

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD
IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING,
DINWIDDIE, VIRGINIA ON THE 18TH DAY OF JUNE, 1986 AT
7:30 P.M.

PRESENT: A.S. CLAY, CHAIRMAN
G.E. ROBERTSON, JR., VICE-CHAIRMAN
G.S. BENNETT, JR.
H.L. CLAY, JR.
M.I. HARGRAVE, JR.
T.O. RAINEY, III

ELECTION DISTRICT #4
ELECTION DISTRICT #2
ELECTION DISTRICT #1
ELECTION DISTRICT #2
ELECTION DISTRICT #3
COUNTY ATTORNEY
SHERIFF

ABSENT: B.M. HEATH

IN RE: MINUTES

Upon motion of Mr. H. Clay, seconded by Mr. Robertson, Mr. Clay, Mr. Robertson, Mr. Hargrave, Mr. Bennett, Mr. Clay voting "aye", the minutes of the May 21, 1986 regular meeting and the May 27, June 4, and June 9, 1986 special meetings were approved as presented.

IN RE: TRANSFER OF FUNDS--COUNTY CONSTRUCTION FUND

Upon motion of Mr. Robertson, seconded by Mr. H. Clay, Mr. Robertson, Mr. Clay, Mr. Bennett, Mr. Hargrave, Mr. Clay voting "aye", the Treasurer was authorized to transfer \$100,000 from the General Fund to the County Construction Fund.

IN RE: TRANSFER OF FUNDS--RADIO FUND

Upon motion of Mr. Hargrave, seconded by Mr. H. Clay, Mr. Hargrave, Mr. Clay, Mr. Bennett, Mr. Robertson, Mr. Clay voting "aye", the Treasurer was authorized to transfer \$10,000 from the General Fund to the Radio Fund.

IN RE: CLAIMS

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

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

General Fund checks-numbering 86-1055 through 86-1312 amounting to \$80,188.84; Johnsongrass Control Fund-checks numbering JGC-86-1 through JGC-86-4 amounting to \$3,684.33; Dinwiddie County Water Authority check #W&S-86-8 in the amount of \$21,318.59; Library Fund check #LF-86-7 in the amount of \$97.42; Vehicle Fund check #VF-86-1 in the amount of \$56,212.85.

IN RE: LAND USE--REVALIDATION FEE

Mr. W.E. Bolte, Commissioner of Revenue, advised the Board that every six years, the State Code provides for the collection of a revalidation fee for land use applications, not to exceed the original fee assessed, which was \$10.00.

Mr. Robertson asked if the Board should request their legislators consider changing the limit on the fee. Mr. Bolte stated he did not feel the County was losing money when the roll-back taxes are added back in; however, the fee alone does not cover the expense of processing the application. He added that it takes alot of work to accomplish the collection because they are not all due at the same time.

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

the Commissioner of Revenue was authorized to collect a revalidation fee of \$10.00 for land use applications.

IN RE: COMMISSIONER OF REVENUE--TRANSFER OF FUNDS--1986-87
BUDGET

Mr. W.E. Bolte, Commissioner of Revenue, advised the Board that \$500 has been appropriated in the 1986-87 land use budget for the assessment officers' seminar. This year, however, there is not very much on the program that deals with land use; therefore, he requested that the \$500 be transferred to the Commissioner of Revenue's budget for travel.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the transfer of \$500 in travel expenses from the Land Use budget to the Commissioner of Revenue budget for 1986-87 be approved.

IN RE: TREASURER

Mr. W.E. Jones presented his report for the month of May, 1986.

IN RE: WARRANTS IN DEBT--ISSUANCE IN NAME OF COUNTY

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

WHEREAS, in previous years, warrants issued for the non-payment of personal property taxes were instituted and conducted in the name of the Commonwealth of Virginia, thereby making it difficult to pinpoint such judgments, by the debtor; and

WHEREAS, Title 58.1-3954 (recodified) of the Code of Virginia states, "Such proceedings shall be instituted and conducted in the name of the county, city, or town in which such taxes are assessed, at the direction of the governing body...."

