VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 4TH DAY OF JANUARY, 1995, AT 3:00 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Mrs. Everett voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body, Section 2.1-344(a) 5-Discussion of industrial prospects, Section 2.1-344(a) 6-Investing of public funds, Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 3:00 P.M. A vote having been made and approved the meeting reconvened into Open Session at 6:50 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mr. Haraway, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Mrs. Everett voting "aye", the meeting adjourned at 6:55 P.M.

LeeNora Everett
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 4TH DAY OF JANUARY, 1995, AT 7:30 P.M.

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

COUNTY ADMINISTRATOR PRESIDING

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Moody, seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Mrs. Everett voting "aye", the agenda was amended as follows:

Add 2(a). Amendments to Agenda, Add 3(e). Presentation of Plaque, Add 8(a). Treasurer-State Compensation Board's Pay for Performance Plan.

IN RE: TERM OF CHAIR AND VICE-CHAIR

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Bracey, Mrs. Everett voting "aye", Mr. Haraway "abstaining", the Chair and Vice-Chair for the Board of Supervisors will serve a one-year term of office.

IN RE: ELECTION OF CHAIR -- 1995

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Bracey, Mrs. Everett voting "aye", Mr. Haraway "abstaining", Mr. Donald L. Haraway, was elected Chair for the year of 1995 or until his duly elected successor assumes office.

IN RE: ELECTION OF VICE-CHAIR -- 1995

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mr. Moody, Mr. Bracey, Mrs. Everett, Mr. Haraway voting "aye", Mr. Clay "abstaining", Mr. Aubrey S. Clay, was elected Vice-Chair for the year of 1995 or until his duly elected successor assumes office.

IN RE: SCHEDULE OF MEETINGS AND DATES FOR 1995

Paul Jacobson, County Attorney, stated that the 1994 General Assembly amended the statute on regular meetings to allow the Board at their organizational meeting to fix a day to which a regular meeting is to be continued if the Chair or the Vice-Chair finds that weather or other conditions are hazardous for the Board members to attend. This is to be communicated to other members of the Board and the press as promptly as possible. If the Board chooses a date, all hearings and other matters previously advertised for the regular meeting shall be conducted at the continued meeting and no further advertisement is required.

Extract

Mrs. Everett suggested that they designate the 8th day following the regular meeting date for a makeup date.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following schedule is established for the regular meetings of the Board of Supervisors for the calendar year of 1995 with the 8th day following the meetings to be used as a makeup date if the regular meeting is to be continued because the Chair or the Vice-Chair

finds that weather or other conditions are hazardous for the Board members to attend:

DATES	TIME
January 4, 1995	7:30 P.M.
January 18, 1995	2:00 P.M.
February 1, 1995	7:30 P.M.
February 15, 1995	2:00 P.M.
March 1, 1995	7:30 P.M.
March 15, 1995	2:00 P.M.
April 5, 1995	7:30 P.M.
April 19, 1995	2:00 P.M.
May 3, 1995	7:30 P.M.
May 17, 1995	2:00 P.M.
June 7, 1995	7:30 P.M.
June 21, 1995	2:00 P.M.
July 5, 1995	7:30 P.M.
July 19, 1995	2:00 P.M.
August 2, 1995	7:30 P.M.
August 16, 1995	2:00 P.M.
September 6, 1995	2:00 P.M.
September 20, 1995	7:30 P.M.
October 4, 1995	7:30 P.M.
October 18, 1995	2:00 P.M.
November 1, 1995	7:30 P.M.
November 15, 1995	2:00 P.M.
December 6, 1995	7:30 P.M.
December 20, 1995	2:00 P.M.

MR. DONALD L. HARAWAY, ASSUMED THE CHAIR

IN RE: PRESENTATION OF PLAQUE

Mr. Haraway presented Mrs. Everett with a plaque for her service as Chairman to the Board in 1994.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the December 21, 1994 Continuation Meeting and December 21, 1994 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Mrs. Everett 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 #32052 - #32163 (void # 32052) for Payroll in the amount of $243,425.42; checks #32164 - #32282 (void #32165) for General Fund $93,367.54, E911 Fund $6,242.00, Self Insurance $7,445.76, Grant Fund $16,715.00, Law Library $141.37, and Jail Phone $454.00 for a total of $367,791.09.

IN RE: CITIZEN COMMENTS

No one signed up to speak.

IN RE: RESOLUTION IN SUPPORT OF EXTENSION SERVICE

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

WHEREAS, Virginia Cooperative Extension is a joint program of the federal, state and local governments in cooperation with Virginia Tech and Virginia State Universities;

WHEREAS, Virginia Cooperative Extension contributes significantly to the quality of life and economic development of the Commonwealth of Virginia;

WHEREAS, the educational programs and services of Virginia Cooperative Extension are available to every resident of the Commonwealth without regard to socio-economic status, race, age or any other consideration;

WHEREAS, a 1992 study conducted by the Virginia Department of Planning and Budget cited Virginia Cooperative Extension as a major player in prevention and early intervention programs;

WHEREAS, the programs and services of Virginia Cooperative Extension are delivered to residents via local agents and volunteers;

WHEREAS, since 1989, in both Extension and Research, 280 (18%) positions have been lost;

WHEREAS, with the 1995 Budget amendments announced December 19th, Virginia Cooperative Extension and the Virginia Agricultural Experiment Station will have lost almost 50% of their State funding in the last 6 years;

THEREFORE, BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia does hereby formally endorse and request the restoration of Virginia Tech's 1995 Budget Amendment request of $2,989,000 with $1,500,000 for Cooperative Extension and $1,398,000 for the Experiment Station; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Virginia State University's General Fund support for Cooperative Extension be maintained at current levels; and

AND BE IT FINALLY RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia encourages local Extension Leadership Councils to disseminate and promote the intent of this resolution to appropriate state and local officials.

Extract

IN RE: APPOINTMENT-DINWIDDIE COUNTY AIRPORT & INDUSTRIAL AUTHORITY

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Bettie Guthrie and Van G. Woodell be reappointed to the Dinwiddie County Airport & Industrial Authority for a three year term, expiring January 31, 1998.

IN RE: APPOINTMENT - DINWIDDIE COUNTY INDUSTRIAL & DEVELOPMENT AUTHORITY

Action was postponed till January 18, 1995.

IN RE: APPOINTMENT - DISTRICT 19 COMMUNITY SERVICES BOARD

Action was postponed till January 18, 1995.

IN RE: TREASURER - STATE COMPENSATION BOARD'S PAY FOR PERFORMANCE PLAN

William E. Jones, Treasurer, appeared before the Board and stated that in this year's budget the Governor provided funding through the Compensation Board for those localities who have employees that get a successful performance evaluation.

Extract

Mr. Jones requested that the Board accept his pay for performance on his two employees that are funded by the Compensation Board and to

transfer the funding from the temporary help line item in his budget in the amount of $1,021.00.

Mr. Bracey clarified the point that this increase was instituted by the Compensation Board without prior knowledge of or approval by the Board of Supervisors.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer is authorized to transfer funds within his existing budget in the amount of $1,021.00 for the increases for Pay for Performance for his two employees as approved by the Compensation Board, retroactive to December 1, 1994.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator stated that the Board needed to decide with whom and when they wanted to hold their discussion sessions and public hearings for the Right to Farm issue.

After some discussion the following agenda was adioted:

a. February 1, 1995 at 7:30 P.M., Public Hearing.
b. February 15, 1995, Informational Workshop - Joint with Planning Commission (subject to change).
c. March 1, 1995 at 7:30 P.M., Public Hearing.

2. Mr. Burgess stated that in Governor Allen's proposed budget for the upcoming fiscal year the office of the Commissioner of the Revenue and Treasurer would receive State Funds only for those functions which they perform specifically for the State. He has requested information which would indicate to the staff and the Board what percentage of their respective Offices' functions are performed specifically for the State.

IN RE: RESOLUTION IN SUPPORT OF DINWIDDIE AIRPORT INDUSTRIAL AUTHORITY GRANT APPLICATION FOR FUNDS FROM THE S.L. PHILPOTT SOUTHSIDE ECONOMIC DEVELOPMENT COMMISSION

Mr. Burgess, County Administrator, stated that the Airport Authority is requesting the Boards support so that they can apply for a grant in which they are eligable for $28,055.81. The funds assist in the construction of ten new hangers at the Airport in which the actual cost is in excess of $100,000.00. He also stated that all matching funds would be supplied by the Airport Authority, the Board would not be responsible for any funds connected with this grant application.

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

Extract

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, supports the Dinwiddie Airport and Industrial Authority grant application for funds from the S.L. Philpott Southside Economic Development Commission in the amount of $28,055.81

I, Charles W. Burgess, Jr., Clerk of the Board of Supervisors, certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Board of Supervisors held at Dinwiddie County, Virginia at 7:30 P.M. on January 4, 1995. Give under my hand and seal of the Board of Supervisors this 4th day of January, 1995.

Clerk

IN RE: RESOLUTION IN SUPPORT OF FIRST RESPONSE PROGRAM

The County Administrator, stated that Dawn Titmus, Dinwiddie EMS Paramedic, is requesting some supplies in order to participate in the First Response Program. In order to get Dinwiddie Fire Company involved in this program it is estimated that it will cost $2,300.00. For State Emergency Services purposes a resolution by the Board is needed stating

that the Board understands that any of the County's fire companies that operate under this First Response Program operate under Dinwiddie County's licensing and that the County assumes all responsibility for that.

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

Extract

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, supports the acquisition of up to $2,300.00 of equipment/supplies to enable the Dinwiddie Volunteer Fire Company's participation in the First Response Program and that Dinwiddie County assumes responsibility for the actions of the First Response Program participants.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay stated that Mrs. Everett did an excellent job as Chair and he appricated her efforts.

Mrs. Everett thanked everyone for their assistance and stated that it was a pleasure serving as Chair.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Mrs. Everett voting "aye", the meeting adjourned at 8:09 P.M. to be continued until January 11, 1995 at 2:00 P.M. for an Executive Session to discuss investment of public funds and to consult with legal counsel.

LeeNora Everett
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 11TH DAY OF JANUARY, 1995, AT 2:00 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Bracey, Mrs. Everett, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 5-Discussion of Industrial Prospects, Section 2.1-344(a) 6-Investment of Public Funds, Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 2:15 P.M. A vote having been made and approved the meeting reconvened into Open Session at 4:10 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Bracey, Mrs. Evereett, Mr. Haraway voting "aye", the meeting adjourned at 4:15 P.M.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 18TH DAY OF JANUARY, 1995, AT 2:00 P.M.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the January 4, 1995 Continuation Meeting, January 4, 1995 Regular Meeting, and January 11, 1995 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using checks #32283 - #32482 (void #32283) for General Fund $208,805.42, E911 Fund $1,413.46, Self Insurance Fund $23,493.64, CDBG Grant Fund $126,152.47, Law Library Fund $199.00, Fire Programs Fund $2,473.16, Jail Phone Commission $326.58, and Landfill Fund $12,150.00 for a total of $375,013.73.

IN RE: CITIZEN COMMENTS

1. Joanne Austin, 6608 Claiborne Road, Sutherland, VA, came before the Board and stated that she was the President of the Midway PTO and encouraged the Board to vote "Yes" for the total Capital Improvement Plan for all of Dinwiddie County Schools.

2. Benny Sheffield, 12933 Ruth Hill Road, Church Road, VA, came before the Board and stated that he was the Vice-President of the Midway PTO and he supports Dr. Gaul, School Superintendent, and the School Board on the Capital Improvement Program. He stated that he also encouraged the Board to vote "Yes" for the CIP Program.

3. Crystal Divers, 9114 Cox Road, Ford, VA, came before the Board and stated that she has three children that attend Dinwiddie County Schools and she is very concerned over the conditions of the schools her children attend. She would also like for the Board to vote "Yes" for the total Capital Improvement.

4. Gene Winfield, 20201 Harris Drive, Sutherland, VA, came before the Board and stated that he would also like for the Board to vote "Yes" for the total CIP Program.

Mr. Haraway stated that the Board is expecting a report next week from Wheat Financial Advisors and after the Board reviews the information he is hoping to make a decision by February 1, 1995.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald Reekes, Resident Engineer, was not present.

IN RE: COMMISSIONER OF REVENUE -- REPORT

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

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, presented his report for the month of December, 1994.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, Commonwealth Attorney, was not present.

IN RE: SHERIFF -- REPORT

Mr. Bennie M. Heath, Sheriff, was not present.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, presented his report for the month of December, 1994.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of December, 1994 and a report for the year 1994.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. Wayne Knox, Director of Planning, presented his report for the month of December, 1994.

IN RE: WEST PETERSBURG CDBG PROGRAM -- APPROVAL OF ESCROW FUNDS

Mr. Knox stated that a settlement date for the sixteen houses on Greensville Avenue has been set for Friday, January 20, 1995. He expects within the next week or two to start demolition on those properties.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that $125,000.00 be appropriated from the CDBG Fund to purchase the Fenderson Property on Greensville Avenue.

IN RE: REVIEW OF STREETLIGHT POLICY -- WATERFORD LANDING

Ben Emerson, County Attorney stated that the County Code does not require the County to pay for subdivision streetlight electrical bills.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the policy the County adopted on October 6, 1993 pertaining to the payment of subdivision streetlight electrical bills will remain in effect and the County Attorney is instructed to prepare an amendment to the subdivision ordinance so that there will not be any other misinterpretations in the future.

IN RE: DISCUSSION OF NUTRIENT MANAGEMENT PLAN -- HARRY DAULTON, NUTRIENT MANAGEMENT SPECIALIST

Mr. Harry Daulton, Nutrient Management Specialist for Southeast Virginia, came before the Board and presented a brief overview of Nutrient Management Plans as such plans relate to Agricultural Operations.

The Board requested and Mr. Daulton agreed to return and provide more detail on February 15, 1995 for a joint work session pertaining to the zoning ordinance amendments for the Right to Farm between the Board and the Planning Commission.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director of Social Services presented her report for the month of December, 1994.

IN RE: SCHOOL BOARD -- REAPPROPRIATION OF SURPLUS FUNDS FY94

Ray Watson, Assistant to the Superintendent for Finance and Technology, came before the Board. He stated that according to the auditors unexpended funds for the School Board for fiscal year 1994 in the amount of $316,846.00 need to be reallocated. He also presented a listing of how the funds for the school board would be used:

1. Transfer to retirement fund
2. Playground and playground equipment repairs
3. Adequate track at High School
4. Lights on field at Dinwiddie Elementary
5. Technology improvements
6. Textbooks and resource materials
7. General supplies

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that unexpended funds for the School Boardfor fiscal year 1994 in the amount of $316,846.00 be reallocated to the School Board Budget.

IN RE: REQUEST TO ADOPT RESOLUTION IN FAVOR OF SCHOOL CIP PROGRAM

Carol Fisher, School Board Member, came before the Board and stated the following:

I stand before you today to present a Resolution passed unanimously, by The School Board of Dinwiddie County, which asks to take action to help our children and citizens.

As you know, the School Board and the Board of Supervisors have worked together over the past seven years to identify the capital improvement needs of our school district. Last year, the School Board contracted for the design phase of such a project. The project was completed and shared with you in October, 1994. The School Board has been complimented by members of your Board on the good job that the school system has been doing financially, as well as other ways, and on the overall administration of the education system. You showed your confidence in us, as a Board, when you appointed us to these positions. Now, we are ready to move forward together.

The problems have been well defined and debated. Waiting will not make anything better, cheaper, or make any of these problems disappear. Truly the CIP needs are well documented and obvious to all. Our school children's parents of their representatives talk to us daily about their growing frustration. We need to take action now.

This Resolution is for your consideration. If passed by you, it will give hope to the hundreds of children and thousands of tax payers who are directly affected every day as they send their children and grand children to our less than adequate schools. Your passage of this Resolution will let us know that positive action is taking place - action that will be in the best interest of our children and for the economic growth of our community.

The School Board's resolution is as follows:

RESOLUTION

OF THE

DINWIDDIE COUNTY SCHOOL BOARD

WHEREAS, the capital needs of the Dinwiddie County School System are great; and,

WHEREAS, the Dinwiddie County School Board ("the Board") has studied and planned for several years to determine capital improvement priorities and to provide for present and future school system growth; and,

WHEREAS, the Board has involved the community, parents, County, Administration, and school staff in the development of capital plans to update and improve the entire school system; and,

WHEREAS, the immediate capital needs of the school system and the associated costs thereof, are increasing daily; and,

WHEREAS, further delay and study only allows for more decay of the present facilities and adds to the overall costs which ultimately increases the burden of the taxpayers of Dinwiddie County,

NOW, THEREFORE, BE IT RESOLVED, that the School Board of the County of Dinwiddie Submits their plan of capital improvements for the School System to the Dinwiddie County Board of Supervisors; and that said plans include projects necessary for the students of Dinwiddie County to receive a quality education; and,

BE IT RESOLVED, that said projects be identified in two funding phases with the first phase (**PHASE I**) to commence upon the approval of and validation of this resolution; that said projects in **PHASE I** include the following:

#1 New construction and renovation of Dinwiddie County High School at an estimated cost of eight and a half million dollars;

#2 New construction and renovation of Dinwiddie County Middle School at an estimated cost of nine million dollars;

#3 New construction and renovation of Midway Elementary at an estimated cost of three-and-a-half million dollars;

#4 Renovation and Code upgrades at Dinwiddie Elementary, Rohoic, Southside, and Sunnyside; and,

(**NOTE:** Total cost for projects #1 through #4 listed above (**PHASE I**) is not to exceed twenty-two (22) million dollars.)

BE IT RESOLVED, that projects not completed in **PHASE I** shall be identified and scheduled as **PHASE II** projects to be completed as determined by the Board of Supervisors, and that said **PHASE II** projects may include, but not be limited to the following:

#1 New construction and renovation of Rohoic Elementary School;

#2 New construction and renovation of Dinwiddie Elementary School;

#3 New construction and renovation at Southside Elementary; and,

BE IT RESOLVED, that said projects in **PHASE I** be funded by authority of the Board of Supervisors to commence with the adoption of this resolution; and that said adoption include funding by way of, but not be limited to the following:

Three million dollar transfer from Local Funding Source (Reserve) effective upon adoption of this resolution;

Nine million dollar loan from Virginia Public School Authority effective February 1, 1995;

Thirteen million dollar loan from Literary Loan Fund effective when available; and,

BE IT FURTHER RESOLVED, that said funds, not to exceed twenty-two million dollars (**PHASE I**), be paid by the County of Dinwiddie to said funding sources based on, but not limited to, debt service payment schedules on which we will be glad to work with you.

Mr. Clay stated that he did not feel like he could pass the resolution without the information that they are waiting for from the Financial Advisor. When he finds out exactly what it is going to cost the taxpayers he will then be ready to make a decision.

Mr. Moody stated that he has advised everyone that he has spoken to already that he will probably be ready to make a decision by February 1, 1995 after he reviews the financial information.

Mr. Bracey stated that he felt like he was being pushed into something. He feels that the citizens of the County need to know exactly what it is going to cost them in the upcoming years. He knows that he can not adopt this resolution without knowing what it is going to cost the County citizens.

Mrs. Everett stated that she wanted to see a decision on this issue no later than February 1, 1995. She feels that everyone has done their research and she wants to see this passed. Once they get their financial reports she will be ready to make a decision and she hopes that the rest of the Board will too.

Mr. Haraway urged the Board members once they receive their financial information to read it and research any avenues that they may need in order to make a decision so that hopefully they will be ready by February 1, 1995.

IN RE: RESOLUTION IN SUPPORT OF OFFICE ON YOUTH AND COMMUNITY SERVICES

Diane Galbreath, Director of Youth and Community Services, came before the Board and stated that the Offices on Youth were deleted from the budget submitted to Governor Allen in December and she is requesting the Board's support in reinstating the funds by passing a resolution.

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

RESOLUTION

OF THE

DINWIDDIE COUNTY BOARD OF SUPERVISORS

WHEREAS, the Board of Supervisors of Dinwiddie County is committed to delivering to youth such services in this community that will foster wholesome youth development and the prevention of juvenile delinquency; and

WHEREAS, the Dinwiddie Youth Commission and the Office on Youth Services assesses and plans for youth needs in the County and provides services to meet these identified needs; and

Extract

WHEREAS, the children and youth of Dinwiddie County have been the recipient of prevention and intervention services authorized under the Virginia Delinquency Prevention and Youth Development Act and administered by the Department of Youth and Family Services for the above-mentioned purposes; and

WHEREAS, it has become apparent that Delinquency Prevention and Youth Development Act funds are not included in the FY 95-96 budget of the Commonwealth of Virginia;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County support the continuation of Delinquency Prevention and Youth Development Act funds in the budget of the Commonwealth of Virginia; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Dinwiddie's delegation to the General Assembly.

THE CHAIRMAN RECESSED THE MEETING AT 3:20 P.M. AND RECONVENED AT 3:40 P.M.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Tony S. Rinaldi, Recreation Director, presented his report for the month of December, 1994.

IN RE: AWARD OF BID -- FENCING OF DINWIDDIE COUNTY ELEMENTARY SCHOOL BALL FIELD

Mr. Rinaldi presented the following proposals that were submitted for the lighting at Dinwiddie Elemetary School and asked the Board for their opinion:

David Lucas Electrical Contractor, Inc.	$27,529.00
Frazier Electrical Contracting, Inc.	$37,952.00
E. H. Saunders and Son's, Inc.	$39,936.00
Rudy L. Hawkins Electrical Contractors, Inc.	$46,789.00

Extract

Mr. Haraway stated that there was a big difference between the lowest bid and the next to the lowest bid. It is such a large difference that he is leary to accept it because maybe their bid is based on materials that are not what is needed.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from David Lucas Electrical Contractor, Inc. be accepted for the lighting at Dinwiddie Elementary School Ball Field contingent upon approval of Mr. Charlie Chambers, Maintenance Director, Dinwiddie County Schools, if not approved, then the bid from Frazier Electrical Contracting, Inc., the next lowest bid, is accepted.

IN RE: AWARD OF BID -- LIGHTING OF DINWIDDIE COUNTY ELEMENTARY SCHOOL BALL FIELD

Mr. Rinaldi presented the following proposals that were submitted for the fencing at Dinwiddie Elemetary School and asked the Board for their opinion:

Russell Fence Co., Inc.	$7,270.00
Wallace Fence, Inc.	$8,427.00

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from Russell Fence Co., Inc. be accepted for the fencing at Dinwiddie Elementary School Ball Field.

IN RE: PUBLIC SAFETY DIRECTOR -- REPORT

Mr. David Nichols, Public Safety Director, presented his report for the month of December, 1994.

IN RE: ACCEPTANCE OF GRANT -- NEW AMBULANCE

Mr. Nichols stated that Dinwiddie County is the recipient of a Rescue Squad Assistance Fund Grant. There were actually two grants that were approved totaling $46,470.00. He also stated that each is a 50% grant that requires Dinwiddie County to provide a 50% match.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Rescue Squad Assistance Fund Grants are accepted in the amount of $46,470.00.

IN RE: DIRECTOR OF WASTE MANAGEMENT - REPORT

Mr. Denny King, Director of Waste Management, presented his report for the month of December, 1994.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Ben Emerson, County Attorney, stated that an ordinance needs to be considered for the election of School Boards. In order for the ordinance to be in effect by election time this year the ordinance has to be approved by the Justice Department. Before the Justice Department can approve it, there has to be a public hearing. Because it is a change to the ordinance it is being advertised for a public hearing and will be heard at the February 1, 1995 Board Meeting.

IN RE: APPOINTMENT -- INDUSTRIAL DEVELOPMENT AUTHORITY

Upon motion of Mr. Moody, Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that William Dudley Allen, Jr., be reappointed to the Dinwiddie County Industrial Development Authority for a four year term, expiring January 31, 1999.

IN RE: APPOINTMENT -- INDUSTRIAL DEVELOPMENT AUTHORITY

Action was postponed till February 1, 1995 for the reappointment of Louis C. Blazek.

IN RE: APPOINTMENT -- DISTRICT 19 COMMUNITY SERVICES BOARD

Action was postponed till February 1, 1995 for a replacement for Ken Wright.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator stated that he would like to know what procedure the Board would like to establish for taking a stand on issues such as a Senate Bill. He also wanted to know under what authority would the County write a letter to Legislators in support or in opposition of any issue.

Mr. Haraway suggested that Mr. Burgess fax a copy of the issue to the Board members that have fax machines or mail copies to the Board members that do not have a fax machine of any legislation requiring an immediate response.

2. Mr. Burgess reminded the Board that the Financial Advisor will have the information pertaining to the CIP Program available by January 25, 1995. He stated that he will have the information delivered to the Board members as soon as he gets it.

3. Wendy Weber Ralph, Assistant County Administrator, stated that January 17, 1995 marks twenty years of service for her with the County. She thanked the Board and staff for their support.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Haraway stated that in order to meet with the Financial Advisors on February 1, 1995, they would need to meet at 3:00 P.M.

2. Mrs. Everett read some letters that were forwarded to her in reference to the truck traffic on 226. She is very concerned about the dangers the truck traffic presents and would still like to see what could be done about it.

3. Mr. Bracey stated that he wanted Mr. Reekes, Resident Engineer, Virginia Department of Transportation, to look into the intersection of Route 226 and Route 1. He stated that it is a very dangerous intersection.

Mr. Wayne Knox, Planning Director approached the Board and stated that he would be meeting with Mr. Reekes in the morning and he would discuss the Board's concern over that intersection.

4. Mr. Haraway questioned whether or not the Board could have a referendum on a issue such as the CIP Program.

Ben Emerson, County Attorney, stated that he thought that the only kind of referendum they could hold would be on how the County would pay for a project once it was passed. He stated that he would look into it and give the Board an answer at their next meeting.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body, Section 2.1-344(a) 5-Discussion of industrial prospects, Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 4:22 P.M. A vote having been made and approved the meeting reconvened into Open Session at 5:30 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 5:35 P.M. to be continued until February 1, 1995 at 3:00 P.M. for an Executive Session to discuss investment of public funds.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 1ST DAY OF FEBRUARY, 1995, AT 3:00 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 6-Investment of Public Funds, Section 2.1-344(a) 7-Consultation with Legal Counsel; the Board moved into Executive Session at 3:00 P.M. A vote having been made and approved the meeting reconvened into Open Session at 4:50 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: RESOLUTION RELATING TO CLAIMS RELATING TO LANDFILL CLAIMS AND LAWSUIT -- AGREEMENT TO WAIVE AND TOLL

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

BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County (the "County") hereby authorizes the County Administrator of the County to execute and deliver on behalf of the County, an Agreement to Waive and Toll the Statutes of Limitation and Repose among the County, the Industrial Development Authority of Dinwiddie County, Virginia (the "Authority"), Signet Trust Company as Trustee for holders of the Authority's $3,000,000 Solid Waste Disposal Equipment Revenue Bonds (Virginia Bio-Fuel Corporation Project) Series 1993 (the "Equipment Bonds") and the Chairman of the Bondholders Committee of the Equipment Bonds as presented to the Board of Supervisors of the County at this meeting.

Extract

IN RE: RESOLUTION RELATING TO CLAIMS RELATING TO LANDFILL CLAIMS AND LAWSUIT -- AMENDED BILL OF COMPLAINT

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

Extract

BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County (the "County") hereby authorizes and directs the County Attorney to file on behalf of the County an Amended Bill of Complaint and Application for Declaratory Judgment, Specific Performance and Injunction relating to the lawsuit entitled "County of Dinwiddie, Virginia et al vs. Virginia Bio-Fuel Corporation, et al." in the Circuit Court of the County of Dinwiddie as presented to the Board of Supervisors of the County at this meeting and authorizes and directs the County Administrator of the County to execute an affidavit relating to the same.

THE CHAIRMAN CALLED FOR A RECESS AT 5:05 P.M. AND THE MEETING MOVED TO THE HOME PLACE RESTAURANT, DINWIDDIE COUNTY, VIRGINIA.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 3-Acquisition or use of real property for public purpose; the Board moved into Executive Session at 5:20 P.M. A vote having been made and approved the meeting reconvened into Open Session at 6:55 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 7:00 P.M.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 1ST DAY OF FEBRUARY, 1995, AT 7:30 P.M.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the January 18, 1995 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using checks #32483 - #32677 (void #32484) for Payroll $249,464.46, E911 Fund $110.00, General Fund $53,316.22, CDBG $12,811.65, and Jail Phone Commission $681.67 for a total of $316,384.00.

IN RE: DINWIDDIE COUNTY COMMUNITY CERTIFICATION COMMITTEE -- RESOLUTION OF APPRECIATION

The Dinwiddie County Community Certification Committee was formed in 1988 to work with the Virginia Department of Economic Development in meeting the requirements for Dinwiddie County to become a Certified Community. Attracting new industry is extremely competitive, and it is the communities that come together in a unified effort, using all their available resources, that are successful. Dinwiddie County has been extremely fortunate to have such a qualified, diligent group of people to represent us in this effort.

Unfortunately, the State made the decision to discontinue the Certification program in August of last year, but the hard work and information developed by these citizens are invaluable to our economic development activities.

It is for this reason, the Board is recognizing the Certification Committee members with the following resolution:

Ann Blazek	Mildred Bridgeman
Thomas Rasberry	Harold M. Walker
William Bolte	Dr. Richard A. Grenoble
Ruby Evans	William Tucker
J. Kimbrough Jones	Minna Fisher

WHEREAS, the Dinwiddie County Board of Supervisors has received invaluable assistance for years from the advice and participation received from _____ as a member of the Dinwiddie County Community Certification Committee; and

WHEREAS, _____ has, through their service on the Dinwiddie County Community Certification Committee, devoted themselves to providing for the present and future needs and resources of Dinwiddie County in the promotion of the health, safety, morals, order, convenience, prosperity and general welfare of the citizens of Dinwiddie County; and

WHEREAS, through their actions, _____ has represented themself a model of citizen government with their commitment and devotion to Dinwiddie County.

NOW, THEREFORE, BE IT RESOLVED, that the Dinwiddie County Board of Supervisors does hereby adopt this resolution of appreciation and gratitude to _____ for their commitment and dedication in their years of public service and good citizenship to Dinwiddie County for the period beginning _____ through August, 1994.

This resolution shall be effective immediately, this 1st day of February, 1995.

IN RE: RESOLUTION OF RECOGNITION -- BRENDA DENNY SPAIN

The Board of Supervisors presented the following resolution to Brenda Denny Spain in appreciation for her years of service to Dinwiddie County:

WHEREAS, Brenda D. Spain has served the County of Dinwiddie with distinction and integrity from October, 1987 until January, 1995, and

WHEREAS, the Board of Supervisors on this 1st day of February, 1995, is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Brenda D. Spain for her many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be delivered to Brenda D. Spain, and a copy spread upon the minutes of this meeting.

IN RE: RESOLUTION OF RECOGNITION -- JAMES T. DAVIS

The Board of Supervisors presented the following resolution to James T. Davis in appreciation for his service to Dinwiddie County:

WHEREAS, James T. Davis has served the County of Dinwiddie with distinction and integrity from June, 1994 until January, 1995, and

WHEREAS, the Board of Supervisors on this 1st day of February, 1995, is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends James T. Davis for his many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be delivered to James T. Davis, and a copy spread upon the minutes of this meeting.

IN RE: RECOGNITION OF SERVICE -- WENDY WEBER RALPH

The Board presented Wendy Weber Ralph, Assistant County Administrator, a plaque in appreciation of her twenty years of service beginning on January 17, 1975.

IN RE: CITIZEN COMMENTS

Mr. Haraway opened the floor for citizen comments and asked that each person please limit their comments to 3 minutes.

1. Anne Scarborough, P.O. Box 415, Dinwiddie, VA. She appeared before the Board and wanted to know what kind of a tax increase the CIP Program would cause if it was passed. She stated that she felt that maintenance was the problem with the conditions of our County schools. Water damage is one of the main problems at the Middle School, although a new roof was put on the structure less than five years ago the leakage is already severe. The tiles are so damaged from water leaking through the

roof that they would be impractical to replace. If the roof was maintained this wouldn't be a problem. She wanted assurance from the Board that the renovations, if passed, would be maintained so that this wouldn't be a problem again.

2. Dayle Thomas, 15011 Brick Road, Carson, VA. She came before the Board and stated that she was a 6th grade teacher at Dinwiddie Middle School and she also has one child at the High School and one at the Elementary School. She stated that the conditions of the Countys' School were pitiful. She asked the Board to vote "Yes" for the CIP Program.

3. Benny Sheffield, 12933 Ruth Hill Road, Church Road, VA. He stated that he was Vice President of the Midway PTO and urged the Board to vote "Yes" for the total Capital Improvements Project.

4. Cheryl Martinez, 23718 Sparrow Court, Petersburg, VA. She came before the Board and urged the Board to vote "Yes" for the CIP Program.

5. Vicky Watson, 2828 Sutherland Road, Sutherland, VA. She came before the Board and urged the Board to approve the funding for the CIP Program.

6. Susan Chappell, 18514 Lakewood Drive, Dinwiddie, VA. She stated that she has children in Dinwiddie Elementary School and she wanted the Board to support the Capital Improvements Program.

7. Kathy Cook, 4514 Brickwood Meadow Drive, Petersburg, VA. She stated that she has just moved to the County and is concerned about the education that her son is getting at the High School. She does not feel that Dinwiddie County is offering him a competitive education in science. She stated that she would much rather put her tax dollars into schools as opposed to jails or prisons. If something is not done now to better our schools, we are going to have a big problem on our hands. She urged the Board to please support the CIP Program.

8. Teresa Maitland, 4120 Henshaw Drive, Petersburg, VA. She came before the Board and stated that she was with the Middle School PTO and urged the Board to vote "Yes" for the CIP Program.

9. Dr. Southall, Dinwiddie County, VA. He came before the Board and urged them to have courage when looking into the future of the County. He also stated that diversity is needed in our school system. He urged the Board to make Dinwiddie County a place that people would like to raise their children.

IN RE: CAPITAL IMPROVEMENTS PROGRAM -- AUTHORIZATION TO SEEK LITERARY LOAN

Mr. Haraway stated that the Board met earlier in the day with David Rose of Wheat First Butcher Singer, the County's Financial Advisor, and discussed how to finance the CIP Program.

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

RESOLUTION IN SUPPORT OF CIP PROGRAM

BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County (the "Board of Supervisors") hereby authorizes and approves the application to the State Literary Loan (the "Literary Loan") for subsidy loans in the maximum amount available for financing of the Dinwiddie High School renovation and addition construction (estimated at $5 million), Dinwiddie Middle School renovation and addition construction (estimated at $5 million) and Midway Elementary School renovation and addition construction (estimated at $3 million) (the "School Capital Projects") and directs the County Administrator to coordinate the preparation of such applications with the Superintendent of County Schools; and

BE IT FURTHER RESOLVED, that the Board of Supervisors hereby authorizes and approves the interim financing up to $14,000,000 in School

Capital Projects and hereby directs the County Administrator and County Attorney to review and recommend appropriate methods of obtaining such financing; and

BE IT FURTHER RESOLVED, subject to confirmation of funding from the Literary Loan of the School Capital Projects, the Board of Supervisors hereby authorizes and approves the financing of an additional $8 million for completion of the financing of the School Capital Projects; and

Extract

BE IT FURTHER RESOLVED, the Board of Supervisors and the School Board shall jointly select a Clerk of the Works for supervision and oversight of the construction of the School and County Capital Projects.

This resolution shall be immediately effective.

THE CHAIRMAN RECESSED THE MEETING AT 8:05 P.M. AND RECONVENED AT 8:20 P.M.

IN RE: A-94-4 - RIGHT TO FARM - PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor Newspaper on January 18, 1995 and January 25, 1995, for the Board of Supervisors to conduct a public hearing to discuss the proposed change in the Dinwiddie County Code under Article VIII - Agricultural Production Operations and Facilities.

Mr. Wayne P. Knox, Director of Planning, came before the Board and gave a historical overview of how the proposed change in the ordinance came about.

Mr. James T. Davis, Zoning Administrator, came before the Board and reviewed the proposed ordinance and discussed the major issues. The first one being a 1,000 animal unit cap. The second being the setback requirements, in particularly the one that says that there has to be a one mile distance from other existing like facilities.

This being a public hearing, the Chairman opened the floor for public comment:

1. Becky Hudson, 3509 Cox Road, Wilsons, VA. She stated that she felt that the 1,000 animal unit cap was way too high and she is also concerned that the spraying of affluent has not even been addressed. She feels that the Board should apply more limits on the animal units as well as regulate the spraying of affluent.

2. Kay Winn, 15211 Winnwood Lane, Dinwiddie, VA. She appeared before the Board and quoted from a letter written by the County Attorney that stated that he did no feel that animal caps would withstand challenge. She felt that the animal cap was discriminating against people who raised livestock and poultry. She stated that she has reported four different facilities that are not in compliance with the code and she has yet to receive a response from the County. She stated that if she can't build a hog facility within 2,000 feet of a residentially zoned district then they should not be able to build near her operation. She feels that the proposed ordinance is very discriminating.

3. Harold Conover, 20522 Old Coker Lane, Carson, VA. He came before the Board and stated that he had sent a package to the Board and wanted to know did they understand it and did they have any questions. He asked that the information that he sent to the Board be made part of the record and placed in the file dealing with this matter. He feels that the animal caps are not on solid legal ground and they won't stand up. He urged the Board to review the proposed ordinance thoroughly. He also stated that he would like for the Board to consider adding the Lancaster, Pennsylvania Disclaimer to the proposed ordinance.

4. Ronald Abernathy, 25308 Courthouse Road, Stony Creek, VA. He feels that a lot of work has gone into the proposed ordinance and supports it. He does have concerns over the animal caps and setbacks.

5. Chip Bain, 14608 Sleepy Hollow Road, Dinwiddie, VA. He appeared before the Board and stated that he felt that the ordinance is a compromise. He has spoken to several attorney's and is being told that

nowhere does it state that caps will not hold up, but it is possible that they will be challenged. He feels that there is no discrimination in the proposed ordinance.

Mr. Haraway stated that the Public Hearing was closed but he saw a few members from the Planning Commission in the audience and wanted to know if any of them wanted to speak.

Mr. Dan Lee, Planning Commission, appeared before the Board and stated that he felt that the setbacks protect both the livestock producer as well as individuals that move into the County. He thinks that the 1,000 feet from an existing dwelling for a new facility is a good distance to protect both parties. He thinks that 500 feet from public roadways is a good distance to protect the facility. He does have a problem with the 1 mile between facilities, he tried to get it lowered. He would like to see it cut in half or taken out all together. He stated that he is also not in favor of the 1,000 animal unit cap. He would like to see the nutrient management plan be the cap. He feels that the nutrient management plan is a good way to control these facilities because if there are problems they would correct them with yearly updates. He feels that the ordinance should protect both the livestock producers and the citizens.

Mr. Ben Emerson, County Attorney, wanted to speak in reference to Kay Winn's statements about the letter that he wrote. He stated that he couldn't think of a rational basis for the cap per farm but that doesn't necessarily mean that someone else couldn't. He then read an insert from the letter that Kay Winn quoted earlier which states as follows: "We do not believe a cap per farm, regardless of the size of the farm, would withstand challenge as we have been unable to think of a rational basis for such a restriction. If, however, the Committee determines that a rational basis exists for a restriction on a per farm basis regardless of size, it may well be permissible for the Board to adopt it." He stated that he is not an agricultural expert and he does not know whether there is some reason or rational basis, which is what is needed in order to support any local ordinance. In his letter he was just advising that they did not know of such a basis, that does not necessarily mean that one does not exist.

Mr. Moody, stated that he is also a member of the Planning Commission and voted along with the other members for the ordinance as a whole but does have a problem with the caps and the setbacks.

Mr. Haraway reminded the Board and the public that on February 15, 1995 at 7:30 P.M. there will be a work session between the Planning Commission and the Board of Supervisors and on March 1, 1995 at 7:30 P.M. there will be the second public hearing on this issue.

IN RE: APPOINTMENT -- DISTRICT 19 COMMUNITY SERVICES BOARD

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Dan Rapp be appointed to the District 19 Community Services Board for a three year term, expiring January 1, 1998.

THE CHAIRMAN RECESSED THE MEETING AT 9:27 P.M. AND RECONVENED AT 9:40 P.M.

IN RE: A-95-2 - ELECTED SCHOOL BOARD - PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor Newspaper on January 18, 1995 and January 25, 1995, for the Board of Supervisors to conduct a public hearing to consider a proposed ordinance to amend Article 3 of Chapter 2 of the Code of Dinwiddie County to provide for an Elected School Board, the Number and Terms of its Members and their Powers and Duties.

Mr. Haraway stated this was a public hearing, but no one signed up to speak.

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

WHEREAS, at a referendum held on November 3, 1992, the voters of Dinwiddie County determined that the County's School Board should be elected directly by the voters; and

WHEREAS, a plan is required for the election, organization and duties of an elected School Board;

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Article III of Chapter 2 of the Code shall be amended to add a new Division 1.5 to read as follows:

DIVISION 1.5 SCHOOL BOARD

Sec. 2-39.1. The supervision of schools in the County shall be vested in a School Board directly elected by the voters.

Sec. 2-39.2. The School Board shall consist of one (1) member from each of the five (5) election districts set forth in Chapter 8 of the Code or a total of five (5) members.

Sec. 2-39.3. Election of the School Board shall coincide with the election of the Board of Supervisors beginning at the general election in November 1995. Each member shall serve for a term of four (4) years commencing on January 1 following each quadrennial election. Any vacancy on the School Board shall be filled pursuant to Sub Section 24.2-226 and 24.2-227 of the State Code.

Sec. 2-39.4. The School Board is authorized to compensate its members, including an additional salary for its chairman, in accordance with Section 22.1-32 of the State Code.

Extract

Sec. 2-39.5. The School Board shall have the powers and duties prescribed by state law.

In all other respects the Dinwiddie County Code is hereby reordained.

This Ordinance shall be effective February 1, 1995.

IN RE: EMERGENCY MEDICAL SERVICES -- AWARD OF BID FOR AMBULANCE

Charles Burgess, County Administrator listed the following bids that were submitted for the Ambulance:

	COMPANY	BID AMOUNT
1.	Wheeled Coach	$73,951.00
2.	Kodiak	no bid
3.	P.L. Custom	$77,315.00 w/1994 Chassis
		$80,815.00 w/1995 Chassis

Mr. Burgess recommended the Bid from P.L. Custom with the 1995 Chassis be accepted in the amount of $80,815.00. The reason being the 1995 Chassis will have better fuel economy and better speed acceleration.

Mrs. Everett wanted to know if the County would get back the additional cost over a period of time and would it be cost effective to get the 1995 Chassis.

Mr. Burgess stated that after talking with the Public Safety Officer and EMS Personnel they thought that the 1995 Chassis would be the better buy.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from P.L. Custom with the 1995 chassis for the Ambulance be accepted in the amount of $80,815.00.

IN RE: APPROPRIATION OF FUNDS - EMERGENCY MEDICAL SERVICES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following funds be appropriated from the general fund for Emergency Medical Services for fiscal year 94/1995:

Salary and Benefits	$75,000
Professional Heath Services	1,000
Repairs and Maintenance	200
Service Contract - BFI	500
Service Contract - Oxygen	2,400
Electrical Service	1,800
Postal Service	200
Telecommunications	500
Office Supplies	200
Medical Supplies	20,000
Janitorial Supplies	100
Linen Supplies	300
Vehicle - Supplies and Maintenance	7,000
Uniforms	5,000
Books/Subscriptions	100
Other Operating Supplies	1,000
Travel (Education)	500
Dues/Association Memberships	100
Equipment	12,650
Furniture/Fixtures	500
Communications Equipment	4,200
Vehicle Purchase	80,815
TOTAL	$214,065

Extract

IN RE: RESOLUTION FOR AMERICAN HISTORY MONTH

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

WHEREAS this Nation has been built upon the efforts, sacrifices and contributions of a great number of persons; and

WHEREAS the National Society of the Daughters of the American Revolution encourages all Americans to read and become more aware of the history of their Country; and

WHEREAS a knowledge of our history increases an appreciation of the many rights and privileges which are part of our national heritage.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of the County of Dinwiddie this 1st day of February, 1995, hereby declares the month of February as "American History Month" for 1995; and

Extract

BE IT FURTHER RESOLVED by the Board of Supervisors of the County of Dinwiddie this 1st day of February, 1995, that a copy of this Resolution be posted for the public and spread upon the minutes of this meeting.

IN RE: ACCEPTANCE OF RESIGNATIONS AND POSITION ANNOUNCEMENT

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the resignation from Brenda D. Spain, effective January 31, 1995 be accepted and the resignation from James T. Davis, effective February 2, 1995 be accepted and Teresa Glancy be appointed to the position of Scale House Attendant, effective February 1, 1995, at the salary level of Grade 4, Step D1.

IN RE: TREASURER'S ACCOUNTABILITY STATEMENT

The County Administrator requested authorization to run the Treasurer's Accountability Statement in the Dinwiddie Monitor Newspaper.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the County Administrator was authorized to publish the Treasurer's Accountability Statement.

IN RE: BOARD MEMBER COMMENTS

1. Mrs. Everett stated that she attended the Executive Meeting of the Crater Planning District Commission and they voted that the contribution from localities would remain the same. She also stated that the funding was questionable this year because of the Governor's proposed cuts.

2. Mr. Haraway stated that on February 10th, area elected officials are going to go to Washington, D.C. to listen to the Senate talk about putting Fort Lee on the list of military base closings. He wanted to know who on the Board would like to attend. Mr. Bracey stated that he would have to let Mr. Haraway know whether he could or not.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Moody, Mrs. Everett, Mr. Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 9:55 P.M.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 15TH DAY OF FEBRUARY, 1995, AT 2:00 P.M.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the February 1, 1995 Continuation meeting, and the minutes for the February 1, 1995 Regular meeting are hereby approved in their entirety; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Resolutions presented at the February 1, 1995 Regular meeting for the Certification Committee and the Resolutions of Recognition for Brenda Denny Spain, and James T. Davis, are hereby adopted, retroactive to February 1, 1995.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using checks #32678 - #32847 for General Fund $264,659.02, E911 $1,211.99, Self Insurance $1,864.50, CDBG $8,500.00, Courthouse $20,969.54, Landfill Funds $7,425.00, Jail Phone Commission $161.40 for a total of $304,791.45.

IN RE: CITIZEN COMMENTS

Mr. Haraway opened the floor for citizen comments and asked that each person please limit their comments to 3 minutes.

1. Fred Sahl, 5815 Trinity Road, Church Road, VA 23833. He came before the Board and stated that he was prepared to submit to the Board a request under the Freedom of Information Act in relation to getting a performance schedule of debt service to retirement for projected CIP Program. He wants to know what the impact on the tax rate will be with the CIP Program being passed.

2. Joy Bowman, 6219 Boydton Plank Road, Petersburg, VA 23803. She came before the Board and passed out copies of correspondence between her and Mrs. Deborah Marston, Commissioner of the Revenue. She stated that she has been trying to work out some problems with her business license for her horse business and work out the assessment on some of her property and she is not getting any cooperation from Debbie Marston, Commissioner of the Revenue. She feels that Mrs. Marston's office has discriminated against her business most unfairly. She understands that there is really nothing that the Board can do because Mrs. Marston is an elected official but she did state that she was taking the matter to the Circuit Court because she could not get any cooperation from Mrs. Marston.

After some discussion between the Board, they decided that they would discuss the matter with Mrs. Marston in Executive Session after the Regular Meeting.

3. Bobby Bowman, 6219 Boydton Plank Road, Petersburg, VA 23803. He came before the Board and reiterated what his wife said, that the treatment from the Commissioner of the Revenue, Mrs. Marston was unfair. He stated that Mrs. Marston did not even have the correct documents to assess property. He also stated that he has not gotten any cooperation from several department heads. He would like to see the Board give the County Administrator more power to run the County like a business. On another note, he stated that he was also very concerned over the wastewater treatment plant. He feels that we can go to Petersburg and use there plant opposed to building our own.

Mrs. Everett responded to Mr. Bowman's response about the wastewater treatment plant. She stated that the reason the County was looking into building there own facility was because Petersburg does not want us continue to use there facility after our contract expires.

4. Anne Scarborough, P.O. Box 415, Dinwiddie, VA 23841. She came before the Board and encouraged them to go outside of the School Board to hire a "Clerk of the Works" to handle the CIP Program. She feels that the person they hire should have experience with this particular issue. They shouldn't hire someone that knows nothing about renovating or constructing schools. She wanted a few questions answered by Dr. Thomas Gaul, School Superintendent, which are as follows: 1. What was the warranty on the new roof that was put on the Middle School five years ago. 2. What was the cost of the new roof. 3. Why wasn't the contractor that put the new roof on contacted as soon as it started leaking. 4. Is anyone seeking reimbursement for the new roof since it is already so badly damaged from leakage problems only five years after it was put on.

Mrs. Everett stated that she was told that the roof was not an entire new roof it was a patched roof. She asked Mr. Burgess to look into the matter because there is a big difference between a patched roof and a new roof.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald Reekes, Resident Engineer, did not have anything to present but did state that they have conducted some initial studies about the truck traffic on Route 226 and they are still doing some.

IN RE: COMMISSIONER OF REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of Revenue, did not have anything to present but did want to address an issue that was brought up during the Citizen Comment period. She welcomed the Board to come to her office to see how she actually runs it. She stated that the form that is used to assess miscellaneous farm buildings, that was received from Blue Ridge Appraisal Company, is their form that they use state wide during general reassessments. It is not just used in Dinwiddie County. The form is used as a guide and a guide only to use in a locality to assess during the general reassessment; it does not address the specifics of a structure; it is just a general guide.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, presented his report for this month of January, 1995.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, Commonwealth Attorney, was present but did not have anything to report.

IN RE: SHERIFF -- REPORT

Mr. Lynn Spain, Deputy, was present for Bennie M. Heath but did not have anything to report.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, presented his report for the month of January, 1995. He also presented to the Board a yearly report for 1993 and 1994.

Mr. Bracey wanted to know if there was a way to to find out how many children will be coming into the school system with all of the proposed subdivisions that are in the process of being developed. Mr. Abernathy stated that they really don't have a way of finding out because most of the houses in the subdivisions are built and then sold. So when all the permits are being done in his office a family does not own it yet; the contractor does. He stated that he would do anything possible to find out if he could.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of January, 1995.

IN RE: LIVESTOCK CLAIM -- SPENCER DICKENS

Mr. Steve Beville, Animal Warden, stated that on January 10, 1995 some stray dogs attacked and killed Mr. Dickens' 30 Laying Hens, for a total of $112.50.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the livestock claim for Spencer Dickens, for 30 Laying Hens in the amount of $112.50 is approved.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. Wayne Knox, Director of Planning, presented his report for the month of January, 1995.

IN RE: RESOLUTION TO ACCEPT THREE STREETS INTO THE STATE HIGHWAY SYSTEM

Mr. Wayne Knox, Director of Planning, stated that Creek Road, Creek Circle and Creek Lane in the Mount Pleasant Subdivision need to be accepted into the State Highway System. He also stated that all three are cul-de-sacs off of Route 226.

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

WHEREAS, Creek Road, Creek Circle and Creek Lane described on form SR-5(A), Proposed Additions to the Secondary System of State Highways, fully incorporated herein by reference, are shown on plats dated 12/03/91, recorded in Deed Book 14, Page 179-180 in the Clerk's Office of the Circuit Court of Dinwiddie County, and

Extract

WHEREAS, the Resident Engineer for the Department of Transportation has advised the Dinwiddie County Board of Supervisors that Creek Road, Creek Circle and Creek Lane meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, requests the Virginia Department of Transportation to add Creek Road, Creek Circle and Creek Lane described on the Attached Addition Form SR-5(A) to the Secondary System of State Highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Dinwiddie, County, Virginia, guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills, and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director of Social Services, did not have anything to present but did want to discuss several issues.

She thanked everyone for all their help in getting some much needed repairs done in her office.

She stated that the General Assembly has restored some of their funding that Governor Allen had originally taken out of the budget. She hopes that the funding will remain because it will help their budget tremendously. She also stated that they had gotten approved for some FEMA Funding which will be somewhere around $16,000.00 for emergency assistance programs. They have not received it yet but when they do she will come back before the Board and ask them to appropriate it.

The Christmas Sharing Program asked Mrs. McElveen to give the Board a report on how this past Christmas Season went. She stated that it helped 249 families for a total of 700 people. Through their marketing of the idea over $6,000.00 was collected. Their were a total of 75 volunteers who provided many need resources to help the Christmas Sharing Program. Since some of the donations are received after the Christmas season they decided to do a Christmas throughout the year.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Ray Watson, Assistant to the Superintendent for Finance and Technology, came before the Board and stated that Dr. Gaul, School Superintendent was unable to be present.

