

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 2ND DAY OF JULY, 1997 AT 7:30 P.M.

PRESENT: HARRISON A. MOODY, CHAIRMAN ELECTION DISTRICT #1
EDWARD A. BRACEY, JR., VICE-CHAIR ELECTION DISTRICT #4
LEENORA EVERETT ELECTION DISTRICT #3
AUBREY S. CLAY ELECTION DISTRICT #5
MICHAEL H. TICKLE ELECTION DISTRICT #2
PAUL JACOBSON COUNTY ATTORNEY

IN RE: CALL TO ORDER - INVOCATION - PLEDGE OF ALLEGIANCE

Chairman Harrison A. Moody called the meeting to order at 7:38 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: WELCOME AND INTRODUCTION OF R. MARTIN LONG -- COUNTY ADMINISTRATOR

Chairman Harrison Moody welcomed and introduced Mr. Ronald Martin Long, the newly appointed County Administrator. Mr. Long will join our staff full time July 14, 1997.

Mr. Long stated that he wished to thank the Board for showing the confidence they have in appointing him to the position. He further stated that he looked forward to working with the Board and the citizens of Dinwiddie County.

IN RE: AMENDMENT TO AGENDA

There were no amendments to the agenda requested by the Board members.

IN RE: MINUTES

Upon Motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", Mr. Clay "abstaining",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the June 18, 1997 regular meeting and the June 26, 1997 continuation meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody 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 checks #1006327 - #1006681 (void checks 1006327, 1006465, and 1006578); for Accounts Payable in the amount of \$329,407.27; General Fund \$156,551.40; Jail Commission \$644.02; Landfill Fund \$1,409.67; E911 Fund \$368.00; Self Insurance Fund \$89,967.94; Law Library \$470.40; Fire Program/EMS \$1,944.60; County Debt Service \$78,051.24; Payroll General Fund \$284,646.31; and CDBG Grant Fund \$457.76.

IN RE: APPROVAL OF REQUISITION #26 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Interim County Administrator, stated that Requisition #26 for the Courthouse consists of payments to:

Gulf Seaboard General Contractors Inc.	\$ 488,908.95
ECS, LTD	<u>2,382.74</u>
Total	\$ 491,291.69

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #26 in the amount of \$491,291.69 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

The following persons addressed the Board:

1. Brian E. Iverson, 6604 Ruth Hill Drive, Church Road, Virginia, representative of Ford Volunteer Fire Department, came before the Board to present his findings, as requested at the previous Board of Supervisors meeting, regarding the purchase of a brush truck. At the last regular meeting we, Mr. Iverson and the Board, spoke on this issue of the Ford Volunteer Fire Department brush truck and Mr. Iverson was able to obtain answers to some of the questions that the Board had regarding that vehicle. There were some questions, at that meeting, that left Mr. Iverson with some doubts as whether the Board fully understood the type and nature of the equipment that this truck was going to bear. The Ford Volunteer Fire Department has prepared a report for each Board member which fully details the equipment and specifications of the chassis. The Board also left Mr. Iverson with the questions as to if this chassis appeared on State Contract. As of this morning, in conversation with Mr. David Smith VDOT Administrative Services, a one ton pickup chassis does not exist on state contract and is not anticipated to appear on State Contract until October. Mr. Iverson has been informed by his assistant fire chief that the sentiments of the Company are to move forward with this project as expeditiously as possible and they are in a position to do so. It was Mr. Iverson's understanding that Mrs. Ralph will be presenting this project to the Board during the County Administrator Comments segment; therefore, he will not delay the meeting any longer.

IN RE: CODE RECODIFICATION -- A-97-6 -- PUBLIC HEARING

Mrs. Wendy Weber Ralph, Interim County Administrator, stated that Mr. T. O. Rainey, III, Commonwealth Attorney, was present and had asked for this amendment to the Code. Mrs. Ralph invited Mr. Rainey to come forward to speak on this change.

Mr. Rainey stated that the reason for requesting this change is because Dinwiddie, like all jurisdictions, is permitted to adopt provisions for violations of certain offenses, most notably traffic offenses such as speeding. We can either accept the State Code, write our tickets under that provision and if so any revenues such as fines and court costs comes into the State. We are allowed, and we have in the past, used a County Code provision which allows revenues to become one hundred (100%) percent County. The requirement to use that route is that you have to update your Code annually. That is what this ordinance is providing for you. This will bring Dinwiddie County into compliance with any changes in State Law. Mr. Rainey stated that he wished to thank the County Attorney for providing the technical expertise and language. We believe that this is appropriate.

Chairman Moody opened the Public Hearing on A-97-6. There being no citizens signed up to speak or desiring to speak, the Public Hearing was closed.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the following amendments to Chapter 14 of the Code of the County of Dinwiddie, Virginia, be amended and readopted as follows:

ARTICLE I. IN GENERAL

Sec, 14-1. Definitions.
(unchanged).

Sec. 14-2. Compliance with chapter; general penalty for violations.