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes that suits issued for the collection of local property taxes, pursuant to Title 58.1-3954, Code of Virginia, be instituted and conducted in the name of the County of Dinwiddie.

IN RE: BUILDING INSPECTOR

The Chairman read the Building Inspector's report for the month of May, 1986.

IN RE: INTRODUCTION OF NEW BUILDING OFFICIAL--DWAYNE ABERNATHY

The County Administrator announced that Mr. Dwayne Abernathy has been hired as Building Official for the County.

IN RE: ANIMAL WARDEN

The Animal Warden was not present. The Chairman read his report for the month of May, 1986.

IN RE: FIRESTONE TRUST FUND--PRESENTATION OF AWARD

Dr. Richard L. Vaughn, Superintendent of Schools, presented a plaque to Mr. Harry L. Clay to be delivered to the Firestone Trust Fund from the National Science Teacher's Association for Firestone's support in making funds available to purchase science films to be used by the various schools in the County.

IN RE: OFFICE ON YOUTH & COMMUNITY SERVICES--YOUTH FORUM REPORT

Miss Kathy Cook, representing the Youth Services Commission, appeared before the Board to present the Youth Forum Report. Their main recommendation was to appoint a recreation committee and a full-time recreation director for the County.

IN RE: PUBLIC HEARING--P-86-4--WILLIAM JAMES

This being the time and place as advertised in the Progress-Index on Wednesday, June 4, 1986 and Wednesday, June 11, 1986 for the Board of Supervisors to conduct a public hearing to consider for adoption an ordinance to change the district classification of Section 21, Parcel 51, containing 16.75 acres from Residential R-1 to Agricultural, General A-2.

The County Administrator reviewed the application and the action taken by the Planning Commission which was disapproval at their May 14, 1986 meeting.

Mr. James appeared in support of his rezoning request. He stated he felt the property should have been zoned agricultural in the beginning. He has found no objections to the rezoning from his neighbors.

Mr. H. Clay asked if he had any immediate plans for his property. Mr. James said he had none now. He may rent a garden space or locate a mobile home near the pond in the back.

Mr. Robertson asked if the land was conducive to subdividing. Mr. James stated no one had approached him. Mr. Robertson asked if water and sewer was available. Mr. James said water was available but not sewer.

Mr. Hargrave asked Mr. James if he made an effort to change the zoning when it was initially established. Mr. James said he did not but felt he should have.

No one appeared in opposition.

Mr. Robertson stated he did not see any benefit in leaving the property as R-1. It was actually detrimental to Mr. James. He could not economically use the property as R-1. If he did subdivide the property, an additional 32 homes would create a terrific burden in that area.

Mr. Robertson moved that rezoning request P-86-4 of Mr. William James be approved.

Mr. H. Clay asked why the Planning Commission recommended disapproval. Mr. Bennett stated the zoning of Parcels 49 and 50 would probably change in the future with industrial development in that area. Also, Mr. James could rent a garden space as it is presently zoned. He added the Comprehensive Land Use plan shows the property to be residential.

Mr. Hargrave stated if parcels 49 and 50 are to be industrial, to leave the James property residential would be too much of a contrast. He, therefore, seconded the motion. Mr. Bennett indicated he could not disagree, but since he represented the Planning Commission, he felt he would have to vote against the rezoning.

Mr. Robertson, Mr. Hargrave, Mr. Clay, Mr. Clay voting "aye", Mr. Bennett voting "nay",

BE IT ORDAINED by the Board of Supervisors, Dinwiddie County, Virginia that the district classification of section 21, parcel 51 of the Dinwiddie County Zoning Ordinance, containing 16.75 acres be amended from Residential R-1 to Agricultural, General A-2.

In all other respects, said zoning ordinance is hereby reordained.

IN RE: PUBLIC HEARING--SCHOOL BOARD MEMBER FOR ELECTION DISTRICT #1

This being the time and place as advertised in the Progress-Index on Sunday, June 8, 1986 for the Board of Supervisors to conduct a public hearing to receive citizen input on the appointment of a school board member for election district #1.