Mr. Watson stated that in reference to Mr. Bracey's question about growth in the County, the School Board used to take a census but it was done away with a couple years ago but they are asking that it to be done again starting next year.

Mr. Watson thanked the Board again for their full support of the CIP Project. He also stated that they are working diligently to get the Project going.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Tony S. Rinaldi, Recreation Director, presented his report for the month of January, 1995.

He also stated that the Recreation Department was having their Open House on Saturday, February 18, 1995 in the Extension Office from 1:00 P.M. to 3:00 P.M. He invited the Board and the citizens to attend.

IN RE: PUBLIC SAFETY DIRECTOR -- REPORT

Mr. David Nichols, Public Safety Officer, presented his report for the month of January, 1995.

IN RE: AWARD OF BID - HAZARDOUS MATERIALS EQUIPMENT TRAILER

Mr. Nichols presented the following bids that were submitted for a Hazardous Materials Equipment Trailer:

Colonial Rental Colonial Heights	$2,960.00
D. C. Trailer Sales Dinwiddie	$2,495.00
Mid-Atlantic Trailer Sales Mechanicsville	$2,697.00

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid submitted by D. C. Trailer Sales in the amount of $2,495.00 for a Hazardous Materials Equipment Trailer is accepted and will be stationed at Dinwiddie Company 1.

IN RE: FORD VOLUNTEER FIRE DEPARTMENT -- TRUCK REPAIR

Mr. Nichols, stated that Ford Volunteer Fire Department has a 1984 Fire Truck and last week they had some problems with it. It was put in the shop and Pruitt's Equipment Repair and Sales estimated that the work that needed to be done would cost around $3,500.00.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the estimate submitted by Pruitt's Equipment Repair and Sales is accepted and funds are appropriated from the Capital Improvements category within the Fire Department Budget for the repairs as requested by the Ford Volunteer Fire Department.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Waste Management, presented his report for the month of January, 1995.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Dan Siegel, County Attorney, was present but did not have anything to present at this time.

IN RE: APPOINTMENT - DINWIDDIE INDUSTRIAL DEVELOPMENT AUTHORITY

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Oscar Edwards, be appointed to replace Louis Blazek on the Dinwiddie County Industrial Development Authority for a four year term, expiring February 5, 1999.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Burgess stated that Montoro & Associates submitted their contract for audit services for current and future fiscal years. He is not asking that the Board approve the contract today because he feels some more discussion needs to take place between the Board and Montoro and Associates before approval.

Mr. Haraway stated that the price increase that Montoro & Associates is requesting is questionable. It is not normal procedure for a price increase to be requested at this point in the year.

Mr. Clay feels that the 15% increase that they are requesting is too much.

2. Mr. Burgess stated that the School Board is preparing their budget to present to the Board and they need to schedule a time to have a joint session between the two Boards to discuss their budget.

After some discussion, the Board decided to have their joint session with the School Board on Monday, January 27, 1995 at 7:00 P.M.

IN RE: COUNTY ATTORNEY DRAFT CONTRACT TO PURCHASE NEW AMBULANCE

Mr. Charles Burgess, County Administrator, stated that the contract that was submitted by Fire-Rescue Vehicles for the purchase of the new ambulance needed some work and he wanted authorization for the County Attorney to draft an appropriate one.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Attorney is authorized to draft a contract for the County to purchase the new ambulance from Fire-Rescue Vehicles.

IN RE: FORD VOLUNTEER FIRE DEPARTMENT / PURCHASE OF EQUIPMENT FOR THE FIRST RESPONSE PROGRAM

Mr. Burgess stated that Ford Volunteer Fire Department is requesting assistance in purchasing equipment for the First Response Program. The amount of the Funds requested is $750.00.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Ford Volunteer Fire Department be appropriated $750.00 from the General Fund to purchase equipment for the First Response Program.

IN RE: BOARD MEMBER COMMENTS

1. Mrs. Everett stated that a representative needed to be appointed to meet with the committee that was devised to support Fort Pickett for the upcoming military base closing proceedings.

After some discussion, Mr. Moody volunteered to be the County's representative.

2. Mr. Bracey stated that he and Mr. Burgess went with the BRAC Commission to Washington D.C. to listen to talks about putting Fort Lee on the list of military base closings. He stated that it would be about a month before they would know anything.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry where no previous announcement has been made; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 3:50 P.M. At 5:00 P.M., the Board moved to the Homeplace Restaurant and returned to the Pamplin Administration Building at 6:30 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:16 P.M.

IN RE: REJECTION OF BIDS SUBMITTED FOR CO-COMPOSTING FACILITY

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that all bids received for the evaluation of the co-composting facility be rejected.

IN RE: FORMATION OF DINWIDDIE EMS COUNCIL

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator facilitate the formation of a Dinwiddie EMS Council to set up by-laws with a representative from Dinwiddie Volunteer Rescue Squad and Namozine Fire Company and Dinwiddie EMS.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that their be citizen representation on the council and that all participants in the First Response Program also be represented.

IN RE: WORKSHOP WITH THE PLANNING COMMISSION -- RIGHT TO FARM

The Board of Supervisors held a joint work session with the Planning Commission at 7:30 P.M. in the Extension Office to discuss the proposed Right To Farm ordinance. A second public hearing will be held March 1, 1995 at 7:30 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 9:45 P.M. to be continued until February 27, 1995 at 7:00 P.M. for a joint work session with the School Board to discuss the School Budget for FY 95-96.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE EXTENSION OFFICE OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 27TH DAY OF FEBRUARY, 1995, AT 7:00 P.M.

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

IN RE: JOINT WORKSHOP SESSION - FY 96 SCHOOL BOARD BUDGET

The Board of Supervisors met with the School Board in a joint workshop session to discuss the preliminary draft of the FY96 School Board Budget. Dr. Thomas Gaul, School Superintendent reviewed the major revenue and expenditure categories. The Board expressed that their main concern was over whether or not the new schools will be maintained after the CIP Program.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 9:20 P.M. to be continued until 12:00 P.M., Wednesday, March 1, 1995 for a Budget Work Session with the Department Heads and Constitutional Officers at the Pamplin Administration Building.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 1ST DAY OF MARCH, 1995, AT 12:00 P.M.

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

IN RE: BUDGET WORKSHOP SESSIONS WITH DEPARTMENT HEADS/CONSTITUTIONAL OFFICERS

The Board of Supervisors met with the Sheriff at the Sheriff's Department and then returned to the Pamplin Administration Conference Room to meet with the following Department Heads and Constitutional Officers to discuss their proposed budget request for FY 95.

Treasurer	Social Services
Commissioner of Revenue	Building Inspector
Director of Waste Management	Director of Recreation
Director of Planning	

THE CHAIRMAN CALLED FOR A RECESS AT 5:00 P.M. AND THE MEETING MOVED TO THE HOME PLACE RESTAURANT, DINWIDDIE COUNTY, VIRGINIA.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 5-Discussion concerning a prospective business or industry, Section 2.1-344(a) 7-Consultation with Legal Counsel; the Board moved into Executive Session at 5:26 P.M. A vote having been made and approved the meeting reconvened into Open Session at 6:57 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: SOLE SOURCE PROCUREMENT RESOLUTION

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

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia (the "Board") desires to procure the services of a consulting firm with comprehensive and extensive experience in the design, construction and operation of municipal solid waste biodegradation, composting and source separation plants and related laboratory analysis and consulting to advise the Board regarding the municipal solid waste Co-Composting Plant and Materials Recycling Facility constructed in Dinwiddie County by Virginia Bio-Fuel Corporation (the "Plant"); and

WHEREAS, the Board has determined that the consulting firm of Organic Waste Systems n.v. and its wholly-owned subsidiary OWS, Inc. (together, "OWS") is the only consulting firm which is currently familiar with facilities such as the Plant and the design, construction and operation thereof and therefore is the only source practically available at a reasonable price for the services to be procured by the Board;

NOW, THEREFORE, be it resolved by the Board as follows:

1. Pursuant to the requirements of Section 11-41 (D) of the Code of Virginia, this Resolution shall constitute a determination in writing that there is only one source practicably available for the services which the Board wishes to procure.

2. The basis for this determination is that the consulting services desired by the County require substantial and comprehensive experience in the design, construction and operation of municipal solid waste biodegradation, composting and source separation plants and related laboratory analysis and consulting, and after research by the County, the Board has determined that the firm of OWS is the only consulting firm with such experience.

3. A contract will be awarded to OWS to perform the desired services as of the date of this Resolution.

4. A copy of this Resolution shall be posted in the following designated public place from the date hereof for a period of two weeks:

   Dinwiddie County Administration Building
   14016 Boydton Plank Road
   Dinwiddie, VA 23841

Extract

5. This Resolution shall be immediately effective.

DATED this 1st day of March, 1995.

Donald L Haraway
Chairman, Board of Supervisors of
Dinwiddie County, Virginia

IN RE: COUNTY ATTORNEY AUTHORIZED TO REPRESENT ALL PARTIES INVOLVED IN LAWSUIT WITH VIRGINIA BIO-FUEL CORPORATION

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, (the "County") hereby authorizes the County Attorney to provide legal advice and defense to all former and current officials, employees and supervisors of the County and officers and directors of the Industrial Development Authority of Dinwiddie County, Virginia for claims involving Virginia Bio-fuel Corporation and the various bond issues relating thereto.

Extract

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 7:00 P.M.

Donald L. Haraway
Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 1ST DAY OF MARCH, 1995, AT 7:30 P.M.

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

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the agenda was amended as follows:

Add, 6.(a) - Chairman's Comments.

Add, 12. - Executive Session, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the February 15, 1995 Regular Meeting and February 27, 1995 Continuation Meeting are hereby approved with corrections to the February 15, 1995 Regular Meeting, IN RE: Citizen Comments -- Comments by Robert Bowman.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using checks #32848 - #33063 for General Fund $337,022.47, E911 Fund $1,683.65, Self Insurance $2,211.35, CDBG Fund $5,293.10, Law Library $442.54, Courthouse Maint. Fee $24,031.59 and Jail Phone Commission $727.62 for a total of $371,412.32.

IN RE: CITIZEN COMMENTS

1. Ann Robertson, 15116 First Street, DeWitt, VA - Conditional Use Permit-Lloyd Boisseau.

2. Christine Sorenson, 4409 Martinson Lane, Prince George, VA - Reenactment of Five Forks Battle.

3. Jamie Faulcon, 15916 Hamilton Arms Road, DeWitt, VA - Conditional use Permit-Lloyd Boisseau.

IN RE: CHAIRMANS COMMENTS

Mr. Haraway stated that he knew that the citizens were concerned about what impact the Capital Improvement Project would have on real estate taxes in the future. The Board is currently considering the funding for these projects and when they are close to finalizing their options they will address the public. At the present time there are too many variables to address the specific tax increase. However, they do feel that they have a responsibility to announce some estimates. It is projected the three projects will cost approximately $36,000,000,

$22,000,000 for the Schools, 7,000,000 for the Courthouse Project and $7,000,000 for the Wastewater Treatment Plant. The Wastewater Treatment Plant has not been decided on yet so it is still questionable, because there is still a possibility of a regional effort. The real estate tax rate for 1997 will increase approximately .05 to .06 cents. In 1998 or 1999 the increase will be an additional .10 or .11 cents. The accumulative figure will approximately be a 20% increase. Mr. Haraway stressed that these figures were estimates; there are just too many variables to be any more specific.

IN RE: A-94-4 - RIGHT TO FARM - PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor Newspaper on February 15, 1995 and February 22, 1995, for the Board of Supervisors to conduct a public hearing to consider a proposed change in the Dinwiddie County Code under Article VIII - Agricultural Production Operations and Facilities.

Mr. Wayne P. Knox, Director of Planning, came before the Board and suggested a few possible revisions for the sake of clarification. While not affecting the integrity of the proposed ordinance, he asked that these revisions be considered when you discuss the adoption of this ordinance. The following are the revisions to the appropriate page and line numbers in their entirety:

1. Page 1, lines 41 - 47 > Intensive livestock, dairy facility: A facility or operation **and any** accessory uses or structures including, **but not limited to**, feed storage bins, litter storage sites, incinerators or manure storage sites which at any one time has at least 300 animal units present at the facility or operation, or any operation or facility determined by the Commonwealth of Virginia or any department or division thereof to be an intensive facility or operation, subject to the requirements of Section 22-267 of this Article.

2. Page 2, lines 2-9 > Intensive poultry facility: A poultry facility or operation **and any** accessory uses or structures, including but not limited to, poultry houses, feed storage bins, litter storage sites, incinerators, disposal pits or cold storage chests used for collection of dead poultry which at any one time has at least 300 animal units present at the facility or operation, or a facility or operation determined by the Commonwealth of Virginia or any department or division thereof to be an intensive facility or operation, subject to the requirements of Section 22-267 of this Article.

3. Page 2, lines 18-22 > Livestock, dairy or poultry facility: Any livestock, dairy, or poultry facility **or operation and any accessory uses or structures, including but not limited to, feed storage bins, litter storage sites, incinerators or manure storage sites, which at any one time has** at least 150 animal units **and** which is occupied or has been previously occupied or operated by an operator for a cumulative total of at least twelve (12) months during the previous sixty (60) month period from the date when zoning approval is sought for a dwelling or any livestock, dairy or poultry facility **or operation.**

4. Page 3, lines 9-14 > (5) Existing livestock, dairy or poultry facilities in existence and in operation on the effective date of the ordinance as determined by the Zoning Administrator that do not meet the minimum acreage requirement, shall be considered nonconforming uses and may continue only so long as the existing use of the facility is not interrupted for more than twenty-four (24) consecutive months, or the use is **not** enlarged, except as may be otherwise permitted hereunder.

5. Page 3, lines 21-23 > (1) Minimum setbacks for new livestock, dairy or poultry facilities established with at least 150 animal units, **including without limitation intensive, dairy or poultry facilities,** shall be set back from property lines, structures and other designated areas as follows: (a-g).

6. Page 4, line 48 thru Page 5, line 3 > (1) An operator or a potential operator shall file with the Zoning Administrator, a development plan which indicates the number, size and location of livestock, dairy or

poultry facility planned for the subject parcel **and** the date the facility is scheduled to commence operations.

7. Page 7, line 28 > Add: (5) **Forestry.**

8. Page 7, line 40 > Add: (18) **Forestry.**

This being a public hearing, the Chairman opened the floor for public comment and stated that they would have three minutes to speak and then would be cut off:

1. Alvin Blaha, 10149 Squirrel Level Road, Petersburg, VA. He commended the Board and the Planning Commission for their time and diligence that was spent on the ordinance. He stated that he did not agree with the mile distance between like facilities and the animal unit caps.

2. Harold Conover, 20522 Old Coker Road, Prince George, VA. He stated that he did not come to speak against the ordinance. He wants to speak in favor of the best ordinance that can be. He wants it to be in compliance with the 1994 Right to Farm Act. He also stated that the mile distance between like facilities and the animal unit caps needed work. He asked had the Board sought an opinion from the Commonwealth Attorney as to the legal defensibility of the ordinance?

Mr. Haraway stated not to his knowledge.

Mr. Conover then asked had the Commonwealth Attorney been instructed to request a hearing from the State Attorney General's Office?

Mr. Haraway stated that, no, the Commonwealth Attorney had not.

3. John Fraiser, 20400 Bain Road, Stony Creek, VA. He feels that the Board and the Planning Commission are confused about what the Nutrient Management Plan is designed to accomplish. It was not designed specifically for farmers but it does benefit them. He stated that the limitations unreasonably restrict free enterprise.

4. Bobby Perkins, 18116 Flatfoot Road, Dinwiddie, VA. He came before the Board and stated that livestock farmers should have the same opportunity to provide for their family like any other type of farmer or any other profession. He commented that if the ordinance passes with the restrictions on caps and the one mile distance between facilities it will put the livestock farmer at the most unfair disadvantage ever opposed on any group of people.

5. Becky Hudson, 3509 Cox Road, Wilsons, VA. She came before the Board and stated that she opposed intensive agricultural operations here in the County. She was in favor of the animal unit caps and the one mile restriction between like facilities.

6. Ron Abernathy, 25308 Courthouse Road, Stony Creek, VA. He stated that he is the Chairman of a group entitled CORD. They have followed this issue closely from the beginning. They feel that the caps and setbacks are good but not stringent enough.

7. Chip Bain, 14608 Sleepy Hollow Road, Dinwiddie, VA. He stated that he was not against the ordinance but would still like to see the 3 animal units to 1 acre of land. He supports the Nutrient Management Plan but would like to see the 3 to 1 ratio for assurance.

8. Kay Winn, 15211 Winnwood Lane, Dinwiddie, VA. She came before the Board and presented pictures to the Board of another facility that was built after her permit was denied. She quoted from a letter that Ben Emerson, County Attorney wrote which is as follows: "We do not believe a cap per farm, regardless of the size of the farm, would withstand challenge as we have been unable to think of a rational basis for such a restriction. If, however, the Committee determines that a rational basis exists for a restriction on a per farm basis regardless of size, it may well be permissible for the Board to adopt it." She stated that she has tried every state and federal agency to see if there were any rational animal unit caps and she could not find one. She stated that the

Board must of pulled the number out of thin air. She would still like a response from the County in relation to the two facilities that are not in compliance with the code. She asked what the effective date of the ordinance will be?

Mr. Wayne Knox, Director of Planning, stated that the effective date will be April 1, 1995.

Mrs. Winn also asked will the setbacks in the ordinance be reciprocal?

Mr. Knox stated that yes, they would be.

Mr. Haraway declared the public hearing closed and asked if the Board had any discussion.

Mr. Bracey stated that he has mixed emotions about this issue. He doesn't know if the Board is doing the right thing. His concern is the one mile distance between like facilities.

Mr. Moody stated that he agreed with Mr. Bracey's concern over the one mile distance between like facilities.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Article VII of the Code of Dinwiddie shall be amended to read as follows, and in all other respect be reordained:

ARTICLE VIII - AGRICULTURAL PRODUCTION OPERATIONS AND FACILITIES

Sec. 22-261. Intent

This section is intended to encourage economic development and to preserve farmland by providing for the viability of the County's agricultural sector by encouraging the orderly and responsible growth of its livestock, dairy, and poultry industry. Where permitted by the Zoning Ordinance, agricultural production activities including but not limited to tillage, crop production, harvesting, raising and pasturing of animals shall be permitted uses as a matter of right subject to the standards contained herein.

Sec. 22-262. Definitions

For the purposes of this Article, the following definitions shall apply:

Animal Unit: A unit of measure used to determine the total number of single animal types or a combination of animal types which are fed, confined, maintained or stabled in an agricultural operation. One animal unit equals 1,000 pounds of live weight.

Existing dwelling: (1) A structure, designed for residential use, which is legally occupied on the date a completed application for a livestock, dairy or poultry facility permit is received by the Zoning Administrator; or (2) a structure, designed for residential use, which is not occupied on the date a completed application is received, but has been issued a valid building permit prior to the application for the facility or (3) a structure, designed for residential use, which has been legally occupied for a cumulative period of at least thirty-six (36) months within the sixty (60) month period of time prior to the date on which a completed application for a livestock dairy or poultry facility is received. The Zoning Administrator may request additional documentation from the applicant or other regulated party to determine if the structure qualifies as an "existing dwelling" as defined.

Intensive livestock, dairy facility: A facility or operation and any accessory uses or structures including, but not limited to, feed storage bins, litter storage sites, incinerators or manure storage sites which at any one time has at least 300 animal units present at the facility or operation, or any operation or facility determined by the Commonwealth of Virginia or any department or division thereof to be an intensive facility or operation, subject to the requirements of Section 22-267 of this Article. In no case shall a facility as defined herein exceed a cumulative total of 1,000 animal units.

Intensive poultry facility: A poultry facility or operation and any accessory uses or structures, including but not limited to, poultry houses, feed storage bins, litter storage sites, incinerators, disposal pits or cold storage chests used for collection of dead poultry which at any one time has at least 300 animal units present at the facility or operation, or a facility or operation determined by the Commonwealth of Virginia or any department or division thereof to be an intensive facility or operation, subject to the requirements of Section 22-267 of this Article. In no case shall a facility as defined herein exceed a cumulative total of 1,000 animal units.

Operator, Livestock Raiser, Dairy Operator, Poultry Grower: The owner and/or operator of the livestock, dairy or poultry facility.

Parcel: A piece of land identified as being separate from other pieces of land by a written description or plat of survey in an instrument of conveyance or devise or on a subdivision or plat, recorded in the offices of the Clerk of the Circuit Court of this county.

Livestock, dairy, or poultry facility: Any livestock, dairy, or poultry facility or operation and any accessory uses or structures, including but not limited to, feed storage bins, litter storage sites, incinerators or manure storage sites, which at any one time has at least 150 animal units and which is occupied or has been previously occupied or operated by an operator for a cumulative total of at least twelve (12) months during the previous sixty (60) month period from the date when zoning approval is sought for dwelling or any livestock, dairy or poultry facility or operation.

Immediate family or immediate family member: Any legal sibling, parent, grandparent, grandchild, child or spouse of the operator of the facility. This term shall not include any aunts, uncles, nieces, nephews, cousins or any other next of kin of the operator of the facility.

Sec. 22-263. Minimum acreage requirements.

The minimum number of acres on which a new livestock, dairy, or poultry facility may be established shall be as follows:

(1) Intensive livestock or dairy facility - 100 acres or the number of acres required by an approved nutrient management plan, whichever amount is greater. All parcels of land which comprise the facility and are used in its nutrient management plan for liquid waste disposal shall be contiguous.

(2) Intensive poultry facility - 20 acres or the number of acres required by an approved nutrient management plan, whichever amount is greater. All parcels of land which comprise the facility and are used in its nutrient management plan need not be contiguous. The operator shall provide evidence acceptable to the Zoning Administrator of his legal right of access or proof of ownership of any such non-contiguous parcels associated with the facility or nutrient management plan.

(3) Livestock or dairy facilities with at least 150 animal units - 50 acres. In addition, the operator shall submit a development plan and a nutrient management plan for

waste disposal subject to the guidelines established herein. All parcels of land associated with the facility for liquid waste disposal shall be contiguous.

(4) Poultry facilities with at least 150 animal units - 10 acres. In addition, the operator shall submit a development plan and a nutrient management plan for waste disposal subject to the guidelines established herein. Land associated with the facility and used in meeting the minimum acreage requirements shall be contiguous.

(5) Existing livestock, dairy or poultry facilities in existence and in operation on the effective date of the ordinance as determined by the Zoning Administrator that do not meet the minimum acreage requirement, shall be considered non-conforming uses and may continue only so long as the existing use of the facility is not interrupted for more than twenty-four (24) consecutive months, or the use is not enlarged, except as may be otherwise permitted hereunder. Except as expressly set forth herein to the contrary, non-conforming uses under this Article shall be governed by Article VI of this Chapter.

Sec. 22-264. Setbacks

(1) Minimum setbacks for new livestock, dairy or poultry facilities established with at least 150 animal units, including without limitation intensive, dairy or poultry facilities, shall be set back from property lines, structures and other designated areas as follows:

(a) From existing dwellings owned by the facility operator or immediate family member of the operator - 300 feet. Written documentation of an agreement sworn and subscribed before a notary public between the affected operator and immediate family member shall be required. Otherwise, the setback requirements of Section 22-264(1)(b) shall apply.

(b) From existing dwellings <u>not</u> owned by the facility operator or immediate family member of the operator - 1000 feet.

(c) From other existing like facilities - 1 mile (5,280 feet)(e.g. livestock/livestock, dairy/dairy, poultry/poultry)

(d) From public roadways - 500 feet

(e) From all other property lines not abutting a public roadway - 300 feet.

(f) From incorporated towns residentially zoned districts, rural service areas, manufactured home parks, schools, colleges, churches, county, state or federally owned buildings; county, town, or community recreation areas; public wells, springs and water intakes - 2000 feet.

(g) Any existing livestock, dairy or poultry facilities in operation on the effective date of this ordinance, as determined by the Zoning Administrator, that do not meet the setback requirements of this Article shall be considered non- conforming uses and non-conforming structures so long as the existing use of the facility or structures(s) is not interrupted for more than twenty-four (24) consecutive months. Existing livestock, dairy, or poultry facilities shall be permitted a one-time expansion to an amount not to exceed 150 animal units above the facility's present number of animal units, so long as the existing setbacks of the facility, if less than prescribed herein, are not further reduced. Said expansion may occur only after a development plan and a nutrient management plan for waste disposal is submitted by the operator and is approved pursuant to the provisions of this Article. Any subsequent additions or expansions to the facility that would result in at least a total of 151 animal units shall comply with all applicable setbacks of this Chapter.

(2) Setbacks for new dwellings from existing livestock, dairy, or poultry facilities having at least 150 animal units shall be as follows:

(a) Dwelling and facility owned by operator of the facility or immediate family member of the operator - 300 feet. Written documentation of an agreement sworn and subscribed before a notary public between the affected operator and immediate family member shall be required. Otherwise, the setback requirements of Section 22-264(2)(b) shall apply.

(b) Dwelling and facility not owned by operator or immediate family member of operator 1000 feet.

(c) Existing parcels or dwellings on the effective date of this ordinance that do not meet the setback requirements of this Article shall be considered nonconforming lots and nonconforming structures. Any new dwellings, or additions to, dwellings on such nonconforming lots that cannot meet the setback requirements of this section need only comply with the setbacks otherwise applicable to the zoning district in which the dwelling or addition is to be located. Parcels created on or after the effective date of this ordinance shall comply with all applicable setbacks of this chapter.

Sec. 22-265. Certified Plats

The operator of a livestock, dairy or poultry facility constructed, expanded or completed after the effective date of this chapter shall file with the Zoning Administrator, a plat or similar documentation acceptable to the Zoning Administrator showing the entire parcel or parcels on which the facility is located and also showing the location of the facility within such parcel or parcels. With this plat or similar documentation, the operator shall submit a written statement, sworn to and subscribed before a notary public, by which the operator certifies to the Zoning Administrator that the facility shown on the plat or similar documentation meets all applicable setback requirements of this ordinance and that the plat or similar documentation is a complete and accurate depiction of the facility on the parcel or parcels.

Sec. 22-266. Livestock, dairy or poultry facility development plans.

(1) An operator or a potential operator shall file with the Zoning Administrator, a development plan which indicates the number, size and location of livestock, dairy or poultry facilities planned for the subject parcel and the date the facility is scheduled to commence operations. When such development plan has been filed with and approved by the Zoning Administrator and during the period in which it remains in effect, the planned facilities shall be obliged to meet setbacks only from those dwellings and uses existing at the time the development plan is approved. The Zoning Administrator shall approve the development plan within 45 days of receipt if such development plan meets the requirements of this Article. However, if the development plan does not meet the requirements of this Article, the Zoning Administrator shall return the development plan to the person who submitted it, together with a written description of the portion(s) of the development plan that do not comply with this Article.

(2) The development plan shall be based on the requirements of this Article and shall be accompanied by a plat or similar documentation acceptable to the Zoning Administrator verifying the accuracy of the distances shown in the development plan and containing all of the data required as specified pursuant to this Article.

(3) The development plan shall remain in force only so long as the facilities proposed are constructed in accordance with the development plan and are placed in service in accordance with the development plan and the provisions of this Article.

(4) At least one-third (1/3) of the number of head of livestock or dairy animals, subject to this Article or one (1) poultry facility indicated in the development plan must be placed into service within thirty-six (36) months of the date on which the development plan is approved by the Zoning Administrator, unless at least one-third (1/3) of the number of livestock, dairy or one (1) such poultry facility is already in service on the subject parcel or parcels at the time the development plan is filed. Zoning approval for any subsequent facilities indicated in the development plan may only be obtained if no more than sixty (60) months have passed since the date on which the development plan was approved by the Zoning Administrator. Otherwise, a new development plan shall be filed with and approved by the Zoning Administrator pursuant to the provisions of this Article then in effect.

(5) The operator shall notify the Zoning Administrator in writing within thirty (30) days of placement into service of any facilities indicated in his development plan.

(6) In the event an operator fails to build the proposed facility or have in place the minimum number of animals required or fails to obtain zoning approval for any of the facilities indicated in his development plan within the applicable time, the Zoning Administrator shall revoke the development plan. All future development plans of facilities on the subject parcel or parcels shall conform to the requirements of this Article in effect at the time such future plan is submitted for approval.

(7) Each parcel for which a development plan has been approved by the Zoning Administrator shall display at its entrance, within fifteen (15) days of said approval, a sign not less than two (2) square feet, or larger than four (4) square feet, clearly visible from the nearest roadway, indicating that a development plan is in effect for the parcel and containing the words "Certified Agricultural Development Site." Fabrication, installation, and all costs of said sign(s) shall be the responsibility of the operator.

(8) Nothing herein shall be construed to prohibit an operator or a potential operator from submitting amendments to his or her original development plan or to submitting revised development plans at any time. The Zoning Administrator shall approve or reject the amended or revised development plan according to the terms of the zoning ordinance in effect at the time that the amendments or revisions are submitted to the Zoning Administrator. The approval of a revised or amended development plan does not, however, constitute an extension of time for implementation of the original plan.

Sec. 22-267. **Nutrient Management Plan**

(1) On or after the effective date of this amendment to the zoning ordinance, no facility consisting of at least one hundred-fifty (150) animal units shall commence operation until a nutrient management plan for the proposed facility has been reviewed and approved by the Virginia Department of Conservation and Recreation or by the Virginia Cooperative Extension Service or by a person certified or employed by the Commonwealth as a nutrient management planner.

(2) If off-site disposal for dry waste is part of the nutrient management plan and is otherwise permitted under the provisions of this Article, the operator shall provide, as part of that nutrient management plan, written documentation of an agreement with the receiver of the wastes produced at the operator's facility or an affidavit, sworn and subscribed before a notary public, that states his/her intention to dispose of the waste through sale in retail establishments or otherwise to consumers. Documentation shall specify the duration of the agreement and the nature of the application or use of the wastes. A nutrient management plan

He also hoped that the County could support keeping Fort Pickett open.

4. Mr. Haraway advised the Board that he and Mr. Burgess would be attending a meeting at Fort Lee to discuss the closure of Kenner Army Hospital on Monday, March 6, 1995. Congressmen Sisisky would be present.

IN RE: RESOLUTION IN SUPPORT OF FORT PICKEIT

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

WHEREAS, the Department of Defense has announced that Fort Pickett has been included on the list of military bases targeted for closure; and

WHEREAS, this recommendation will now be forwarded to the 1995 Defense Base Closure & Realignment Commission; and

WHEREAS, the community and its leaders feel the recommendation to close Fort Pickett is based on incorrect information; and

WHEREAS Fort Pickett provides employment to 33 citizens of Dinwiddie County, and $500,000 in income, which if lost would also impact business and economic activity in the area;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, opposes the closure of Fort Pickett; and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia joins with the localitites of Blackstone, Nottoway, Brunswick, Mecklenberg, Crewe, Lunenberg, Amelia, and our legislators in their effort to convince the 1995 Defense Base Closure & Realignment Commission to remove Fort Pickett from the closure list.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; the Board moved into Executive Session at 8:47 P.M. A vote having been made and approved the meeting reconvened into Open Session at 9:00 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: PREPARE RESOLUTION FOR APPRECIATION - LOUIS C. BLAZEK - DINWIDDIE INDUSTRIAL DEVELOPMENT AUTHORITY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Administration prepare a resolution for Louis C. Blazek to recognize his service as a member of the Dinwiddie Industrial Development Authority.

IN RE: ADJOURNMENT

Upon motion of Mr. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 9:04 p.m.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 15TH DAY OF MARCH, 1995, AT 2:00 P.M.

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

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the agenda was amended as follows:

Delete, 11.(c) - Sec. 2.1-344(a) 7-Consultation with legal counsel.

Add, 11.(c) - Sec. 2.1-344(a) 5-Industrial prospect.

Add, 11.(d) - Sec. 2.1-344(a) 6-Investment of public funds.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the March 1, 1995 Continuation Meeting and March 1, 1995 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using checks #33065 - 33224 (void #33064) for General Fund $211,076.72, E911 Fund $375.85, Self Insurance Fund $5,437.18, CDBG Fund $200,459.60, Fire Programs/EMS Fund $4,033.56, Jail Phone Commission $796.25 for a total of $422,179.16.

IN RE: CITIZEN COMMENTS

1. Fred Sahl, 5815 Trinity Road, Church Road, VA - Funding of the Capital Improvements Project. He also had some examples of how he thinks the School Budget is being misused.

2. Minnie Hawkins, Reedy Lane, Petersburg, VA - Trailer she has is considered personal property and she wants to have it classified as real estate.

Debbie Marston, Commissioner of the Revenue, came before the Board and responded to Mrs. Hawkins request and stated she would meet with Mrs. Hawkins and see if they could work something out.

3. Anne Scarborough, P.O. Box 415, Dinwiddie, VA - Administration roof is leaking and she would like to see it maintained so that it won't turn into a problem like our schools. She also stated that she never heard about the budget workshop that took place with the department heads and wanted to know if it was announced at a previous meeting.

The Board responded yes it was announced.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Harold Dyson, Assistant Resident Engineer, came before the Board and did not have anything to present but was available for questions.

Mr. Haraway stated that he was glad to see that the speed limit will be lowered on Route 226 to 45 M.P.H.

Mrs. Everett stated that a ditch on Vaughn Road doesn't have proper drainage and is filled with water and litter.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Deborah M. Marston, Commissioner of Revenue, came before the Board and stated that she would like to postpone the advertisement for the General Reassessment. She stated that she is doing a survey of other localities and needs one more week to get the information together.

After some discussion the Board decided to postpone Mrs. Marston's request to advertise for the General Reassessment until next Wednesday, March 22, 1995.

Mr. Bracey wanted to know if truck haulers had to have a business license.

Mrs. Marston stated that yes, because they are providing themself and their vehicle as a service.

Mr. Bracey stated that if Mrs. Marston's office was going to contact truck haulers and let them know that they needed a business license she needed to contact not just a few of them but all of them. It was not fair to contact one and not contact them all.

IN RE: TREASURER -- REPORT

William E. Jones, Treasurer, came before the Board and presented his report for the month of February, 1995.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

T.O. Rainey, Commonwealth Attorney, came before the Board and stated that he did not have anything to present at this time but was available if the Board had any questions.

IN RE: SHERIFF -- REPORT

Claiborne Fisher, Deputy Sheriff, came before the Board and stated that he did not have anything to present at this time but was available if the Board had any questions.

Mrs. Everett wanted to know once the speed limit on Route 226 was lowered to 45 M.P.H., will the Sheriff's Department be enforcing it.

Mr. Fisher stated yes they would.

IN RE: BUILDING INSPECTOR -- REPORT

Dwayne Abernathy, Building Inspector, came before the Board and presented his report for the month of February, 1995.

IN RE: ANIMAL WARDEN -- REPORT

Steve Beville, Animal Warden, came before the Board and presented his report for the month of February, 1995.

He also added that B & J Enterprises finished the shed on the back of the pound last week and they are real pleased with it.

IN RE: LIVESTOCK CLAIM -- CHARLES WILSON

Mr. Steve Beville, Animal Warden, stated that on February 21, 1995 a dog attacked and killed Mr. Wilsons' gobblers and hens, for a total of $50.00.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the livestock claim for Charles Wilson, for 3 gobblers and 2 hens in the amount of $50.00 is approved.

IN RE: DIRECTOR OF PLANNING -- REPORT

Wayne Knox, Director of Planning, presented his report for the month of February, 1995.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Peggy McElveen, Director of Social Services, presented her report for the month of February, 1995.

IN RE: APPROPRIATION OF FUND RECEIVED BY SOCIAL SERVICES

Peggy McElveen, Director of Social Services, asked the Board to appropriate the following funds to the Dinwiddie Social Services Department. No local match is needed.

Extract

FEMA	$16,321.00
CAAA	616.25
Donation	400.00

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", $17,337.25 was appropriated to the Social Services Department for FY 1994-95.

IN RE: SOUTH CENTRAL PRIVATE INDUSTRY COUNCIL

Betty L. Weaver, Executive Director, South Central Private Industry Council, came before the Board and presented a revised agreement.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the agreement presented for the South Central Employment and Training Consortium was adopted as presented.

IN RE: APPROVAL OF GRANT TO BE SUBMITTED FOR A TRUST FUND GRANT ON BEHALF OF DINWIDDIE COUNTY POLICY AND MANAGEMENT TEAM

Sharon Snow, Co-Chair, Dinwiddie Counseling Services/District 19 Community Services Board, came before the Board and requested authorization to submit a proposal to the Comprehensive Services Act office for consideration of a trust fund grant on behalf of the Dinwiddie County Policy and Management Team. The amount of the grant request is $139,004.00 and there is no local match required.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie County Policy and Management Team is authorized to submit their proposal to the Comprehensive Services Act office for consideration of a trust fund grant in the amount of $139,004.00.

IN RE: RECREATION DIRECTOR -- REPORT

Tony S. Rinaldi, Recreation Director, presented his report for the month of February, 1995.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Dr. Thomas H. Gaul, School Superintendent, came before the Board and asked if there were any questions from the Board.

Mr. Bracey asked about the status of the projects that were listed as to how the surplus funds for FY94 were going to be spent. The following were given as to where it would be spent:

1. Transfer to retirement fund
2. Playground and playground equipment repairs
3. Adequate track at High School
4. Lights on field at Dinwiddie Elementary
5. Technology improvements
6. Textbooks and resource materials
7. General supplies

Mr. Bracey stated that when the funds were appropriated the Board was assured that they would get updates as to how the projects were doing and they have not heard anything.

Dr. Gaul stated $142,000 was appropriated for the track and the tennis courts. He stated that the tennis courts at the High School were bidded out and a bid was accepted and they are ready to go to work before the season starts. They will cost somewhere between $31,000 and $33,000.

They are reserving $107,000 for the track project. The architects suggested that they take the $107,000 for the track project and reinvest it so that they can upgrade it while working on the CIP project.

Mrs. Everett wanted to know what they are doing for a track this season because the one that is there is not suitable for competition.

Dr. Gaul stated that they have been competing all their matches away.

IN RE: TRANSFER OF SURPLUS VEHICLES FROM THE SHERIFF'S DEPARTMENT TO THE SCHOOL BOARD

Dr. Thomas H. Gaul, School Superintendent, came before the Board and stated that his department is in critical need of vehicles for the Special Education and At-Risk students. He has worked out with the Sheriff's Department to transfer the following vehicles:

1 - 1988 Ford - 4 door sedan (90-578L) ID. 2FABP72F7JX212501
1 - 1988 Ford - 4 door sedan (90-532L) ID. 2FABP72F2JX212499
1 - 1988 Ford - 4 door sedan (990-572L) ID. 2FABP72GXJX131081

He also stated that he had three vehicles to transfer to the County.

Mr. Bracey wanted to know if the people that are driving these vehicles have a radio system in case these Special Education and At-Rick students get out of control.

Dr. Gaul stated that they have tried to go with the some of the less expensive cellular phones.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that title to three 1988 Ford vehicles as listed be transferred to the School Board as requested.

IN RE: PUBLIC SAFETY DIRECTOR -- REPORT

David W. Nichols, Public Safety Director, presented his report for the month of February, 1995.

He stated that RAM Communications has just about completed phase I of the Communications Study. They are a little behind but a report can be expected at the end of March or the beginning of April.

IN RE: OLD HICKORY FIRE DEPARIMENT - REPAIRS TO TANKER TRUCK

David Nichols, Public Safety Director, presented copies of the bills for repairs to the tank on Old Hickory Fire Departments tanker truck. Much of the work was done by the members of the fire company at no cost to the County. The total cost for time and materials was $429.81 which consists of the following:

Virginia LP Trucks, Inc.	$300.00
B.T. Hargrave & Co.	$129.81
TOTAL:	$429.81

Mr. Clay commended Old Hickory for doing a lot of their own work instead of letting someone else do it at the cost to the County. He would like a letter sent to them commending them on their good management.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $429.81 be appropriated from the Capital Projects Fund within the Fire Department Budget for expenses to repair the tank on the tanker truck at Old Hickory Fire Department.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Denny King, Director of Waste Management, presented his report for the month of February, 1995.

IN RE: PURCHASE OF DUMPSTERS

Denny King, Director of Waste Management, stated that in the FY 94-95 Budget there is $5,000 included in his capital outlay category to purchase dumpsters for businesses, recycling, and public drop off sites. He has obtained current prices from his usual suppliers and they are as follows:

Lewis Steel

4 yd - $402.00
6 yd - $555.00 w/lid $510.00 w/o lid
8 yd - $620.00

Refuse Equipment Corp.

4 yd - $402.00
6 yd - $515.00 w/lid $465.00 w/o lid
8 yd - $598.00

Solid Waste Equipment

4 yd - $747.00
6 yd - $750.00 w/lid $725.00 w/o lid
8 yd - $850.00

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Director of Sanitation is authorized to purchase 10 new dumpsters from the low bidder, Refuse Equipment Corporation.

IN RE: COUNTY ATTORNEY -- REPORT

Dutch Bumgardner, County Attorney, was present but did not have anything to present.

IN RE: PUBLIC HEATH WEEK PROCLAMATION

Mary Williams, public health nurse, came before the Board and stated that there will be an open house at the Health Department during

the week of April 2-8, 1995 and she wanted to invite the public to come and participate.

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

WHEREAS, promoting health and quality of life for all citizens of our community through prevention is a major goal of public health; and

WHEREAS, public health programs and services benefit everyone regardless of race, ethnicity, and socioeconomic stratum; and

WHEREAS, educating individuals about the benefits of adopting healthy behaviors can empower them to attain good health and prevent needless suffering; and

WHEREAS, the major improvements in health status during this century have been a result of population based public health programs including safe drinking water and food supplies, sanitary sewage disposal, reduction of smoking, promotion of oral health, immunizations, family planning and infectious disease control; and

WHEREAS, improvement in health for all residents of our community will require continued support and cooperation of professional and citizens groups;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, does hereby proclaim the week of April 2-8, 1995, Public Health Week in Dinwiddie County and declare this as a time in which citizens seek knowledge and understanding of public health issues thereby becoming advocates of their own, their families; and their neighbors' health.

Extract

IN RE: APPROPRIATION OF FUNDS FOR EVALUATION OF CO-COMPOSTING FACILITY - ORGANIC WASTE SYSTEMS, INC.

Charles W. Burgess, County Administrator, stated that when the Board approved Organic Waste Systems' proposal to do an evaluation of the Co-Composting Facility, they neglected to appropriate the funds to do so. The contract price for their services will be $28,500.00. A report from them is anticipated in the middle of April.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $28,500 be appropriated from the General Fund for Organic Waste Systems, Inc. to evaluate the County's Co-Composting Facility.

IN RE: APPROPRIATION OF FUNDS TO HELP IN THE SUPPORT OF FORT PICKETT

Mr. Burgess stated that the Fort Pickett support group has made commitments of $100,000 and that is with all counties involved. The bulk of the money that they have committed is for consulting services and legal services. Dinwiddie County has not pledged any funds so far and he would like to request that they would do so at this time. He felt that $5,000 would be appropriate at this time.

Mr. Bracey wanted to know if that would be a one time contribution.

Extract

Mr. Burgess could only say that that would be an initial contribution. At this point it is hard to say what the ultimate cost will be.

Mr. Bracey is concerned that it will be $5,000 now and they get in a tight spot and they start coming back to the localities for some more money. He would kind of like some idea on how much it will ultimately be.

Mr. Burgess stated that with the regional hearings scheduled for May 4, 1995 in Baltimore there is not much time that is going to lapse before a decision will be made on keeping it open or closing it.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $5,000 be appropriated from the General Fund to help with the costs that will be incurred by supporting the Fort Pickett Support group efforts.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Charles W. Burgess, County Administrator wanted the Board to think about how they were going to go about hiring a "Clerk of the Works" for the Capital Improvements Project.

Mr. Bracey suggested that the Administration work with the School Board on how they want to hire the "Clerk of the Works" and come back to the Board and ask for their approval.

IN RE: APPROVAL OF CONTRACT FOR AUDIT SERVICES

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the contract submitted by Montoro & Associates for Audit Services is renewed as presented for FY 95 and FY 96..

IN RE: BOARD MEMBER COMMENTS

1. Mr. Bracey stated that he hoped that something could be done about the leaking roof on the Administration building before it got to be too big of a problem.

2. Mrs. Everett wanted to know if anyone had heard if Christine Sorenson has made any progress on finding any property for the Five Forks Reenactment.

Mr. Burgess stated that he had not heard of any progress that she has made. He does know that Ms. Sorenson has been contacting some property owners and has not been receiving a positive response.

3. Mrs. Everett stated that William C. Beville, representative for the Crater District Agency on Aging, was appointed by Governor George Allen to be the Virginia Delegate to the National Conference in Washington, which is a conference on issues for the elderly and wanted to know if Mr. Beville would like to say anything.

Mr. Beville came before the Board and stated that he was proud to be appointed to represent District 19 and the Crater District Agency on Aging. He is making a lot of preparations and is really excited about going.

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body, Section 2.1-344(a) 3-Acquisition of property, Section 2.1-344(a) 5-Discussion concerning a prospective business or industry, Section 2.1-344(a) 6-Investment of public funds; the Board moved into Executive Session at 4:04 P.M. A vote having been made and approved the meeting reconvened into Open Session at 6:58 P.M. At 5:00 P.M., the Board moved to the Homeplace Restaurant and returned to the Pamplin Administration Building at 7:00 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: BUDGET WORKSHOP SESSION

The Board of Supervisors met to continue review of the budget requests for FY 95-96. After their review, the Board decided no additional workshops will be held. Staff will prepare the proposed budget for public hearing on April 19, 1995 at 7:30 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 8:52 P.M. to be continued until March 22, 1995 at 7:00 P.M. at the Pamplin Administration Building for the Board to meet with representatives from the Airport and to have an Executive Session to discuss the Wastewater Treatment Plant.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE EXTENSION ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 22ND DAY OF MARCH, 1995, AT 7:00 P.M.

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

IN RE: AIRPORT REPRESENTATIVES - DISCUSSION OF PERSONAL PROPERTY TAX RATE

T. W. Taylor, Fixed Base Operator from the Airport, Harry Clay, Manager of the Airport, and John Mazza, State Aviation Board, came before the Board and presented a proposal requesting that personal property tax for airplanes based at the airport be eliminated. He stated that by doing so it would bring more business to the airport and more business to the airport means more jobs for the County. No action was taken.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 6-Investment of Public Funds; the Board moved into Executive Session at 7:50 P.M. A vote having been made and approved the meeting reconvened into Open Session at 9:00 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: AMENDMENT TO AGENDA

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the agenda was amended as follows:

Add - Meeting with School Board to Discuss the Budget.

IN RE: JOINT SESSION WITH SCHOOL BOARD TO DISCUSS THE BUDGET

The Board of Supervisors meet with the School Board to discuss the budget for FY 95-96 and appropriation by category.

THE CHAIRMAN CALLED FOR A RECESS AT 10:25 P.M. AND RECONVENED AT 10:30 P.M.

IN RE: DISCUSSION WITH COMMISSIONER OF THE REVENUE - GENERAL REASSESSMENT

Deborah M. Marston, Commissioner of the Revenue, came before the Board and presented a survey that she had taken from localities in Virginia.

After some discussion the Board decided not to have a Board of Assessors.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the appointment of a Board of Assessors will not be used in the General Reassessment which will begin July 1, 1995.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to advertise for the General Reassessment.

IN RE: COMPUTER UPGRADE

Wendy Weber Ralph, Assistant County Administrator, came before the Board and stated that they had received the following bids for the AS/400 Computer Upgrade for the County system:

Vendor	Hardware	Software	Install	Trade/Disc.	Total
IBM	$45,589	$2,673	$3,000	N/A	$51,262
Newport Leasing	$57,495	N/A	N/A	$2,000	$55,495
BAI	$41,446	$1,900	$700	$1,000	$43,046

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid in the amount of $43,046 from Bright and Associates be accepted to provide the AS/400 Computer Upgrade for the County system, contingent upon review of all components, warranty's, and contracts.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 11:05 P.M.

Donald L. Haraway
Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 5TH DAY OF APRIL, 1995, AT 7:30 P.M.

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

IN RE: AMENDMENT TO AGENDA

Upon motion of Mr. Moody, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the agenda was amended as follows:

Add, 16.(d) - Sec. 2.1-344(a) 7-Consultation with legal counsel to discuss prospective litigation.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the March 15, 1995 Regular Meeting and March 22, 1995 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using check #33225 for General Funds in the amount of $902.20; check #33227 - 33324 (void #33226) for Payroll in the amount of $245,182.90; check #33326 - #33472 (void #33325) for General Fund $216,821.59, E911 Fund $1,812.06, Self Insurance Fund $4,789.86, Courthouse Maintenance $34,823.27 and Landfill Fund $7,074.03 for a total of $265,320.81.

IN RE: RESOLUTION OF APPRECIATION -- LOUIS C. BLAZEK

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

WHEREAS, the Dinwiddie County Board of Supervisors has received invaluable assistance for years from the advice and participation received from Louis C. Blazek as a member of the Dinwiddie County Industrial Development Authority; and

WHEREAS, Louis C. Blazek has, through his service on the Dinwiddie County Industrial Development Authority, devoted himself to providing for the present and future needs and resources of Dinwiddie County in the promotion of the health, safety, morals, order, convenience, prosperity and general welfare of the citizen of Diniwddie County; and

WHEREAS, through his actions, Louis C. Blazek has presented himself a model of citizen government with his commitment and devotion to Dinwiddie County.

NOW, THEREFORE, BE IT RESOLVED, that the Dinwiddie County Board of Supervisors does hereby adopt this resolution of appreciation and gratitude to Louis C. Blazek for his commitment and dedication in his

years of public service and good citizenship to Dinwiddie County for the period beginning March, 1989 through February, 1995.

This resolution shall be effective immediately, this 5th day of April, 1995.

IN RE: CITIZEN COMMENTS

No one spoke during the citizen comment period.

IN RE: DINWIDDIE LIBRARY FOUNDATION - USE OF COUNTY SEAL

The Dinwiddie Library Foundation is planning to commission and sell a Dinwiddie County Christmas ornament to benefit the building fund for the new library. The Foundation is requesting to use the County Seal for the ornament, since the seal represents all areas and citizens of the County. No changes in the design of the seal are anticipated by the Foundation unless the company has problems in its design process. Susan Butterworth was present and requested the Board's approval for use of the seal.

Mr. Bracey stated that he did not have a problem with it but asked the County Attorney what legal problems could happen with them using the seal.

Mr. Jacobson, County Attorney stated that he did not foresee any problems because their use would be a fund raiser for a County organization.

Extract

Mrs. Everett stated that she thought that it was an excellent fund raiser.

Mr. Bracey stated that the general public should know this use is not for everyone's use; it is just for public purpose only.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie Library Foundation is authorized to use the Dinwiddie County Seal to commission and sell a Dinwiddie County Christmas ornament to benefit the building fund for the new library.

IN RE: DINWIDDIE VOLUNTEER FIRE DEPARTMENT - AWARD OF BID

Dinwiddie Volunteer Fire Company No. 1 received two sealed bids for the 1981 Chrysler 4-door sedan that is located at their facility. They request that the bid from John W. Bonner in the amount of $300.00 be accepted. One other bid from Thomas Watkins was received in the amount of $50.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from John W. Bonner in the amount of $300.00 be accepted for the 1981 Chrysler 4-door sedan located at Dinwiddie Volunteer Fire Company No. 1; and

Extract

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that title be transfered to Mr. John W. Bonner and proceeds be retained by Dinwiddie Volunteer Fire Department.

IN RE: APPOINTMENT - CRATER PLANNING DISTRICT COMMISSION

George E. Robertson, Jr., informed the board through correspondence that due to a mini-stroke caused by hypertension, he would be unable to finish his term ending 12/31/95 on the Crater Planning District Commission.

Extract

The Board stated that they did not have anyone to nominate at this time so action was postponed until such time that someone can be nominated.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the resignation of Mr. George E. Robertson, Jr. from the Crater Planning District Commission be accepted.

IN RE: APPOINTMENT - ABIDCO

Charles W. Burgess, stated that Milton Hargrave, Jr. and Donald L. Haraway need to be reappointed to ABIDCO retroactive to 9/30/94. Their terms expired and they were not reappointed to ABIDCO

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Milton Hargrave, Jr. and Donald L. Haraway are hereby reappointed to ABIDCO for a term retroactive to 9/30/94 and expiring 9/30/95.

