

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA ON THE 17TH DAY OF FEBRUARY, 1982 AT 8:00 P.M.

PRESENT: G.E. ROBERTSON, JR., CHAIRMAN	ELECTION DISTRICT #2
STEVE WEBER, VICE-CHAIRMAN	ELECTION DISTRICT #2
G.S. BENNETT, JR.	ELECTION DISTRICT #1
M.I. HARGRAVE, JR.	ELECTION DISTRICT #3
A.S. CLAY	ELECTION DISTRICT #4
L.G. ELDER	COUNTY ATTORNEY
J.R. HODGES	INVESTIGATOR

IN RE: INVOCATION

Dr. G. Wayne Jordan, Pastor, Asbury, Manson, and Rocky Run Churchs, gave the Invocation, which was followed by the Pledge of Allegiance.

IN RE: MINUTES

Upon motion of Mr. Weber, seconded by Mr. Bennett, Mr. Weber, Mr. Bennett, Mr. Clay, Mr. Hargrave, Mr. Robertson voting "aye", the minutes of the February 3, 1982 and the February 16, 1982 meetings were approved as presented.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims be approved:

General Fund checks-numbering 82-222 through 82-338 amounting to \$74,594.90; Law Library Fund-checks numbering LF-82-1 and LF-82-2 amounting to \$336.20; Johnsongrass Control Fund checks-number JGC-82-1 and JGC-82-2 amounting to \$160.00.

IN RE: AMENDMENTS TO CHAPTER 14A, SOIL EROSION & SEDIMENT CONTROL

The Director of Planning presented several amendments to Chapter 14A, Soil Erosion and Sediment Control ordinance to meet the minimum requirements legislated by the State. Since the amendments are legislated by the State, a public hearing was not required.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that Chapter 14A of the County Code be amended as follows:

Add the following to Section 14A-3, Definitions

Person. Any individual, partnership, firm, association, joint venture, public or private corporation, trust estate, commission, board, public or private institution, utility, cooperative, county, city, town, or other political subdivision of this State, any interstate body, or any legal entity.

Town. An incorporated town.

Conservation Standards. Standards adopted by the Commission, district or County pursuant to Section 21-89.4 and Section 21-89.5 of the State Code.

Specifications. The written procedures, requirements or plans to control erosion and sedimentation as officially adopted by the County of Dinwiddie.

Delete the following from Section 14A-3

Plan approving authority. The Administrator, who, it is contemplated, will act with the assistance of the county planner and the Dinwiddie Soil Conservation Service in the exercise of his responsibility for determining the adequacy of conservation plans and who shall approve plans he determines to be adequate.

and add the following:

Plan approving authority. The Administrator as defined by this Chapter.

Delete: Section 14A - 4(b) and in its place

Add: Section 14A-4(b) Individual service connections; construction, installation, or maintenance of electric and telephone utility lines; installation, maintenance, or repair of any underground public utility lines when such activity occurs on an existing hard surfaced road, street or sidewalk provided such land disturbing activity is confined to the area of the road, street or sidewalk which is hard surfaced;

Delete: Section 14A-4(d) and in its place

Add: Section 14A-4(d) Surface or deep mining; exploration or drilling for oil and gas including the well site, roads and off-site disposal areas;

Delete: Section 14A-4 (i) which reads as follows:

"Engineering operations under section 21-2(c) of the Code of Virginia; provided, that this shall apply when grading, excavating and filling."

and its place

Add: Section 14A-4 (j) Tilling, planting or harvesting of agricultural, horticultural, or forest crops;

Delete: Section 14A-6. Erosion and sedimentation control plans - Generally, in its entirety and in its stead insert the following:

Add: Section 14A-6. Erosion and sedimentation control plans - Generally.

An erosion and sediment control plan, drawn to a scale not less than one hundred feet to one inch, is required and shall detail those methods and techniques to be utilized in the control of erosion and sedimentation, and as a minimum, this plan shall comply with the State Criteria, Standards and Specifications found in Chapter 3 of the Virginia Erosion and Sediment Control Handbook, Second Edition, 1980, as amended which by reference is adopted as a portion of this chapter and is to be included in the Dinwiddie County Erosion and Sedimentation Control Handbook.

