOROLA CONTRACT

The Board received the memo below from Chuck Lewis, Emergency Communications Manager.

Background

In 2003, Motorola was the vendor that was selected by the County to provide radio equipment for use by the County Fire and EMS division. Emergency Communications, Sheriff's Office, and the County Fire and EMS Division have identified the need to expand current digital communications system by adding these two additional VHF channels. AS the provider of this proprietary equipment, it has been determined that Motorola is the only source practicably available to provide these maintenance services (a "sole source provider"), thus a contract has been negotiated without competitive sealed bidding or competitive negotiation.

Because the contract is an amount over \$50,000.00, the contract requires final approval by the Board of Supervisors.

Requested Action

Approve a resolution to allow the County Administrator to enter into a contract with Motorola, a sole source provider, for expanding the County's ASTRO Digital Communications System through the addition of two additional VHF channels, for an amount not to exceed \$341,028.00.

Upon motion of Mr. Talmage, seconded by Ms. Moody,

BE IT RESOLVED that the Dinwiddie County Board of Supervisors hereby authorizes and directs W. Kevin Massengill, County Administrator, to enter into a contract with Motorola, a sole source provider, for an initial amount not to exceed \$341,028.00.

Ayes: Mr. Haraway, Mr. Moody, Ms. Moody, Mr. Talmage, Mr. Stone

Nays: None

7.B. ACTION ITEM: STREET ADDITION RESOLUTION – LAKE JORDAN

Mr. Basset, Director of Planning, stated that the Planning Department recommended approval of the Lake Jordan street addition. He stated that they had done their final

inspection on Jordan Heights Drive, Jordan Heights Lane and the accompanying drainage system.

Upon motion of Mr. Moody, seconded by Mr. Haraway,

WHEREAS, the streets described on the attached VDOT form AM 4.3, fully incorporated herein by reference, is shown on the plat recorded in Plat Book 17 page 521 in the Clerk's Office of the Circuit Court or Dinwiddie and being Lake Jordan Phase I;. and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised the Board, that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Virginia Department of Transportation adds the streets described on the attached VDOT form AM-4.3 to the Secondary System of State Highways.

BE IT STILL FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Ayes: Ms. Moody, Mr. Haraway, Mr. Moody, Mr. Talmage, Mr. Stone

Nays: None

In the County of Dinwiddie

Report of Changes in the Secondary System of State Highways

Project/Subdivision Lake Jordan Ph 1

Type Change to the Secondary System of State Highways: Addition

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: **New subdivision street**
Pursuant to Code of Virginia Statute: **§33.1-229**

Street Name and/or Route Number

▶ **Jordan Heights Drive, State Route Number 1102**

Old Route Number: 0

- From: Rte 1 Boydton Plank Road
To: End of boulevard median, a distance of: 0.02 miles.
Recordation Reference: PB 17 Pg 521
Right of Way width (feet) = 60 feet

▶ **Jordan Heights Drive, State Route Number 1102**

Old Route Number: 0

- From: End of boulevard median
To: Intersection of Route 1103 Jordan Heights Lane, a distance of: 0.02 miles.

Recordation Reference: PB 17 Pg 521
Right of Way width (feet) = 50 feet

▶ **Jordan Heights Drive, State Route Number 1102**

Old Route Number: 0

- From: Intersection of Route 1103 Jordan Heights Lane
To: A cul-de-sac, a distance of: 0.42 miles.
Recordation Reference: PB 17 Pg 521
Right of Way width (feet) = 50 feet

▶ **Jordan Heights Lane, State Route Number 1103**

Old Route Number: 0

- From: Intersection Route 1102 Jordan Heights Drive

To: A cul-de-sac, a distance of: 0.20 miles.

Recordation Reference: PB 17 Pg 521

Right of Way width (feet) = 50

7.C. ACTION ITEM: RESOLUTION ACCEPTING CHARLES CITY COUNTY AS MEMBER OF CRATER PLANNING DISTRICT COMMISSION

The Board received the memo below from W. Kevin Massengill, County Administrator.

At its June 28, 2007 meeting the Crater Planning District Commission agreed to accept Charles City County as a member of the Crater PDC. As a result, each member jurisdiction must adopt an Amendment of Charter Agreement to allow Charles City County's membership.

The attached Amendment of Charter Agreement of Crater Planning District Commission has been provided. Staff recommends approval to include Charles City County in the Crater Planning District Commission membership.

Upon motion of Ms. Moody, seconded by Mr. Haraway,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Amendment of Charter Agreement of the Crater Planning District Commission that allows for Charles City County's membership is approved as stated.