IN RE: ROBERT BOISSEAU PAMPLIN APPRECIATION DAY

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

WHEREAS, Robert Boisseau Pamplin, a native of Sutherland, graduated from Midway High School, Virginia Polytechnic Institute and State University and completed his post graduate work at Northwestern University; and

WHEREAS, Robert Boisseau Pamplin joined the Georgia Pacific Corporation in 1934, was elected President in 1957, elected Chairman of the Board in 1968, and retired in 1976; and

WHEREAS, Robert Boisseau Pamplin whose honors are distinguished and numerous recognizing his nationwide contributions, established the Evelyn Abrahams Scholarship Fund, providing scholarships for deserving recipients at Dinwiddie High School and the former Midway High School and Southside High School; and further in 1989, provided a continuing source of funding to the Department of Social Services to meet human service needs in the County; and

WHEREAS, Robert Boisseau Pamplin, through his generosity and dedication to many organizations, was named "Virginian of the Year", by the Virginia Press Association in 1976; and

WHEREAS, throughout his active life of leadership and commitment to service, he has also been recognized by many other organizations, including Virginia Polytechnic Institute & State University naming its business college the Pamplin College of Business; and

WHEREAS, his most recent recognition was as recipient of the Lee Integrity Award in 1993 from the Robert E. Lee Memorial Association; and

Extract

WHEREAS, Pamplin Park, a tribute to the life and philosophy of Robert Boisseau Pamplin, is being dedicated on April 22, 1995;

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, wants to extend it's most sincere gratitude to Robert Boisseau Pamplin for his selfless dedication and generosity to the community; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby declares April 22, 1995 as "Robert Boisseau Pamplin Appreciation Day"; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, encourages all citizens to join in the recognition of Robert Boisseau Pamplin and the celebration of this day in honor of his accomplishments and generosity to Dinwiddie County.

IN RE: EMERGENCY MEDICAL SERVICES WEEK

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

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, only a third of Americans rate their households as being "very well prepared" for a medical emergency; and

WHEREAS, emergency medical services providers have traditionally served as the safety net of America's health care system; and

WHEREAS, emergency medical services teams consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and

WHEREAS, approximately two-thirds of all emergency medical services providers are volunteers; and

Extract

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, Americans benefit daily from the knowledge and skills of these highly trained individuals; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; and

WHEREAS, injury prevention and the appropriate use of the EMS system will help reduce national health care costs; and

NOW, THEREFORE BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, in recognition of this event does hereby proclaim the week of May 14-20, 1995 as Emergency Medical Services Week and encourage the community to observe this week with appropriate programs, ceremonies, and activities.

IN RE: VOLUNTEER APPRECIATION WEEK

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

WHEREAS, the foundation of a humane and just society is the people's willingness to work together for the common good; and

WHEREAS, experience teaches us that government by itself cannot solve all of our nation's social problems; and

Extract

WHEREAS, our country's volunteer force of 89.2 million people is a great treasure; and

WHEREAS, self-sacrificing individuals mobilized to help others can stem the tide of poverty, hunger, homelessness, spouse and child abuse, and other problems that afflict society; and

WHEREAS, the giving of oneself in service to another empowers the giver and the recipient; and

WHEREAS, volunteering creates an opportunity to better oneself; and

WHEREAS, it is the duty of all of our citizens to honor our dedicated volunteers and celebrate the volunteer programs which contribute to the life of our communities throughout Dinwiddie County, Virginia.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia does hereby proclaim April 23-29, 1995 as National Volunteer Week in Dinwiddie County, Virginia, and urge their fellow citizens to observe this period by considering how they can devote a portion of their lives each week to people in need, or an important cause or group.

IN RE: DINWIDDIE LIBRARY FOUNDATION - BAKE SALE

The Dinwiddie Library Foundation is sponsoring a Bake Sale on Friday, May 12th to benefit the building fund for the new library. The Foundation is requesting the use of the Administration lobby for this bake sale.

Mr. Bracey stated that he has no problem with a County organization using the building but these different organizations need to understand that thre needs to be a limit. He also stated that under no circumstances could they advertise for the bake sale in the building.

Extract

Mr. Clay agrees with Mr. Bracey. He would like to see some guidelines drawn up.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie Library Foundation is authorized to use the Administration Building for their bake sale on May 12th to benefit the building fund for the library; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that staff set some guidelines for future use of the Administration Building for the Board's review.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Burgess stated that he and Dr. Gaul were working together to select a "Clerk of the Works" for the CIP Project. They are preparing a Request for Proposal and are anticipating to have a recommendation for the Board by the May 17, 1995 meeting and at the latest the June 2, 1995 meeting.

2. Mr. Burgess stated that Tuesday, May 30th was Business Appreciation Day at the Virginia Motorsports Park.

3. Mr. Burgess wanted to know if the Board would like to tour the Hopewell Courthouse on April 19, 1995 at 12:00 noon.

After some discussion the Board decided that would be a good date and time to tour Hopewell Courthouse.

4. Mr. Burgess wanted the Board to know that both Ford and Dinwiddie Volunteer Fire Company have been released for the First Response Program. They officially started the Program on April 1, 1995.

5. Mr. Burgess stated that on the morning of April 19, 1995 VDOT will have their Preallocation Hearing. He wanted to know if the Board had anything brought up at that hearing because he will be attending.

6. Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that she received a phone call from Namozine Volunteer Fire Department. They have experienced some problems with the transmission on

their Tanker Truck and had it towed into Wheel Service. The difference between getting a rebuilt transmission and a new transmission was $200.00. Upon consultation with Mr. Clay and County Administrator, the recommendation was they try and get a new one, with the installation cost estimated to be about $3,000.

7. Mrs. Weber stated that Dinwiddie Volunteer Fire Department will have a couple of bills to present at the next meeting that were a little higher than they expected. The work has already been done.

8. Mrs. Weber stated that Federal Express wants to put a drop box outside the Building. She has a contract for it and gave it to the County Attorney to review. If there is no liability to the County, it would be very convenient for many different organizations. The Board concurred with the location of the drop box at the Pamplin Building pending review by the County Attorney.

IN RE: AUTHORIZATION TO EXECUTE CONTRACT AND DISBURSE FUNDS FOR COMPUTER UPGRADE

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

WHEREAS, at its March 1, 1995 meeting, the Board of Supervisors was made aware of the critical need to upgrade the County's AS 400 Computer system and bids were then solicited; and

WHEREAS, this need is due to the lack of capacity in the present system; and

WHEREAS, on March 22, 1995, the bid results were presented and the low bid from Bright & Associates, Inc. for $43,046 (which includes a $1,000 trade-in) was accepted; and

WHEREAS, there is $52,000 remaining in the 1992 $1,625,000 Equipment Lease Revenue Bonds which is made up of $23,000 in interest and 29,000 of unused balance, part of which was from Landfill Equipment that was purchased out of the General Fund last year; and

WHEREAS, under the original list of equipment, computer equipment for schools was listed and Bond Counsel has stated this upgrade would be an eligible use; and

Extract

WHEREAS, a contract has been prepared by the County Attorney for execution;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes the County Administrator to execute the contract with Bright & Associates for the upgrade of the County's AS400 computer system; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Attorney is authorized to submit a requisition to Signet Trust Company for this equipment in two payments: $4,304.60 upon execution by all parties of the Agreement and this Addendum, and $38,741.40 upon Final Acceptance of the project and system by the County.

IN RE: BOARD MEMBER COMMENTS

Mrs. Everett stated that she thought that someone from our office should attend the VDOT Preallocation Hearing. She thought the Board should reaffirm the resolution that was passed by the Board some time ago in favor of extending Route 460 across Route 1 to connect with Prince George.

Mrs. Everett also stated that she was advised that a Federal Highway Commissioner was interested in Dinwiddie County and would be visiting on April 21, 1995.

Mr. Moody stated that he attended a meeting at Fort Pickett last week about the base closure. The next meeting will be the Regional Meeting and is going to be May 4, 1995 in Baltimore. He is trying to get a group of people to go.

Mr. Moody also stated that the reason he is in favor of the categorical budget for the School Board is because the citizens have asked for it for some time. With the CIP Program coming he thinks the citizens will rest a lot easier knowing where their dollars are going. The Board of Supervisors wanting to switch to a categorical budget did not come from a lack of confidence in the School Board

Mr. Bracey stated that he felt that the Board needs to go to a State and Federal level about going further than just lowering the speed limit on Route 226. He does not feel that just lowering the speed limit will take care of the truck traffic problem.

Mr. Bracey stated that his reason for being in favor of the categorical budget for the School Board is not a matter of mistrust; it is just good business.

Mr. Bracey stated that he wanted the Recreation Director to push the contract to finish the lights at the Elementary School. The fence needs to be taken care of too but it is not as big of a problem as the lights.

Mr. Haraway agreed with Mr. Bracey about the lights at the Elementary School.

Mr. Haraway stated that he attended a meeting at Fort Lee about the closure of Kenner Army Hospital. He does not want to see it closed but it is hard to justify keeping it open with the average number of patients a day only fifteen.

Mr. Haraway also stated that there will be a Pignic on May 3, 1995, in an effort to raise money for area rescue squads. He encouraged the Board and all citizens to attend.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body, Section 2.1-344(a) 5-Discussion of a prospective business, Section 2.1-344(a) 6-Investment of Public Funds, Section 2.1-344(a) 7-Consultation with legal counsel to discuss prospective litigation; the Board moved into Executive Session at 8:20 P.M. A vote having been made and approved the meeting reconvened into Open Session at 10:10 P.M.

IN RE: CERTIFICATION

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

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

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

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

convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: DENIAL OF CLAIMS & AUTHORIZATION TO EXTEND TOLLING AGREEMENT FOR COUNTY

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, denies the claim of the Solid Waste Disposal Equipment Revenue Bonds Bondholders Committee in a letter of counsel dated April 3, 1995; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, denies the claim of the Equipment Bonds Trustee in a letter of counsel dated April 4, 1995; and

Extract

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorizes the County Administrator to execute the Extension of Tolling Agreement involving the same parties.

IN RE: AUTHORIZATION TO ADVERTISE FOR VOTING PRECINCT AMENDMENT

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that County Administration is authorized to advertise for an ordinance changing the voting precinct boundaries to coincide with State Legislative District Boundaries.

IN RE: APPROPRIATION OF FUNDS FOR COURTHOUSE MAINTENANCE FUND

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer is authorized to transfer funds from the General Fund to the Courthouse Maintenance Fund as needed for the payment of Architectural/Engineering Fees to be reimbursed when interim financing is secured for Courthouse Construction.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Bracey, Mrs. Everett, Mr. Haraway voting "aye", the meeting adjourned at 10:30 P.M. to be continued until April 19, 1995 at 10:30 A.M. to tour the Hopewell Courthouse Building.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 19TH DAY OF APRIL, 1995, AT 2:00 P.M.

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

IN RE: AMENDMENT TO AGENDA

Upon motion of Mr. Clay, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the agenda was amended as follows:

Add, 14.(c) - Section 2.1-344(a) 7-Consultation with legal counsel.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the April 5, 1995 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using check #33473 for General Funds in the amount of $72.74; check #33475 - #33684 (void 33474) for General Fund in the amount of $303,011.71, E911 Fund $2,530.33, Self Insurance Fund $14,616.20, CDBG Fund $14,616.20, Capital Projects Fund $87,919.00, Fire Programs/EMS $6,424.36, Courthouse Maintenance $600.00 and Jail Phone Commission $428.25 for a total of $435,572.36.

IN RE: CITIZEN COMMENTS

No one spoke during the citizen comments period.

IN RE: COMMISSIONER OF REVENUE - REPORT

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

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, presented his report for the month of March, 1995.

IN RE: COMMONWEALTH ATTORNEY - REPORT

Mr. T.O. Rainey, Commonwealth Attorney, was not present.

IN RE: SHERIFF - REPORT

Mr. Claiborne Fisher, Deputy Sheriff, came before the Board and stated that he did not have anything to present at this time but was available if the Board had any questions.

IN RE: BUILDING INSPECTOR

Mr. Dwayne H. Abernathy, Building Inspector, came before the Board and presented his report for the month of March, 1995.

IN RE: ANIMAL WARDEN

Mr. Steve Beville, Animal Warden, was not present.

IN RE: DIRECTOR OF PLANNING - REPORT

Mr. Wayne D. P. Knox, Director of Planning, presented his report for the month of March, 1995 and stated that he had a few other items to add to his report.

Mr. Knox requested that the Board enact an emergency ordinance that would allow the Virginia Department of Transportation to dispose of construction debris on private property because VDOT is presently widening Route 613 and is dumping on some private property. At the present time, this is prohibited under the County Code.

Mr. Ben Emerson, County Attorney stated that there is an old agreement between VDOT and the Department of Waste Management, which the County has no part in. The agreement states that VDOT has the right to dispose of construction debris on private property as long as they have permission from the land owner. This agreement contradicts our County ordinance, which prohibits the disposal of any type of solid waste on private property. Mr. Emerson has tried to get in contact with the Department of Waste Management about the agreement, since DEQ has superseded the Department of Waste Management. He feels that more time needs to be put into preparing a recommendation for the Board.

Mr. Bracey suggested authorizing the County Attorney, County Administrator and Planner to handle this.

Mr. Haraway stated that he wanted the Administration to come up with a recommendation and present it at the next meeting, May 3, 1995.

Mr. Moody asked Mr. Knox to bring the Board up to date on the rezoning of the 177 acers recently heard by the Planning Commission.

Mr. Knox stated that there will be a request coming before the Board soon to rezone 177 acres on Olgers Road and River Road to R-1A for a subdivision. In the request, the applicant is also requesting that curb and gutter requirements be waived. The Planning Commission recommended it be zoned as R-1 but not R-1A and that curb and gutter requirements be waived.

Mr. Knox stated that there were still a couple issues that need to be considered, such as the traffic on River Road and what to do with the sewage. It also conflicts with the Comprehensive Plan because the site was envisioned to be Agricultural.

IN RE: CERTIFICATION TRAINING FOR PLANNING COMMISSIONERS

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", two or three planning commission members are authorized to attend the Planning Commissioners Certification Training, sponsored by the Institute for Community Resource Development, to be held in Blacksburg, Virginia, at a cost not to exceed $1,000.

Extract

IN RE: DIRECTOR OF SOCIAL SERVICES - REPORT

Mrs. Peggy M. McElveen, Director of Social Services, came before the Board and thanked the Board and the Administration for the work that has been done on their Building.

Mrs. McElveen stated that the Governor has declared April as Child Abuse Prevention month. She also stated that April has been declared as Older Americans Month by the Federal Government and Adult Abuse Prevention Month and Foster Care Month by the State.

IN RE: FOUR YEAR OLD AT-RISK GRANT - APPROVAL OF APPLICATION

Mrs. Troilen Seward, Director of Student Services, came before the Board and presented an application for a Four Year Old At-Risk Grant. In November the Board authorized the County Administrator to apply for a Technical Assistance Grant in the amount of $7,000, which would be used as a planning grant to apply for the $81,659.00 that the State had allotted the County for a quality preschool program for four year old at-risk children. She stated that she was requesting approval for submittal of this grant.

Mrs. Seward stated that there is money already budgeted that can be used as in-kind local match funds. They are required to spend $5,400 per student; and to put the program in place, they will need two teachers and possibly a bus driver.

Mrs. Seward stated that if the State does not fund this program next year, the program will cease.

The program will serve those children who are on the Head Start waiting list for a total of 21 children.

Mr. Bracey wanted to clarify that if the State does not fund the program, then it will no longer exist.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Dinwiddie County Public Schools are authorized to proceed with their application for the 4 year old At-Risk Grant.

IN RE: APPROPRIATION OF FUNDS FOR TRACK AT HIGH SCHOOL

Dr. Thomas H. Gaul, Superintendent of Schools, came before the Board and stated that he had an issue to discuss with the Board.

Dr. Gaul stated that they could take the $107,000.00 that was set aside from carry over money to fund the track as one project, which will probably cost a little more than the $107,000, or try to combine it with the High School Capital Improvements Project. If they do it as a separate project they were told by the Architects that it would probably be finished by the end of the summer. If they included it in the High School Capital Improvements Project it would take a separate contract and it would probably take more time. If they could go ahead and contract with the Architects, with a specified amount from the meals tax fund to cover their fee, they could save time.

Dr. Gaul stated that they would need $300,000 plus the $107,000 that they already have to get through the initial design phase of the Capital Improvement Projects and the track project this summer.

Mrs. Everett asked if the track would be around the football field or across the street from the High School.

Dr. Gaul stated that it would be around the football field.

Mr. Bracey stated that he was afraid if the Board kept advancing money out of the meals tax fund, there wouldn't be anything left for what it was set up for, which was the Capital Improvements Project.

Mr. Moody stated that he was a little unclear on the whole issue and would hate to approve all the money out of the meals tax fund without fully understanding it.

Mr. Clay stated that he would like to see the track built but he agrees with Mr. Moody and Mr. Bracey that he hates to be broke.

Mr. Moody wanted clarification about how the $300,000 would be used.

Dr. Gaul stated that it would not only be used to construct the track but would also start the initial design phase for the Capital Improvements Program.

Mr. Bracey feels that Dr. Gaul should go ahead and use the $107,000 that they already have and when that runs out Mr. Bracey will be glad to advance more funds just to finish the track.

Mrs. Everett stated that last year a commitment was made the the students that if they held their track meets away this year, next year they would have a track and she feels that they need to stick by their commitment.

Mrs. Everett made a motion to transfer the balance of the meals tax fund, to the school construction fund, to construct a track at the high school and start the initial design phase for the Capital Improvements Project, in one lump sum.

There was no second to Mrs. Everett's motion.

Mr. Moody wanted the County Administrator to comment on the issue.

At this point, the County Administration received a projected payment schedule from Ballou, Justice & Upton Architects.

Mr. Burgess stated that the meals tax fund generates about $25,000 a month and the difference between what the track will cost, which is about $145,000 and what they already have, which is $107,000 is only a little more than one months worth of revenue. He does not find that to be too disturbing. He thinks that the Board should give the go ahead to use the meals tax fund for the three Capital Improvement Projects.

Extract

THE CHAIRMAN RECESSED THE MEETING AT 3:15 P.M. AND RECONVENED AT 3:32 P.M.

IN RE: APPROPRIATION OF FUNDS FOR TRACK AT HIGH SCHOOL - CONTINUED

Mr. Burgess, County Administrator, recommended that the additional funds be provided from the meals tax to enable construction of the track at the high school. An additional $38,000 is requested to be provided from the meals tax revenue to supplement the $107,000 the school system has already set aside for this project. The County Administrator also recommended the Board of Supervisors allow the expenditure of the meals tax revenue funds for the costs associated with the preparation of school Capital Improvement Project schematic and design phase documents by Ballou, Justice & Upton Architects and for necessary land surveys and soil analysis.

Mrs. Everett amended her motion to reflect Mr. Burgess's recommendation, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the difference ($38,000.00) between $107,000 and the estimated cost of the track ($140,000 - $145,000) be transferred from the Meals Tax Fund to the School Construction Fund; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that funds be transferred from the Meals tax fund to the School Construction Fund to be used in the next several months to pay for A & E fees for the Capital Improvement Program in preparation of the schematics and design phase documents as well as necessary surveys and soil analyses.

Extract

Mrs. Everett amended her motion to state that those funds that are expended on the track above the $107,000 be reimbursed out of the CIP money. (A reimbursement resolution was adopted by the Board on May 18, 1994 in the amount of $25,000,000.00). This was seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voted "aye".

Anne Scarborough stated, from the audience, that the last she heard was that if the participants waited two years they could get a 1st class track so they agreed to wait.

Dr. Gaul responded that he has an obligation to do the track now.

IN RE: RECREATION DIRECTOR - REPORT

Mr. Toni S. Rinaldi, Director of Recreation was not present.

IN RE: PUBLIC SAFETY DIRECTOR - REPORT

Mr. David Nichols, Public Safety Officer, presented his report for the month of March, 1995.

IN RE: JUNIOR FIREFIGHTER PROGRAMS - PROPOSED CHANGE IN ORDINANCE

Mr. David Nichols, Public Safety Officer presented a proposed change in the ordinance for Junior Firefighter Programs.

Mr. Nichols stated that under Section 7 of the Department of Fire Programs (DFP) Fire Instructor Manual it, addresses "Junior Firefighter Programs". The DFP interpretation is that junior firefighters may not participate in ANY training which involves fires in structures. Section 40.1-79.1 of the Code of Virginia allows localities to adopt an ordinance allowing training of junior firefighters, 16 & 17 years of age, with parent or guardian approval. He attached a copy of a draft ordinance and copies of other local ordinances addressing this issue.

After some discussion from Wendy Weber Ralph, Assistant County Administrator, Ben Emerson, County Attorney and David Nichols, Public Safety Officer the Board agreed that the Administration should discuss the issue further and come back to the Board with a recommendation.

IN RE: DIRECTOR OF WASTE MANAGEMENT - REPORT

Mr. Dennis E. King, Director of Waste Management, presented his report for the month of March, 1995.

IN RE: COUNTY ATTORNEY - REPORT

Mr. Ben Emerson, County Attorney, was present but did not have anything to present.

IN RE: VIRGINIA DEPARIMENT OF TRANSPORTATION - REPORT

Mr. Ronald H. Reekes, Resident Engineer, came before the Board and presented his report for the month of March, 1995.

IN RE: DINWIDDIE VOLUNTEER FIRE DEPARIMENT - DISCUSSION OF VEHICLE REPAIRS

This item was postponed until the next Board meeting on May 3, 1995 at 7:30 P.M., because no one was present from Dinwiddie Volunteer Fire Department.

IN RE: DINWIDDIE AIRPORT & INDUSTRIAL AUTHORITY - RENEWAL OF NOTE

Mr. Charles W. Burgess, County Administrator, referred the Board to their packets containing a copy of a promissory note in the amount of $100,000.00 that is due April 30, 1995, and is being presented for consideration by the Board to renew.

Mr. Burgess also stated that the Airport Authority expressed a desire to talk to the Board about this promissory note and some of their future plans.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the note in the amount of $100,000 payable to the County by the Airport Authority be renewed for a period of one year, expiring April 19, 1996, with Mr. Burgess arranging a meeting between the Airport Authority and the Board to discuss their plans of repayment in connection with future plans for the airport.

IN RE: RENEWAL OF VIRGINIA POWER CONTRACT

Mr. Charles W. Burgess, County Administrator, stated that Virginia Power forwarded a new agreement to the County containing new rates negotiated by the Virginia Municipal League and the Virginia Association of Counties (VML/VACO). Mr. Burgess requested authorization to sign the new Virginia Power Agreement with the specified new rates.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to sign the new Virginia Power Agreement, for the purchase of electric service, which is effective July 1, 1994, through June 30, 1997.

IN RE: APPOINTMENT - CRATER PLANNING DISTRICT COMMISSION

Action was postponed till May 3, 1995

IN RE: APPOINTMENT - BOARD OF ZONING APPEALS

Mrs. Everett stated that Mr. Paul Myers, who was on the Board of Zoning Appeals passed away and someone needs to be appointed to finish his term.

Action was postponed till May 3, 1995.

IN RE: AUTHORIZATION TO ALLOW HENING, VEST & COVEY TO ASSIST IN ENGAGING THE SERVICES OF A GEOTECHNICAL ENGINEER FOR NEW COURTHOUSE

Mr. Burgess, County Administrator, requested that the Board allow the Administration to contract with Hening, Vest & Covey Architects to assist the County in engaging the services of a Geotechnical Engineer for the New Courthouse Project.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Administration is authorized to sign an agreement to allow Hening, Vest & Covey Architects to assist the County in engaging the services of a Geotechnical Engineer for the New Courthouse Project at a cost of $1,056.00.

IN RE: AUTHORIZATION TO ADVERTISE FOR CONTRACTOR TO REROOF THE PAMPLIN ADMINISTRATION BUILDING

Mr. Burgess, County Administrator, stated that Hening, Vest & Covey Architects submitted a proposal to provide a study that will investigate the addition of a sloped metal roof to the Pamplin Administration Building in the amount of $30,000. Mr. Burgess stated that after discussing this option with staff members they could not see spending a lot of money just to be told what kind of roof is needed. Mr. Burgess recommended getting the Board's approval to bid out a contractor to come in and reroof the structure. The slope issues will be addressed at some future date and possibly that will be something that can be included in the ultimate Capital Improvement Program.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Administration is authorized to solicit bids for a

contractor to replace the existing roof on the Pamplin Administration Building.

IN RE: APPROVAL FOR HEAD START TO HOST THE MCV DENTAL MOBILE IN THE PARKING LOT OF THE HEALTH DEPARTMENT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie County Public Schools Head Start Program is authorized to host the MCV Dental Mobile in the parking lot of the Health Department on April 24, 1995.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Burgess stated that in reference to the "Clerk of the Works", he needed to know what level of authority would be granted to the individual that was appointed Clerk of the Works. Also would the individual be a temporary employee or a contracted service? Mr. Burgess stated that based on the schedule from Ballou, Justice & Upton, a Clerk of the Works will not be needed until February of 1996 so these questions are not pressing but they do need to be decided on sooner or later.

Mr. Bracey stated that the Administration maybe should start looking for a Clerk so that once the time comes that their services are needed they will be ready.

After some discussion between the Board members, they decided that the individual should be on a contract basis and have full authority to make decisions on site.

2. The Assistant County Administrator, stated that the County now has gas cards which will be available in the next few days. She advised the Board that the County is getting the same price by using the gas cards at the Food Barn as they are by using the tanks at the bus garage.

IN RE: DESIGNATION OF FISCAL AGENT FOR VIRGINIA'S RETREAT

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

WHEREAS, various localities in the Virginia's Retreat Consortium have been handling billing for expenditures of the program; and

WHEREAS, this process has been cumbersome and difficult to coordinate; and

WHEREAS, Amelia County has agreed to serve as the fiscal agent for the group and asks that effective July 1, 1995, each County send their $3,600 contribution to Amelia County to pay the bills out of a separate account established for the group; and

WHEREAS, Amelia County will provide the member jurisdictions with a regular budgetary accounting of the fund and the expenditures made from the separate account;

Extract

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Amelia County be designated as Fiscal Agent for the Virginia's Retreat consortium; and

BE IT FURTHER RESOLVED that effective July 1, 1995, the budgetary amount of $3,600 be forwarded to Amelia County as the County's contribution for Virginia's Retreat, contingent upon approval of the budget on May 3, 1995.

IN RE: BOARD MEMBER COMMENTS

Mrs. Everett stated that she represented Mr. Haraway at the West End Baptist Church ground breaking ceremony on Sunday, April 16, 1995.

They expect to begin construction in June of 1995 and it will probably take a year or so to complete.

Mrs. Everett also stated that a Federal Highway Administrator is coming on Friday, April 21, 1995 to visit various locations in the County.

Mr. Bracey stated that the Board voted to have their Department Head/Constitutional Officer Board meetings at 2:00 P.M. in the afternoon, once a month, to accommodate these individuals and they are still not attending the meetings. He suggested Department Heads/Constitutional Officers sending a letter or a representative to the Board if they are not able to attend the Board meeting.

IN RE: PREPARE RESOLUTION OF APPRECIATION FOR DON LONG

Mrs. Everett stated that Saturday, April 22, 1995 is Robert Boisseau Pamplin Day and it is also the dedication of the Pamplin Park Civil War Site. The County had a special picture prepared for Mr. Pamplin to be presented to him on that day and Don Long was the photographer who prepared it. Mr. Long spent probably $300.00 worth of time and commitment to this project and when he was asked to present his bill he declined saying that it was a gift to the County. Mrs. Everett suggested that the Board adopt a resolution of appreciation for Don Long.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a resolution of appreciation be prepared for Mr. Don Long for his donation of time and effort towards the picture prepared for Mr. Robert Boisseau Pamplin.

IN RE: RECREATION DIRECTOR - REPORT

Mr. Toni S. Rinaldi, appeared before the Board and apologized for being late. He stated that the field at Dinwiddie Elementary is almost finished. The concession stand is also almost finished at the Middle School ball field.

THE CHAIRMAN RECESSED THE MEETING AT 4:25 P.M. AND RECONVENED AT THE HOME PLACE RESTAURANT AT 5:00 P.M.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 5:00 P.M. At 6:30 P.M., the Board returned to the Pamplin Administration Building. A vote having been made and approved the meeting reconvened into Open Session at 7:25 P.M.

IN RE: CERTIFICATION

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

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

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

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each

member's knowledge, (1) only public business matters lawfully excepted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: AUTHORIZE COUNTY ATTORNEY TO NEGOTIATE PRICE FOR SCALES AND FORKLIFT AT LANDFILL

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Attorney is authorized to negotiate a price with the Trustee on the County's behalf with respect to the scales and forklift at the Dinwiddie County Landfill.

IN RE: ACCEPTANCE OF PLANNING DIRECTOR'S REQUEST TO STEP DOWN AS PLANNING DIRECTOR & ASSUME POSITION OF ZONING ADMINISTRATOR

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

Extract

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, accepts Mr. Wayne D. P. Knox's, Director of Planning, to step down from the position of Director of Planning and be reassigned to the position of Zoning Administrator.

IN RE: AUTHORIZATION TO ADVERTISE FOR DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Administration is authorized to advertise for the position of Director of Planning & Community Development.

IN RE: PUBLIC HEARING - FY 95-96 PROPOSED COUNTY BUDGET AND SCHOOL BOARD BUDGET

Mr. Charles Burgess, County Administrator, gave an overview of the budget. He stated that the General Fund appropriation as proposed is $14,044,297.00, which represents slightly less than a 2% increase over current year funding. General Property Tax Revenues show an increase of approximately 4.5%. The total increase in revenues from all sources is approximately 4.7%. Local government employees are scheduled to receive a 2% cost of living increase, and a 1% merit increase, effective July 1. Constitutional Officers and their employees are anticipated to get a 2.25% salary increase effective December 1. He stated that there are no new positions funded in the local government proposed budget. There is only one capital purchase item in the budget and that is a new fire truck for Old Hickory Volunteer Fire Department. This vehicle would be purchased with funds from the fund balance. He stated that it is a conservative budget by the nature of the Board of Supervisors commitment to Capital Improvement Programs, both on the local government as well as the school side. He pointed out how the expenditure side of the budget has risen less than a half of what the revenue side has risen.

He wanted everyone to understand what the commitments are of local government for Capital Projects. The Board of Supervisors has retained the services of Financial Advisors and has made a commitment as follows: To maintain a fund balance of approximately $4,000,000.00 and to commit up to $1,600,000.00 of their fund balance to an account which will generate interest revenue to be used for the debt service on the new courthouse structure. This commitments approximately $5,600,000.00 of the fund balance. It is anticipated that the County can come close to that figure but also realize in previous years, most notably our current year, the County has used a considerable amount of monies, in our undesignated fund balance, to fund operational expenses. Since the County has obligated those funds, both for reserve purposes as well as future debt service purposes, the County has not had those funds available to them for

operational type expenses. He stated that in the early or middle fall, when the audit report is made available, should the County exceed the $5,600,000.00 of fund reserve, the Board will reconsider the other capital items that have been eliminated on a priority basis. For an example, he stated that the Sheriff's Department had requested a computer to assist them in checking individuals criminal background, which costs about $65,000.00. It was eliminated from the budget due to lack of funds, but that may be something that will be reconsidered when the audit report comes in. Or in other cases some programs may be reinstated that had to be eliminated.

The School Board then presented its proposed 95-96 budget.

Harold Walker, School Board Chairman, stated that the School Board unanimously endorsed their proposed budget to ensure growth and quality into the school system. The budget increased 5.6% over last year but contrary to some people's belief it is a conservative budget. He asked the Board to fairly consider their budget.

Carol Fisher, School Board Vice-Chairman, stated that their system has moved forward by remaining focused on their students. Their refusal to be distracted has given them much success. Despite the fact that these are lean times, members of the School Board and a substantial number of the parents, children and community members, want the Board to consider this budget. It will allow them to continue moving forward. She stated that the people of Dinwiddie want quality education. The members of the School Board believe that they have a leadership team in place, and with support can provide the very best.

Dr. Gaul, Superintendent of Schools, stated that he felt that they have made some progress in the last two years, including the Capital Improvements Program. The difference between this years budget and last years budget is about $82,000.00. He stated that despite the pay raises that are in the budget, they are still far behind compared to other localities. In the budget there are some positions that are still in question. He stated that insurance may go up but he was not sure yet.

Mr. Haraway asked Dr. Gaul did they have a back up insurance company in case the rates did go up.

Dr. Gaul stated that they did not; if the rates went up the cost would fall back on the employee.

Mrs. Ralph stated that the tax rates had not changed and are proposed as follows:

Proposed for 1995

1. Real Estate - .74
2. Mobile Homes - .74
3. Mineral Lands -.74
4. Public Services - .74
5. Personal Property - 4.90
6. Personal Property on volunteer vehicles - .25
7. Machinery and tools - 3.30
8. Heavy construction machinery 3.30

She stated that discussion had been held concerning the tax rate on airplanes. They are now taxed at $4.90 per 100. There would not have to be an ordinance change to have them as a separate classification; they already are. The Board can reduce the rate but not raise it and do so when the budget is adopted.

Mr. Haraway opened the public hearing and asked for those persons listed on the sign-up sheet to come forward when called, state their names and addresses clearly for the record.

1. Kenny Williams, Chief of Carson Volunteer Fire Department, stated that their department worked both for Dinwiddie and Prince George Counties. Thirty percent of their calls were in Dinwiddie County and they appreciate all the assistance that Dinwiddie gives them; in return they provide various types of equipment. They are requesting $21,830.00 with a

minimum of $12,000.00. The money would be used for a lighting tower, upgrading of the Self Contained Breathing Apparatuses, upgrading their communication system and other miscellaneous things.

2. Bob Mengel, Assistant Chief Dinwiddie Volunteer Fire Department, stated that they are requesting $20,000.00 in this year's budget and he knows they will only probably get $15,000.00. They will probably have to raise $15,000.00 on their own just to meet their budget of $35,000.00. They have been requesting a fire station for years because they need one very badly. They do not have room to meet with or train their volunteers or even work on equipment. He wanted the Board to consider combining the paid Rescue and Fire Department into one facility if they ever got a new station. He stated that in 1996 they will need a new tanker truck because it will be twenty years old. In 1997 they want to go into a heavy equipment truck and in 1998 they will need another pumper truck. Finally in 1999 they will need a new van to transport volunteers to and from fires because their van is getting old.

Mr. Haraway declared the public hearing closed at 8:15 P.M.

Mrs. Everett stated that she wished they had money for all the requests but they don't.

Mr. Haraway asked what the ADM payment was, currently.

Dr. Ray Watson, Finance Director for School Board, responded that it was $2,900.00 per student.

Mr. Bracey asked if this budget had anything to do with the teachers getting pink slips, which are slips notifying teachers that they may not get their contract renewed for next year.

Dr. Gaul stated that no, this budget had nothing to do with the teachers getting pink slips; it was because enrollment is down.

Mr. Bracey would like Dr. Gaul to send letters to the teachers that were notified that their contract may not be renewed for next year letting them know that they are not obligated to Dinwiddie County so that they can start looking for another job.

Mrs. Everett asked if the Success for all Program was being cut back.

Dr. Gaul stated that the program is cut back somewhat because of budget shortfalls.

Mr. Haraway thanked everyone for being there and stated that the Board would vote on the budget at the next meeting which will be May 3, 1995 at 7:30 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 8:32 p.m.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 19TH DAY OF APRIL, 1995, AT 10:30 P.M.

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

IN RE: TOUR OF COURTHOUSE FACILITIES

The Board and the Clerk of Circuit Court, Annie L. Williams, met with Jim Hening and Craig Covey, Hening, Vest & Covey, for a tour of the new Courthouse facilities in Hopewell. The Board continued the meeting over lunch at King's Restaurant on Washington Street.

IN RE: ADJOURNMENT

Upon motion of Mr. Mr. Clay, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 2:00 P.M.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 3RD DAY OF MAY, 1995, AT 7:30 P.M.

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

Before the Invocation, Donald Haraway called for a moment of silence for Oris M. Rainey, Jr., Deputy Sheriff, who was killed in a hunting accident on May 1, 1995.

IN RE: AMENDMENT TO AGENDA

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the agenda was amended as follows:

Postpone, 8.(1) P-95-1 - Donald & Raymond Henshaw - Public Hearing - Per the applicant's request.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the April 19, 1995 Continuation Meeting and the minutes for the April 19, 1995 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using check #33685 for General Funds in the amount of $537.64; check #33686 - 33785 for Payroll in the amount of $247,718.19; check #33787 - #33899 (void #33786) for General Fund in the amount of $92,944.95, E911 Fund $1,917.00, Self Insurance Fund $7,471.15, CDBG Fund $13,300.00, Fire Programs/EMS $2,669.43, Courthouse Maintenance $9,360.00 and Jail Phone Commission $814.64 for a total of $128,477.17.

IN RE: RESOLUTION OF APPRECIATION -- GEORGE E. ROBERTSON, JR.

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

WHEREAS, the Dinwiddie County Board of Supervisors has received invaluable assistance for years from the advice and participation received from George E. Robertson, Jr. as a member of the Crater Planning District Commission; and

WHEREAS, George E. Robertson, Jr. has, through his service on the Crater Planning District Commission, devoted himself to providing for the present and future needs and resources of Dinwiddie County in the promotion of the health, safety, morals, order, convenience, prosperity and general welfare of the citizens of Dinwiddie County; and

Extract

WHEREAS, through his actions, George E. Robertson, Jr., has presented himself a model of citizen government with his commitment and devotion to Dinwiddie County;

NOW, THEREFORE, BE IT RESOLVED, that the Dinwiddie County Board of Supervisors does hereby adopt this resolution of appreciation and gratitude to George E. Robertson, Jr. for his commitment and dedication in his years of public service and good citizenship to Dinwiddie County for the period beginning January, 1990 through April, 1995.

This resolution shall be effective immediately, this 3rd day of May, 1995.

IN RE: RESOLUTION OF APPRECIATION -- DON W. LONG

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

WHEREAS, Don W. Long, a professional photographer and native of Harrisonburg, Virginia, has been a resident of Dinwiddie County for nine years; and

WHEREAS, Don W. Long was a staff photographer for the Richmond Times-Dispatch for twenty-seven years; and

WHEREAS, Don W. long was commissioned by the Board of Supervisors to provide a special photographic rendition related to the Pamplin Park Civil War Site for Mr. Robert Boisseau Pamplin; and

Extract

WHEREAS, Mr. Long has graciously waived his fee for this original production as his contribution to the County in honor of Mr. Robert Boisseau Pamplin;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby adopt this resolution of appreciation and gratitude to Mr. Don W. Long for his outstanding service and gracious generosity to Dinwiddie County.

IN RE: CITIZEN COMMENTS

1. Reverend J. W. Bervine, 22900 Terminal Drive, Petersburg, VA. He came before the Board and stated that he was President of the Dinwiddie County Southern Christian Leadership Conference (SCLC). He presented their Constitution and By-Laws for the record. Their organization is available to help all people and they want to promote mutual respect and service. Their monthly membership meetings are open to everyone and will be properly and regularly announced. He also stated that their organization is an offspring of the Social Justice Committee of the United Churches of Dinwiddie.

2. Reverend Robert Jones, Jr., P.O. Box 25531, Richmond, VA. He came before the Board and stated that he was President of the Social Justice Committee of the United Churches of Dinwiddie. He wanted to publicly invite the Board of Supervisors to take membership in SCLC. Their state convention will be this weekend in Chesterfield County at the Koger Center and he invited the Board to attend.

3. Robert Ragsdale, 8306 Boydton Plank Road, Petersburg, VA. He stated that he hated to see Mr. Knox, Director of Planning, leave the County. He felt that Mr. Knox was very nice to work with and very helpful. He also stated that there were people that work for the County that were rude and something should be done about it.

Mr. Haraway suggested having someone come in and talk to the County employees about how important public relations are.

Mr. Bracey asked that the County Administrator take some time and talk to Mr. Ragsdale about public relation problems.

Mr. Ragsdale then asked the Board if the Virginia Motorsports Park was allowed to have practice sessions in the mornings.

Mr. Burgess, County Administrator, stated that he thought that there were testing hours Monday through Friday but he was not sure of what they were.

4. Reverend Peter Jeffries, Pastor 1st Baptist Church, West Petersburg, VA. He stated that he was also sad to see Mr. Knox go and he wished him luck.

5. Christine Avery, 7730 Jack Drive, Petersburg, VA. She just wanted to know had the Motorsports Park filled in the holes that were supposed to eliminate some of the noise.

Mr. Haraway stated that he had spoken to one of the owners and was told that some additional work had to be done at the starter line.

Mrs. Avery stated that she hadn't seen any work done but she did see that they were giving truck loads of dirt away to the school system. She was hoping that they would use that dirt to fill in the holes that would supposedly eliminate some of the noise.

Mr. Haraway stated that he was told that some additional work had to be done because they had conducted a test and what they thought would reduce some of the noise did not.

IN RE: P-95-2 - VIVIAN E. HOFFLER - PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor Newspaper on April 19, 1995 and April 26, 1995, for the Board of Supervisors to conduct a public hearing to consider a rezoning request per Section 22-23 and 22-24 of the Dinwiddie County Zoning Ordinance for the purpose of operating a neighborhood grocery store. The request is to rezone Tax Parcels 21A-362, 363, 364 and 365, situated at 25512 Greensville Avenue in West Petersburg.

Mr. Wayne D. P. Knox, Director of Planning, came before the Board and stated that the property currently contains a vacant building which would be repaired and utilized for the Business. This property has no history of previous applications considered by the Planning Commission. Adjacent property owners were mailed notice of the rezoning request and hearing in accordance with Section 15.1-431 of the Code of Virginia, 1950 as amended. A copy of the mailing is available for public viewing in the Planning Department.

STAFF RECOMMENDATION:

The Dinwiddie County Planning Commission recommended approval of the application at its April 12, 1995 meeting by a vote of 7-0. In order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice. Staff recommends approval of this applications, as a part of the overall effort to revitalize this neighborhood.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

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

Extract

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that land parcels 21A-362, 363, 364 and 365 of the Dinwiddie County Zoning Maps, located at 25512 Greensville Avenue in West Petersburg, are amended by changing the district classification from Residential, Limited, District R-1 to Business, Limited, District B-1. In all other respects, said zoning ordinance is hereby reordained.

IN RE: A-95-1 - GILES E. & ADELL R. MAYHEW - PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor Newspaper on April 19, 1995 and April 26, 1995, for the Board of Supervisors to conduct a public hearing to consider an application submitted by Mr. & Mrs. Giles R. Mayhew requesting an amendment to Chapter 22, Section 71, Permitted uses, of the Dinwiddie County Code Zoning Ordinance. This amendment would allow cabinet shops not exceeding a combined area of five thousand (5,000) square feet for workshop and storage space, be located in an A-2, Agricultural, General zoning

district. The Planning Commission at its April 12, 1995 meeting, recommended approval with a vote of 7-0.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Chapter 22, Section 71 of the Dinwiddie County Code pertaining to permitted uses in the Agricultural, General, District A-2 be amended to read as follows:

(60) Cabinet shops not exceeding a combined area of five thousand (5,000) square feet for workshop and storage space; and

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

Extract

IN RE: A-95-3 - SEMI-ANNUAL COLLECTION OF TAXES - PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor Newspaper on April 12, 1995 and April 19, 1995, for the Board of Supervisors to conduct a public hearing for the purpose of amending Paragraph (a) of Section 19-2 of the Dinwiddie County Code to provide for the semi-annual collection of the county's tax on real estate, tangible personal property and machinery and tools on June 5 and December 5 of each year, effective January 1, 1996, as permitted and provided by Section 58.1-3916 of the Code of Virginia, 1950, as amended.

Mr. Charles Burgess, stated that the County currently collects real estate and personal property taxes once a year on December 5th. If the Board were to approve this amendment the tax bills would be split into two equal 50% payments, the first half being payable on June 5th and the second half being payable on December 5th. The funds collected on the first payment date, June 5th, would be put in an interest bearing account along with some other funds derived from our present fund balance. The interest income from that account is anticipated to cover the debt service for the new Courthouse facility. By doing this, the need for raising personal property or real estate taxes would be eliminated.

Mr. Haraway said that the annual total tax is about $8,000,000.00. What would be collected on June 5th would be about $4,000.000.00. By investing that $4,000,000.00 at 6% for six months there would be about an additional $120,000.00 each year as interest income. In relation to tax rates that is about .02 cents per 100. He feels that it is a good financial deal for the County and in the future the Board would be able to keep the tax rates down by about .02 cents.

Mrs. Everett stated that over the years she has heard from a number of citizens in the County that they would like to see a twice a year tax collection.

Mr. Bracey feels that the Board should consider doing away with the collection of taxes in the month of December. He feels that collecting taxes in the beginning of December is too much on the citizens. He has no problem with the month of June but he does have a problem with the month of December.

This being a public hearing, the Chairman opened the floor for public comment:

1. William E. Jones, Dinwiddie County Treasurer, came before the Board and stated that he was neither supporting or condemning the proposed ordinance. He wanted to address several concerns that he felt were very important for the Board to take into consideration.

(a) Timing: His main concern is the implementation of both real estate and personal property simultaneously. He feels that this is a little too much. He suggested beginning real estate in 1996 to afford him and his staff the opportunity to work out the kinks and implement personal property in 1997 or even 1988. He asked will one year make that much of a difference?

(b) Funding and the adaptation to change: He stated that the adoption of this ordinance will have a major impact on the total operation of his office and the duties of his staff. Funding on tax statements, envelopes, postage, computer modification, and most importantly, part-time staffing would need to be increased two times. County administration has assured him that increases in funding were necessary, but no figures have been determined. He also stated that some equipment purchases would be necessary.

(c) The involvement of other players: He stated that the Treasurer's Office will not be the only office that will have to deal with this change. The assessment of taxes and the operation of producing those assessments would incur procedural changes, also. He questioned whether or not they were prepared for this. He also stated that the Board would be affected, and wanted to know if they were prepared to adopt a budget and set a tax rate by February 1, 1996.

(d) Educating the public: He stated the taxpayer is a major player in this process and he questioned whether or not they will be prepared and stated that making the public aware of this change is essential.

(e) Budgetary: He warned that mid-year taxes collected after the first year's "Windfall" is in theory, "Next Fiscal Year's" operating money. Any attempt to use succeeding years' tax revenues to cover current year's shortfall will put this county in a serious financial situation.

2. Debbie Marston, Dinwiddie County Commissioner of the Revenue, came before the Board and stated that she wanted the Board to take several things into consideration that will drastically affect her office if the ordinance is passed.

(a) Staff: She stated that staffing is her main concern. She has spoken to several other similar localities and their staffing is much, much greater than hers. She stated that Mr. Burgess has assured her that this issue will be addressed. Her budget for this year was cut $4,900.00 and if she has to implement something new it will be detrimental to her staff and office. To top it off they are getting ready for a general reassessment.

(b) Personal Property & Tax Relief for the Elderly Deadlines: She stated that the Board will once again have to put in a public ordinance to change the due date on Personal Property. It will have to be moved up from February 15th to February 1st. The deadline for Tax Relief for the Elderly is May 1st and that will also have to be moved up to February 1st.

Mr. Haraway asked Mr. Burgess had these concerns from Constitutional Officers been brought to his attention prior to the meeting.

Mr. Burgess stated that he has spoken to these Constitutional Officers over the last few months about these issues. He stated that additional things will be needed in order to implement this but most of all there may be some additional staffing needs.

Mr. Bracey stated that he felt that both personal property and real estate taxes would be a lot to be collected at one time. He could see them being implemented simultaneously but not all at once.

Mr. Moody questioned how the interest would be affected if they implemented one this year and the other the next year.

Mr. Burgess stated that the lost revenue would be about $60,000.00, which is about .01 cent per 100.

Mr. William Jones wanted to address one more issue. He stated that the figure of $4,000,000.00, Mr. Haraway quoted as being collected in June to invest, was based on a 100 percent collection. That is not going to happen on June 5th. On December 5th the collection rate is usually about 80 to 83 percent of actual collections. The other percent comes in on what is collected after December 5th so he suggested that when the interest is figured up it needs to be on about $3,200,000.00 instead of $4,000,000.00. He stated that he is not against this going twice a year but what bothers him is both of them at one time.

Mr. Clay stated that he was prepared to vote "yes" until he heard about all the concerns. He wants to make sure that they do the right thing, so he suggested postponing action for one month. This would give them more time to get some more figures on other options and to see if the Treasurer and the Commissioner of the Revenue can handle the change.

Mr. Moody stated that it shouldn't take that much extra help to run that through in a couple weeks, he doesn't think. He feels like if they need extra help, give it to them so they can get it done.

Mr. Haraway agrees with Mr. Moody. This is a chance to not have to increase taxes by .02 cents, so why not approve now.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Paragraph (a) of Section 19-2 of the Dinwiddie County Code is hereby deleted in its entirety and the following is substituted therefore, and in all other respects be reordained:

(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 being due and payable on or before June fifth of the taxable year and the second or remaining installment being due and payable on or before December fifth of the taxable year. If any such due 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.

Extract

The foregoing amendment to Section 19-2 of the Dinwiddie County Code shall be effective as of January 1, 1996.

IN RE: A-95-4 - CHANGING VOTING PRECINCT LINES - PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor Newspaper on April 19, 1995 and April 26, 1995, for the Board of Supervisors to conduct a public hearing for the purpose of adopting an ordinance amending Chapter 8, Section 8-2 and Section 8-4, of the Dinwiddie County Code to alter the boundary lines of election districts and precincts in Dinwiddie County so that they coincide with state legislative or congressional district boundaries.

Mr. Burgess stated that Mrs. Betty Jeter, Registrar, was not in attendance. He suggested conducting the public hearing and then deferring action until such time that Mrs. Jeter is available to answer any questions.

Mr. Ben Emerson, County Attorney gave a brief explanation and stated that if adopted the ordinance would be effective December 31, 1995. It would not affect the upcoming elections in November. The changes that would be made would only really affect Mr. Clay and Mr. Bracey's districts.

This being a public hearing, the Chairman opened the floor for public comment:

1. James Winbush, 9833 Tranquility Lane, Sutherland, VA, came before the Board and just wanted it clarified that this would not be effective for this upcoming election.

The public hearing was closed.

Mr. Bracey suggested postponing action until Mrs. Jeter could be in attendance to answer any questions.

After some discussion between the Board, action is postponed until May 17, 1995 at 2:00 P.M.

IN RE: RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION UNDER THE REGIONAL ECONOMIC AND COMMUNITY DEVELOPMENT PLANNING PROGRAM

Martha Burton, Assistant to the Executive Director, came before the Board and stated that the Department of Housing and Community Development has set aside funding this year only for Planning District Commissions. The purpose of the money is to put together a needs assessment state wide related specifically to needs that can be addressed by the Community Development Block Grant Program. That state wide plan has to be submitted to HUD, Department of Housing and Urban Development, in May of 1996. So $23,295.00 will be given to work with the Counties and Towns in Planning District 19 to put together this needs assessment. It is not a competitive program but they are requiring an application and because of a federal restriction they are not able to contract specifically with the Planning District Commissions; they are having to make certain that the application is submitted by a County or a Town. So she requested that Mr. Burgess be the funding agent and asked the Board to allow him to sign the application and then she will handle all the administration.

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

WHEREAS, the Virginia Department of Housing and Community Development has established the Regional Economic and Community Development Planning Program to assist planning district commissions to establish a collaborative strategy for housing, community and economic development actions for their localities; and

WHEREAS, the planning process will identify short-and long-term needs in non-entitlement Community Development Block Grant-eligible counties, cities and towns; and

WHEREAS, the state requires that each planning district commission have a sponsoring locality in order to receive the funds available.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Dinwiddie County will act as the sponsoring locality for the Crater Planning District Commission's participation in the Virginia Department of Housing and Community Development's Regional Economic and Community Development Planning Program, and

Extract

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is hereby authorized to sign the application.

IN RE: DINWIDDIE VOLUNTEER FIRE DEPARTMENT - DISCUSSION OF VEHICLE REPAIRS

Mike Price, Dinwiddie Volunteer Fire Department, came before the Board and stated that he was present to submit a bill for repairs made to to Engine 113 and Tanker 114. He requested the Board's assistance in payment of this bill in the amount of $1,462.46. He apologized for not coming to the Board before the repairs were made but when the trucks were put into the shop to be repaired he did not know that it would cost this much. It was during burning season and he knew that he had to take action quickly to get the trucks back into operation.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $1,462.46 be appropriated from the Maintenance Fund for the repairs to Engine 113 and Tanker 114.

THE CHAIRMAN RECESSED THE MEETING AT 8:50 P.M. AND RECONVENED AT 8:56 P.M.

IN RE: ADOPTION OF 1995-96 BUDGET AND 1995 TAX RATES

Mrs. Everett stated that she knew that there were some cutbacks in Programs and Personnel in the School Board's Budget and she does not want to see any of the on going programs jeopardized. She suggested taking the money that has been set aside for new school buses and fund the cuts in programs and personnel. In November they can look over the County's financial situation and see if they can come up with the funds for the new school buses then.

Mr. Bracey stated that he feels that the Board should go forward with what they have at the present time.