It shall be unlawful for any person to refuse, fail or neglect to comply with any of the provisions of this chapter. Unless otherwise specifically provided, a violation of this chapter shall constitute a traffic infraction punishable by a fine of not more than two hundred dollars (\$200). If it is found by the judge of a court of proper jurisdiction that the violation of any provision of title 46.2 was a serious traffic violation as defined in Virginia Code Section 46.2-341.20 and that such violation was committed while operating a vehicle or combination of vehicles used to transport weight rating of 26,001 or more pounds or has a gross combination weight rating of 26,001 or more pounds inclusive of a towed vehicle with a gross vehicle weight rating or more than 10,000 pounds, the judge may assess, in addition to any other penalty assessed, a further monetary penalty not exceeding \$500.

Sec. 14.3. Adoption of state law as to motor vehicles and traffic and driving under influence of alcohol or drugs.

(a) Pursuant to the authority of section 26.2-1313 of the Code of Virginia, all of the provisions and requirements of the laws of the commonwealth contained in title 46.2 of the Code of Virginia and in article 2 (section 18.2-266 et seq.) of chapter 7, title 18.2 of the Code of Virginia, as amended, except those provisions and requirements which by their very nature can have no application to or within the county and except those provisions of law which may not be adopted or incorporated, are hereby adopted mutatis mutandis in this ordinance by reference and made a part of this chapter as fully as though set out herein and are hereby made applicable with Dinwiddie County.

(b) {Unchanged}.

(c) The provisions and requirements referred to in subsection (a) of this section are hereby adopted, mutatis mutandis, and made a part of this section as fully as though set forth at length here, and it shall be unlawful for any person within the county to violate, or fail, neglect or refuse to comply with, any such provision or requirements; provided however that, in no event shall the penalty imposed for the violation of any such provision or requirement exceed the penalty imposed for that offense under the state law hereby adopted.

Sec. 14-4. Adoption of state law as to the operation of motor vehicles.
{Unchanged}.

Sec. 14-5 through 14-15.
{Unchanged}.

ARTICLE II. VEHICLE LICENSE

Sec. 14-16. Violations of article.
{Unchanged}

Sec. 14-17. Required; exceptions.

(a) The provisions of this section shall not apply to any vehicle exempted by the provisions of sections 46.2-663 to 46.2-683 and 46.2-755 of the Code of Virginia, nor shall the provisions of this section apply to any vehicle licensed pursuant to section 46.2-750 of the Code of Virginia, nor to any vehicle displaying special permanent plates as approved and issued by the state division of motor vehicles, pursuant to section 46.2-756 of the Code of Virginia, to veterans with service-connected disabilities, nor to any vehicle otherwise exempted by state law.

Sec. 14-18 through 14-30.
{Unchanged}

IN RE: A-97-7 -- PUBLIC HEARING -- EXTENSION OF DUE DATE FOR TAXES

Mrs. Ralph stated that this ordinance was adopted as an emergency ordinance measure, back before the tax deadline date came into effect, and for it to be a permanent ordinance in this particular year a Public Hearing must be held. This is for the 1997 tax year only. It was done as an emergency ordinance and this will make it a permanent ordinance.

Chairman Moody declared the Public Hearing on A-97-7 open. There being no citizens signed up or desiring to speak the Public Hearing was closed.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT ORDAINED, by the Board of Supervisors that the Code of the County of Dinwiddie, Virginia is amended and reordained as follows, to be effective immediately:

By deleting the current text of Section 19-2 and adopting in its place the following:

I. Section 19-2.: DUE DATE FOR TAXES ON REAL ESTATE, TANGIBLE PERSONAL PROPERTY AND MACHINERY AND TOOLS; PENALTY AND INTEREST ON DELINQUENCIES.

(a) For each taxable year, County taxes on real estate, tangible personal property, and machinery and tools shall be paid, by or on behalf of persons owing such taxes, in two (2) equal installments. One installment shall be due and payable on or before the 5th day of June of the taxable year, except that for the 1997 tax year only this date shall be the 12th day of June, 1997, and the second or remaining installment shall be due and payable on or before the 5th day of December of the taxable year. If any such date shall fall on a day when the County's administrative offices are closed, all such taxes due on such date shall be due and payable on the first business day thereafter.

(b) If taxes referred to in subsection (a) above are not paid on or before the due date prescribed in such subsection, there shall be added thereto a penalty in the amount of ten (10) percent of the taxes due. In addition to the penalty provided herein, any such taxes that remain unpaid on the first day of the next following month in which such taxes become due shall be delinquent and interest thereon of ten (10) percent per annum shall be added to the amount of taxes or levies due from such taxpayer, which when collected by the Treasurer, shall be accounted for in his settlement. Furthermore, the County may recover reasonable attorney's or collection agency's fees, which shall not exceed twenty percent of the delinquent tax bill upon nonpayment, incurred in collecting the taxes referred to in above subsection (a); provided however that attorney's fees shall be added only if such delinquency is collected by an action at law or suit in equity.

This ordinance shall be effective immediately, Code of Virginia Section 15.1-504..

CROSS REFERENCE - Payment of Vehicle Personal Property Taxes Prerequisite to Licensing of Vehicle, Section 14-22.

STATE LAW REFERENCE -- Authority for above section, Code of Virginia Section 58.1-3916.

IN RE: A-97-8 -- PUBLIC HEARING -- FINGERPRINTING/HANDGUN PERMIT

Mrs. Ralph again called on Mr. Rainey, Commonwealth Attorney, to address this issue.