Delete: Section 14A-12, Fees. In its entirety and, in its place

Add: Section 14A-12, Fees. A plan review and inspection fee of twenty-five dollars for projects involving one acre or less, plus two dollars per acre of land or part thereof in excess of one acre shall be paid at the time of filing erosion and sedimentation control plans. Such fee shall, in no instance, exceed one hundred fifty dollars for a single construction project. Projects to be constructed in phases, sections, or stages shall be considered as separate land disturbing activities and, as such, will require separate land disturbing permits with appropriate fees.

In all other respects said erosion and sedimentation control

ordinance is hereby reordained.

IN RE: SOUTHSIDE SHELTERED WORKSHOP--1982-83 BUDGET REQUEST

Mr. Morton B. Spero, appeared before the Board on behalf of the Southside Sheltered Workshop to discuss their 1982-83 budget request. He stated that the workshop provides a working environment for the mentally retarded and physically handicapped in an effort to prepare them for a job in the outside world. The seven participants from Dinwiddie County were present and Mr. Spero introduced them individually.

He stated that the budget contribution requested from the County is \$400 per participant per year or \$2800 and asked that the Board strongly consider including this in the upcoming budget. Mrs. Madge McCants, Director at the Workshop, invited the Board to visit them at any time.

The Chairman advised Mr. Spero that the request would be considered during the Board's budget deliberations. No action was taken.

IN RE: PUBLIC HEARING--A-82-2--NOISE CONTROL

This being the time and place as advertised in the Progress-Index on Wednesday, February 3, 1982 and Wednesday, February 10, 1982, for the Board of Supervisors to conduct a public hearing to consider for adoption an ordinance to amend Chapter 12 of the Code of the County of Dinwiddie, Virginia by the addition of Sec. 12-7 dealing with unreasonably loud noises.

Mr. Ralph Payne of Southern Pines Subdivision, spoke in support of the ordinance. He stated that he had had considerable problems with dog kennels in the subdivision and he felt the ordinance would help to control it.

No one appeared in opposition.

Mr. Bennett asked if the loud music had been a real problem. Mr. Clay stated that a complaint about loud music had been the basis for the request for an ordinance.

Mr. Robertson asked if the ordinance was enforceable and if it was used in other areas.

The County Attorney stated the ordinance was in operation in other areas and he felt it was enforceable.

Mr. Bennett asked Investigator Hodges if he felt it would be enforced. Mr. Hodges stated it would. He felt there would be a warning on the first complaint and then a summons issued.

Mr. Weber stated he had received complaints on dogs and loud music and felt the ordinance was needed in the County.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the Dinwiddie County Code, as adopted April 1, 1970, and as heretofore amended, be further amended by the addition of Section 12-7 to Chapter 12:

Chapter 12 - Offenses - Miscellaneous

Section 12-7. Noise - Unreasonably loud, etc. - Prohibited

It shall be unlawful to create any unreasonably loud, disturbing or unnecessary noise in the county, and noise of

such character, intensity and duration as to be detrimental to the life or health of any person or to unreasonably disturb or annoy the quiet, comfort or repose of any person is hereby prohibited.

The following acts, among others, are declared to be loud, disturbing and unnecessary noises, but such enumeration shall not be deemed to be exclusive, namely:

(a) The playing of any radio, phonograph or any musical instrument in such a manner or with such volume as to annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel or other type of residence.

(b) The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort and repose of any person in the vicinity to such an extent as shall constitute a nuisance.

Any person convicted of such violation shall be guilty of a misdemeanor and punished accordingly.

IN RE: PUBLIC HEARING--A-82-3--FEMALE DOGS IN HEAT

This being the time and place as advertised in the Progress-Index on Wednesday, February 3, 1982 and Wednesday, February 10, 1982 for the Board of Supervisors to conduct a public hearing to consider for adoption an ordinance to amend Chapter 4 of the Code of the County of Dinwiddie, Virginia by the addition of Sec. 4-9A dealing with female dogs in heat.