Mr. Haraway stated that he knows that there are short comings in the budget and has some concerns also but they as a Board cannot guarantee anything. He hopes that if any Department has a short coming, they will come before the Board and let them know.

Mrs. Wendy W. Ralph, Assistant County Administrator, stated that the Budgets from the Compensation Board for Constitutional Officers came in today and there will be minor amendments that will not have a great affect on the overall budget but will require some minor adjustments.

Mr. Aubrey S. Clay read the following conflict of interest statement:

I, Aubrey S. Clay, "In accordance with Section 2.1-639-14, paragraph (g) of the Code of Virginia, wish to disclose that my wife (Ann Clay) is employed by the Dinwiddie County School system. Employment of my wife occurred several years prior to my election to the Board of Supervisors and the results of any decision by this Board will affect my wife to no greater or less extent than other teachers with similar credentials and experiences. Therefore, I feel that I am able to participate in the actions of the Board concerning the 1995-96 budget effectively, fairly and in the public interest.

Extract

Mr. Edward A. Bracey, Jr., read the following conflict of interest statement:

I, Edward A. Bracey, Jr., "In accordance with Section 2.1-639-14, paragraph (g) of the Code of Virginia, wish to disclose that my wife (Bernice Bracey) is employed by the Dinwiddie County School system. Employment of my wife occurred several years prior to my election to the Board of Supervisors and the results of any decision by this Board will affect my wife to no greater or less extent than other teachers with similar credentials and experiences. Therefore, I feel that I am able to participate in the actions of the Board concerning the 1995-96 budget effectively, fairly and in the public interest.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following 1995-96 budget and 1995 tax rates are adopted:

TAX RATES FOR 1995

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

INCOME ESTIMATES	Current Fiscal Year	Fiscal Year Commencing July 1, 1995
GENERAL FUND:		
Revenue from Local Sources:		
General Property Taxes	$ 8,120,239	$8,520,000
Other Local Taxes	2,037,500	2,168,080
Permits, Privilege & Regulatory Licenses	145,700	155,000
Fines and Forfeitures	95,000	105,000
Revenue from Use of Money & Property	182,000	262,000
Charges for Services	293,050	259,600
Miscellaneous Revenue	164,600	160,950
TOTAL	11,038,089	11,630,630
Revenue from the Commonwealth	2,028,127	2,066,831
Revenue from the Federal Government	9,100	9,100
Non-Revenue Receipts	-0-	-0-
TOTAL GENERAL FUND	$13,075,316	13,706,561
LAW LIBRARY FUND	3,000	3,500
SCHOOL TEXTBOOK FUND	192,634	193,070
SCHOOL FUND:		
Revenue from Local Sources	66,980	77,000
Revenue from the Commonwealth	12,107,202	12,606,701
Revenue from the Federal Government	1,000,494	1,015,586
Transfers from Other Funds	5,882,440	6,029,501
TOTAL SCHOOL FUND	19,057,116	19,728,788
VA PUBLIC ASSISTANCE FUND	1,585,534	1,612,969
E911 FUND	54,000	57,000
SELF-INSURANCE FUND	262,000	275,000
GENERAL CAPITAL PROJECTS FUND	126,000	165,000
OYCS FUND	76,253	66,660
CDBG CAPITAL PROJECTS FUND	1,206,000	-0-
FIRE PROGRAMS FUND	28,000	28,000
FORFEITED ASSET SHARING	-0-	-0-
MEALS TAX	300,000	300,000
VRS - EARLY RETIREMENT	-0-	-0-
CSA Fund	518,424	528,792
JAIL COMMISSION FUND	15,000	16,500
COURTHOUSE MAINTENANCE FUND	18,000	18,000
GRAND TOTAL -- ALL FUNDS	$36,517,277	$36,699,840
LESS INTERFUND TRANSFERS	6,915,893	7,015,090
TOTAL INCOME	$29,601,384	29,684,750
FUND BALANCES, JULY 1	6,723,261	7,250,300
CASH RESOURCES	$36,324,645	$36,935,050
CONTEMPLATED EXPENDITURES		
GENERAL FUND:		
Board of Supervisors	$ 50,905	49,105
County Administrator	184,568	188,038
County Attorney	40,350	40,350
Independent Auditor	25,800	22,750
Commissioner of the Revenue	158,893	153,910
Business License	18,184	18,315
General Reassessment	-0-	200,000
Land Use	17,294	17,045

Treasurer	192,083	208,588
Data Processing	68,052	47,882
Electoral Board and Officials	70,705	76,664
Circuit Court	12,050	12,050
County Court	7,635	5,060
Special Magistrates	1,385	185
Clerk of the Circuit Court	56,903	54,557
Commonwealth's Attorney	100,011	102,308
Sheriff-Law Enforcement	1,741,987	1,707,617
Fire & Rescue Service	15,000	21,000
Volunteer Fire Departments	137,500	137,500
Ambulance & Rescue Service	57,944	21,260
Forestry Service	11,720	11,720
Dinwiddie EMS		104,009
Sheriff-Correction & Detention	286,368	268,286
Probation Office	2,966	3,966
Other Correction & Detention	64,182	64,736
Building Inspection	112,452	111,280
Animal Control	90,870	87,247
Medical Examiner	500	500
Public Safety/Civil Defense	74,875	65,775
Road Administration	250	250
Street Lights	42,000	42,000
Refuse Disposal	1,068,762	1,185,017
Public Nuisance	5,000	5,000
Public Utilities	115,000	96,900
Maintenance of Buildings & Grounds	197,276	209,038
Water Service	144,000	144,000
Health	149,302	153,781
Mental Health	38,532	39,571
Welfare Administration	3,210	
Other Social Services	15,403	18,783
Community College	1,179	1,210
Recreation	163,084	154,833
Lake Chesdin	2,000	2,000
Regional Library	128,751	132,614
Planning	119,196	100,307
Economic Development	30,246	23,022
Other Planning & Community Development	89,464	79,464
Regional Planning Commission	12,275	12,275
Soil and Water Conservation	7,500	7,500
Johnson Grass Control	500	-0-
Advancement of Agric & Home Economics	54,340	41,289
Internal Services	64,850	54,850
Debt Service	1,048,476	828,800
Subtotal	7,101,778	7,134,207
Transfers to Other Funds	6,698,259	6,910,090
TOTAL - GENERAL FUND	$13,800,037	14,044,297
LAW LIBRARY FUND	3,000	3,500
SCHOOL TEXTBOOK FUND	242,634	293,070
SCHOOL FUND:	$19,057,117	19,728,788
VA PUBLIC ASSISTANCE FUND	$1,585,534	1,612,969
E911 FUND	34,882	41,481
SELF INSURANCE FUND	264,525	275,000
OYCS FUND	76,253	66,660
GENERAL CAPITAL PROJECTS	190,000	355,000
SCHOOL CAPITAL PROJECTS	-0-	-0-
CDBG FUND	1,206,000	-0-
FIRE PROGRAMS FUND	28,000	28,000
FORFEITED ASSET SHARING	-0-	-0-
MEALS TAX FUND	-0-	-0-
VRS-EARLY RETIREMENT FUND	-0-	295,000
CSA FUND	518,424	528,792
JAIL PHONE COMMISSION FUND	10,500	16,500
COURTHOUSE MAINTENANCE	-0-	18,000

GRAND TOTALS - ALL FUNDS	$37,016,906	$37,307,057
LESS INTERFUND TRANSFERS	6,915,893	7,015,090
TOTAL EXPENDITURES	$30,101,013	30,291,967
FUND BALANCES - JUNE 30	6,223,632	6,643,083
TOTAL REQUIREMENTS	$36,324,645	$36,935,050

IN RE: APPROVAL OF SCHOOL BOARD BUDGET BY CATEGORY

Mr. Haraway stated that he was opposed to limiting the School Board to budget by category; they have already been limited enough. It will not leave them any flexibility to allocate their budget and that is a lot of pressure to allocate funds properly.

Mrs. Everett stated that she is also opposed to the School Board budget by category. She feels that the School Board has done a commendable job and this will tie their hands. She hates the message that this is sending to the School Board.

Mr. Moody stated that his support for the budget by category is not a lack of confidence. He thinks that the Board will have an open mind and ear if the School Board has any shortfalls.

Mr. Bracey stated that his supporting this does not have anything to do with mistrust; it is just good business.

Mr. Clay stated that he also felt that it was just good business.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the School Board is directed to present its budget by categories to the Board of Supervisors by July 1, 1995 to be appropriated for FY 1995-96.

IN RE: APPLICATION FOR LITERARY LOAN FUNDING FOR DINWIDDIE COUNTY HIGH SCHOOL

Mr. Ray Watson, Assistant to the Superintendent for Finance and Technology, came before the Board. He presented a resolution that would allow the School Board to submit an application for Literary Loan Funding. He stated the Board has already given the School Board the authorization to apply but this particular resolution needs to be adopted to meet state standards for each project.

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

AT A MEETING of the Board of Supervisors for the County of Dinwiddie on the 3rd day of May, 1995:

WHEREAS, The School Board for the County of Dinwiddie on the 3rd day of May, 1995, presented to this Board or Council, an application addressed to the State Board of Education of Virginia for the purpose of borrowing from the Literary Fund $5,000,000. for the new school building (or for adding to or improving the present school building) at 11608 Courthouse Road, to be paid in 20 annual installments, and the interest thereon at 2 per cent paid annually.

RESOLVED, That the application of the County or City School Board to the State Board of Education of Virginia for a loan of $5,000,000. from the Literary Fund is hereby approved, and authority is hereby granted the said County or City School Board to borrow the said amount for the purpose set out in said application.

The Board of Supervisors for said County or Council of said City will each year during the life of this loan, at the time they fix the regular levies, fix a rate of levy for schools or make a cash appropriation sufficient for operation expenses and to pay this loan in annual installments and the interest thereon, as required by law regulating loans from the Literary Fund.

Extract

IN RE: APPLICATION FOR LITERARY LOAN FUNDING FOR MIDWAY ELEMENTARY

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

AT A MEETING of the Board of Supervisors for the County of Dinwiddie on the 3rd day of May, 1995:

WHEREAS, The School Board for the County of Dinwiddie on the 3rd day of May, 1995, presented to this Board or Council, an application addressed to the State Board of Education of Virginia for the purpose of borrowing from the Literary Fund $3,000,000. for the new school building (or for adding to or improving the present school building) at 5511 Midway Road, to be paid in 20 annual installments, and the interest thereon at 2 per cent paid annually.

RESOLVED, That the application of the County or City School Board to the State Board of Education of Virginia for a loan of $3,000,000. from the Literary Fund is hereby approved, and authority is hereby granted the said County or City School Board to borrow the said amount for the purpose set out in said application.

Extract

The Board of Supervisors for said County or Council of said City will each year during the life of this loan, at the time they fix the regular levies, fix a rate of levy for schools or make a cash appropriation sufficient for operation expenses and to pay this loan in annual installments and the interest thereon, as required by law regulating loans from the Literary Fund.

IN RE: APPLICATION FOR LITERARY LOAN FUNDING FOR DINWIDDIE COUNTY MIDDLE SCHOOL

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

AT A MEETING of the Board of Supervisors for the County of Dinwiddie on the 3rd day of May, 1995:

WHEREAS, The School Board for the County of Dinwiddie on the 3rd day of May, 1995, presented to this Board or Council, an application addressed to the State Board of Education of Virginia for the purpose of borrowing from the Literary Fund $5,000,000. for the new school building (or for adding to or improving the present school building) at 12318 Boydton Plank Road, to be paid in 20 annual installments, and the interest thereon at 2 per cent paid annually.

RESOLVED, That the application of the County or City School Board to the State Board of Education of Virginia for a loan of $5,000,000. from the Literary Fund is hereby approved, and authority is hereby granted the said County or City School Board to borrow the said amount for the purpose set out in said application.

Extract

The Board of Supervisors for said County or Council of said City will each year during the life of this loan, at the time they fix the regular levies, fix a rate of levy for schools or make a cash appropriation sufficient for operation expenses and to pay this loan in annual installments and the interest thereon, as required by law regulating loans from the Literary Fund.

IN RE: INDUSTRY APPRECIATION WEEK PROCLAMATION

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

WHEREAS, Dinwiddie County, Virginia is blessed with a strong manufacturing base; and

WHEREAS, these industries provide much needed jobs for the citizens of Dinwiddie County, Virginia; and

WHEREAS, these same industries provide local taxes from which the entire local citizenry benefit; and

WHEREAS, we recognize and appreciate these important facts;

Extract

NOW, THEREFORE, BE IT RESOLVED we the Board of Supervisors of Dinwiddie County, Virginia hereby salutes our existing industry base, and by virtue of this proclamation give notice to our citizens that Virginia Industries Are Building A Better Commonwealth;

AND, FURTHER, that the week of May 21-27, 1995, is Industry Appreciation Week in Dinwiddie County, Virginia.

IN RE: APPOINTMENT - CRATER DISABILITIES SERVICES BOARD

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Donna R. Saunders be reappointed to the Crater Disabilities Services Board for a term retroactive to 1/31/95 and expiring 1/31/97.

IN RE: APPOINTMENT - CRATER PLANNING DISTRICT COMMITTEE & METROPOLITAN PLANNING ORGANIZATION

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that LeeNora Everett be reappointed to the Crater Planning District Committee & Metropolitan Planning Organization for a term expiring 6/30/96.

IN RE: AWARD OF BID - GEOTECHNICAL ENGINEERING

The County Administrator, stated that the following proposals were submitted to perform the geotechnical testing for the Courthouse project:

- Combined Technologies, Inc.	$6,451.00
- Hatcher-Sayer, Inc.	$7,600.00
- Schnable Engineering Associates	$7,100.00

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from Combined Technologies, Inc. in the amount of $6,451.00 be accepted to perform the geotechnical testing for the Courthouse project.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Burgess advised the Board that a memo came in from the Virginia Association of Counties letting counties know that proposals for Legislative Programs are due by June 15, 1995.

2. He advised the Board four proposals came in for the General Property Reassessment and is prepared to move forward with the interview process.

3. He advised the Board that he would be attending BRAC hearings in Baltimore on May 4, 1995 in reference to the closure of Fort Pickett and Kenner Army Hospital.

4. He advised the Board that Mrs. Susan Allen would be visiting Pamplin Park on the morning of May 4, 1995. He will be attending before he leaves for the BRAC hearings.

5. The Assistant County Administrator, advised the Board that the County was able to get insurance on the co-composting building at the landfill under the County's property coverage that is already on the buildings in the County, with a $25,000 deductible.

6. The Assistant County Administrator advised the Board that the handicapped bathroom that was placed at the boat landing is not only used by the handicapped; it is used by everyone. In the contract to take care of the facility it only states that it will be cleaned once a week. By everyone using it, it needs to be cleaned more than once a week. It is going to have to be changed to two or three times a week, which will double the cost from $60.00 a month to $120.00 a month.

IN RE: BOARD MEMBER COMMENTS

Mrs. Everett stated that the speed limit signs that were to be placed on Cox Road to lower the speed limit from 55 mph to 45 mph were only put on half of the road. She has spoken to Ronald Reekes, Resident Engineer, and he is very unhappy with it and is going to see that it is corrected.

She also stated that on April 21st she and Mrs. Ralph, Assistant County Administrator met with Ronald Slayter, the Federal Highway Administrator.

Mr. Haraway stated that he will not seek reelection for the Board of Supervisors in the next four years. He stated that his job at the Hospital is taking up a lot of time and he needs to spend more time at home with his family.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 9:30 P.M. A vote having been made and approved the meeting reconvened into Open Session at 11:25 P.M.

IN RE: CERTIFICATION

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

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

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

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully excepted from open meeting to which this certification resolution applies; and (2)

only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: APPOINTMENT OF INTERIM DIRECTOR OF PLANNING, ZONING ADMINISTRATOR & SUBDIVISION AGENT

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Charles W. Burgess, Jr. is appointed as Interim Director of Planning, Zoning Administrator and Subdivision Agent.

IN RE: ACCEPTANCE OF RESIGNATION - WAYNE D. P. KNOX - DIRECTOR OF PLANNING

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the resignation from Mr. Wayne D. P. Knox, Director of Planning, is accepted effective May 31, 1995.

IN RE: POSITION ANNOUNCEMENT - DAVID KISSNER - EMT - CARDIAC

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that David Kissner is appointed to the position of a part-time EMT - Cardiac at a rate of $9.00 per hour.

IN RE: APPOINTMENT - CRATER PLANNING DISTRICT COMMISSION

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Samuel Bryant is appointed to the Crater Planning District Commission to fill the unexpired term of George E. Robertson, Jr., expiring December 31, 1995.

IN RE: APPOINTMENT - BOARD OF ZONING APPEALS

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Charles Fridel is recommended to the Circuit Court Judge for appointment to the Board of Zoning Appeals to fill the unexpired term of Paul Myers, expiring December 31, 1995.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 11:27 p.m.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 17TH DAY OF MAY, 1995, AT 2:00 P.M.

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

* Mr. Haraway arrived at 3:45 P.M.

Mr. Clay made an announcement that Mr. Haraway would be late to the meeting due to a funeral of a close family friend. Mr. Clay would be the presiding Chairman for the meeting until Mr. Haraway's arrival.

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", the agenda was amended as follows:

Add, 15(d). Section 2.1-344(a) 3-Acquisition or use of real property for public purpose.

Postpone, 10. Tax Rate on Airplanes until after the Executive Session.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the May 3, 1995 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, 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 check #33902 - #34062 (void #33900 & 33901) for General Fund in the amount of $253,295.23, E911 Fund $1,413.16, Self Insurance Fund $31,765.79, CDBG Fund $46,596.58, Landfill Fund $7,663.33, and Marketing Fund $45.00 for a total of $340,779.09.

IN RE: CITIZEN COMMENTS

Wilson Greene, 7010 Duncan Road, Petersburg, VA 23803. He stated that he was the Executive Director of the Pamplin Park Civil War Site. Their facilities have been open as of April 22nd. He wanted to express the Park's commitment to helping the County and the School System in any way that they could. He also thanked Mr. Burgess and the staff at the administration building for all of their support with the Robert Boisseau Pamplin Appreciation Day which was on April 22nd.

Mr. Clay thanked Mr. Greene for coming and speaking about the facility.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Ronald Reekes, Resident Engineer, came before the Board and stated that he had a few items to report.

1. There have been some problems on White Oak Road because of the abundance of rain. He stated that they had worked real hard and corrected all the problems and it looked much better than it did two weeks before.

2. The Secondary Improvement Budget will be presented at the 1st meeting in June. He stated that there will be about one or two slight modifications and he will try to get the information to the Board in the next week.

Mrs. Everett asked had the problem with the speed limit signs that were posted on Cox Road been corrected.

Mr. Reekes stated that he had inquired about it and they were going to do some more investigating. He thought that the original ruling would be that the entire road would be 45 mph but he later found out that was not true. As soon as he hears something he will let the Board know.

The Assistant County Administrator stated that she had received a letter from the Highway Department requesting that three of their people who will be retiring this year be presented with resolutions of appreciation for their years of service. The individuals are David Spiers, Mac Echols and Bobby Farrell.

IN RE: COMMISSIONER OF REVENUE -- REPORT

Deborah M. Marston, Commissioner of Revenue, came before the Board and stated that she didn't have anything to present at this time.

IN RE: TREASURER -- REPORT

William E. Jones, Treasurer, came before the Board and presented his report for the month of April, 1995.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

T.O. Rainey, Commonwealth Attorney, called the office before the meeting and stated that he would be unable to attend.

IN RE: SHERIFF -- REPORT

Merlin Wilkins, Deputy Sheriff, came before the Board and stated that the Sheriff did not have anything to present.

IN RE: BUILDING INSPECTOR -- REPORT

Dwayne H. Abernathy, Building Inspector, was unable to attend the meeting because he was out making inspections because his assistant had a sudden illness.

IN RE: ANIMAL WARDEN -- REPORT

Steve Beville, Animal Warden, came before the Board and presented his report for the month of April, 1995.

IN RE: LIVESTOCK CLAIM -- TRAVIS PHILLIPS

Mr. Steve Beville, Animal Warden, stated that on February 22, 1995 two dogs killed Mr. Phillips' sheep's, for a total of $300.00.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the livestock claim for Travis Phillips, for three goats in the amount of $300.00 is approved.

IN RE: DIRECTOR OF PLANNING -- REPORT

Charles W. Burgess, Interim Planning Director, presented the Planning report for the month of April, 1995 and also stated that the West Petersburg Improvement Project will be completed by September, 1995.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Peggy McElveen, Director of Social Services, called the office before the meeting and stated that she would be unable to attend and in her place she would send Margie Cleaton.

Mrs. Cleaton came before the Board and stated that she had nothing to present except for the Social Services report for the month of April, 1995.

IN RE: VRS EARLY RETIREMENT PROGRAM -- DISCUSSION OF REPAYMENT PLAN

Dr. Thomas H. Gaul, Superintendent of Schools, came before the Board and stated that he had a request for the Board to consider. He asked Mr. Ray Watson, Assistant to the Superintendent for Finance and Technology, to present the request.

Mr. Watson, came before the Board and stated that the time had come for the repayment plan for the VRS Early Retirement program to be established. They are suggesting instead of using a thirty year payback plan they use a twenty year payback plan. This could be done by using $37,793 from the VRS Early Retirement Fund that the Board of Supervisors established in April of 1993. Mr. Watson stated that he was not here when that took place but it is his understanding that this fund was set up for this purpose. There is currently $550,000 in that fund. He suggested making the twenty year payment, which would be $257,704 out of their budget and $37,793 out of the Early Retirement Fund. This would result in a savings of 1.8 million dollars.

Mr. Moody asked if a lump sum payment was made initially, would that bring the payment down even more.

Mr. Watson stated that they have looked into that. It would reduce the payments and the interest savings would be a little more but that would be the whole $550,000 out of the VRS Early Retirement Fund.

After some discussion between the Board, they decided to delay action until the next meeting so that Mr. Watson could bring some more options before the Board.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Dr. Thomas H. Gaul, Superintendent of Schools, came before the Board and thanked the Board and Mr. Toni Rinaldi, Recreation Director, for their support with the project at Dinwiddie Elementary School. He was glad that the two departments worked together to get the job done.

He also stated that the construction on the tennis courts is scheduled to begin on May 23, 1995, which is on schedule. The track is also on schedule and they are looking forward to it being completed.

IN RE: RECREATION DIRECTOR -- REPORT

Toni S. Rinaldi, Recreation Director, came before the Board and presented his report for the month of April, 1995.

He also invited the Board and Administration to attend the luncheon at the Home Place Restaurant on May 23, 1993 at 12:30 P.M. for Senior Citizen Day.

IN RE: AGREEMENT FOR DEVELOPMENT AND ADMINISTRATION OF WHITE OAK ROAD BATTLEFIELD SITE INTERPRETATION

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Recreation Director is authorized to proceed with the application for the Agreement for Development and Administration of White Oak Road Battlefield Site Interpretation.

IN RE: PUBLIC SAFETY DIRECTOR -- REPORT

David W. Nichols, Public Safety Director, came before the Board and presented his report for the month of April, 1995.

IN RE: AUTHORIZATION TO ALLOW FORD VFD TO PUT A LIGHT AT THEIR PAVILION

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to draft a letter to Virginia Power to allow Ford Volunteer Fire Department to put a light at their pavilion.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Denny E. King, Director of Waste Management, came before the Board and presented his report for the month of April, 1995.

Mrs. Everett stated that she has gotten several phone calls from citizens that are concerned over the number of scavengers at the Rohoic Dump Site. The problem is getting worse and worse by the day. A woman called her and stated that she was very concerned for her safety and she feels that her privacy is being invaded when scavengers are going through her trash just as soon as she puts it in the dumpster. She wanted to know if the Sheriff's Department could cooperate and try to crack down on the number of scavengers.

Mr. King stated that he was sure that the Sheriff's Department would cooperate and could get the problem under control.

Merlin Wilkins, Deputy Sheriff, stated that he would report the problem back to the Sheriff and see if they could get the problem under control.

After some discussion between the Board, they asked the County Administrator to write a letter from the Board to the Sheriff's Department asking them for surveillance of the dumpsters and crack down on any scavengers.

IN RE: APPROPRIATION OF FUNDS -- WEST PETERSBURG -- PURCHASE TOT LOTS

Daniel M. Siegel, County Attorney, came before the Board and asked them to appropriate funds up to $3,000 for closing costs for the Tot Lots in West Petersburg. He does not think that the closing costs will be $3,000 but they rounded up just in case. Any funds that are not used will be returned to the County. He also asked the Board to authorize acceptance of the deed.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that funds up to $3,000 be appropriated from the CDBG Fund for closing costs for the Tot Lots in West Petersburg and the deed be accepted.

IN RE: A-95-4 -- CHANGE IN VOTING PRECINCT LINES

Betty Jeter, Registrar, came before the Board requesting that an ordinance amending Chapter 8, Section 8-2 and Section 8-4, of the Dinwiddie County Code be approved. It would alter the boundary lines of election districts and precincts in Dinwiddie County so that they coincide with State Legislative or Congressional District Boundaries. She also stated that the Board passed a resolution authorizing the change in voting precinct lines but the law was never changed. If the Board approves this proposed ordinance it still will not be effective for this election year because once the Board approves it, it has to be forwarded to the Justice Department to be implemented.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Chapter 8, Section 8-2 and Section 8-4 of the Code of Dinwiddie shall be amended to read as follows, and in all other respects be reordained:

AN ORDINANCE AMENDING CHAPTER 8, SECTION 8-2 AND SECTION 8-4, OF THE DINWIDDIE CODE TO ALTER THE BOUNDARY LINES OF ELECTION DISTRICTS AND PRECINCTS IN DINWIDDIE COUNTY SO THAT THEY COINCIDE WITH STATE LEGISLATIVE OR CONGRESSIONAL DISTRICT BOUNDARIES

1. Sections 8-2 and 8-4 of the Code of Dinwiddie County are amended to read as follows:

Sec. 8-2. Same--Boundaries.

The boundaries of election districts are described and shown as follows on a certain map entitled Dinwiddie County, Virginia, dated 1988, prepared by the County of Dinwiddie, which is hereby adopted by reference:

Election District No. 1

Beginning at the point in the southern boundary of Dinwiddie County on the Nottoway River, a boundary with Brunswick County, said point being at the point at which State Route 610 crosses the Nottoway River; thence northwardly along State Route 610 to its intersection with State Route 651; thence west along State Route 651 to its intersection with State Route 613; thence north along State Route 613 to its intersection with an unnamed farm road; thence east along said unnamed farm road to its intersection with another unnamed farm road; thence north along said second unnamed farm road to its intersection with State Highway 40; thence southeasterly along State Route 40 to its intersection with State Route 644; thence northeasterly along State Route 644 to its intersection with Logging Road; thence east along Logging Road to its intersection with State Route 683; thence south along State Route 683 to its intersection with Cantree Road; thence east, south and east along Cantree Road to its intersection with an unnamed dirt road; thence along said unnamed dirt road easterly following its course, to its intersection with State Route 651; thence south along State Route 651 to its intersection with State Route 650; thence north and east along State Route 650 to where a branch of Sappony Creek first flows under the same being near the intersection of State Route 650 and State Route 622; thence with said branch of Sappony Creek south and east with its flow to where the same crosses the Seaboard Coast Line railroad right-of-way; thence with the Seaboard Coast Line railway in a southern direction to where the southern branch of Sappony Creek flows under the railroad right-of-way, thence with Sappony Creek in an eastern direction with its flow to where Sappony Creek flows under the State Route 709; thence along State Route 709 in a northern direction to its intersection with State Route 650; thence along State Route 650 in a western direction to its intersection with U.S. Highway 1; thence along U.S. Highway 1 north to its intersection with State Route 646 at DeWitt; thence along State Route 646 in a western and northern direction to where Butterwood Creek flows under it; thence west with the northern branch of Butterwood Creek to where it flows under State Route 622; thence along State Route 622 northwest to its intersection with State Route 613; thence west along State Route 613 to its intersection with State Route 700; thence north and thence east following the course of State Route 700 to its intersection with State Route 622; thence north along State Route 622 to its intersection with Baltimore Drive; thence east along Baltimore Drive to its intersection with an unnamed dirt road; thence north along said unnamed dirt road to its intersection with a second unnamed dirt road; thence

east along said second unnamed dirt road to its intersection with an unnamed creek; thence south and east along said unnamed creek to its intersection with State Route 621; thence south along State Route 621 to its intersection with U.S. Highway 460; thence east along U.S. Highway 460 to its intersection with State Route 611; thence along State Route 611 in a southeastern direction to its intersection with State Route 613; thence along State Route 613 in a southwestern direction to where Bar Swamp Creek/White Oak Creek flows under it; thence along White Oak Creek southeast to where it flows under State Route 624; thence east with State Route 624 to its intersection with State Route 645; thence northeast with State Route 645 to where it crosses Chamberlains Bed Creek; thence along the flow of said creek south to where it flows under State Route 611; thence along State Route 611 east to its intersection with State Route 627; thence along State Route 627 in a northern direction to its intersection at Five Forks with State Route 613; thence east with State Route 613 to its intersection with State Route 661; thence south along State Route 661 to where Gravelly Run flows under the same; thence along the flow of Gravelly Run east, south then northeast to where the same flows under U.S. Highway 1; thence along U.S. Highway 1 north to its intersection with State Route 613, thence west along State Route 613 to its intersection with State Route 631; thence north along State Route 631 to its intersection with U.S. Highway 460 where it becomes State Route 708; thence north along State Route 708 to its intersection with the Norfolk & Western Railroad right-of-way; thence west along said right-of-way to its intersection with State Route 623; thence northwardly along State Route 623 to the point at which Whipponock Creek flows beneath State Route 623; thence northwardly with Whipponock Creek to the boundary line between Dinwiddie and Chesterfield Counties in the Appomattox River; thence westwardly up the Appomattox River being the boundary line between Dinwiddie and Chesterfield Counties, to Namozine Creek; thence southwestwardly along Namozine Creek, being the boundary line between Dinwiddie County and Amelia County and between Dinwiddie County and Nottoway County, to the northwesternmost point of Dinwiddie County; thence southwardly along the boundary line between Dinwiddie County and Nottoway County to the Nottoway River; thence southeastwardly along the Nottoway River to the point of beginning.

Election District No. 2

Beginning at a point on the northeasternmost boundary of Dinwiddie County at the point where Dinwiddie County, Chesterfield County and the City of Petersburg converge; thence westwardly along the boundary line between Dinwiddie County and Chesterfield County with the Appomattox River to its convergency with Whipponock Creek; thence southwestwardly with Whipponock Creek to the point where it crosses under State Route 623; thence southwardly along State Route 623 to its intersection with the Norfolk & Western Railway right-of-way; thence east along said railway right-of-way to its intersection with State Route 708, thence south along State Route 708 to its intersection with U.S. Highway 460, where it becomes State Route 631; thence south along State Route 631 to its intersection with State Route 613; thence east along State Route 613 to its intersection with U.S. Highway 1; thence south along U.S. Highway 1 to its intersection with State Route 613; thence east along State Route 613 to its intersection with Interstate Highway 85; thence north along Interstate Highway 85 to where it crosses over U.S. Highway 1; thence north along U.S. Highway 1 to its intersection with Interstate Highway 85; thence south (west) along Interstate Highway 85 to where it crosses over State Route 603 (Sterling Road); thence west and north along State Route 603 (Sterling Road) to its intersection with State Route 226 (Cox Road); thence southwest along State Route 226 (Cox Road) to State Route 633; thence west along State Route 633 to its intersection with Norfolk & Western Railway right-of-way; thence northeast along said railway right-of-way to the line marking the boundary between Dinwiddie County and the City of Petersburg; thence north along said line to the point of beginning.

Election District No. 3

Beginning at the point on the eastern boundary of Dinwiddie County, on its boundary with Prince George County, at the point at which State Route 606 crosses said eastern boundary of Dinwiddie County; thence along State Route 606 west to its intersection with an unnamed farm road; thence north along said unnamed farm road to its intersection with a second unnamed farm road; thence west along said second unnamed farm road to its intersection with State Route 604; thence south along State Route 604 to its intersection with State Route 606; thence west along State Route 606 to its intersection with an unnamed farm road; thence south along the unnamed farm road to its intersection with State Route 605; thence westwardly along State Route 605 to where Rowanty Creek flows under it; thence north up Rowanty Creek to where Hatcher Run flows into it; thence north up Hatcher Run to where Arthur Swamp flows into it; thence north up Arthur Swamp to where Reedy Branch flows into it; thence west on Reedy Branch to its intersection with State Route 675; thence south along State Route 675 to its intersection with State Route 670; thence north on State Route 670 to where Rocky Branch flows under it; thence north up the flow of Rocky Branch to where it flows into Hatcher Run; thence west along Hatcher Run to where it flows under State Route 670; thence south on State Route 670 to the intersection with State Route 613; thence west and north along State Route 613 to the intersection with Interstate Highway 85; thence north along Interstate Highway 85 to where it crosses over U.S. Highway 1; thence north along U.S. Highway 1 to its intersection with the Norfolk & Western Railway right-of-way; thence east along said right-of-way to the boundary line between the County of Dinwiddie and the City of Petersburg; thence south and east along said boundary to the boundary between the County of Dinwiddie and the County of Prince George; thence south along said boundary to the point of beginning.

Election District No. 4

Beginning at a point on the eastern boundary of Dinwiddie County on its border with Prince George County, at a point where State Route 606 crosses said eastern boundary line of Dinwiddie County; thence southwardly and southwestwardly along the boundary line of Dinwiddie County to where said boundary intersects with the boundary of Sussex County; thence southwestwardly along the boundary between Dinwiddie County and Sussex County to a point where it crosses Sappony Creek; thence north with the flow of Sappony Creek to where it crosses under State Route 40; thence east along State Route 40 to the intersection with State Route 626; thence north with State Route 626 to the intersection with State Route 609; thence southwestwardly along State Route 609 to the intersection with State Route 619; thence north with State Route 619 to the intersection with State Route 650; thence west along State Route 650 to the intersection with State Route 656; thence north along State Route 656 to the intersection with U.S. Highway 1; thence north along U.S. Highway 1 to where it passes over Stony Creek; thence north along the flow of Stony Creek to where Chamberlains Bed Creek flows into it; thence north along the flow of Chamberlains Bed Creek to where it flows under State Route 611; thence along State Route 611 east to its intersection with State Route 627; thence along State Route 627 in a northern direction to its intersection at Five Forks with State Route 613; thence east along State Route 613 to its intersection with State Route 661; thence south along State Route 661 to where Gravelly Run flows under the same; thence with the flow of Gravelly Run east, south then northeast to where the same flows under U.S. Highway 1; thence along U.S. Highway 1 north to its intersection with State Route 613; thence east and south along State Route 613 to intersection with State Route 670; thence north along State Route 670 to where it crosses Hatcher Run; thence leaving State Route 670 and running with Hatcher Run east to a point where it flows under State Route 613; thence with State Route 613 south to its intersection with State Route 670; thence with State Route 670 south to its intersection with State Route 675; thence with State Route 675 north to the point where Reedy Branch flows under it; thence leaving State Route 675 and flowing east with Reedy Branch to Arthur Swamp;

thence with Arthur Swamp flowing south into Rowanty Creek and with Rowanty Creek to where it flows under State Route 605; thence east with State Route 605 to its intersection with an unnamed farm road; thence north along said unnamed farm road to its intersection with State Route 606; thence east along State Route 606 to its intersection with State Route 604; thence north along State Route 604 to its intersection with said unnamed farm road; thence east along an unnamed farm road to its intersection with a second unnamed farm road; thence south along said second unnamed farm road to its intersection with State Route 606; thence east along State Route 606 to the point of beginning.

Election District No. 5

Beginning at a point in the southern boundary of Dinwiddie County on the Nottoway River, a boundary with Brunswick County, said point being at the point at which State Route 610 crosses the Nottoway River; thence northwardly along State Route 610 to its intersection with State Route 651; thence west along State Route 651 to its intersection with State Route 613; thence north along State Route 613 to its intersection with an unnamed farm road; thence along said unnamed farm road to its intersection with another unnamed farm road; thence north along said second unnamed farm road to its intersection with State Highway 40; thence southeasterly along State Route 40 to its intersection with State Route 644; thence northeasterly along State Route 644 to its intersection with Logging Road; thence east along Logging Road to its intersection with State Route 683; thence south along State Route 683 to its intersection with Cantree Road; thence east, south and east along Cantree Road to its intersection with an unnamed dirt road, thence along said unnamed dirt road north, east and south, following its course, to its intersection with State Route 651; thence south along State Route 651 to its intersection with State Route 650; thence north and east along State Route 650 to where a branch of Sappony Creek first flows under the same being near the intersection of State Route 650 and State Route 622; thence with said branch of Sappony Creek south and east with its flow to where the same crosses the Seaboard Coast Line railroad right-of-way; thence with the Seaboard Coast Line railway in a southern direction to where the southern branch of Sappony Creek flows under the railroad right-of-way, thence with Sappony Creek in an eastern direction with its flow to where Sappony Creek flows under the State Route 709; thence along State Route 709 in a northern direction to its intersection with State Route 650; thence along State Route 650 in a western direction to its intersection with U.S. Highway 1; thence along U.S. Highway 1 north to its intersection with State Route 646 at DeWitt; thence along State Route 646 in a western and northern direction to Butterwood Creek; thence west with the northern branch of Butterwood Creek to where it flows under State Route 622; thence along State Route 622 northwest to its intersection with State Route 613; thence west along State Route 613 to its intersection with State Route 700; thence north and thence east following the course of State Route 700 to its intersection with State Route 622; thence north along State Route 622 to its intersection with Baltimore Drive; thence east along Baltimore Drive to its intersection with an unnamed dirt road; thence north along said unnamed dirt road to its intersection with another unnamed dirt road; thence east along said second unnamed dirt road to its intersection with an unnamed Creek; thence south and east along said unnamed Creek to its intersection with State Route 621; thence south along State Route 621 to its intersection with U.S. Highway 460; thence east with U.S. Highway 460 to its intersection with State Route 611; thence along State Route 611 in a southeastern direction to its intersection with State Route 613; thence along State Route 613 in a southwestern direction to where Bar Swamp Creek/White Oak Creek flows under it; thence with White Oak Creek southeast to where it flows under State Route 624; thence east along State Route 624 to its intersection with State Route 645; thence northeast along State Route 645 to where it crosses Chamberlains Bed Creek; thence with the flow of said creek south to where it flows under U.S. Highway 1; thence south along U.S. Highway 1 to the intersection with State Route 656; thence south along State Route 656 to the intersection with State Route 650; thence east along State Route 650 to the intersection with State Route 619;

thence south along State Route 619 to the intersection with State Route 609; thence northeasterly along State Route 609 to the intersection with State Route 626; thence south along State Route 626 to the intersection with State Route 40; thence west along State Route 40 to where it passes over Sappony Creek; thence south with the flow of Sappony Creek to where it crosses the boundary line between Dinwiddie County and Sussex County; thence southwestwardly along said boundary line between Dinwiddie County and Sussex County to a point where Greensville County, Dinwiddie County and Sussex County all intersect; thence westwardly along the boundary line between Dinwiddie County and Greensville County to a point where Dinwiddie County, Greensville County and Brunswick County all intersect; thence northwestwardly along the Nottoway River, the boundary line between Dinwiddie County and Brunswick County, to the point of beginning.

Sec. 8-4. Same - Boundaries.

The boundaries of the precincts are described and shown as follows on the map which is hereby adopted by reference:

Darvill's Precinct No. 101

Beginning at a point in the southern boundary of Dinwiddie County on the Nottoway River, a boundary with Brunswick County, said point being at the point which State Route 610 crosses the Nottoway River; thence northwardly with State Route 610 to its intersection with State Route 651; thence west along State Route 651 to its intersection with State Route 613; thence north along State Route 613 to its intersection with an unnamed farm road; thence east along said unnamed farm road to its intersection with another unnamed farm road; thence north along said second unnamed farm road to its intersection with State Highway 40; thence southeasterly along State Route 40 to its intersection with State Route 644; thence northeasterly along State Route 644 to its intersection with Logging Road; thence east along Logging Road to its intersection with State Route 683; thence south along State Route 683 to its intersection with Cantree Road; thence east, south and east along Cantree Road to its intersection with an unnamed dirt road; thence along said unnamed dirt road easterly, following its course, to its intersection with State Route 651; thence southeast along State Route 651 to its intersection with State route 650; thence north and east with State Route 650 to where the northern branch of Sappony Creek flows under the same; thence with the northern branch of Sappony Creek east and southeast with its flow to where the same crosses Seaboard Coast Line Railroad right-of-way; thence with the Seaboard Coast Line Railroad in the southern direction to where the southern branch of Sappony Creek flows under the railroad right-of-way; thence with the south branch of Sappony Creek in an easterly direction with its flow to where Sappony Creek flows under State Route 709; thence with State Route 709 in a northern direction to its intersection with State Route 650; thence with State Route 650 in a westerly direction to its intersection with U.S. Highway 1; thence with U.S. Highway 1 north to its intersection with State Route 646 at DeWitt; thence with State Route 646 in a western and northern direction to where Butterwood Creek flows under it, thence westwardly up Butterwood Creek to the western boundary line of Dinwiddie County; thence south along the common boundary line between Dinwiddie County and Nottoway County to the Nottoway River; thence with the flow of Nottoway River south and east along the Nottoway River to the point of beginning.

White Oak Precinct No. 102

Beginning at a point on the western boundary of Dinwiddie County and its boundary with Nottoway County where Butterwood Creek enters Dinwiddie County; thence running with the flow of Butterwood Creek south and east to the point where the

same crosses under State Route 622; thence with State Route 622 northwest to its intersection with State Route 613; thence west with State Route 613 to its intersection with State Route 700; thence north; thence east with State Route 700 to its intersection with State Route 622; thence north along State Route 622 to its intersection with the northern boundary of Dinwiddie County and its boundary with Amelia County; thence running west with the boundary of Dinwiddie County and Amelia County up Namozine Creek to the corner of Amelia County, Nottoway County, and Dinwiddie County; thence running with the boundary of Dinwiddie County and Nottoway County west and south to the place of beginning.

Church Road Precinct No. 103

Beginning at a point where Hatcher Run flows under State Route 631; thence north along State Route 631 to its intersection with U.S. Highway 460 to where it becomes State Route 708; thence north along State Route 708 to its intersection with the Norfolk & Western Railroad right-of-way; thence west along said right-of-way to its intersection with State Route 623; thence northwardly along State Route 623 to the point at which Whipponock Creek flows beneath State Route 623; thence northwardly with the flow of Whipponock Creek to the boundary line between Dinwiddie and Chesterfield Counties in the Appomattox River; thence westwardly up the Appomattox River along the boundary line between Dinwiddie and Chesterfield Counties, to Namozine Creek; thence southwestwardly along Namozine Creek, being the boundary line between Dinwiddie County and Amelia County to where Baltimore Road (State Route 622) runs over it; thence south along State Route 622 to its intersection with Baltimore Drive; thence east along Baltimore Drive to its intersection with an unnamed dirt road; thence north along said unnamed dirt road to its intersection with a second unnamed dirt road; thence east along said second unnamed dirt road to its intersection with an unnamed creek; thence south and east along said unnamed creek to its intersection with State Route 621; thence south along State Route 621 to its intersection with U.S. Highway 460; thence east along U.S. Highway 460 to its intersection with State Route 627; thence south along State Route 627 to where it crosses Hatcher Run, thence east along the flow of Hatcher Run to the point of beginning.

Five Forks Precinct 104

Beginning at a point where State Route 611 passes over Chamberlains Bed Creek; thence along State Route 611 east to its intersection with State Route 627; thence along State Route 627 in a northern direction to its intersection at Five Forks with State Route 613; thence east along State Route 613 to its intersection with State Route 661; thence south along State Route 661 to where Gravelly Run flows under the same; thence with the flow of Gravelly Run east to where the same flows under U.S. Highway 1; thence along U.S. Highway 1 north to its intersection with State Route 613; thence west along State Route 613 to its intersection with State Route 631; thence north along State Route 631 to where Hatcher Run flows under it; thence west along Hatcher Run to where it flows under State Route 627; thence north along State Route 627 to its intersection with U.S. Highway 460; thence west along U.S. Highway 460 to its intersection with State Route 611; thence with State Route 611 in a southeast direction to its intersection with State Route 613; thence with State Route 613 in a southwestern direction to where Bar Swamp Creek flows under it; thence with Bar Swamp Creek southeast to where it flows under State Route 624; thence east with State Route 624 to its intersection with State Route 645; thence north with State Route 645 to where it crosses Chamberlains Bed Creek; thence with the flow of said creek south to where it flows under State Route 611; being the point of beginning.

Rohoic Precinct No. 201

Beginning at the intersection of State Route 631 and State Route 613; thence north with State Route 631 to its intersection with the Norfolk & Western Railroad

right-of-way; thence east along said right-of-way to U.S. Highway 1, thence south along U.S. Highway 1 to where it crosses over Interstate Highway 85, thence south along Interstate Highway 85 to where State Route 613 crosses over it; thence west along State Route 613 to its intersection with U.S. Highway 1; thence north along U.S. Highway 1 to its intersection with State Route 613; thence west along State Route 613 to its intersection with State Route 631 at the point of beginning.

Chesdin Precinct No. 202

Beginning at the northeasternmost point in Dinwiddie County; on the boundary line between Dinwiddie County and Chesterfield County in the Appomattox River; thence westwardly along the boundary line between Chesterfield County and Dinwiddie County in the Appomattox River to the point where Whipponock Creek enters the Appomattox River; thence southwestwardly up Whipponock Creek to the point at which it flows under State Route 623; thence southeastwardly along State Route 623 to the point at which it crosses the Norfolk & Western Railway right-of-way; thence eastwardly along the Norfolk & Western Railway to the point at which the same crosses over U.S. Highway 1, thence north along U.S. Highway 1 to its intersection with Interstate Highway 85; thence south along Interstate Highway 85 to where it crosses State Route 603; thence northwest on State Route 603 to its intersection with State Route 226; thence south on State Route 226 to its intersection with State Route 633; thence west on State Route 633 to its intersection with the Norfolk & Western Railroad right-of-way; thence north and east along said right-of-way to the boundary line between the City of Petersburg and the County of Dinwiddie; thence north along said boundary line to the point of beginning.

Edge Hill Precinct 301

Beginning at the point where the Norfolk & Western Railroad right-of-way crosses U.S. Highway 1; thence north along U.S. Highway 1 to its intersection with Interstate Highway 85; thence south along Interstate Highway 85 to where it crosses State Route 603 (Sterling Road); thence west and north along State Route 603 (Sterling Road) to its intersection with State Route 226 (Cox Road); thence southwest along State Route 226 (Cox Road) to its intersection with State Route 633; thence west along State Route 633 to its intersection with the Norfolk & Western Railway right-of-way; thence northeast along said railway right-of-way to the line marking the boundary between Dinwiddie County and the City of Petersburg; thence south along said boundary to the Norfolk & Western Railway right-of-way; thence west along said right-of-way to the point of beginning.

New Hope Precinct No. 302

Beginning at a point on the eastern boundary of Dinwiddie County, on its boundary with Prince George County, at the point at which State Route 606 crosses said eastern boundary of Dinwiddie County; thence along State Route 606 west, to the intersection with an unnamed farm road; thence north along said unnamed farm road to its intersection with a second unnamed farm road; thence west along said second unnamed farm road to its intersection with State Route 604; thence south along State Route 604 to its intersection with State Route 606; thence west along State Route 606 to its intersection with an unnamed farm road; thence south along said unnamed farm road to where it intersects with State Route 605; thence in a southwesterly direction along State Route 605 to where Hatcher Run flows under it; thence north up Hatcher Run to where Arthur Swamp flows into it; thence north up Arthur Swamp where it flows into Reedy Branch; thence west on Reedy Branch to State Route 675; thence south along State Route 675 to its intersection with State Route 670; thence north on State Route 670 to where Rocky Branch flows under it; then north up the flow of Rocky Branch to where it flows into Hatchers Run; thence west along Hatchers Run to where it flows under State Route 670; thence south on State Route 670 to the intersection with State

Route 613; thence west and north along State Route 613 to the intersection with Interstate Highway 85; thence north along Interstate Highway 85 to where it crosses over U.S. Highway 1; thence north along U.S. Highway 1 to its intersection with the Norfolk & Western Railway right-of-way; thence east along said right-of-way to the boundary line between the County of Dinwiddie and the City of Petersburg; thence south and east along said boundary to the boundary between the County of Dinwiddie and the County of Prince George; thence south along said boundary to the point of beginning.

Dinwiddie Precinct No. 401

Beginning at a point where State Route 609 crosses Stony Creek; thence south and west with State Route 609 to its intersection with State Route 619; thence north with State Route 619 to its intersection with State Route 650; thence southwestwardly along State Route 650 to its intersection with State Route 656; thence northward along State Route 656 to its intersection with U.S. Highway 1; thence northeasterly on U.S. Highway 1 to the point where it crosses over Stony Creek; thence north along the flow of Stony Creek to where Chamberlains Bed Creek flows into it; thence north along the flow of Chamberlains Bed Creek to where it flows under State Route 611; thence with State Route 611 east to its intersection with State Route 627; thence with State Route 627 in a northern direction to its intersection at Five Forks with State Route 613; thence with State Route 613 in an easterly direction to its intersection with State Route 661; thence south with State Route 661 to where Gravelly Run flows under same; thence with the flow of Gravelly Run south and east to where the same flows under U.S. Highway 1; thence with U.S. Highway 1 north to its intersection of State Route 613; thence running with State Route 613 south and east to its intersection with State Route 670; thence north of State Route 670 to a point where it crosses Hatcher Run; thence leaving State Route 670 running with Hatcher Run east to a point where it flows under State Route 613; thence with State Route 613 south to its intersection with State Route 670; thence with State Route 670 south to its intersection with State Route 675; thence with State Route 675 north to the point where Reedy Branch flows under it; thence leaving State Route 675 and flowing east with Reedy Branch to Arthur Swamp; thence with Arthur Swamp flowing south into Rowanty Creek and with Rowanty Creek to where it flows under State Route 605; thence with State Route 605 west to its intersection with State Route 670; thence south with State Route 670 to its intersection with State Route 609; thence south with State Route 609 to the point of beginning.

Cherry Hill Precinct No. 501

Beginning at a point on the southeastern boundary of Dinwiddie County with Sussex County at a point where Sappony Creek leaves Dinwiddie County; thence running with the boundary line of Dinwiddie County and Sussex County south and west to the southernmost point of Dinwiddie County at a corner with Greensville County and Sussex County on the Nottoway River; thence running up the Nottoway River with the boundary line of Greensville County and the boundary line with Brunswick County to the point where State Route 609 leaves Dinwiddie County; thence running north with State Route 609 to its intersection with State Route 709; thence north on State Route 709 to its intersection with State Route 650; thence east with State Route 650 to its intersection with State Route 619; thence south on State Route 619 to its intersection with State Route 609; thence northeast with State Route 609 to its intersection with Flat Foot Road (State Route 626); thence south along State Route 626 to the Dinwiddie County, Sussex County boundary line which is the point of beginning.

McKenney Precinct No. 502

Beginning at a point on the southern boundary of Dinwiddie County on the Nottoway River at a point where State Route 610 crosses the same; thence north with State Route 610 to its intersection with State Route 651; thence west along State Route 651 to its intersection with State Route 613; thence north along State Route 613 to its intersection with an unnamed farm road; thence east along said unnamed farm road to

its intersection with another unnamed farm road; thence north along said second unnamed farm road to its intersection with State Highway 40; thence southeasterly along State Route 40 to its intersection with State Route 644; thence northeasterly along State Route 644 to its intersection with Logging Road; thence east along Logging Road to its intersection with State Route 683; thence south along State Route 683 to its intersection with Cantree Road; thence east, south and east along Cantree Road to its intersection with an unnamed dirt road, thence along said unnamed dirt road southerly, following its course, to its intersection with State Route 651; thence south on State Route 651 to its intersection with State Route 650; thence north and east with State Route 650 to where the northern branch of Sappony Creek flows under the same; thence with the northern branch of Sappony Creek south and east with its flow to where the same crosses the Seaboard Coast Line Railroad right-of-way; thence with said railroad right-of-way in a southwestern direction to where the southern branch of Sappony Creek flows under the railroad right-of-way; thence with said branch of Sappony Creek in an eastern direction with its flow to where it flows under State Route 709; thence with State Route 709 in a southern direction to its intersection with State Route 609; thence with State Route 609 in a southern direction to the Nottoway River at the boundary line between Dinwiddie County and Brunswick County; thence up the Nottoway River with the boundary of Dinwiddie County and Brunswick County to the place of beginning.