Mr. Fred Sahl appeared before the Board to present his qualifications for appointment.

Mrs. Julia Watkins stated she was not seeking reappointment. She offered the name of Mr. Ervin Ray Hanks for the Board's consideration.

There being no other input, the public hearing was closed.

IN RE: TRAILER/MOBILE HOMES--EMERGENCY ORDINANCE TO REFLECT ISSUANCE OF PERMITS & SPECIAL CONDITIONS

On May 21, 1986, the Board adopted an emergency ordinance declaring a moratorium on all rezonings, conditional use permits and trailer and/or mobile home permits.

The County Attorney presented an emergency ordinance for the Board's consideration dealing with the issuance of permits and special conditions for trailer/mobile homes. Mr. Robertson asked the County Attorney what was meant by "every other relative". The County Attorney stated the Board could define "relative". Mr. Hargrave offered the following as a definition for landowner:

"legal owner/owners and immediate family. Immediate family includes children, parents and grandparents."

Mr. Hargrave moved that the emergency ordinance adopted as of May 21, 1986 imposing a moratorium on rezonings, conditional use permits and trailer and/or mobile home permits remain and this emergency ordinance replace the section dealing with trailer/mobile homes and further be advertised for a public hearing. Mr. Robertson seconded the motion.

Mr. Hargrave, Mr. Robertson, Mr. Bennett, Mr. Clay, Mr. Clay voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie County Code, as adopted, March, 1986, and as heretofore amended, be temporarily amended for a period of 60 days as follows:

Section 22-71 Permitted Uses

(49) Mobile Home, "with conditional use permit."

Section 22-78 Special conditions for Trailer/Mobile Homes

(1) Land owner, trailer owner, and/or mobile home owner, trailer occupant and/or mobile home occupant shall be one and the same.

(2) Land owner shall be defined as including the lawful owner or owners of the real estate, their spouse, and immediate family; immediate family shall include children, parents, and grandparents of the land owner and their spouse.

(3) Any conditional use permit shall be null and void when land owner, trailer owner and/or mobile home owner cease to be one and the same person, or shall cease to occupy said trailer and/or mobile home.

Section 22-79 Issuance of Permits

All conditional use permits for trailer/mobile homes shall be issued by the zoning administrator.

IN RE: EASTSIDE ELEMENTARY SCHOOL--AUTHORIZATION FOR PUBLIC SALE BY SEALED BID

At the request of the Board, the County Attorney prepared a recommendation for disposal of Eastside Elementary School. The State Code gives the Board the Authority to sell at public or private sale, or exchange real property provided a public hearing concerning such disposal has been held.

Upon motion of Mr. Hargrave, seconded by Mr. Robertson, Mr. Hargrave, Mr. Robertson, Mr. Clay, Mr. Bennett, Mr. Clay voting "aye", the County Administrator and County Attorney were authorized to proceed with the necessary steps to sell Eastside Elementary School at public sale by sealed bids.

IN RE: DONALD ANDREWS--TRAILER PERMIT

Mr. Donald Andrews appeared before the Board to discuss his application for a mobile home permit for his son. Mr. Andrews was advised that the ordinance adopted at this meeting would allow him to obtain a trailer permit for his son. However, if his son moves out, the trailer could not be occupied by other than immediate family unless the property was sold to the individual who would own and occupy it. Mr. Andrews wanted to know the reason for this action.

Mr. Hargrave stated the County was getting an offshoot of people from other localities which is causing a burden on other taxpayers.

Mr. Robertson stated he felt this was a matter that should be taken up with the Planning Commission and not the Board of Supervisors.

IN RE: REAPPOINTMENT--SOCIAL SERVICES BOARD

Upon motion of Mr. Robertson, seconded by Mr. H. Clay, Mr. Robertson, Mr. Clay, Mr. Hargrave, Mr. Bennett, Mr. Clay voting "aye", Mr. Aubrey Pennington was reappointed to the Social Services Board, term expiring June 30, 1990.