Ayes: Mr. Moody, Mr. Haraway, Ms. Moody, Mr. Talmage, Mr. Stone

Nays: None

AMENDMENT OF CHARTER AGREEMENT OF CRATER PLANNING DISTRICT COMMISSION

WHEREAS, Charles City County has requested Crater Planning District Commission membership, and

WHEREAS, the Crater Planning District Commission agreed to accept Charles City County as a member of the Crater PDC at its June 28, 2007, meeting.

NOW, THEREFORE, BE IT RESOLVED that the Charter Agreement of the Crater Planning District Commission be amended as follows:

1. That Section 1 of Article II be amended as follows:

ARTICLE II

Membership

Section 1. (a) Each county, city and town of more than 3,500 population which is a party to this Charter Agreement shall have at least two representatives on the COMMISSION, who shall be appointed by the respective governing bodies of the participating governmental subdivisions. At least a majority of the members of the COMMISSION shall be officials of the governing bodies of the governmental subdivisions within the district, and the remaining members shall be qualified voters and residents of the district who hold no office elected by the people. An alternate may serve in lieu of one of the elected of each of the governing bodies of the participating governmental subdivisions.

7.D. ACTION ITEM: APPOINTMENTS

There were no appointments at this time.

8. CITIZEN COMMENTS

The Chair opened the citizen comments period; and read the following:

The Board of Supervisors desires to provide an opportunity for citizens to express their views on matters pertaining to Board issues that are not listed under the Public Hearings portion of this meeting. It is for that purpose the citizens comment period is provided. This time is not intended to be a question and answer period or time for dialogue with Board members or staff. Citizens desiring to address the Board must sign up prior to the commencement of the meeting. Comments must be confined to matters germane to the business of the Board and shall not be cumulative or repetitive. Please do not forget that all comments shall be directed to the Board and not the audience.

1. David Dudley – 25907 Smith Grove Road – Petersburg – said that as a tax payer he would like to see Rohoic stay open as a school. He said that once the Comprehensive Land Use Plan is approved he would like the County to use it as their guide to help to control growth in the county.

As no one else was signed up to speak, the Chair closed the citizen comment period.

9. COUNTY ADMINISTRATOR COMMENTS

W. Kevin Massengill, County Administrator, stated the following: 1) he appreciated Mr. Dudley's remarks about the Comprehensive Land Use Plan and that it will be a foundation that will be used for land use decisions; 2) the organizational meeting will be January 8, 2008 at 7:00 p.m. in the Board Meeting Room; 3) currently the first Tuesday of the month is set up as a workshop date – he felt that in 2008 most of the workshop dates would be utilized; 4) the date of the ribbon cutting ceremony for Sutherland Elementary School is January 4, 2008 at 4:00 p.m.; 5) the Ft. Lee Growth Management Plan (Dinwiddie County was labeled as uniquely positioned); 6) General Assembly 2008 latest update – Governor's budget released ; 7) he and Mrs. Howerton are members of the steering committee for Rohoic, and feel that this school needs to be kept open with the E-use (educational use); 8) need for conversation as to where extra dollars will be spent as new school buildings come in under budget.

Mr. Haraway asked whether the \$8 million for Rohoic that was quoted by Dr. Maranzano would still be that same cost if the school was closed and then went back to a school.

Mr. Massengill said that when the fifty-five million bond dollars were borrowed it was supposed to be for two schools to be constructed (the high school and the elementary school), and three renovation projects (renovate the existing high school for the middle school, renovate the middle school for use, and renovate Rohoic Elementary – close to ten to twelve million dollars of renovation). When it was bid out and came back at the price it did, in order to be able to construct the elementary school and the high school, all three renovation projects were eliminated. He said that to close down Rohoic and put it to new school standards would mean that the E-use would be lost (because of being closed down) and the cost would be approximately fifteen to sixteen million dollars rather than the eight million to renovate. He said the County cannot afford to lose the E-use standing. The question is what can be in the building to keep it as an educational use.

Mr. Drewry stated that the renovation projects are in the original bond. He said that when cost savings is discussed, it is cost savings over top of the two buildings – not cost savings in the original bond. The original bond was for two schools and the renovation projects. He said when there is discussion regarding the use of these funds, they have to be used for the purposes within the bond or put in a pool of money used to repay the bond.

Mr. Massengill said that Administration would request that Dr. Maranzano come before the Board in January or February to give a presentation regarding Rohoic.

Regarding the Governor's budget, Mr. Stone stated that he would be interested in knowing the School Board's and the State's estimate on the preschool initiative, keeping in mind the budget shortfall. He would like to know the impact for Dinwiddie County.

