

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF SOUTHSIDE ELEMENTARY SCHOOL IN DINWIDDIE COUNTY, VIRGINIA, ON THE 1ST DAY OF JUNE, 1994, AT 7:30 P.M.

| | | |
|----------|-------------------------------|----------------------|
| PRESENT: | LEENORA EVERETT, CHAIR | ELECTION DISTRICT #3 |
| | DONALD L. HARAWAY, VICE-CHAIR | ELECTION DISTRICT #2 |
| | EDWARD A. BRACEY, JR. | ELECTION DISTRICT #4 |
| | HARRISON A. MOODY | ELECTION DISTRICT #1 |
| | AUBREY S. CLAY | ELECTION DISTRICT #5 |
| OTHER: | BEN EMERSON | COUNTY ATTORNEY |

IN RE: AMENDMENTS TO AGENDA

Upon motion by Mr. Bracey, seconded by Mr. Haraway, Ms. Everett, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody, voting "aye", the following amendments to the agenda were approved:

Add #5a. Business of the Year Presentation, change item #11 to item #5b. Position Announcement.

IN RE: MINUTES

Ms. Everett asked if there were any changes to the minutes of May 4, 1994.

Mr. Haraway sites that on page 12 about three fourths of the way down it is indicated that Ms. Ralph said it was done by Mr. Wiggins; this should be Mitchell Wiggins Co.

Ms. Everett sites that on page 2 under item 4 - Betty Ragsdale sites a conversation between Mr. Ponder and Mr. Haraway where Mr. Ponder "stated that the noise level would have a great impact"; this should be "would not have a great impact".

Ms. Everett states that she would like to see more proof reading of the minutes. Mr. Burgess suggested that approval of the minutes be postponed until further proof reading can be done by administration. Action is hereby delayed.

IN RE: CLAIMS

Upon motion by Mr. Haraway, seconded by Mr. Moody, Mr. Moody, Mr. Bracey, Mr. Clay, Ms. Everett, Mr. Haraway voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using check #29063, Manual Check - General Fund, \$15,000.00; #29064, Manual Check - Marketing Fund, \$208.00; Payroll using checks #29065 - #29186; Payroll deduction - General Fund payroll, \$225,625.08, E911 fund payroll \$411.05; for a total of 226,036.13. Using checks #29188 - #29301(Void check - #29187); General Fund - \$96,221.09; E911 fund - \$368.00; Self Insurance - \$1,309.70; CDBG - \$8,966.86; Jail Phone Commission - \$481.04; for a total of \$107,346.69; with the addition of #29302, Manual Check - Marketing Fund, \$985.51.

IN RE: BUSINESS OF THE YEAR PRESENTATION

Upon motion of Mr. Clay seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Ms. Everett, Mr. Bracey, Mr. Haraway voting "aye", the following resolution was adopted:

WHEREAS, industry and commerce are the means by which wealth and employment are created in all communities, and

WHEREAS, the quality of life of each and every citizen of a community is enhanced in some way by the establishment and continued success of industry and commerce in the community, and

WHEREAS, the commitment of any industry or business to establish itself in a community constitutes a vote of confidence in that community and its people that often cannot be measured in simple business terms, and

WHEREAS, the leaders of industry and business, in the spirit of corporate generosity, often give of their own time and resources, and the resources of their organizations, to sustain and improve the quality of the community in which they make their home, and

WHEREAS, the employees and family members of these industries and businesses constitute a tremendous and irreplaceable human resource, without which the various organizations of the community, both public and private, could not survive, and

WHEREAS, the Board of Supervisors of Dinwiddie County wishes to establish and sustain a tradition of recognition of those industries and business within the county that best demonstrate those qualities of corporate citizenship in which all the people of the County can take pride and be thankful for, and

WHEREAS, it is fitting and proper that such recognition take a form and be demonstrated in such a way as to make it a matter of public and permanent record, so that all may know and fully appreciate the honor bestowed upon the recipients thereof;

NOW, THEREFORE, BE IT UNANIMOUSLY RESOLVED, that the Dinwiddie County Board of Supervisors hereby recognized Classics Supermarket and its executives and staff, for their outstanding contribution to Dinwiddie County, Virginia, and the citizens thereof, and does hereby proclaim Classics Supermarket as the 1994 Dinwiddie County Corporate Citizen of the Year. The Board of Supervisors encourages all citizens of the County to take note of this honor, and to add to this award their personal statements of appreciation to Classics Supermarket and their executives and staff.

Ms. Everett then presented the award to Mr. and Mrs. Dowdy.

IN RE: POSITION ANNOUNCEMENTS

Upon motion of Mr. Haraway seconded by Mr. Clay, Mr. Moody, Mr. Clay, Ms. Everett, Mr. Bracey, Mr. Haraway voting "aye", the following position appointments were approved effective as of June 1, 1994:

Mr. James T. Davis, Zoning Administrator
Ms. Kimberley J. Temple, Secretary II

IN RE: CITIZEN COMMENTS

1. **Donna Roland**, 7228 Jack Drive, Petersburg, VA., reiterates that noise from the Racetrack is unlivable. She would like some action taken.

Mr. Burgess stated that a public forum was conducted almost two weeks ago which had approximately 35 people in attendance. The first scheduled meeting between Virginia Motor Sports and a cross section of citizens and county staff will be scheduled some time next week. Mr. Burgess stated that he will be talking with Mr. Kohrs on June 2 to get a specific date and time. Mr. Burgess also stated that Virginia Motor Sports continues to express their desire to work out as good of a solution as possible.

2. **Christine Avery**, 3270 Jack Drive, Petersburg, VA., stated that the citizens have tried to play by the rules and have gotten nowhere. She stated that when she went to meetings about the hog farm that she found out that adjacent property owners had rights and that surveys are done and wanted to know if this was the only racetrack that Dinwiddie had ever dealt with. She stated that all she was asking be done is to have a sound barrier put up on her side of the property. She further stated that she did not wish to be putting her family in danger while this was trying to be resolved.

