

VIRGINIA: AT THE REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 18<sup>TH</sup> DAY OF OCTOBER, 2000, AT 2:00 P.M.

PRESENT: AUBREY S. CLAY, CHAIRMAN ELECTION DISTRICT #5  
HARRISON A. MOODY, VICE-CHAIR ELECTION DISTRICT #1  
DONALD L. HARAWAY ELECTION DISTRICT #2  
ROBERT L. BOWMAN, IV ELECTION DISTRICT #3  
EDWARD A. BRACEY, JR. ELECTION DISTRICT #4

OTHER: BEN EMERSON COUNTY ATTORNEY

**IN RE: CALL TO ORDER – INVOCATION – PLEDGE OF ALLEGIANCE**

Mr. Aubrey S. Clay, Chairman, called the regular meeting to order at 2:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

**IN RE: AMENDMENTS TO THE AGENDA**

Mr. Clay asked if there were any amendments to the Agenda.

Mr. R. Martin Long, County Administrator stated he would like to move a portion of Agenda Item 11 Closed Session, Personnel Matters § 2.1-344 A.1 to the end of the meeting.

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above described amendment to the Agenda is hereby approved.

**IN RE: MINUTES**

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the October 4, 2000 Continuation Meeting and October 4, 2000 Regular Meeting are hereby approved in their entirety.

**IN RE: CLAIMS**

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay 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 numbered 1022488 through 1022783 (void check(s) numbered 1022488 through 1022610 [printer error] and 1022717) for

**Accounts Payable:**

(101) General Fund	\$ 206,376.62
(103) Jail Commission	\$ 52.50
(104) Marketing Fund	\$ .00
(222) E911 Fund	\$ .00
(223) Self Insurance Fund	\$ .00
(225) Courthouse Maintenance	\$ .00
(226) Law Library	\$ 56.63
(228) Fire Programs & EMS	\$ 1,731.68
(229) Forfeited Asset Sharing	\$ .00



(304) CDBG Grant Fund	\$ 819.00
(305) Capital Projects Fund	\$ 145,870.84
(401) County Debt Service	\$ 100,585.75
<b>TOTAL</b>	<b>\$ 455,493.02</b>

**IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATION PROJECT – REQUISITION NUMBER 22 (IDA1999A-#14)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 22 (IDA1999A-#14):

SOUTHWOOD BUILDERS, INC.	\$346,047.00
BALLOU JUSTICE UPTON	<u>4,380.17</u>
<b>TOTAL REQUISITION #22 (IDA1999A -#14)</b>	<b>\$350,427.17</b>

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 22 (IDA1999A-#14) in the amount of \$350,427.17 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Renovation Project Fund.

**IN RE: CITIZEN COMMENTS**

The following citizens came forward to address the Board:

**ANIMAL CONTROL**

1. Nancy Batte, 8206 Courthouse Road, Church Road, Virginia 23833, President of the Dinwiddie Friends of Animals came forward to express delight for the laundry and storage room, which has been added at the Dinwiddie County Animal Shelter. She stated it was long overdue and they were thrilled that they finally have it. Ms. Batte continued that she wanted to clarify the donated material information. In 1998 the Dinwiddie Friends of Animals earned \$1100.00 working a picture-taking event, with Santa and pets, at Pet Smart. She stated they also earned \$500.00 for a two- (2) day adopt-a-thon. For the record, the laundry room addition will be paid for out of the above monies that they earned. In other words Santa paid for the addition. She stated she understood that Mr. Steve Beville, Animal Control Officer, would be giving the Board a report today and she requested an opportunity to respond if she felt one was needed.

**ZONING ISSUE**

2. John Boze, P.O. Box 445, Dinwiddie, Virginia 23841 stated Mr. John Herring from Industrial Galvanizers would speak on his behalf. He continued that currently they are storing some cellular towers on Mr. Boze's property which is zoned B-2. He asked for a clarification as to if that was or is not the right zoning to store material. He stated they had no intention of doing any kind of manufacturing, it is just being used for storage of the poles for removal from today to a few years from now. The reason they were leasing this property is because there is no space at their plant. If that is not acceptable, the next thing he would like to ask was that they be allowed time to apply for rezoning or to locate additional property.

Mr. Long explained to Mr. Herring the process and time frame of filing for a rezoning. Mr. Long stated he would be discussing this matter with the Board later in the day and would supply him a response by the week's end.

### **ANIMAL CONTROL**

3. Mildred Maddry, 107 Marvin Avenue, Colonial Heights, Virginia 23834, came forward to bring the Board's attention to several items relating to the Animal Shelter in Dinwiddie County. She stated that through the Save Our Shelter in Richmond and the Freedom of Information Act they were able to obtain certain documents concerning the Animal Shelter in Dinwiddie County. She stated they have the County's proposed budgets from 1999 through 2001. She stated they were questioning why in 1999 the County allowed \$1800.00 for food, in 2000 it increased to \$2000.00 but in 2001 the County is decreasing that amount to \$1500.00. Were the animals not going to be fed as well? They were also questioning the electric bill budget figures. In 2000 the electric bill budget was \$4500.00 but in 2001 it is going to be reduced to \$2500.00. She stated Vepco had not reduced her electric bill! Was the County not going to provide heat for the animals? One other question regarded the number of animals euthanized and the number of animals taken in. She was concerned about the number of animals taken to the veterinarian stating it was not enough. She hoped Mr. Beville would address these issues in his report to the Board.

### **McKENNEY FIRE/EMS STATION -- SIGN**

4. Alan Paige, 19718 Depot Road, McKenney, Virginia 23872 came forward to address the Board on behalf of the McKenney Volunteer Fire Department to request approval for a sign to be placed in front of the new McKenney Fire/EMS Station.

Mr. Long asked Mr. Paige if he had discussed this matter with Mr. Donald W. Faison, Superintendent of Buildings and Grounds and Mr. David M. Jolly, Director of Public Safety with regard to the type of sign, the matching of the brick to the building, etc?

Mr. Paige stated it would be brick.

Mr. Clay stated he thought Mr. Paige wanted approval so he could begin construction.

Mr. Long asked if the request was for approval to erect or is it for funds or what is the actual request for?

Mr. Paige answered to put it up.

Mr. Clay asked Mr. Paige if they had funds for this project.

Mr. Paige indicated that funds were available.

Mr. Long asked if the request was to erect/install the sign on the property with the new station with the station funding the materials and labor?

Mr. Paige indicated that was correct.

Mr. Bracey stated he was under the impression that this request was unnecessary. He asked if the County had not decided that all fire stations, all signs and so forth be the same. He asked if this was the same design that they are using at Dinwiddie.

Mr. Paige indicated it was not.

Mr. Bracey asked if there was any particular reason for the difference.

Mr. Clay asked who was going to pay for the one at Dinwiddie?

Mr. Bracey responded that Dinwiddie was paying for it.

Mr. Long stated Dinwiddie did.

Mr. Bracey stated it was strange that they were being presented now with another one but he was concerned with the design. He thought the Board was moving to a unified system. Mr. Bracey asked if Mr. Faison and Mr. Jolly had worked out the other one why it could not be used for them also.

Mr. Clay asked why they could not put up any one that they liked? He stated it was their firehouse and he did not see why they could not put up any one that they wanted to. He did not understand why we would have to tell them everything.

Mr. Bracey stated that was not the issue.

Mr. Clay asked what the issue was?

Mr. Bracey stated the issue was, and he had voted for it just the same as Mr. Bracey had, that the firehouse would be the same in design.

Mr. Clay stated he voted for the firehouses not the signs.

Mr. Bracey stated to do anything he wanted to do with it.