Mr. Massengill stated that the Chair had asked at the last Board meeting that a resolution be put together for the Dinwiddie High School football team. He said they are

having a winter banquet on January 13th, and County Staff has developed a plaque that will be given to them on behalf of the Board of Supervisors at that time.

He stated that the employee of the year is usually recognized in December, but that will be brought forward in January. (Mr. Haraway started this tradition a couple of years ago.)

Lastly, Mr. Massengill stated that the County had received a grant notification. The Fire Marshall, Tony Williams put forth a lot of hard work in seeking this grant. The "Get Alarmed Virginia" Grant of \$41,000 was received by the Division of Fire and EMS. The purpose of the grant is to increase the number of homes with working smoke detectors, encourages the homes with smoke detectors to test them on a routine basis, and identifies the number of residents who need to create and practice a home evacuation drill. The goal of Fire and EMS is to install 3,000 working smoke detectors over the time of this grant - which means there will be a lot of support needed from local civic organizations, school systems, etc. Chief Hale has also developed some educational pieces that can be distributed to the school children. He congratulated Chief Hale and his staff for the hard work that went into getting this grant.

10. BOARD MEMBER COMMENTS

Ms. Moody stated she was assigned to work with the Community and Metropolitan Management Organization and she has learned a lot. The Organization consists of members from neighboring counties and cities, Social Services and various schools. She said that Governor Kaine is recommending more dollars, more case managers and more positions for the Department of Mental Health and Mental Retardation Substance Abuse Services. She said it is really needed; that Dinwiddie County falls far short of some of the neighboring areas as to the client staff ratio. She stated that if it passes it will be a big stride in the right direction.

Mr. Talmage stated that since he has been on the Board one of his objectives has been to get Dinwiddie County cleaned up. He read the following statement and asked if it could be acted on at this meeting.

"As many of you are aware, I serve on a committee that was formed this year named the 'Litter Control and Beautification Committee'. As many of you remember, this committee was created out of a need and a request from a local county resident that was tired of seeing litter and trash all over the place. She was concerned about the image this was setting for Dinwiddie County. Over the last several months, I feel this committee has done much to address the problem. Over the last several months, we have had the first ever 'Beautify Dinwiddie Day' – 150 bags of trash were picked up and a resolution was passed by the Board in our support. We have sent letters to community businesses seeking their support in keeping businesses neat and clean; we have had Town Hall meetings to inform the citizens; we have coordinated conversations with the Sheriff's Office for a need for enforcement of litter violators and illegal dumping; we have worked with the County Attorney's Office to research the potential of increasing fines for violators; we have improved the existing ordinance to allow Code Enforcement Officer, Phillip Harris, to fine contractors who do not keep their construction sites clean; and encouraged the Sheriff's Office to increase use of inmate labor from the jail for litter pickup. Without a doubt, I think the Committee has done an excellent job so far, yet much more work remains.

Today I am asking the Board to consider making this Committee into a Task Force. I believe the creation of a Task Force would do several positive things:

- 1. Membership - the Task Force would be comprised of stakeholders who have vested interest in the issue and would have representation from each of the five county districts as the problem is not just in one section of the county, but the whole county. The membership would consist of : Board member, Sheriff's Office, Commonwealth's Attorney, County Administrator; Waste Management; Comprehensive Services; Dinwiddie County Chamber of Commerce; the Extension Service and Master Gardeners; the Ruritan clubs; Girl Scouts and Boy Scouts; and Virginia Department of Transportation.*
- 2. Operation – the Task Force would be more organized, efficient and more influential. The Task Force would be responsible for working with the Board of Supervisors and would periodically meet with the Board as requested.*

3. Goals & Objectives – the Task Force would: form strategic plans; make positive recommendations to the Board; coordinate with other localities; and implement goals and objectives.

I truly believe this structure would add greatly to what has already been proven to be a dedicated group of volunteers wanting to do the very best for Dinwiddie County. Since being on the Board it has been rewarding for me to be associated with a group of people who want to be part of a solution, not just express concerns on what is going wrong. I think the County has a valuable resource in its volunteers, and can use their help and energy. They, in return, need to know that we, the governing body, care as well. This would go a long way toward keeping this committee moving forward and making a difference in keeping Dinwiddie County clean and beautiful.

I would like to make a motion that we form this Task Force and get it into operation as soon as possible.

Upon motion of Mr. Talmage, seconded by Ms. Moody,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County that the Litter Control and Beautification Committee is restructured to be a Litter Control and Beautification Task Force.