3. Robert Ragsdale, 8511 Boydton Plank Rd., stated that Chesterfield and Henrico Counties have an ordinance of 65 decibels to the line. He further stated that he did not think they should have to put up with this.

This was the end of the Public comment portion of the meeting.

IN RE: SCHOOL BOARD APPOINTMENT - ELECTION DISTRICT 1

Mr. Burgess stated that in the package you will find one submittal for School Board appointment from James Coleman Maitland, Sr., 6967 Grubby Rd., Wilsons, Va.

Mr. Moody stated there are two other names he wishes to submit:

Ms. Mary Wynn of Old Cryor's Road
Mr. Alfred Powell, 3004 Cox Rd.

Ms. Everett asked for candidates to speak.

Mr. Alfred Powell stated he would like to be able to work with the Dinwiddie County School Board because he grew up and raised his family in Dinwiddie. He has been formerly employed at Brown and Williamson, Central State Hospital in the Forensic Unit, Nottoway Correctional Facility as a Correctional Officer and at Southside Regional Medical Center.

Ms. Everett asked for questions from the Board Members.

Mr. Bracey asked Mr. Powell what he can bring to the school system.

Mr. Powell answered that he grew up here, went to school here and had his children here and he feels there is a lot to be done.

Ms. Everett asked for Ms. Wynn or Mr. Maitland.

Mr. James Maitland stated that he was born and raised in Dinwiddie County and went to public school in Dinwiddie County. He received a BS degree from Virginia Tech. He stated that he taught school for 14 years in Dinwiddie County and is now the Extension Agent for Agriculture in Dinwiddie County. By teaching school he has worked with children and in his work in Agriculture he has worked with adults while still in an educational role. Mr. Maitland feels this is an opportunity for him to give something back to Dinwiddie County and get a positive attitude about education.

Ms. Everett asked for any questions from the Board Members.

Mr. Bracey asked what his philosophy of education is.

Mr. Maitland stated that education is the right of all people. Every one should have the best opportunity to get this education in Dinwiddie County.

Ms. Everett asked if Ms. Wynn is present; she is not. Ms. Everett stated that Ms. Mary Wynn resides at 16300 Old Cryors Rd. She also stated that Ms. Wynn has been a citizen of Dinwiddie County for 23 years and is married to Thomas Wynn and has a child in the Dinwiddie County School System. She has a great concern about the academic programs and feels that she can be of help. She has been involved with various civic clubs. She graduated from High School in Nottoway and has taken courses at J. Sergeant Reynolds Community College. She worked at Phillip Morris for 18 years and is now co-owner of P&E Construction Co. and is the owner of a lingerie shop. If she is considered to work on the School Board she will make every effort to listen attentively and carry out the desire of her jurisdiction.

Ms. Everett asked for public comment.

Ms. Ann Scarborough spoke on behalf of Mr. Maitland.

Ms. Shelia Powell spoke on behalf of her husband, Mr. Alfred Powell.

Ms. Everett stated that this Public Hearing is closed and the appointment will be made at the June 15, 1994, meeting.

IN RE: PUBLIC HEARING - C-94-3, James L. Pridgen

Ms. Everett stated that in regard to this public hearing there will be a thirty (30) minute presentation by the applicant; citizens will be limited to three (3) minutes speaking time; the applicant will have a fifteen (15) minute rebuttal and then there will be a close to the public hearing and discussion by the Board of Supervisors.

Mr. Wayne Knox, Director of Planning, presented the case to the Board of Supervisors.

Mr. Knox stated that Mr. Percy O. Rucks, Jr. is requesting a conditional use permit for a hog farm to be located on Tax Parcels 25-25 and 25-26 which is situated near the intersection of U.S. Route 460 and State Route 639 in Wilsons, VA. The proposed facility will be accessed along a private road off of Route 460.

The use in question is currently allowed in A-2 zoning districts with a conditional use permit. The importance of a conditional use permit is to protect adjacent property owners from any environmental issues as well as to impose conditions that will serve to protect the County if future uses such as these should appear.

Adjacent property owners were mailed notice of zoning application, in accordance with Section 15.1-431 of the Code of Virginia, 1950, as amended. A copy of the affidavit of mailing is available for public viewing in the planning department.

Staff's position in the past on uses that require conditional use permits, has been to impose conditions that best serve the County and adjacent property owners. This remains staff's position, even though this use has the potential to have a greater impact on its surrounding environment, although still permitted, than other conditional uses.

Staff's recommendation

In order to assure compliance with Virginia Code Section 15.1-491(g), 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. The Planning Commission, at its May 11, 1994 meeting, recommended that this application for a conditional use permit be denied. This decision was made despite having the following conditions listed:

1. Before any construction can begin a site plan, prepared by an engineer, must be submitted to the Planning Department for approval. This site plan will include a grading plan showing the current topography at two foot contours and the finished site also at two foot contours.

2. This conditional use permit shall be reviewed for compliance every five (5) years by the Planning Commission and shall, every ten (10) years be reviewed by the Board of Supervisors following a public hearing by the Planning Commission and the Board of Supervisors for possible amendment. This permit shall not be revoked as long as conditions are being met.

3. Feed lots, confinement areas, and waste storage areas shall be located at least two thousand five-hundred (2,500') feet from any existing residence not located on the above referenced tax parcels.

4. This operation must comply with all applicable state and federal regulations.

5. A copy of all state and federal permits must be on file with the Planning Department before a Certificate of Occupancy will be issued.

6. Plans for the disposal of dead animals must be submitted to the Planning Department, Department of Animal Control and the Animal Health Division of the Virginia Department of Agriculture's consumer services,

with such Animal Health Division having final jurisdiction over disposal procedures.