IN RE: REAPPOINTMENT--CPDC EXECUTIVE COMMITTEE & MPO

Upon motion of Mr. Hargrave, seconded by Mr. H. Clay, Mr. Hargrave, Mr. Clay, Mr. Bennett, Mr. Clay voting "aye", Mr. Robertson abstaining, Mr. G.E. Robertson, Jr. was reappointed to the CPDC Executive Committee and MPO, term expiring June 30, 1987.

IN RE: APPOINTMENT--DISTRICT 19 MENTAL HEALTH & MENTAL RETARDATION SERVICES BOARD

The Board received a letter of resignation from Mr. Loid A. Hodnett from the District 19 Mental Health & Mental Retardation Services Board, dated May 28, 1986.

Upon motion of Mr. Robertson, seconded by Mr. Bennett, Mr. Robertson, Mr. Bennett, Mr. Clay, Mr. Hargrave, Mr. Clay voting "aye", Mr. Kenneth Wright was appointed to the District 19 Mental Health and Mental Retardation Services Board to fill the unexpired term of Mr. Loid Hodnett, ending December 31, 1986.

IN RE: APPOINTMENT--DINWIDDIE COUNTY AIRPORT AND INDUSTRIAL AUTHORITY

Upon motion of Mr. Hargrave, seconded by Mr. H. Clay, Mr. Hargrave, Mr. Clay, Mr. Bennett, Mr. Robertson, Mr. Clay voting

"aye", Mr. W.C. Knott was appointed to the Dinwiddie County Airport and Industrial Authority, effective July 1, 1986, term expiring January 31, 1987.

IN RE: BINGO & RAFFLE PERMIT--CUT BANK CHURCH

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

WHEREAS, Cut Bank Church has made application to the Board of Supervisors for a Bingo & Raffle permit for the calendar year 1986; and

WHEREAS, the Church meets the requirements as set forth in Section 18.1-340.1 of the Code of Virginia and has filed the required application fee;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Cut Bank Church is hereby granted a Bingo & Raffle permit for the calendar year 1986.

IN RE: SPECIAL ENTERTAINMENT PERMIT--BOBBY WYATT

The Board received an application for a Special Entertainment Permit for Mr. Bobby Wyatt to hold a music festival on June 27, 1986 from 9:00 P.M. to 2:00 A.M. on Rt. 709 at the Wyatt Community Ball Park. Mr. Wyatt was not present. A permit was granted to Mr. Wyatt for the same location last year. Mr. A. Clay stated he had not received any complaints about the event.

Upon motion of Mr. Hargrave, seconded by Mr. Robertson, Mr. Hargrave, Mr. Robertson, Mr. Clay, Mr. Bennett, Mr. Clay voting "aye", Mr. Bobby Wyatt was granted a special entertainment permit to hold a music festival on June 27, 1986 from 9:00 P.M. to 2:00 A.M. on Rt. 709 at the Wyatt Community Ball Park.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Hargrave, seconded by Mr. H. Clay, Mr. Hargrave, Mr. Clay, Mr. Bennett, Mr. Robertson, Mr. Clay voting "aye", pursuant to Sec. 2.1-344 (6) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 9:08 P.M. to discuss legal matters. The meeting reconvened into Open Session at 11:01 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Robertson, seconded by Mr. Bennett, Mr. Robertson, Mr. Bennett, Mr. Clay, Mr. Hargrave, Mr. Clay voting "aye", the meeting was adjourned until 5:15 P.M., July 1, 1986.

JULY 1, 1986--CONTINUATION OF JUNE 18, 1986 MEETING--5:15 P.M.

PRESENT:	A.S. CLAY, CHAIRMAN	ELECTION DISTRICT #4
	G.E. ROBERTSON, JR., VICE-CHAIRMAN	ELECTION DISTRICT #2
	G.S. BENNETT, JR.	ELECTION DISTRICT #1
	H.L. CLAY, JR.	ELECTION DISTRICT #2
	M.I. HARGRAVE, JR.	ELECTION DISTRICT #3

IN RE: APPOINTMENT--SCHOOL BOARD--ERVIN RAY HANKS

Upon motion of Mr. Bennett, seconded by Mr. H. Clay, Mr. Bennett, Mr. Clay, Mr. Robertson, Mr. Hargrave, Mr. Clay voting "aye", Mr. Ervin Ray Hanks was appointed to the School Board to represent Election District #1, effective July 1, 1986, term expiring June 30, 1990.