The County Attorney stated the ordinance differed somewhat from ordinances in other jurisdictions but he felt it was enforceable as worded.

No one appeared in support or opposition.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the Dinwiddie County Code, as adopted April 1, 1970, and as heretofore amended, be further amended by the addition of Section 4-9A to Chapter 4:

Chapter 4 - Animals and Fowl.

Section 4-9A. - Female Dogs in Heat.

No person shall knowingly cause or permit any female dog in heat to run at large in the County at any time. Evidence that said person was previously informed by the Animal Warden or any other person that said dog is in heat shall create a rebuttable presumption that said person knowingly allowed the dog in question to run at large in violation of this ordinance.

Any person who permits a female dog in heat to run at large in violation of this Section shall be liable to a fine of not less than five nor more than twenty-five dollars.

IN RE: DISCUSSION OF COUNTY PURCHASING POLICY

At the request of Mr. Bennett, the County's purchase policy was placed on the agenda for discussion.

Mr. Bennett stated that he was dissatisfied with the way the radios were purchased at the last meeting and he wondered whether the purchase resolution was needed if they weren't going to follow it.

He further indicated that the resolution stated no categories of the budget would be exceeded without prior approval by the Board. He noticed the Landfill equipment repair category was over budget and asked if it had been brought to the Board's atten-

tion.

The County Administrator stated he had advised the Board of two major bills in that category, but at the time, it was not over budget.

Mr. Bennett stated that he didn't really have a problem with the repairs, but he just wondered if the resolution was needed if it was not going to be followed.

Mr. Robertson asked Mr. Bennett if he was recommending that the Board follow the policy better than they had in the past.

Mr. Bennett said yes, if they were going to keep it.

The County Administrator noted that the only exception to the policy was items bought at state net which they had discussed.

Mr. Hargrave asked the County Administrator if he could say what the savings had been or what it had cost the County to operate under the policy.

The County Administrator stated it was very difficult to put a figure on savings or cost, but the Landfill especially had been hampered from taking advantage of special deals or sales, i.e. tires and batteries.

Mr. Hargrave asked if in these special sales the items were comparable to a price at state net. If so and the evidence were shown to the Board, the County should have that flexibility in using the policy to take advantage of the special deal or sale.

Mr. Clay asked what effect the Procurement Bill will have on the policy if passed.

Mr. Robertson indicated the County would have to adopt their own ordinance or follow the State's.

The County Administrator stated that the resolution would serve as the basis for the ordinance.

Mr. Hargrave stated he would like to continue with the policy. Mr. Robertson stated he would also like to see the policy continued adding the flexibility as described earlier by Mr. Hargrave.

After further discussion about the radios purchased, Mr. Hargrave stated that he felt if the Board adopted the policy, they also had the authority to waive it.

Mr. Bennett agreed, stating he would let the policy lay until the legislation is finished in the General Assembly.

IN RE: FREE DOG TAGS FOR COUNTY BLOODHOUNDS

The County Attorney presented a request from the Sheriff's Department to authorize the Treasurer to issue free dog tags for the department's three bloodhounds.

Upon motion of Mr. Weber, seconded by Mr. Hargrave, Mr. Weber, Mr. Hargrave, Mr. Bennett, Mr. Clay, Mr. Robertson voting "aye", the Treasurer was authorized to issue free dog tags for the Sheriff Department's three bloodhounds.


IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Weber, Mr. Clay, Mr. Weber, Mr. Bennett, Mr. Hargrave, Mr. Robertson voting "aye" pursuant to Sec. 2.1-344(1) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 8:52 P.M. The

meeting reconvened into Open Session at 9:48 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Hargrave, seconded by Mr. Clay, Mr. Hargrave, Mr. Clay, Mr. Bennett, Mr. Weber, Mr. Robertson voting "aye", the meeting adjourned at 9:48 P.M.


G.E. ROBERTSON, JR., CHAIRMAN

ATTEST:


W.C. KNOTT