Rocky Run Precinct No. 503

Beginning at the intersection of State Route 709 and 650 near the Town of DeWitt; thence with State Route 650 in a western direction to its intersection with U.S. Highway 1; thence with U.S. Highway 1 north of its intersection with State Route 646 at DeWitt; thence with State Route 646 in a western and northern direction to Butterwood Creek; thence west with the northern branch of Butterwood Creek to where it flows under State Route 622; thence with State Route 622 northwest to its intersection with State Route 613; thence west with State Route 613 to its intersection with State Route 700, thence north, thence east with State Route 700 to its intersection with State Route 622; thence north with State Route 622 to its intersection with Baltimore Drive; thence east along Baltimore Drive to its intersection with an unnamed dirt road; thence north along said unnamed dirt road to its intersection with another unnamed dirt road; thence east along said second unnamed dirt road to its intersection with an unnamed Creek; thence south and east along said unnamed Creek to its intersection with State Route 621; thence south along State Route 621 to its intersection with U.S. Highway 460; thence east with U.S. Highway 460 to its intersection with State Route 611; thence with State Route 611 in a southeast direction to its intersection with State Route 613; thence with State Route 613 in a southwestern direction to where Bar Swamp Creek flows under it; thence with Bar Swamp Creek southeast to where it flows under State Route 624; thence east with State Route 624 to its intersection with State Route 645; thence north with State Route 645 to where it crosses Chamberlains Bed Creek; thence with the flow of said creek south to where it flows under U.S. Highway 1; thence southwestwardly on U.S. Highway 1 to its intersection with State Route 656; thence south with State Route 656 to its intersection with State Route 650; thence on State Route 650 west to its intersection with State Route 709 being the place of the beginning.

2. This ordinance shall be effective at midnight, December 31, 1995.

State law reference -- Authority of county to adjust boundaries to coincide with state legislative or congressional district boundaries: Va. Code Sections 15.1-37.5, 15.1-37.5:1.

IN RE: DISCUSSION OF PROPOSALS SUBMITTED FOR THE GENERAL REASSESSMENT

Charles W. Burgess, Jr., County Administrator, stated that four proposals were submitted from companies for the upcoming General Reassessment. A Committee was organized and interviews were held the day before. The Committee is recommending that a contract be negotiated with Wingate Appraisal Service. This will not be an award of contract; it will just be authorization for Administration to negotiate a contract. He stated that Mr. Bracey and Mr. Clay were two of the members on the Committee and asked if they wanted to comment on the subject.

Mr. Bracey stated that the decision to negotiate a contract with Wingate was not a unanimous decision. The vote was 4-1 for Wingate Appraisal Service, with the one vote against being Mr. Bracey.

After some discussion, the Board decided to delay action until after the Executive Session.

IN RE: COURTHOUSE WATER SUPPLY -- YIELD AND QUALITY TEST

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to obtain a 12-hour yield test and a water quality test for the existing well at the Government Center from Sydner Hydrodynamics in the amount of $1,900.

IN RE: POSITION ANNOUNCEMENT -- ZONING ADMINISTRATOR

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Theodore Barclay, IV is appointed as Zoning Administrator, effective May 30, 1995, at grade 10 step H, and salary of $31,447.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Burgess wanted to remind the Board of the Business Appreciation Dinner at the Virginia Motorsports Park on Tuesday, May 30, 1995 at 6:00 P.M.

IN RE: AMENDMENT TO AGENDA

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, voting "aye", the agenda was amended as follows:

Add, 15(e). Section 2.1-344(a) 6-Investment of Public Funds.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; Section 2.1-344(a) 7-Consultation with Legal Counsel; Section 2.1-344(a) 3-Acquisition or use of real property for public purpose; Section 2.1-344(a) 6-Investment of Public Funds; the Board moved into Executive Session at 3:16 P.M. A vote having been made and approved the meeting reconvened into Open Session at 6:44 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: NEGOTIATE A CONTRACT WITH WINGATE APPRAISAL SERVICE - GENERAL REASSESSMENT

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to negotiate a contract with Wingate Appraisal Service for the General Reassessment.

IN RE: TAX RATE ON AIRPLANES

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the tax for airplanes be set at $0.30 per 100 for the 1995 tax.

IN RE: AUTHORIZATION FOR TINDALL CONCRETE VIRGINIA CORPORATION TO APPLY FOR INDUSTRIAL ACCESS RAILROAD TRACK FUNDS FROM THE COMMONWEALTH OF VIRGINIA

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

WHEREAS, Tindall Concrete Virginia Corporation has expressed its intent and desire to the Dinwiddie County Board of Supervisors to expand its industrial operations in the County; and

WHEREAS, this business and its operations will require rail access, and

Extract

WHEREAS, officials of Tindall Concrete Virginia Corporation have reported to the County their intent to apply for Industrial Access Railroad Track Funds from the Commonwealth of Virginia.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia hereby endorses and supports the application of Tindall Concrete Virginia Corporation for $110,000 in Industrial Access Railroad Track Funds.

IN RE: RENEWAL OF BLUE CROSS/BLUE SHIELD HEALTH INSURANCE PLAN

Extract

The Assistant County Administrator stated that the renewal contract for the County's Health Insurance Plan came in and there will be no increase in premiums. Staff is recommending renewal of the contract with Blue Cross/Blue Shield with the same two options, Plan I - KeyCare IV with dental and RX Card and Plan II - HMO program called Dominion Care 10 with TX Card and the same dental plan as KeyCare IV. Staff also recommends adding to the policy that new employees will only be offered the HMO Dominion Care 10 option and that present employees who have the HMO not be allowed to switch to KeyCare to be effective July 1, 1995.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County renew its contract with Blue Cross/Blue Shield, effective July 1, 1995, and offer Plan I - Key Care IV and Plan II - HMO Dominion Care 10 with no increase in premiums; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County only offer the HMO Dominion Care 10 to new employees effective July 1, 1995; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that current employees who have the HMO Dominion Care 10 will not be allowed after July 1, 1995 to switch to the Key Care IV option.

IN RE: NINETY DAY WAITING PERIOD -- NEW EMPLOYEES -- HEALTH INSURANCE BENEFITS

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that there will be a ninety day waiting period before Health Insurance benefits will be effective, for all new employees hired by the County, effective July 1, 1995.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 7:05 P.M. to be continued until May 24, 1995 at 7:00 P.M. for an Executive Session to discuss personnel issues and to consult with legal counsel.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 24TH DAY OF MAY, 1995, AT 7:00 P.M.

PRESENT:	DONALD L. HARAWAY, CHAIR	ELECTION DISTRICT #2
	AUBREY S. CLAY, VICE-CHAIR	ELECTION DISTRICT #5
	HARRISON A. MOODY (ABSENT)	ELECTION DISTRICT #1
	EDWARD A. BRACEY	ELECTION DISTRICT #4
	LEENORA EVERETT	ELECTION DISTRICT #3
	L. LEE BYRD	COUNTY ATTORNEY
	DANIEL M. SIEGEL	COUNTY ATTORNEY

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into a joint Executive Session with the Industrial Development Authority at 7:05 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:15 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: APPROVAL TO ACCEPT AND SIGN JOINT DEFENSE AGREEMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Clay, Mr. Haraway voting "aye", the following agreement is adopted:

JOINT DEFENSE AGREEMENT

Agreement made this 24th day of May, 1995, by and between THE COUNTY OF DINWIDDIE, VIRGINIA; THE BOARD OF SUPERVISORS OF THE COUNTY OF DINWIDDIE, VIRGINIA; THE INDUSTRIAL DEVELOPMENT AUTHORITY OF DINWIDDIE COUNTY, VIRGINIA; CHARLES W. BURGESS, JR.; DEWEY P. CASHWELL; SANDS, ANDERSON, MARKS & MILLER, P.C.; DANIEL M. SIEGEL (hereinafter the "Defendants"); and HEMAN A. MARSHALL, III and the law firm of WOODS, ROGERS & HAZELGROVE, P.L.C.; and J. JONATHAN SCHRAUB and the law firm of ROBINS, KAPLAN, MILLER & CIRESI (hereinafter "Counsel").

Extra

WHEREAS, the Defendants are named as co-defendants in civil action number 3:95CV378, styled Gasner, et al. v. The County of Dinwiddie, et al., pending in the United States District Court for the Eastern District of Virginia; and

WHEREAS, the Defendants are represented by the named counsel as set out above; and

WHEREAS, the Defendants and Counsel desire to expedite and facilitate the preparation of defense in the pending civil action; and

WHEREAS, the Defendants and Counsel may wish to confer together and share confidential and sensitive information; and

WHEREAS, the Defendants and Counsel acknowledge that the named Defendants share a common interest in the pending civil action; and

WHEREAS, the Defendants and Counsel acknowledge that the Defendants share a joint defense privilege also known as the common interest rule as set out in United States v. Under Seal (In re Grand Jury Subpoenas), 902 F.2d 244 (4th Cir. 1990).

NOW, THEREFORE, the Defendants and Counsel in consideration of the foregoing and the mutual covenants contained herein, and intending to be legally bound hereby, agree as follows:

1. Defendants and Counsel need to protect the free flow of information from client to attorney.

2. Defendants and Counsel need to protect the attorney work product doctrine.

3. Defendants, as co-defendants in the pending civil litigation, share a common interest about a legal matter.

4. As a result, Defendants and Counsel agree that it is in the best interest of all parties to this Agreement to share information in the course of devising a joint strategy for defense.

5. Defendants and Counsel agree to treat as private, privileged, and confidential any and all information related to the pending litigation that is shared among them.

6. Defendants and Counsel agree that they share and are protected by a joint defense privilege or common interest rule, and that the sharing of confidential and privileged information does not waive the attorney-client or work-product privilege.

7. Defendants and Counsel agree that the joint defense privilege can be waived only with the consent of all parties who share the privilege.

8. Defendants and Counsel agree to inform their employees, agents, or servants of the terms of this Agreement and of the employee's, agent's, or servant's individual responsibility to abide by its terms.

9. Virginia law shall govern the validity, construction, interpretation, and the affect of this Agreement.

10. This Agreement may be executed in separate counterparts.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 7:25 P.M. A vote having been made and approved the meeting reconvened into Open Session at 8:25 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 8:45 P.M. A vote having been made and approved the meeting reconvened into Open Session at 9:15 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: COMMISSIONER OF THE REVENUE - STATE COMPENSATION BOARD'S PAY FOR PERFORMANCE PLAN

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Commissioner of the Revenue is authorized to transfer funds within her existing budget to offer the following scale for her employees as approved by the Compensation Board, retroactive to December 1, 1994:

Extract

Deputy I--Alston change from $18,310 to $18,722
Deputy II--Rogers change from $19,143 to $18,722.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 9:45 P.M. to be continued until June 7, 1995 at 5:00 P.M. at the Homeplace

Restaurant for an Executive Session to discuss personnel issues, acquisition of property, and to consult with legal counsel.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT THE HOMEPLACE RESTAURANT IN DINWIDDIE COUNTY, VIRGINIA, ON THE 7TH DAY OF JUNE, 1995, AT 5:00 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 3-Acquisition or use of real property for public purpose; Section 2.1-344(a) 6-Investment of public funds; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 5:00 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:22 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 7:25 P.M.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 7TH DAY OF JUNE, 1995, AT 7:30 P.M.

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

Mr. Haraway said a prayer for Mrs. Carol Fisher, School Board member, because she was ill.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the May 17, 1995 Regular Meeting and the minutes for the May 24, 1995 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using check #34064 - #34162 (void #34063) for Payroll in the amount of $255,091.84; check #34164 - #34323 (void #34163) for General Fund in the amount of $94,927.79, E911 $368.00, Self Insurance Fund $12,553.71, CDBG $35,148.50, Law Library $29.84, Fire Programs $2,750.00, Courthouse Maintenance $925.00, Jail Commission $1,347.60.

IN RE: BUSINESS OF THE YEAR - ADOPTION OF RESOLUTION

Upon motion of Mr. Clay, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the following resolution was adopted, retroactive to May 30, 1995:

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

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

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

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

Extract

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

WHEREAS, the Board of Supervisors of Dinwiddie County wishes to establish and sustain a tradition of recognition of those industries and businesses within the county that best demonstrate those qualities of

corporate citizenship in which all the people of the County can take pride and be thankful for, and

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

NOW, THEREFORE, BE IT UNANIMOUSLY RESOLVED, that the Dinwiddie County Board of Supervisors hereby recognizes Bank of McKenney and its executives and staff, for their outstanding contribution to Dinwiddie County, Virginia, and the citizens thereof, and does hereby proclaim Bank of McKenney as the 1995 Dinwiddie County Corporate Citizen of the Year. The Board of Supervisors encourages all citizens of the County to take note of this honor, and to add to this award their personal statements of appreciation to Bank of McKenney and their executives and staff.

IN RE: CITIZEN COMMENT

1. Robert Ragsdale, 8511 Boydton Plank Road, Petersburg, VA. He stated that he wrote to the County months ago, requesting the amount that was paid by the County to the County Attorney in 1994. He stated that after he received the letter he then requested the amount that the state has paid to the County Attorney on behalf of the County and he still has not gotten a response.

Mr. Burgess stated that he has made several unsuccessful attempts to get the information.

Mr. Haraway stated that he would see that a follow up letter was sent.

Mr. Ragsdale feels that the citizens of Dinwiddie were sacrificed to the Motorsports Park for a few tax dollars. His living room got up to 80-85 decibels over the week of Nationals at the Motorsports Park and on Friday and Sunday evening it got up in the 90 decibels. He feels that the citizens need some relief. He blamed the Board of Supervisors and County government for allowing the Motorsports Park, who is now talking about expanding.

2. Donna Rowland, 7228 Jack Drive, Petersburg, VA. She came before the Board and wanted to repeat Mr. Ragsdale's complaints about the Motorsports Park. She and her family have been woken up two weeks in a row because of the testing that is going on at the racetrack. She had readings in her home as loud as 94 to 95 decibels. Something should be done because it is not fair to the citizens of the County. She asked had the improvements to the Motorsports Park been done that were supposed to reduce the noise. She wanted to know why their opinions do not count. She knows that the race track brings in money for the local businesses and she can't compare to that money but she does have values.

3. Odell Phillips, 27520 Reams Drive, Petersburg, VA. He stated that he felt that he was being over taxed since the last assessment. Mrs. Marston, Commissioner of Revenue, stated that she would correct it and now is telling him that she can't. He asked the Board for their help.

IN RE: PUBLIC HEARING -- SCHOOL BOARD APPOINTMENTS -- ELECTION DISTRICTS 2 & 3

This being the time and place as advertised in the Dinwiddie Monitor on Wednesday, May 17, 1995, for the Board of Supervisors to conduct a Public Hearing to receive public input from interested citizens on the appointments of two School Board members for Election District #2 and Election District #3.

Mr. Charles W. Burgess, Jr., County Administrator read a letter from Carol L. Fisher requesting that she be considered for reappointment to the School Board to represent Election District #2.

Mr. Burgess also read a letter from Gregory E. Davis requesting that he be considered for reappointment to the School Board to represent Election District #3.

There were no other nominations.

The public hearing was closed. Action will be taken at the next meeting on June 21, 1995.

IN RE: PUBLIC HEARING -- VDOT -- SECONDARY IMPROVEMENT BUDGET -- FY 1995-96

This being the time and place as advertised in the Dinwiddie Monitor on May 31, 1995 and June 7, 1995 and the Progress-Index on May 26, 1995, for the Board of Supervisors to conduct a public hearing for the purpose of receiving public comments for proposed improvements on the Secondary Improvement Budget for fiscal year 1995-96.

Mr. Harold Dyson, Assistant Resident Engineer, came before the Board and presented the Secondary Improvement Budget.

This being a public hearing, the Chairman opened the floor for public comment:

1. Robert Ragsdale, 8511 Boydton Plank Road, Petersburg, VA, came before the Board and wanted to know if there were any plans for Route 613.

Mr. Dyson stated that it is coming up next year. The Civil War Site next to it gave them some problems.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Virginia Department of Transportation Secondary Improvement Budget for fiscal year 1995-96 is approved as presented.

IN RE: VRS EARLY RETIREMENT PROGRAM -- DISCUSSION OF REPAYMENT PLAN

Mr. Ray Watson, Assistant to the Superintendent for Finance and Technology, came before the Board and presented some information that the Board requested at their last meeting in reference to the VRS early retirement program.

He stated that if they used the total amount that was in the VRS Early Retirement Fund, $550,000.00, it would bring the 20 year payment down to $243,664.00 for an annual payment. He recommended this option because it will save the greatest amount of interest to the tax payers of Dinwiddie.

Mr. Haraway agreed with Mr. Watson. He stated that he would like the County Administrator to look into other financing for the remainder of the VRS debt to see if they can get a lower interest rate.

Mr. Dan Siegel, County Attorney, stated that he has done a little research into this issue but he will look into whether it could be tax exempt, which would make the interest rate around 5% or 5 & 1/2%.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the School Board is authorized to make a one time payment of $550,000.00 from the Early Retirement Fund to be applied to the principal of the Retirement Incentive Costs at this time.

IN RE: SCHOOL BOARD -- REVISED CATEGORICAL BUDGET

Dr. Thomas H. Gaul, Superintendent of Schools, came before the Board and presented their revisions to FY-96 School Board Budget, which are the following:

1. Reduced the average salary increase for personnel to 3% from the proposed 4%.

2. Eliminated eight instructional positions instead of seven.

3. Eliminated a clerical position in the Central Office and reduced the amount of transfer to OYCS to $5,000 instead of $25,000.

4. Eliminated $280,000 from line item for bus purchases. It is the intention of the School Board to continue to be as frugal as possible in all categories of the FY-96 budget, and to request that savings be transferred to the Transportation category to allow for the purchase of buses. We also request that any FY-95 unexpended money in Fund 220 be reappointed to Transportation for bus purchases. We anticipate enough unexpended FY-95 funds to purchase one more bus. This would be in addition to the FY-95 budgeted bus purchases. If additional local funds become available, the purchase of school buses would be considered a priority.

Dr. Gaul stated that by eliminating the $280,000 from line item for bus purchases does not mean that they do not intend to purchase buses. They would like to use carry over funds that they are projecting right now for at least two buses, possibly one. After reviewing the statistics on the buses; the age of the fleet, the mileage, type of fuel that is used, and the cost for one bus this year to date, he feels that it is a very reasonable request. There are almost 60 buses that have been purchased in the last five years out of a fleet of 107, 17 of which are on standby status. Almost all of those are diesels, only 7 or 8 are gasoline buses. The average mileage and the average cost per bus for maintenance is good. They seem to incur more cost for maintenance expenses with the standby buses than the regular buses. They also believe that if some capital money becomes available in the fall, which has been suggested in some meetings, they would transfer that into purchasing some buses. Traditionally they have been relatively thrifty in their spending. He stated generally they will have some carry over money that will allow them to stay on schedule by the end of next year. They had a shortfall this year and that would of been the money that they would have invested in additional buses. With those, that would have taken them above and beyond their rotation allocation. He is very sensitive to the fact that they got into trouble in the past by not buying buses on schedule and he thinks that they can go this route and still meet their needs.

He also stated that if they were to use some of the reserve that they carry into positions at the beginning of the school year and transfer that into transportation they would come before the Board and let them know.

Mr. Clay stated that his only concern was the buses. He wanted to know if there were any state or federal regulations that limits how long a bus can be ran. He stated that a few years back they had to buy so many buses all at once because there were so many that were in such bad shape and he wanted to know if they were endanger of that happening again if the fleet is not updated.

Dr. Gaul stated that he agreed that they would be endanger if they didn't keep the fleet updated but right now he feels that they have kept up with it since that big purchase and are in pretty good shape. There is not a state rule, it is a guideline and it addresses about a fifteen year rotation. A lot of the rules and regulations were based on gasoline buses and they get a much better run on a diesel engine. He feels that they seem to be in pretty good shape; they just purchased three this year. That was what was in their budget. They would like to buy two more, which would put them ahead of their rotation for this year and they think with what they can save and work with this next year they will be on their rotation. The difference is they carry a reserve, which is about a 1% reserve in their budget that they put in positions, they put that in there so if they are running enrollment where they don't expect it they can purchase staff relatively quicker. A lot sooner than they have to purchase buses, which they can purchase anytime during the year. So they can come back to the Board and say that they made a mistake they need to transfer funds from instruction to buses but it would be much more cumbersome to do that and meet the needs of the kids in September. That is why they put it in there rather than buses. There is about a 1%,

$150,000 to $200,000, that is in reserve for emergencies or those kinds of things. He stated that Ray Watson, his assistant, told him that if it weren't for categorical spending they would have it in buses because in the past if there were an emergency they would take it out of buses. Now it is in instruction and they put it back in buses if they do not have emergencies and that is their thinking.

Mr. Clay asked if Dr. Gaul was saying that they were not buying buses now because of categorical spending.

Dr. Gaul stated that that was not what he was saying. What he was saying is that it is easier for them to have the money available for what they may need in staffing when September comes rather than have it in buses and have to come to the Board in September and ask to move it to staffing. He stated that nobody wants to buy buses more than he does.

Mr. Moody asked why they would need that extra funding in staffing.

Dr. Gaul stated that generally speaking they keep a much larger reserve than that, this is the lowest reserve that they have ever had going into a new year, that was what was explained to him. It is because they are being much more deliberate with their staffing. What often happens is that they will have some special education cases that they didn't anticipate or the kids will not enroll in the right places in the summer so when school starts after they have contracted with teachers some classes will have less kids than they anticipate and some classes will have more kids than they anticipate so they have to contract with more teachers in order to get the larger classes down. He feels that it is a very small reserve.

Mr. Bracey stated that the buses need to be left in the budget. They are going to run into something and everybody is going to get all upset. He feels that the buses should be purchased.

Dr. Gaul stated that they will purchase the buses and he feels that they have purchased the buses. He feels that it would be much better business to do it this way, by being thrifty and be able to buy the buses as they work through the year than it would be to move the money out of transportation, they are dead even on personnel going into September and have to buy personnel as they work through September and October and incrementally move the money back.

Mr. Bracey stated that it sounds like they have enrollment problems because they are talking about eliminating 7 or 8 jobs and then during the year they are going to hire some more.

Dr. Gaul stated that yes they do have enrollment problems, because it is hard to tell how many kids you are going to have show up. With their projections right now he feels that they are going to be five teachers short. The kids may show up and they may not and that will give them the flexibility to be able to apply staff when they need to apply it and be responsible to the parents and then as they work through the budget year they can be thrifty and save money and apply it to the buses. He feels that they have done a good job with bus purchases.

Mr. Bracey stated that he is mighty afraid that there are going to be problems if they do not leave the buses in there just like the problems they had with the maintenance at the schools and look what happened with that. He also stated that every time they say cuts it is in maintenance and teachers salaries.

Mrs. Everett asked Mr. Bracey that if the School Board was willing to keep the funds in transportation would he be willing to put some supplementary funds into instruction.

Mr. Haraway stated that he understood that if the funds were left in transportation they were going to have to eliminate additional instructional positions.

Dr. Gaul stated that they could eliminate the six reserve positions. Possibly about three buses could be bought with that. He

predicted that they would have to come back to the Board in September and ask for additional funding. If the funds are left in instructional then they hire as soon as there is a need for additional staffing. He also suggested that they could also reduce salaries from 3% to 2 & 1/2%. One half a percent in salary increases would be a bus and a half.

Dr. Gaul thinks that with good business they can get the buses. Buses are not purchased until the end of the year anyway so the funds are not needed until the spring.

Dr. Gaul stated that the reserve is good to have in case of an emergency. They hope that they will not even have to touch the reserve and by good business they will have surplus funds to buy the buses.

Mr. Bracey stated that he has never heard of having a reserve in any budget that the School Board has presented.

Dr. Gaul stated that there has always been reserve money.

Mr. Bracey wanted to know where.

Dr. Gaul said that it is always in positions. He does not want the Board to be confused because it is not hidden money.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the revised categorical budget for 1995-96 be approved as presented by the School Board.

Mr. Moody stated that the reason that he was in favor of this is because he feels that they will probably come back before the Board to switch the money over to transportation. He feels confident that they will if they don't have any problems. He doesn't feel that the Board can micro-manage but so much. He feels confident that if they don't need those positions they will come back and ask that those funds be transferred for buses.

Mr. Clay stated that he is going along with it this time but he would like to see happen what Dr. Gaul says is going to happen. He has seen too many times the buses cut out and the Board has to make it up.

IN RE: SCHOOL BOARD -- REQUEST FOR SUPPLEMENTAL FUNDS

Dr. Thomas H. Gaul, Superintendent of Schools, stated that they will have a $90,000 shortfall in State Revenue for FY-95 due to an attendance shortfall. Through previous discussions, the possibility of the school system spending the money and having the shortfall covered by an additional appropriation of local funds was mentioned. He stated that if such an additional appropriation were made, they would purchase two additional buses at approximately $42,000 each.

Dr. Gaul stated that because of the shortfall they adjusted their budget, didn't hire people back, and cancelled some in-service. They were hoping to buy four or five buses, but bought the three that they allocated. They estimate that they have covered the shortfall by not spending out $90,000 worth of programs. They think that they are fine but they advised to get at least two buses and that would help them be ahead of schedule. If not, they can look at the carry over and see what that brings them and go from there. To his knowledge they have finished all of the maintenance that they can do this fiscal year. There are some things that they may encounter this summer; for example some painting, but for the most part they have peaked out right about where Dr. Gaul thought that they would. The carry over will be less than last year but not that much.

Mrs. Everett asked Dr. Gaul if he had any idea what the carry over might be.

Dr. Gaul stated that depending on the substitutes, electricity and the various things that they may encounter this summer, and what they

have coming in daily from the Federal Government as far as reimbursements, he estimates that they are about at the $50,000 range.

IN RE: OFFICE ON YOUTH AND COMMUNITY SERVICES -- APPOINTMENTS

Francene Newman, Representative for OYCS, came before the Board and stated that she will be finishing out the year for Diane Galbreath, Director of OYCS, because she was transferred to a new position. She submitted the recommendation for Youth Commission Members and asked the Board for their approval.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following people are hereby appointed to the Commission for the Office on Youth and Community Services for Dinwiddie County:

Extract

For three year term:

Sam Northington
Sharon Snow
Rick Hawthorne
Cynthia Jackson

For one year term (students):

Emily Newman
Antoine Clarke
April Spain
Teneille Walker
Dwayne Roberts
Billy Joe Barnes

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Charles Burgess stated that in their packets there was a letter from Hening, Vest & Covey, Architects pertaining to the new courthouse. In the letter they estimated several costs that they anticipated would come up outside of their contract in order to complete the project design. They stated since there are still some potential unknown costs at this time, they would recommend an amount of $10,000 be approved by the Board that could be used for the miscellaneous services that may be required. Mr. Burgess wanted to know how the Board felt about this suggestion.

Mr. Haraway stated that he would like for the bills to be brought before the Board one by one.

2. Mr. Burgess stated that also in their packets there is a request from VDOT to close Route 619 for 60 calendar days to accommodate for construction. They anticipate to begin in late August or early September. The closure of Route 619 is needed to replace the bridge span due to a fire that occurred under it. The new span will return this road to an unrestricted weight limit.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, approves the closure of Route 619 for 60 calendar days to accommodate for construction.

IN RE: BOARD MEMBER COMMENTS

1. Mrs. Everett commended the School Board on their revised budget.

She also wanted to commend Dinwiddie County for making Nationals at the Virginia Motorsports Park a success. She stated that the Board keeps hearing complaints about the noise from the Park but back in the early 1970's this county made a Motorsports complex. It was an allowable use within that zoning classification and people were well aware that that was an area where that kind of development could occur. If you will look most of these people that are complaining so loudly bought their properties much later than that and should of been aware of what the possibility was of a complex being located there. She does have a lot of sympathy for them but she is also very proud of the complex and she feels

that it is going to be a big financial success and help the tax rate considerably.

2. Mr. Haraway read a letter that he received from Ken Kohrs, Virginia Motorsports Park General Manager. It stated that he will no longer be the General Manager at the Motorsports Park and thanked the Board for all their help in the last few years.

Mr. Haraway stated that he felt that Ken Kohrs did an outstanding job for the Motorsports Park and he will be a hard act to follow. He suggested sending him a letter of appreciation.

After some discussion between the Board they decided to send Mr. Kohrs a letter of appreciation.

Mr. Haraway thanked the staff of Dinwiddie County for all their efforts to make the Business Appreciation Dinner a success.

3. Mr. Bracey wanted to know what the process was in deciding on what businesses were invited to the Business Appreciation Dinner.

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that she thought that they would possibly start appointing a committee to include the Board to come up with some guidelines and then the Board could discuss it. A list already in existence was expanded upon for this year's invitation list.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 8:56 P.M.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT THE HOMEPLACE RESTAURANT IN DINWIDDIE, COUNTY, VIRGINIA, ON THE 5TH DAY OF JULY, 1995, AT 5:00 P.M.

PRESENT:	DONALD L. HARAWAY, CHAIR	ELECTION DISTRICT #2
	AUBREY S. CLAY, VICE-CHAIR	ELECTION DISTRICT #5
	HARRISON A. MOODY (ABSENT)	ELECTION DISTRICT #1
	EDWARD A. BRACEY	ELECTION DISTRICT #4
	LEENORA EVERETT	ELECTION DISTRICT #3
	RUDOLPH BUMGARDNER	COUNTY ATTORNEY

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 3-Acquisition or use of real property for public purpose; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; Section 2.1-344(a) 6-Investment of public funds; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 5:20 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:10 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: AUTHORIZATION TO ADVERTISE -- FULL-TIME BUILDING INSPECTOR/PLANS REVIEW

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise for the full-time position of Building Inspector/Plans Review.

IN RE: AUTHORIZATION FOR PAYMENT OF BILL TO ACCOUNTANTS FOR RECONCILIATION OF THE INDUSTRIAL DEVELOPMENT AUTHORITY'S BANK ACCOUNTS IN CONNECTION WITH TRANSACTION OF TREASURERS

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that payment is authorized from the General Fund to Andrews & Company, P.C. for reconciliation of the Authority's bank accounts in connection with transaction of treasurers.

IN RE: POSITION ANNOUNCEMENT -- DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Haraway voting "aye", Mr. Bracey voting "nay",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that W. C. Scheid be appointed to the position of Director of Planning and Community Development, effective June 24, 1995, at the salary level of Grade 16, Step 1, $33,254.00.

IN RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 7:13 P.M.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 5TH DAY OF JULY, 1995, AT 7:30 P.M.

PRESENT:	DONALD L. HARAWAY, CHAIR	ELECTION DISTRICT #2
	AUBREY S. CLAY, VICE-CHAIR	ELECTION DISTRICT #5
	HARRISON A. MOODY (ABSENT)	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	LEENORA EVERETT	ELECTION DISTRICT #3
	RUDOLPH BUMGARDNER	COUNTY ATTORNEY

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the June 21, 1995 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using check #34494 - 34596 (void #34493) for Payroll in the amount of $272,244.02; check #34598 - 34757 (void #34597) for General Fund $109,365.84, E911 Fund $505.50, Self Insurance Fund $2,899.09, CDBG Fund $15,167.00, Law Library Fund $106.31, Fire Programs/EMS $1,328.13, Courthouse Maintenance $41,731.80, and Jail Commission $604.80 for a total of $171,708.47.

IN RE: RESOLUTION OF APPRECIATION -- ROBERT J. FERRELL

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

WHEREAS, Robert J. Ferrell has served the Department of Transportation as a Maintenance Superintendent at the Dinwiddie Area Headquarters with distinction and integrity for more than thirty-seven years; and

WHEREAS, the Board of Supervisors on this 5th day of July, 1995, is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

Extract

NOW, THEREFORE BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Robert J. Ferrell for his many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be delivered to Robert J. Ferrell, and a copy spread upon the minutes of the meeting.

IN RE: RESOLUTION OF APPRECIATION -- RUSSELL M. ECHOLS

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

Extract

WHEREAS, Russell M. Echols has served the Department of Transportation as a Maintenance Superintendent at the Church Road Area Headquarters with distinction and integrity for twenty-six years; and

WHEREAS, the Board of Supervisors on this 5th day of July, 1995, is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW, THEREFORE BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Russell M. Echols for his many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be delivered to Russell M. Echols, and a copy spread upon the minutes of the meeting.

IN RE: RESOLUTION OF APPRECIATION -- DAVID A. SPIERS

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

WHEREAS, David A. Spiers has served the Department of Transportation as a Senior Construction Inspector at the Petersburg Residency with distinction and integrity for more than thirty-two years; and

WHEREAS, the Board of Supervisors on this 5th day of July, 1995, is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

Extract

NOW, THEREFORE BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia, hereby commends David A. Spiers for his many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be delivered to Davis A. Spiers, and a copy spread upon the minutes of the meeting.

IN RE: RESOLUTION OF RECOGNITION -- WAYNE D. P. KNOX

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

WHEREAS, Wayne D. P. Knox has served the County of Dinwiddie with distinction and integrity from February, 1993 until May, 1995; and

WHEREAS, the Board of Supervisors on this 5th day of July, 1995, is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

Extract

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Wayne D. P. Knox for his many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be delivered to Wayne D. P. Knox, and a copy spread upon the minutes of the meeting.

IN RE: PUBLIC HEARING -- SV-95-1 -- DAN STREET -- WEST PETERSBURG

This being the time and place as advertised in the Dinwiddie Monitor Newspaper on June 21, 1995 and June 28, 1995 for the Board of Supervisors of Dinwiddie County, Virginia to consider adopting an ordinance to vacate a portion of the undeveloped street known as Dan Street from its intersection with Surry Avenue to its northern terminus.

Extract

The Street vacation is needed as the existence of the street hinders the placement of new dwellings on Greensville Avenue. The placement of the new dwellings on Greensville Avenue is part of the Community Development Block Grant (CDBG) program.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that a portion of Dan Street is hereby declared a vacant street, shown on Tax Map 21A, Plat Book 2, Pages 6 and 19, as part of the West Petersburg Plat; situated between Lots #128 and #129 and along lots #333 and #334 from its intersection with Surry Avenue to its northern terminus, with Lots #1 and #10 of the resubdivision of Lots 314 to 353 receiving a portion of the land constituting Dan Street and Lots #128 and #129 each receiving fifty (50) percent of the remainder of Dan Street.

IN RE: PUBLIC HEARING -- P-95-1 -- DONALD & RAYMOND HENSHAW

This being the time and place as advertised in the Progress-Index on June 21, 1995 and June 28, 1995 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing to consider a conditional rezoning per Section 22-23 and 22-24 of the Dinwiddie Zoning Ordinance for the purpose of creating a residential development. The request is to rezone Tax Parcels 8-20, 21, 22, and 23 situated off of State Route 601 at the intersection of Route 632, from A-2, Agricultural General District to R-1A, Residential Limited District.

Mr. Charles W. Burgess, Jr., Interim Planning Director, read the following proffers that were submitted by the applicants:

1. Thirty-five (35) feet from the center of River Road and Olgers Road will be dedicated free and unrestricted to the County of Dinwiddie for right of way. This shall be dedicated either at the time that lots adjacent to these roads are recorded or when the County needs the right of way for road improvement.

Extract

2. All lots shall have selective cutting of timber.

3. A thirty (30) foot buffer shall be maintained adjacent to the wetlands that are immediately contiguous to the creek running through the property from south to north. No disturbance of vegetation shall be allowed within this buffer except for the removal of dead, diseased or dying trees and installation of utilities to serve this project. This shall be noted on all subdivision plats.

4. Instead of the tar and gravel roads required by the Subdivision Ordinance, the developer will pave all interior roads with one and one half (1 1/2) inches of bituminous asphalt.

5. All new site utilities shall be placed underground.

6. The developer will submit plans for storm water management that will be equal to or more effective than the curb and gutter required by the Ordinance. The developer will also agree to pay for an independent review of the plans to verify this.

7. The entire property will be developed as a single family residential subdivision.

8. The minimum lot size will be increased from 15,000 to 20,000 square feet.

9. Public Water and public sewer will be provided to each residential lot at the developer's cost.

Mr. Burgess stated that the Planning Commission approved the applicants request subject to the following conditions:

1. Provisions be made for the widening of Routes 601 and 632, per VDOT specifications.
2. Utility improvements are the developer's responsibility.
3. That there be selective cutting of the trees (no less than 22 trees per acre).
4. Before curb and gutter would be waived, there must be extensive discussion with the Board of Supervisors to present supporting evidence which supports the use of an open

ditch system in lieu of a curb and gutter system.

Mr. Burgess brought to the Board's attention a letter from the Dinwiddie County Water Authority signed by A. J. Eubank as Director of the Water Authority, stating that the flow from this proposed subdivision may or may not be accepted by the Waste Water Treatment Plant in the City of Petersburg. Mr. Burgess stated that this letter raises the question "can you actually approve a subdivision when you do not know that the sewer system would actually be serviced by your only waste water treatment service available."

Mr. Burgess showed the Board a petition signed by sixteen citizens who reside on Route 632 in the County and oppose of the property being rezoned.

This being a public hearing, the Chairman opened the floor for public comment:

1. Anne Scarborough, P.O. Box 415, Dinwiddie, VA. Came before the Board and wanted to know if the County has an impact study on file. She has been very concerned about that for a number of years. She thinks that the County should have one on file when the County gets into something that is sizeable. She is also concerned about a subdivision this size. What will it do to the Recreation Facilities and Schools in the County?

Mr. Haraway stated that the County does not have an impact study on file.

2. Lawrence Brooks, 4706 Olgers Road, Sutherland, VA. He stated that he was a resident of Route 632 and he was asked by the residents of Route 632 to speak on their behalf. He asked if there was a plan to widen Route 632.

Mr. Burgess stated that it was offered as a proffer if the right-of-way would be provided by the Virginia Department of Transportation,, if needed.

Mr. Brooks stated that he and the citizens that he was representing feel that they have enough burden from the subdivisions in that area, as far as traffic goes. He also wanted to know what the impact would be on the school system and the Waste Water Treatment Plant.

Leonard Ponder came before the Board and stated that he was representing the applicants. He stated that the site was very attractive to new people coming into the County for various reasons. It would bring in new revenue for the County. He took some pictures of some other subdivisions that do not have curb and gutter, they have curb side ditches. He feels that this particular site has the proper topography for curb side ditches. He stated that the projected cost of the houses in this subdivision will be around $100,000 and it will take about 10 years to develop. He also stated that in response to Mrs. Scarborough's question about an impact study, the Code as it is now does not require an impact study to be done.

Mr. Collins, Charles Townes & Associates, came before the Board and stated that he was the Engineer on the project. He stated that curb and gutter is very expensive opposed to road side ditches. He also stated that road side ditches are better for the environment.

Mr. Bracey stated that he understands Mr. Collins explanation about the ditches and agrees with him.

Mrs. Everett stated that she has some concerns over where the sewage will go.

Mr. Collins stated that the developer will submit plans to the County and the State. The State requires, regardless of the project, that the capacity be available for that particular project. If that capacity is not available that project will not proceed.

Mr. Burgess recommended the waiver of curb and gutter be deferred to the Planning Commission.

Mr. Bracey hopes that this will be passed because nothing can be built until after the water problems are addressed.

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

In order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that tax map parcels 8-20, 21, 22, and 23 of the Dinwiddie County Zoning Maps, are amended by changing the district classification from A-2, Agricultural, General to R-1A, Residential, limited, contingent upon the following proffers:

1. Thirty-five (35) feet from the center of River Road and Olgers Road will be dedicated free and unrestricted to the County of Dinwiddie for right of way. This shall be dedicated either at the time that lots adjacent to these roads are recorded or when the County needs the right of way for road improvement.

2. All lots shall have selective cutting of timber.

3. A thirty (30) foot buffer shall be maintained adjacent to the wetlands that are immediately contiguous to the creek running through the property from south to north. No disturbance of vegetation shall be allowed within this buffer except for the removal of dead, diseased or dying trees and installation of utilities to serve this project. This shall be noted on all subdivision plats.

4. Instead of the tar and gravel roads required by the Subdivision Ordinance, the developer will pave all interior roads with on and one half (1 1/2) inches of bituminous asphalt.

5. All new site utilities shall be placed underground.

6. The developer will submit plans for storm water management that will be equal to or more effective than the curb and gutter required by the Ordinance. The developer will also agree to pay for an independent review of the plans to verify this.

7. The entire property will be developed as a single family residential subdivision.

8. The minimum lot size will be increased from 15,000 to 20,000 square feet.

9. Public Water and public sewer will be provided to each residential lot at the developer's cost; and

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the waiver of the curb and gutter requirements be deferred to the Planning Commission.

IN RE: RESOLUTION -- LAND HOLDINGS BY A BENEVOLENT ORGANIZATION -- ROCKY RUN

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everette, Mr. Bracey, Mr. Clay, Mr. Haraway voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, in accordance with Section 19-4 of the Dinwiddie County Code, Rocky Run Ruritan Club is authorized to take and hold a quantity of real estate in the County not exceeding ten (10) acres at any one time.

IN RE: CITIZEN COMMENTS

1. Robert Ragsdale, 8511 Boydton Plank Road, Petersburg, VA. He came before the Board and asked them to delay voting on a firm for the upcoming General Reassessment. He feels that action should be taken by the Board that will be elected this November.

Mr. Ragsdale also recommended that Brown Brothers Roofing be awarded the bid for the new roof on the Pamplin Administration Building. He feels that the bid should go to a firm here in the County.

IN RE: AMENDMENTS TO BUDGET -- FY 96

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following amendments to the FY 96 budget are approved:

AMENDED BUDGET - FY 96

	TOTAL	STATE	LOCAL	SOURCE
Com. Rev.	1187	594	594 (1/2)	CR Budget
Treas.	1303	652	652 (1/2)	TR Budget
Com. Atty	1354 3844	1354 2600	___ 1246 (absorbed in existing budgets)	State
	54700 - budgeted for Juvenile Detention Home			
Juv. Det.	- 25000		25000	County
	29700 Balance to be used as follows:			
Zoning	5745		5745	County
Planner	5863		5863	County
Bd of Supv	18,092		18,092	County
EMS	43245		43245 (reappropriated from FY 95 budget)	
Fire Prog. Fund	744.50	744.50		State (grant)
Early Retirement	0 Balance			
Capital Projects	165,000			

Extracts

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer set up a County Construction Fund and is authorized to make transfers from the General Fund to this Fund as needed for the Courthouse Construction, to be reimbursed from the interim financing; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie, County, Virginia that the Treasurer transfer $64,010 (designated for Vehicles in the General Fund) to the Capital Projects fund, retroactive to June 30, 1995; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer transfer $448.47 from the General Fund to the Law Library Fund, retroactive to June 30, 1995 to balance; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer appropriate an additional $7,565 to the Capital Projects Fund for the Ford Fire truck.

IN RE: APPROPRIATIONS RESOLUTIONS -- 1995-96

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

Whereas, the final 1995-96 budget has been adopted by the Board of Supervisors; and

Whereas, in order for the various departments and agencies to make expenditures within this budget, an appropriation of funds must be authorized by the Board of Supervisors; and

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the total General Fund budget in the amount of $14,090,142 will be appropriated on a monthly basis as claims are approved; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Law Library Fund in the amount of $3,500; the School Textbook Fund in the amount of $342,020; Va. Public Assistance Fund in the amount of $1,612,969; E911 Fund in the amount of $41,481; Self Insurance Fund in the amount of $275,000; OYCS Fund in the amount of $54,160; General Capital Fund in the amount of $165,000; Fire Programs Fund in the amount of $28,744.50; CSA Fund in the amount of $528,792; Jail Phone Commission Fund in the amount of $16,500; Courthouse Maintenance Fund in the amount of $18,000 be appropriated beginning July 1, 1995; and

Extract

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board budget be appropriated by category as follows, beginning July 1, 1995:

Instruction	$14,754,812
Administration, Attendance & Health	$ 581,310
Pupil Transportation	$ 1,305,154
Operation & Maintenance	$ 1,952,476
School Food Service	$ 921,026
Facilities	$ 0
Debt Service	$ 973,017

IN RE: COURTHOUSE PROPERTY -- ASBESTOS & ENVIRONMENTAL TESTING

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that at the last Board meeting, there was a discussion over testing for soil contamination and lead paint testing at the Hargrave site. The Architect is recommending that the tests be done because the State does require testing to be done for asbestos. Also, if there are soil contaminants or lead paint found after the purchase of the property, the County will be responsible for their proper removal.

Mr. Bracey stated that there was no way around the tests, but he did not understand why the County was responsible for having to pay for them to be done.

Extract

Mr. Haraway stated that he could not vote in favor of it because he felt that the project might not materialize because of the legal issues and he was not going to waste the County's money.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Clay voting "aye", Mr. Haraway voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the fee proposal submitted by Hankins/Anderson, Inc., to do Asbestos Testing, Lead Paint Testing and Site Environmental Inspection of the Hargarve Property for the New Courthouse is approved at a cost of $1300.

IN RE: GENERAL REASSESSMENT -- AWARD OF CONTRACT

Rudolph Bumgardner, County Attorney, requested that the Board approve the contract submitted by Wingate Appraisal Service for the upcoming General Reassessment subject to review by the County Administrator and County Attorney.

Mr. Haraway stated that he felt that the Board needed to go ahead and make a decision on the Company that was going to do the General Reassessment. He understood it needed to begin now to be completed by January of 1997.

Mr. Clay felt that Wingate Appraisal Service was a good firm compared to the several firms that were interviewed and he hoped this General Reassessment would be different from all of the rest.

Extract

Mr. Bracey stated that he couldn't vote for Wingate because he felt that there was a better firm that could do the job.

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Haraway voting "aye", Mr. Bracey voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the contract submitted by Wingate Appraisal Service for the upcoming General Reassessment be approved subject to review and approval by the County Administrator and County Attorney.

IN RE: AUTHORIZATION TO ADVERTISE PUBLIC HEARING -- JR. FIREFIGHTER ORDINANCE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise for public hearing an ordinance to provide for Volunteer Junior Firefighter Programs in the County.

IN RE: AUTHORIZATION TO ADVERTISE PUBLIC HEARING -- ACTION TO RESCIND ORDINANCE -- BOARD SALARIES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise for a public hearing concerning rescinding the ordinance that set the Board of Supervisors Salaries in 1992.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Charles W. Burgess stated that Congressmen Sisisky met with the Fort Pickett support group and did not have any plans for the future of Fort Pickett. He also stated that the group will continue with one elected official to represent six localities.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 9:10 P.M.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 19TH DAY OF JULY, 1995, AT 2:00 P.M.

PRESENT:	DONALD L. HARAWAY, CHAIR	ELECTION DISTRICT #2
	AUBREY S. CLAY, VICE-CHAIR (ABSENT)	ELECTION DISTRICT #5
	HARRISON A. MOODY	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	LEENORA EVERETT	ELECTION DISTRICT #3
	PAUL JACOBSON (ARRIVED AT 2:20)	COUNTY ATTORNEY

IN RE: MINUTES

Action was delayed until legal counsel was present.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using check #34758 - #34852 (void #34759) for General Fund $128,359.44, Self Insurance Fund $8,532.69, CDBG $2,990.00 - Accounts Payable June 30, 1995 Year End (Total $139,882.13); using check #34853 - #34911 (void #34853) for General Fund $189,694.66, Landfill Fund $28.51, E911 Fund $1,414.36, Self Insurance Fund $21,375.00, Law Library $237.54 - Accounts Payable July 19, 1995 New Year (Total $352,632.20).

IN RE: CITIZEN COMMENT -- REPORT

No one signed up to speak.

IN RE: COMMISSIONER OF REVENUE -- REPORT

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

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, presented his report for the month of June, 1995.

IN RE: DELINQUENT TAX LISTING REPORT AS OF JUNE 1995

In accordance with 58.1-3928 of the Code of Virginia, the following information was provided to the Board:

1993 Uncollected Taxes as of June 30, 1995 - Base Tax Only

	June 30, 1994	June 30, 1995
1. Uncollected 1993 R.E. Tax	197,609.53	83,330.48
2. Uncollected 1993 P.P. Tax	117,769.44	82,967.67
3. Uncollected 1993 M.L. Tax	1,455.58	---

1994 Uncollected Tax Listing Report as of June 30, 1995

1. Uncollected 1994 Real Estate taxes	187,644.31
2. Uncollected 1994 Personal Property taxes	155,835.05
3. Uncollected 1994 Public Services taxes	3,524.95

Extract

Mr. Jones stated that due to to the collection rate being up this year and having other means of collecting delinquent taxes he didn't feel it necessary to run the list in the newspaper or post it at the courthouse.

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Haraway voting "aye", upon recommendation of

the Treasurer the delinquent tax list will not be published for the 1994 calendar year.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, Commonwealth Attorney, was not present.

IN RE: SHERIFF -- REPORT

Mr. Bennie M. Heath, Sheriff, was not present.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, presented his report for the month of June, 1995.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden presented his report for the month of June, 1995.

Mr. Bracey asked how much the existing heating system at the Animal Shelter costs to run per year. He also asked if the Board should be considering putting another heating system in that would be more efficient.

Mr. Beville stated that he has been keeping track of it and he doesn't feel that the bills have been too bad. He did say that he thought that the two hot water heaters are what is running up the bills.

Mr. Bracey wanted to know how many times the furnace has been repaired in the last two years.

Mr. Beville stated that he only knew of one time last winter.

Mr. Bracey asked Mr. Beville to put together an amount that the furnace costs to run.

IN RE: DIRECTOR OF PLANNING -- REPORT

Charles W. Burgess, Interim Director of Planning, presented the Planning report for the month of June, 1995.

Mr. Bracey stated that he has gotten several phone calls from citizens that were not given all the information that they needed from the Planning Department. He hopes that something can be done to get the Planning Department in order so that the citizens are not given the run around.

After some discussion between the Board they decided to discuss the issue in Executive Session under consultation with legal counsel.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald H. Reekes, Resident Engineer, advised the Board that Interstate 85 will have two new bridges under construction next month. He also stated that White Oak Road has been completed and it has turned out to be real nice. They have sent out a lot of equipment and man power to counties to the west of us because of all of the flood damage.

Mrs. Everett stated that she was glad to see that the speed limit all along Route 226 is now 45 mph.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy M. McElveen, Director of Social Services, presented her report for the month of June, 1995.

She also gave a report from the Crater District Disabilities Services Board.

IN RE: APPROPRIATIONS RESOLUTION -- UNITED WAY FUND

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $1,972.00 from United Way be appropriated to the Social Services Department for FY 1995-96.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mr. Ray Watson, Assistant to the Superintendent for Finance and Technology, came before the Board to present Dr. Gaul's report.

He stated that they met with the low bidder on the track and they have to rework the bid a little bit because the drainage costs were a little more than they had planned but he still thinks that they can get it back at budget. He stated that the actual bid came in at $317,000.00 which was $80,000.00 above their budgeted amount so they had to go back and rework some things and it is still going to be a little bit above the $227,000.00 but they think that they can absorb the rest of it in the Capital Improvement Program. They have not finalized anything yet but the price will probably be somewhere around $250,000.00. It looks like they will be able to work around football season and have the track available for the first home track meet which will be the middle of April. They also found out that they may be selected as the site for the District Track Meet.

He also stated that they are reviewing the plans for the Capital Improvement Program. They received the preliminary plans from the Architects and he invited the Board and the citizens to look them over and make comments.

He stated that Summer School this year is a success. It is just about cost neutral because it basically is covered by the State.

Mr. Watson stated that the enrollment projections that he gathered yesterday appear to safely support the budget that they presented based on 3,770 students.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of June, 1995.

He also presented to the Board a bid from Harrison's Mobile Home Auto Sales and Service, which was submitted last year, and a bid from B & J Enterprises for a Storage Building that would be placed at the Middle School for all of his equipment. He requested that the Board accept the bid from Harrison's for the 24 X 31 Enclosed Car-Port at a cost of $5,395.00.

After some discussion between the Board they decided that the bids that Mr. Rinaldi submitted were not acceptable because he did not submit proper specifications to the companies that bid. They requested that he draw up specifications and get bids from several different businesses.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Sanitation, came before the Board and presented his report for the month of June, 1995.

Mr. Bracey stated that the dumpster sites really look bad and wanted to know if they were having some staffing problems because they were not being picked up very well.

Mr. King stated that he would look into it and see what the problem is with the clean up crew.

Mrs. Everett stated that she is very concerned about enforcement at the dumpster sites. Signs are not legible and do not actually state what can and cannot be put in the dumpsters. Mrs. Everett suggested that the new signs have more information on them and have directions to the Landfill.

IN RE: AUTHORIZATION TO SOLICIT AN INVITATION FOR BID FOR DISPOSAL SERVICES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Director of Sanitation is authorized to solicit an invitation for bid for Trash Disposal Services for the County.