IN RE: LEASING PROGRAM FOR COUNTY

The County Administrator stated during budget discussions, the Board considered a leasing program to finance several items,

i.e. school buses, police vehicles, trash truck and body included in the 1986-87 budget which totals approximately \$450,000 to \$500,000. This request was submitted to various financial firms in the area and two proposals were submitted:

1. Sovran Leasing Corp. - 3 years - 6.24%
2. Union-Tidewater Financial Co. (representing Bank of Virginia) - 3 years - 7.06%

The County Administrator recommended that the proposal submitted by Sovran Leasing Corporation be accepted and that he be authorized to enter into a conditional sales contract.

Mr. Hargrave asked the County Administrator to review the economics of using the leasing method vs. outright purchase. The County Administrator reviewed the reasons and benefits of pursuing this financing program.

Upon motion of Mr. H. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Bennett, Mr. Robertson, Mr. Clay voting "aye", the County Administrator was authorized to enter into a conditional sales contract on behalf of the County with Sovran Leasing Corporation for a three year period.

IN RE: SPECIAL ENTERTAINMENT PERMIT--STANLEY LEE SIMMS

Wendy Quesenberry, Exec. Assistant, presented a request for a Special Entertainment Permit for Mr. Stanley Simms to hold an open air festival on July 5, 1986 from 9:00 A.M. to 12:00 Midnight on Rt. 622. The property is owned by Mr. Joseph M. Johnson. Expected attendance is 1500. She added that a permit has not been requested in this area before; therefore, they have no experience to refer to.

The County Administrator suggested if the Board desires to approve the permit it be done so subject to final review by the Sheriff and himself.

Upon motion of Mr. H. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Bennett, Mr. Robertson, Mr. Clay voting "aye", a Special Entertainment Permit was granted to Mr. Stanley Simms to hold an open-air festival on July 5, 1986 from 9:00 A.M. to 12:00 Midnight on Rt. 622, subject to final review by the County Administrator and the Sheriff.

IN RE: FIREWORKS DISPLAY--STONY SPRINGS SUBDIVISION

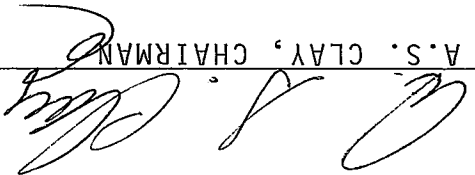
Wendy Quesenberry, Exec. Assistant, presented a request from Mr. James McKenzie, a resident of Stony Springs, to hold a fireworks display at his home after dark on July 4, 1986. The display will last approximately 15 to 20 minutes and Mr. McKenzie will be responsible for the safety of the area.

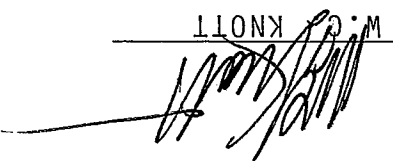
Mr. Hargrave asked what effect the new State law has on the use of fireworks. He stated he felt the applicant should be made aware that he must also meet the state requirements.

Upon motion of Mr. Hargrave, seconded by Mr. H. Clay, Mr. Hargrave, Mr. Clay, Mr. Bennett, Mr. Robertson, Mr. Clay voting "aye", the request by Mr. James McKenzie for a permit to hold a fireworks display at his home on July 4, 1986 was approved contingent upon final review and approval by the County Attorney and the County Administrator.

IN RE: ADJOURNMENT

Upon motion of Mr. H. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Robertson, Mr. Bennett, Mr. Clay voting "aye", the meeting was adjourned at 5:37 P.M.


A.S. CLAY, CHAIRMAN


W.C. KNOTT
ATTEST: