

County of Dinwiddie Board of Supervisors

MINUTES

Regular Meeting – August 16, 2016, 3:02 PM
 Board Meeting Room, Pamplin Administration Building
 14016 Boydton Plank Road, Dinwiddie, Virginia

Supervisors Present:

Brenda Ebron-Bonner, *Chair* Election District 5
 Harrison A. Moody, *Vice Chair* Election District 1
 Dr. Mark E. Moore Election District 2
 William D. Chavis Election District 3
 Daniel D. Lee Election District 4

Administration Present:

W. Kevin Massengill, *County Administrator*
 Anne Howerton, *Deputy County Administrator,
 Finance and General Services*
 Tyler Southall, *County Attorney*

1. **ROLL CALL**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **AMENDMENTS TO AGENDA**

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

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

AYES: Mr. Moody, Dr. Moore, Mr. Chavis, Mr. Lee, Ms. Ebron-Bonner
 NAYS: None

5. **CONSENT AGENDA**

A. Summary and Claims

CLAIMS	July 15, 2016	July 29, 2016	July 28, 2016	July 29, 2016	July 29, 2016	July 29, 2016	August 5, 2016	August 2, 2016	August 5, 2016	August 5, 2016	August 10, 2016	TOTALS
	1099065-1099106	1099107-1099120 payroll	1099121-1099147	1099148	1099149	1099150-1099205	1099206-1099219	1099220-1099228	1099229	1099230-1099385	1099386-1099444	
101 - General Fund	\$117,014.98	\$1,116,060.56	\$38,806.65	\$68,086.12	\$15,371.12	\$128,665.16	\$4,492.81	\$270.00	\$2,359.54	\$28,260.00	\$201,161.55	\$1,720,548.49
103 - Jail Commission				\$48.77	\$45.54							\$94.31
105 - Recreation												\$0.00
209 - Litter Grant Fund	\$1,000.00						\$1,854.97					\$2,854.97
210 - Economic Developmt			\$3,384.00									\$3,384.00
211-Community Service												\$0.00
219 - CSA												\$0.00
226 - Law Library			\$166.64									\$166.64
228 - Fire Programs & EMS			\$986.59	(\$55.30)	\$565.00	\$750.46	\$581.59					\$2,828.34
229 - Forfeited Asset Sharing Program												\$0.00
305 - Capital Projects Fund	\$137,594.84		\$3,270.50	\$1,998.33	\$1,070.07	\$625.00	\$200.00				\$78,005.33	\$222,764.07
401 - County Debt Service	\$13,514.50										\$17,439.00	\$30,953.50
402 - School Debt Service												\$0.00
724 - Abraham Scholarship												\$0.00
	\$269,124.32	\$1,116,060.56	\$46,614.38	\$70,077.92	\$17,051.73	\$130,040.62	\$7,129.37	\$270.00	\$2,359.54	\$28,260.00	\$296,605.88	\$1,983,594.32

B. Minutes: June 21, 2016 Regular Meeting, June 28, 2016 Special Meeting, July 19, 2016 Regular Meeting

Upon motion of Dr. Moore, seconded by Mr. Lee, the consent agenda was approved as presented.

AYES: Mr. Moody, Dr. Moore, Mr. Chavis, Mr. Lee, Ms. Ebron-Bonner
 NAYS: None

6. **REPORTS:**

A. Virginia Department of Transportation

Mr. Scott Thornton, Assistant Residency Administrator, presented the following to the Board.

DINWIDDIE COUNTY
June 21, 2016 – Monthly Report

MAINTENANCE	
Dinwiddie Area Headquarters for the month of May 2016	
<ul style="list-style-type: none"> • Crews pulled ditches, machined road, added stone, trimmed and removed dead trees on Bain Rd. and cut sight distances and performed tree trimming on Courthouse Rd. in preparation for the Virginia Ag Expo. • Repaired pot holes on various primary and secondary roads including Route 1 and Route 460.. • Machined various unpaved roads throughout the county. • Mowing for sight distance on various primary and secondary routes. • Continued work for rural rustic Route 628 (Tranquility Lane). Performed pipe installations and a double shot of surface treatment has been applied. • Repaired pavement along Rte. 1210 (Waterford Circle) with tar and gravel. Additional work is planned for this subdivision. • Paved Rte. 738 (Scott's Road) over new bridge and approaches with hot mix asphalt. • Patch and repaired sinkhole over pipelines on Rte. 646 (Glebe Road). Pipe replaced is planned late summer. • Performed routine maintenance for removal of brush and small trees from the right of way in Sutherland Estates Subdivision. 	

LAND DEVELOPMENT & PERMITS	Paul Hinson, P.E.
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Dinwiddie County	
Plans with outstanding comments or under review (Activity within last 90 days)	
<ul style="list-style-type: none"> • Project Minecraft, US 1, Boynton Plank Road – Site plan submitted on 7-5-16 for proposed warehouse facility located off of US 1. Site to be accessed by County Economic Development Access Road. Site plan comments issued on 7-12-16 	
Plans approved	
<ul style="list-style-type: none"> • Hofheimer Way Retail Site – Revised site plan submitted on 6-29-16 for a proposed Dollar General store at the intersection of Hofheimer Way, SR 775 and US 1 and found acceptable on 7-6-16. 	
Other	
<ul style="list-style-type: none"> • None 	

LUP Permits Issued and Completed				
Permit Number	Permittee	Dinwiddie County	Permit Issuance Date	Permit Completion Date
57928	Todd Williams	26	6-29-16	
57929	Chris R. Ruddick	26	7-1-16	
57932	Jacob Cliborne	26	7-8-16	
57935	Slade & Sons Construction, LLC	26	7-29-16	

57936	Janet Palmer	26	7-29-16	
57785	Holly Mayton	26	7-10-15	6-29-16
57795	ILUKA Resources, Inc.	26	7-27-15	6-29-16
57759	Austin & Sons Logging, Inc.	26	5-22-16	6-30-16
57782	Austin & Sons Logging, Inc.	26	7-8-15	6-30-16
57864	Todd Williams	26	3-4-16	7-7-16
57918	Town of McKenney	26	6-8-16	7-12-16
57879	Bostic Real Estate Properties, LLC	26	4-13-16	7-12-16
57862	Dominion VA Power	26	2-26-16	7-14-16
57799	Slade & Sons Construction, LLC	26	8-4-15	7-15-16
57893	Angela D. Sampson-Scott	26	4-28-16	7-20-16
52060	Sam Bishop	26	4-19-11	7-21-16

CONSTRUCTION	Ron Hobson, P.E.
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<u>UPC 104466 / Order D39 /Project: (NFO) 0085-026-263, N501</u>	
Contractor: Adams Construction Co.	
Name: I-85 SB Restore Existing Pavement	
CM: Smith	
Fixed Completion Date: 11-15-2017	
Description: Main line paving to continue	
<u>UPC 105287 / Order I65 /Project: (NFO) 0085-026-609, N501</u>	
Contractor: Denton Construction Co.	
Name: I-85 NB Restore Existing Pavement	
CM: Smith	
Fixed Completion Date: 11-15-2016	
Description: Concrete patching continues	
<u>UPC 107975 / Order I30 /Project: (NFO) 9999-964-611, N501</u>	
Contractor: Allan Myers VA Inc.	
Name: I-95 NB/I85 NB Restore Existing Pavement	
CM: Smith	
Fixed Completion Date: 8-16-16	
Description: Project completed ahead of schedule	
<u>UPC 80993 / Order G95 /Project: (NFO) 0001-026-107,C501 (Dinwiddie)</u>	
Contractor: Branscome	
Name: Rte. 226 and Rte. 1 Roundabout and intersection Improvements	
CM: Miller	
Fixed Completion Date: 10/14/16	
Description: Intersection Improvements at Rte. 1 and 226, and Roundabout at Rte. 200 and Rte. 226.	
Comments: Contractor continuing grading/widening operations to include installation of storm drain, curb & gutter, and sidewalk on Ferndale Rd. southbound and Cox Rd. eastbound.	
<u>UPC 107812 / Order 404 /Project: ST4D-026-F16 (Dinwiddie)</u>	
Contractor: Whitehurst	
Name: Surface Treatment Schedule	
CM: Bondurant	
Fixed Completion Date: 10/28/16	

Description: Resurfacing of various routes in Dinwiddie County.	
Comments: Contractor will begin surface treatment operations in early August. Patching is complete.	
<u>UPC 107844 / Order:409 / Project: PM4D-026-F16 (Dinwiddie)</u>	
Contractor:	Allan Myers
Name:	Plant Mix Schedule
CM:	Bondurant
Fixed Completion Date:	12/02/16
Description: Resurfacing of various routes in Dinwiddie County.	
Comments: Contractor will begin paving operations in late September to mid October.	
TRAFFIC STUDIES/SPECIAL REQUESTS	
<ul style="list-style-type: none"> Truck restriction review for Halifax Road. Truck count information was provided from the Traffic Engineering section and this roadway carries less than designed. 	