IN RE: MINUTES

Mr. Bracey stated that he had a question for legal counsel concerning the minutes for the Continuation Meeting dated July 5, 1995. He stated that the meeting was advertised as a continuation meeting and was held at the Homeplace Restaurant for an Executive Session. His problem was that when the Executive Session was finished the door of the restaurant upstairs was opened and said that it was public. He stated that there was no public present; it was not advertised to be a public meeting; it was advertised as an Executive Session. When the door was opened the Board voted on an issue. After the issue was voted on there was a legal question asked by a Board member to Legal Counsel. He stated that County Administration received a written response from Legal Counsel which did not address the issue and to date he has never gotten a ruling. He also stated that he was very concerned about when the door was opened at the restaurant upstairs, did that constitute a public meeting.

Mr. Bracey stated the question that he asked was could the person that was appointed to the position as Planning Director be on the Planning Commission at the time that he was appointed and did the vote that was made at the Restaurant upstairs with the door open count. He then received a letter from the person that was appointed to the position dated July 5, 1995 resigning from the Planning Commission. He thought that the issue of the person be appointed to the position was on hold until Legal Counsel answered the question. He stated that those are the problems that he has with the minutes and he cannot attest to those minutes or he will be doing something that he feels in legally wrong and he feels that he would be doing something against the citizens of Dinwiddie County.

Mr. Haraway stated that he was fully aware that when he voted it had nothing to do with the decision that was received from the Attorney's. Since Mr. Moody was not at the meeting when the vote occurred Mr. Haraway asked Mrs. Everett did she think that the decision from the Attorney would have any effect on the vote.

Mrs. Everett stated that she really didn't think that the decision from the Attorney would have any effect on the vote but she was looking for a response to see if it was legal or not for someone to be appointed to the position if they were on a commission.

Mr. Haraway stated that in the last four years that he has been on the Board there has been meetings in the conference room across the hall from the Board Room and they have opened the door and they said it was public. They did not come back in the Board Room and physically take a presence; the decision was made in the conference room.

Mr. Bracey stated that just because it was done does not mean that it was right. He questioned whether or not it was public because it was advertised as a Continuation Meeting for an Executive Session.

He stated that he hoped that the Board would never take action unless it is open to the public and voted on in the Board Room even if there is no one there but them. He also stated that he still wanted an answer from Legal Counsel as soon as possible.

Mrs. Everett moved that the minutes for the July 5, 1995 Continuation Meeting and the July 5, 1995 Regular Meeting are hereby approved in their entirety. Mr. Moody seconded the motion. Mrs. Everett, Mr. Haraway voted "aye", Mr. Bracey voted "nay", Mr. Moody "abstained".

IN RE: RENEWAL OF FUEL CONTRACT -- PARKER OIL COMPANY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the fuel contract with Parker Oil Company, Inc. is extended for one year at the following prices on a fixed price basis to commence October 1, 1995:

Extract

87 octane nolead gasoline $.5740 per gallon
Low sulfur diesel fuel $.6170
#2 fuel oil $.5870 per gallon

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Burgess stated that he passed out some information prior to the meeting in regard to the opposition to Tidewater area with water from Lake Gaston. The information was submitted on behalf of the Roanoke River Basin Association who is seeking this Board's support in opposing the placing of the pipeline. He stated that Mr. Lewis Crowder was present to support their request and asked him if he wanted to address the Board.

Mr. Lewis Crowder, Roanoke River Basin Association, came before the Board and asked the Board to support their organization in opposing the placing of the pipeline from Lake Gaston to the Tidewater Area. He requested the Board to adopt a resolution stating their opposition and asked for donations for litigation purposes. He also stated that his organization has gotten the support of several surrounding counties, such as, Charlotte County, Lunenburg County, Nottoway County and Prince Edward County.

After some discussion between the Board they decided that they needed more information about the subject before they could make a decision. Mr. Haraway suggested that Administration do some research on the subject and bring it back to the Board at their next meeting, August 2, 1995.

2. Mr. Burgess stated that he received a proposed agreement of jurisdictions that is going to be involved with the Regional Reuse Planning for Fort Pickett, with the guiding group being called the Fort Pickett Local Reuse Authority. This authority is to be comprised of six elected officials. He stated that he and Mr. Moody were already in place as far as the County having representation in the different Groups that are involved in the closure of Fort Pickett but he wanted the Board to think about who they would like to appoint to the Economic Planning Group. He asked the Board to also consider allowing himself and Mr. Moody to continue serving in the various groups that they are in.

IN RE: APPROPRIATION OF FUNDS -- NEW AMBULANCE

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a check be prepared payable to Fire Rescue Services, Inc. for the new ambulance in the amount of $80,816.00.

Mrs. Everett asked about funding sources and Mr. Burgess explained, there would be no cost to the County.

IN RE: AUTHORIZATION FOR COUNTY ADMINISTRATOR TO ATTEND LOCAL GOVERNMENT OFFICIALS CONFERENCE

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Charles Burgess, County Administrator is authorized to attend the Local Government Officials Conference in Charlottesville on August 13th through August 15th at a cost of $50.00 registration fee and lodging at the Holiday Inn at a rate of $58.00 per night.

IN RE: PUBLIC SAFETY DIRECTOR -- REPORT

Mr. David Nichols, Public Safety Director, came before the Board and apologized for being late and stated that he was late to the meeting due to a Crater Communications Regional Study Committee. Mr. Nichols presented his report for the month of June, 1995.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Bracey questioned the County's contract with Legal Counsel. He wanted to know how much the County has paid to Legal Counsel in the last three years and he would like to get an itemized statement. He also wanted to know when the County's contract ends with the present law firm. He stated that he personally does not feel that the County is getting what they are paying for when it comes to Legal Counsel.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session after a five minute recess at 3:52 P.M. A vote having been made and approved the meeting reconvened into Open Session at 5:45 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: AUTHORIZATION TO ADVERTISE -- PUBLIC HEARING -- CONVEYANCE OF PROPERTY -- WEST PETERSBURG

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise for a public hearing on Wednesday, July 26, 1995 at 12:00 P.M. concerning the conveyance of real property located on Greensville Avenue in West Petersburg by Dinwiddie County.

IN RE: AUTHORIZATION TO ADVERTISE -- PUBLIC HEARING -- CONDEMNATION BY DINWIDDIE COUNTY -- COURTHOUSE & ADMINISTRATION FACILITY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise for a public hearing on Wednesday, August 2, 1995 concerning condemnation of the Hargrave Tract in order to accomplish the construction of the courthouse and administration facility.

IN RE: ZONING ORDINANCE -- EMERGENCY ORDINANCE

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the Zoning Ordinance be amended to provide in those situations where two dwellings exist on a single parcel that they not be less than 15 feet apart subject to approval of the building official and the Health Department; and

Extract

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that as a result of the foregoing recitals and such emergency, the above referenced amendment to the Dinwiddie County Zoning Ordinance is hereby adopted, effective immediately, and the Dinwiddie County Zoning Ordinance in all respects be and hereby is reordained.

IN RE: EMS 24 HOUR A DAY COVERAGE -- ANNOUNCEMENT

Mr. Charles W. Burgess, Jr., County Administrator stated that the Board has authorized staff to move forward with the planning process for staffing paid coverage for EMS Services in the County for 24 hours a day 7 days a week. He stated that he would report back to the Board about their findings.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Haraway voting "aye", the meeting adjourned at 5:55 P.M. to be continued to July 26, 1995 at 12:00 Noon at Board Meeting Room.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 21ST DAY OF JUNE, 1995, AT 2:00 P.M.

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

* Mr. Haraway arrived at 2:12 P.M.

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", the agenda was amended as follows:

Postpone, 9. Pamplin Administration Building - Award of Bid for Re-roofing until after the Executive Session.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the June 7, 1995 Continuation Meeting and the minutes from the June 7, 1995 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, 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 check #34325 - #34492 (void #34324) for General Fund in the amount of $140,317.40, E911 Fund $1,642.75, CDBG Fund $19,424.45, Law Library $444.82, Fire Programs/EMS 3,335.01, Courthouse Maintenance $37,504.73, Jail Commission $7,245.48, Marketing Fund $2,531.32, and Landfill Fund $500.00 for a total of $212,945.96.

IN RE: CITIZEN COMMENTS

1. Robert Belcher, 27516 Flank Road, Petersburg, VA. He came before the Board and stated that he was representing the Dinwiddie County Golden Olympians. He stated that when they turned in their last request in writing to the Administration Office to use the building for their bake sale, his organization was told that the Board was going to have a meeting to decide whether or not they would be allowed to have bake sales anymore. He asked the Board to support them in using the Administration Building for their bake sales to raise money for their organization. He feels that the building belongs to every citizen in the County. He stated that he has not heard from anyone that their organization abuses the use of the building. He stated that their organization gives to various other groups in the County and if they can't raise money by having their bake sales they would not be able to donate funds. He asked the Board to fund their group if they would not be allowed to use the building.

Mrs. Everett stated that she supported allowing them to use the building for their bake sales.

Mr. Bracey stated that he did not have a problem with them using the building but there does need to be some guidelines drawn up about the use.

After some discussion between the Board and the Administration, the Board asked the Administration to look into the issue and bring a recommendation to the Board.

2. Anne Scarborough, P.O. Box 415, Dinwiddie, VA. She came before the Board and stated that she has been watching the "claims" for many years and she has a few concerns. The use of cellular telephones are her biggest. She stated that she had a real problem with the number of phone calls that the user is making to their home and calls to 1-800 numbers. She also stated that there were too many phone calls back to the office. When these phones were approved by the Board for department heads she was afraid that they would be abused and it started out fine but now it has gotten out of control. She wanted to know when work was being done because it seems like all the department heads do is talk on the telephone.

She also asked that the Board comment on how the Emergency Medical Service is doing. She would like to hear how the coverage is working.

She also stated that she would like for the County to get a warranty on the new roof that the Administration Building is getting in writing.

3. Robert Ragsdale 8511 Boydton Plank Road, Petersburg, VA. He came before the Board and asked that they consider giving the bid on the new roof for the Administration Building to a local business.

He stated that he felt that the Motorsports Complex was approved under false pretenses. He also stated that the improvements that were supposed to be done to reduce the noise at the complex haven't been completed.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald H. Reekes, Resident Engineer, was not present.

IN RE: COMMISSIONER OF REVENUE -- REPORT

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

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, came before the Board presented his report for the month of May, 1995.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, Commonwealth Attorney, was not present.

IN RE: SHERIFF -- REPORT

Mr. Timmy Ogburn, Deputy Sheriff, came before the Board and stated that the dumpster situation at Rohoic is out of control. He stated that he has stopped several people from dumping building materials, brush and telling them to carry it to the landfill. The people are telling him that the reason they are dumping at the dumpsters is because the landfill closes at 3:30 P.M. It is creating a problem because if the landfill is closed and there is not a deputy around people are going to dump their debris. He did say that two citations have been written for misuse of the dumpsters.

Mr. Bracey asked about the hours at the landfill.

Mr. Denny King, Director of Sanitation, came before the Board and stated that they were open from 6:00 A.M. to 4:00 P.M. Monday through Friday and they are open on Saturdays also. He also stated that he would put some signs up at the Rohoic dump site stating the hours that the landfill is open and what needs to be dumped at the landfill opposed to the dumpsters.

Mrs. Everett asked had the scavenger situation improved.

Deputy Ogburn stated that he couldn't speak for anyone else but himself but in his patrols he has seen very little scavengers.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, presented his report for the month of May, 1995.

He also read a letter from the State that stated according to changes in Virginia law, effective July 1, 1995, electricians, plumbing and heating, ventilation and air conditioning tradesmen, working for the public, must be certified by the Board of Contractors. This will be something that all localities have to enforce, effective July 1, 1995.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of May, 1995.

Mr. Bracey stated that he had gotten a complaint from a citizen who lives in Mansfield Subdivision stating that the neighbors chickens were in his yard eating all of his grass seed.

After some discussion between the Board they requested Administration to talk to the citizens and see if they can solve the problem.

IN RE: AWARD OF BID -- REPAIRS TO ANIMAL SHELTER

Mr. Beville, Animal Warden, stated that he has received a bid from B & J Enterprises of $1,250.00 to install the siding on the remaining exposed wood surface of the animal shelter and to install gutters on their new shed.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from B & J Enterprises of $1,250.00 is accepted to install the siding on the remaining exposed wood surface of the animal shelter and to install gutters on their new shed.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. Charles W. Burgess, Interim Planning Director, presented the Planning report for the month of May, 1995.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy M. McElveen, Director of Social Services, presented her report for the month of May, 1995.

IN RE: ACCEPTANCE OF WILLIAMSON FAMILY SCHOLARSHIP

Mr. Ray Watson, Assistant to the Superintendent for Finance and Technology, came before the Board and stated at the March 14, 1995 Dinwiddie County School Board meeting, the School Board accepted a scholarship from the Williamson family and approved the guidelines and application process. The scholarship will be for students who plan to pursue a certificate or degree program in automotive technology or a related mechanical field.

Extract

He respectfully requested the Board to accept the scholarship and authorize the County Treasurer to establish an interest earning fund for the available money. As soon as the fund is established, the money will be transferred from the High School Activity Fund to the Treasurer for investment.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, accepts the scholarship from the Williamson family and authorizes the County Treasurer to establish an interest earning fund for the available money.

IN RE: STATUS REPORT OF THE JOB TRAINING PARTNERSHIP ACT (JTPA)

Mr. James Spence, Project Coordinator, came before the Board and presented a status report. He stated that this past year has been a great success. They served thirteen students total but due to cuts in Federal Funds, the JTPA Program will not be funded for the 1995-96 school year; and the teaching position associated with this program has been eliminated.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of May, 1995.

IN RE: PUBLIC SAFETY DIRECTOR -- REPORT

Mr. David W. Nichols, Public Safety Director, presented his report for the month of May, 1995.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Dennis King, Director of Waste Management, presented his report for the month of May, 1995.

IN RE: AWARD OF BID -- FREON RECOVERY MACHINE -- LANDFILL

Mr. King, Director of Waste Management, presented the following bids on a freon recovery machine for the landfill:

Booth Refrigeration Supply Co., Inc.
11 Perry Street
Petersburg, VA 23803

$555.00-model RRU30

Virginia Refrigeration Supplies, Inc.
4100 W. Clay Street
Richmond, VA 23230

$634.95-model RRU30

Extract

R.E. Michel Co., Inc.
1714 W. Cary Street
Richmond, VA

$614.49-model FM3000H

Mr. King stated that when the landfill receives refrigerators and such they have to pay another company to extract the freon which costs $12.50 per machine. He requested purchasing a machine that would extract the freon so they could do it themselves and wouldn't have to pay someone else to do it.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the the bid from Booth Refrigeration Supply Co., Inc. in the amount of $555.00 is accepted to purchase a freon recovery machine.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Ben Emerson, County Attorney, was present but had nothing to present at the time.

IN RE: AUTHORIZATION TO ADVERTISE -- AMENDMENT TO PROCUREMENT ORDINANCE

Mrs. Wendy Weber Ralph, Assistant County Administrator, came before the Board and requested authorization to advertise for an Amendment to the Procurement Ordinance. This amendment would bring the local Procurement Ordinance up to State standards.

Mrs. Ralph reviewed with the Board what the changes would be.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise an Amendment to the Procurement Ordinance for public hearing.

IN RE: APPOINTMENT -- SCHOOL BOARD -- CAROL L. FISHER

I, Aubrey S. Clay, "In accordance with Section 2.1-639-14, paragraph (g) of the Code of Virginia, wish to disclose that my wife (Ann Clay) is employed by the Dinwiddie County School system. Employment of my wife occurred several years prior to my election to the Board of Supervisors and the results of any decision by this Board will affect my wife to no greater or less extent than other teachers with similar credentials and experiences. Therefore, I feel that I am able to participate in the actions of the Board concerning the 1995-96 budget effectively, fairly and in the public interest.

I, Edward A. Bracey, Jr., "In accordance with Section 2.1-639-14, paragraph (g) of the Code of Virginia, wish to disclose that my wife (Bernice Bracey) is employed by the Dinwiddie County School system. Employment of my wife occurred several years prior to my election to the Board of Supervisors and the results of any decision by this Board will affect my wife to no greater or less extent than other teachers with similar credentials and experiences. Therefore, I feel that I am able to participate in the actions of the Board concerning the 1995-96 budget effectively, fairly and in the public interest.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mrs. Carol L. Fisher is hereby reappointed to the Dinwiddie County School Board for District #2, for a term expiring December 31, 1995.

IN RE: APPOINTMENT -- SCHOOL BOARD -- GREGORY E. DAVIS

I, Aubrey S. Clay, "In accordance with Section 2.1-639-14, paragraph (g) of the Code of Virginia, wish to disclose that my wife (Ann Clay) is employed by the Dinwiddie County School system. Employment of my wife occurred several years prior to my election to the Board of Supervisors and the results of any decision by this Board will affect my wife to no greater or less extent than other teachers with similar credentials and experiences. Therefore, I feel that I am able to participate in the actions of the Board concerning the 1995-96 budget effectively, fairly and in the public interest.

I, Edward A. Bracey, Jr., "In accordance with Section 2.1-639-14, paragraph (g) of the Code of Virginia, wish to disclose that my wife (Bernice Bracey) is employed by the Dinwiddie County School system. Employment of my wife occurred several years prior to my election to the Board of Supervisors and the results of any decision by this Board will affect my wife to no greater or less extent than other teachers with similar credentials and experiences. Therefore, I feel that I am able to participate in the actions of the Board concerning the 1995-96 budget effectively, fairly and in the public interest.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Gregory E. Davis is hereby reappointed to the Dinwiddie County School Board for District #3, for a term expiring December 31, 1995.

IN RE: APPOINTMENT -- DISTRICT 19 COMMUNITY SERVICES BOARD

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mary Stewart is reappointed to the District 19 Community Services Board retroactive to 12-31-93 and expiring 12-31-96.

IN RE: COURTHOUSE CONSTRUCTION -- DISCUSSION

Mr. Charles W. Burgess, Jr., County Administrator, stated that Hankins Anderson, Inc., Consulting Engineers submitted a proposal to conduct an asbestos survey, a lead paint survey and a site environmental inspection of the existing courthouse once demolition begins. Mr. Burgess added that the total service will be approximately $1,300 and wanted to know how the Board felt about accepting this proposal.

Mr. Bracey wanted to know if the code states that this service must be done.

Mr. Dwayne Abernathy, Building Inspector, stated that the code says if the property is residential, you do not have to have it done; but if the property is commercial, you have to.

Mr. Bracey stated that the building is residential and he does not see the need to spend that kind of money for a service on a building that is going to be torn down.

Mr. Clay agreed with Mr. Bracey.

After some discussion between the Board they agreed that Administration should talk it over with the Architects and then report back to the Board with an explanation.

Mr. Burgess stated that he would also like to know how the Board felt about a model or a color rendering of the new courthouse structure. He also stated that the model would cost approximately $7,506 and the color rendering would be approximately $4,506.

After some discussion between the Board they decided not to do the model or the color rendering.

IN RE: RESOLUTION FOR HOLIDAY SCHEDULE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that all local government offices will close on Monday, July 3, 1995 in addition to what has already been given for the Fourth of July Holiday.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Charles W. Burgess, Jr., wanted the Board to voice their opinions on their desire for code enforcement in the County.

Mrs. Everett stated that there has long been a need for a full time enforcement officer here in the County. There are so many troubled areas and she feels that it is too much for the Zoning Administrator and the Planning Director to have to enforce. She gets complaints all the time from citizens and she doesn't think that there is sufficient staff to enforce the code.

Mr. Bracey stated that having a full time employee to enforce this is questionable. He thought that this was in the Public Safety Officers' duties.

Mr. Clay stated that there must not be a problem in his district because he has not had the first call from a citizen complaining in the twenty years that he has been on the Board.

Mr. Haraway stated that he has had some calls in his district. He suggested that the Board discuss the matter in Executive Session under Personnel issues.

Mr. Burgess asked the Board how they wanted to approach the problem. Should they try and be proactive towards preventing the problems before they get out of hand or should they be reactive to complaints from citizens. He feels that staff will need direction from the Board as to which one they want.

Mr. Bracey feels that staff should take care of the problems on a daily basis before they get out of hand.

Mr. Clay feels that they should leave the citizens alone if they own the property and they pay their taxes.

Mr. Moody doesn't feel that someone should be out looking for problems; someone should be taking care of the problems as the calls come in.

Mr. Clay stated that the County has enough staff and does not need any more; the citizens do not want any more.

Mr. Bracey suggested that Administration look into and present a recommendation to the Board.

2. Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that the pump house at the Courthouse complex needs to be reconstructed. People are running over the existing well housing. The Health Department wants the controls raised and put into a pump house. If a new pump house is not constructed, there are going to be some flooding problems. They are hoping that the project will be under $5,000.

Mr. Bracey feels that that is too much money.

Mr. Clay agrees with Mr. Bracey.

Wendy stated that staff will go back to the Health Department and see if they can do something different and come back with a recommendation.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 3-Acquisition of property; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; Section 2.1-344(a) 6-Investment of Funds; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 4:16 P.M. A vote having been made and approved the meeting reconvened into Open Session at 6:46 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: AUTHORIZATION TO ADVERTISE FOR BANKING SERVICES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer is authorized to issue an RFP for banking services.

IN RE: AUTHORIZATION TO ADVERTISE FOR TRUCK DRIVER II -- LANDFILL

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise for a Truck Driver II at the Landfill.

IN RE: POSITION ANNOUNCEMENT -- PART TIME TRUCK DRIVER -- LANDFILL

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that John Crowder be appointed to the position of part time truck driver at the landfill.

IN RE: AWARD OF BID - RE-ROOFING OF PAMPLIN ADMINISTRATION BUILDING

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that two bids were received for the re-roofing of the Pamplin Administration Building which were the following:

Brown Brother Roofing 10212 Quaker Road Dinwiddie, VA 23841	$64,000.00
Commercial Roofing - U.S.A., Inc. 610 Industry Drive Hampton, VA 23661	$78,900.00

Extract

She stated that the bid from Brown Brothers Roofing is only a single ply bid and the bid from Commercial Roofing is a two ply bid. The request for proposal asked for a two ply bid and Brown Brothers Roofing knew that so the bids really are not comparable.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from Commercial Roofing - U.S.A., Inc. is accepted in the amount of $78,900.00 to do the re-roofing of the Pamplin Administration Building.

IN RE: MOBILE HOMES -- EMERGENCY ORDINANCE

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

Extract

WHEREAS, certain amendments to the Code of Virginia relating to the regulation of manufactured housing become effective on July 1, 1995; and

WHEREAS, certain amendments to the Dinwiddie County Code are necessary to conform the County's ordinance to the amendments to the Code of Virginia;

NOW, THEREFORE, BE IT RESOLVED that a state of emergency exists in the County with respect to the County's existing ordinances relating to manufactured housing; and

BE IT FURTHER RESOLVED that as a result of the foregoing recitals and such emergency, the following amendments to the Dinwiddie County Code are hereby adopted, effective July 1, 1995, and the Dinwiddie County Code in all other respects be and hereby is reordained:

Sec. 22-25. Reserved.

Sec. 22-26. Requirements for Farm Operation Manufactured Homes.

Farm operation manufactured homes shall not exceed four (4) manufactured homes per farm according to the following table:

Number of Manufactured Homes Permitted	Minimum Acreage in Farm Operation
1	25
2	200
3	300
4	400

The location, placement and use of such manufactured homes shall be subject to the following requirements in addition to any other requirements as may be set forth in this section:

(a) Head of Household. The head of the household who occupies each such manufactured home shall be gainfully employed full time on the farm operation.

(b) Reclassification. In the event the land upon which each such manufactured home is located shall be reclassified to a residential, business or industrial district, the affected manufactured home shall be removed from the land so reclassified within ninety (90) days following the effective date of the reclassification.

(c) Accounting. Any farm operation with manufactured homes for farm employees must give the County a sworn accounting of the status of these manufactured homes between January 1 and January 31 of every year. This accounting will include persons who have lived in these homes for the past twelve months and their employment status on the farm.

Sec. 22-44. Reserved.

Sec. 22-59. Permitted uses.

In agricultural, limited, district A-1, structures to be erected or land to be used shall be for one or more of the following uses:

(1) Single-family dwellings except:

(a) mobile homes and travel trailers; and

(b) manufactured homes that do not have a permanent foundation and are not on an individual lot.

(2-26) No change to existing language.

(27) DELETED.

(28) Farm operation manufactured home subject to the requirements of Section 22.26.

(29) DELETED.

Sec. 22-71. Permitted uses.

In agricultural district A-2, structures to be erected or land to be used shall be for one or more of the following uses:

(1) Single-family dwellings except:

(a) mobile homes and travel trailers; and

(b) manufactured homes that do not have a permanent foundation and are not on an individual lot.

(2-25) No change to existing language.

(26) Manufactured home park with a conditional use permit in accordance with the special conditions and provisions contained in Section 22.238.

(48) Farm operation manufactured home subject to the requirements of Section 22.26.

(49-56) No change to existing language.

Sec. 22-238. Requirements for manufactured home parks.

This section is intended to encourage site development for manufactured home parks in accordance with sound planning principles, and to prevent detrimental effects to the use of development of adjacent properties. A manufactured home park shall require a conditional use permit issued by the board of supervisors. In addition each manufactured home in a manufactured home park shall require a certificate of occupancy. Each conditional use permit may require additional requirements not herein set forth due to the characteristics of the property and/or adjacent property.

Operators of such parks shall comply with the following development standards for all manufactured home parks:

(1) All manufactured home parks shall have a landscaped or wooded setback line of fifty (50) feet from any highway or public road right-of-way or seventy-five (75) feet setback from the center line of any highway or public road, whichever distance is greater.

(2) Each manufactured home park shall have at least twenty-five (25) feet of open space abutting all adjoining property and shall be contained within a board fence, evergreen hedge or screen which shall be a minimum of eight (8) feet in height or of sufficient density to screen the site from adjacent properties. All borders shall be maintained properly in compliance with the intent of this requirement. No fence, hedge or screen need be constructed abutting any highway or public road provided paragraph (1) of this section is complied with.

(3) All ingress and egress shall be to the required standards of the Virginia Department of Transportation.

(4) The minimum size of any manufactured home park shall be fifteen (15) acres.

(5) No manufactured home site shall be offered for sale or sold.

(6) Streets within the manufactured home park must be constructed to the specifications of the Virginia Department of Transportation (i.e., secondary road standards). Proper storm water management design will be applied, with drop inlets (storm drains) for drainage where necessary. Area for streets will be independent of manufactured home space area.

(7) All utility lines shall be underground, including

electrical wiring and telephone lines.

(8) A minimum of ten (10) percent of the gross land area of the manufactured home park shall be reserved for recreational and open space uses. This area must be for recreational purposes.

(9) All fuel tanks will be concealed except for necessary ventilations.

(10) The manufactured home operator shall maintain a register for each manufactured home lot for at least the previous two (2) years; such register shall be available at all times for inspection by law enforcement officers, public health officials, and other state and local officials and representatives whose duties necessitate acquisition of the information contained in such register and shall contain:

a. The names of each manufactured home owner and occupants;

b. The dates of arrival and departure of each manufactured home on each manufactured home lot;

c. The name, make, date of manufacture, and serial number of the manufactured home;

d. The license number of each manufactured home and motor vehicle.

An updated copy of such register shall be filed each year in March with the county sheriff's department, the department of planning and community development, and the commissioner of revenue.

(11) Manufactured home park owners/operators must create a set of rules and regulations for his/her park. Such rules and regulations shall be enforced by the owner/operator. A copy of these rules and regulations shall be filed in the office of the county sheriff's department and the department of planning and community development.

(12) Refuse shall be the responsibility of the owner of the property to collect or contract for collection on a frequency of not less than twice weekly of all garbage, refuse and rubbish. Collection may be on a lot by lot basis or by a centralized box system. The storage and disposal of refuse must be handled in such a manner as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution.

(13) Before an application for a permit for the construction of a manufactured home park shall be approved by the board of supervisors, the applicant shall, in lieu of construction, furnish cash escrow or a performance bond in an amount calculated by the board of supervisors to secure the required improvements in a workmanlike manner and in accordance with established or approved specifications and construction schedules, which bond shall be payable to and held by the county. The manufactured home park's plans, construction schedule, and amount of bond shall be re-evaluated by the board of supervisors at least once every year to insure compliance with the requirements of this section.

In lieu of bond, development may be presented for inspection in completed forms.

(14) Manufactured home park site plan development shall follow procedure and approval as set forth in subdivisions in Chapter 18 of this Code.

(15) No existing manufactured home park shall be enlarged or

extended unless the addition to the park is made to conform to all requirements for a new manufactured home park.

(16) No manufactured home shall be placed in a manufactured home park until development standards are met, either by completion of plan or by bond.

(17) Minimum lot size for manufactured home lots shall be eight-five hundred (8,500) square feet, with no lot line less than eighty-five (85) feet in length.

(18) Every manufactured home space shall have all corners clearly marked and shall be designated a number, which shall be clearly visible from the roadway. These numbers shall be assigned in accordance with the 911 emergency system.

(19) Each manufactured home space shall be directly accessible from an approved internal park street. No direct access to manufactured home spaces from public streets shall be permitted.

(20) Parking shall be provided at the minimum rates of two (2) paved spaces for each manufactured home space. Such parking shall be conveniently located to manufactured home spaces. Each parking space shall be ten (10) feet by twenty (20) feet.

(21) Each manufactured home lot shall have a patio, the minimum size not less than two hundred (200) square feet, convenient to the entrance of the manufactured home.

(22) Each manufactured home lot shall be provided with individual water and sewer connections. All water and sewer lines shall be constructed with the approval of the Dinwiddie County Water Authority. Manufactured home parks will only be allowed in areas served by the Dinwiddie County Water Authority. All water lines shall be at least twenty-four (24) inches below the surface of the ground to prevent freezing and shall have a cut-off valve below frost depth; such valves shall be other than a stop and waste cock valve. All manufactured home park water and sewer lines shall be approved by the Dinwiddie County Water Authority in the same manner as subdivision systems. (By an authorized signature on a plat of the manufactured home park).

(23) All manufactured homes will be parked on a bed of gravel or crushed stone two (2) inches in depth.

(24) Each manufactured home shall front on, but be set back twenty (20) feet from, an internal manufactured home park street, road, or right-of-way.

(25) Individual manufactured homes shall be situated so that there is a minimum of twenty (20) feet between manufactured homes.

(26) Each manufactured home shall be provided with individual electrical service pedestals (meter and post).

(27) The open space beneath each manufactured home shall be skirted with approved material in accordance with the requirements of Section 22.26(7).

(28) All hitches will be concealed.

(29) DELETED.

(Code 1970, Section 17.97; ord. of 12.2.87)

BE IT FURTHER RESOLVED that pursuant to the requirements of Section 15.1-504 of the Code of Virginia, 1950, as amended, the foregoing

amendments to the Dinwiddie County Code are hereby referred to the Planning Commission for their further review and recommendation. Notwithstanding such referral, such amendments shall take effect on July 1, 1995, as an emergency ordinance.

IN RE: INCREASE IN COMPENSATION PAID TO THE MEMBERS OF THE BOARD OF SUPERVISORS

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that pursuant to the authority of Section 14.1-45 et seq of the 1950 Code of Virginia, as amended, members of the Board of Supervisors shall be compensated at the rate of $450.00 per month, the Chairman at the rate of $500.00 and the Vice Chairman at the rate of $475.00 per month effective January 1, 1996.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 7:02 P.M. to be continued until July 5, 1995 at 5:00 P.M. at the Homeplace Restaurant for an Executive Session.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 26TH DAY OF JULY, 1995, AT 12:00 NOON

PRESENT:	DONALD L. HARAWAY, CHAIR (ABSENT)	ELECTION DISTRICT #2
	AUBREY S. CLAY, VICE-CHAIR	ELECTION DISTRICT #5
	HARRISON A. MOODY	ELECTION DISTRICT #1
	EDWARD A. BRACEY	ELECTION DISTRICT #4
	LEENORA EVERETT	ELECTION DISTRICT #3
	DANIEL SIEGEL	COUNTY ATTORNEY

IN RE: PUBLIC HEARING -- CONVEYANCE OF PROPERTY -- WEST PETERSBURG

This being the time and place as advertised in the Progress Index on Saturday, July 22, 1995, and Sunday, July 23, 1995, for the Board of Supervisors to conduct a public hearing for the purpose of approving conveyance of real property by Dinwiddie County, which property is located in the West Petersburg area of Namozine District on Greenville Avenue and is described as Lots 318 - 350 on a plat of survey by Ronald H. Gordon & Associates dated January 12, 1995.

Wendy Weber Ralph, Assistant County Administrator, stated that WPVA has been successful in contracting for two immediate lots that deeds have been prepared for to convey that property. The remainder of the property will be conveyed on a lot by lot basis because this property was bought with funds from Community Development Block Grant Program and Dinwiddie County is responsible for those lots to make sure that the only construction in the initial transfer is low or moderate income. There will be an agreement between Dinwiddie County and WPVA that they will maintain those lots.

Extract

Mr. Clay opened the floor for public comment.

No one came forward to speak.

Mr. Clay closed the floor for public comment.

Leonard Davis was present, representing WPVA.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that it being in the best interests of Dinwiddie County so to do, the Board of Supervisors (the "Board"), following a duly noticed and called public hearing this 26th day of July, 1995, hereby approves the conveyance of Lots 318 through 350 situated on Greenville Avenue, West Petersburg Subdivision, Rohoic District, Dinwiddie County, Virginia, to grantees qualifying as low and moderate income homeowners under the terms of Community Improvement Grant No. 92-20 (the "Qualifying Grantees") or to West Petersburg Vicinity Awareness, Inc. ("WPVA") to be reconveyed by it to the Qualifying Grantees, all such conveyances to be made in consideration of the promise of the Qualifying Grantees to construct single-family dwellings upon the property so conveyed promptly following such conveyance, but in any event within six (6) months of the same, and without any monetary consideration to the County or WPVA for such conveyances; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Chairman and Vice-Chairman of the Board, acting individually or together are hereby authorized and directed to subordinate any reversionary interest of the County in the properties so conveyed and to make such interest subject to any first mortgage lien encumbering the property for the purpose of constructing a single-family dwelling thereon to the extent that the Chairman or Vice-Chairman consider such subordination to be necessary in their sole and absolute discretion for the Qualifying Grantee to obtain a loan for the construction of such dwelling; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Chairman and Vice-Chairman of the Board, acting individually or together are hereby authorized and directed to execute and deliver such deeds, instruments, agreements and other papers as they in their and absolute discretion deem necessary or desirable in order to carry out the purposes and effects of these resolutions; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to issue a check payable to Annie L. Williams, Clerk of Circuit Court in order to record the the deed conveyed to Pamela Taylor and Alfonzo Nicholas if deemed necessary.

IN RE: AUTHORIZATION TO SIGN -- COMMUNITY IMPROVEMENT GRANT -- PLAN FOR USE OF PROGRAM INCOME

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to sign the Community Improvement Grant Plan for Use of Program Income in compliance with the terms of Community Improvement Grant No. 92-20.

Extract

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 12:17 P.M. A vote having been made and approved the meeting reconvened into Open Session at 1:15 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ACCEPT ZONING ADMINISTRATOR RESIGNATION -- AUTHORIZATION TO ADVERTISE FOR ZONING ADMINISTRATOR

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the resignation from Theodore Barclay, IV, effective July 31, 1995 be accepted and Administration is authorized to advertise for the position of Zoning Administrator.

IN RE: POSITION ANNOUNCEMENT -- TRUCK DRIVER II -- LANDFILL

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that John Crowder is appointed as Truck Driver II, effective July 1, 1995, at grade 8 step A, and salary of $17,966.

IN RE: AUTHORIZATION FOR DIRECTOR OF SANITATION AND ONE LANDFILL EMPLOYEE TO ATTEND CLASS AT JOHN TYLER COMMUNITY COLLEGE

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Director of Sanitation and one employee from the landfill are authorized to attend a class on the extraction of freon at John Tyler Community College at a cost of $55.00 per person.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 1:20 P.M. to be continued until August 2, 1995 at 5:00 P.M. at the Homeplace Restaurant for an Executive Session.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT THE HOMEPLACE RESTAURANT IN DINWIDDIE COUNTY, VIRGINIA, ON THE 2ND DAY OF AUGUST, 1995 AT 5:00 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, discipling of public officers, appointees, or employees of any public body; Section-2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 5:10 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 7:33 P.M.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 2ND DAY OF AUGUST, 1995, AT 7:30 P.M.

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

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the agenda was amended as follows:

Add 12. Executive Session
(a) Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body.
(b) Section 2.1-344(a) 7-Consultation with legal counsel.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the July 19, 1995 Regular Meeting and July 26, 1995 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using checks #34912 - 35170 (void #35013 & #35164) for Accounts Payable (FY 94-95)-General Fund $8,301.54, Jail Commission $632.32, Landfill Fund $540.27, Courthouse Maintenance $18,824.31 and CDBG Fund $6,098.84 for a total of $34,397.28; for Accounts Payable (FY 95-96)-General Fund $418,607.18, Jail Commission $214.90, Self Insurance Fund $20,446.75, Law Library $945.25, CDBG $12,828.55 and E911 Fund $389.77 for a total of $453,432.40.

IN RE: REQUEST FOR TRANSFER OF FUNDS -- MEALS TAX FUND TO SCHOOL CONSTRUCTION FUND

Mr. Ray Watson, Assistant to the Superintendent for Finance and Technology, came before the Board and requested that the Board have the Treasurer, transfer $118,225.76, retroactive to June 30, 1995, from the Meals Tax Fund to the School Construction Fund. It would reimburse them for payment to Ballou, Justice & Upton for professional services rendered through 30% completion of the Design Development Phase of the Capital Improvement Project.

Mr. Bracey wanted to know what the "CADD workstation including, Hardware, Software, Plotter and Training" for $14,339.40

was, which was listed on the bill from Ballou, Justice & Upton.

Mr. Watson stated that it is a piece of equipment to match what the architects have that has been placed in their office so as the architects make changes in the plans the School Board will have the exact changes.

Mr. Bracey does not feel that it is needed. Why does the County have to pay for a piece of equipment that when the Project is over the equipment is no longer needed? Mr. Bracey requested that Ballou, Justice & Upton come to the Board and give an explanation for the use of the equipment. He was under the impression that the funds were going to be used for design, engineers and architects, not pieces of equipment to do design and engineering work. He does not mind paying the other money that is listed on the invoice for their services but he does not understand the need for the equipment.

Mr. Clay stated that he agrees with Mr. Bracey. He doesn't see the need to install the equipment in the School Board Office when the equipment is only going to be used for the Capital Improvements Project.

Mrs. Everett asked Mr. Watson was the equipment in the original bid package?

Mr. Watson stated that it was in the original package that the equipment would be placed in their office so that they would have the ability to rapidly communicate and transmit data back and forth.

Mr. Moody wanted to know what purpose the equipment will serve after the project is complete?

Mr. Watson stated that they currently teach drafting and their plans are that the piece of equipment will be used in their drafting program when the project is complete.

Mr. Bracey stated that that is fine but it should not be put on the architects bill. It should be purchased with instructional funds.

Mr. Moody stated that he is unclear about it and suggested that the Board hold that amount until they can talk about it later and pay the other portion.

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

Mr. Clay stated that he was not voting against the whole amount he is just voting against the $14,000 for the equipment.

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer is authorized to transfer $118,225.76 from the Meals Tax Fund to the School Construction Fund for Architectural Services retroactive to June 30, 1995.

Dr. Gaul, Superintendent of Schools, came before the Board and stated that there is nothing subversive that they are trying to do. Their Board has identified a position in house and are going to pay a person from year to year to guarantee that they have no cost over runs in the Capital Improvements Project. They are very concerned about neighboring districts that went $8,000,000 over and didn't find out about it until later. One of the early suggestions from the Architectural Firm was to establish an on site system where they can monitor what is going on in any alternations in blueprints, schematics, etc.. The cost of this, in their estimation would be relatively low, they would have somebody trained who could monitor it, operate it and counsel their School

Board on it. The ultimate realization at the end of the twenty four or thirty months, the piece of equipment would be assumed back by the architects or they would use in their CAD program at the High School. Which is a program that is in desperate need of computerized technology, which is on their five year plan to put into place. They didn't see any problem with it, that is why they put it in their. He can guarantee if the Board has questions about it in the future they will be happy to talk about it before it gets up in front of everyone to try and work it out.

Mr. Bracey stated that he is not against the $14,000 he is against what was said the funds would be spent on, not equipment but for drafting. He stated that Ballou, Justice & Upton should of had it and let the School use the equipment until after the project was finished. He also stated that guidelines need to be reestablished because he can see a problem coming; every time somebody thinks that they want something or some firm says you need this so you buy it. He was never under the impression that they would have to buy equipment, if the firm wants a piece of equipment then they should buy it.

Dr. Gaul stated that he agrees with his concern and he will personally scrutinize and make sure anything goes by Charlie and the Board before that happens. He will make sure that they are not coming after the fact.

Mr. Bracey stated that he thinks that someone from the Architectural Firm should come and explain the situation.

IN RE: CITIZEN COMMENTS

1. Clarence E. Roberts, 12512 Courthouse Road, Dinwiddie, VA. He came before the Board and stated that his church is having boundary difficulties with the County. He has tried to resolve the issue with no avail. The church is getting too big; they either need to expand or relocate, either which will require resolution to the boundary difficulties.

Mrs. Everett stated that this issue needs to be resolved.

Mr. Haraway requested that the issue be placed on the Board's next agenda as an Executive Session item to meet with Church Officials.

2. Robert Ragsdale, 8511 Boydton Plank Road, Petersburg, VA. He came before the Board and stated that he was worried about what the County has paid in Attorney's fees for Fiscal Year 1995. He also stated that he was concerned about the roof that will be put on the Administration Building. He also questioned where the specifications for the new roof came from.

IN RE: P-95-3 -- LAWRENCE AND LINDA ROLLEY -- PUBLIC HEARING

This being the time and place as advertised in the Progress Index on July 19, 1995 and July 26, 1995, for the Board of Supervisors to conduct a public hearing to consider rezoning a portion of tax parcel #57-93 from R-1, Residential Limited to A-2, Agricultural General for the purpose of operating a campground and a portion of tax parcel #57-93 from R-1, Residential Limited to-R-1A, Residential Limited for the purpose of maintaining an existing apartment on the property. The property is located at 14517 Boydton Plank Road in the Rowanty Magisterial District.

Charles W. Burgess, Jr. stated that the applicants specifically seek the rezoning of three (3) acres to A-2 and two (2) acres to R-1A. The proposed uses of the property are a campground on the A-2 portion of the property and two (2) residences on the R-1A portion of the property. The proposed "campground" use is actually proposed to be used by "recreational

vehicles". "Campgrounds" are permitted in the A-2 District subject to the approval of a conditional use permit (per Section 22-71, line 50 of the Dinwiddie County Zoning Ordinance).

The property has three (3) existing structures. There has been no apparent use of the structures for the past several years. In that the previous uses of the property have been abandoned in excess of one (1) year, any non-conforming use status of the property has been lost (per Section 22-246 c. of the Dinwiddie County Zoning Ordinance). The applicant envisions the use of two (2) of the existing structures as residences available for rent. Apart from the existing structures, the property has a mature stand of mixed hardwoods and has no pronounced topographic features. According to available materials, there are no streams on the property. The property is bordered to the west of Boydton Plank Road, the east of Spring Creek Road, to the north and south by properties zoned R-1. The property to the west of Boydton Plank Road is zoned A-2 as is the property east of Spring Creek Road. The property is served by a private well and septic system.

The April, 1979 Land Use Map which is a part of the County's Comprehensive Plan indicates the property and the general vicinity being designated for residential purposes. There is no history of previous applications being submitted requesting the rezoning of this property.

RECOMMENDATION

The staff cannot support the rezoning of a portion of the property to A-2. It is the opinion of the staff that three (3) acres is not a sufficient land area to support a campground. Therefore, if the recommendation is followed, the R-1A rezoning request is deemed as not being necessary as the applicant can meet the Zoning Ordinance density requirements for the two (2) dwelling units under the current R-1 zoning classification (per Section-22-115 1. of the Dinwiddie County Zoning Ordinance).

Mr. Burgess read the following letters from citizens into the record:

12824 Boydton Plank Road
Dinwiddie, VA 23841

July 21, 1995

Gentlemen:

Although I have been a resident of Dinwiddie for only 12 years, I have tried to show my appreciation for the fine qualities of its citizens and the unique historic legacy of the County.

It is disturbing that the petitioners wish to commercialize the beauty and historic significance of the courthouse area using the rationale that this would benefit the entire community. It seems to me that the real benefit would be to the Rolley's positive cash flow.

Please add my voice to those already recorded as opposed to granting this petition.

Very truly yours,

Lucy S. Smith

July 10, 1995

Mr. Gilbert Wood, Chairman
County of Dinwiddie
Planning Commission
P.O. Box 266
Dinwiddie, VA 23841

Dear Mr. Wood:

I am unable to attend the rezoning hearing being held on July 12, 1995 to consider the request of Lawrence and Linda Rolley in regard to tax parcel 57-93.

I am vigorously opposed to the request for change to A-2. I do not feel this area is at all appropriate for use in establishing a trailer park. I own over forty acres northeast of this area and seven acres across U.S. Route 1 just to the south. I feel that a change to A-2 would be unfit in relation to the residential development and potential residential development and business development in this general area.

I have no problem with the continuation of apartment or dwelling nor with a future restaurant use. These were the previous uses and the development that has occurred about this parcel has taken place with those uses existing.

Thank you for your consideration.

Yours truly,

M.I. Hargrave, Jr.

cc: William C. Scheid
Legert Hamilton
Patricia Hume
Daniel Lee
Harrison Moody
C. Floyd Perkinson

July 12, 1995

Dear Mr. Burgess & Mr. Wood:

I broke a bone in my foot and I'm in a cast so am unable to attend tonight's meeting.

We are so close to the area Mr. Rolley wants to rezone - not even a mile away - It would be very unwise I feel for this area to be permitted to have campers and trailers. I'm proud of our historical places like our county courthouse and the Winfield Scott home area near the "Homeplace" Restaurant - I worked hard as Chairman of the Replanting Committee to have trees and shrubs put back (or planted) at our courthouse -- Why ruin all of this with campers and tailors so near?

I wish I could be at this meeting - I am very much against the rezoning this area.

Polly Richardson Winfield

3980 Dogwood Drive
West Point, Virginia 23181

June 10, 1995

Mr. Charles W. Burgess, Jr.
Interim Director of Planning
P.O. Box 266
Dinwiddie, VA 23841

Dear Mr. Burgess:

I do not understand how a small portion of land (+/- five acres) could be rezoned to multiple tax parcels.

I, as an adjacent property owner, object to any rezoning.

I own property on three sides of the property referred to as Tax Parcel 57-93. This property has been used as a resident for many years. I have tried to keep the adjacent property so that above average residential homes could be built at some date in the future. I feel that a trailer park or camp ground would devalue all property in this area.

Arthur H. Richardson, Jr.

Mrs. Rolley came before the Board to present her case. She stated that she felt that the citizens have no reason to be in opposition. She stressed that it would not be a mobile home park, it is for RV's and campers only. The site is in the back of the property and would be very hard to see from the road. They have been in business herein the County for the last 2 & 1/2 years and previously 8 years and have never had any problems. They have approximately generated anywhere from $25,000 to $35,000 in meals taxes. If this were passed this would help generate more money for the County. She also stated that they have done alot of improvements to the lot already.

Mr. Rolley came before the Board and presented a site plan.

This being a public hearing, the Chairman opened the floor for public comment:

The following people spoke in opposition of the rezoning:

1. William C. Adkins, 14604 Boydton Plank Road, Dinwiddie, VA.

2. John W. Scarborough, 13726 Boydton Plank Road, Dinwiddie, VA.

3. Milton Hargrave, 14506 Boydton Plank Road, Dinwiddie, VA.

4. Debra Waddell, 14506 Boydton Plank Road, Dinwiddie, VA.

5. Anne Scarborough, 13726 Boydton Plank Road, Dinwiddie, VA. She stated that L.L. Meredith asked her to state that he was also against the rezoning.

Mrs. Rolley gave the Board a signed statement from approximately 90 citizens that are in favor of their request.

Mrs. Everett stated that she is concerned about the amount of acreage.

Mr. Clay stated that he is not opposed to the restaurant but he is opposed to the RV park because it is not a proper place for it.

Mr. Moody stated that the Rolley's are doing a good job with their business but the site would not be a good place for a RV Park.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that P-95-3 is denied.

THE CHAIRMAN RECESSED THE MEETING AT 8:52 P.M. AND RECONVENED AT 9:00 P.M.

IN RE: A-95-5 -- AMENDMENT TO PUBLIC PROCUREMENT ORDINANCE -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on July 19, 1995 and July 26, 1995, for the Board of Supervisors to conduct a public hearing for the purpose of adopting "An Ordinance for Amending Code of Dinwiddie sections 2-66, 2-68, 2-70, 2-74, and 2-76" to amend these sections of Chapter 2, Article IV, of the Public Procurement Ordinance of the Code of the County of Dinwiddie, Virginia, to make these sections consistent with the Code of Virginia.

Wendy Weber Ralph, Ass't County Administrator, stated that the ordinance would bring certain sections of the Dinwiddie County Code that deal with the Public Procurement Act into compliance with the State Code.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, Article IV of Chapter 2 of the Code of Dinwiddie County, Virginia is hereby amended as follows:

Sec. 2-66. Definitions.

Competitive sealed bidding: A method of contractor selection which includes elements and procedures set out in section 11-37 of the Code of Virginia under the definition of "competitive sealed bidding."

Competitive negotiation: A method of contractor select selection which includes elements and procedures set out in section 11-37 of the Code of Virginia under the definitions of "competitive negotiation."

Sec. 2-68. Exemptions from competitive requirements of article - Sole source procurement.

Upon a determination in writing that there is only one (1) source practicably available for that which is to be procured, a contract may be negotiated and awarded to that source without competitive sealed bidding or competitive negotiation. The writing shall document the basis for this determination. The County shall issue a written notice stating that only one source was determined to be practicably available, and identifying that which is being procured, the contract selected, and the date on which the contract was or will be awarded. This notice shall be posted in a designated public area or published in a newspaper of general circulation on the day the county awards or announces its decision

to award the contract, whichever occurs first. (ord. of 12-15-82, Section 2-12[h]).

State law reference - Similar provisions, Code of Virginia, Section 11-41D.

Sec. 2-70. Same - Purchases of less than $30,000 for microcomputers and General Purchases of less than $15,000.00.

The board of supervisors (the "board") shall have the right to establish purchase procedures, if adopted in writing, that do not require competitive sealed bids or competitive negotiation for (1) single-term contracts not expected to exceed fifteen thousand dollars ($15,000.00) and/or (2) contracts for microcomputers and related peripheral equipment and services not expected to exceed thirty thousand dollars ($30,000.00). Such procedures shall provide for competition wherever practicable. (Ord. of 12-15-82, Section 2-12; Ord. of 3-6-91).

State law reference - Similar provisions, Code of Virginia, Section 11-41F.

Sec. 2-74. Competitive negotiation generally.

(a) Upon a determination in writing that competitive sealed bidding is either not practicable or not advantageous to the public, goods, services, insurance or construction may be procured by competitive negotiation. The writing shall document the basis for this determination.

(b) Upon making the determination in 2-74(a), the board of supervisors may enter into a construction contract for the alteration, repair, renovation or demolition of buildings when the contract is not expected to cost more than five hundred thousand dollars ($500,000.00).

(c) Upon making the determination in 2-74(a), the board of supervisors may enter into a construction contract for the construction of highways and any draining, dredging, excavation, grading or similar work upon real property.

(d) Competitive negotiation may be used as other wise provided in section 11-41.2:1 of the Code of Virginia.

State law reference - Similar provisions, Code of Virginia, Section 11-41C.

Sec. 2-76. Procurement of professional services.

(a) Competitive sealed bidding shall not be required for procurement of professional services.

(b) The board of supervisors (the "board") shall have the right to establish procedures, if adopted in writing, that do not require competitive negotiations for procuring professional services for single-term contracts not expected to exceed twenty thousand dollars ($20,000.00).

(c) Any professional service the cost of which is expected to exceed twenty thousand dollars ($20,000.00) shall be procured by competitive negotiation.

State law reference - Similar provisions, Code of Virginia, Section 11-35E and Section 11-41B.

In all other respects the Dinwiddie County Code is hereby reordained.

IN RE: A-95-6 -- REPEAL OF SECTION 2-33 RELATING TO BOARD COMPENSATION -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on July 19, 1995 and July 26, 1995, for the Board of Supervisors to conduct a public hearing for the purpose of adopting "An Ordinance to Repeal Code of Dinwiddie Section 2-46, which was reclassified as Code of Dinwiddie Section 2-33" repealing Chapter 2, Article III, Section 2-46, which was reclassified as Section 2-33 of the Code of the County of Dinwiddie, Virginia, relating to the compensation for members of the Board of Supervisors.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Article III of Chapter 2 of the Code of Dinwiddie County, Virginia is hereby amended to repeal Section 2-46, which was reclassified and is now known as Section 2-33 of the Code of the County of Dinwiddie, Virginia.