7. An erosion and sediment control plan for all land disturbing activities must be submitted and approved by the Planning Department. This will include a stormwater management plan which will include controls during the construction phase as well as during field operation of the facility.

8. There shall be no more than twelve hundred (1,200) sows or fifteen thousand (15,000) total head allowed at this facility at any one time.

9. The lagoon will be chemically treated to minimize the odors it may produce. The lagoon system shall be filled to operational capacity before any discharge is made into it as defined by the Department of Environmental Quality.

10. A secondary lagoon or a two (2) stage lagoon shall be part of the plan for flushing houses. All land application shall come from this secondary lagoon except during clean-out periods.

11. There shall be at least 100 feet of buffering zones with coniferous type tree plantings and other natural vegetation which must be maintained around the concentration of the lagoon and buildings. Effluent shall not be applied to land within six hundred (600') feet of any existing residence without permission.

12. At least one hundred (100') feet of distance must be maintained between waste storage areas, the land for waste disposal and the White Oak Creek and its tributaries to prevent any contamination of its waters.

13. Inspections by county officials will be allowed during normal working hours provided the facility is apprised of the visit two (2) hours prior to said inspection.

Ms. Everett asked if the applicant would like to speak at this time.

Mr. James L. Pridgen, Route 3, Box 55F, Blackstone, Va was present to support his request. He stated that he is in this to raise hogs; he would like to be a farmer and through this process you sometimes lose site of that. He stated that he accepts all the conditions as written and would like the Board to consider an amendment to the application as he submitted it to the planning commission. He would like to downsize the operation to a 1200 sow Farrow to Feeder pig operation. That will change condition #8 (there shall be no more than twelve hundred (1,200) sows or fifteen thousand (15,000) total head allowed at this facility at any one time) to a total of 7,000 head allowed at this facility. He states that downsizing the operation will drastically reduce the number of pigs on the site. This will reduce the land required for waste disposal from a total of 160 acres to 50 acres of Bermuda grass land. This significantly downsizes the land required for waste disposal. With this one condition change he hopes this will be approved. He states there are two reasons for his decision to downsize the operation: 1. 5 to 10 years down the road when he did get the opportunity to have enough open land to add the finishing houses, he does not want to have to go back through this process. 2. It will give him the opportunity to go private and get away from Carroll's Foods if at any point he had to. Mr. Pridgen states that what he means by a Farrow to Feeder operation is that the hogs will be raised three weeks in the Farrow house and they will have seven weeks in the Breeder; at age ten weeks, Carroll Foods will pick up the breeder pigs and take them to a finishing house in another location. Mr. Pridgen then asked if the Board will please make this one change. Mr. Pridgen would like to clear up a few conditions from the planning commission meeting. He stated that downsizing would eliminate some concerns that Chairman Wood had over there not being enough land because of rock outcropping. He further stated that this farm is a level farm (sites topographic map); there is a 50-foot drop spread over approximately 2150 feet. He stated that another issue raised was about nitrates in the soil; this will be governed by the Management Plan provided by the Department of Soil Conservation. The above listed reasons were why I received a "no" vote from the Planning Commission. This type of farming is a highly regulated type of farming;

this will prevent pollution. Another concern raised was in reference to odor; this odor is no worse than the odor produced by chicken farms or dairy farms that are operating in this area. This type of hog farm is not like the ones you grew up smelling. They are showered out and kept clean. As for the ground water issue; this operation will not effect ground water in wells that are of the bored type - 24 in. type that go 20 to 30 feet down into the ground. The only possible effect it could have would be on a drilled well and then only if I happen to be in the same rock fracture that somebody else drilled in and then only if the rock did not have enough water. The odds are this would not happen. He stated there is a great market opportunity in this area. There is a 450,000 sow deficit. He stated he does not see traffic being a problem as this will be located on a four (4) lane highway. He stated that land value is another concern. He stated that two of his adjacent land owners are willing to sell him their land but one he could not afford the price. The other one called him and stated that he would be glad to sell his to him. He stated that the land value in this area is already low and he does not know what he would do to make it any lower. He stated that another concern is Corporate Hog Farms and stated that he hopes we can learn from Kansas (sites report of April 1994 in the Direct Line, Kansas Pork Producers Council). He then asked the Board to give this due consideration and thanked everyone.

Mr. Bracey stated that he needs to go back to the planning commission as he wishes to make changes in his plan.

Mr. Ben Emerson, County Attorney, stated that his change is to decrease and not increase. If the Board would like the advice of the Planning Commission you can seek that but you have the ability to change the conditions and do not have to accept their recommendations or conditions.

Ms. Everett stated that we will now go ahead with the Public Hearing and asked that citizens limit their remarks to three (3) minutes.

Floyd A. Hudson, 3509 Cox Road, Wilson, Va., stated that his property joins on the down-wind side of the proposed site. He is opposed to the proposed hog farm operation and submitted a petition which reads: "We, the citizens of Dinwiddie County, have been notified of a request to place a 1,00 to 1,200 sow, hog farm, in the Wilson's Virginia area. We are opposed and the following are some of our reasons: Odor, flies, devaluation of property, possible ground water contamination, possible drop in water table, and possible diseases."

Ms. Everett asked how many signatures the petition contains.

Mr. Hudson stated this petition contains 337 signatures.

Rebecca Hudson, 3509 Cox Road, Wilsons, Virginia, spoke in opposition.

Richard Galbreath, 3108 Cox Road, Wilson, Virginia, spoke in opposition and strongly urged that the Board of Supervisors of Dinwiddie County thoroughly investigate, do research and enact ordinances and regulations before April 1995 to safeguard the citizens so this can be beneficial to the County.

Diane Galbreath, 3108 Cox Road, Wilson, Virginia, spoke in opposition and stated that she simply wishes to pass on to the Board articles referencing her concerns. Also included in her submission to the Board was a letter from Mr. Ronald Abernathy, representing CORD, in opposition. He asked that his letter be made part of the public record.