Ayes: Mr. Haraway, Mr. Moody, Ms. Moody, Mr. Talmage, Mr. Stone
Nays: None

Mr. Talmage thanked everyone and stated that he believed that this would really help the Task Force to be able to move forward and see progress.

Mr. Moody stated that he had brought up the subject of road signs in the County several times over the years. He said the last time it was brought up, one of the departments volunteered to monitor the situation and get back to the Board. He said this had not happened, and he felt it was important to keep the road signs up in the County. He asked that County staff please figure out a way to accomplish this.

Lastly, Mr. Moody said that this is the first time that he can remember that all five members of the Board are returning to serve four years. He said that meant they could all hit the ground running, and hopefully get a lot accomplished in the next four years. He added that he looked forward to working with all the Board members during that time.

Mr. Stone stated that he mentioned at last month's Board meeting that he and staff had been working with residents of the McKenney area for the second manned dumpster site. The funding was approved in previous C.I.P.'s. He said that Ms. Howerton, Mr. Gene Jones and staff had worked diligently to try to contact the other two alternative sites to no avail. He said that McKenney Town Council had met and were satisfied with the proposed site at the old McKenney Elementary School. He asked for a motion regarding this as Gene Jones needs to be able to schedule the work.

Upon motion of Mr. Moody, seconded by Mr. Haraway,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that W. Kevin Massengill, County Administrator and Gene Jones, Director of Waste Management, are given authority to start construction of the second manned dumpster site at McKenney Elementary.

Ayes: Ms. Moody, Mr. Moody, Mr. Haraway, Mr. Talmage, Mr. Stone
Nays: None

Mr. Stone thanked the Board and stated that he would like to get a notice to the Town Clerk of McKenney that she could put in next month's water bill. He said he would also like to send the notice to everyone on Margarita Ragsdale Street and McKenney Highway from the intersection of downtown McKenney to I-85.

11. CLOSED SESSION

At 4:35 p.m. upon motion of Mr. Moody, seconded by Mr. Talmage,

The Board of Supervisors of Dinwiddie County, Virginia convened in a closed meeting under:

- a. §2.2-3711 (A) (1) Personnel Matters:
 - Personnel
 - Office of Economic Development
 - Appointments
 - Crater District Health Advisory Board
 - Crater Planning District Commission
 - Virginia's Gateway Region
 - Social Services Board

- b. §2.2-3711 (A) (5) Business and Industry Development:
 - Prospective Business & Industry

Ayes: Mr. Haraway, Mr. Moody, Ms. Moody, Mr. Talmage, Mr. Stone
 Nays: None

At 6:05 pm. upon motion of Mr. Talmage, seconded by Ms. Moody, the Board reconvened into open session.

Ayes: Mr. Haraway, Mr. Moody, Ms. Moody, Mr. Talmage, Mr. Stone
 Nays: None

CERTIFICATION

WHEREAS, this Board convened in a closed meeting under:

- a. §2.2-3711 (A) (1) Personnel Matters:
 - Personnel
 - Office of Economic Development
 - Appointments
 - Crater District Health Advisory Board
 - Crater Planning District Commission
 - Virginia's Gateway Region
 - Social Services Board

- b. §2.2-3711 (A) (5) Business and Industry Development:
 - Prospective Business & Industry

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 Mr. Haraway, seconded by Ms. Moody, this Certification Resolution was adopted.

Ayes: Mr. Moody, Mr. Haraway, Ms. Moody, Mr. Talmage, Mr. Stone
 Nays: None

Upon motion of Mr. Talmage, seconded by Mr. Moody,

The meeting adjourned until the 7:00 p.m. public hearing.

Ayes: Ms. Moody, Mr. Haraway, Mr. Moody, Mr. Talmage, Mr. Stone
 Nays: None

7:00 P.M. – PUBLIC HEARINGS

The Chair opened the meeting at 7:00 p.m., followed by the roll call.

Roll Call:

Present: Mr. Haraway
 Mr. Moody
 Ms. Moody
 Mr. Talmage
 Mr. Stone

12.A. PUBLIC HEARING: AC-07-1, JOHN CAIRNS, SR., AMENDMENTS TO ORIGINAL CONDITIONS OF CONDITIONAL USE PERMIT, C-06-2

Mark Bassett, Director of Planning, presented the information below to the Board.

The Chair opened the public hearing in this matter.

As no one was signed up to speak, the Chair closed the public hearing in this case.