This Ordinance shall become effective January 1, 1996.

In all other respects the Dinwiddie County Code is hereby reordained.

IN RE: A-95-7 -- JR. FIREFIGHTER ORDINANCE -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor Newspaper on July 19, 1995 and July 26, 1995 for the Board of Supervisors to conduct a public hearing for the purpose of adopting a "Proposed Ordinance Concerning Junior Firefighter Programs" to add Section 10-5 to Chapter 10, Article I of the Code of the County of Dinwiddie, Virginia to establish a junior firefighter program.

David Nichols, Public Safety Director, came before the Board and reviewed the proposed Ordinance. He stated that he has not gotten any response from the Volunteer Fire Companies in the County.

Mr. Bracey asked how many people were participating in the program now?

Mr. Nichols stated that the most they have had is 25 people participating at one time but it is now only about 15 County wide.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 10-5 to Chapter 10, Article I of the Code of Dinwiddie County, Virginia is hereby adopted to read as follows:

Volunteer Junior Firefighter Programs.

(a) The Volunteer Fire Companies of Dinwiddie County are authorized to establish to junior firefighter program for minor persons 16 or 17 years of age who are residents of Dinwiddie County in accordance with this ordinance and all other applicable law.

(b) Prior to participating in the junior firefighter program, any such minor person shall have filed with the County Administrator's Office, the Public Safety Officer, and the Clerk of the Circuit Court of Dinwiddie County, a notarized consent statement signed by all parents and/or legal guardians of that minor person stating that the minor person has permission to participate in Dinwiddie County Fire Company activities. The consent statement shall be in a form acceptable to the County Administrator and shall state that the parents and guardians signing the form recognize that the junior firefighter program may involve risks to the personal safety of participating minor persons.

(c) No junior firefighter program shall be established or conducted unless the volunteer fire company or governing body of Dinwiddie County has purchased and maintains insurance which provides coverage for injuries to or the death of any such minor in the performance of activities in the junior firefighter program in accordance with State law.

(d) Minors qualified to participate in the junior firefighter program may engage in fire training activities under the direct supervision of a State Certified Fire Instructor I or above. Such training shall be conducted in strict accordance with guidelines established by the Virginia Department of Fire Programs. Junior firefighters shall not enter a burning structure, enter a structure that contains burning materials, or enter an area that contains toxic products of combustion.

(e) Minors qualified to participate in the junior firefighter program may engage in activities at a fire scene as follows:

(1) They shall participate in firefighting support functions at the fire scene.
(2) They shall not enter the fire area.
(3) They shall not enter a burning structure, enter a structure that contains harmful products of combustion.
(4) They shall not participate in fighting wildland fires.
(5) They shall not respond to an incident involving actual or suspected hazardous materials or chemicals.
(6) They shall not respond to mutual aid calls outside the jurisdictional boundaries of Dinwiddie County.
(7) They shall not drive any piece of fire or rescue apparatus.
(f) If any such minor is a student, he or she must maintain passing grades in all subjects as a condition of participation in the junior firefighter program.

This ordinance shall become effective immediately.

In all other respects the Dinwiddie County Code is hereby reordained.

IN RE: CONDEMNATION OF PROPERTY FOR COURTHOUSE & ADMINISTRATION FACILITY -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on July 26, 1995 for the Board of Supervisors to conduct a public hearing for the purpose of determining that public necessity or essential public convenience requires the condemnation by Dinwiddie County pursuant to the Virginia General Condemnation Act for the purpose of building a courthouse and administration facility, of certain real property known as the Hargrave Tract, which property consists of approximately 12.794 acres located at 18310 Edsel Lane, Dinwiddie, Virginia, adjacent to the County's

existing administration building.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

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

WHEREAS, Dinwiddie County is obligated, pursuant to Virginia Code Section 15.1-257 (Code 1950, as amended) to provide a courthouse and other related facilities, for the courts and the officials thereof serving Dinwiddie County and is permitted, pursuant to Virginia Code Section 15.1-258 to provide offices for judges and other county officials and officers, and

WHEREAS, the current courthouse facilities are in need of modifications, alterations and expansion to meet the needs of the courts, county officials and officers and the citizens of the County, and

WHEREAS, the cost and extent of modifications, alterations and expansion needed to render the existing facilities adequate for the needs of the court are such as to make renovation of the existing facility economically and practically infeasible, and

WHEREAS, existing county property is inadequate to accommodate the new courthouse and administration facility and attempts to locate a site for a new courthouse and administration facility have been undertaken and evaluated with regard to suitability, convenience and feasibility, and

WHEREAS, the necessity of and location for a new courthouse facility have been duly considered in light of the analysis, advice and evaluations provided by court and county officials, consultants hired by the County and by the public at public hearing,

NOW THEREFORE BE IT RESOLVED that, the construction of a new courthouse and administration facility for the courts and officials thereof serving Dinwiddie County is declared necessary, and that the most suitable, convenient and feasible location for said facility is that parcel of land sometimes known as the Virginia Beck Hargrave property, consisting of 12.79 acres, more or less, located in Rowanty District, adjoining the site of the present county administration building to the North and fronting, in part, on Courthouse Road, Sate Route 627 (hereafter the Hargrave property),

BE IT FURTHER RESOLVED that it is necessary to condemn property for construction of the new courthouse and administration facility and, it appearing that attempts to acquire the Hargrave property have been unavailing, the County Attorney is directed to proceed forthwith to initiate and prosecute to conclusion condemnation proceedings to acquire, for use in constructing a courthouse and administration facility, the aforementioned Hargrave property.

IN RE: AGREEMENT ON FORMATION OF REGIONAL AUTHORITY TO CONSIDER REUSE OF SURPLUS PROPERTY -- FT. PICKETT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to sign an agreement that would create the Fort Pickett Local Reuse Authority (FPLRA).

IN RE: RESOLUTION IN OPPOSITION TO LAKE GASTON/VIRGINIA BEACH WATER PIPELINE

Mrs. Everett stated that she does not believe that the County needs to get involved in opposing the Lake Gaston/Virginia Beach water pipeline.

Mr. Clay stated that he agrees with Mrs. Everett.

Mr. Moody feels that it is an issue that is right in our back yard. He feels that the County needs to be in support of the opposition.

Mr. Bracey stated that he agrees with Mr. Moody; the County needs to be concerned about the issue.

Mrs. Everett made the motion to deny the resolution in opposition to the Lake Gaston/Virginia Beach Water Pipeline, seconded by Mr. Clay, Mrs. Everett, Mr. Clay voting "aye", Mr. Bracey, Mr. Moody, Mr. Haraway voting "nay",

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, opposes the proposed Lake Gaston/Virginia Beach water pipeline.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that the Asbestos Survey and Sampling needs to be done for the County's upcoming re-roofing project. She presented the following proposals:

Marine Chemist Service, Inc.

VA Licensed Inspector.....$32.00/hr.
PLM bulk sample analysis.....$20.00/each
Mileage.....$ .25/mile

Hankins/Anderson, Inc.

Engineer.....$60.00/hr.
Samples.....$20.00/each
Travel.....$ .30/mile

She stated that there is one more bid that is still out and if it comes in time and is lower than Marine Chemist Service she would like to be able to accept that one, but in the meantime she would like authorization to accept the low bid from Marine Chemist Service, Inc.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the low bid to do the Asbestos Survey and Sampling from Marine Chemist Service, Inc. on the upcoming re-roofing project be accepted.

2. Mrs. Wendy Weber Ralph stated that the School Board is bidding out for their propane gas service and they have approached us and asked if we would like to join them on their bid. We only have three locations. We are not a real big user, but by going with the School, we might get a better deal. It will not bind us to their bid because if individually we were to get a

better price for our location it will be broken out and we could choose that. They are going to do it anyway and if we put our requirements in with them, we might get a better bid.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County is authorized to participate with the School Board when they request bids for their propane gas service.

IN RE: BOARD MEMBER COMMENTS

Mr. Bracey stated that there is a lot of questions surfacing about closing the VDOT/Dinwiddie Station down. He asked Mr. Burgess to look into it because their is a lot of opposition in closing it. He suggested closing another station, such as the one at Int. 85 & Int. 95.

Mr. Clay stated that he did not want to see the station in McKenney closed either.

Mrs. Everett suggested getting the Resident Engineer from VDOT to come before the Board and give them an explanation as to which station will closed.

The Board discussed the need for an enforcement officer for all of the public nuisance complaints that come into the office. Mr. Haraway suggested that the Board wait and make a decision about hiring additional staff until after the office is fully staffed.

Mr. Haraway stated that he received a letter stating that the Virginia Power office in Petersburg will no receive payments. He was told that there will be various sites in the community for people to pay their bills.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section-2.1-344(a) 7- Consultation with legal counsel; the Board moved into Executive Session after a five minute recess at 10:02 P.M. A vote having been made and approved the meeting reconvened into Open Session at 10:43 P.M.

IN RE: CERTIFICATION

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

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

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

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by

Virginia law were discussed in the executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURN

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 10:49 P.M. to be continued until August 16, 1995 at 12:30 P.M. for an Executive Session at the Pamplin Administration Building.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 16TH DAY OF AUGUST, 1995, AT 2:00 P.M.

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

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the agenda was amended as follows:

Add 11. Executive Session
(a) Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body.
(b) Section 2.1-344(a) 5-Discussion concerning a prospective business or industry where no previous announcement has been made.
(c) Section 2.1-344(a) 6-Investment of public funds.
(d) Section 2.1-344(a) 7-Consultation with legal counsel.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the August 2, 1995 Continuation Meeting and August 2, 1995 Regular Meeting are hereby approved with corrections to the August 2, 1995 Regular Meeting, IN RE: Board Member Comments -- Mr. Haraway's comment. He stated that the he did not say that the Virginia Power office in Petersburg would be closing, he stated that they would no longer be receiving payments.

IN RE: CLAIMS

Mr. Bracey questioned a payment that was paid out of the Self Insurance Fund. The check was made out to Dr. Pinsky and Mr. Bracey stated that he thought that Dr. Pinsky was a Podiatrist (a foot Doctor). He wanted to know why they were paying a bill to a foot doctor. He requested that Administration investigate and come back to the Board with an explanation.

Mr. Bracey made the motion to pass all the claims except the one to Dr. Pinksy, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using checks #35172 - #35306 (check #35307 was not approved pending an investigation) #35308 - #35370 (void #35171) for General Fund in the amount of $162,447.53, Jail Commission $529.19, E911 Fund $2,003.41, Self-Insurance Fund $13,809.55, Courthouse Maintenance $11,959.67, Law Library $96.01, CDBG Fund $20,180.45 for a total of $211,025.81.

IN RE: CITIZEN COMMENTS

1. Wayne Varga, Boydton Plank Road, Dinwiddie, VA. He came before the Board and presented a letter for the record. He then stated that he was representing the EMS Division for Dinwiddie Fire Co. #1. He

asked the Board for assistance in obtaining funding for a reliable response vehicle. The van currently used for emergency medical calls is thirteen years old and is spending more time in the shop for repairs. The systems on the van are wearing out and the vehicle is less than reliable. He stated that the EMS Division will be applying for a state grant from the Department of Emergency Medical Services. The grant, if approved, will provide one half of the funding to purchase and equip a new vehicle for emergency medical response. He also stated that they are allowed to purchase items from state contracts and the present contract has the type of vehicle that would be most appropriate for the first responders. The cost is $21,773, however, the contract will expire prior to knowing whether the state grant is approved. The contract is being re-bid and it is expected that the purchase price of the vehicle will increase to the $25,000 range. When the costs of the radios and the emergency lights are added, the total cost of the vehicle is expected to be approximately $30,000. The grant will provide for one half of the funding and he respectfully asked the county to consider funding the other half of the cost. The grant request must be submitted by September of 1995 and notification of approval or denial being received the first part of 1996. He stated that he was not looking for an answer from the Board that day; he just wanted them to consider their options and let them know no later than December.

Mr. Bracey suggested that their organization talk to other dealerships about getting the type of vehicle they want, off of the state contract.

2. Robert Ragsdale, Boydton Plank Road, Petersburg, VA. He stated that he wanted to know how much the County has spent on surveying and soil testing the Hargrave Property?

Mr. Burgess, County Administrator, stated that he did not know right off of hand; he would have to check the records and let him know.

Mr. Bracey asked the County Administrator to provide Mr. Ragsdale with a letter addressing his questions and concerns within five days.

Mr. Ragsdale asked if the County has investigated to see if the material that will be put on the roof has been discontinued.

Mrs. Ralph, Ass't County Administrator, stated that the County is waiting for a twenty year guarantee from the Company that will be putting the new roof on.

Mr. Ragsdale stated that he has been to Court several times recently over the Motorsports Park. He has seen that Sands, Anderson, Marks & Miller has been there and he wanted to know who they were representing.

Dan Siegel, County Attorney, stated that their firm is representing an insurance carrier.

Mr. Ragsdale wanted to know what insurance carrier.

Mr. Siegel stated that he did not know right off the top of his head.

Mr. Ragsdale asked Mr. Siegel to get him that information. He stated that he felt that he had a right to know because it was his litigation.

Mr. Siegel stated that he would ask the firm, it depends on the client.

Mr. Ragsdale stated that he felt that it was a conflict of interest because they were representing the County and the insurance carrier on the same case.

Mr. Siegel stated that the County wasn't a party in that case.

Mr. Ragsdale stated that Sands & Anderson had some subpoenas quashed for depositions for the County and then was representing the

insurance carrier. Mr. Ragsdale stated that he wanted a written statement from the County Attorney explaining how they could represent the County and another party in the same lawsuit.

Mr. Bracey stated that Sands & Anderson was not on the County's payroll at the time they were in court; they were representing another business.

3. Anne Scarborough, Boydton Plank Road, Dinwiddie, VA. She stated that she did not want her exact house number in the minutes when she signs up to speak under citizen comments. She stated that the street name was fine but not the house number for safety precautions.

After some discussion among the Board they stated that there was no need to put the house numbers in the minutes.

She stated that Dr. Gaul was quoted in the Dinwiddie Monitor stating that there was a decrease in enrollment and in the next paragraph of the article in the newspaper she read the following quote "in the interest of diminishing enrollment" and then in another paragraph of the article she read the following quote "due to an eleventh hour jump in enrollment, Dinwiddie Schools has been able to hire back many teachers, enrollment jumped recently from 3,764 to 3,861". She stated that she doesn't believe that an increase of 67 students took place from Tuesday, when the school board had their meeting, until the material was sent down to the Monitor. If the state gives them $3,000 for every student then that is an extra $201,000. She stated that between the funds that were appropriated by the Board of Supervisors in the amount of $280,000 from transportation and the windfall there should be $490,000 extra in Instruction. After the extra teachers that are needed for the windfall are paid there should be enough money left over that the School could guarantee that one or two buses would be bought.

Mrs. Scarborough stated that she read the latest thing from Crater Planning and in it it stated that 34% of Dinwiddie County is 45 years of age and older. There is only 25% of the County that is school age, up to 19 years of age. She feels that there are too much funds going to the school system when there is a larger amount of older people in the County. There are other things that the elderly want; such as EMS. Take some of the funds and put it towards EMS.

Mr. Haraway stated that the enrollment in September does not mean anything; it is the enrollment in March that the State looks at.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald H. Reekes, Resident Engineer, was not present.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

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

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, presented his report for the month of July, 1995.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T. O. Rainey, Commonwealth Attorney, was present but did not have anything to present to the Board.

Mrs. Everett asked if he had any violations that have come up in court about violations of solid waste, littering or scavengers?

Mr. Rainey, stated that he has not heard of any. It may be because the fines are paid before they get to him.

IN RE: SHERIFF -- REPORT

Deputy Thomas Gibbs, Sheriff's Department, was present and stated that in response to Mrs. Everett's question during the Commonwealth Attorney's report; they have written tickets for littering and scavengers. He stated that they are monitoring it on a regular basis. He also stated that he has seen a difference in it; it is not as bad, especially at the Rohoic Dump Site.

IN RE: BUILDING INSPECTOR -- REPORT

Dwayne H. Abernathy, Building Inspector, presented his report for the month of July, 1995.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of July, 1995.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W.C. Scheid, Director of Planning, presented his report for the month of July, 1995.

IN RE: DIRECTOR, SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director of Social Services, came before the Board and presented a status report on the "Dinwiddie Jobs Success Program". Ms. Evelyn Miles, Jobs Informate Services Worker was also present. Mrs. McElveen wanted to recognize Ms. Miles and Regina Patterson for all of their efforts towards making the Program a success.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mr. Ray Watson, Assistant to Superintendent for Finance and Technology, came before the Board and presented Dr. Gaul's report for the month of July, 1995.

Mr. Bracey stated that he has gotten some complaints from some local young men that work in the insurance field selling IRA's. The School Board office set some regulations and the young men feel that the regulations are not fair and that these regulations do not apply to all of the agents. Some are allowed to come in when they get ready and some are not. Mr. Bracey stated that all he wants is to see that everyone is treated fairly.

Mr. Clay stated that he has gotten the same complaint.

Mr. Watson asked Mr. Bracey to see that the young men contact him so that they can sit down and talk this over.

Mr. Bracey stated that at the last Board meeting they received a listing of all of the school employees salaries. He wanted to know if all of those salaries were correct.

Mr. Watson stated that he didn't think any of them had been adjusted. To the best of his knowledge he thought that they were correct.

Mr. Watson came back later in the meeting and stated that that there was only one salary on the list that was incorrect and has been adjusted.

Mr. Bracey stated that an adendum needed to be put out because it was very misleading.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of July, 1995.

Mr. Bracey commended Mr. Rinaldi on a job well done with the concession stand at the middle school.

Mrs. Everett stated that she felt that the people from the Home Builders Association of Southside Virginia who contributed either money, materials or labor for the Dinwiddie Concession Stand should be recognized. She suggested that an article be put in the paper recognizing their contribution and listing their names.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that an article be put in the paper recognizing the Home Builders Association of Southside Virginia who contributed either money, materials or labor for the Dinwiddie Concession Stand.

IN RE: PUBLIC SAFETY DIRECTOR -- REPORT

Mr. David W. Nichols, Public Safety Director, submitted his report for the month of July, 1995 prior to the meeting. He was unable to be there because he was attending a fuel spill on the Interstate.

IN RE: DIRECTOR OF SANITATION -- REPORT

Mr. Dennis E. King, Director of Sanitation, presented his report for the month of July, 1995.

IN RE: AUTHORIZATION FOR COUNTY ADMINISTRATOR TO SIGN THE AGREEMENT TO PLACE THE DUMPSTERS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to sign an agreement with the Department of Game and Inland Fisheries to locate the dumpsters at the Lake Chesdin Boat Landing on property owned by the Department of Game and Inland Fisheries.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel M. Siegel, County Attorney, was present but did not have anything to present.

IN RE: APPOINTMENT -- PLANNING COMMISSION

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Dr. Mark Moore be nominated to the Planning Commission to replace W.C. Scheid for his unexpired term ending December 31, 1995.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Dr. Mark Moore be appointed to the Planning Commission to replace W.C. Scheid for his unexpired term ending December 31, 1995.

IN RE: ABIDCO -- APPOINTMENTS

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Milton Hargrave, Jr. is hereby reappointed to ABIDCO for a term expiring September 30, 1996,

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Donald L. Haraway is also hereby reappointed to ABIDCO for a term expiring December 31, 1995.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Charles W. Burgess, County Administrator, asked the Board for their permission to prepare a request for proposals to do a productivity analysis on certain County offices. This has been discussed with different agency/department heads and they are in agreement.

After some discussion between the Board they gave Mr. Burgess permission to get an RFP together for a productivity analysis on certain County offices.

2. Mr. Burgess presented to the Board a draft of the restrictive covenants for the County owned property which is known as the Virginia Power Site. He stated that he would be having discussions with the subcommittee of the Industrial Development Authority the next day and he invited any Board member that was interested to join in the discussion.

IN RE: BOARD MEMBER COMMENTS

1. Mrs. Everett stated that she appreciated all of the efforts that are being made to try and get plenty of enforcement on some of the trouble sites in the County. She was asked to say something about the location of a deplorable home on Lew Jones Road.

2. Mr. Bracey stated that he had some concerns over how the minutes for the meetings were being done. He also stated that they are not in detail enough and too many things are left out so when he tries to research something it is hard to do.

After some discussion between the Board they decided that the minutes continue to be done in the present form.

3. Mr. Haraway stated that the Historic Petersburg Foundation sent him an invitation to the nineth annual Battersea Ball and he would be unable to attend and wanted to invite the other Board members to attend if they could.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry where no previous announcement has been made; Section 2.1-344(a) 6-Investment of public funds; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session after a five minute recess at 4:00 P.M. A vote having been made and approved the meeting reconvened into Open Session at 6:05 P.M.

IN RE: CERTIFICATION

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

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

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

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted

from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Bracey, Mrs. Everett, Mr. Haraway voting "aye", the meeting adjourned at 6:06 P.M. to be continued to September 6, 1995 at 12:00 Noon for an Executive Session.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 16TH DAY OF AUGUST, 1995, AT 12:30 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 3-Acquisition or use of real property for public purpose; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry where no previous announcement has been made; Section 2.1-344(a) 6-Investment of public funds; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 12:30 P.M. A vote having been made and approved the meeting reconvened into Open Session at 2:00 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 2:04 P.M.

IN RE: CHAIRMAN'S COMMENT

Mr. Haraway stated that the Board met with an official from Lebannon United Methodist Church and the Board has decided to grant their organization an easement. Their attorney will draft the wording for the easement for our attorney to review and then present it to the Board for their approval.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 6TH DAY OF SEPTEMBER, 1995, AT 12:00 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 3-Acquisition or use of real property for public purpose; Section 2.1-344(a) 5-Discussion of a prospective business or industry where no previous announcement was made; Section 2.1-344(a) 6-Investment of public funds; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 12:00 P.M. A vote having been made and approved the meeting reconvened into Open Session at 1:55 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ACCEPT CONTRACT FROM WHEAT FIRST BUTCHER SINGER FOR FINANCING PLAN OF THE NEW COURTHOUSE/SCHOOL IMPROVEMENTS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the contract from Wheat First Butcher Singer is accepted for the Financing Plan of the new Courthouse and Interim Financing in anticipation of Literary Loan Funding.

Extract

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Attorney/County Administrator/Chairman be authorized to execute this agreement.

IN RE: AUTHORIZATION TO ADVERTISE FOR EMERGENCY MEDICAL SERVICE POSITIONS

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise for Emergency Medical Service positions; Emergency Medical Technician - Basic, Emergency Medical Technician - Advanced.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 1:58 P.M.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 6TH DAY OF SEPTEMBER, 1995, AT 2:00 P.M.

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

IN RE: AGENDA

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the agenda for the September 6, 1995 Regular Meeting was adopted as presented.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the August 16, 1995 Continuation Meeting and the minutes for the August 16, 1995 Regular Meeting are hereby approved with corrections to the August 16, 1995 Regular Meeting, IN RE: Recreation Director -- Report. Instead of an article being put in the paper recognizing the Home Builders Association an advertisement will be put in the paper.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using check #35307 in the amount of $162.00 from the Self Insurance Fund (this check was not approved at the last meeting of the Board pending an investigation); check #35373 - #35470 (void #35371 & #35372) for Payroll in the amount of $254,156.10 and E911 Fund in the amount of $433.08; check #35472 - #35599 (void #35471) for General Fund in the amount of $154,516.29, Landfill Fund $516.25, E911 Fund $1,258.82, Self Insurance Fund $21,973.81, Law Library $203.26, CDBG Fund $4,675.35, and County Capital Projects $1,900.00 for a total of $185,043.78.

IN RE: CITIZENS COMMENTS

1. Anne Scarborough, Boydton Plank Road, Dinwiddie, VA. She came before the Board and stated that she was concerned about the appearance of the Administration Property.

Mrs. Scarborough wanted to know what is so important about the steak supper at Sutherland that the Board changed the time of the Board meeting.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald H. Reekes, Resident Engineer, was not present.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

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

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, presented his report for the month of August, 1995.

IN RE: AWARD OF BID FOR FORM BURSTER -- TREASURER

Mr. Jones, Treasurer, stated that he received four bids for a form burster to be used and stored in his office; which are as follows:

COMPANY	TYPE OF MACHINE	COST
Street & Company	MBM #5130	$2,135.00
TAB	#2550	$5,480.00
TAB	#2566	$6,205.50
Pitney Bowes	#3324	$6,550.00

Mr. Jones stated that in the past he has used the Form Burster at Prince George and now that the County is going to twice a year billing it would be too much to ask to use theirs. He also stated that this is a budgeted item.

Extra IV

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from TAB for the Form Burster MAB #2566 in the amount of $6,205.50 is accepted.

IN RE: SHERIFF -- REPORT

Deputy Timmy Ogburn, Sheriff's Department, was present but did not have anything to present.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of August, 1995.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W.C. Scheid, Director of Planning, presented his report for the month of August, 1995.

Mr. Scheid updated the Board on the Indoor Plumbing and Rehabilitation Program.

Mr. Moody stated that at the last Planning Commission meeting the Commission expressed a desire to meet with the Board to discuss the Henshaw's request to waive the curb and gutter requirements on a rezoning request.

After some discussion between the Board and Mr. Scheid, Mr. Haraway asked Mr. Scheid to speak to the Commission about what they would specifically like to talk about and figure out some available dates for a workshop.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, Commonwealth Attorney, was present but did not have anything to present.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne H. Abernathy, Building Inspector, presented his report for the month of August, 1995.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director of Social Services, was present but did not have anything to present.

IN RE: SCHOOL BOARD -- REPORT -- AUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, came before the Board and listed the items that were submitted by the various County Departments that are going to be put in the School Board's upcoming auction. She also presented a list to the Board of all of the School Board items that are going to be put up for auction.

Mrs. Ralph was notified by the School Board that they are going to let their school employees bid at the auction. She wanted to know how the Board felt about letting County employees bid because it has always been the County's policy that County employees were not allowed to bid.

The following letter was submitted by Dr. Gaul for confirmation that the School Board is allowing their employees to participate in the Auction:

September 13, 1995

Mr. Charles Burgess
County Administrator for Dinwiddie County
P.O. Box 70
Dinwiddie, VA 23841

Dear Mr. Burgess:

Mrs. Ralph asked for written confirmation that the School Board is allowing school and county employees to particpate in the surplus sale that we plan to conduct in October. This point was reviewed with the Dinwiddie County School Board at their 12 September 1995, meeting. The School Board continued to support allowing employees to particpate in the sale of surplus material including vehicles.

We are happy to hear that Dinwiddie County Board of Supervisors have also agreed that county employees are eligible to bid in the 1995 surplus sale for Dinwiddie County Schools and Dinwiddie County.

If you need additional information, please let me know.

Sincerely,

Thomas H. Gaul, Ed. D.
Superintendent

Mr. Haraway stated that he did not have a problem with changing the policy so that County employees could bid because they should not be excluded.

Mr. Clay stated that he agreed with Mr. Haraway.

Mr. Moody stated that he doesn't really have a problem with it.

Mrs. Everett stated that she has a little problem with it but she will go with the majority.

Mr. Bracey stated that he was a little shaky on the matter.

Mrs. Everett made the motion to continue with the present policy, Mr. Bracey seconded the motion.

Mrs. Ralph reminded the Board that the policy would just continue with County employees because the School Board voted to allow their employees to bid.

Mrs. Everett stated that when she made the motion she thought that everyone would have to continue with the present policy. She did not know that they didn't have control over the School Board.

Mrs. Everett rescinded her motion and Mr. Bracey rescinded his second.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that County employees are approved to bid at Auctions held by the County or School Board.

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

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that the following items be declared surplus property and be authorized for sale at a public auction to be scheduled by the Dinwiddie County School Board:

YEAR	MAKE	VIN #
1971	Kenworth Truck	301057
1988	Ford LTD Crown Victoria	2FABP72F9JX212502
1974	Kenworth	300731
1989	Chevrolet Caprice	1G1BL5173KR179053
1988	Ford	2FABP72G1JX131084
1992	Crown Victoria	
1971	Ford C800 Tilt Cab Pumper	C80FVK71921
1976	Ford F750 Conventional Cab	F75FVA85999
1977	Chevrolet Van	CGD157U181845

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the list of equipment presented by the School Board and County Departments be approved for sale at a public auction.

Mrs. Ralph stated that she received a request from Mr. T.O. Rainey, III, Commonwealth Attorney, asking for authorization to donate some old law books to a home for adults. They are out of date and no longer of any use to the County because they have been updated and replaced with new laws and information.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Commonwealth Attorney is authorized to donate some out of date law books to the Olde Virginie Home for Adults as reading materials.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of August, 1995.

IN RE: PUBLIC SAFETY DIRECTOR -- REPORT

Mr. David W. Nichols, Public Safety Director, was unable to attend the meeting due to a Doctors Appointment.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Dennis E. King, Director of Waste Management, presented his report for the month of August, 1995.

He also requested that the Board approve the purchase of a truck load of 6 yard dumpsters, which is a budgeted item. He presented the following bids:

Extract

COMPANY	COST PER DUMPSTER
Refuse Equipment Company	$468.50
Lewis Steel	$510.00
Waste & Recycling Equipment	$557.50

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from Refuse Equipment Company be approved to purchase a truck load of dumpsters at a cost not to exceed $6,500.00.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel Siegel, County Attorney, was present but did not have anything to present.

IN RE: ADOPTION OF RESOLUTION TO RECOGNIZE SOUTHSIDE VIRGINIA EMERGENCY CREW, INC.

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

WHEREAS, the Southside Virginia Emergency Crew was chartered in 1945 by the Petersburg Jaycees to provide emergency medical services and life-saving treatment to people in need; and

WHEREAS, the Southside Virginia Emergency Crew was originally organized to serve the areas of Petersburg, Colonial Heights, Ettrick, and the Counties of Dinwiddie, Prince George and Chesterfield, and still continues to serve many of these same localities today through mutual aid assistance; and

WHEREAS, this anniversary represents 50 years of sacrifice and devoted service by hundreds of dedicated volunteers and their families;

Extract

NOW THEREFORE BE IT RESOLVED that the Dinwiddie County Board of Supervisors of Dinwiddie County, Virginia joins in this, the 50TH ANNIVERSARY CELEBRATION, by recognizing the Southside Virginia Emergency Crew for their years of devoted service and wishes to publicly commend them for their selfless dedication to the highest ideals of public service; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia encourages the citizens of Dinwiddie County to join in this celebration by recognizing the unmeasurable contributions of Southside Virginia Emergency Crew, Inc. for the betterment of our community, and offers their appreciation thereof.

IN RE: ADOPTION OF RESOLUTION DESIGNATING SEPTEMBER 17, 1995 AS ORGAN DONOR DAY FOR MOLLY ANDREWS

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

WHEREAS, Molly Andrews was diagnosed with Cryptogenic liver disease in July of 1993; and

WHEREAS, Molly has surpassed the predictions of her own doctors and was placed on the organ donor waiting list since February, 1994; and

WHEREAS, with a positive attitude and the support of her family, friends and the community, she is dedicated to making this transplant a reality; and

Extract

WHEREAS, on September 17, 1995, a music festival is being organized by the Dinwiddie County Sheriff's Department to be held at the Virginia Motorsports Park to help raise money for Molly's operation;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia encourages all citizens and people in the area to recognize September 17, 1995 as Organ Donor Day for Molly Andrews by not only participating in this fund-raising event but by continuing to support all of the efforts organized for Ms. Andrews and recognizing the

importance of community support for individuals dealing with a life threatening disease.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Charles W. Burgess, Jr. stated that he received a request from the State Department of Taxation to participate as a panel member at the Commissioner of the Revenue's Conference, Hotel Roanoke, Tuesday, November 14, 1995.

After some discussion between the Board; there was no opposition in Mr. Burgess participating as a panel member at the Commissioner of the Revenue's Conference.

2. Wendy Weber Ralph, Assistant County Administrator, stated that the Board needed to appropriate funds to pay for the computer upgrade that they approved by resolution in April. The funds need to be appropriated out of the Bond Issue.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that funds be appropriated in the amount of $43,046.00 from the Bond Issue to the Capital Projects Fund.

IN RE: BOARD MEMBER COMMENTS

Mrs. Everett stated that in reference to Mrs. Scarborough's comment she has also noticed the clippings on the sidewalks and she would like to see it cleaned up. She also felt that the meeting time should not be changed unless it is an emergency.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 3:17 P.M.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 20TH DAY OF SEPTEMBER, 1995, AT 7:30 P.M.

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

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the agenda was amended as follows:

Add, 13. Executive Session
(a) Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body.
(b) Section 2.1-344(a) 3-Acquisition or use of real property for public purpose.
(c) Section 2.1-344(a) 5-Discussion concerning a prospective business or industry.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the September 6, 1995 Continuation Meeting and the minutes for the September 6, 1995 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mr. Haraway questioned a payment to Victor Products Corp. for repairs to the new ice machine in the Concession Stand. He felt that the machine was new enough that the warranty should still be in effect to cover any repairs that may be needed. He suggested holding the check until it could be looked into.

Mrs. Everett questioned a payment to Ritz Camera for repairs on a camera. She thought that it was a surveillance camera and felt that there should also be a warranty on it. She also wanted to hold this check until it could be looked into.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using checks (void #35600) #35601 - #35727 (check #35728 was not approved pending an investigation) #35729 - #35754 (check #35755 was not approved pending an investigation) #35756 - #35784 for General Fund $143,405.83, Self Insurance Fund $5,923.58, CDBG Fund $112,770.70, E911 Fund $2,009.47, Law Library $83.33, Fire Programs/EMS $5,025.00 for a total of $269,217.91.

IN RE: CONVEYANCE OF TOT LOT TO WEST PETERSBURG & VICINITY AWARENESS, INC.

This being the time and place as advertised in the Dinwiddie Monitor on September 6, 1995 and September 13, 1995, for the Board of Supervisors to conduct a public hearing for the purpose of passing a resolution concerning the disposal and conveyance of the County's

ownership interest in real property known as Lots 546 and 547, West Petersburg Subdivision, Rohoic District, Dinwiddie County, located on Brunswick Avenue to the east of Potomac Street. The real property is to be conveyed to West Petersburg Vicinity Awareness, Inc. ("WPVA").

Wendy Weber Ralph, Ass't County Administrator, came before the Board and stated that Reverend Peter Jeffrey was as at the meeting representing WPVA and he would be available to answer any of the Board's questions. She stated that the purpose of the public hearing was to receive public comment on transfer of the ownership of the property. After the tot lot is constructed, ownership would be conveyed to West Petersburg Vicinity Awareness, Inc. so that they may maintain the property and the equipment.

Mrs. Everett stated that her only concern was about the insurance liability.

Reverend Peter Jeffrey came before the Board and stated that they currently had a $1,000,000 general liability coverage on the organization. He also stated that they are still exploring whether or not there are any more insurance needs. If the Board wished they could secure more.

After some discussion between the Board they decided to add in the resolution that will be adopted; that Dinwiddie County will be named as "additional insured" and that WPVA will maintain adequate amounts of insurance.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that it being in the best interests of Dinwiddie County so to do, the Board of Supervisors of the County (the "Board"), following a duly noticed and called public hearing this 20th day of September, 1995, hereby approves the conveyance of Lots 546 and 547 situated on Greensville Avenue, West Petersburg Subdivision, Rohoic District, Dinwiddie County, Virginia, to West Petersburg Vicinity Awareness, Inc. ("WPVA") to be used by it for a children's playground; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Supervisors of Dinwiddie County, Virginia, that the instrument of conveyance shall provide that WPVA, its successors and assigns, shall maintain the property and any playground equipment thereon and other improvements thereto in reasonable condition and repair at its sole expense; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County shall enter into an agreement with WPVA providing that WPVA will maintain at its sole expense, including the cutting of grass and trimming of other vegetation thereon, all property acquired by the County pursuant to Community Improvement Grant No. 92-20, and WPVA shall agree to indemnify and hold harmless the County of Dinwiddie from any and all claims by maintaining adequate insurance coverage or otherwise until such time as such property has been conveyed by the County or WPVA, as applicable, to a grantee or grantees qualifying under the terms of such Community Improvement Grant; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Chairman and Vice-Chairman of the Board, acting individually or together are hereby authorized and directed to execute and deliver such deeds, instruments, agreements and other papers as they in their sole and absolute discretion deem necessary or desirable in order to carry out the purposes and effects of these resolutions, including without limitation, the deed attached hereto as Exhibit A, with such changes or modification to such deeds, instruments, agreements and papers as they deem advisable, in their sole and absolute discretion, the exercise of which discretion shall be conclusively evidenced by their signature thereto.

Extract

IN RE: CONVEYANCE OF EASEMENT TO LEBANON UNITED METHODIST CHURCH

This being the time and place as advertised in the Dinwiddie Monitor on September 6, 1995 and September 13, 1995, for the Board of Supervisors to conduct a public hearing for the purpose of passing a resolution concerning the disposal and conveyance of certain interests in real property, specifically nonexclusive easements, which real property is owned by Dinwiddie County and located in an area around the Lebanon United Methodist Church building and an area between the Lebanon United Methodist Church building and the Dinwiddie County Courthouse. These areas are located approximately to the southeast of the intersection of Route 1 and Courthouse Road in Dinwiddie County. The easement interests are to be conveyed to Lebanon United Methodist Church for parking, access and church building purposes, and to grant rights for the use of drinking water from a well owned by Dinwiddie County.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that it being in the best interests of Dinwiddie County so to do, the Board of Supervisors of the County (the "Board"), following a duly noticed and called public hearing this 20th day of September, 1995, hereby approves the conveyance of an easement (the "Easement") to the Lebanon United Methodist Church (the "Church") (a) permitting the Church's existing structure to encroach on the Property (as hereafter defined) for so long as the encroaching portions of the structure continue to exist and (b) for the limited use of certain property owned by the County (the "Property") and adjacent to property owned by the Church for the purpose of parking during Church functions and for ingress to and egress from such parking lot, as well as a limited right to use the County's well located near the Church for water for Church functions, the rights granted under the Easement to continue only for so long as a parking lot and well continue to exist on the Property; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that such Easement shall be subject to the following conditions:

1. It shall be transferable to another church only and run with the land;

2. The Church, at its sole expense, shall provide a plat of survey in recordable form depicting the location of the parking lot, the well and the Church's property for the purpose of describing the Easement and attaching to the instrument of conveyance;

3. The Church will reimburse the County for its out of pocket expenses, including legal fees, in connection with the preparation and conveyance of the Easement:

4. The County shall have no duty or obligation to maintain, repair or replace the parking lot or the well or to continue the existence of either, and the Church shall have the rights granted in the Easement only so long as the County owns the Property, the parking lot continues in existence as a public parking lot and the County elects to maintain the well for its use;

5. The Church shall not charge any fees for the use of the parking lot or the water from the well by its members, parishioners, guests, invitees or any other person or entity; and

6. All rights hereunder shall be limited to the use by the Church of the Property for Church purposes.

7. The Church shall indemnify, defend and hold the County harmless from and against any and all claims, demands, actions, causes of action, suits and damages (whether direct, indirect, incidental or consequential), including its attorney's fees, resulting from the use of the Property, the parking lot, the well, the water from the well, or any other right granted in the Easement, by the Church, its members, parishioners, guests and invitees; and

Extract

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Chairman and Vice-Chairman of the Board, acting individually or together are hereby authorized and directed to execute and deliver such deeds, instruments, agreements and other papers as they in their sole and absolute discretion deem necessary or desirable in order to carry out the purposes and effects of these resolutions.

IN RE: P-95-5 -- NEAL JOHNSON -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on September 6, 1995 and September 13, 1995, for the Board of Supervisors to conduct a public hearing to consider rezoning a 2.36 acre portion of Tax Parcel 21-98 from Agricultural, General, A-2 to Business, General, B-2. The property is located at the intersection of Blue Tartan Road and Frontage Road near Route 1.

W.C. Scheid, Director of Planning stated that the applicant is seeking a rezoning of this parcel in order to construct a building to house a machine shop for rebuilding and reconditioning engines. The property is located in the Northeast portion of the County. This case was heard by the Planning Commission at their August 23, 1995 meeting. It is their recommendation to the Board of Supervisors that this request be granted if the applicant is willing to proffer the following conditions:

1. All of the work associated with the rebuilding and reconditioning of engines will be conducted within the building to be constructed;
2. There will not be any storage of vehicles, operative or inoperative, on the premises other than employee vehicles;
3. The use shall front on Frontage Road;
4. Ingress and egress shall be from Frontage Road, only; and
5. A 15 foot buffering strip consisting of suitable vegetation approved by the Planning Department shall be planted along the southeast portion of the property.

Mr. Scheid presented the following proffers that were made by the applicant:

1. Any building constructed on the parcel would have to front Frontage Road, #F081.
2. All access to any building would be from Frontage Road, #F081, and not from Blue Tartan Road.
3. All work performed on the lot would be performed inside the building to be constructed on the lot.
4. No inoperable motor vehicles are to be placed or kept on the lot.
5. A buffer zone of 15 feet in width along the East property line, along Blue Tartan Road is to be left in woods or planted with additional trees as needed.

Mr. Scheid also submitted a request for denial of the rezoning that was signed by 20 citizens.

Mr. Haraway stated that he was concerned about what type of building would be constructed.

Mr. Neal Johnson, Providence Road, Petersburg, VA, came before the Board and presented a picture of the building that would be constructed if his request were approved.

This being a public hearing, the Chairman opened the floor for public comment:

1. Bertha Bonner, Frontage Road, Petersburg, VA. She stated that she was a resident in the area of which Mr. Johnson wants to put his business and she is concerned about what type of building would be put there.

She was shown the picture of the proposed building that would be put there.

Mr. Bracey wanted to know what the hours of operation would be.

Mr. Johnson stated that they would be from 8:00 A.M. to 5:00 P.M.

Mr. Bracey wanted that to be a part of the conditions.

Mr. Johnson stated that he would be glad to put that in the conditions but he wanted to clarify that from 8:00 A.M. to 5:00 P.M. they would be open to the public and if they had a lot of work to do they would still be in the shop working after 5:00 P.M. until they were done.

Mr. Bracey stated that Mr. Johnson could work all night as far as he was concerned but there would be no transaction of business after 5:00 P.M.

Mr. Johnson added the following to his list of proffers:

1. Hours of Operation: 8:00 A.M. to 5:00 P.M. Monday through Friday and 8:00 A.M. to 12:00 P.M. on Saturday.

Because of an addition to the applicants proffers the Chairman opened the floor for public comment: No one wanted to speak.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that land parcel 21-98 of the Dinwiddie County Zoning Maps, located at the intersection of Blue Tartan Road and Frontage Road near Route 1, is amended by changing the district classification from Agricultural, General, A-2 to Business, General, B-2, with acceptance of the following proffers submitted by the applicant:

1. Any building constructed on the parcel would have to front Frontage Road, #F081.
2. All access to any building would be from Frontage Road, #F081, and not from Blue Tartan Road.
3. All work performed on the lot would be performed inside the building to be constructed on the lot.
4. No inoperable motor vehicles are to be placed or kept on the lot.
5. A buffer zone of 15 feet in width along the East property line, along Blue Tartan Road is to be left in woods or planted with additional trees as needed.
6. Hours of Operation: 8:00 A.M. to 5:00 P.M. Monday through Friday and 8:00 A.M. to 12:00 P.M. on Saturday.

Extract

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

IN RE: P-95-4 -- ROSLYN FARMS CORPORATION -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor of September 6, 1995 and September 13, 1995, for the Board of Supervisors to conduct a public hearing to consider rezoning a portion of Tax Parcel 21-(4)-1 to M-2-C to permit, among other uses, petroleum storage and to review those conditions previously adopted for this parcel in rezoning case P-91-7. The property is located on Weakley Road across from Ingram.

W.C. Scheid, Director of Planning stated that at the August 23, 1995 Planning Commission meeting the Planning Commission reviewed the case. It is their recommendation to the Board of Supervisors that this request be granted if the applicant is willing to proffer the following conditions:

1. All permitted uses currently permitted in the M-1 zoned district shall be allowed;
2. Only the following permitted use in M-2 will be allowed as identified in Section 22-223 of the Zoning Ordinance.
   (10) Petroleum storage.
   (18) Off-street parking as required by this chapter.
   (19) Public utilities.
   (27) Governmental Offices.
   (28) Communication tower with station, with a conditional use permit.
   (30) Manufacturer's outlet stores in association with on-site manufacturing.
   (31) Component assembly and product distribution.
   (32) General and cogeneration of electricity to exclude the burning of municipal solid wastes (MSW) as a source of fuel.
3. A site plan, to include an erosion and sedimentation control plan prepared by an engineer licensed by the Commonwealth of Virginia, shall be submitted to and approved by the Planning Department prior to the issuance of any building or land distributing permits. The site plan shall include pre-construction and as built elevations at a maximum of one-foot contours.
4. A six (6) foot high, cyclone-type fence with barbed wire shall be constructed so as to enclose the entire facility which consists of (1) 30,000 gallon tank with accessories. Said fence shall not be located closer than twenty (25) feet to the property line along State Route 603. The fence shall include at least one fence gate constructed and located to provide access for fire and rescue vehicles. Construction of said fence and gate(s) must be completed prior to the issuance of a Certification of Occupancy. Said gate(s) shall be closed and locked at all times when the facility is not being utilized.
5. A copy of all applicable state and federal permits required for the construction of the facility must be on file with the County prior to the issuance of a (Certificate of Occupancy).
6. Training for local volunteer firefighters shall be provided by the owner of the facility prior to issuance of the certificate of occupancy for the facility.
7. Conversion to coal as a fuel would require approval by the Planning Commission and the Board of Supervisors.
8. Any driveway from Route 603 or U.S. Route 1 will be in compliance with VDOT standards. However, any driveway will also be asphalt or concrete for at least forty-five feet from the edge of the pavement of any state maintained road.
9. The twenty-five (25) foot area between the chain link fence and Route 603 shall be planted with (1) row of 6' evergreens acceptable to the Planning Commission.

Derrick Johnson, J.K. Timmons & Associates, came before the Board and stated that he was representing Roslyn Farms.

This being a public hearing, the Chairman opened the floor for public comment:

1. Paul Gaddes from Ingram Book Company, which is right across the street from the referenced site, came before the Board and stated that there company has radio frequency terminals and he is concerned about the proposed propane tanks. He stated that radio frequency waves and petroleum products do not mix. He wanted the Board to delay action until the subject could be looked into.

Mr. Johnson stated that he has no knowledge of any prior problems. He stated that there are several gas stations across the street from Ingram and they have not had any problems.

Mrs. Everett stated that she has concerns about these issues and feels that this should be looked into before a decision is made.

Mr. Clay feels that there have been no prior problems and doesn't see any problems happening now.

Mr. Scheid stated that when this was originally planned for a site in DeWitt, the Safety Director did a very extensive study and nothing to this nature was ever raised.

Oscar Edwards, Rosalyn Farms, stated that he has no concerns.

Upon motion of Mr. Bracey, seconded by Mr. Clay,

Mrs. Everett wanted to know shouldn't the approval of this request be contingent upon these questions about radio frequency waves being looked into.

Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", Mrs. Everett "abstain",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that a portion of land parcel 21-(4)-1 of the Dinwiddie County Zoning Maps, containing 1 acre and more specifically shown by a plat prepared by Timmons dated 6-12-95 entitled Completed Plat Showing Proposed 1.000 AC Parcel to be Created from Existing Parcel 3, fronting on Weakley Road, is amended by changing the district classification from M-2-C (with conditions) to M-2-C with the following conditions proffered by the applicant:

1. All permitted uses currently permitted in the M-1 zoned district shall be allowed;
2. Only the following permitted use in M-2 will be allowed as identified in Section 22-223 of the Zoning Ordinance.
   - (10) Petroleum storage.
   - (18) Off-street parking as required by this chapter.
   - (19) Public utilities.
   - (27) Governmental Offices.
   - (28) Communication tower with station, with a conditional use permit.
   - (30) Manufacturer's outlet stores in association with on-site manufacturing.
   - (31) Component assembly and product distribution.
   - (32) General and cogeneration of electricity to exclude the burning of municipal solid wastes (MSW) as a source of fuel.
3. A site plan, to include an erosion and sedimentation control plan prepared by an engineer licensed by the Commonwealth of Virginia, shall be submitted to and approved by the Planning Department prior to the issuance of any building or land distributing permits. The site plan shall include pre-construction and as built elevations at a maximum of one-foot contours.
4. A six (6) foot high, cyclone-type fence with barbed wire shall be constructed so as to enclose the entire facility which consists of (1) 30,000 gallon tank with accessories. Said fence shall not be located closer than twenty (25) feet to the property line along State Route 603. The fence shall include at least one fence gate constructed and located to provide access for fire and rescue vehicles. Construction of said fence and gate(s) must be completed prior to the issuance of a Certification of Occupancy. Said gate(s) shall be closed and locked at all times when the facility is not being utilized.
5. A copy of all applicable state and federal permits required for the construction of the facility must be on file with the County prior to the issuance of a (Certificate of Occupancy).
6. Training for local volunteer firefighters shall be provided by the owner of the facility prior to issuance of the certificate of occupancy for the facility.
7. Conversion to coal as a fuel would require approval by the Planning Commission and the Board of Supervisors.
8. Any driveway from Route 603 or U.S. Route 1 will be in compliance with VDOT standards. However, any driveway will also be asphalt or concrete for at least forty-five

Extract

feet from the edge of the pavement of any state maintained road.

9. The twenty-five (25) foot area between the chain link fence and Route 603 shall be planted with (1) row of 6' evergreens acceptable to the Planning Commission.

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

IN RE: A-95-8 -- MANUFACTURED HOMES -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on September 6, 1995 and September 13, 1995, for the Board of Supervisors to conduct a public hearing to consider the County of Dinwiddie's request for an amendment to various sections of the Zoning Ordinance relating to residential use and placement of manufactured homes on agriculturally zoned parcels in order to conform to Section 15.1-486.4 of the Code of Virginia, 1950, as amended.

Mr. W.C. Scheid stated that the Planning Commission reviewed the emergency Manufactured Home Ordinance passed by the Board of Supervisors at their June 21, 1995 meeting. As a result of the August 23, 1995 Planning Commission meeting, Mr. Scheid reviewed a few additions to the emergency ordinance that were recommended.

This being a public hearing the chairman opened the floor for public comment: No one signed up to speak.

Mr. Bracey asked if these suggested changes will take care of the ordinance.

Mr. Scheid stated that in the short time that everyone had to look at it; it is the best thing that they have at this point. He stated that he thinks that the Planning Commission feels comfortable with it. He could not say whether or not there would be changes proposed in the future.

Mr. Haraway stated that he hopes that the Planning Commission will do some further studying on the issue and come up with something that will decrease the number of mobile homes coming into the County. He feels like the County has a real problem with the number of mobile homes that have come into the County since July 1st. He doesn't see anything in the ordinance that is going to decrease the number of mobile homes that are coming into the County. He hopes that the Planning Commission will not stop with this ordinance and go back and see what other Counties have done that have had more success in halting the influx of mobile homes into the County.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the following amendments to the Dinwiddie County Code are hereby adopted and the Dinwiddie County Code in all other respects be and hereby is reordained:

Sec. 22-1. Definition.

Foundations, permanent. A foundation that meets one of the following:

(a) masonry piers and anchoring systems, specified by the manufacturer of the home in the installation instructions, and required and approved in accordance with the Federal Manufactured Housing Construction and Safety Standards;
(b) concrete foundations or permanent wood foundation systems constructed in compliance with ASNI A225.1 Manufactured Home Installation Standards;
(c) foundations meeting the requirements of the U. S. Department of Housing and Urban Development Handbook 4930.3, Permanent Foundations Guide for Manufactured Housing;
(d) foundation systems for manufactured homes over basements; and
(e) any other foundation system approved as a permanent foundation by the Authority having jurisdiction as outlined in Section 107.1 of the USBC.

Sec. 22-25. Reserved.

Sec. 22-26. Requirements for Farm Operation Manufactured Homes.

Farm operation manufactured homes shall not exceed four (4) manufactured homes per farm according to the following table:

Number of Manufactured Homes Permitted	Minimum Acreage in Farm Operation
1	25
2	200
3	300
4	400

The location, placement and use of such manufactured homes shall be subject to the following requirements in addition to any other requirements as may be set forth in this section:

(a) Head of Household. The head of the household who occupies each such manufactured home shall be gainfully employed full time on the farm operation.

(b) Reclassification. In the event the land upon which each such manufactured home is located shall be reclassified to a residential, business or industrial district, the affected manufactured home shall be removed from the land so reclassified within ninety (90) days following the effective date of the reclassification. This paragraph shall not apply to manufactured houses for farm workers employed in farming operations.