Ms. Everett stated that Mr. Abernathy called her and asked that his letter be read. Diane Galbreath then read Mr. Abernathy's letter.

Iris Jordan, 10128 White Oak, Wilson, Virginia, spoke in opposition stating her concern for water pollution.

Alfred Powell, 3004 Cox Road, Wilson, Virginia, spoke in opposition.

Marvin Springston, 2410 Springston Road, Wislon, Virginia, spoke in opposition. expanding.

Richard Nicely, 9913 White Oak, Wilson, Virginia, spoke in opposition.

Granville Maitland, 13410 Butterwood Lane, stated this is an agriculture area and that he would like to see the vote postponed either way until more can be learned as enough is not known to make an intelligent decision.

Kay Winn, 15211 Winnwood Lane, Dinwiddie, Virginia, stated that she just wants to ask some questions. She wants to know that if these people are concerned about putting the small hog farmer out of business then where were these people when the small tobacco farmers and small peanut farmers were being put out of business? She asks if raising hogs in any quantity is not agriculture, then what is it? She asks if Mr. Pridgen can't perform an agriculture function in an agricultural zone, then where can he perform it? She stated that the farmers deserve a place to perform a living too and if you can show her where in Dinwiddie County that place is she will gladly go there. She stated that she has done a lot of visiting in North Carolina in the past year and that there are very few people opposed to hog farming. She stated that manure is an organic fertilizer.

Ms. Everett stated that Mr. Pridgen is allowed a fifteen (15) minute rebuttal.

Mr. Pridgen stated that he has reduced his output by 70% of what he originally asked for. He stated that interest rates are not reachable. He stated that he has heard a lot of comments that corporate hog farms are slaughtering family farms and would like to make the point that this process and over-government regulation is slaughtering the family farms as much as corporate farms. Corporate farms are asking family farms to contract with them and working with them to help the family farms do a better job. He stated that if you start trying to regulate odor you will have to shut down the dairy and chicken farmers. He stated that in a democratic society you have the opportunity to fail, in a communist society they do not allow you to fail; we are heading in the direction of communist type government with these county hearings because no one will allow you to fail. He feels that this is a reasonable request and that it can be accomplished without any problems.

James Crow, 5708 Monument Avenue, stated that he is the absentee land owner that Mr. Pridgen referred to earlier and that for the record he would like it to be known that he is opposed to this hog farm.

Ms. Everett stated that the public hearing is closed and asked for comments from the Board Members.

Mr. Clay stated that he lives across the road from a hog farm and has no problem with it but is concerned with agriculture in Dinwiddie County. He is concerned that if we are getting rid of tobacco and hogs then what is next. He further stated that he likes ham and bacon and pork products and if you do not raise them somewhere then he would hate to go the grocery store and not be able to find them.

Mr. Moody stated that he feels Mr. Pridgen made a good case for his application and he is right that farming is not what it used to be. Government regulation has made a change and so has technology. You have to get bigger to make the same amount of money as you used to. He too is concerned about the farming business but he feels that with the public comment on this he would have to vote against it. He further stated that he feels that Dinwiddie County needs to set aside some property for these type of operations because the small farmer is not anymore.

Mr. Bracey states that he understands both sides but that the letter from CORD sums it up for us all and we do all have to live together and we have to respect one another. He feels that Mr. Pridgen should find someplace other than the Wilsons area for his operation. He also stated that he does have a problem with Mr. Pridgen coming in and changing the proposal that was submitted to the planning commission.

Mr. Haraway stated that he cannot see a significant difference between this hog farm and the one they reviewed six months ago. He still has the same three concerns: the odor, decrease in property values

and environmental issues. Because of this he can not support this hog farm.

Ms. Everett stated that she shares these concerns also. In reviewing the petition opposing the hog farm she sees that the majority of the signatures are from citizens of the Wilson area. She shares the concern about the environment, the rock under the soil, the creek and the community opposition. She stated that the people in opposition are citizens who have been here for years and they have their property rights also. She stated that she is opposed to this.

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Ms. Everett, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "aye", the request for the conditional use permit request C-94-3 submitted by Mr. James Pridgen was denied.

Ms. Everett called for a ten minute recess at 9:25 P.M..

IN RE: ADOPTION OF 1994-95 BUDGET & 1994 TAX RATES

Ms. Everett asked Ms. Ralph to read the tax rates which are the same as last year.

Ms. Ralph stated that there are no changes in the proposed tax rates; they are as follows:

| | |
|--|------|
| Real Estate | .74 |
| Mobile Home | .74 |
| Mineral Land | .74 |
| Public Services | .74 |
| Personal Property | 4.90 |
| Personal Property - Volunteer Vehicles | .25 |
| Machinery & Tools | 3.30 |
| Heavy Construction Machinery | 3.30 |

Mr. Aubrey Clay read a statement of disclosure.

Mr. Edward Bracey read a statement of disclosure.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Ms. Everett, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "aye" .

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the 1994 Tax Rates as listed above are adopted.

Ms. Everett stated that we will move on to the budget.

Mr. Bracey stated that he hopes that the Dinwiddie County School Board takes advantage of this budget being passed in their favor. He state that he is still hesitant about the real estate and hopes that the Board takes steps in ridding itself of that problem in dealing with the real estate especially now that the School Board has gotten its wishes of a 6% increase which is a lot more than other localities and agencies and hopes that they will use that money in the best interest of the schools and he hopes that the employees are paid according to their abilities. He further states that he hopes that we have a good year with the school system and all the other agencies.

Upon motion of Mr. Haraway, seconded by Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "aye".