Mr. Lee stated that he has been getting complaints from farmers about low limbs on the roadways.

Dr. Moore read a letter from the Sutherland Ruritan Club addressed to him on August 11, 2016 which read:

I am writing on behalf of the Sutherland Ruritan Club about a matter of some concern to our members. This year our Public Services Committee established an objective to recommend to our county officials that a traffic light be erected at the intersection of US Route 460 and Claiborne Road.

Those of us who live in the Sutherland Community have realized for some time the increase in traffic on Route 460 and the traffic confusion that seems to exist at this intersection. I personally have studied this intersection and have determined that a traffic can move in 14 different directions. In some cases the motorist simply do not seem to know what to do or who has the right of way. This confusion has sometimes resulted in accidents at this intersection.

Our members encourage you to express our concern to all those who may impact a decision to establish a traffic light at this sight and please know that our club will support all efforts to bring about this request.

Sincerely,
N. C. Olgers, Public Services Committee

Mr. Thornton stated that area is being evaluated at this time. Crystal Smith, Residency Administrator, stated that this was discussed at the most recent Transportation Safety Committee meeting, and it is one of three priority locations on Route 460, and the only one in Dinwiddie County.

7. ACTION ITEMS:

A. Resolution: Economic Development Access Program Participation

Tammie Collins, Deputy County Administrator, Planning and Community Development, presented the following memo and resolution to the Board for their approval and clarified that the unannounced project noted in the resolution is the ALDI Division Headquarters.

MEMO

Background

The Economic Development Access (EDA) Program is a state-funded incentive designed to assist Virginia localities in attracting sustainable businesses that create jobs and generate tax revenues within the locality. The program makes funds available to localities for road improvements needed to provide adequate access for new or substantially expanding qualifying establishments. Economic Development Access funds are allocated by the Commonwealth Transportation Board (CTB). These funds may be used for financing the construction or improvement of secondary or local system roads within eligible localities.

Dinwiddie County is actively working an unannounced economic development project and desires to seek funds from the Virginia Department of Transportation CTB to have an Economic Development Access road constructed. The EDA provides up to \$650,000 for the project and requires up to \$150,000 match from the county. The identity of the qualifying establishment is currently confidential, thus classifying this as a bonded project. The funding secured is given with the requirement that the County will locate a qualifying industry that will meet the Commonwealth’s criteria for capital investment and job creation. There is a time frame of five (5) years in which the County must meet the criteria. Upon meeting the criteria, the County will be relieved of any obligation of returning the funds to the State.

Requested Action

The County Administrator and/or his designee(s) be authorized to act on behalf of the Board of Supervisors to execute any and all documents necessary to secure funding sought through the Economic Development Access Program.

**RESOLUTION OF THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY,
VIRGINIA AUTHORIZING PARTICIPATION IN THE VIRGINIA DEPARTMENT OF
TRANSPORTATION’S ECONOMIC DEVELOPMENT ACCESS (EDA) PROGRAM
BONDED PROJECT**

WHEREAS, the County of Dinwiddie, Virginia desires to assist in the development of property for the purpose of economic development located off of Boydton Plank Road (U.S. Route One) in the County of Dinwiddie, Virginia, within the Patton Park Development; and

WHEREAS, this property is expected to be the site of new private capital investment in land, building, and manufacturing equipment which will provide substantial employment; and

WHEREAS, the subject property has no access to a public street or highway and will require the construction of a new roadway to connect with Boydton Plank Road (U.S. Route One); and

WHEREAS, the County of Dinwiddie hereby guarantees that the necessary environmental analysis, mitigation, fee simple right of way and utility relocations or adjustments, if necessary, for this project will be provided at no cost to the Economic Development, Airport and Rail Access Fund; and

WHEREAS, the County of Dinwiddie acknowledges that no land disturbance activities may occur within the limits of the proposed access project prior to appropriate notification from the Department of Transportation; and

WHEREAS, the County of Dinwiddie hereby acknowledges that the Virginia Department of Transportation's Economic Development Access (EDA) Program may provide up to a maximum of \$650,000 for a project and requires matching funding, up to \$150,000, from the County of Dinwiddie, for estimated eligible project costs over \$500,000, up to \$800,000.

WHEREAS, the County of Dinwiddie hereby guarantees that financing of all ineligible project costs, project costs exceeding the EDA Program project allocation, EDA Program required locality matching funds, if applicable, and all costs not justified by eligible capital outlay will be provided from sources other than those administered by the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED THAT: The Dinwiddie County Board of Supervisors hereby requests that the Commonwealth Transportation Board provide Economic Development Access Program funding to provide adequate road access to this property; and

BE IT FURTHER RESOLVED THAT: The Dinwiddie County Board of Supervisors hereby agrees to provide a surety or bond, acceptable to and payable to the Virginia Department of Transportation, in the full amount of the Commonwealth Transportation Board's allocation less eligible private capital outlay credit as determined by VDOT; this surety shall be exercised by the Department of Transportation in the event that sufficient qualifying capital investment does not occur on Tax Map Numbers 21-100 and 21-102, within five years of the Commonwealth Transportation Board's allocation of funds pursuant to this request; and

BE IT FURTHER RESOLVED THAT: The County Administrator and/or his designee(s) be authorized to act on behalf of the Board of Supervisors to execute any and all documents necessary to secure funding sought through the Economic Development Access Program; and

BE IT FURTHER RESOLVED THAT: The County of Dinwiddie Board of Supervisors hereby requests that the new roadway so constructed will be added to and become a part of the secondary system of state highways in the County of Dinwiddie pursuant to Section 33.2-1509, paragraph C., of the *Code of Virginia*.

Upon motion of Mr. Lee, seconded by Mr. Moody, the resolution was approved as presented.

AYES: Mr. Moody, Dr. Moore, Mr. Chavis, Mr. Lee, Ms. Ebron-Bonner

NAYS: None

B. VRA 2016 Financing Update, Bond Requisitions, FY 2017 Appropriation Amendment

Anne Howerton, Deputy County Administrator, Finance and General Services, presented the following to the Board for their information and approval.

MEMO

BACKGROUND

The County finalized the Virginia Resources Authority Summer Pool borrowing on August 10, 2016 as authorized at the July 19, 2016 Board of Supervisors meeting for the government complex project that was approved in the FY 2015 Capital Improvements Plan. Davenport & Company has prepared a closing transaction memorandum and a comparative analysis of the June estimated bond sale report to the actual July 27th bond sale for your review.

Included in the Davenport memo is the debt service schedule for the VRA 2016B bonds, which requires that \$658,413.29 be appropriated and paid in FY 2017 as follows:

10/1/16 – \$204,335.16 Interest only 4/1/17 -- \$454,078.13 Interest only

As also required by VRA, the bond proceeds are held by PFM in the State Non-Arbitrage Program with US Bank acting as Trustee. In order to requisition the funds, the attached Appointment of Authorized Representatives form needs to be completed. Once completed, this form will be forwarded to US Bank along with the first requisitions of the project.

There are two requisitions ready for submission to US Bank for payment related to bond issuance costs. Requisition #1 and #2 are attached for review and approval.

REQUESTED ACTION

We are asking for approval of the following resolutions.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, does hereby appropriate and amend the FY 2017 revenue and expenditure budgets by the following amounts:

Fund	Description	Revenues	Expenditures
General	Transfer to County Debt Service		\$658,414
County Debt Service	Transfer from General Fund/Interest Payment	\$658,414	\$658,414

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, does hereby authorize Brenda Ebron-Bonner to execute and submit the Appointment of Authorized Representatives form for the VRA 2016B bonds to US Bank in substantially the format presented; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, does hereby authorize payment of VRA 2016B Requisition # 1 to Davenport & Company for \$88,884.80 and Requisition #2 to Hunton & Williams LLP for \$40,900.00.