Mr. Rainey stated that he would like to briefly explain -- if someone goes in and applies for a handgun permit now, even today, they are being fingerprinted. Two (2) cards are made, if you have to go through that process, to go into the State. That does not give you but so large of a data base, Dinwiddie County and the State of Virginia. What we are doing now is coming into access to the FBI data base, which is considerably larger. It is his understanding that effective July 1997 the FBI will process fingerprints which are submitted for national record check only from jurisdictions that have passed this ordinance. We do not have to pass it but if we want to be part of that national data base we have to pass it. This is in compliance with Public Law 92-544 which was passed by the Congress and by State Law which is passed by the Commonwealth of Virginia. That is the reason to give us access to the larger data base.

Chairman Moody opened the Public Hearing on A-97-8. There being no citizens signed up to speak or no citizen desiring to speak the Public Hearing was closed.

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT ORDAINED by the Board of Supervisors of the County of Dinwiddie, Virginia:

- I. That the Code of the County of Dinwiddie, Virginia, be amended and reordained by adding the following as Section 16.5-21 of Article III of Chapter 16.5:

SECTION 16.5-21 CONCEALED HANDGUN PERMITS.

1. Each applicant for a concealed handgun permit, as a condition for issuance of such permit and in addition to the other requirements of Section 18.2-308 of the Code of Virginia, shall submit to fingerprinting and provide personal descriptive information for the purpose of obtaining the applicant's state and national criminal history record.
2. In order to determine the applicant's suitability for a concealed handgun permit, the applicant shall be fingerprinted by the Sheriff's Office. The fingerprints and descriptive information shall be forwarded by the Sheriff's Office through the Virginia State Police to the Federal Bureau of Investigation for a national criminal history record check.
3. A fifty dollar (\$50) charge will be assessed and paid by the applicant to the County for each handgun permit.

STATE LAW REFERENCE:

Code of Virginia Section 18.2-308, 1950, as amended.

IN RE: P-97-5 -- PUBLIC HEARING -- REZONING -- JAMES DICE

Chairman Moody requested that Mr. March Altman, Zoning Administrator, come forward to present the request.

Mr. Altman stated that the Board had before them P-97-5, the applicant being Mr. James Dice. Mr. Dice has requested rezoning on parcel identified as tax map parcel 21-139 on Airport Drive. Mr. Dice would like the zoning changed from B-2, Business, General to M-1, Industrial, Limited for the purpose of constructing and operating a welding machine shop. This parcel was previously the subject of a rezoning case in the early 1980's, and at that time this parcel was rezoned from Residential, Limited, R-1 to the current Business, General, B-2 zoning with a condition. That condition being that if there was future development of this land, to include any buildings or structures, shall not permit any radio, television, power, etc. tower which would penetrate the air space needed for the safe operation of aircraft and no use shall be established which would cause any disturbance of an electrical nature in the operation of aircraft or the airfield. The Planning Commission heard this case at their June 11, 1997, meeting. On a vote of 6-0 the Planning Commission recommended approval of this request with proffers that were submitted. Mr. Lee had an emergency and left the Planning Commission meeting prior to the case being heard.

Mr. Tickle questioned Mr. Altman regarding the landscaping around the business and the view from the highway. There was discussion regarding the type of landscaping and fencing that would be erected.

Mr. Dice came before the Board stating that he would place a cinder block or concrete panel wall up to block the view on the back of the property from the public view. It was suggested by the Board that an additional proffer be added before the vote was taken as to the acceptance

of the rezoning. Mr. Dice agreed to the additional proffer - condition number seven (7) - a cement wall section or cinderblock wall will be provided to screen the scrap metal from view from the public right-of-way. Mr. Paul Jacobson, County Attorney, stated that an additional proffer could be added before the vote was taken. This proffer needed to be written down and signed by Mr. Dice prior to the Public Hearing.

The Board took a short recess in order for this voluntary proffer to be written, dated and signed by Mr. Dice prior to the Public Hearing.

Chairman Moody opened the Public Hearing for P-97-5. There being no citizens signed up to speak and no citizen desiring to speak the Public Hearing was closed.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with the 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, and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia approves the rezoning application P-97-5 with proffers submitted by the applicant as follows:

1. Permitted Uses. The property shall not be used for the following purposes:
 - a. Communication Tower with a station
2. Setbacks. All main and accessory structures shall be setback from Airport Road (Rt. 641) a minimum of fifty (50) feet.
3. Buffers. A five (5) foot buffer along the side and rear property lines.
4. Fencing. Chain-link fencing will be provided along the side and rear property lines.
5. Height. The height of any main or accessory structure shall not penetrate the airspace of Petersburg Municipal Airport.
6. Storage Area. The storage of materials shall be limited to directly behind the main structure.
7. Screening. A cement wall section or cinderblock wall will be provided to screen the scrap metal from view from the public right-of-way.

IN RE: CRATER DISTRICT AREA AGENCY ON AGING -- APPOINTMENT

Mrs. Pamela Mann, Administrative Secretary, presented the following applicant for the Crater District Area Agency on Aging Board. We have one (1) application from Mr. William Calvin Beville who has been serving on the Board since 1985 and is seeking reappointment.

Mrs. Everett stated that Mr. Beville has done an outstanding job on the Crater District Area Agency on Aging and moved for his reappointment. This motion was seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody, voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. William Calvin Beville be appointed to the Crater District Area Agency on Aging for a term expiring June 30, 2001.