Mr. Clay stated it was whatever the Board wanted to do with it, he could not do anything with it.

Mr. Moody made a Motion to approve the sign as presented since they were going to be funding it.

Mr. Clay called for a second.

Mr. Bowman asked Mr. Paige if there was any compromise on this in order to have the signs uniform?

Mr. Paige asked do you mean change the design?

Mr. Bowman asked Mr. Paige if he had looked at the one at the Dinwiddie Station?

Mr. Paige stated no sir.

Mr. Bowman suggested that maybe he could get together with Mr. Faison and work it out. Mr. Bowman asked Mr. Faison if he had a drawing on it?

Mr. Faison responded he did.

Mr. Bowman asked Mr. Paige if he wanted to get with Mr. Faison and see if it is possible to keep everything uniform?

Mr. Faison stated it was the design that was presented to the Board about a month ago. Mr. Faison stated the design Mr. Paige had was similar but different. This one has a sloped roof on it and does not have the planter around it like Dinwiddie. The bricks are the same on both signs and the mortar is the same on both.

Mr. Haraway asked if Mr. Faison and/or Mr. Jolly had a problem with this design.

Mr. Jolly stated until today he had not seen the sign design; therefore, he could not really answer Mr. Haraway's question.

Mr. Faison stated he saw it about two- (2) minutes before he walked into the Board meeting, this design. He stated he knew a drawing was coming today to be presented to the Board but he did not know what it looked like.

Mr. Haraway stated he was not against it and he would not mind seconding it but he would like to have Mr. Faison review this one.

Mr. Jolly stated it was reasonably close to what Dinwiddie is going to have with the exception of the planter. He stated he was assuming it was ground level and not elevated.

Mr. Paige stated they would probably plant flowers and stuff around it but he did not know about having a planter.

Mr. Faison stated Dinwiddie's has an elevated, about 16 inches, planter and then their lighted sign above it and it does not have the columns going up on the ends of the sign as McKenney's proposed drawing of the sign indicates.

Mr. Paige indicated he was not aware that this sign needed to be approved by the Board until the other day.

Mr. Clay suggested that Mr. Paige meet with Mr. Jolly and Mr. Faison and report back to the Board later in the meeting.

There being no additional citizens wishing to address the Board, Mr. Clay moved forward.

**IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION**

Mr. Richard Caywood, Resident Engineer for the Virginia Department of Transportation came forward reporting they had received bids on Courthouse Road, priority 3 in the six- (6) year plan (Route 619) project. Bishop and Suttle were the low bidder with a low bid of \$898,951.00. This project should be completed within approximately one- (1) year.

Mr. Caywood continued by informing the Board there would be a meeting on November 6<sup>th</sup> at 1:00 p.m. in the District Office. This would be a kickoff meeting for the 2001 Enhancement Grant Program. This is an introduction to the program.

Mr. Caywood stated it is again time to begin the process of the six- (6) year plan. They are in the process of developing a draft plan to present to Mr. Long and set hearing dates for the Board.

He stated one last thing he would like to mention, even though it is not in Dinwiddie County, was the Primary six (6) year plan budget that was approved by the Commonwealth Transportation Board last month. Approximately \$20 million dollars or a \$20 million dollar project was added to study the entire 460 corridor from the Petersburg City line to Suffolk. This would ultimately impact Dinwiddie County.

Mr. Moody stated he had called and left a message for him regarding some guardrails on Whitmore Road.

Mr. Caywood stated he had not gotten the message but he would be glad to look into that.

Mr. Moody stated it was where the pipe was replaced.

Mr. Caywood stated he had asked the maintenance manager to have the traffic folks review that. He continued that their goal, when the work was done, was to replace that in kind. It did not have rails before and that is why they did not put rails back. He will check on that review and report back.

Mr. Moody also stated on Zilles Road, at Butterwood Creek, there is a drop off and is in need of guardrails.

Mr. Haraway thanked Mr. Caywood for the white lines at the intersection of Namozine and Sutherland Roads.

Mr. Bowman thanked him for the work on Duncan Road.

Mr. Bracey stated Ridley Road—

Mr. Caywood stated the current status on that – he had received the names and addresses of everyone along the road, just very recently from Mr. Long, and he would be writing a letter to everyone who lives along the road. He will be asking them the same questions that had been discussed at the last meeting. This is also something that would be considered in the six- (6) year plan update.

Mr. Bracey stated the bridge at Quaker Road, Route 619, Dabney Mill Road – he stated he thought several months ago he had asked about when you enter or come on or exit the bridge there is a terrible bump at the end of all of them. There seems to be a problem.

Mr. Caywood stated the problem would be difficult to correct without totally rebuilding the bridges. He continued that there was a possibility of patching them and he would personally take a look at them.

Mr. Bracey stated there is also a problem at Hatcher Creek Run Bridge/Road or whatever, that is a disaster. He was lucky because he just swayed a little but there has been a second boat lost while crossing that bridge.

Mr. Bowman stated he too had experienced problems at that site.

Mr. Caywood stated he usually liked to start with compliments when he had them. He continued that he had been working, on his days off, in Dinwiddie County helping his father-in-law build a house and he has had nothing but praise for the building inspections and permits office. He has built a series of houses throughout his life and he said this is one of the most positive experiences he has had. The project is going well and he has gotten a lot of good support from the County.

**IN RE: COMMISSIONER OF THE REVENUE – REPORT**

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

**IN RE: TREASURER**

Mr. William E. Jones, Treasurer, came forward presenting his monthly report.

**IN RE: COMMONWEALTH ATTORNEY – REPORT**

Mr. T. O. Rainey, III, Commonwealth Attorney, came forward stating he had nothing to report but he would be glad to answer any questions the Board might have.

Mr. Bracey asked about the telephone system in the General District Court.

Mr. Rainey stated he had inquired of the Supreme Court, they have a division that helps Court Administration. They are discussing some alternatives that they would be bringing to the Board about some assistance maybe the County could provide. Since it has been voiced that that basically cannot be done they were now looking at maybe rearranging the telephone lines. By rearranging they could have one telephone line that is essentially a business line. There has been a little bit of a set back here, nothing that the Board has caused but something that is caused because they are a State agency.

**IN RE: SHERIFF'S DEPARTMENT – REPORT**

Sheriff Samuel H. Shands came forward stating the Board had his report before them and he would be glad to answer any questions.

Mr. Bowman asked about the marking of the vehicles.

Sheriff Shands stated they have not all been marked but are being done at 2 to 3 a week.

**IN RE: SHERIFF'S DEPARTMENT – REQUEST TO UPDATE WEAPONS AND FOR AUTHORIZATION TO UTILIZE MONIES AVAILABLE FROM THE DRUG SEIZURE FUNDS**

Sheriff Shands continued by stating that the Board would recall from the 2000-2001 budget request he requested funding for automatic pistols to be used as service weapons by law enforcement and courtroom security personnel. He remarked that at that time he was unsure as to how many of the personnel involved desired to change service weapons. Since the budget meeting he had discussed this issue with all of the deputies and the vast majority are anxious to have the updated weapons. The Board approved funding for ten (10) weapons in the approved 2000-2001 budget for Capital Outlay. Sheriff Shands stated he appreciated the Board's willingness to purchase the weapons for the deputy sheriffs. However, since the Board has shown a willingness to purchase these weapons, the deputies have expressed to him that they would like to all be provided these weapons as soon as possible. Most deputies see these weapons as a safety issue and an act on the County's part to provide them with the most modern and efficient police weapons available. After his conversations with the deputies, he realized that in his presentation of the issue to the Board, he did not relate this issue as strongly or place this issue as high on the priority scale as he should have. He apologized for this to the Board and to the deputy sheriffs. With this understanding he had sought other areas of funding that could be utilized for the purchase of the weapons at the present time without affecting the budget as approved for his office. During the course of drug investigations, his office seizes money and other items such as cars and real property. This money, by statute, must be used for law enforcement purposes. At the present time, this fund (number 229) has in excess of \$16,000. The sole use of this fund to this point has been to pay for the cellular telephones used by the officers. He felt that \$15,000 of this money can and should be used to supplement the budgeted \$8,000 to allow the purchase of all the needed automatic weapons. He was sure that with the present cases before the courts that this fund would not be depleted beyond what is needed to continue funding the cellular telephone bills. He anticipated the weapons costing approximately \$23,000. This price includes weapons, leather goods, and ammo for training, and allows a trade-in for the existing service revolvers. Should the Board authorize the use of the \$15,000

from the drug asset seizure fund, he would get the necessary bids and present them to the Board before moving forward with requesting authority to purchase the equipment.