Planning Staff Summary Report

File #: AC-07-1
Applicant: John Cairns, Sr.
Property Address: Adjacent to 17203 Boydton Plank Road, DeWitt
Tax Map #: 69A-2-9
Magisterial District: Sapony
Acreage: 1.34 acres
Zoning: Business, General, B-2
Related Cases: P-06-2, June 20, 2006 and C-06-2, September 19, 2006

CASE SUMMARY

The applicant, John Cairns, Sr., is requesting the following amendments to the original Conditions as adopted on September 19, 2006 of Conditional Use Permit, C-06-2, for a mini-storage facility: (1) to allow paving the service areas around the storage units in phase as each building is constructed; (2) to allow a total of three storage buildings with each building not to exceed 30 feet by 160 feet in area; (3) to allow the exterior façade of the storage units to be constructed with painted metal siding with a brick and metal façade in the office area of the building; (4) and to amend the hours of operation to be limited to Monday - Sunday from 7 AM to 8 PM. The mini storage facility is located adjacent to 17203 Boydton Plank Road (Route 1) in the DeWitt area. The subject property is further defined as within Tax Map 69A, 2 Parcel 9, and this parcel was rezoned on June 20, 2006 to Business, General, B-2, which allows for self-service storage units under a conditional use permit. As indicated in the Dinwiddie County Comprehensive Land Use Plan, this property is within the Rural Conservation Area where limited service-commercial development is recommended.

INFORMATION INCLUDED

The following information is included for your review:

- Conditional Use Permit Amendment Application
- Attachment A – Tax Map and Plat of Property
- Attachment B – GIS Location Map
- Attachment C – Conceptual Site Plan
- Attachment D – Conditions from Case (C-06-2) and Proffers from Case (P-06-2)
- Attachment E – Resolution for AC-07-1

BACKGROUND INFORMATION

The subject property is located on the south side of Boydton Plank Road (Route 1) near DeWitt, VA. The Board of Supervisors heard case C-89-1 (John Cairns, Sr.) at their March 8, 1989 meeting and voted unanimously to grant a Conditional Use Permit to operate an automotive paint and body shop (Jim's Truck & Auto Paint and Body Shop) on the adjacent property directly to the north of the subject property. The Board of Supervisors heard case P-06-2 at their June 20, 2006 meeting and voted unanimously to rezone with Proffers the subject 1.34 acres from Agricultural, General, A-2 to Business, General, B-2 to operate a mini storage facility on the subject property. On September 19, 2006, the Board of Supervisors approved the Conditional Use Permit (C-06-2) for the subject mini storage facility with the following Conditions:

1. The proposed mini-storage warehouse will be constructed with masonry block sides and walls between the metal doors.
2. The mini-storage facility will have 120 units consisting of 10 x 20, 10 x 10 units and 10 x 5 units.
3. The hours of operation will be Monday – Friday 8AM – 5PM and Saturday 9AM – 5PM.
4. The security lighting will keep the glare contained on the site.
5. The business sign shall meet the requirements of the Dinwiddie Code Section 22 Article VII regarding signs.
6. The property will have a six (6) foot high chain link fence around the perimeter of the property.

7. The applicant will be required to have two (2) parking spaces (two (2) office/employee parking spaces) as stated in Dinwiddie Code Section 22-237-(10)-B.
8. The applicant shall provide one handicap accessible parking space on the site.
9. The parking area and all areas between the buildings shall be paved.
10. The commercial entrance to the business will be at the VDOT approved location.
11. The applicant will obtain a VDOT Commercial Entrance permit and the commercial entrance will meet VDOT's standards.
12. A site plan shall be submitted by the applicant in accordance with the requirements of the County Zoning Ordinance.
13. The applicant shall maintain the current landscaping on the property. The applicant will submit a landscape plan to the County detailing the landscaping on the subject property as part of the site plan process.
14. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions.
15. The applicant must keep in compliance with all federal, state, and local rules and regulations.

AMENDMENT TO CONDITIONS

The amended Conditions proposed by the applicant include the following changes as recommended by the Planning Commission and agreed to by the applicant:

- Original Condition: The proposed mini-storage warehouse will be constructed with masonry block sides and walls between the metal doors.
- Recommended Condition Amendment: The buildings will be constructed with painted metal siding with a brick and metal façade in the office area.
Original Condition: The mini-storage facility will have 120 units consisting of 10 x 20, 10 x 10 units and 10 x 5 units.
- Recommended Condition Amendment: The mini storage facility will have no more than three (3) buildings with each building not exceeding 30 feet by 160 feet.
- Original Condition: The hours of operation will be Monday – Friday 8AM – 5PM and Saturday 9AM – 5PM.
- Recommended Condition Amendment: The hours of operation will be limited to Monday - Sunday from 7 AM to 8 PM.
- Original Condition: The parking area and all areas between the buildings shall be paved.
- Recommended Condition Amendment: The parking area and all areas between the buildings shall be paved as each building is constructed.