IN RE: SOCIAL SERVICES BOARD -- APPOINTMENT

Mrs. Mann stated that she had two (2) positions on the Social Services Board. The two (2) applicants being: Ms. Hope Mitchell who has been serving on the Board since 1993 and is seeking reappointment and Mr. Earl Weaver, Sr. who had been serving since 1996 and is also seeking reappointment.

Mr. Clay stated that Ms. Mitchell represents his area. Mr. Clay further stated that he felt that she is doing a good job and moved for her reappointment. The motion was seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey voting "aye" and Mr. Moody "abstaining",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Ms. Hope Mitchell be appointed to the Social Services Board for a term expiring June 30, 2001.

Mr. Bracey stated that he would like to postpone the second appointment for this Board to the next meeting. It was agreed by the Board to postpone this appointment.

IN RE: CRATER PLANNING DISTRICT COMMITTEE & METROPOLITAN PLANNING ORGANIZATION

Mrs. Mann stated that we have one application from Mrs. LeeNora Everett who has been serving on this Board since 1992 and is seeking reappointment.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye, Mrs. Everett "abstaining",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. LeeNora Everett be appointed to the Crater Planning District Committee & Metropolitan Planning Organization for a term expiring June 30, 1998.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- BETHANY BAPTIST ASSOCIATION AND ALLIED BODIES CONVENTION

Mrs. Ralph stated that the Board had an invitation from Rocky Branch Baptist Church for a member of the Board or representative to attend their Annual Session of the Bethany Baptist Association and Allied Bodies Convention on July 29, 1997. They would like for this Board member or representative to extend greetings to the Session at 10:00 A.M. Mrs. Ralph asked if there was a Board member that would like to attend. Mr. Tickle stated that he was open that day and that he had worked closely with that organization. Chairman Moody appointed Mr. Tickle to attend. Mr. Tickle stated he would be proud to attend.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- FORD VOLUNTEER FIRE DEPARTMENT -- BRUSH TRUCK

Mrs. Ralph stated the Board had representatives present from the Ford Volunteer Fire Department and that she would like to address the issue of a brush truck now. We had discussed at a previous meeting the request from the Ford Volunteer Fire Department and had some questions. They have supplied you with a package tonight and Mrs. Ralph stated she had supplied them with this packet prior to the meeting. The request basically covers their need for a brush truck which they have been without for approximately fourteen (14) months. It is more than just a matter of repairing the present brush truck and using the same tank and pump because of the weight rating of the truck. Mrs. Ralph stated that she was sure Mr. Drew Crowder and Mr. Brian Iverson could address this issue better than she. The overweight condition, according to the Department, contributed to chronic repair needs beyond the routine needs and scheduled maintenance. The Department feels like the overweight condition was the sole cause of mechanical failure which resulted in the vehicle being removed from service for safety reasons. The Department has provided the Board with quotes they had obtained over a year ago, therefore quotes would have to be solicited again. Mrs. Ralph stated that her question was, at the last meeting, was the chassis on State Contract. Mr. Iverson had answered that question earlier on in the meeting, indicating that it was not. The unit would have to be rebid and the modifications of the truck, itself is also a separate item; that would also have to be

rebid. The specifications that you have presented to you include everything that is needed to make the truck serviceable. Mr. Iverson stated that the original bid was presented to Mr. Charles Burgess at the December 1996 meeting of the Dinwiddie County Fire and Rescue Association. The package itself was basically a list of items that needed to take place. After the last meeting we revisited that fact and it became apparent there were at least three (3) items that would have to be bid in accordance with purchasing regulations. What we elected to do, which the package before you reflects, is to minimize that process to two (2) general packages. One (1) package would acquire the base vehicle, with certain dealer installed items to protect vehicle warranty, and then the vehicle would be delivered to a vehicle conversion contractor who specializes in fire suppression equipment. This contractor would take care of the booster tank, the pump, and modifications to prepare the truck for services as a fire fighting vehicle. The package as originally presented came to a figure of \$41,370.22, that package is now on the order of seven (7) months old. Allowing a five (5%) percent variance gives us a package cost of about \$43,433.00. The figure of \$45,000.00 given at the last Board meeting is not too terribly generous. Mr. Iverson stated that he is also told that the feeling of the Company is that we are willing to set a cap of \$45,000.00 maximum, anything less than that tenders to the County, anything in excess of \$45,000.00 the Company would have to encumber on their own. Mrs. Ralph asked Mr. Iverson to elaborate on the question about the use of the unit other than a brush unit, such as EMS services or First Responder Unit. Mr. Iverson responded with it did not occur this year, as they had had a moderate winter; however, in the winter of 1994/95, their only alternative for access into certain areas of their district, because of long driveways, road conditions, etc., compounded by inclement weather, was the four-wheel, all terrain capability of this truck. This was our sole means of access to residents in these areas. The only alternative we had with the brush truck out of service was a \$250,000.00 fire truck. In our line of work we do things that we have to do; however, risking a quarter of a million dollar piece of apparatus was not our best route. In this case the vehicle is actually physically smaller than a pumper and more capable in an off road environment. Mrs. Ralph asked Mr. Iverson about the number of calls, referred to in the document presented to the Board, was forty (40) brush fires out of one hundred and some calls. Mr. Iverson stated that number appears in the original proposal from December 1997. Mr. Crowder stated that was the number prior to the truck being removed from service. We reviewed 1995 fire reports and that truck responded to approximately 145 calls. Forty of which were brush calls; all other calls were emergency medical calls; it may have also responded to multiple calls. Primarily this vehicle is for brush fires, however it is capable of much more. With a pumper the pump is run by the motor of the truck; with the brush truck the pump is driven by a separate motor. This gives the capability to move the truck along with the fire. Currently we are calling on Mannboro in Amelia County to help with anything North of Route 460 from Route 708, Namozine Road to Route 625, Wells Road. We have worked out a mutual aid agreement with them. It is Mr. Iverson's understanding that Dinwiddie Company One has a brush truck. Their brush truck does not have the capabilities that our brush truck had. Theirs is like the garden hose variety. Namozine has a small brush truck. We are also calling on them for anything South of Route 460. McKenney also has a brush truck, however they are quite a distance from our area. Mr. Moody asked what area Ford Volunteer Fire Department covers. Mr. Crowder stated Route 708 to Claiborne Road, Claiborne Road to White Oak Road, White Oak Road to Route 40, Route 40 back to the Fort Pickett area. Mrs. Ralph stated that what happened to this request was that it was placed in the CIP Program for review by the Planning Commission. It was placed in the 1997/98 program year. The recommendation has not come forward from the Planning Commission, to date, on the whole CIP Program. This Program is a five (5) year program. Ford Volunteer Fire Department feels like a year/fourteen months without a brush truck is long enough and it has become more of an emergency situation rather than a CIP Program purchase. This is one of the reasons that they are bringing this to the Board now. Mr. Crowder stated that when the truck was originally taken out of service the Department had sought emergency funds, which they were informed were not available. We then submitted this request under our 1997 yearly budget, which we were again informed funds were not available at that time. Mr. Burgess then recommended that we submit the request under the CIP Program. By doing this Mr. Burgess felt that it would

speed up the process, whereas in our opinion, waiting until the 1998 budget to try again was out of the question. After we were informed as to how the CIP Program would work we spoke with Mr. Moody to request assistance. If this truck was something that was in service then we could afford to wait on the five (5) year plan but we no longer have this truck in service and it is a much needed piece of equipment. Mrs. Everett asked how long it would take to obtain a truck. Mr. Crowder stated that it would take approximately sixty (60) to ninety (90) days to obtain the chassis and then of course we will then have to seek vendors that would come in and convert it to a fire suppression vehicle. That will add additional time. Mr. Iverson stated that this type of vehicle lasts on the average of fourteen (14) years. With this type of life expectancy we would like to place on the road a new full warranty vehicle. Mrs. Everett stated that she understood that the Department would incur any expenses over \$45,000.00 and further asked if the Department felt that they might be able to handle any expense over \$35,000.00. Mr. Crowder stated that the Department is already incurring expenses well over the budget amount allowed by the County and that they felt that they would not be able to raise the additional revenue. Mr. Iverson stated that it was also important to note that we are planning an additional apparatus replacement. We are in the process of applying for a grant at this time. This additional apparatus would be a first responder unit, which they are hoping would be something along the lines of a Suburban. Mr. Bracey stated that the \$17,000.00 that they talked about the County contributing to the Department did not stop there. That was the initial budget amount. We supplied emergency repair money, maintenance money, insurance, plus we contribute to the first responder. Mr. Bracey continued by stating that he just wanted the Department to understand that we contribute considerably more than the budgeted amount. Mr. Bracey asked about the grant - is it a matching grant. Mr. Crowder stated it was a 80-20 grant. Mr. Bracey stated 80-20, so if you receive the grant where will the 20% come from. Mr. Crowder stated that they would accommodate for that out of the Department. Mr. Clay stated he had concerns about the price of the brush truck. He felt that this was overpriced for a vehicle that would be used forty (40) times per year. Mr. Iverson stated that he thought the term was long term. For a vehicle that will be in service for fourteen (14) years the price was not unreasonable. The specifications were not set by our Department. These specifications come from departments all over the country. The vehicle that truly meets the demands was a \$60,000.00 vehicle, we have scaled it down to essentials. This truck does not have many items that would make it more serviceable. Mr. Iverson stated that he wanted this truck to have the capability to attack a fire that may or may not be a threat to my property, my valuables, and my family. He stated that he wanted it to be the best possible. Mr. Clay stated that with the expenses of the courthouse and schools that he could not vote for this at this time. Mrs. Everett stated that she knew the County was in the process of building a new courthouse and doing the schools but the other needs of the County do not stop. There is a great need for this brush truck and she would like for them to go out and get bids for this truck and present them to the Board. Mrs. Everett stated her motion was for them to go and get bids and bring them before the Board. Chairman Moody stated he had a motion, is there a second. Chairman Moody called for discussion. Mr. Bracey stated he liked to be fair. He can not go along with Mrs. Everett's motion. He is willing to go a number toward the purchase of this vehicle. Mr. Bracey expressed a desire for the Board to pledge \$30,000.00 toward the purchase of this vehicle. We have other Departments that are in need and if you do for one you must do for all. Mr. Moody stated that he felt that Ford Volunteer Fire Department has waited patiently for this brush truck. It was put on the CIP and he now feels that this is an emergency and it needs to be taken care of. There are citizens in the area that Ford covers, a really large area. I feel that if we give them less then the bids it will just delay the situation even more. I would go along with them presenting the bids. We have a motion on the floor, any more discussion. Mrs. Everett stated that she would amend the motion to say that the County would support in the amount of \$45,000.00 any additional revenues would be the responsibility of Ford Volunteer Fire Department. The Chairman called for a second. No second was received. He then called for discussion. Mr. Bracey stated he did not understand. Mrs. Everett stated that any revenues over \$45,000.00 the Department would incur. Chairman Moody stated that the Chairman could decide to vote on a motion

and a second or just a motion. The Chairman stated we would vote on the motion.

Upon Mrs. Everett's motion, Mrs. Everett, Mr. Moody voting "aye", Mr. Clay, Mr. Tickle, Mr. Bracey voting "nay", the motion was denied.

Mr. Bracey offered a motion of \$30,000.00 toward the purchase of a brush truck. Mr. Tickle seconded the motion. The Chair called for discussion. Mr. Tickle stated he had a comment. He stated he was very supportive of Ford acquiring their truck, along with my colleagues Mr. Bracey and Mr. Clay. We all know that this need reaches far greater than the Ford situation. We have a situation for the CIP that could cost us \$750,000.00 plus. When you work in that magnitude you see it cost X number of dollars and that money has to come from somewhere whether you have it in the treasury or not. If not then you have to borrow it. This puts us in a very precarious situation when \$45,000.00 is roughly 60 to 65 percent of a penny which calls for your real estate tax. So to me that is very significant and I understand that you did the most elegant presentation. I feel very strongly that we can not support you for the full ride. When Mr. Bracey comes representing his district, if we give you the free ride then he is going to come back with we demand our truck now and our fire house. This will put the Board in a very precarious situation of doing what is right for them and I would have to support them. If you want it and want it bad enough you have to work a little harder to find creative ways to raise the additional funds. Mr. Moody stated that this is an emergency type of situations - this is not something like Mr. Bracey wanting a fire house. We do not have a brush truck. We have citizens down there that pay taxes and they want some services. Mr. Tickle stated he lived in that area and I am well aware of that. Mr. Moody stated that is about all they get is fire protection. It was stated your children go to school - what about the landfill? Mr. Tickle questioned the number of brush fires that demand these services and if you take Namozine, Dinwiddie it takes X number of minutes to get there, can that work for you on a temporary basis or can you find a way. When Mr. Titmus calls that is right below that cut off then Namozine will have to come and service them. Once again I don't - I am a very strong supporter but I can not give you a full ride. Mrs. Everett stated that she felt given our situation -- I know that Dinwiddie has needs and McKenney has needs and they need to be prioritized but I do think that the brush truck is up there at the top priority. I think that the other departments recognize this also. Dinwiddie and McKenney will get their turn. Mr. Clay stated that it would take the taxes off of sixty (60) \$100,000.00 homes to pay for this equipment. Mrs. Everett stated that there were a lot of \$100,000.00 homes out there, and \$200,000.00 homes out there. Mr. Clay stated that most of them were not affected by brush fires. Mr. Iverson stated he was curious, how were they not affected. Mr. Clay stated that if the house was not in the woods then it was not affected. Mr. Iverson stated that was not actually true. Mr. Clay stated it is true, if a house is sitting out in the middle of a field don't tell me you have to have a brush truck to put it out. Mr. Clay stated that he wished they could get it but money is scarce. Mr. Iverson stated that they understood that. That is the reason that the cover letter is written as it is. Mr. Clay stated that he had read the cover letter, however it was still going to take \$45,000.00 to get the truck whether you have a pretty cover letter or not. Mr. Iverson asked that the last paragraph of that letter be read, "Ford Volunteer Fire Department respectfully requests your consideration of this proposal and any financial support that the Board may be able to allocate to meet this need." Mr. Iverson stated that he felt the need had been made evidentially clear. Mr. Clay stated he was not questioning the need, he was in fact questioning the \$45,000.00. We do not have that much. We can not afford to put \$45,000.00 in each department. Mr. Iverson stated fact of the matter sir, there are six (6) volunteer fire departments to cover 100% of the geographical area of this County and all the citizens that inhabit within it. If those six (6) volunteer fire departments did not exist this County would be placed in a very precarious position by having to provide it through their own means. Mr. Clay stated that was right. Mr. Iverson continued by stating that Norfolk Fire Department mans fifteen (15) stations and has an annual operating budget of \$24,000,000.00. Mr. Iverson continued he thought the County was getting good value for the buck. Ninety-five (95%) percent of your expenditures to run any organization are going to be consumed in personnel expenses.