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye", Mr. Bracey "Abstaining",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the use of \$15,000.00 from the Forfeit Asset Sharing Fund for the purchase of weapons and accessory equipment, as described above.

**IN RE: SHERIFF'S DEPARTMENT – REQUEST TO PURCHASE SIX (6) NEW VEHICLES**

Sheriff Shands stated he had included in the Board's packets a letter stating that in their 2000-2001 approved budget, \$132,000 was approved by the Board for the purchase of six (6) new vehicles. Dick Strauss Ford, Inc., doing business as Sheehy Ford of Richmond, was awarded State contract for police vehicles for model year 2001. This contract expires March 1, 2001. Listed below are the descriptions and equipment requests for each vehicle:

Base price	\$20,894
6" spotlight	181
Rear vinyl seat	78
Limited slip differential	95
Heavy-duty rubber flooring (in place of carpet)	No charge
Cruise control (deleted)	( 151)
Total purchase price per vehicle	\$21,097

Sheriff Shands respectfully requested authority to purchase six (6) 2001 vehicles from State contract number 1FB0000001441 from Dick Strauss Ford, Inc., doing business as Sheehy Ford of Richmond, at a purchase price of \$126,582.

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Sheriff's Department is hereby authorized to purchase six (6) vehicles from State contract number 1FB0000001441 from Dick Strauss Ford, Inc., doing business as Sheehy Ford of Richmond, at a purchase price of \$126,582.

Ms. Ann Scarborough, a citizen in attendance, asked what color the vehicles would be.

Sheriff Shands stated they would all be Sheriff brown in color.

**IN RE: BUILDING INSPECTOR – REPORT**

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting the report for the month of September 2000.

**IN RE: BUILDING INSPECTION – REPORT OF FEES AND CODE AMENDMENTS**

Mr. Abernathy stated he felt that what he had budgeted and the fees being charged by Building Inspection should cover the decrease with State changes; therefore, at this time he did not see any need for an increase in fees. The Board had just increased the fees in the Summer of 1999. He presented the Board with a twelve (12) month report showing the fees collected during that period.

He reported that he is still discussing an amendment to the Code of Dinwiddie County with Ms. Phyllis Katz, County Attorney. He hoped to have that finalized by the November meeting.

There was discussion regarding the fees being waived and the percentage of buildings not subject to real estate taxes.

**IN RE: ANIMAL WARDEN – REPORT**

Mr. Steven R. Beville, Animal Warden, came forward presenting his report for the month of September 2000.

**IN RE: ANIMAL CONTROL DEPARTMENT – STATISTICS  
AS REQUESTED ON DISPOSITION OF ANIMALS**

Mr. Beville stated he had included a report, as requested by Mr. Haraway, on statistics from 1993 through 1999. This reported included a breakdown for a typical month as an example of disposition of animals. Also included in the report were photographs, of the Shelter, that were taken to show improvements that have already been made and those in the process of being made.

Mr. Haraway stated what he was asking Mr. Long about was a reply to citizen's comment. He was under the impression that a report would be made today, a reply to the comments made.

Mr. Long stated his feeling was that the information that was put into report form in the Board's packets was in response to some of the inquiries and comments that had been made, in as much as Mr. Beville had included the last seven- (7) years of adoption rates, return to owner, some of the breakdown on pets that were not adoptable, pets that were adoptable and how many go out. He included pictures of improvements at the shelter and basically an overview of the statistical rates, which is primarily one of the issues that were gotten in to.

Mr. Haraway stated he also wanted response to newspaper articles. He states as a Board member this puts him at a disadvantage because he does not know if what is being reported in the newspaper is correct or not. He was hoping Administration would come back and give the Board a report saying what part of the newspaper article is correct and then point out the portion that is incorrect.

There was additional discussion regarding ways to prevent the unwanted animals, statistics regarding the number of animals being euthanized, the problem with animals being brought from the city and being dumped in the County and the fact that Dinwiddie County does participate in the Pets Mart adoption days. Mr. Beville stated he would contact the rural counties for comparative statistics to include in a report for the Board. Mr. Beville remarked that he had not personally been at a Pets Mart adoption day because of the workload that he is carrying. Mr. Beville pointed out to the Board that they run an adopt a pet article each week in the Dinwiddie Monitor. Mr. Beville voiced that the Friends of Animals have helped the Shelter in many ways.

Mr. Long stated that each staff member of the Shelter had visited his office and have been highly upset because it reads like they enjoy euthanasia. The Staff at the Shelter all work a great deal of overtime and care about the animals. They feel they are doing the best they can.

Mr. Bowman was concerned about the decrease in the electric and dog food budget.

It was explained that they had installed a new heating system and there would be a decrease in the electric demand because the heating system is gas. Also they were receiving donated food and also because the population in the

Shelter fluctuates a great deal. They are currently having problems receiving euthanasia supplies and the Shelter is very over crowded. There was also discussion regarding video, the count of veterinarian visits, the keeping of a daily temperature log, and the fact that the Shelter does try to work with Friends of Animals.

It was suggested that it might be good to have a veterinarian under contract so the charges would not be so high. This would be investigated to see if it was practical.

**IN RE: DIRECTOR OF PLANNING – INTERIM ZONING  
ADMINISTRATOR – REPORTS**

Mr. William C. Scheid, Director of Planning and interim Zoning Administrator, came forward presenting an update for his Departments.

**IN RE: COMPREHENSIVE LAND USE PLAN – DISTRICT  
MEETINGS**

Mr. Scheid asked the Board members to think about where they would like to have a meeting held in their district for the Comprehensive Land Use Plan update. He suggested one meeting per district but did state they could combine meetings.

**IN RE: CODE ENFORCEMENT OFFICER – QUARTERLY  
REPORT**

Mr. David S. Thompson, Planner II/Code Enforcement Officer came forward presenting his quarterly report to the Board.

Mr. Bracey questioned the tall grass ordinance and the fee that had been discussed at an earlier meeting.

Mr. Thompson stated Administration was working on the fee issue for cutting after noncompliance by the owner of the property. He stated the older complaints on the list were foreclosures and he was working with the banks on clearing these.

There was discussion on the trash/tall grass issue involving Food Lion and that Mr. Thompson was trying to contact the owners.

The old Safeway Store was discussed and the danger with the glass being broken out. It was suggested that there might need to be an investigation on how to handle commercial property damaged by vandalism and fire because these buildings are a safety hazard as well as an eyesore. The Board suggested this be mentioned to the Building Inspector.

**IN RE: SOCIAL SERVICES – REPORT**

Ms. Peggy McElveen, Director of Social Services came forward presenting an update on her Department, which included the Comprehensive Services Act 1999-2000 (presented by Francene Green, Chairman, County Management Team), the Christmas Sharing Foundation – Christmas 2000, and the Energy Assistance Program.