DAVENPORT & COMPANY

Davenport Public Finance

One James Center
901 E Cary Street
Suite 1100
Richmond, VA 23219

Local Closing Transaction Memorandum

To: Kevin Massengill
Anne Howerton
Tyler Southall
Bill Hefty
Dinwiddie County, VA
(the "County")

Chris Kulp
Brendan Staley
Hunton & Williams LLP
("Bond Counsel to the County")

Peter D'Alema
Virginia Resources Authority
("VRA")

Arthur Anderson
Suzanne Long
Ellen Valentine
McGuireWoods LLP
("Bond Counsel to VRA")

Pat Welling
Jordan Henry
US Bank
(the "Trustee")

Rachael Camacci
Katheryn O'Hara
Virginia State Non-Arbitrage Program
("VASNAP")

From: Ted Cole, Mitch Brigullo, R.T. Taylor
Davenport & Company LLC ("Davenport")

Date: August 10, 2016

Subject: \$21,615,000 Local Lease Acquisition Agreement and Financing Lease dated as of July 20, 2016 between VRA and Dinwiddie County, Virginia (the "2016 VRA Financing Lease")

1. Pre-Closing & Closing

Hunton & Williams LLP, Bond Counsel to the County, will send out the closing papers for the proper signatures prior to the closing date of Wednesday, August 10, 2016.

2. The 2016 VRA Financing Lease

\$21,615,000 Financing Lease dated as of July 20, 2016 between VRA and Dinwiddie County, Virginia

Pricing Date (of VRA Bonds): July 27, 2016 Closing Date: August 10, 2016

True Interest Cost: 1.962336%
All-in Interest Cost: 2.222462%

VRA's Prepayment Provisions: VRA's 2016B Tax-Exempt Bonds maturing on or after November 1, 2027, may be redeemed prior to their respective maturities, at the option of VRA, either in whole or in part, on any date and in such order as VRA may determine on and after November 1, 2026, at a redemption price equal to 100%.

County's Prepayment Provisions: The County may defease or redeem its obligations pursuant to the 2016 VRA Financing Lease. The defeasance and redemption provisions are summarized below:

- 60 days' prior written notice.
- First redemption date of November 1, 2026, as reflected above for the VRA Bonds.
- An escrow of cash and non-callable, non-prepayable Government Obligations.
 - An amount sufficient, as determined by VRA, to pay for a verification report required for the defeasance as well as any additional costs incurred by VRA in connection with the redemption, refunding, and defeasance of the County's Portion and any other amounts due or to become due under the 2016 VRA Financing Lease.
 - Cash in an amount equal to the present value of interest that would be paid on the principal of the County's Portion at a rate equal to 0.125%, payable semi-annually, to the maturity dates of the County's Portion or, if earlier, the redemption date or dates of the County's Portion. Present Value shall be determined by using a discount rate equal to the true interest cost of the County's Portion of VRA Bonds.
 - No funds in any VRA Reserve will be available to the County for the defeasance or redemption of its obligations related to the 2016 VRA Financing Lease.

Interest: Local payments to VRA are due to the Trustee semi-annually on April 1 and October 1, commencing October 1, 2016 and ending at Final Maturity.

Principal: Local payments to VRA are due to the Trustee annually on October 1, commencing October 1, 2017 and ending at Final Maturity.

Final Maturity: October 1, 2031.

3. Sources and Uses of Funds

Sources & Uses of Funds	Totals
1 Sources of Funds	
2 Par Amount	\$ 21,615,000.00
3 Net Premium	3,780,639.90
4 Total Sources of Funds	\$ 25,395,639.90
5	
6 Uses of Funds	
7 VASNAP Deposit	
8 Project Fund	\$ 25,000,000.00
9 Local Costs of Issuance / Additional Proceeds	130,415.52
10 VASNAP Deposit Subtotal	\$ 25,130,415.52
11	
12 VRA Costs	
13 VRA Costs of Issuance	\$ 94,290.11
14 Underwriter's Discount	112,657.35
15 Capital Reserve Fund Equity Contribution	58,276.92
16 VRA Costs Subtotal	\$ 265,224.38
17	
18 Total Uses of Funds	\$ 25,395,639.90

4. Transfer of Funds

On the morning of Wednesday, August 10, 2016, the following transfers of funds will facilitate the closing of the 2016 VRA Financing Lease:

- A. VRA, through the Trustee, will deposit via wire a total of **\$25,130,415.52** in the County's account with the VASNAP consisting of: the Project Fund, in the amount of **\$25,000,000.00**; Local Cost of Issuance, in the amount of **\$130,000.00**; and Additional Proceeds, in the amount of **\$415.52**.

On or after Thursday, August 11, 2016 and upon submittal of the appropriate requisition forms, the County will provide for the payment of Costs of Issuance. Professionals should submit invoices to the County for review, requisition, and payment.

5. 2016 VRA Financing Lease Debt Service

Date	Principal	Interest ⁽¹⁾	Total	FY Total
10/1/2016	\$ -	\$ 204,335.16	\$ 204,335.16	
4/1/2017	-	454,078.13	454,078.13	\$ 658,413.29
10/1/2017	1,050,000.00	454,078.13	1,504,078.13	
4/1/2018	-	437,896.88	437,896.88	1,941,975.01
10/1/2018	1,085,000.00	437,896.88	1,522,896.88	
4/1/2019	-	417,443.75	417,443.75	1,940,340.63
10/1/2019	1,125,000.00	417,443.75	1,542,443.75	
4/1/2020	-	396,265.63	396,265.63	1,938,709.38
10/1/2020	1,175,000.00	396,265.63	1,571,265.63	
4/1/2021	-	370,131.25	370,131.25	1,941,396.88
10/1/2021	1,230,000.00	370,131.25	1,600,131.25	
4/1/2022	-	342,812.50	342,812.50	1,942,943.75
10/1/2022	1,290,000.00	342,812.50	1,632,812.50	
4/1/2023	-	309,756.25	309,756.25	1,942,568.75
10/1/2023	1,355,000.00	309,756.25	1,664,756.25	
4/1/2024	-	275,034.38	275,034.38	1,939,790.63
10/1/2024	1,425,000.00	275,034.38	1,700,034.38	
4/1/2025	-	240,793.75	240,793.75	1,940,828.13
10/1/2025	1,490,000.00	240,793.75	1,730,793.75	
4/1/2026	-	210,062.50	210,062.50	1,940,856.25
10/1/2026	1,550,000.00	210,062.50	1,760,062.50	
4/1/2027	-	178,093.75	178,093.75	1,938,156.25
10/1/2027	1,625,000.00	178,093.75	1,803,093.75	
4/1/2028	-	139,053.13	139,053.13	1,942,146.88
10/1/2028	1,700,000.00	139,053.13	1,839,053.13	
4/1/2029	-	103,665.63	103,665.63	1,942,718.76
10/1/2029	1,770,000.00	103,665.63	1,873,665.63	
4/1/2030	-	66,784.38	66,784.38	1,940,450.01
10/1/2030	1,840,000.00	66,784.38	1,906,784.38	
4/1/2031	-	33,953.13	33,953.13	1,940,737.51
10/1/2031	1,905,000.00	33,953.13	1,938,953.13	
4/1/2032	-	-	-	1,938,953.13
Totals	\$ 21,815,000.00	\$ 8,155,985.24	\$ 29,770,985.24	\$ 29,770,985.24

⁽¹⁾ Includes VRA Annual Administrative Charge.

FORM OF REQUISITION

Requisition No. 1

Date: 8/17/16

U.S. Bank National Association, as Trustee
 Attention: Corporate Trust Department
 1021 East Cary Street
 18th Floor
 Richmond, Virginia 23219

Virginia Resources Authority
 1111 East Main Street
 Suite 1920
 Richmond, Virginia 23219
 Attention: Executive Director

This Requisition, including Schedule 1 and Schedule 2 hereto, is submitted in connection with the Local Lease Acquisition Agreement and Financing Lease dated as of July 20, 2016 (the "Financing Lease") between the Virginia Resources Authority and the County of Dinwiddie, Virginia (the "Local Government"). Unless otherwise defined in this Requisition, each capitalized term used herein has the meaning given it under Article I of the Financing Lease. The undersigned Local Representative hereby requests payment of the following amounts from the Local Account established for the Local Government in the 2016B Acquisition Fund established under the Thirty-Sixth Supplemental Series Indenture.