There are on an average thirty (30) personnel providing these services at no expense except for one vehicle sticker annually. Again good value for the buck. Mr. Clay stated he should not say this because it will make someone mad but Old Hickory asked for permission to buy a truck. They did not ask for the money. They got a brush truck. They bought it themselves. Mr. Bracey stated he understood Mr. Moody when he stated this was an emergency. It seems like everything that comes before the Board is an emergency. Mr. Bracey stated he thought if he had \$30,000.00 up front he could make that emergency turn into a reality. It is not like starting from scratch. Mr. Bracey stated that he felt the truck was over-priced. Many times we request what we want rather than what we can afford or need. Mr. Moody again stated that this is an emergency. He further stated that the Department has not just come to us yesterday - it is not like they came in here today stating we need it today. They have had this matter before us for twelve (12) months. Mrs. Anne Scarborough, a citizen in the audience, requested, since the County does not operate under Robert's Rules of Order, to speak. She stated that she felt very strongly about what she had to say. She further stated that if not allowed to speak now she would come before the Board at the next regular meeting. Mr. Moody stated that we do operate under Robert's Rules of Order to some extent but as far as the motion goes we can make a motion and vote on it without a second. If you would like you can come at the next meeting and discuss it with us. Mrs. Ralph stated before you vote, you will need to designate where the funds will be coming from. Since there is no money in the budget for this it would come from Undesignated Fund Balance, which right now is the same as the CIP Program. Mrs. Everett asked Mrs. Ralph is this surplus - is this what we are talking about. Mrs. Ralph stated she was saying Undesignated Fund Balance from the previous year because we do not know what we will be having for this year. Mr. Moody stated from what. Mrs. Ralph stated previous year, 1996. We have requested from the auditor that this balance be provided for 1997 as quickly as possible. Mr. Moody stated we have a motion and a second. Mr. Bracey stated he had forgotten what the motion was. Mr. Moody stated to provide \$30,000.00 from the 1996 Undesignated Fund Balance. Mr. Moody wanted to offer maybe if we looked at it and when the 1997 audit came through and we found out what funds were available - let them look for a truck and maybe go from there. Mr. Bracey asked do you want to do that. Mr. Bracey stated this is wrong. This is not according to Robert's Rules of Order, let's back up. He wanted to be sure he understood what was being said, \$30,000.00 will come out of the 1996 Undesignated Fund Balance and a month/month and a half when the 1997 funds are available then you want to do the truck. Mr. Moody stated at that time we will consider additional funds if available. Mr. Clay stated he would go along with that. If the County had a good surplus, he would go with \$30,000.00 now and if there was a good surplus he would go with the other. Mr. Bracey stated order the truck. Mr. Bracey stated that it was going to take so long to follow through. We will still set up a cap on the amount the County will pay. Mrs. Everett reminded the Board that they have to obtain bids for the truck. Mr. Moody stated the motion -- Mr. Bracey stated he withdrew his motion. Mr. Tickle withdrew his second.

Upon motion of Mr. Tickle, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia approves up to \$30,000.00 from the 1996 Undesignated Fund Balance toward the purchase of a brush truck for the Ford Volunteer Fire Department, and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, if after the 1997 audit the County determines that additional funds are available, then the County will designate additional funds not to exceed \$45,000.00 total, and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, also authorizes Ford Volunteer Fire Department to begin their bid process.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- COURTHOUSE FURNITURE BIDS

Mrs. Ralph stated that you did not have the furniture bids in your package and we are not here to ask you for a decision tonight merely to distribute them and ask how you would like to go over them when you make your decision. Mr. Faison has the information and I believe the packages were placed in front of you prior to the meeting. Mrs. Ralph asked Mr. Faison to come forward and give a brief overview of the bids.

Mr. Faison came before the Board and presented the overview. He stated that the bid came in under the original estimate.

Mr. Moody suggested that the Board meet before the Board meeting next week to review the furniture bids. The Board agreed to meet at 1:00 P.M. on July 16, 1997 to discuss and review these bids.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- EROSION AND SEDIMENT CONTROL SEMINARS

Mrs. Ralph stated that the Board had before them two (2) courses that Mr. Faison wished to attend. By attending these seminars Mr. Faison could rely on some of the additional talents that he has in the field of construction. After attending these seminars, he could assist the Planning Department in the review of erosion and sediment control practices. He would have to attend these seminars in order to be certified. There is a fee of \$20.00 per seminar for a total of \$40.00.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Donald W. Faison is authorized to attend the Basic Erosion and Sediment Control and Erosion and Sediment Control in Virginia for Inspectors seminars at a cost of \$20.00 per seminar, for a total of \$40.00.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- DARVILLS COMMUNITY CENTER

Mrs. Ralph stated the next item was one that was discussed at the last meeting, which is being brought back to you as requested, with additional information. The County Attorney has provided you with this information on Darvills Community Center. If you have any questions Mr. Paul Jacobson, County Attorney, is available. Mr. Moody stated that the Board has had opportunity to look over the information. Mr. Jacobson stated that the only clarification he would make is that at the last meeting we had discussed charitable organizations; there is also the same authority to appropriate money to non-profit recreation associations.

After much discussion Mrs. Everett made a motion, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye, Mr. Tickle" abstaining",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Attorney be authorized to prepare a notice for a public hearing to submit Darvills Community Center to the General Assembly for tax exempt status.

The issue of the real estate taxes for 1997 was tabled until a later date.