**IN RE: SOCIAL SERVICES – REQUEST AND APPROVAL OF  
APPROPRIATION OF FUNDS FROM DONATIONS**

Ms. McElveen concluded her report by requesting a resolution to appropriate funding received by her department through donations. The funds received are as follows:

• Saint John's Church	\$ 500.00
• Butterwood United Methodist Church	<u>35.00</u>
TOTAL	\$ 535.00

Mrs. McElveen stated that no local match funds would be required.

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for supplemental appropriations from donations in the amount of \$535.00 for the FY 2000 Social Services budget as follows:

• Saint John's Church	\$ 500.00
• Butterwood United Methodist Church	<u>35.00</u>
TOTAL	\$ 535.00

**IN RE: SUPERINTENDENT OF SCHOOLS – REPORT**

Ms. Troilen Seward, Superintendent of Schools was not present.

Mr. James Lanham, III, Assistant Superintendent of Schools came forward to present a monthly update for the School System.

**IN RE: DINWIDDIE COUNTY PUBLIC SCHOOLS – REQUEST FOR VEHICLE TRANSFER**

Included in the Board's packet was a memorandum from Ms. Esther M. Channell, Transportation Department, stating their department had a critical need for a car to replace the aging, worn-out vehicle now in use for pupil transportation and other department services. The vehicle which they were requesting for their department is: 1994 Ford – VIN 2FALP71W9RX204420 and the vehicle they would like to transfer to the County is: 1988 Ford – VIN 2FABP72F7JX212501.

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the transfer of the title by Administration of a 1994 Ford – VIN 2FALP71W9RX204420 to the Dinwiddie County School Board – Transportation Department, with the School Board in turn transferring title of a 1988 Ford – VIN 2FABP72F7JX212501 to the County for surplus.

**IN RE: RECESS**

Mr. Clay called for a ten- (10) minute recess at 3:40 P.M.

The Board reconvened at 3:50 P.M.

**IN RE: PARKS AND RECREATION – REPORT**

Mr. Timothy C. Smith, Director of Parks and Recreation, came forward presenting his report for the month of September 2000.

**IN RE: WASTE MANAGEMENT – REPORT**

Mr. Dennis King, Director of Waste Management came forward to present his report for September/October 2000.

**IN RE: ROHOIC TRANSFER SITE – BUILDING**

Mr. King reported that the Rowanty Vocational Technical Center had agreed to build a small building for the Rohoic transfer site at a cost of \$700.

**IN RE: PUBLIC SAFETY OFFICER – REPORT**

Mr. David M. Jolly, Public Safety Officer, came forward presenting his monthly report.

**IN RE: MCKENNEY FIRE/EMS STATION – SIGN APPROVAL**

Mr. Jolly reported that he and Mr. Faison had reviewed the plans for the sign submitted by the McKenney Fire/EMS Station and they recommended approval.

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the McKenney Fire/EMS Station to erect a sign, per the plans submitted to the Board this date, with all funds being provided by the volunteers.

**IN RE: STATEWIDE MUTUAL AID AGREEMENT – REQUEST FOR ADOPTION**

Mr. Jolly stated he had included in the Board's packet a copy of the Commonwealth of Virginia, Statewide Mutual Aid implementation guidebook. He requested the Board adopt a resolution as outlined below:

**STATEWIDE MUTUAL AID FOR EMERGENCY MANAGEMENT  
MODEL RESOLUTION**

WHEREAS, the Commonwealth of Virginia Emergency Services and Disaster Law of 2000, as amended, (Title 44, Chapter 3.2 of the Virginia Code) authorizes the Commonwealth and its political subdivisions to provide emergency aid and assistance in the event of a major disaster; and

WHEREAS, the statutes also authorize the State Emergency Operations Center to coordinate the provision of any equipment, services, or facilities owned or organized by the Commonwealth or its political subdivisions for use in the affected area upon request of the duly constituted authority of the area; and

WHEREAS, this Resolution authorizes the request, provision, and receipt of interjurisdictional mutual aid in accordance with Title 44, Chapter 3.2 of the Code of Virginia among political subdivisions, other authorized entities and officers within the Commonwealth;

NOW, THEREFORE, the Board of Supervisors of Dinwiddie County, Virginia resolves that the County of Dinwiddie shall have the authority to participate in Statewide Mutual Aid in the event of emergency or disaster in accordance with the following terms and conditions, which shall be in the nature of a compact and agreement among participating entities which have adopted similar executive orders, ordinances or resolutions. This Statewide Mutual Aid program may include requests for and provision of personnel, equipment, materials, and other forms of assistance, or any combination of assistance, to any entity within the Commonwealth, pursuant to the following terms and conditions:

**SECTION 1. DEFINITIONS**

- A. "EVENT AGREEMENT" – a contract between two member political subdivisions entered into at the time of emergency in which the Assisting

Party agrees to provide specified resources to the Requesting Party under the terms and conditions specified in the Agreement.

- B. "REQUESTING PARTY" – the member political subdivision requesting aid in the event of an emergency or disaster and participating in the Statewide Mutual Aid Program pursuant to the terms and conditions of this Resolution.
- C. "ASSISTING PARTY" – the member political subdivision furnishing equipment, services and/or manpower to the Requesting Party, and participating in the Statewide Mutual Aid Program ("the Program") pursuant to the terms consistent with those in this Resolution.
- D. "AUTHORIZING REPRESENTATIVE" – an officer or employee of a member political subdivision authorized in writing by that entity to request, offer, or provide assistance under the terms of this Resolution.
- E. "DEPARTMENT" – the Department of Emergency Management.
- F. "EMERGENCY" – any occurrence, or threat thereof, whether natural, or caused by man, in war or in peace, which results or may result in substantial injury or harm to the population, substantial damage to or loss of property, or substantial harm to the environment.
- G. "DISASTER" – any natural, technological, or civil emergency that causes damage of sufficient severity and magnitude to result in a declaration of a state of emergency by the Governor or the President of the United States.
- H. "IMPLEMENTATION GUIDEBOOK" – Guidance document promulgated by the Department to assist member political subdivisions with Statewide mutual aid activities, to provide procedures and minimum standards for participation, and to provide for compliance with state and federal reimbursement requirements.
- I. "MAJOR DISASTER" – a disaster which is likely to clearly exceed local capabilities and require a broad range of state and federal assistance.
- J. "MEMBER POLITICAL SUBDIVISION" – any political subdivision or authorized officer or agency within the Commonwealth of Virginia which maintains its own emergency services organization and plan and which enacts an ordinance or resolution or promulgates an executive order with terms substantially similar to those set out in this Resolution, authorizing Statewide mutual aid pursuant to Title 44 of the Virginia Code.
- K. "STATE EOC" – the Virginia Emergency Operations Center from which assistance to localities is coordinated when local emergency response and recovery resources are overwhelmed. This facility is operated by the Virginia Department of Emergency Management.

## **SECTION 2. PROCEDURES FOR PROVISION OF MUTUAL AID**

When a member political subdivision either becomes affected by, or is under imminent threat of an emergency or disaster and, as a result, has officially declared an emergency, it may request emergency-related mutual aid assistance by: (1) submitting a Request for Assistance to an Assisting Party or to the State EOC, or (2) orally communicating a request for mutual aid assistance to an Assisting Party or to the State EOC, followed as soon as practicable by written confirmation of the request. Mutual aid shall not be requested by a member political subdivision unless resources available within the stricken area are deemed to be inadequate. All requests for mutual aid must be transmitted by the Authorized Representative of the member political subdivision or the Director of

Emergency Management. No member political subdivision shall be required to provide mutual aid unless it determines that it has sufficient resources to do so.