Payee (including electronic payment instructions if requesting electronic payment):
Davenport & Company

Address:
One James Center
901 E Cary Street
Suite 1100
Richmond VA 23219

Amount to be Paid: **\$88,884.80**

Purpose (in reasonable detail) for which obligations(s) to be paid were incurred:
Invoice # PF16-162 Financial Advisory Services related to VRA 2016B

Attached on Schedule 2 are the wire instructions for this requisition, and also attached hereto is an invoice (or invoices) relating to the items for which payment is requested.

The undersigned certifies that (i) the amounts requested by this Requisition will be applied in accordance with the Local Tax Document and solely and exclusively to the payment, or the reimbursement of the Local Government for its payment of Project Costs (ii) no notice of any lien, right to lien or attachment upon, or claim affecting the right to receive payment of, any of the money payable under the Requisition to any of the persons, firms or corporations named in it has been received, or if any notice of any such lien, attachment or claim has been received, such lien, attachment or claim has been released or discharged or will be released or discharged upon payment of the Requisition, and (iii) this Requisition contains no items representing payment on account of any retained percentage entitled to be retained at this date.

If this Requisition includes payments for labor or to contractors, builders or materialmen, the attached Certificate of Local Representative must be completed. If this Requisition includes payments for any lands or easements, rights or interest in or relating to lands, the attached Certificate of Local Representative must be completed and there must be attached to this Requisition a certificate signed by a Local Representative stating that upon payment therefor the Local Government will have title in fee simple to, or easements, rights or interests sufficient for the purposes of the construction portion of the Project over or through, such lands.

The Local Government has agreed in the Financing Lease that any amounts it receives pursuant to this Requisition will be (i) immediately applied to reimburse the Local Government for Project Costs it has already paid or (ii) actually spent to pay Project Costs not later than five banking days after receipt.

Local Representative

DAVENPORT & COMPANY

Invoice

Date:	August 10, 2016	Davenport Contact:	Ted Cole
Invoice Number:	PF16-162		804-697-2907
Client:	Dinwiddie County, VA	Accounting Information:	R.T. Taylor
Attention:	Anne Howerton		804-697-2921

Remit To (If Via Check)	Remit To (If Via Wire)
Davenport & Company LLC	
Attn: William R.B. Hershey	
Post Office Box 85678	
Richmond, Virginia 23285-5678	(Redacted) att

Please Reference Invoice Number

Description of Services

Financial Advisory Services related to the County's 2016 VRA Financing Lease, as billed under our financial advisory agreement dated October 20, 2015.

Amounts Due on Account	Amount
Financial Advisory Fee (Transaction related services)	\$60,000.00
Financial Advisory Fee (Capital Planning related services)	25,000.00
Indirect Costs (4%)	3,400.00
Direct Out-of-pocket Expenses	484.80
Total Due:	\$88,884.80

SCHEDULE 1
Form to Accompany Requisition

Requisition #: 1
 Recipient: Dinwiddie County - VPPP Series 2016B
 Local Representative: Anne R Howerton
 Title: Deputy County Administrator
 Date: 17-Aug-16

Cost Category	Total Project Costs	Previous Disbursements	Disbursement This Period	Disbursements to Date	Remaining Balance
Construction	\$ 25,000,000.00	-	-	-	25,000,000.00
Local Costs of Issuance	130,000.00	-	88,884.80	88,884.80	41,115.20
Contingency / Additional Proceeds	415.52	-	-	-	415.52
TOTALS	\$ 25,130,415.52	\$ -	\$ 88,884.80	\$ 88,884.80	\$ 25,041,530.72

FORM OF REQUISITION

Requisition No. 2

Date: 8/17/16

U.S. Bank National Association, as Trustee
Attention: Corporate Trust Department
1021 East Cary Street
18th Floor
Richmond, Virginia 23219

Virginia Resources Authority
1111 East Main Street
Suite 1920
Richmond, Virginia 23219
Attention: Executive Director

This Requisition, including Schedule 1 and Schedule 2 hereto, is submitted in connection with the Local Lease Acquisition Agreement and Financing Lease dated as of July 20, 2016 (the "Financing Lease") between the Virginia Resources Authority and the County of Dinwiddie, Virginia (the "Local Government"). Unless otherwise defined in this Requisition, each capitalized term used herein has the meaning given it under Article I of the Financing Lease. The undersigned Local Representative hereby requests payment of the following amounts from the Local Account established for the Local Government in the 2016B Acquisition Fund established under the Thirty-Sixth Supplemental Series Indenture.

Payee (including electronic payment instructions if requesting electronic payment):

Hunton & Williams LLP

Address:

**Riverfront Plaza, East Tower
951 E Byrd Street
Richmond VA 23219-4074**

Amount to be Paid: **\$40,900.00**

Purpose (in reasonable detail) for which obligations(s) to be paid were incurred:

Invoice # 101115145 Bond Counsel Services related to VRA 2016B

Attached on Schedule 2 are the wire instructions for this requisition, and also attached hereto is an invoice (or invoices) relating to the items for which payment is requested.

The undersigned certifies that (i) the amounts requested by this Requisition will be applied in accordance with the Local Tax Document and solely and exclusively to the payment, or the reimbursement of the Local Government for its payment of Project Costs (ii) no notice of any lien, right to lien or attachment upon, or claim affecting the right to receive payment of, any of the money payable under the Requisition to any of the persons, firms or corporations named in it has been received, or if any notice of any such lien, attachment or claim has been received, such lien, attachment or claim has been released or discharged or will be released or discharged upon payment of the Requisition, and (iii) this Requisition contains no items representing payment on account of any retained percentage entitled to be retained at this date.

If this Requisition includes payments for labor or to contractors, builders or materialmen, the attached Certificate of Local Representative must be completed. If this Requisition includes payments for any lands or easements, rights or interest in or relating to lands, the attached Certificate of Local Representative must be completed and there must be attached to this Requisition a certificate signed by a Local Representative stating that upon payment therefor the Local Government will have title in fee simple to, or easements, rights or interests sufficient for the purposes of the construction portion of the Project over or through, such lands.

The Local Government has agreed in the Financing Lease that any amounts it receives pursuant to this Requisition will be (i) immediately applied to reimburse the Local Government for Project Costs it has already paid or (ii) actually spent to pay Project Costs not later than five banking days after receipt.

Local Representative

IN FULL for professional services as bond counsel to the County of Dinwiddie, Virginia, relating to the Local Lease Acquisition Agreement and Financing Lease dated as of July 20, 2016 (the "Financing Lease"), between the Virginia Resources Authority ("VRA") and Dinwiddie County, Virginia (the "County"), in connection with the financing of various capital improvement projects for governmental purposes being funded with proceeds of VRA's Infrastructure and State Moral Obligation Revenue Bonds (Virginia Pooled Financing Program), Series 2016B (the "VRA Bonds"); including, without limitation, preparing a resolution approving a plan of lease financing with the VRA adopted by the County Board of Supervisors on June 21, 2016; preparing a resolution approving the forms of certain documents prepared in connection with a lease financing through the VRA and authorizing the distribution, execution and delivery of the same, adopted by the Board of Supervisors on July 19, 2016; reviewing and commenting on the forms of the Financing Lease, the Prime Lease and the Nonarbitrage and Tax Compliance Agreement; preparing various closing documents and certificates; coordinating delivery of documents for the preclosing on August 9, 2016; preparing and delivering our bond counsel opinion at the closing on August 10, 2016; all correspondence, telephone calls and conferences throughout; and all courier, document duplication, transcript preparation and postage\$40,900.00

Wiring Instructions for Hunton & Williams

(Redacted)
alt

SCHEDULE 1
Form to Accompany Requisition

Requisition #: 2
Recipient: Dinwiddie County - VFPF Series 2016B
Local Representative: Anne R Howerton
Title: Deputy County Administrator
Date: 17-Aug-16

Cost Category	Total Project Costs	Previous Disbursements	Disbursement This Period	Disbursements to Date	Remaining Balance
Construction	\$ 25,000,000.00	-	-	-	25,000,000.00
Local Costs of Issuance	130,000.00	88,884.80	40,900.00	129,784.80	215.20
Contingency / Additional Proceeds	415.52	-	-	-	415.52
TOTALS	\$ 25,130,415.52	\$ 88,884.80	\$ 40,900.00	\$ 129,784.80	\$ 25,000,630.72

APPOINTMENT OF AUTHORIZED REPRESENTATIVE(S)

I, Brenda Ebron-Bonner, a duly elected acting Chair, Board of Supervisors
(Name of Authorizing Official) (Title)

of Dinwiddie County a(n) Virginia
(Institution Name) (State)

Municipality, do hereby certify that the following have been appointed as
(Type of Institution - i.e. Municipality, Corporation, etc...)

an Authorized Representative(s), at the date hereof, and are authorized to act on behalf of the above Institution in matters relating to Virginia Resources Authority VFPF 2016B
(Insert name of bond issue or master financing program here)

I also certify that the signatures opposite their names are the signatures of such individuals.