IN RE: COUNTY ADMINISTRATIVE COMMENTS -- FEDERAL EQUITABLE SHARING AGREEMENT

Mrs. Ralph stated that the Sheriff's Department has requested that the Interim County Administrator be authorized to sign a Federal Equitable Sharing Agreement which allows a fund to be established to receive any funds received from seizures of federal property. This Agreement must be signed and returned to be eligible for anything that we might be able to recover. The County Attorney has reviewed this Agreement and stated Board action is required in order for her to be able to sign.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye"

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Wendy Weber Ralph, Interim County Administrator, be authorized to sign the Federal Equitable Sharing Agreement for the Dinwiddie County Sheriff's Department.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- GRASS CUTTING ORDINANCE

Mrs. Ralph stated she was passing out an ordinance that the Board requested dealing with excessive grass, weeds, brush, or other uncontrolled vegetation. If you would like to authorize this to be advertised or if you would like to put this on the next agenda and authorize it to be advertised or take action as an emergency ordinance at that time, it is up to you. The height would be whether it exceeded 12" in height. If it is determined that it falls under this ordinance, then under this particular proposal, the County would go in, have it cut and bill the property owner. If the bill was not collected, the fee owing would be placed as a lien against the property. There was some discussion as to agricultural property. Mr. Altman presented facts pertinent to this matter and answered questions the Board had regarding State Code.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administration is authorized to advertise for a public hearing regarding the ordinance pertaining to excessive grass, weeds, brush, or other uncontrolled vegetation as soon as possible.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- APPOMATTOX SCENIC RIVER

Mrs. Ralph stated that the County had received a letter from the Department of Conservation Recreation stating that a part of the segment of the Appomattox River meets the scenic river designation. They are inquiring about whether there is an interest from the Counties, which might be involved in this, as whether we want it added. Those counties in question being Chesterfield and Dinwiddie County. If there is support it would be recommended that the existing designation be extended upstream to Lake Chesdin Dam. This would be accomplished by an amendment to the existing legislation. What Mrs. Ralph was proposing was to invite these individuals to the next meeting to explain what would be involved in that. The Board instructed Mrs. Ralph to extend the invitation to the next meeting.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- WAC MUSEUM/SIEGE MUSEUM

Mrs. Ralph stated that she had received a telephone call from the City of Petersburg, adding you may have read the article about trying to get a relocation of the WAC Museum to Fort Lee, because of a base closing in Alabama. There is a meeting that will be held at the Siege Museum next Monday, July 7th, at 1:00 P.M. I would like to see if there is a Board member that would like to attend. Mrs. Everett will attend the meeting to gather information for the Board.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- LAWN MOWER

Mrs. Ralph stated her final item was the review of the lawn mower bids for the building and grounds department. She has requested input on this purchase earlier and requested authorization to proceed with her recommendation. She was instructed by the Board to proceed with the purchase.

IN RE: BOARD MEMBER COMMENTS

Mrs. Everett -- One (1) of our Board members is very interested in attending the VACo Annual Meeting November 9-11, 1997 at the Homestead. I also think our new County Administrator is interested in attending this conference. Reservations are needed to secure rooms. Mr. Tickle is on the finance committee and Mr. Long is a member of the transportation committee.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye", Mr. Tickle "abstaining",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Michael Tickle and Mr. Martin Long are authorized to attend the VACo Annual Meeting November 9-11, 1997 at the Homestead.

Mr. Bracey requested that upon their return that Mr. Tickle and Mr. Long make an extensive report to the Board of what transpired at the meeting. Mr. Bracey stated that he hoped that they would vote to hold the meeting in Richmond next year. Why did they have to hold this meeting at the Homestead?

Mr. Tickle -- He stated that he did ask that question when he attended last time, if they could have it in Richmond. They gave a very good reason; that there is no place in the Richmond area large enough to house the entire State in one location. They chose not to spread them out over several hotels like most conventions do. I found that kind of surprising, however I did make that recommendation. The second thing that I would like to bring up to the Board, I know the Board already knows this, but to the citizens of the community, is that this event is for two days and all for the grand total of \$176.00 or a \$186.00. It is not; they give a very reduced rate for this type of event at the Homestead; that includes your hotel room, or your accommodations, and also includes your items like food during that time. It is a very reasonable type of venture and hopefully we will get something out of it. He stated he wished to thank the Board for allowing him to participate in this.

Mr. Clay -- no comments

Mr. Bracey -- Mr. Bracey stated Mr. Faison had taken him on a tour of the CIP sites. He encouraged other Board members to follow. Mr. Faison was well known by the Supervisors on all job sites.

Mr. Bracey hoped that with the new Administrator coming aboard that there be some plans set for the Board or the Administration to do the purchasing of vehicles, regardless of who it is for.

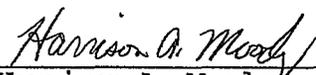
Mrs. Everett -- She reported that the Fly-In over the weekend was a success and plans are to repeat it again next year.

Mrs. Everett also reported that Mike Hill from the Petersburg National Battlefield, with representatives, will be touring the Courthouse on Monday to review its structural needs.

Mr. Moody -- He reported that the Molly Hatchet concert had a lively crowd. There were several arrests but all in all it was a good affair.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 9:45 P.M. to be continued until 1:00 P.M. on July 16, 1997 to discuss the furniture bids for the new courthouse complex at the Pamplin Administration Building.



Harrison A. Moody
Chair, Board of Supervisors

ATTEST: 
Wendy Weber Ralph
Interim County Administrator

/pam