- A. **REQUESTS DIRECTLY TO ASSISTING PARTY:** The Requesting Party may directly contact the Authorized Representative of the Assisting Party and provide the information in the Request Form prescribed in the SMA Implementation Guidebook. Each Assisting Party must communicate directly with the Requesting Party in order to execute an Event Agreement. The Requesting Party shall be responsible for keeping the State EOC advised of the status of mutual aid activities.
- B. **REQUESTS ROUTED THROUGH, OR ORIGINATING FROM THE STATE EOC:** The Requesting Party may directly contact the State EOC, in which case it shall provide the information in the Request Form in the SMA Implementation Guidebook. The State EOC may then contact other member political subdivisions on behalf of the Requesting Party. Once identified, each Assisting Party must communicate directly with the Requesting Party in order to execute an Event Agreement.
- C. **ASSESSMENT OF AVAILABILITY OF RESOURCES AND ABILITY TO RENDER ASSISTANCE:** When contacted by a Requesting Party, or by the State EOC on behalf of a Requesting Party, the Authorized Representative of any member political subdivision agrees to assess local resources to determine available personnel, equipment and other assistance.
- D. **SUPERVISION AND CONTROL:** When providing assistance under the terms of this Agreement, the personnel, equipment, and resources of any Assisting Party will be under the operational control of the Requesting Party, which shall advise supervisory personnel of the Assisting Party of work tasks, for assignment to personnel. Direct supervision and control of personnel, equipment and resources shall remain with the designated supervisory personnel of the Assisting Party. The designated supervisory personnel of the Assisting Party shall: maintain daily personnel time records, material records, and a log of equipment hours; be responsible for the operation and maintenance of the equipment and other resources furnished by the Assisting Party; and shall report work progress to the Requesting Party. The Assisting Party's personnel and other resources shall remain subject to recall by the Assisting Party at any time, subject to reasonable notice to the Requesting Party. At least twenty-four hour advance notification of intent to withdraw personnel or resources shall be provided to the Requesting Party unless such notice is not practicable, in which case such notice as is reasonable shall be provided.
- E. **FOOD, HOUSING, AND SELF-SUFFICIENCY:** Unless specifically instructed otherwise, the Requesting Party shall have the responsibility of providing food and housing for the personnel of the Assisting Party from the time of their arrival at the designated location to the time of their departure. However, Assisting Party personnel and equipment should be, to the greatest extent possible, self-sufficient while working in the emergency or disaster areas. The Requesting Party may specify only self-sufficient personnel and resources in its request for assistance.
- F. **COMMUNICATIONS:** Unless specifically instructed otherwise, the Requesting Party shall have the responsibility for coordinating communications between the personnel of the Assisting Party and the Requesting Party. Assisting Party personnel should be prepared to

furnish communications equipment sufficient to maintain communications among their respective operating units.

- G. **RIGHTS AND PRIVILEGES:** Whenever the officials, employees and volunteers of the Assisting Party are rendering aid pursuant to this Agreement, such employees shall have the powers, duties, rights, privileges, and immunities, and shall receive the compensation, incidental to their employment and position.
- H. **TERM OF DEPLOYMENT:** The initial duration of a request for assistance is normally seven days and may be extended, if necessary, in seven day increments. However, the duration may be shorter or longer as reflected in the Event Agreement.
- I. **SUMMARY REPORT:** Within ten days of the return of all personnel deployed under SMA, the Requesting Party will prepare a Summary Report of the event, and provide copies to each Assisting Party and to the Department. The Report shall be in a format prescribed by the Department and shall include a chronology of event and description of personnel, equipment and materials provided by one party to the other.

### SECTION 3. REIMBURSABLE EXPENSES

The terms and conditions governing reimbursement for any assistance provided pursuant to this Resolution shall be in accordance with the following provisions, unless otherwise agreed upon by the Requesting and Assisting Parties and specified in the Event Agreement.

- A. **PERSONNEL:** During the period of assistance, the Assisting Party shall continue to pay its employees according to its then prevailing ordinances, rules, and regulations. The Requesting Party shall reimburse the Assisting Party for all direct and indirect payroll costs and expenses (including travel expenses, benefits, workers' compensation claims and expenses) incurred during the period of assistance, unless agreed to otherwise by the parties in the Event Agreement.
- B. **EQUIPMENT:** The Assisting Party shall be reimbursed by the Requesting Party for the use of its equipment during the period of assistance according to either a pre-established local or state hourly rate or according to the actual replacement, operation, and maintenance expenses incurred. For those instances in which some costs may be reimbursed by the Federal Emergency Management Agency, the eligible direct costs shall be determined in accordance with 44 CFR 206.228, or other regulations in effect at the time of the disaster. Each Party shall maintain its own equipment in safe and operational condition. At the request of the Assisting Party, fuels, miscellaneous supplies, and minor repairs may be provided by the Requesting Party, if practical. If the equipment charges are based on a pre-established local or state hourly rate, then these charges to the Requesting Party shall be reduced by the total value of the fuels, supplies, and repairs furnished by the Requesting Party and by the amount of any insurance proceeds received by the Assisting Party.
- C. **MATERIALS AND SUPPLIES:** The Assisting Party shall be reimbursed for all materials and supplies furnished by it and used or damaged during the period of assistance, except for the costs of equipment, fuel and maintenance materials, labor and supplies, which shall be included in the equipment rate established above, unless such damage is caused by gross negligence, or willful and wanton misconduct of the Assisting Party's personnel. The measure of

reimbursement shall be determined in accordance with 44 CFR 206.228 or other regulations in effect at the time of the disaster. In the alternative, the Parties may agree that the Requesting Party will replace, with like kind and quality as determined by the Assisting Party, the materials and supplies used or damaged. If such an agreement is made, it shall be reduced to writing and transmitted to the Department.

- D. **RECORD KEEPING:** The Assisting Party shall maintain records and submit invoices for reimbursement by the Requesting Party in accordance with existing policies and practices. Requesting Party and Department finance personnel shall provide information, directions, and assistance for record keeping to Assisting Party personnel. Later, Department personnel will provide assistance to the Requesting Party in seeking federal/state reimbursement.
- E. **PAYMENT:** Unless otherwise mutually agreed, the Assisting Party shall bill the Requesting Party for all reimbursable expenses with an itemized statement as soon as practicable after the expenses are incurred, but not later than sixty (60) days following the period of assistance, unless the deadline for identifying damage is extended in accordance with applicable federal or State regulations. The Requesting Party shall pay the bill, or advise of any disputed items, not later than sixty- (60) days following receipt of the statement, unless otherwise agreed upon.
- F. **WAIVER OF REIMBURSEMENT:** A member political subdivision may assume or donate, in whole or in part, the costs associated with any loss, damage, expense or use of personnel, equipment and resources provided.

#### SECTION 4. INSURANCE

- A. **WORKERS' COMPENSATION COVERAGE:** Each member political subdivision shall be responsible for its own actions and those of its employees and is responsible for complying with the Virginia Workers' Compensation Act.
- B. **AUTOMOBILE LIABILITY COVERAGE:** Each member political subdivision shall be responsible for its own actions and is responsible for complying with the Virginia motor vehicle financial responsibility laws. Member political subdivisions agree to obtain automobile liability coverage with a limit of at least \$1,000,000 combined single limit and coverage for owned, non-owned, and hired vehicles. It is understood that the local government may include in the emergency response volunteer companies that have motor vehicles titled in the name of the volunteer company. It is the responsibility of each member political subdivision to determine if the volunteer company has automobile liability coverage as outlined in this section.
- C. **GENERAL LIABILITY, PUBLIC OFFICIALS LIABILITY, AND LAW ENFORCEMENT LIABILITY:** To the extent permitted by law and without waiving sovereign immunity, each member political subdivision shall be responsible for any and all claims, demands, suits, actions, damages, and causes for action related to or arising out of or in any way connected with its own actions, and the actions of its personnel in providing mutual aid assistance rendered or performed pursuant to the terms and conditions of this Resolution. Each member political subdivision agrees to obtain general liability, public officials liability and law enforcement liability, if applicable, with minimum single limits of not less than one million dollars.