Name	Title	Specimen Signature
W. Kevin Massenfill	County Administrator	_____
Anne R. Howerton	Deputy County Administrator	_____
.	.	_____
.	.	_____
.	.	_____
.	.	_____

Witness my signature on this _____ day of _____, 20_____.

(Signature of Authorizing Official)

Please note: an Authorized Representative should not sign as Authorizing Official.

Upon motion of Dr. Moore, seconded by Mr. Chavis, the resolution was approved as presented.

AYES: Mr. Moody, Dr. Moore, Mr. Chavis, Mr. Lee, Ms. Ebron-Bonner
NAYS: None

C. Resolution: Support Agreement Amendments, Meherrin River Regional Jail Authority

W. Kevin Massengill, County Administrator, presented the following to the Board for their approval.

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF DINWIDDIE, VIRGINIA, CONSENTING TO CERTAIN AMENDMENTS TO A SUPPORT AGREEMENT RELATED TO THE MEHERRIN RIVER REGIONAL JAIL AUTHORITY FOR THE BENEFIT OF THE VIRGINIA RESOURCES AUTHORITY

WHEREAS, the Meherrin River Regional Jail Authority (the "Jail Authority") is a regional jail authority as provided in Section 53.1-95.2 et seq. of the Code of Virginia, as amended (the "Virginia Code"), and a public instrumentality of the Commonwealth of Virginia established by the governing bodies of the County of Dinwiddie (the "County") and the Counties of Brunswick and Mecklenburg (collectively, the "Member Jurisdictions") for the purpose of developing a regional jail system for the primary purpose of serving the Member Jurisdictions;

WHEREAS, each of the Member Jurisdictions have entered into a Support Agreement dated as of October 1, 2014 (the "Support Agreement") with the Jail Authority and the Virginia Resources Authority ("VRA") in connection with the Authority's \$40,415,000 Regional Jail Facility Revenue Bond, Series 2010 (the "2010 VRA Bond") which provides for the Member Jurisdictions to make payments to the Jail Authority, subject to the appropriation of funds for such purpose by their governing bodies, sufficient to cover any deficit in the Jail Authority's net operating expenses, including debt service payments on the 2010 VRA Bond, which the Jail Authority is unable to cover from its revenues;

WHEREAS, the Jail Authority is contemplating refinancing all or a portion of the 2010 VRA Bond to lower debt service payments through the issuance and sale of a refunding bond to VRA;

WHEREAS, as a condition to its purchase of the Authority's refunding bond, VRA is requiring each Member Jurisdiction to amend its Support Agreement to provide for the refunding bond the same level of payment support provided by each Member Jurisdiction for the 2010 VRA Bond and any unrefunded portion thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF DINWIDDIE, VIRGINIA, THAT:

1. It is found and determined that the best interests of the County and its citizens will be served by amending the Support Agreement to provide payment support in connection with the issuance of the refunding bond of the Jail Authority as described above to enable the Jail Authority to refinance through VRA all or a portion of the 2010 VRA Bond for debt service savings, as debt service is one component of the service charge paid by the County to the Jail Authority.

2. In consideration of the savings to be obtained through the issuance of the Jail Authority's refunding bond to VRA, the Chairman or Vice-Chairman of the Board of Supervisors, either of whom may act, is hereby authorized and directed to execute and deliver an amendment to the Support Agreement or to effect the amendment through an amendment and restatement of the same as VRA may request. The Support Agreement as amended shall be in substance substantially the same as the Support Agreement, with such completions, omissions, insertions or changes not inconsistent with this resolution as may be approved by the Chairman or Vice-Chairman of the Board of Supervisors, in their sole discretion, the execution thereof by the Chairman or Vice-Chairman of the Board of Supervisors to constitute a conclusive evidence of his or her approval of such completions, omissions, insertions or changes.

3. The County Administrator is hereby authorized and directed to carry out the obligations imposed on such officer by the amended Support Agreement, and to take all proper steps on behalf of the County as may be required or appropriate in connection with the Jail Authority's refunding transaction described above.

4. Nothing contained herein or in the Support Agreement as amended is or shall be deemed to be a lending of the credit of the County to the Jail Authority, VRA or to any holder of the 2010 VRA Bond or the refunding bond to be purchased by VRA or to any other person, and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the County, nor shall anything contained herein or in the Support Agreement as amended legally bind or obligate the Board to appropriate funds for purposes therein described.

5. All actions previously taken by representatives or agents of the County in furtherance of the preparation, execution and delivery of the amendment to the Support Agreement are hereby ratified and approved.

6. This resolution shall take effect immediately.

Upon motion of Mr. Moody, seconded by Mr. Chavis, the resolution was approved as presented.

AYES: Mr. Moody, Dr. Moore, Mr. Chavis, Mr. Lee, Ms. Ebron-Bonner
NAYS: None

8. CITIZEN COMMENTS

Aubrey Conn commented on the good job the Commonwealth's Attorney did on the Trooper Walker trial and also commented on the crime in the County. Finally, he shared that he feels the citizens of the County need to be vested in some way in order to appreciate it.

9. COUNTY ADMINISTRATOR COMMENTS

Mr. Massengill discussed the announcement from the Governor regarding the decision of ALDI to establish their Division Headquarters in Dinwiddie County. He stated that this project started two years ago and there is a lot involved in the process. He then recognized Morgan Ingram for all of her hard work on this project, as well as Tammie Collins for her leadership. Mr. Massengill then read a quote from Jason Hart, CEO of ALDI that said that it was the integrity and positive attitude of Dinwiddie County's leaders that won them over. He then recognized Tyler Southall, Dinwiddie County's Industrial Development Authority, Virginia's Gateway Region, Virginia Economic Development Partnership, the Board of Supervisors, and Anne Howerton for their roles in winning the ALDI project for Dinwiddie County.

Next, Mr. Massengill commented on the Ag Expo which was held at Mr. Bain's farm. He thanked all involved and stated that it was a wonderful and well put together event. He then gave an update on the building project, sharing that staff is still in the negotiation stage of the comprehensive agreement and there is a link on the website which will have all the updated information as it becomes available.

Mr. Massengill said that the County Fair is September 9-11 at Virginia Motorsports Park. Wristbands are on sale at Eastside Enhancement Center for \$12. Next, he shared that there was one respondent for the Broadband RFP. Staff and the respondent met, and will be having another meeting tomorrow with all stakeholders, including the school system. Finally, Mr. Massengill announced that the Sheriff's Office will be holding a town hall style public meeting informing citizens of the body worn cameras and Tasers.

Tyler Southall introduced Raven Baugh who is a rising senior at Dinwiddie High School. She is an intern in the County Attorney's office this summer and is assisting Mr. Southall with the new laws presentation to be presented to the Board at their September workshop meeting.

10. BOARD MEMBER COMMENTS

Mr. Chavis expressed his excitement in the announcement of the ALDI Division Headquarters. He recognized the staff for working as a team for this achievement. He stated that he is proud of where the County is going.

Dr. Moore stated that things of this magnitude to not happen overnight, and what has been done as a community working together is probably the most important piece. He also expressed that it is nice to work with people who are willing to work with each other. He then praised each member of the County's team, specifically thanking Mr. Southall. Dr Moore conceded that we do not realize how much legal work is involved in this type of project and since there is not a legal team, Tyler has spent a lot of time to make this happen.

Next, Dr. Moore spoke of the impending school year. He stated that there are a lot of new teachers as well as returning teachers, and asked everyone to show their appreciation for those teachers, and he is looking forward to another great year. Dr. Moore also shared that he will be reading a covenant between civilian population and the military at the August Civilian Military Council Meeting. Lastly, he said "hats off to VDOT" as they have always stepped up to help the County.

Mr. Lee began his comments by saying that today is a good day, and that every month he wanted to have an announcement. He then stated that he is very pleased with the interest rate for the building project and he wants to continue to make sure the things we do are right for the citizens of Dinwiddie.