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the 1994-95 Budget is hereby adopted, inclusive of the amendments in the amount of \$372,000, as discussed at the public hearing as follows:

1. Compensation Board changes - \$10,000
2. Communications Study - \$11,000
3. Debt Service on Water Authority Refinancing - \$109,000
4. Additional Tonnage - Co-Composting Tipping Fee - \$242,000

Current Commencing

Ex tract

INCOME ESTIMATES

Fiscal Year

July 1, 1994

GENERAL FUND:

Revenue from Local Sources:

| | | |
|--|--------------|-------------|
| General Property Taxes | \$ 7,980,000 | \$8,120,239 |
| Other Local Taxes | 1,894,500 | 2,037,500 |
| Permits, Privilege & Regulatory Licenses | 128,500 | 145,700 |
| Fines and Forfeitures | 70,000 | 95,000 |
| Revenue from Use of Money & Property | 178,000 | 182,000 |
| Charges for Services | 314,500 | 293,050 |
| Miscellaneous Revenue | 164,700 | 164,600 |

TOTAL

10,730,200

11,038,089

Revenue from the Commonwealth

1,840,938

2,028,127

Revenue from the Federal Government

9,100

9,100

Non-Revenue Receipts

-0-

-0-

TOTAL GENERAL FUND

\$12,580,238

13,075,316

LAW LIBRARY FUND

1,500

3,000

SCHOOL TEXTBOOK FUND

219,760

192,634

SCHOOL FUND:

| | | |
|-------------------------------------|------------|------------|
| Revenue from Local Sources | 75,005 | 66,980 |
| Revenue from the Commonwealth | 11,505,289 | 12,107,202 |
| Revenue from the Federal Government | 832,765 | 1,000,494 |
| Transfers from Other Funds | 5,764,410 | 5,882,440 |

TOTAL SCHOOL FUND

18,177,469

19,057,116

VA PUBLIC ASSISTANCE FUND

1,681,153

1,585,534

E911 FUND

51,800

54,000

SELF-INSURANCE FUND

262,525

262,000

GENERAL CAPITAL PROJECTS FUND

109,400

126,000

OYCS FUND

82,344

76,253

CDBG CAPITAL PROJECTS FUND

1,206,000

1,206,000

FIRE PROGRAMS FUND

20,000

28,000

FORFEITED ASSET SHARING

4,000

-0-

MEALS TAX

200,000

300,000

VRS - EARLY RETIREMENT

323,220

-0-

CSA Fund

316,982

518,424

JAIL COMMISSION FUND

-0-

15,000

COURTHOUSE MAINTENANCE FUND

-0-

18,000

GRAND TOTAL -- ALL FUNDS

\$35,236,391

36,517,277

LESS INTERFUND TRANSFERS

6,998,237

6,915,893

TOTAL INCOME

\$28,238,154

29,601,384

FUND BALANCES, JULY 1

4,596,574

6,723,261

CASH RESOURCES

\$32,834,728

36,324,645

CONTEMPLATED EXPENDITURES

GENERAL FUND:

| | | |
|-------------------------------|-----------|---------|
| Board of Supervisors | \$ 53,705 | 50,905 |
| County Administrator | 169,627 | 184,568 |
| County Attorney | 40,150 | 40,350 |
| Independent Auditor | 23,300 | 25,800 |
| Commissioner of the Revenue | 164,955 | 158,893 |
| Business License | 19,333 | 18,184 |
| General Reassessment | 100,000 | -0- |
| Land Use | 19,398 | 17,294 |
| Treasurer | 195,129 | 192,083 |
| Data Processing | 64,935 | 68,052 |
| Electoral Board and Officials | 68,288 | 70,705 |
| Circuit Court | 13,950 | 12,050 |

| | | |
|--|--------------|------------|
| County Court | 7,885 | 7,635 |
| Special Magistrates | 185 | 1,385 |
| Clerk of the Circuit Court | 56,437 | 56,903 |
| Commonwealth's Attorney | 101,451 | 100,011 |
| Sheriff-Law Enforcement | 1,608,265 | 1,741,987 |
| Fire & Rescue Service | 18,600 | 15,000 |
| Volunteer Fire Departments | 137,500 | 137,500 |
| Ambulance & Rescue Service | 56,600 | 57,944 |
| Forestry Service | 11,720 | 11,720 |
| Sheriff-Correction & Detention | 282,892 | 286,368 |
| Probation Office | 2,630 | 2,966 |
| Other Correction & Detention | 51,564 | 64,182 |
| Building Inspection | 107,167 | 112,452 |
| Animal Control | 88,609 | 90,870 |
| Medical Examiner | 500 | 500 |
| Public Safety/Civil Defense | 59,615 | 74,875 |
| Road Administration | 250 | 250 |
| Street Lights | 42,000 | 42,000 |
| Refuse Disposal | 679,970 | 1,068,762 |
| Public Nuisance | 5,000 | 5,000 |
| Public Utilities | 127,656 | 115,000 |
| Maintenance of Buildings & Grounds | 180,450 | 197,276 |
| Water Service | 144,000 | 144,000 |
| Health | 134,564 | 149,302 |
| Mental Health | 37,410 | 38,532 |
| Welfare Administration | 3,117 | 3,210 |
| Other Social Services | 15,040 | 15,403 |
| Community College | 4,706 | 1,179 |
| Recreation | 158,820 | 163,084 |
| Lake Chesdin | 1,300 | 2,000 |
| Regional Library | 121,464 | 128,751 |
| Planning | 111,502 | 119,196 |
| Economic Development | 36,949 | 30,246 |
| Other Planning & Community Development | 104,464 | 89,464 |
| Regional Planning Commission | 12,275 | 12,275 |
| Soil and Water Conservation | 7,500 | 7,500 |
| Johnson Grass Control | 500 | 500 |
| Advancement of Agric & Home Economics | 52,300 | 54,340 |
| Internal Services | 64,450 | 64,850 |
| Debt Service | 1,058,000 | 1,048,476 |
| Subtotal | 6,628,077 | 7,101,778 |
| Transfers to Other Funds | 6,448,438 | 6,698,529 |
| TOTAL - GENERAL FUND | \$13,076,515 | 13,800,037 |
| LAW LIBRARY FUND | 2,500 | 3,000 |
| SCHOOL TEXTBOOK FUND | 219,760 | 242,634 |
| SCHOOL FUND: | \$18,177,469 | 19,057,117 |
| VA PUBLIC ASSISTANCE FUND | \$1,681,153 | 1,585,534 |
| E911 FUND | 63,100 | 34,882 |
| SELF INSURANCE FUND | 262,525 | 264,525 |
| OYCS FUND | 76,253 | 82,344 |
| GENERAL CAPITAL PROJECTS | 202,125 | 190,000 |
| SCHOOL CAPITAL PROJECTS | -0- | -0- |
| CDBG FUND | 1,206,000 | 1,206,000 |
| FIRE PROGRAMS FUND | 20,000 | 28,000 |
| FORFEITED ASSET SHARING | 4,000 | -0- |
| MEALS TAX FUND | - 0 - | -0- |
| VRS-EARLY RETIREMENT FUND | 257,740 | -0- |
| CSA FUND | 316,982 | 518,424 |
| JAIL PHONE COMMISSION FUND | -0- | 10,500 |
| COURTHOUSE MAINTENANCE | -0- | -0- |
| GRAND TOTALS - ALL FUNDS | \$35,572,213 | 37,016,906 |
| LESS INTERFUND TRANSFERS | 6,998,237 | 6,915,893 |