**SECTION 5. ROLE OF THE DEPARTMENT OF EMERGENCY MANAGEMENT**

The Department shall, during normal operations, provide staff support to political subdivision, officers and authorized agencies, serve as the central depository for agreements, resolutions, ordinances and execute orders, maintain a current listing of member political subdivisions, and provide a copy of this listing to each on an annual basis. The State EOC shall, during emergency operations, (1) request mutual aid on behalf of a member political subdivision, under the circumstances identified in this Agreement, (2) keep a record of all Requests for Assistance and Acknowledgments, (3) report on the status of ongoing emergency or disaster-related mutual aid as appropriate, and assist participants in meeting all procedural and other requirements, including those pertaining to federal and state cost reimbursement.

**SECTION 6. SEVERABILITY AND THE EFFECT ON OTHER RESOLUTIONS**

Should any portion, section, or subsection of this Resolution be held to be invalid by a court of competent jurisdiction, that fact shall not affect or invalidate any other portion, section or subsection; and the remaining portions of this Resolution shall remain in full force and effect without regard to the section, portion, or subsection or power invalidated. In the event that any parties to this Resolution have entered into other mutual aid agreements, those parties agree that said agreement will remain in effect unless they conflict in principle with this Resolution in which case they are superseded by this Resolution. In the event that two or more parties to this Resolution have not entered into another agreement, and the parties wish to engage in mutual aid, then the terms and conditions of this Resolution shall apply between those parties.

ADOPTED BY POLITICAL SUBDIVISION:

COUNTY OF DINWIDDIE

DATE: OCTOBER 18, 2000

I certify that the foregoing is an accurate copy of the Resolution/Ordinance adopted by the Board of Supervisors of Dinwiddie County, Virginia on October 18, 2000.

BY: R. MARTIN LONG

TITLE: COUNTY ADMINISTRATOR

DATE: OCTOBER 18, 2000

.....  
**COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF EMERGENCY MANAGEMENT**

ACKNOWLEDGED BY: \_\_\_\_\_, \_\_\_\_\_  
(NAME OF OFFICIAL) (TITLE)

DATE: OCTOBER 18, 2000  
.....

Upon Motion of Mr. Bracey, Seconded by Mr. Moody, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the foregoing Statewide Mutual Aid for Emergency Management Model Resolution is adopted.

**IN RE: PUBLIC SAFETY – UPDATING OF RADIO FREQUENCIES**

Mr. Jolly indicated he had contacted the vendor regarding the acquisition of the frequencies necessary for the updating of their radio system. They indicated the cost for this would be approximately \$2,500. Mr. Jolly requested approval to fund this from the 911 Budget.

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Public Safety to update the frequencies for the current radio system for a cost of approximately \$2,500 with funds being appropriated from the 911 Budget.

**IN RE: APPLICATION FOR GRANT FUNDS FROM OFFICE OF EMERGENCY MEDICAL SERVICES FOR NAMOZINE VOLUNTEER FIRE**

Mr. Jolly previously reported to the Board a Grant application had been submitted to the Office of Emergency Medical Services for an ambulance for the Namozine Volunteer Fire/EMS Department. The meeting on this Grant application would be held tonight and Mr. Jolly stated he would be attending. He hoped he would be passing on some good news after this meeting.

**IN RE: PUBLIC SAFETY -- AUTHORIZATION TO HIRE TWO- (2) FULL TIME EMPLOYEES**

Mr. Jolly recommended the hiring of two- (2) full time employees for the EMS Division as follows:

Neil Allen, EMT-P	effective October 16	salary \$22,935.
Brantley Honaker, EMT-C	effective October 23	salary \$22,935.

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Public Safety to employ Mr. Neil Allen, EMT-P effective October 16, 2000 at a yearly salary of \$22,935 and Mr. Brantley Honaker, EMT-C effective October 23, 2000 at a yearly salary of \$22,935.

**IN RE: FIRE AND RESCUE ASSOCIATION – REPORT**

Mr. Alvin Langley, Chairman of the Fire & Rescue Association was not present. Their report was included in the Board packet. Mr. Jolly stated he would have a report on the call involving the Goolsby family at the next meeting.

**IN RE: COUNTY ATTORNEY – REPORT**

Mr. Ben Emerson, County Attorney stated he had nothing to report.

**IN RE: BUILDING AND GROUNDS SUPERINTENDENT REPORT**

Mr. Donald W. Faison, Building and Grounds Superintendent came forward to present his monthly update. The Dinwiddie Branch Library is planning an Open House November 5, 2000 from 2:00 to 5:00 P.M.

**IN RE: MCKENNEY AND DINWIDDIE FIRE/EMS STATIONS – DEDICATION CEREMONY – APPROVAL OF PROPOSED SPEAKERS**



Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Bracey, Mr. Bowman, Mr. Haraway, Mr. Moody, Mr. Clay voting "Aye",

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

**WHEREAS**, the General Assembly enacted legislation in the 2000 session enabling the deregulation of electric and natural gas utility service.

**AND WHEREAS**, Section 19-95 of the Code of Dinwiddie will not conform after January 1, 2001 to the method of assessing the consumer tax for electric and natural gas utility service contained in §58.1-3814, as amended;

**NOW THEREFORE**, the Board of Supervisors of Dinwiddie County hereby amends Section 19-95 (a) of the Code of Dinwiddie County as set forth below:

Section 19-95(a) of the Code of Dinwiddie County is amended to add two subsections to convert the local consumer tax on electric utility suppliers from a revenue basis to a kilowatt-hour usage basis and on natural gas utility suppliers from a revenue basis to a CCF usage basis. All other provisions of Section 19-95 shall remain in effect.

**Sect. 19-95 (a)**

Except as provided in subsections (1) and (2), there is hereby imposed and levied by the county upon every purchaser of a utility service, a tax in the amount of twenty (20) percent of the charge, exclusive of any federal tax thereon, made by the seller against the purchaser with respect to each utility service.

(1) Effective with the first bill for electric energy service rendered for meter readings on or after January 1, 2001, the rate of tax on the electric energy delivered to the ultimate consumer shall be as follows:

Residential Customers – Such tax shall be 20% times the minimum monthly service charge imposed by the service provider plus the rate of \$.016225 on each kWh delivered monthly to residential consumers by the service provider not to exceed \$3.00 per month.

Commercial/Industrial Customers – Such tax shall be 20% times the minimum monthly service charge imposed by the service provider plus the rate of \$.016600 on each kWh delivered monthly up to 100 kWh plus the rate of \$.014863 on each kWh delivered monthly in excess of 100 kWh, not to exceed \$30.00 per month.

(2) Effective with the first bill for natural gas service rendered for meter readings on or after January 1, 2001, the rate of tax on the natural gas delivered to the ultimate consumer shall be as follows:

Residential Customers – Such tax shall be 20% times the minimum monthly service charge imposed by the service provider plus the rate of \$.1867 on each CCF delivered monthly to residential consumers, not to exceed \$3.00 per month.