Mr. Moody shared that he attended the NACo meeting in Los Angeles. He feels it was a successful conference and the agriculture-related resolutions that he put forward passed. Mr. Moody announced that Greg Cox of California was elected Second President and Bryan Desloge from Florida took over as President. He stated that the Rural Action Caucus has been focusing on rural child poverty and there is a coaching grant that Marie Grant has been working on for the County. Mr. Moody expressed that he was honored to attend the awards luncheon where Dinwiddie received the achievement award for the Youth Workforce Development Initiative. NACo is also working on updating the children's curriculum on county government. Lastly, Mr. Moody thanked staff for their hard work on the Aldi project as well as the tax payers. He stated that the County will get a return on investment in less than a year and he is excited about the jobs will bring to the County.

Ms. Ebron-Bonner addressed Mr. Conn's comments regarding crime, saying that she has not heard about a lot of those things that he listed. She expressed that she does not think the crime in Dinwiddie is that bad, that there are some issues, but nothing extreme. Next, Ms. Ebron-Bonner commented on the Trooper Walker murder trial and shared that she hopes this will bring some closure for Trooper Walker's family. Finally, she expressed her gratitude to Morgan Ingram, Tammie Collins, Tyler Southall,

Kevin Massengill, Anne Howerton and the Board for all the hard work on the Aldi project. She is looking forward to Aldi coming and employing some Dinwiddie citizens and feels it is a great day to be in Dinwiddie. Finally, Ms. Ebron-Bonner welcomed Raven Baugh.

Mr. Massengill announced that the Ford Manned Site on Claystreet Road will be opening on September 1st.

11. CLOSED SESSION

At 4:05 PM, upon the motion of Mr. Moody, seconded by Mr. Chavis,

The Board convened into a closed meeting under:

- A. **§2.2-3711 (A) (1) Personnel:**
 - Appointments
 - Crater Planning District Committee & Metropolitan Planning Organization
- B. **§2.2-3711 (A) (3) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body:**
 - Acquisition of specific land for economic development
 - Discussion concerning public acquisition of certain real property for public utility use
- C. **§2.2-3711 (A) (5) Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community:**
 - Discussion concerning prospective business and industry
 - Discussion concerning possible expansion of existing business
- D. **§2.2-3711(A) (29) Discussion of the award of a public contract involving the expenditures of public funds, including the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body:**
 - Discussion of contract contemplating public acquisition of certain real property for public utility use

AYES: Mr. Moody, Dr. Moore, Mr. Chavis, Mr. Lee, Ms. Ebron-Bonner

NAYS: None

At 7:01 PM, upon motion of Dr. Moore, seconded by Mr. Chavis, the Board reconvened into open session.

AYES: Mr. Moody, Dr. Moore, Mr. Chavis, Mr. Lee, Ms. Ebron-Bonner

NAYS: None

CERTIFICATION

Whereas, this Board convened in a closed meeting under section

- A. **§2.2-3711 (A) (1) Personnel:**
 - Appointments
 - Crater Planning District Committee & Metropolitan Planning Organization
- B. **§2.2-3711 (A) (3) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body:**
 - Acquisition of specific land for economic development
 - Discussion concerning public acquisition of certain real property for public utility use
- C. **§2.2-3711 (A) (5) Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community:**
 - Discussion concerning prospective business and industry
 - Discussion concerning possible expansion of existing business
- D. **§2.2-3711(A) (29). Discussion of the award of a public contract involving the expenditures of public funds, including the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body:**
 - Discussion of contract contemplating public acquisition of certain real property for public utility use

And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or of the matters identified in the motion 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. Chavis, seconded by Mr. Lee, the Certification Resolution was adopted.

AYES: Mr. Moody, Dr. Moore, Mr. Chavis, Mr. Lee, Ms. Ebron-Bonner
NAYS: None

12. PUBLIC HEARINGS:

A. Case P-16-6, R-1 to B-1 Rezoning Request

Mark Bassett, Planning Director, presented the following for public hearing and the Board's approval.

MEMORANDUM

To: W. Kevin Massengill, County Administrator and Board of Supervisors
From: Mark Bassett, Planning Director
Date: August 11, 2016
Subject: August 16 Board of Supervisors Public Hearing for Rezoning, P-16-6

Please find the attached Planning Commission meeting summary materials for rezoning application, P-16-6. The request is to rezone property containing approximately 1.25 +/- acres from R-1, Residential Limited, to B-2, Business General. The subject property is located on the north side of Carson Road (Route 703) approximately 300 feet east of the Route 1 and Carson Road intersection. After the Planning Commission heard the rezoning request at their July and August meetings, the Planning Commission unanimously recommended approval with proffers of the rezoning request to the Board of Supervisors by a vote of 7-0.

Planning Commission Meeting Report

Case File #:	P-16-6
Applicant:	Dinwiddie County
Rezoning Request:	Residential, Limited, R-1 to Business, Limited, B-1
Property Location:	18710 & 18716 Carson Road
Tax Map Parcel #'s:	45D-1-6A and 45D-2-6B, 8 & 9
Property Size:	1.25 +/- acres
Magisterial District:	Rowanty District
Planning Commission Mtg.:	July 13, 2016 and Aug. 10, 2016 (to include Tax Map Parcel 45D-2-6B)
Board of Supervisors Mtg.:	August 16, 2016

CASE OVERVIEW

The subject rezoning was heard by the Planning Commission at their July and August meetings, and after the July meeting the original application was amended to include Tax Map Parcel 45D-2-6B which was not included as part of the original rezoning request. The rezoning request is to rezone property containing approximately 1.25 +/- acres from R-1, Residential Limited, to B-1, Business Limited. The B-1, Business Limited, zoning classification allows for certain commercial uses pursuant to the Zoning Ordinance allowed density. The property is located on the north side of Carson Road (Route 703) approximately 300 feet east of the Route 1 and Carson Road intersection, and is further defined as Tax Map Parcels 45D-1-6A and 45D-2-6B, 8 & 9. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Dinwiddie Courthouse portion of the Planned Growth Area, which allows limited commercial uses for this general area.

ATTACHMENTS

Rezoning Application, Location Map and Property Pictures

LAND USE/ZONING ANALYSIS

The properties in the immediate area surrounding the subject property include a mix of land uses that include institutional uses, which include the existing school office buildings on the subject property and the Dinwiddie Elementary School and Smyrna Baptist Church property to the south across Carson Road; single-family residential uses to the northeast and east; and commercial land uses north and west of the subject property. The commercial property to the north and west is zoned B-1, Business Limited and the residential property to the northeast and east of the subject property is zoned Residential, Limited, R-1. To the south across Carson Road the elementary school property is zoned R-1, Residential Limited, and the Church property is also zoned Residential, Limited, R-1.

The purpose of the Business, Limited, B-1, zoning district is to allow for limited business/commercial development that is compatible with surrounding residential development. The B-1 zoning classification allows for the existing limited governmental office uses on the subject property as well for future limited commercial and office uses to transition into the existing residential development.

The subject property is located within the Dinwiddie Courthouse Planning Area as defined by the Comprehensive Land Use Plan. This Courthouse Planning Area is expected to accommodate public facilities and personal service uses within the general area of the existing County Complex which will allow for expansion of limited, compatible commercial and office uses.

OVERVIEW OF IMPACTS

Public Utilities, School System, Public Safety, & Land Use Impacts

The impacts on the subject property are minimal. The proposed rezoning to B-1, Business, Limited, allows for governmental office uses as well as future commercial and office uses. Water is provided using on-site wells and sewer is provided utilizing the public sewer system in the courthouse area. There is no impact on the public school system as the B-1 District allows for limited commercial and office uses which should be compatible with the school property. The potential impact on public safety will also be minimal and the Public Safety Department's main offices and Station One are located in the courthouse area.

Transportation Impacts

The impacts on the existing transportation network are minimal. The subject property has adequate access to and frontage on Carson Road (Route 703) and Boydton Plank Road (Route 1). The road system in this particular area is adequate to handle the traffic generated by the current uses and any future commercial and/or office uses. Any future commercial and/or office development will require a review and plan to address the impacts on the existing transportation network.

Staff Recommendation:

The planning staff has reviewed the rezoning request and is satisfied that the rezoning of the subject property is appropriate.

Staff recommends APPROVAL of the request to rezone the subject property based on the following reasons:

1. The zoning classification requested, B-1, Business, Limited, is consistent with the surrounding zoning pattern, and is the appropriate business/commercial zoning classification given the current institutional office uses located on the subject property;
2. The rezoning of the subject property to the B-1 zoning classification will not have an adverse impact on the surrounding properties.
3. The requested zoning classification and uses permitted by right under this classification conform to the underlying uses outlined in the Dinwiddie Courthouse Planning Area in the Comprehensive Land Use Plan for this general area.