| | | |
|-------------------------|--------------|------------|
| TOTAL EXPENDITURES | \$28,573,976 | 30,101,013 |
| FUND BALANCES - JUNE 30 | 4,260,752 | 6,223,632 |
| TOTAL REQUIREMENTS | \$32,834,728 | 36,324,645 |

IN RE: CARSON VOLUNTEER FIRE DEPARTMENT

Mr. Kenny Williams, Chief of Carson Volunteer Fire Department, stated that he is requesting a \$10,000 commitment from Dinwiddie County for the purchase of a "used" salvage utility vehicle to be stationed in Carson.

Mr. Bracey asked for an explanation of the type of vehicle to which Mr. Williams is referring and for what purpose it shall be used for.

Mr. Williams stated that this is a salvage utility vehicle which means it has compartments on the inside and out, and is used to haul additional equipment such as lighting equipment. He further stated they have been shopping for such since November of last year. He stated that a new vehicle of this type would cost in the neighborhood of \$150,000 and upward; the used cost would be in the neighborhood of \$45 to \$75,000. He stated that he will be asking Prince George for a commitment of \$20,000. He stated he is requesting a commitment from Dinwiddie County contingent upon his inspection of the vehicle. He stated that the logistics can be worked out; he simply is trying to get a commitment so he has some bargaining power. He stated he is going to New York this weekend to inspect the vehicle.

Ms. Everett asked if this commitment would also be contingent on the participation of the \$20,000 from Prince George.

Mr. Williams stated yes. He stated they are also taking money out of their own treasury, approximately \$10,000, to go with the money he is requesting from Dinwiddie County and Prince George County. He stated that the current vehicle is no longer safe because it is carrying too much equipment. He stated that this will help the Carson Volunteer Fire Department give support to Dinwiddie County.

Ms. Everett asked for Board discussion.

Mr. Haraway asked what was the basis for his allocation of \$10,000 from Dinwiddie County and \$20,000 from Prince George.

Mr. Williams stated that he had roughly \$10,000 from his treasury. He stated that off the top of his head he was trying to come up with a reasonable figure from both sides.

Mr. Clay stated that he believes it has always been customary for Dinwiddie County to pay 1/3.

Mr. Clay stated that his only concern is that we did not get it into the budget. He further stated that he hates to keep going into the fund balance but would like to see support for the volunteer fire department. He stated he would like to see us put \$5,000 now and \$5,000 out of the next years budget.

Mr. Williams stated that we can work out the logistics. They have been in contact with the bank and they have stated they will work with them in any way possible.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Ms. Everett, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "aye" a commitment of \$10,000 for Carson Volunteer Fire Dept. to purchase a salvage utility vehicle contingent on participation of \$20,000 from Prince George County and on inspection of the vehicle was approved.

IN RE: VIRGINIA BY-WAY DESIGNATION - ROUTE OF LEE'S RETREAT

Ms. Ralph reads a letter from Art Buehler of the Department of Conservation and Recreation:

Last December Lee's Retreat Tourism Consortium hosted a tour of the Lee's Retreat Route which consists of Dinwiddie, Nottoway, Amelia, Prince Edward, Cumberland and Appomatox Counties. Personnel from the Department of Conservation and Recreation who attended the tour were impressed by the beauty and sense of historical importance associated with the route. The Department of Conservation and Recreation was subsequently asked to evaluate the route and determine if it would qualify for Virginia Byway designation.

Virginia Byways are defined by the General Assembly as State roads "...having relatively high aesthetic or cultural value, leading to or within areas of historical, natural or recreational significance." The Commonwealth Transportation Board is responsible for the official designation, and the Department of Conservation and Recreation is required by the legislation to cooperate with the Department of Transportation in the evaluation process.

Ms. Ralph stated that what is required from the localities involved is that we have a Comprehensive Land Use Plan in place and support or endorsement from the governing bodies. The route would be from Five Forks on Courthouse Road to 460 and then Route 708 at Olgers Store in Sutherland all the way to the Amelia County line. She stated that a particular concern for her in the meeting was "does this request or designation in any way restrict the zoning control in the area", which she was told by the officials there that it does not. The Virginia Byways Legislation was designed as a recognition act and does not place any land use restrictions or controls on a designated Byway. She stated that the only provision in the law is that preference be given to reasonably protect the aesthetic or cultural value of the Byway.

Mr. Bracey asked if adoption of this resolution will effect us like the historical society in Petersburg which hampers their development of housing in the area. He asked if we are sure that we can still do what we want to do with our property.