Commercial/Industrial Customers – Such tax shall be 20% times the minimum monthly service charge imposed by the service provider plus the rate of \$.15566 on each CCF delivered monthly to commercial/industrial consumers, not to exceed \$30.00 per month.

**IN RE: APPOINTMENTS – ADVISORY COMMITTEE FOR  
COMPREHENSIVE LAND USE PLAN UPDATE**

Mr. Long stated that the Board needed to appoint five- (5) citizens, two- (2) Board of Supervisors representatives and two- (2) Planning Commission representatives to serve on the Advisory Committee for the Comprehensive Land Use Plan Update. Several applications from interested citizens were received and included in the Board's information. Mr. Robert L. Bowman, IV and Mr. Harrison A. Moody have agreed to serve as Board of Supervisor representatives and the Planning Commission had requested the appointment of Mr. Dean McCray and Mr. Gilbert Wood.

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following are hereby appointed to the Comprehensive Land Use Plan update advisory committee:

Mr. Robert L. Bowman, IV	Board of Supervisors Representative
Mr. Harrison A. Moody	Board of Supervisors Representative
Mr. Gilbert Wood	Planning Commission Representative
Mr. Dean McCray	Planning Commission Representative
Mr. Samuel E. Hayes	District 1 Representative
Mr. Bryan Cobb	District 2 Representative
Mr. George Whitman, Jr.	District 3 Representative
Ms. Thelma Blackwell	District 4 Representative
Mr. Robert H. Spiers	District 5 Representative

**IN RE: C-00-2 AND C-00-3 – SBA COMMUNICATIONS CORPORATION – FORD AND WILSONS COMMUNICATION TOWER SITES**

Mr. Long stated C-00-2 and C-00-3, SBA Communications Corporation's conditional use permit request to construct telecommunication towers at Ford and Wilsons, Virginia, has been postponed from previous meetings. Mr. Long asked that before any formal action today the Board needed to remove this item off the table.

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye"

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that C-00-2 and C-00-3 SBA Communications Corporation's request for conditional use permit's for construction of telecommunication towers in Ford and Wilsons, Virginia be removed from the table.

Mr. C. Forehand, representative of SBA Communications Corporation, came forward stating he was present to answer any questions the Board might have.

There was discussion regarding the requirement of a generator. It was agreed to drop the generator requirement but to add the requirement that the tower would not be constructed until they had a provider to contract for space on the tower.

Upon Motion of Mr. Moody, Seconded by Haraway, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that C-00-2 and C-00-3, SBA Communications Corporation, conditional use permits, are hereby approved with conditions as follows:

**C-00-2 Conditions**

1. The tower proposed by SBA Communications Corp shall not exceed two hundred fifty (250) feet in height unless condition number 6 listed below is implemented, then the maximum height shall be three hundred (300) feet;
2. A red beacon, not a white strobe light, be utilized in lighting the tower. If FAA regulations require a white strobe light for daylight hours then such lighting will be permitted but the red beacon shall be used during dusk to dawn hours;
3. The applicant, SBA Communications, shall allow at least two (2) other wireless telecommunications providers to locate on the tower and site and shall provide the County, upon request, verifiable evidence of having made a good faith effort to allow such location;
4. SBA Communications shall develop the proposed tower site as detailed in the site plan developed by Clark-Nexsen titled "SBA Towers, Wilson Site, Dinwiddie County, Virginia, VASS23501-XXX," which was submitted by the applicant, SBA Communications, with this application;
5. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions;
6. The applicant will redesign and construct the tower lattice structure and concrete base to support an additional fifty (50) feet in height if the County so chooses to co-locate their emergency service equipment on the tower;
7. SBA agrees to shift the tower location site such that the property line setbacks can be met to accommodate the possible extension of the tower to three (300) hundred feet.
8. That the construction of the tower shall not begin until such time as the applicant has entered into a binding agreement with a telecommunications company to lease space on the tower, at which time the applicant would be eligible to apply for a building permit; and

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### **C-00-3 Conditions**

1. The tower proposed by SBA Communications Corp shall not exceed two hundred fifty (250) feet in height;
2. A red beacon, not a white strobe light, be utilized in lighting the tower. If FAA regulations require a white strobe light for daylight hours then such lighting will be permitted but the red beacon shall be used during dusk to dawn hours;
3. The applicant, SBA Communications, shall allow at least two (2) other wireless telecommunications providers to locate on the tower and site and shall provide the County, upon request, verifiable evidence of having made a good faith effort to allow such location;
4. SBA Communications shall develop the proposed tower site as detailed in the site plan developed by Clark-Nexsen titled "SBA Towers, Ford Site, Dinwiddie County, Virginia, VASS23501-095," which was submitted by the applicant, SBA Communications, with this application;
5. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions;
6. SBA Communications shall apprise the County prior to leasing it's last position on the tower to offer the County first right of refusal and give the County thirty (30) days to respond.
7. That the construction of the tower shall not begin until such time as the applicant has entered into a binding agreement with a telecommunications company to lease space on the

tower, at which time the applicant would be eligible to apply for a building permit; and

BE IT FURTHER RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

**IN RE: CLOSED SESSION**

Mr. Moody moved that the Board now move into a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

1. The purpose of the closed meeting is to discuss subject matters identified as Personnel Matters, Business and Industry and Consultation with Legal Counsel. Matters to include: County Administration, Board of Supervisors, Planning/Zoning and TXI Inducement Agreement.

■ **Personnel Matters, § 2.1-344 A.1 of the Code of Virginia**

(Candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees)

■ **Business & Industry Development, § 2.1-344 A.5 of the Code of Virginia,**

(prospective or expansion of business or industry and no previous public announcement has been made)

■ **Consultation with legal counsel, § 2.1-344 A. 7 of the Code of Virginia,**

(consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice)

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Mr. Haraway seconded the motion. Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye" the Board moved into the Closed Meeting at 4:27 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:30 P.M.

**IN RE: CERTIFICATION**

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were

identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye". This Certification Resolution was adopted.

**IN RE: 2000-2001 BUDGET AMENDMENTS**

Mrs. Ralph came forward to present additional FY 2000 – 2001 budget amendments as follows:

**CAPITAL PROJECTS FUND**

Airport Match – Design Work -- \$87,000

\*Note – the additional funds for Dinwiddie Elementary (generator), Eastside Elementary School and the Historic Courthouse were included in the public hearing for the Capital Improvement Program.

**DEBT SERVICE FUND**

Revenues – Water and Sewer Service -- \$219,648  
Expenses – Church Road Water System -- \$219,648

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the amendments, as outlined above, to the FY 2000 – 2001 Budget are approved as presented.

**IN RE: APPROPRIATIONS RESOLUTION**

Mrs. Ralph continued with the Appropriations Resolution as follows:

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following appropriations from the Undesignated Fund Balance to the FY01 Capital Projects Fund be approved effective July 1, 2000;

Historic Courthouse March	\$ 200,000.
Eastside Renovation	\$ 864,000.
(\$500,000 + \$100,000 for windows + \$264,000 for Base Bid, Alternates 1 and 4)	
<i>Approved to Date</i>	
Eastside Renovation	<u>\$ 359,069</u>
Alternates 2 and 3 And Completion	
<b>Eastside Total</b>	<b>\$1,223,069</b>
Airport Match Design Work	\$ 87,000

and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following appropriations to the FY01 Debt Service Fund be approved effective July 1, 2000:

Church Road Water System

\$ 219,648

\*Note – The appropriation for the generator for Dinwiddie Elementary School will be presented when requested by the School Board.