STAFF RECOMMENDATION

The Planning Staff does support the hours of operation that the Planning Commission and applicant agreed to; allowing three (3) 30 foot by 160 foot buildings for the facility; paving the parking area and areas around the three (3) buildings as each building is constructed; and requiring that the buildings be constructed with painted metal siding with a brick and metal façade in the office area. The integrity of the Route 1/Route 460 Corridor Enhancement Study, Rural Focus Area development scenario will be achieved with the development parameters recommended by the Planning Commission and agreed to by the applicant.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted unanimously by a vote of 7-0 to recommend to the Board of Supervisors that the original conditions of case C-06-2 be amended as outlined above in the **CASE ANALYSIS** paragraph.

Upon motion of Mr. Haraway, seconded by Mr. Talmage,

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, that AC-07-1, amending the Conditions of Conditional Use Permit C-06-2, is approved by the Board of Supervisors.

Ayes: Ms. Moody, Mr. Moody, Mr. Haraway, Mr. Talmage, Mr. Stone
Nays: None

RESOLUTION

CASE NO. AC-07-1. Jim's Truck, Auto Paint & Body Shop

WHEREAS, Jim's Truck, Auto Paint & Body Shop has applied for an amendment to the Conditions of the existing Conditional Use Permit (CUP, C-06-2) allowing the existing mini-storage warehouse; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing scheduled on Case: AC-07-1; and

WHEREAS, mini-storage warehouses are a permitted use in the Business, General B-2, zoning district with approval of a Conditional Use Permit; and

WHEREAS, the mini-storage warehouse will be located on property currently zoned Business, General B-2, and is further identified as Tax Map No. 69A-2, Parcel No. 9 on Dinwiddie County Real Estate Tax Map (collectively, the "Property"); and

WHEREAS, the Planning Commission of Dinwiddie County, following its public hearing on November 14, 2007, recommended approval of Case: AC-07-1 by a vote of 7- 0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, do hereby approve the issuance of Case: AC-07-1 as described herein with the following conditions:

1. The buildings will be constructed with painted metal siding with a brick and metal façade in the office area.
2. The mini storage facility will have no more than three (3) buildings with each building not exceeding 30 feet by 160 feet.
3. The hours of operation will be limited to Monday – Sunday 7AM – 8 PM.
4. Any glare from the security lighting will be contained on site.
5. The business sign shall meet the requirements of the Dinwiddie Code section 22 Article VII regarding signs.
6. The property will have a six (6) foot high chain link fence around the perimeter of the property.
7. The applicant will be required to have two (2) parking spaces (two (2) office/employee parking spaces) as stated in Dinwiddie Code section 22-237-(10)-B.
8. The applicant shall provide one handicap accessible parking space on the site.
9. The parking area and all areas between the buildings shall be paved as each building is constructed.
10. The commercial entrance to the business will be at the VDOT approved location.
11. The applicant will obtain a VDOT Commercial Entrance permit and the commercial entrance will meet VDOT's standards.
12. A site plan shall be submitted by the applicant in accordance with the requirements of the County Zoning Ordinance.
13. The applicant shall maintain the current landscaping on the property. The applicant will submit a landscape plan to the County detailing the landscaping on the subject property as apart of the site plan process.
14. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions.

15. The applicant must keep in compliance with all federal, state, and local rules and regulations.

12.B. PUBLIC HEARING: AP-07-3, JOHN CAIRNS, SR., AMENDMENTS TO ORIGINAL PROFFERS

Mark Bassett, Director of Planning, presented the information below to the Board.

The applicant, spoke to the Board regarding the fact that they had decided that the masonry block did not look as nice as the metal buildings. It was stated that the metal buildings give a cleaner, finished looked; as well as the fact that moisture holds in the masonry block. The metal buildings actually cost more than the masonry block; as well, the pitch was changed on the roof (instead of being a flat roof) and the doors were upgraded.

The Chair opened the public hearing in this case.

As no one was signed up to speak, the Chair closed the public hearing in this matter.