Ms. Ralph answered that at the meeting, they stated that it did not place any land controls on the locality.

Mr. Burgess added that any restrictions that would come about from such a designation would be placed in your zoning ordinance. Anything that would happen would be initiated at a local level through the Planning Commission and the Board of Supervisors.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Dinwiddie County Planning Commission has prepared a comprehensive plan for the physical development of the land within Dinwiddie County and is in the process of updating that plan; and

WHEREAS, Dinwiddie County has a comprehensive zoning ordinance which defines the conditions by which development and signage may take place within the County; and

WHEREAS, Dinwiddie County recognizes that the historic Route of Lee's Retreat encompasses sections of Rt. 627, Courthouse Road, from Five Forks to Rt. 460 and Rt. 708 from Rt. 460 to the Amelia County Line; and

WHEREAS, Dinwiddie County acknowledges that the designation of the Route of Lee's Retreat as a Virginia Byway shall promote the aesthetic and cultural value of this historically significant and naturally scenic corridor;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia requests the Virginia Department of Conservation and Recreation and the Virginia Department of Transportation to designate the sections of State Routes 627, and 708 in Dinwiddie County, which are included in the Route of Lee's Retreat, as a Virginia Byway; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia understands that by approving this request for designation, the State obtains no land-use controls, implied or otherwise,

Extract

and this designation in no way limits the authority granted to the local governing body.

IN RE: APPOINTMENTS

Upon motion of Mr. Bracey, seconded by Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "aye".

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Ms. Gloria Harvell is re-appointed to the Appomattox Regional Library Board, term expiring June 30, 1998.

Upon motion of Mr. Haraway, seconded by Mr. Moody, Ms. Everett, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "aye".

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Ms. LeeNora Everett is re-appointed to the Crater Planning District Committee and Metropolitan Planning Organization, term expiring June 30, 1995.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Burgess presented a request from Henrico County seeking our support in their efforts to have some designation change involving the Clean Air Act.

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Ms. Everett, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "aye" the following resolution was adopted:

WHEREAS, the 1990 Clean Air Act Amendment required that the Environmental Protection Agency (EPA) review the Richmond Area to ascertain if it met the requirements for ground level ozone; and

WHEREAS, in 1991, the EPA classified the Richmond Area as non-attainment for ground level ozone, primarily due to exceedances of the ozone standard in 1988; and

WHEREAS, on November 12, 1992, the Virginia Department of Environmental Quality requested a redesignation of the Richmond Area to attainment status based on having less than three exceedances in three consecutive years; and

WHEREAS, on August 17, 1993, the EPA published a proposal to classify the Richmond Area as attainment based on the data submitted; and

WHEREAS, during the summer of 1993, there were a total of 5 exceedances of the ozone standard, one in Chesterfield County, one in Hanover County and three at the Charles City monitor, between June 24, 1993 and July 28, 1993; and

WHEREAS, if the Richmond Area was indeed non-attainment for ozone, in order to avoid sanctions, the Commonwealth of Virginia was to submit a control strategy implementation plan for the Richmond Area, which would have detailed how the area would be brought into attainment, by November 24, 1993; and

WHEREAS, on January 20, 1994, the EPA advised the Governor of the Commonwealth of a finding of "failure to make a submittal" for the Richmond Area since "redesignation requests do not relieve either a State from the CAA's requirements and associated deadlines or EPA from its responsibility to make findings pursuant to section 179(b)"; and

WHEREAS, the January 20, 1994 letter urged the "Commonwealth to proceed to adopt the programs and plans required in the Richmond moderate ozone nonattainment area and to submit them to the EPA as SIP (State Implementation Plan) revisions as soon as possible so that sanctions may be avoided"; and

WHEREAS, the Proposed Disapproval of the Request to Redesignate the Richmond Ozone Nonattainment Area to Attainment and the Associated Maintenance Plan appeared in the Federal Register, Volume 59, Number 20, on January 31, 1994; and

WHEREAS, at the March meeting of the Richmond Metropolitan Planning Organization, members of the staff of the Virginia Department of Environmental Quality presented a proposed time schedule for meeting the requirements of the EPA; and

WHEREAS, no visible progress has been achieved toward the meeting of the schedule as promulgated at the March meeting of the Richmond MPO, which places the region at least 6 weeks behind in meeting that schedule; and

WHEREAS, on March 4, 1994, the Division Administrator of the Federal Highway Administration (FHWA) advised the State Secretary of Transportation that "no new transportation plans or TIPS may be found to conform in the Richmond nonattainment area after March 24, 1994", and that the existing transportation plan and TIP conformity determinations will lapse altogether on November 24, 1994.

WHEREAS, the FHWA also advised in the letter of March 4, 1994, that "once conformity lapses, only limited types of projects will be allowed to proceed" and that the "only way to avoid these implications is for Virginia to make the required 15 percent VOC SIP submittal for the Richmond nonattainment area"; and

WHEREAS, on April 8, 1994, a letter, from the Assistant Administrator for Air and Radiation of the EPA, was transmitted to the Governor of the Commonwealth of Virginia, which advises the Governor of a U. S. Court of Appeals decision that could bring sanctions onto the Richmond Area as early as July 15, 1994.

NOW, THEREFORE, BE IT RESOLVED, that the Dinwiddie County Board of Supervisors does hereby request the Honorable Governor of the Commonwealth of Virginia to direct the Virginia Department of Environmental Quality to expeditiously address the concerns of the Federal agencies in regard to the transmission of plans, that those agencies deem essential, in order to meet the deadlines in order to avoid sanctions that would jeopardize needed public projects and private economic development.

BE IT FURTHER RESOLVED, that the Honorable Governor of Virginia direct the Virginia Department of Environmental Quality to review, in detail, the data from the various ozone monitoring stations for the Richmond area that have exceeded the ozone standard to determine the origin of the pollutants that react to form ozone and the impact of wind on the transport of these pollutants.