**IN RE: PROPANE GAS – BID RESULTS**

Mr. Long stated bids for propane gas to various County buildings had been advertised on September 11, 2000 with only one- (1) response being received. The one- (1) response came from Parker Oil Company with a fixed price of 0.959 and fluctuating cost of differential \$0.1724/Net \$0.859.

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the bid for supplying the County propane fuel is awarded to Parker Oil Company on a fixed price basis of 0.959/gal/m, which may be extended for a term of five- (5) years negotiated ninety- (90) days prior to the expiration date.

**IN RE: APPOMATTOX BASIN INDUSTRIAL DEVELOPMENT CORPORATION – PARTNERSHIP AGREEMENT – REQUEST FOR APPROVAL**

Mr. Long stated he had included in the Board's information a memorandum from Mr. Jay A. Langston in which he had included the respective ABIDCO Partnership Agreement for our locality, as approved by the Appomattox Basin Industrial Development Corporation (ABIDCO) Board of Directors. This agreement is necessary for Regional Certification by the Virginia Economic Development Partnership (VEDP) and is one of the final items remaining before ABIDCO's certification is approved. Mr. Langston requested the Board pass a resolution for adoption of this agreement and have the agreement signed by the County Administrator and Chairman of the Board of Supervisors. The Resolution reads as follows:

**Appomattox Basin Industrial Development Corporation  
Partnership Agreement**

WHEREAS, the Cities of Colonial Heights, Hopewell and Petersburg, and the Counties of Chesterfield, Dinwiddie, Prince George, Surry and Sussex determined it beneficial for all localities to join together to establish a regional economic development organization as follows:

**PURPOSE:** The Appomattox Basin Industrial Development Corporation (ABIDCO) was incorporated and has adopted By-Laws to promote quality economic growth, the creation of quality jobs, and expansion of the tax base for the ultimate purpose of improving the quality of life in the member jurisdictions. ABIDCO will seek quality companies, market the region's competitive advantages, assist and support member localities in developing strategies and product commensurate with their unique challenges and opportunities, and promote the need for economic growth in the region.

Specific duties of ABIDCO include, but are not limited to:

- Strategically educate, prepare and plan for economic development that is compatible with the region's present and anticipated resources and infrastructure.

- Develop, collect and disseminate information that promotes the advantages of a business location within the member localities.
- Promote regional cooperation, collaboration and organization among ABIDCO's membership compatible with the organization's and region's economic development goals.
- Act as a region-wide clearinghouse for economic development activities.
- Partner with businesses and education to prepare and strengthen the region's existing and future labor force.
- Actively promote and cultivate the growth of the region's existing business community.
- Create a Business Council comprised of private businesses who contribute private funds to ABIDCO for the purpose of promoting economic development within the region.
- Strengthen linkages to the region's business and education community through the ABIDCO Business Council and the Crater Regional Partnership.
- Communicate the activities of ABIDCO to the member localities, the business community within the region and the general citizenry.
- Adopt and maintain a set of By-Laws that govern the activities, responsibilities and direction of ABIDCO.

**MEMBERSHIP:** Membership in ABIDCO is governed by the By-Laws adopted by the Board of Directors, and subject to Board approval. Each member locality will have equal representation on the Board of Directors and will be elected as provided for in the Articles of Incorporation.

**MEMBERSHIP CATEGORIES:** There are both public and private membership categories in ABIDCO. Public membership is limited to those governmental jurisdictions outlined in the By-Laws. Private membership consists of companies who donate funds and/or in-kind contributions to ABIDCO in order to further the marketing mission of ABIDCO. Representatives from these companies will comprise a Business Council, whose eligibility is set forth by the Board of Directors, and will help develop marketing strategies and new marketing initiatives with the staff of ABIDCO. The Business Council will have a Chair appointed by the Business Council membership that will report to the Board of Directors.

**STRUCTURE:** The Board of Directors will hire an Executive Director to coordinate all activities and responsibilities of ABIDCO. The Executive Director will hire additional staff and initiate administrative structure necessary to implement the policies developed by the Board of Directors. ABIDCO staff will coordinate activities with local economic development programs to expand marketing opportunities.

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Charles E. Townes  
President  
ABIDCO

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Aubrey S. Clay  
Chairman, Board of Supervisors  
Dinwiddie County

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R. Martin Long

County Administrator  
Dinwiddie County

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Appomattox Basin Industrial Development Corporation Partnership Agreement, as outlined above, is here adopted and authorization is granted for the County Administrator and Chairman of the Board of Supervisors to execute the same.

**IN RE: CLOSED SESSION**

Mr. Moody moved that the Board now move into a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

1. The purpose of the closed meeting is to discuss subject matters identified as Personnel Matters and Consultation with Legal Counsel. Matters to include: County Administration, Board of Supervisors, Planning and Zoning and Zoning Issue.

■ **Personnel Matters, § 2.1-344 A.1 of the Code of Virginia**

(Candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees)

■ **Consultation with legal counsel, § 2.1-344 A. 7 of the Code of Virginia,**

(consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice)

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Mr. Haraway seconded the motion. Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye" the Board moved into the Closed Meeting at 5:40 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:25 P.M.

**IN RE: CERTIFICATION**

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon Motion of Mr. Bowman, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye". This Certification Resolution was adopted.

**IN RE: COMPREHENSIVE LAND USE PLAN UPDATE – AUTHORIZATION TO NEGOTIATE**

Mr. Long stated that RFP's were received for the update of the Comprehensive Land Use Plan and interviews were held. Mr. Long requested authorization for Administration and Planning/Zoning to move forward with negotiations with Landmark Design.

Upon Motion of Mr. Moody, Seconded by Mr. Bracey, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Administration and Planning/Zoning to negotiate with Landmark Design for the Comprehensive Land Use Plan update

**IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER – AUTHORIZATION TO EMPLOY DAVID S. THOMPSON**

Mr. Long requested authorization to employ Mr. David S. Thompson as Zoning Administrator/Senior Planner at Grade 14, salary \$31,202 per year, retroactive to July 1, 2000, because of work that has been done in the interim.

Upon Motion of Mr. Bracey, Seconded by Mr. Moody, Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay voting "Aye", Mr. Bowman "Abstaining",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to employ Mr. David S. Thompson as Zoning Administrator/Senior Planner at Grade 14, salary \$31,202 per year, retroactive to July 1, 2000, because of work that has been done in the interim.

**IN RE: MCKENNEY FIRE/EMS STATION – REQUEST FOR ADDITIONAL FUNDS FOR FURNISHINGS**

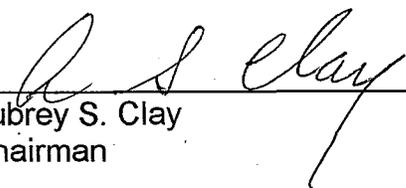
Mr. Long stated the final item was a request to allocate up to an additional \$13,100 for the McKenney Fire/EMS Station for furnishings (furniture).

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that additional funds up to \$13,100 are hereby appropriated to the Capital Project Fund from the Undesignated Fund Balance for the McKenney Fire/EMS Station for furnishings (furniture).

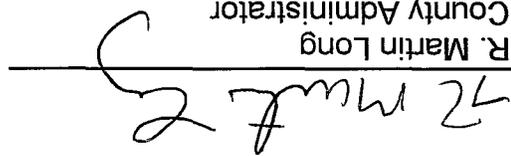
**IN RE: ADJOURNMENT**

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye", the meeting adjourned at 6:30 P.M.

  
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Aubrey S. Clay  
Chairman

/pam-wvr

R. Martin Long  
County Administrator

A handwritten signature in cursive script, appearing to read "R. Martin Long", is written over a horizontal line.