Planning Staff Summary Report

File #:	AP-07-3
Applicant:	John Cairns, Sr.
Proffer Amendment:	Amendment to Proffer Conditions
Current Zoning:	Business, General, B-2
Property Location:	Adjacent to 17203 Boydton Plank Road, DeWitt
Tax Map #:	69A-2-9
Magisterial District:	Sapony
Property Size:	1.34 acres
Related Case:	P-06-2, June 20, 2006, C-06-2, September 19, 2006, and AC-07-1

CASE OVERVIEW

The applicant, John Cairns, Sr. is requesting to amend the original zoning Proffers which were approved on June 20, 2006 by the Board of Supervisors as part of case no. P-06-2. The subject property is located on the south side of Boydton Plank Road (Route 1) near DeWitt, VA. The Board of Supervisors heard case C-89-1 (John Cairns, Sr.) at their March 8, 1989 meeting and voted unanimously to grant a Conditional Use Permit to operate an automotive paint and body shop (the existing business: Jim's Truck & Auto Paint and Body Shop) on the adjacent property directly to the north of the subject property. The Board of Supervisors heard case P-06-2 at their June 20, 2006 meeting and voted unanimously to rezone with Proffers the subject 1.34 acres from Agricultural, General, A-2 to Business, General, B-2 to operate a mini storage facility on the subject property. On September 19, 2006, the Board of Supervisors approved the Conditional Use Permit (C-06-2) for the subject mini storage facility.

ATTACHMENTS

- Attachment A – Tax Map and Plat of Property
- Attachment B – GIS Location Map
- Attachment C – Conceptual Site Plan
- Attachment D – Proffers from Case (P-06-2) and Conditions from Case (C-06-2)
- Attachment E – Proffer Amendment

AMENDED PROFFER STATEMENT

The applicant has submitted Amended Proffers to restate the original Proffers in their entirety. The original Proffer Conditions are stated as follows:

Original Proffer Conditions:

1. The uses on the property will be limited to: mini-warehouse storage units, auto sales and service, office building and retail stores, subject to conditions in the conditional use permit.
2. The hours of operation will be limited to Monday – Friday 8:00 am until 5:00 pm and Saturday 9:00 am until 5:00 pm.
3. Security lights will be installed in various locations, such that there will not be a glare off site of directed downward such that light will mostly be contained to the site.
4. A 6 foot chain linked fence will be continued along the property lines.
5. All area in between buildings and at the end of buildings will be paved.

6. Entrance will be located at the VDOT approved locations with a minimum 30 foot wide entrance.
7. The mini storage facility will be limited to 120 units to consist of 10 x 20, 10 x10, 10 x 5 units to be constructed in numerous stages.
8. The mini storage sign will be approved by the County of Dinwiddie under the County Sign Ordinance before installation.
9. The buildings will be constructed with masonry block sides and walls between doors. The doors will be constructed of metal and the roof will be constructed of shingles.
10. The conditions in these proffers may be amended or modified by the issuance of any conditional use permit applicable to the property.

Amended Proffer Conditions:

Original Condition: 2. The hours of operation will be limited to Monday – Friday 8:00 am until 5:00 pm and Saturday 9:00 am until 5:00 pm.

Amended Condition: 2. The hours of operation will be limited to Monday - Sunday from 7 AM to 8 PM.

Original Condition: 5. All area in between buildings and at the end of buildings will be paved.

Amended Condition: 5. The parking area and all areas between the buildings shall be paved as each building is constructed.

Original Condition: 7. The mini storage facility will be limited to 120 units to consist of 10 x 20, 10 x10, 10 x 5 units to be constructed in numerous stages.

Amended Condition: 7. The mini storage facility will have no more than three (3) buildings with each building not exceeding 30 feet by 160 feet.

Original Condition: 9. The buildings will be constructed with masonry block sides and walls between doors. The doors will be constructed of metal and the roof will be constructed of shingles.

Amended Condition: 9. The buildings will be constructed with painted metal siding with a brick and metal façade in the office area.

Staff Recommendation:

The planning staff has reviewed the Proffer amendment request and is satisfied that the applicant has addressed the impacts of amending the original Proffers. The Planning Commission also reviewed the proposed Proffer amendments as part of their review of the request to amend the original Conditions of C-06-2: case no. AC-07-1, and as a part of that case recommended that the Board amend the original Proffers to reflect the changes in the Conditions of the CUP.

Staff recommends APPROVAL of the request to amend the original Proffers based on the following reasons:

1. The applicant's signed Proffers address the impacts of the proposed use on the subject property; and
2. The integrity of the Route 1/Route 460 Corridor Enhancement Study, Rural Focus Area development scenario will be achieved with the Proffer amendments.

Upon motion of Mr. Moody, seconded by Mr. Haraway,

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, that Proffer Amendment AP-07-3 is approved by the Board of Supervisors.