BE IT FURTHER RESOLVED, that should the source of the pollutants be determined, that every possible avenue be taken to have the pollutants decreased at the source.

BE IT FURTHER RESOLVED, that in view of the possible incursion of the Federal agencies into local land use decisions, that the Honorable Governor of the Commonwealth, direct the Virginia Attorney General to use whatever resources are available to him to take corrective actions in this regard.

BE IT FURTHER RESOLVED, that the Honorable Governor of the Commonwealth also direct the Virginia Attorney General to review, consider and take appropriate action in regard to the Clean Air Act and the rules that have been promulgated by the various federal agencies.

BE IT FURTHER RESOLVED, that the Members of the Virginia Delegation to the U. S. Congress be advised of the impact that this Act, Amendment and rules are having on the Richmond Area.

BE IT FURTHER RESOLVED, that the Members of the Virginia General Assembly be advised of the impact that this Act, Amendment and rules are having on the Richmond area.

2. Mr. Burgess stated the next item located in the package is an invoice from the Virginia Association of Counties that represents Dinwiddie County's share of the cost associated with the negotiations for a contract with Virginia Power for electrical service. Today, he stated, he received an invoice for less than the original requested amount; this one is in the amount of \$362.00.

Extract

Mr. Bracey made a motion for payment.

Mr. Clay asked why we have to pay extra to negotiate this bill when we pay them so much anyway.

Mr. Burgess stated that in essence Mr. Clay wants to know what do we get for what we pay for? Mr. Burgess stated that he can not clarify this issue at this time but will look into it.

Mr. Bracey withdraws his motion for payment.

Mr. Haraway asked Mr. Burgess to please find out why this contract was changed from its original 3-years to a 1-year contract.

Upon motion of Mr. Clay, seconded by Mr. Moody, Ms. Everett, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "aye" payment is delayed on this until Mr. Burgess can investigate this matter.

3. Mr. Burgess stated that at the last meeting they discussed citizen representation for the Architectural Review Committee for the Courthouse and asked if the Board was ready to make a decision on the representatives.

Mr. Bracey asked if these members will have voting power.

Mr. Emerson stated no that they would be in an advisory capacity only.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "aye".

BE IT RESOLVED that the following individuals are appointed to the Architectural Review Committee as citizen representatives: Mr. Milton Hargrave and Mr. Franklin Stewart.

Mr. Burgess stated that the interviews for the five companies selected will be held on June 13, as follows:

Corinthian Development Groups, Inc.
Henning, Vest, Covey Architectural Group
Ballou, Justice, Upton Architects
Hayes, Seay, Mattern and Mattern Incorporated
The Moseley, McClintock Group

4. Mr. Burgess stated that on June 9, 1994, at 2:00 PM, there is a regional tour organized through the planning district commission of the co-composting facility.

5. Mr. Burgess stated in your package is a memorandum that he recommended that the Board Members read so they know where we stand with a regulatory agency.

6. Mr. Burgess stated that the next item is a letter to Jack Eubank from Roger Hart of R. Stuart Royer in reference to bids on the Route 1 Pump Station.

7. Mr. Burgess stated that Governor Allen has announced the creation of an economic development job strategy commission and our district is district 16. Our representative on that group is Mr. J. Peter Clements of The Bank of Southside Virginia.

8. Mr. Burgess stated he received a request from Virginia Association of Counties asking what Dinwiddie County's preference is as far as voting on by-laws. Do we wish one vote per county or the number of votes based on county population.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "aye"

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the policy be one vote per county.

9. Mr. Burgess stated ten people are registered to attend the right-to-farm seminar on June 30, 1994 sponsored by VACO

Extract

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IN RE: BOARD MEMBERS COMMENTS

Mr. Moody stated that he would like to re-iterate what he stated at the public hearing - that we need to get together in the planning stages of the comprehensive planning and get something in effect. He stated that we really need to look out for the farming community.

Mr. Haraway stated that on the next meeting, the 2nd Wednesday in June, he will have to leave the meeting at 5:00 PM to attend a meeting at the hospital. He stated that he was not requesting that we have executive session before but he just wants to let everyone know that he will have to leave at 5:00 PM.

Mr. Bracey stated that he hopes that this Board will start early preparation on next year's budget and not to wait until the last minute. He further stated that although he voted for the budget, he is not really satisfied with it. He would also like the Board to pay some immediate attention to a letter they received from Ms. Glenice Townsend to Dr. Gaul in reference to our insurance program. He would like to see a meeting set up. He stated that he feels all Board Members need to be present to represent their District.

Ms. Everett stated that we need to set up a joint meeting with the School Board.

Mr. Bracey asked if possible that the meeting should be recorded.

It was suggested that the staff meet preliminarily on the insurance program and report to the Board at its next meeting.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Haraway, Mr. Clay, Mr. Moody, Mr. Bracey, Ms. Everett voting "aye", pursuant to the Virginia Freedom of Information Act, section 2.1-344(a)1 Personnel - Discussion of performance, salaries, disciplining of public officers, appointees, or employees of any public body and 2.1-344(a)5, Discussion of prospective industry, the Board moved into Executive Session at 10:40 P.M. A voting having been made and approved, the meeting reconvened into open session at 12:30 A.M.

IN RE: CERTIFICATION

Upon motion of Mr. Haraway, seconded by Mr. Moody, Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Bracey, Ms. Everett voting "aye", the following resolution was adopted:

WHEREAS, The Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Moody, Mr. Haraway, Mr. Bracey, Mr. Moody, Ms. Everett voting "aye", the meeting adjourned at 12:31 a.m. to be continued until 12:30 P.M., Wednesday, June 15, 1994 for an Executive Session to be held at the Pamplin Administration Building.



LeeNora Everett, Chair, Board of Supervisors

ATTEST: 
Charles W. Burgess, Jr.
County Administrator