PLANNING COMMISSION RECOMMENDATION

The following comments were made by the Planning Commission, Planning staff, and the property owners and citizens at the July 13, 2016 Planning Commission Public Hearing:

The Chairman asked the members if they had any questions for Mr. Bassett.

Mr. Tucker said he has a concern about the language used in recommendation three (3) which, says, "Uses permitted by right". Does that mean I can do whatever I want with the property as long as it's within a broad set of guidelines?

Mr. Bassett said what that means is, if someone purchased the property and it carried the B-1 zoning classification, all the uses that are allowed under the B-1 zoning classification would be acceptable.

Mr. Tucker asked if a commercial building was erected, under this B-1 classification, is a site plan required, who reviews the site plan and does anyone suggest alterations to the site plan.

Mr. Bassett said all commercial developments are required to submit a site plan and then it is reviewed by the LDC (Land Development Committee), which consists of the Dinwiddie County Water Authority (DCWA), VDOT, Public Safety including the Fire Marshall, the Building Official, the Environmental Administrator, the Economic Development Manager, the Principal Planner/Zoning Administrator and the Director of Planning. Planning staff reviews the site plan for zoning issues and planning studies related to the project while all the other members address those concerns specific to their Code requirements.

The Chairman said if there are no more questions for Mr. Bassett he was opening the public hearing portion of the case.

Mr. Charles Rainey, P.O. Box 206, Dinwiddie VA said he is in support of the property being rezoned.

Ms. Jeanette Bishop, P. O. Box 52, Dinwiddie VA said she is in support of the property being rezoned

Mr. Samuel Bishop, P. O. Box 52, Dinwiddie VA said he is in support of the property being rezoned

The Chairman said if there is no one else signed up to speak he was closing the public hearing portion of the case. He asked the Commissioners if they had any more questions.

Mr. Bassett informed the Chairman that Mr. Southall had some additional language that he believes should be added to the standard motion statement that is read by the Commissioners upon approval or disapproval.

The Chairman said if there are no more questions from the Commissioners and before he entertains a motion, he was prepared to hear the additional language that Mr. Southall believes should be added to the motion.

Mr. Southall said there are three ways to initiate a change to the zoning map under Code of Virginia Section 15.2-2286(A) (7). The first is upon request of a property owner or contract purchaser, the second is upon motion of the governing body, which would be the Board of Supervisors, and the third is upon motion of the Planning Commission. Most of the cases that come before you are initiated upon request of the property owner so I have added a clause at the end of your motion to make it clear that this request or amendment was upon motion of the Planning Commission. The added clause says, "be it further resolved that this amendment is hereby initiated by motion of the Planning Commission pursuant of Virginia Code 15.2-2286(A) (7) and Code of Dinwiddie Section 22-5.

Mr. Tucker made a motion and read the following: BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning P-16-6 be recommended for approval to the Board of Supervisors. BE IT FURTHER RESOLVED that this amendment is hereby initiated by motion of the Planning Commission pursuant of Virginia Code 15.2-2286(A) (7) and Code of Dinwiddie Section 22-5. It was seconded by Mr. Cunningham and with Mr. Cunningham, Mr. Tucker, Mr. Hayes, Mr. Titmus, Mr. Harvell, Mr. Simmons and Mr. Prosisie voting "AYE" the rezoning was approved.

The following comments were made by the Planning Commission, and Planning staff at the August 10, 2016 Planning Commission Public Hearing:

The Chairman asked the members if they had any questions for Mr. Bassett.

Mr. Bassett presented the case and the Planning Commission had no questions for Mr. Bassett.

Mr. Tucker made a motion and read the following: BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning P-16-6 be recommended for approval to the Board of Supervisors. BE IT FURTHER RESOLVED that this amendment is hereby initiated by motion of the Planning Commission pursuant of Virginia Code 15.2-2286(A) (7) and Code of Dinwiddie Section 22-5. It was seconded by Mr. Simmons and with Mr. Cunningham, Mr. Tucker, Mr. Hayes, Mr. Titmus, Mr. Harvell, Mr. Simmons and Mr. Prosisie voting "AYE" the rezoning was approved.

BOARD ACTION

Since this is a zoning matter, the standard statement regarding Board action on this zoning matter must be read. In order to assist, staff prepared the following statement:

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning, P-16-6, as presented be (approved or disapproved) by the Board of Supervisors.

**DINWIDDIE COUNTY PLANNING & ZONING DEPARTMENT
LAND USE AMENDMENT APPLICATION**



Dinwiddie County
Planning Department
P. O. Drawer 70
Dinwiddie, Virginia 23841
(804) 469-4500 ext. 2117
(804) 469-5322 /fax

Rec'd 6/2/16 Case No.: P-16-6
Date Rec'd 6/2/16 Fee Amount: _____
Time Rec'd _____ Receipt No: _____
Pre-Application Conference Date: MA
This application has been amended: YES NO
Reviewed by: [Signature]

*Information must be typed or printed and completed in full.
Attach additional pages where necessary.*

LAND USE INFORMATION	
(Circle): <u>BOS / PC</u> / BZA	New/Renewal Previous/Renewed Case#: _____
Amend Previous Case: Y / <input checked="" type="checkbox"/> N Land Use Taxation: Y / <input checked="" type="checkbox"/> N	
Application Type: (Circle One): <input type="checkbox"/> Variance <input type="checkbox"/> Administrative Variance <input type="checkbox"/> Conditional Use Permit <input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Street Vacation <input type="checkbox"/> Special Exception <input type="checkbox"/> Amendment	
Description of Request: _____	
Existing Zoning: _____ R-1 _____	Existing Acreage: _____ 1.25 +/- _____
Proposed Zoning: _____ B-1 _____	Proposed Acreage: _____ 1.25 +/- _____
	Total Acreage: _____ 1.25 +/- _____
Water (Circle One): Public <input checked="" type="checkbox"/> Well	
Sewer (Circle One): <input checked="" type="checkbox"/> Public <input type="checkbox"/> On-site Well and Septic	
Attached: (circle): _____ Miscellaneous Information/Master Plan/Textual Statement/Proffered Conditions	
APPLICANT/AGENT INFORMATION	
Applicant(s): <u>Dinwiddie County Board of Supervisors</u>	Home/Cell# _____
Address: <u>14016 Boydton Plank Road Dinwiddie, Va. 23841</u>	Work #: <u>804-469-4500 ext. 2103</u>
Agent(s): <u>W. Kevin Massengill, County Administrator</u>	Home/Cell# _____
Address: <u>Same as above</u>	Work# _____
<input type="checkbox"/> Property Owner <input type="checkbox"/> Contract Purchaser <input checked="" type="checkbox"/> Other: _____	
PROPERTY OWNER INFORMATION	
Property Owner(s') Name and address (see note on last page): *See Attached Listing for Property Owners	Property Owner(s') Mailing Address (If this address is different from that listed in Commissioner of the Revenue's Office.):
Contact Person: *See Attached Listing for Contact Person and Phone Info. Phone #: _____	
Tax Map Parcel Number(s): <u>45D-1-6A & 45D-2- & 9</u> ^{6B, 8} <u>MB to correct 45D-2-6B</u>	

SUBJECT PARCEL INFORMATION

General Location of Project: The Property is located on the northside of Carson Rd. (Rt. 703) approximately 300 feet east of the intersection of Route 1 and Carson Rd. The two addresses assigned to the Property are 18710 and 18716 Carson Road Dinwiddie, Va.

Tax Map #s: 45D-2-^{6B, 8} & 9
 Subdivision Name: _____
 Section: _____ Block _____
 Addresses: 18710 & 18716 Carson Rd.
 Dinwiddie, Va.
 Zoning: R-1 Acreage: Approx. 1.20 acs.
 Existing Use: Office
 Conditions: N/A

Tax Map # 45D-1-6A
 Subdivision Name: _____
 Section: _____ Block _____
 Address: N/A
 Zoning: R-1 Acreage: 0.05 acs.
 Existing Use: Vacant
 Conditions: N/A

1. Explain fully the proposed use, type of development, operation program, reason for this request, etc.:

The subject property is being rezoned to accommodate a portion of a proposed neighborhood commercial development and also to accommodate future neighborhood commercial development of the property.