Ayes: Ms. Moody, Mr. Haraway, Mr. Moody, Mr. Talmage, Mr. Stone

Nays: None

12.C. PUBLIC HEARING: A-07-16, DINWIDDIE COUNTY PLANNING COMMISSION PROPOSED ORDINANCE AMENDING CODE OF DINWIDDIE COUNTY, CHAPTER 22, ZONING, ARTICLE IV, DISTRICT REGULATIONS, SECTION 22-120, SPECIAL PROVISIONS APPLICABLE TO CORNER LOTS

Mark Bassett, Director of Planning, presented the information below to the Board.

The Chair opened the public hearing in this case.

As no one was signed up to speak, the Chair closed the public hearing in this matter.

The purpose of this text amendment to the Code of Dinwiddie County is to amend and clarify the minimum lot width required for a corner lot in the R-1, Residential, Limited, zoning district. Currently, in the R-1 zoning district, a lot that has frontage on one street has a minimum lot width requirement of 100 feet, and a lot that has frontage on two streets (a corner lot) has a minimum lot width requirement of 125 feet. When the side yard building setback requirement is factored in with the minimum lot width requirement, the building area envelope for a lot fronting on one street is 65 feet, while the building area envelope for a corner lot is required to be 10 feet greater at 75 feet. Staff is proposing to allow the building area envelope of a corner lot to be equal to that of a regular lot: 65 feet. If the minimum side yard setback requirement can be met on a corner lot thereby maintaining the general 35 foot front building setback along a street, the building area envelope should not be required to exceed that of any other lot fronting the same street. The building area envelope of a corner lot is unnecessarily being required to exceed that of a normal lot. Maintaining the 35 feet building setback along the street is the important non-buildable area that needs to be maintained to allow for utilities and an adequate buffer between the residence and the street.

This Ordinance shall become effective immediately upon adoption by the Board of Supervisors. If any portion of this Ordinance shall be declared null and void, the remaining portions shall remain in full force and effect.

Upon motion of Ms. Moody, seconded by Mr. Talmage,

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, that text amendment A-07-16 is approved as presented, by the Board of Supervisors.

Ayes: Mr. Moody, Mr. Haraway, Mr. Haraway, Mr. Talmage, Mr. Stone

Nays: None

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF DINWIDDIE, 1985, AS AMENDED, BY AMENDING SECTION 22-120 SPECIAL PROVISIONS APPLICABLE TO CORNER LOTS ARTICLE IV CHAPTER 22, DISTRICT REGULATIONS

BE IT RECOMMENDED by the Planning Commission of Dinwiddie County to the Board of Supervisors of Dinwiddie County:

(1) That the Code of the County of Dinwiddie, 1985, as amended, is amended by deleting the following language shown with strikethroughs and inserting the following language shown underlined:

Sec. 22-120. Special provisions applicable to corner lots.

In residential district R-1, the following provisions shall apply to corner lots:

- (1) Of the two sides of a corner lot, the front shall be deemed to be the shorter of the two sides fronting on streets.
- (2) The side yard on the side facing the side street shall be 35 feet or more for both main and accessory buildings.
- (3) For subdivisions platted after the enactment of the ordinance from which this chapter derives [August 5, 1964], each corner lot shall have a minimum width at the setback line of ~~125~~ 115 feet or more.
(Code 1970, § 17-39)

(2) *That this ordinance shall become effective immediately upon adoption.*

13.A. OLD/NEW BUSINESS: APPOINTMENTS

Upon motion of Mr. Haraway, seconded by Mr. Moody,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Michael W. Stone is reappointed to the Board of the Virginia's Gateway Region for a term expiring December 31, 2008.

Ayes: Ms. Moody, Mr. Moody, Mr. Haraway, Mr. Talmage

Nays: None

Abstain: Mr. Stone

14. CITIZEN COMMENTS

The Chair opened the citizen comments period; and read the following:

As no one else was signed up to speak, the Chair closed the citizen comment period.

Mr. Daniel Lee, Chair of the Planning Commission, asked to speak to the Board. He stated that as the voting process begins on the Comprehensive Land Use Plan, the Planning Commissioners would like to have a meeting with the Board of Supervisors because once the Plan is completed; the Planning Commission would like to begin working on strategic parts of the Plan. He stated that they would like the Board to give them direction on those specific areas.

15. ADJOURNMENT

Upon motion of Mr. Moody to adjourn, seconded by, Mr. Haraway,

Ayes: Ms. Moody, Mr. Haraway, Mr. Moody, Mr. Talmage, Mr. Stone

Nays: None

The meeting was adjourned at 7:35 p.m.

Michael W. Stone
Chairman

ATTEST: _____
W. Kevin Massengill
County Administrator
Clerk to the Board

/wjn