2. State how this request will not be materially detrimental to adjacent property, the surrounding neighborhood or county in general. Include, where applicable, information concerning: Use of public utilities; effect of request on public schools; effect on traffic, to include means of access to nearest public road; effect on existing and future area development; etc.:

The rezoning allows for limited commercial development in the core of the courthouse district with dual access to Route 1 and Carson Rd.

3. List case numbers and explain any existing use permit, special exception, conditional use or variance previously granted on the parcels in question:

N/A

4. If requesting a variance or special exception, explain the unique physical hardship or extraordinary situation that is justification for the request:

N/A

5. Complete names and address (including Zip codes) of all owners adjacent, across the road or highway from the property and across any railroad right-of-way, creek, river, from such property must be obtained by the applicant from the Commissioner of the Revenue, Pamplin Administration Building. If such property lies in another county or city, the respective jurisdiction will provide this information to the applicant. Applications with incomplete parcel information will not be accepted.

Property Owner Name	Property Owner Mailing Address	Tax Parcel #
Charles A. & Judy T. Rainey	P.O. Box 206 Dinwiddie, Va. 23841	45D-1-5A
Sadie H B (Life) ET VIR Marsh	P.O. Box 457 Dinwiddie, Va. 23841	45D-3-68 & 7
		45D-1-5
		45D-1-6
		45D-1-7A
Samuel E III or Jeanette C. Bishop	P.O. Box 52 Dinwiddie, Va. 23841	45D-1-6A
		45D-1-7
Dinwiddie County School Board	P.O. Box 7 Dinwiddie, Va. 23841	45D-1-11
Smyrna Baptist Church	18971 Carson Rd. Dinwiddie, Va. 23841	45D-1-9

6. The required fee must accompany this application. A fee schedule is available from the Planning Department, 14016 Boynton Plank Road, Pamplin Administration Building, Dinwiddie Virginia. Checks must be made payable to: "Treasurer, County of Dinwiddie".
7. Enclosed with the application, a copy of the appropriate county tax map with the property marked (provided at pre-application conference) and, if available, a surveyed plat of the entire parcel.
8. Enclose with this application any required plans or plats (plans must be folded).
9. I/We hereby certify that to the best of my/our knowledge all the above statements and the statements contained in any exhibits transmitted are true and that the adjacent property owners listed herewith are the owners of record as of the date of the application:

Date: JUNE 22, 2016

SIGNATURE OF AGENT*

W. Kevin Massengill
 (Name of person other than, but acting for, the property owner and responsible for this application.)

AGENT'S NAME

W. KEVIN MASSENGILL
 (Typed or printed)

SIGNATURE OF APPLICANT**

(Same name as used in Item 2, Page 1)

APPLICANT'S NAME

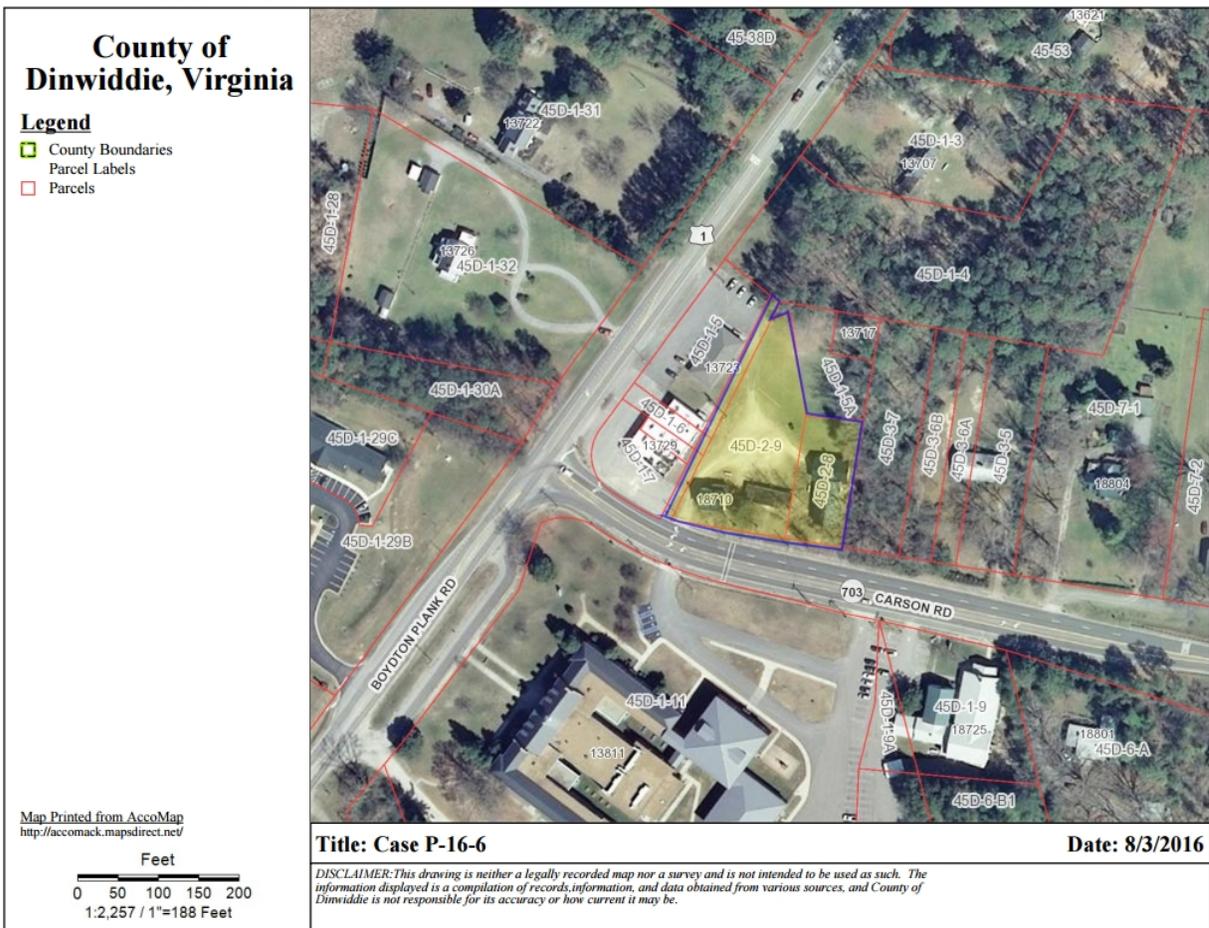
(Typed or printed)

I authorize you, the merchant, to initiate an electronic debit to my account for the amount rendered on this check plus the legal limit returned check fee if the item is dishonored. The use of a check for payment is my acceptance of this policy. Signature _____

Notes: Incomplete application will not be accepted. Any request that requires plans must be accompanied by those plans at the time submission of the application.

*Agent must file power of attorney from the property owner(s) giving the agent authority to submit this application.

** If the applicant is not the owner of the property, the applicant must file power of attorney from the property owner(s) giving the applicant authority to submit this application.





Ms. Ebron Bonner opened the public hearing portion of the meeting.

As there was no one signed up to speak, Ms. Ebron-Bonner closed the public hearing portion of the meeting.

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

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning, P-16-6, as presented be approved by the Board of Supervisors.

AYES: Mr. Moody, Dr. Moore, Mr. Chavis, Mr. Lee, Ms. Ebron-Bonner
NAYS: None

13. OLD/NEW BUSINESS

A. Appointments

Upon motion of Mr. Moody, seconded by Mr. Lee, Dr. Mark Moore was reappointed to serve on the Crater Planning District Commission for term expiring December 31, 2017.

AYES: Mr. Moody, Mr. Chavis, Mr. Lee, Ms. Ebron-Bonner
NAYS: None
ABSTAIN: Dr. Moore

Upon motion of Dr. Moore, seconded by Mr. Lee, Mr. Chavis was reappointed to serve on the Crater Planning District Committee and Metropolitan Planning Organization for a term expiring September 30, 2017.

AYES: Mr. Moody, Dr. Moore, Mr. Lee, Ms. Ebron-Bonner
NAYS: None
ABSTAIN: Mr. Chavis

14. CITIZEN COMMENTS

There was no one signed up to speak

15. BOARD MEMBER COMMENTS

There were no Board Member comments.

16. ADJOURNMENT

Upon motion of Mr. Chavis, seconded by Mr. Moody, the meeting was adjourned at 7:11 PM.

AYES: Mr. Moody, Dr. Moore, Mr. Chavis, Mr. Lee, Ms. Ebron-Bonner
NAYS: None

Brenda Ebron-Bonner
Chair

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