(c) Accounting. Any farm operation with manufactured homes for farm employees must give the County a sworn accounting of the status of these manufactured homes between January 1 and January 31 of every year. This accounting will include persons who have lived in these homes for the past twelve months and their employment status on the farm.

Sec. 22-44. Reserved.

Sec. 22-59. Permitted uses.

In agricultural, limited, district A-1, structures to be erected or land to be used shall be for one or more of the following uses:

(1) Single-family dwellings except:

(a) mobile homes and travel trailers; and

(b) manufactured homes that do not have a permanent foundation and are not on an individual lot.

(2-26) No change to existing language.

(27) DELETED.

(28) Farm operation manufactured home subject to the requirements of Section 22.26.

(29) DELETED.

Sec. 22-71. Permitted uses.

In agricultural district A-2, structures to be erected or land to be used shall be for one or more of the following uses:

(1) Single-family dwellings except:

(a) mobile homes and travel trailers; and

(b) manufactured homes that do not have a permanent foundation and are not on an individual lot.

(2-25) No change to existing language.

(26) Manufactured home park with a conditional use permit in accordance with the special conditions and provisions contained in Section 22.238.

(27-47) No change to existing language.

(48) Farm operation manufactured home subject to the requirements of Section 22.26.

(49-56) No change to existing language.

Sec. 22-238. Requirements for manufactured home parks.

This section is intended to encourage site development for manufactured home parks in accordance with sound planning principles, and to prevent detrimental effects to the use of development of adjacent properties. A manufactured home park shall require a conditional use permit issued by the board of supervisors. In addition each manufactured home in a manufactured home park shall require a certificate of occupancy. Each conditional use permit may require additional requirements not herein set forth due to the characteristics of the property and/or adjacent property.

Operators of such parks shall comply with the following development standards for all manufactured home parks:

(1) All manufactured home parks shall have a landscaped or wooded setback line of fifty (50) feet from any highway or public road right-of-way or seventy-five (75) feet setback from the center line of any highway or public road, whichever distance is greater.

(2) Each manufactured home park shall have at least twenty-five (25) feet of open space abutting all adjoining property and shall be contained within a board fence, evergreen hedge or screen which shall be a minimum of eight (8) feet in height or of sufficient density to screen the site from adjacent properties. All borders shall be maintained properly in compliance with the intent of this requirement. No fence, hedge or screen need be constructed abutting any highway or public road provided paragraph (1) of this section is complied with.

(3) All ingress and egress shall be to the required standards of the Virginia Department of Transportation.

(4) The minimum size of any manufactured home park shall be fifteen (15) acres.

(5) No manufactured home site shall be offered for sale or sold.

(6) Streets within the manufactured home park must be constructed to the specifications of the Virginia Department of Transportation (i.e., secondary road standards). Proper storm water management design will be applied, with drop inlets (storm drains) for drainage where necessary. Area for streets will be independent of manufactured home space area.

(7) All utility lines shall be underground, including electrical wiring and telephone lines.

(8) A minimum of ten (10) percent of the gross land area of the manufactured home park shall be reserved for recreational and open space uses. This area must be for recreational purposes.

(9) All fuel tanks will be concealed except for necessary ventilation.

(10) The manufactured home operator shall maintain a register for each manufactured home lot for at least the previous two (2) years; such register shall be available at all times for inspection by law enforcement officers, public health officials, and other state and local officials and representatives whose duties necessitate acquisition of the information contained in such register and shall contain:

a. The names of each manufactured home owner and occupants;

b. The dates of arrival and departure of each manufactured home on each manufactured home lot;

c. The name, make, date of manufacture, and serial number of the manufactured home;

d. The license number of each manufactured home and motor vehicle.

An updated copy of such register shall be filed each year in March with the county sheriff's department, the department of planning and community development, and the commissioner of revenue.

(11) Manufactured home park owners/operators must create a set of rules and regulations for his/her park. Such rules and regulations shall be enforced by the owner/operator. A copy of these rules and regulations shall be filed in the office of the county sheriff's department and the department of planning and community development.

(12) Refuse shall be the responsibility of the owner of the property to collect or contract for collection on a frequency of not less than twice weekly of all garbage, refuse and rubbish. Collection may be on a lot by lot basis or by a centralized box system. The storage and disposal of refuse must be handled in such a manner as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution.

(13) Before an application for a permit for the construction of a manufactured home park shall be approved by the board of supervisors, the applicant shall, in lieu of construction, furnish cash escrow or a performance bond in an amount calculated by the board of supervisors to secure the required improvements in a workmanlike manner and in accordance with established or approved specifications and construction schedules, which bond shall be payable to and held by the county. The manufactured home park's plans, construction schedule, and amount of bond shall be re-evaluated by the board of supervisors at least once every year to insure compliance with the requirements of this section.

In lieu of bond, development may be presented for inspection in completed forms.

(14) Manufactured home park site plan development shall follow procedure and approval as set forth in subdivisions in Chapter 18 of this Code.

(15) No existing manufactured home park shall be enlarged or extended unless the addition to the park is made to conform to all requirements for a new manufactured home park.

(16) No manufactured home shall be placed in a manufactured home park until development standards are met, either by completion of plan or by bond.

(17) Minimum lot size for manufactured home lots shall be eight-five hundred (8,500) square feet, with no lot line less than eighty-five (85) feet in length.

(18) Every manufactured home space shall have all corners clearly marked and shall be designated a number, which shall be clearly visible from the roadway. These numbers shall be assigned in accordance with the 911 emergency system.

(19) Each manufactured home space shall be directly accessible from an approved internal park street. No direct access to manufactured home spaces from public streets shall be permitted.

(20) Parking shall be provided at the minimum rates of two (2) paved spaces for each manufactured home space. Such parking shall be conveniently located to manufactured home spaces. Each parking space shall be ten (10) feet by twenty (20) feet.

(21) Each manufactured home lot shall have a patio, the minimum size not less than two hundred (200) square feet, convenient to the entrance of the manufactured home.

(22) Each manufactured home lot shall be provided with individual water and sewer connections. All water and sewer lines shall be constructed with the approval of the Dinwiddie County Water Authority. Manufactured home parks will only be allowed in areas served by the Dinwiddie County Water Authority. All water lines shall be at least twenty-four (24) inches below the surface of the ground to prevent freezing and shall have a cut-off valve below frost depth; such valves shall be other than a stop and waste cock valve. All manufactured home park water and sewer lines shall be approved by the Dinwiddie County Water Authority in the same manner as subdivision systems. (By an authorized signature on a plat of the manufactured home park).

(23) All manufactured homes will be parked on a bed of gravel or crushed stone two (2) inches in depth.

(24) Each manufactured home shall front on, but be set back twenty (20) feet from, an internal manufactured home park street, road, or right-of-way.

(25) Individual manufactured homes shall be situated so that there is a minimum of twenty (20) feet between manufactured homes.

(26) Each manufactured home shall be provided with individual electrical service pedestals (meter and post).

Extract

(27) The open space beneath each manufactured home shall be skirted with approved material in accordance with the requirements of Section 22.26(7).

(28) All hitches will be concealed.

(29) DELETED.

(Code 1970, Section 17.97; ord. of 12.2.87)

IN RE: AWARD OF CONTRACT FOR DEMOLITION -- WEST PETERSBURG

Mr. W.C. Scheid, Director of Planning came before the Board and stated that there are six sites in West Petersburg that need to be demolished and only one contractor, Herbert A. Phillingane & Son submitted a bid. This demolition work is part of the requirements of the Community Development Block Grant program and funds are provided within the grant.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid submitted by Herbert A. Phillingane & Son is

accepted to demolish a structure at 25710 Dinwiddie Avenue - Winston in the amount of $2,000.00 and the County Administrator is authorized to execute the necessary contract.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from Herbert A. Phillingane & Son is accepted to demolish a structure at 25614 Greensville Avenue - Beloate in the amount of $500.00 and the County Administrator is authorized to execute the necessary contract.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from Herbert A. Phillingane & Son is accepted to demolish a structure at 25505 Greensville Avenue - Fenderson in the amount of $400.00 and the County Administrator is authorized to execute the necessary contract.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from Herbert A. Phillingane & Son is accepted to demolish a structure at 25628 Dinwiddie Avenue - Simmons in the amount of $1,000.00 and the County Administrator is authorized to execute the necessary contract.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from Herbert A. Phillingane & Son is accepted to demolish a structure at 25705 Nottoway Avenue - Burton in the amount of $1,700.00 and the County Administrator is authorized to execute the necessary contract.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from Herbert A. Phillingane & Son is accepted to demolish a structure at 25703 Nottoway Avenue - LeLand in the amount of $1,700.00 and the County Administrator is authorized to execute the necessary contract.

IN RE: AWARD OF BID FOR TOT LOT -- WEST PETERSBURG

Wendy Weber Ralph, Ass't County Administrator came before the Board and stated that the following two bids were received to construct the Tot Lot in West Petersburg:

West Petersburg Vicinity and Awareness	$12,145.00
Virginia Concrete Construction Co., Inc.	$24,859.00

Mrs. Weber stated when this was discussed with the Department of Housing & Community Development, the requirements of this bid were that the bidder have a contractor's license. West Petersburg Vicinity and Awareness (WPVA) does not have a contractor's license. In order for them to be able to carry out this project and use the subcontractors that they have listed on their bid, they had to contract with someone who would allow them to use their contractor's license. Calvin Ellington, Ellington Contracting, Inc. has agreed to serve as the contractor of record.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from West Petersburg Vicinity & Awareness be

accepted to construct the Tot Lot in West Petersburg in the amount of $12,145.00 and the County Administrator is authorized to execute the necessary contract.

Extract

IN RE: ADOPTION OF RESOLUTION -- SUBDIVISION STREET ADDITIONS -- MANSFIELD SUBDIVISION

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

WHEREAS, Gaydell Drive, Keithwood Drive and Timpam Lane described on form SR-5(A), Proposed Additions to the Secondary System of State Highways, fully incorporated herein by reference, are shown on plats dates 09/09/93 recorded in Deed Book 15, Page 91-92 in the Clerks Office of the Circuit Court of Dinwiddie County, and

WHEREAS, the Resident Engineer for the Department of Transportation has advised the Dinwiddie County Board of Supervisors that Gaydell Drive, Keithwood Drive and Timpam Lane meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, requests the Virginia Department of Transportation to add Gaydell Drive, Keithwood Drive and Timpam Lane described on the Form SR-5(A) to the Secondary System of State Highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

Extract

BE IT FURTHER RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills, and drainage, and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Charles W. Burgess, Jr., County Administrator asked the Board for authorization to advertise for the position of Construction Inspector for the Capital Improvements Project. He stated that a copy of the job description was sent to the School Board for their approval and they had "no comment".

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise for the position of Construction Inspector for the Capital Improvements Project.

2. Mr. Burgess and the Board discussed available dates to have the joint session between the Planning Commission and the Board to discuss private roads, curb and gutter requirements and an overview of the revisions to the Comprehensive Plan.

IN RE: CLAIM

During claims in the beginning of the meeting the claim that Mrs. Everett questioned was a payment to Ritz Camera for repairs on a camera for the Sheriff's Department . She thought that it was a surveillance camera. Mrs. Ralph, during the meeting, went and pulled the invoice. She stated that the invoice did not specifically say it was for a surveillance camera; she felt that it was a camera assigned to a deputy.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claim was approved and funds appropriated for same using check #35728 for repairs to a camera in the amount of $64.95.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- CONTINUED

3. Wendy Weber Ralph, Ass't County Administrator, came before the Board and stated that at a previous meeting the Board approved a list of surplus property to be sold at public auction and she got a request after that day from the Sheriff's Department to add a item to that list. The item is a very old Xerox copier that has been replaced and it is nonrepairable.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a Xerox machine from the Sheriff's Department be added to the list of surplus property to be sold at public auction.

IN RE: CDBG PROGRAM -- DOWN PAYMENT ASSISTANCE

Mrs. Wendy Ralph stated that she has two Community Development Block Grant items that need to be discussed before September 30th. The Board will not meet again before the 30th and it requires the writing of checks.

She stated that there were 5 houses to be built; that is why the County bought the property on Greensville Avenue and tore the houses down so that WPVA could construct homes. There was down payment assistance money available for five homes, $10,000 total, $2,000 per home. That money is available upon closing. At this point WPVA will hopefully have two houses sitting on the lot by September 30th. The state has told Mrs. Ralph that they would allow $4,000 to be used, a draw down for those two houses. Reverend Jeffrey would like to pursue that because he has made some commitments to several individuals. That will be between Reverend Jeffrey and the State but Mrs. Ralph felt that it would be wise, if he can convince the State to allow him to use the full $10,000 that authorization be given to go ahead and write a check from the Block Grant Program and hold it until those houses are ready for distribution of the funds, at closing. At this point it is $4,000; but if he can convince the state to allow him to use the $10,000, then she would request that the Administration be allowed to write a check before September 30th and hold it until time of distribution.

Reverend Jeffrey stated that several Dinwiddie County residents have entered into contractural obligations with WPVA to build them a house. Two of the peoples houses will be completed in the next week. The others could not be started because they couldn't get construction loans until they finished with the first two. There have been some problems with the first two and it has delayed the whole project and because they have been delayed the other people who were promised this down payment assistance are at risk of losing it to no fault of their own if the Board does not authorize the signing of these checks.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a check be approved and funds appropriated in an amount up to $10,000 before September 30, 1995 from CDBG funds to be used for down payment assistance on homes that are to be built by WPVA but held until the houses are ready for closing and distribution of funds.

IN RE: CDBG PRORGRAM -- RELOCATION ASSISTANCE

Mrs. Wendy Ralph stated that part of the Community Development Block Grant Program is also relocation assistance. On Greensville Avenue where the houses were torn down to construct new ones there were four people that lived there and they were relocated. As a part of the program you provide relocation assistance; it can be in the form of rental payments if they move into qualified houses or it can be in the form of a

down payment on a new house. The difficult part comes to the time period that the County is required to hold this money for these individuals and that amount of money is $80,000.00. It must be held for sixty months; that is the period of time that they are eligible to draw. However, if they do not make a decision in twelve months that they want the assistance then their eligibility ends and that money must be returned to the state. Then there is $80,000 that cannot be used for Rehabilitation or any other project you have got to hold in case these people want to use it. An escrow account needs to be set up and it needs to be a noninterest bearing account. This also requires that a check be written to such account before September 30th.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer is authorized to establish a CDBG Escrow Account through an agreement with a bank or a separate account in the General Fund; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Attorney is authorized to draft an escrow agreement for execute between a bank and the County of Dinwiddie and the County Administrator is authorized to execute said agreement; and

Extract

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a check be approved and funds appropriated in the amount of $80,000 from the CDBG Fund by September 30, 1995 to be placed in a noninterest bearing account to be held no longer than 60 months to be available for relocation assistance.

IN RE: BOARD MEMBER COMMENTS

Mrs. Everett talked about how discouraging a Forum was that she and Mrs. McElveen had attended in Richmond which was due to a lot of budget cuts.

She also stated that the Five Forks Reenactment is scheduled for March of 1996 and they are trying to raise money and in doing so they are selling a number of the civil war stamps. She encouraged the citizens to help in their support and purchase some of the things from their fund raisers.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 3-Acquisition or use of real property for public purpose; Section 2.1-344(a) 5-Discussion of a prospective business or industry where no previous announcement was made; the Board moved into Executive Session at 9:35 P.M. A vote having been made and approved the meeting reconvened into Open Session at 10:15 P.M.

IN RE: CERTIFICATION

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

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

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

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each

member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 10:17 p.m.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 4TH DAY OF OCTOBER, 1995, AT 7:30 P.M.

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

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the agenda was approved as presented.

IN RE: MINUTES

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mr. Bracey, Ms. Everett, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the minutes for the September 20, 1995 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Ms. Ralph presented the Board with additional information concerning two checks from Accounts Payable and Payroll which were not included in the packet and the voiding of a (CDBG), Community Development Block Grant, check which would be presented to them with the corrected amount at their next regular meeting.

Upon motion by Mr. Moody, seconded by Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mrs. Everett, Mr. Haraway, voting "aye", with exception of the claims listed on page (15) fifteen, for Jay Tronfeld and Associates in the amounts of #35946 - $3,000.00 and #35947 - $8,000.00 respectively:

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 #35785 - #36023 (Void #35786, #35886, #36013) for Accounts Payable -General Fund $402,891.37, Jail Commission $432.40, Landfill $450.26, E911 $624.82, Self Insurance $6408.09, Courthouse Maintenance $26,351.31; CDBG fund $6,109.40; for a total of $443.267.65.

IN RE: CITIZEN COMMENT

1. George D. Pack - 17033 Wilkerson Road, Dinwiddie, Virginia, submitted his application to the Board of Supervisors for renewal of his Business License for garbage collection.

Ms. Ralph stated that the application had been reviewed by the Director of Sanitation, Denny King, and that it was satisfactory to his department. She added that the application had not been reviewed by administration but that approval, contingent upon administrative and legal counsel review, was appropriate. Ms. Ralph stated that there was a bond which expires at the end of October, but will be renewed.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the application from Mr. George D. Pack for collection of garbage was approved for renewal contingent upon administrative and legal counsel review and approval.

2. David Thweatt, Sr. - 6205 Thweatt Drive, Disputanta, Virginia, stated that he was recently notified by Mr. Tutwiler that his permit to

collect trash had expired. He asked the Board if they would approve a temporary permit and allow him to start collecting trash immediately. It was explained that according to the county attorney, there were not provisions for temporary permitting and that he needed to provide the following information to administration for county review: Health Department approval, Business License approval, Department of Sanitation approval, and Bonding.

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

BE IT RESOLVED by the Board of Supervisor of Dinwiddie County, Virginia, that the application from Mr. David Thweatt, Sr. for collection of garbage, was approved contingent upon his fulfilling all the county requirements and presenting those requirement to administration for review.

IN RE: A-95-9 INDOOR ATHLETIC AND FITNESS CENTER

This being the time and place as advertised in the Progress Index on September 20, 1995 and September 27, 1995, for the Board of Supervisors to conduct a public hearing to consider an application submitted by Mr. George Flowers requesting an amendment to Chapter 22, Section 22-223 in Division 14, "Industrial, General, District M-2" to include "indoor athletic and fitness facilities" as a permitted use.

Mr. Flowers, the applicant was not available to speak on his behalf. Mr. Scheid stated that he had been in contact with the Airport Authority and they did not see a problem with it and hoped that the building could be put into use. Mr. Scheid added that this use would not appear offensive to other uses in an M-2 District and he felt the use was more of a general commercial use, and staff did not feel that the use would "substantially interfere with the development, continuation or expansion of commercial and industrial uses in the M-2 District."

The Planning Commission at its September 13, 1995 Regular Meeting unanimously voted to recommended approval to the Board of Supervisors.

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

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

Extract

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 22-223, Division 14, "Industrial, General, District M-2" of Article IV be amended to read as follows:

(36) Indoor athletic and fitness facilities.

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, and general welfare and good zoning practice.

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

IN RE: C-95-2, RGC(USA) MINERALS, INC.

This being the time and place advertised in the Dinwiddie Monitor Newspaper on September 20, 1995 and September 27, 1995 for the Board of Supervisors to conduct a public hearing for the purpose of considering a request for a conditional use permit submitted by RGC (USA) Minerals, Inc. to conduct open pit mining within Dinwiddie County.

Mr. Scheid, Director of Planning, stated that the land parcels(identified as tax parcels 94-9, 94-13, 94-17, 94-18, 94-18A, 94-19, 94-19A, 94-19D, 94-20, 101-1, 101-1A, 101-3, 101-4, 101-5, 101-6, 101-7, 101-8 and 101-9) proposed for mining are zoned as General Agriculture, A-2. He added that Section 22-71(49) lists open pit mining with a conditional use permit as a permitted use. Section 22-22 of the

Zoning Ordinance addresses the review and issuance of a conditional use permit.

It was the recommendation of the Planning Commission that the conditional use permit be granted with the following conditions:

1. All required State (ie, Department of Environmental Quality, Department of Mines, Minerals, and Energy, etc.) and/or Federal permits governing this type of operation in Dinwiddie County shall be filed with the County prior to beginning the mining operation;
2. Coordination with the Virginia Department of Transportation shall be a continuous effort in order to preclude and/or correct any road problems arising from this operation;
3. Consultation with VPI&SU shall continue in order to address the issues of soil productivity and soil stabilization;
4. No mining operation or related activity shall be permitted within 200 feet of a residence unless the homeowner agrees in writing to permit such mining activity;
5. Signage must be maintained on all four sides of the property being mined; and
6. Deep wells shall not be permitted for use in the mineral extraction process.

Mr. Scheid stated that RGC has submitted a letter requesting relief from the last 3 conditions listed above. In their letter they state their reasons why such conditions are not needed. Mr. Scheid concurred it was his understanding that the Planning Commission was concerned more about the distance criteria being applied to those residents which were not under a lease agreement. Mr. Scheid stated that in regard to the deep well situation, the Planning Commission was concerned for those individuals that might loose their well water as a result of the Company withdrawing excessive amounts of water for their mining operation.

Mr. Scheid stated that RGC had a visual presentation they would make to the Board of Supervisors after which they would answer any questions from the Board.

After the video presentation, Mr. Elliot Mallard, Environmental Reclamation Superintendent for RGC, 18410 Bolsters Road, Stony Creek, VA 23882 spoke to the request. He was accompanied by Russell Clarke, Project Manager of Old Hickory and Dr. Lee Daniels from Virginia Tech. They entertained questions from the Board of Supervisors at this time. Some of the concerns of the Board were:

1. Why applicant wants to delete conditions #4, #5, and #6.

2. Citizens in this area who might be affected by the use of deep wells in the extraction process.

3. Permitting requirements for drawing water from the Nottoway River.

4. Bonding requirements for the property.

5. Distance and setback requirements.

6. Safety provisions.

This being a public hearing the Chairman opened the Public Hearing. The following persons spoke on the request:

1. R. C. Clarke, Jr. - 25313 Mill Run Road, Stony Creek, VA was concerned about the distance this use would be required to setback from residential uses because he determined that his son's house was located approximately 60 feet from one of the property RGC intends to mine. He was also concerned with the effects the deep well will have on the water supply of the residents. Mr. Clarke also felt the use would generate more noise than was originally expected.

2. Sue Lewis - 24232 Mill Run Road, Stony Creek, VA spoke in support of the operation. Stated that the county should be encouraging industrial prospects to the area. She added that she visited the site in

Florida unannounced and the operation was just what they had been told it would be.

3. Dorothy B. Roney - 2007 McKenney Highway, Stony Creek, VA expressed her concern about the effects deep wells or several operational wells would have on the wells of adjacent property owners.

4. Gail Seay, 26486 Cox Road, Dinwiddie, VA stated that she had past experience with the effects deep wells have on surrounding properties. She said when Virginia Power came into Surry County, they were supposed to get water from the James River however Virginia Power utilized some wells and consequently several residential well went dry because of the drop in the water table.

There being no others persons desiring to speak, Chairman Haraway closed the public hearing and offered Mr. Mallard a chance for rebuttal.

Mr. Mallard came forward and gave a brief geological description of the water table as well as the aquifer. He stated that RGC does not intend to use the deep wells in the area for its mining process. He stated that an analysis had been performed on the Nottoway River, and less than 1% of the water from the River would be lost during average flow to extract water for the mining process. He said the only other reason they would use water would be to water the crops which will be planted on the reclaimed land. He added that this area is not a Groundwater Protection Area therefore the chances of the water table being affected by a deep well is minimal.

Mr. Mallard stated that he had talked in length with the Virginia Department of Environmental Quality, and Ray Jenkins at the Piedmont Regional Office, and RGC is not required to have a permit to draw water out of the Nottoway River.

Mr. Bracey asked if RGC was able to get water from the river, why is there such a need for a deep well?

Mr. Mallard said he would need water to irrigate the crops placed on the reclaimed land.

Mr. Bracey offered that there would probably be plenty of water available from the river or from adjacent property owners.

Mr. Everett allerted Mr. Mallard to the fact that condition #6 states that deep wells shall not be permitted for use in the mining extraction process and therefore this condition should not pose a problem for them if it remained.

Mr. Mallard then began addressing the issue of setback by saying that they had to meet setback requirements of (DMME) which requires that they cannot operate within 200 feet of any household on the Old Hickory site.

It was also discussed that this operation would be active seven days a week, 24 hours a day. The vehicles which would be transporting the products will operate 6 days a week, 12 hours a day. Mr. Bracey suggested that RGC and the Old Hickory community might work out some arrangement for Sundays.

After further discussion from the Board of Supervisors and the applicant, Mr. Haraway asked the Board if they were ready to make a motion.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the conditional use permit request submitted by RGC(USA) Minerals, Inc. to conduct open pit mining be approved with the following conditions:

1. All required State (ie, DEQ, DMME, etc.) and/or Federal permits governing this type of operation in Dinwiddie County shall be filed with the County prior to beginning the mining operation;

2. Coordination with the Virginia Department of Transportation shall be a continuous effort in order to preclude and/or correct any road problems arising from this operation;
3. Consultation with VPI&SU shall continue in order to address the issues of soil productivity and soil stabilization;
4. No mining operation or related activity shall be permitted within 200 feet of a residence unless the homeowner agrees in writing to permit such mining activity;
5. Signage must be maintained on all four sides of the property being mined; and
6. Deep wells shall not be permitted for use in the mineral extraction process.

Extract

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: AWARD OF CONTRACT - BANKING SERVICES

Bill Jones stated that he had received 4 proposals and gave the Board of Supervisors some background on how the committee (consisting of county staff) had arrived at their recommendation for the awarding of a contract for banking services. He stated that they had interviewed several banks who had submitted proposals responding to the RFP for banking services to the County. He stated that some of the concerns they had addressed were the costs of the services and the compatibility of their system with our system to facilitate direct deposit. The unanimous recommendation from the committee was to award the contract to the Bank of Southside Virginia. Mr. Jones added that this contract was a 5 year contract with a June 30th yearly renewal date.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid for banking services for the County of Dinwiddie be awarded to the Bank of Southside Virginia; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, that the County Attorney is hereby authorized to draft a contract upon successful negotiation with the Bank of Southside Virginia.

IN RE: SCHOOL BOARD - REIMBURSEMENT OUT OF MEALS TAX FUND DEVELOPMENT PHASE OF THE CAPITAL IMPROVEMENT PROJECT

Mr. Burgess called the attention of the Board of Supervisors to copies of invoices and a Dinwiddie School Board check showing a payment of one hundred fifty-one thousand, six hundred seventy-six dollars and ninety cents ($151,676.90) to the architects (Ballou, Justice & Upton and Associates Architects) for professional services rendered thru completion of the Design Development Phase of the schools Capital Improvement Project. He stated that this information was being submitted by the Dinwiddie County School Board Office for reimbursement from the Meals Tax Fund as directed by the Board of Supervisors.

Mr. Bracey asked that a detailed breakdown be submitted for these services to insure that we are not re-billed for them at a later date.

Mr. Burgess assured Mr. Bracey that this invoice represents 100% payment of the Design Development Phase and there should not be anymore invoices received because this phase of the project is complete.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Jones, Treasurer, is authorized to transfer one hundred fifty-one thousand, six hundred seventy-six dollars and ninety cents ($151,676.90) from the Meals Tax Fund to the School Construction Fund in

order to cover the invoice representing 100% payment of the Design Development Phase of the Capital Improvement Project.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Burgess advised the Board that the workshop planned between the Board of Supervisors and the Planning Commission will not be able to convene on October 18, 1995, due to some key players not being able to attend. For discussion purposes it was suggested that Wednesday, October 25, 1995 be the date for the workshop. Mr. Burgess stated that he would inform the Board as to the feasibility of meeting on this date.

IN RE: BOARD MEMBER COMMENTS

Mr. Bracey asked that the Board minutes reflect 100% completion of the Design Development Phase of the School Capital Improvement Project.

IN RE: RESOLUTION - 125TH ANNIVERSARY OF CENTRAL STATE HOSPITAL

Mrs. Everett stated that Central State Hospital would be celebrating their 25th Anniversary on Saturday, October 7, 1995 and she felt that it was appropriate for the Board of Supervisors to adopt a resolution.

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

Extract

WHEREAS, Central State Hospital has been providing mental health care services for 125 years; and

WHEREAS, the Board of Supervisors is proud to recognize Central State Hospital as a member of our community and for the quality mental health services they have provided;

NOW THEREFORE BE IT RESOLVED that the Dinwiddie County Board of Supervisors of Dinwiddie County, Virginia commends Central State Hospital on their 125TH ANNIVERSARY and encourages the citizens to join in this celebration.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mr. Bracey, Mr. Clay, Mr. Moody, Mrs. Everett, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 7-Consultation with Legal Counsel; Section 2.1-344(a) 5-Prospective Industry Update; the Board moved into Executive Session at 9:02 P.M. A vote having been made and approved, the meeting reconvened into open session at 10:54 P.M.

IN RE: CERTIFICATION

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

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

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

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

convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: SCHOOL BOARD AUCTION

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that upon legal advice from the County Attorney, their motion of September 6, 1995 dealing with the School Board Auction be amended to state that no county employee will be permitted to participate in the School Board Auction.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 11:00 p.m to be continued to October 18, 1995 at 1:00 p.m. at the Board Meeting Room for an Executive Session.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/cls

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 18TH DAY OF OCTOBER, 1995, AT 2:00 P.M.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the October 4, 1995 Regular Meeting are hereby approved with corrections to IN RE: Board Member Comments. Mr. Bracey wanted it added that the Capital Improvement Project, that he was speaking of, was for the Schools.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using check #35946 for Self Insurance $3,000 and check #35947 for Self Insurance $8,000 for a total of $11,000.00; and using checks (void #36024) #36025-36203 for General Fund $247,612.90, E911 Fund $3,935.86, Courthouse Maintenance $5,159.24, Law Library $434.25, CDBG Fund $105,449.42 for a total of $362,591.67.

IN RE: CITIZEN COMMENT

1. Paul W. Walk, Jr., Trinity Church Road, Dinwiddie, VA. He came before the Board and requested an Executive Session in reference to a Personnel issue and litigation involving the County.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 2:25 P.M. A vote having been made and approved the meeting reconvened into Open Session at 2:30 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: CITIZEN COMMENTS CONTINUED

2. Tucker Ramsey, Lewis Road, Dinwiddie, VA. He came before the Board and stated that he was concerned that the County has not received their portion of the meals tax or admissions tax from the weekend of Nationals at the Virginia Motorsports Park.

Mrs. Deborah M. Marston, Commissioner of the Revenue came before the Board and stated that she is working with the Racetrack and the auditors to get a full count.

3. Robert Ragsdale, Boydton Plank Road, Dinwiddie, VA. He came before the Board and stated that he wanted a response from Sands, Anderson, Marks, & Miller (County Attorney) to the question that he posed about a month prior. The question was why was Sands, Anderson, Marks & Miller at Mr. Ragsdale's trial if they were not representing the County; and if they were not representing the County then why did they submit a bill to the County for services rendered in his case.

Mr. Daniel Siegel answered Mr. Ragsdale with the same response that he gave prior; they were not at the trial representing the County; they were representing an insurance company and the reason they submitted a bill was because members of the Board of Supervisors were subpoenaed to testify in the trial and Sands, Anderson, Marks & Miller represented the County at a hearing in reference to those subpoenas.

Mr. Ragsdale also stated that he was also concerned over the fact that the County has spent so much money on trying to purchase the Hargrave Property for the new Courthouse and the County still does not even own it.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Harold Dyson, Assistant Resident Engineer, came before the Board and stated that he did not have anything to present but was available for questions.

The Board expressed their concerns about the bridge construction that was being done on Interstate 85 with the Olympics being next year because Mr. Dyson stated that the construction would not be complete by then.

IN RE: COMMISSIONER OF REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of Revenue, came before the Board and presented a Business License Report.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, was out of town but had submitted his report in writing to the Board prior to the meeting.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, III, Commonwealth Attorney, was present but did not have anything to present.

Mrs. Everett stated that she had gotten several calls from citizens complaining about noise problems in their neighborhoods and she wanted to know if the County has a noise ordinance.

Mr. Rainey stated that noise is very hard to enforce but the people might be able to get some help under the nuisance ordinance.

IN RE: SHERIFF -- REPORT

Mr. Bennie M. Heath, Sheriff, was not present.

IN RE: BUILDING INSPECTOR -- REPORT

Dwayne H. Abernathy, Building Inspector, presented his report for the month of September, 1995.

IN RE: POSITION ANNOUNCEMENT -- PLANS REVIEWER/BUILDING INSPECTOR

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that David F. Hartsook, Jr. is appointed to the position of Plans Reviewer/Building Inspector, effective October 30, 1995, at Grade 12, Step F1, and salary of $33,554.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of September, 1995.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mrs. Wendy Weber Ralph, Assistant County Administrator, came before the Board and requested their approval on some changes to the design of the Tot Lot that will be constructed in West Petersburg. She also stated that the changes will not create any additional costs.

Mr. Peter Jeffrey, representative of WPVA, came before the Board and stated that he had met with the appropriate people and they had approved the design changes. The changes came about because of some health, safety and drainage problems. He then went over the changes with the Board.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the design changes to the Tot Lot to be constructed in West Petersburg are approved as presented.

IN RE: INDOOR PLUMBING/REHABILITATION -- DESIGNATION OF GREENSVILLE AS PROGRAM ADMINISTRATOR

Mr. W.C. Scheid, Director of Planning, came before the Board and stated that he had received the contract from Greensville County allowing them to be the Administrator of the Indoor Plumbing and Rehabilitation Loan Program. He asked the Board for approval of the resolution that would allow Greensville to administer the Program.

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

WHEREAS, the Commonwealth of Virginia, Dept. of Housing and Community Development has issued a Request for Proposals for Participation in the INDOOR PLUMBING/REHABILITATION PROGRAM; and

WHEREAS, assistance is needed to effectively and adequately address the rehabilitation of substandard homes of low-income persons to be served by Dinwiddie County on a County-wide basis; and

WHEREAS, Dinwiddie County has been awarded funds in the amount of $110,000 for West Petersburg and $35,108 for County-wide in FY 96 and $60,000 for West Petersburg in FY 97; and

WHEREAS, Greensville County has agreed to provide the administration for the program to those in need in conformance with the regulations and guidelines of this State Program to include applicable

Federal requirements under the Home Program on behalf of Dinwiddie County; and

WHEREAS, Charles W. Burgess, Jr., County Administrator can act on behalf of Dinwiddie county and will sign all necessary documents required to complete the proposal process;

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby:

a. Appoints Greensville County as Program Administrator (Subrecipient) to administer and implement both the County-wide and the West Petersburg Indoor Plumbing Program; and

b. Authorizes Charles W. Burgess, Jr., County Administrator to act on behalf of Dinwiddie County to sign all necessary documents required to complete the proposal process; and

Extract

c. Authorizes Greensville County, on behalf of Dinwiddie County, to accept participation in and enter into agreement with the Virginia Department of Housing and Community Development and undertake any and all actions and responsibilities in relation to such agreement.

IN RE: APPROVAL OF ADDENDUM TO WEST PETERSBURG DEMOLITION CONTRACT

Mr. W.C. Scheid, Director of Planning, came before the Board and presented an Addendum to each of the West Petersburg Demolition Contracts with Herbert A. Phillingane.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following Addendum to the West Petersburg Demolition Contract with Herbert A. Phillingane is approved:

1. The clause in Paragraph No. 2 beginning with the words "dispose of all the materials" and to the end, shall be deleted, and the following inserted: "Herbert A. Phillingane & Son shall dispose of all of the material in the landfill located in Sussex County and operated by Atlantic Waste Disposal, Inc., 3474 Atlantic Lane, Waverly, Virginia 23890. Herbert A. Phillingane & Son shall be responsible for submitting mileage reports to the Director of Planning for the County for each load and for submitting to the Director of Planning of the County a copy of each ticket/invoice received from Atlantic Waste Disposal, Inc. for disposal of each load at the Sussex County landfill."

2. The following shall be inserted after the first sentence of Paragraph No. 8: Also, the County will reimburse Herbert A. Phillingane & Son at its standard rate of 10 cents ($.10) per ton per loaded mile for hauling the material to the above Sussex County landfill but only so long as the above verified mileage reports are submitted. The County additionally agrees to be billed directly by Atlantic Waste Disposal, Inc. but only for each load of material, debris and the like taken from the above property as a result of this demolition contract and only if Herbert A. Phillingane & Son submits a ticket for each load. The County shall not be billed and will not pay for disposal of any material, debris or the like that does not result from this Contract."

Extract

3. Paragraph No. 3 shall be amended by deleting references to the "County's landfill" and inserting "Sussex County's landfill" in all places. In addition, the reports mentioned in this paragraph shall be made to the County's Director of Planning in the County Administrator's Office.

4. All of the terms not expressly modified or amended by this Addendum shall remain in full force and effect.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W. C. Scheid, Director of Planning, presented his report for the month of September, 1995.

Mrs. Everett wanted to know when the Board and the Planning Commission were scheduled to meet with the Resident Engineer of the Virginia Department of Transportation to discuss the Comprehensive Plan and the waiver of curb and gutter requirements.

After some discussion between the Board they decided that the date would be November 15, 1995 at 7:00 P.M. Mr. Scheid stated that he would notify his Planning Commission members and let them know that they need to be in attendance. He also stated that he would contact Mr. Ronald Reekes, Resident Engineer, Virginia Department of Transportation.

IN RE: APPROPRIATION OF FUNDS RECEIVED BY SOCIAL SERVICES

Mrs. Peggy McElveen, Director of Social Services, asked the Board to appropriate the following funds to the Dinwiddie Social Services Department. No local match is needed.

UNITED WAY	$2,465.00
AGENCY ON AGING	$ 616.25
	$3,081.25

Extract

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", $3,081.25 was appropriated to the Social Services Department for FY 1995-96.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy M. McElveen, Director of Social Services, presented her annual report for 1994-1995.

IN RE: DINWIDDIE COUNTY POLICY AND MANAGEMENT PLAN -- REPORT

Mrs. Peggy McElveen, Co-Chair, County Policy and Management Team, stated that she wanted to update the Board about their Team. She also stated that Sharon Snow, Co-Chair, County Policy and Management Team was present to update the Board also.

Mrs. Sharon Snow came before the Board and presented the report from their October 18th meeting.

IN RE: SCHOOL BOARD -- AMEND REVENUE AND EXPENDITURE BUDGETS

Mr. Ray Watson, Assistant to the Superintendent for Finance & Technology, came before the Board and apologized for Dr. Gaul not being available for the meeting but he was in Lynchburg for the Superintendent's meeting working on some Legislative matters.

Extract

Mr. Watson stated that Dr. Gaul sent the Board a letter requesting that they amend the School Board's Revenue & Expenditure Budgets. He attached a spreadsheet explaining the sources and the two categories in which he wishes to add. The total amount of change is $361,566. Most of this comes from the State; adjustments to their average daily membership. They are now projecting 3,830. Mr. Watson stated that he is confident that it will be that number or higher. They also will receive an additional $79,000 for remedial summer school. That money has already been spent on summer school for this year so it will cover what their expenditures were. The other funds, in the amount of $98,000, came from federal funds. The other piece came from an anti-drug and violence grant. He also stated that there are no increases in local funds requested at this time.

Mr. Bracey requested that the letter that Dr. Gaul sent to Mr. Burgess be put into the minutes, along with the figures that Mr. Watson went over.

12 October 1995

Mr. Charles Burgess
Dinwiddie County Administrator
P.O. Box 70
Dinwiddie, VA 23841

Dear Mr. Burgess:

Attached to this letter you will find a copy of a spreadsheet showing $361,566 in increased state and federal revenue for schools in Dinwiddie County. Most of the increase in state revenue, $166,860, comes from our revised estimated Average Daily Membership. Using our Fall Membership of 3900 students, we are confident that the 30 March ADM will be at least 3830. This is the number upon which we are basing the revisions to the FY-96 budget. The balance of the state increase is due to increased summer school enrollment and state support for our alternative education program for suspended and expelled special education students.

The increase in federal funds over the budgeted amounts is the results of one new Anti-Drug and Violence competitive grant and the rescission of proposed federal cuts. When we built the FY-96 budget, we had been informed that there would be severe reductions in several federal programs. The President's rescission of the these cuts will result in federal revenues exceeding the original FY-96 school budget by the indicated amounts.

Please inform the Dinwiddie County Board of Supervisors that we respectfully request to amend our FY-96 Revenue Budget By $361,566. The corresponding increases in the FY-96 Expenditure Budget would be $36,000 for transportation and $325,566 for instruction for a total of $361,566.

As soon as the auditors complete the FY-95 audit, we will need to return to the Board of Supervisors to request the re-appropriation of unexpended funds for the acquisition of buses. A small amount of the unexpended funds, $3478.24 is state money from the Regional Technology Center, but the remaining funds are designated for the purchase of buses. At this time, it appears that we will be able to purchase four (4) buses if the Dinwiddie County Board of Supervisors approves the re-appropriation of the FY-95 unexpended funds.

Sincerely,

Thomas H. Gaul, Ed.D.
Superintendent

Enclosure

Increased Revenue and Expenditures for FY-96 School Budget

Source of Additional Funds	
State Revenue related to ADM	$166,860
State Revenue for Remedial Summer School	$79,420
State Revenue for Alt Ed for Susp. and Exp.	$17,115
Federal Grant for Anti-Drug and Violence	$47,949
Federal Eisenhower Funds	$13,867
Federal Title VI-B	$22,876
Federal Pre-School	$2,552
Federal Chapter II	$10,927
TOTAL	$361,566

Proposed Revisions for Expenditure Budget

Category		
Instruction	Increased ADM funding	$131,860
Transportation	Increased ADM funding	$35,000
Instruction	Rem. Summer School	$79,420
Instruction	Alt. Ed. for Susp. & Exp.	$16,115

Transportation	Alt. Ed. for Susp. & Exp.	$1,000
Instruction	Federal Programs	$98,171
TOTAL		$361,566
Instruction total		$325,566
Transportation total		$36,000

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie County School Board's FY-96 Revenue Budget be amended by $361,566.00;

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie County School Board's FY-96 Expenditure Budget be amended and funds appropriated by category as follows: $36,000 to Transportation and $325,566 to Instruction.

IN RE: OFFICE ON YOUTH AND COMMUNITY SERVICES -- AMEND BUDGET

Mrs. Francene Newman, Director of Office on Youth and Community Services, came before the Board and asked the Board to amend the Office on Youth and Community Services budget by $29,263 in increased revenue. She stated that the increase comes from three different sources: the Department of Youth and Family Services (Virginia Delinquency Prevention and Youth Development Act grant); the Department of Environmental Quality (Litter Prevention and Recycling Funds); and Governor George Allen (U.S. Drug Free Schools and Communities Act).

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the FY-96 Revenue & Expenditures Budget for the Office on Youth and Family Services be amended and funds appropriated in the amount of $29,263.

IN RE: RECREATION -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of September, 1995.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Dennis E. King, Director of Waste Management, presented his report for the month of September, 1995.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel Siegel, County Attorney, was present and asked the Board to authorize the County Administrator to execute the contract that would allow the County to participate in the Appomatox River Regional Compact for Local Motor Vehicle License Enforcement.

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

Extract

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby authorizes and directs the County Administrator, or his designee, to draft and execute a contract to participate with the officers of Chesterfield County, Prince George County, the City of Colonial Heights, the City of Petersburg, and the City of Hopewell, to establish a Regional Compact for enforcement of local motor vehicle license requirements.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Charles W. Burgess, Jr., County Administrator, presented the following Tenative 1996-97 Budget Calendar:

November 15th	Discussion with Board of Supervisors on FY 97 Budget Goals
November 20th	Budget materials distributed to Agencies and Departments
December 22nd	Agencies/Departments submit Budget requests
Week of January 8th	1996 value estimates submitted by the Commissioner of the Revenue
Week of January 29th	Proposed Budget submitted to the Board of Supervisors
Month of February	Board of Supervisors Budget Work Sessions
March 6th	Budget Public Hearing

IN RE: BOARD MEMBER COMENTS

1. Mrs. Everett stated that she received a Thank You note from Central State Hospital for the Resolution that the Board passed for their 125th Anniversary Celebration.

Mrs. Everett also stated that the Five Forks Reenactment are now selling T-Shirts with their logo on it to raise money for the Reenactment coming up in March of 1996.

2. Mr. Bracey wanted to know about the status of the lights that are to be put on the front of the building.

Wendy Weber Ralph, Ass't County Administrator, stated that the lights had been ordered.

3. Mr. Haraway stated that the Board had just completed their annual evaluation of the County Administrator and based upon a position evaluation of Mr. Burgess, Mr. Haraway entertained a motion to increase the County Administrator's salary from the current amount of $57,783 to $60,000 to be effective on his anniversary date of December 1, 1995. The County Administrator shall not be included in any across the board increases as are all County employees.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator's salary, based upon a successful evaluation, is increased from the current amount of $57,783 to $60,000 to be effective on his anniversary date of December 1, 1995;

Extract

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator shall not be included in any across the board increases as are all County employees.

Mr. Bracey stated that he understood that Mr. Burgess, on his anniversary date, would be evaluated and if that was successful he would be given an increase but if not he would not get an increase.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 5-Discussion of Industrial Prospects; the Board moved into Executive Session at 4:05 P.M. after a five minute recess. A vote having been made and approved the meeting reconvened into Open Session at 6:17 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 6:19 P.M.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 18TH DAY OF OCTOBER, 1995, AT 1:00 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 1:05 P.M. A vote having been made and approved the meeting reconvened into Open Session at 2:10 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 2:13 P.M.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 1ST DAY OF NOVEMBER, 1995, AT 7:30 P.M.

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

IN RE: AMENDMENT TO AGENDA

Upon motion of Mr. Moody, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the agenda was amended as follows:

Add, 5(a). Appropriation to County Construction Fund.

Move, 10. Position Announcements. - 5(b).

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the October 18, 1995 Continuation Meeting and the minutes for the October 18, 1995 Regular Meeting are hereby approved with corrections to the October 18, 1995 Regular Meeting, IN RE: Indoor Plumbing/Rehabilitation -- Designation of Greensville As Program Administrator. Mrs. Wendy Weber Ralph, Ass'st County Administrator requested that "Subrecipient" be added next to Program Administrator. Mrs. Ralph also stated that on Page 7 the Board approved two Budget Amendments, the School Board Budget and the Office on Youth and Community Services Budget; the budgets were amended but the funds also need to be "appropriated".

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using check #36204-36401 for Payroll in the amount of $248,752.23; General Fund $248,283.96 and E911 Fund $468.27, and Accounts Payable in the amount of $166,023.21; General Fund $101,662.33, Jail Commission $667.64, E911 Fund $368.00, Self Insurance Fund $31,066.71, Fire Programs $4,899.64, CDBG Fund $27,358.89.

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that funds needed to be appropriated to the Courthouse Construction Fund for the purchase of the Hargrave property for the new courthouse. The check should be made payable to the Clerk of the Circuit Court in the amount of $140,000.00.

Mrs. Everett stated the Condemnation procedure was dropped and an agreement was reached on the purchase of this property and by appropriating these funds it will be paid for.

Ben Emerson, County Attorney, stated that this does stop the condemnation process because the other party wanted to finish the condemnation. They wanted to have the court enter an order transferring the title to the property. It is a settlement, but at their request the the condemnation proceedings were finished.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that funds be appropriated to the Courthouse Construction Fund in the amount of $140,000 for the purchase of the Hargrave property for the new courthouse.

IN RE: POSITION ANNOUNCEMENTS

Mr. Charles W. Burgess, Jr., County Administrator requested that the Board consider authorizing the hiring of five additional full time paid EMS Employees. He also requested that he be appointed as Emergency Services Coordinator and Dawn M. Titmus be appointed EMS Supervisor and Deputy Emergency Services Coordinator.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, the following individuals were hired as paid Emergency Medical Service personnel:

Extract

Anthony E. Burrow	Grade 10	$20,956
Lynne M. Cosley	Grade 8	$17,966
Richard L. Jordan, Jr.	Grade 8	$17,966
Julia E. Lee	Grade 10	$20,956
Bobby C. Lester, Jr.	Grade 10	$20,956; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Charles W. Burgess, Jr. be appointed as Emergency Services Coordinator; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Dawn M. Titmus be designated as EMS Supervisor and Deputy Emergency Services Coordinator at grade 12 and a salary of $24,443.

IN RE: CITIZEN COMMENTS

1. George Hobbs, Route 1, Box 76B, Carson, Virginia. Mr. Hobbs came before the Board and stated that he wanted to know when he could petition the Board to change the name of the road that he lives on back to Halifax Road. He stated that it had been Halifax Road for many many years and then Johnny Clements came along and requested that it be changed to Halligan Park Road and it was.

Staff informed him that he could petition the Board next year.

Mr. Haraway asked if staff could notify Mr. Hobbs in writing as to when he would be eligible to petition the Board for a road name change.

2. Mark McCormack, Lakewood Drive, Dinwiddie, Virginia. Mr. McCormack came before the Board and requested the Boards' support on keeping the Extension office fully staffed.

3. Alvin Blaha, Squirrel Level Road, Petersburg, Virginia. Mr. Blaha came before the Board and stated that he was present to speak on behalf of Farm Bureau. He also stated that by Jimmy Maitland, Extension Agent, leaving it has left their organization up in air. He would like for the Board to expedite this matter.

4. Billy Bain, Bain Road, Dinwiddie, Virginia. Mr. Bain stated that he would like to echo Mr. Blaha's concerns. He would like for the Board to get another Extension Agent quickly because if not, he is afraid that the office will be closed and will not reopen.

Mrs. Everett stated that she hoped that the Board would move forward on this issue and support keeping the Extension office open and fully staffed.

Mr. Charles W. Burgess, Jr., stated that he was going to discuss this issue with the Board in Executive Session after the meeting under Personnel.

5. Anne Scarborough, Boydton Plank Road, Dinwiddie, Virginia. She stated that she was very glad to see the 24 hour EMS coverage come to the County.

IN RE: A-95-10 -- REGIONAL MOTOR VEHICLE COMPACT -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on October 18, 1995 and October 25, 1995, for the Board of Supervisors to conduct a public hearing for the purpose of amending and reordaining Chapter 14 of the Dinwiddie County Code.

Mr. Ben Emerson, County Attorney, stated that Chapter 14 of the Dinwiddie County Code is entitled "An Ordinance to Amend and Reordain Chapter 14 of the Dinwiddie County Code by Adding to Said Chapter a New Section 14-30 Entitled "Display of Licenses Required by Jurisdictions Participating in the Appomatox River Regional Compact For Local Motor Vehicle License Enforcement", which shall allow the County of Dinwiddie to join with the County of Prince George and the cities of Colonial Heights, Hopewell, and Petersburg for enforcing the requirement that motor vehicles have local motor vehicle licenses and for collecting fines for violation of the local motor vehicle license decal ordinances of the above jurisdictions.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Chapter 14 of the Dinwiddie County Code is hereby reordained and amended, with the addition of a new section 14-30 as follows:

Display of Licenses Required by Jurisdictions Participating in the Appomatox River Regional Compact for Local Motor Vehicle License Enforcement.

Sec. 14-30.

Pursuant to Section 46.2-752(K) of the Code of Virginia and the Appomattox River Regional Compact for Local Motor Vehicle License Enforcement entered into by the Counties of Prince George and Dinwiddie and the Cities of Colonial Heights, Hopewell and Petersburg (the "Participating Jurisdictions"):

(a) Any owner or operator of a motor vehicle who is required to display a local motor vehicle license for that vehicle by any Participating Jurisdiction must display such license at all times while such vehicle is operated or parked in Dinwiddie County.

(b) A violation of this section shall constitute a class 4 misdemeanor.

(c) Enforcement of this section shall be conducted in the same manner as prescribed for vehicles owned or operated by a resident of Dinwiddie County.

(1) When the operator is the owner of the cited vehicle, such violation shall be discharged by payment of the requisite fine and presentation of satisfactory evidence that the required license has been obtained.

(2) When the operator is not the owner of the cited vehicle, the violation may be discharged by payment of the requisite fine.

This ordinance shall become effective immediately.

In all other respects the Dinwiddie County Code is hereby reordained.

IN RE: AWARD OF CONTRACT -- FIRE TRUCK -- OLD HICKORY FIRE DEPARTMENT

Mr. Charles W. Burgess, Jr., County Administrator, stated that he enclosed in the Board's packet information pertaining to the Fire Truck for Old Hickory Fire Department. The bid submitted by Fire-X Corporation (E-One) in the amount of $167,764.00 is being presented for approval. There were three proposals submitted, Fire-X Corporation (E-One), Quality, and Pierce.

Mr. Clay questioned as to why only one bid was opened and the other two were not.

Mr. Burgess stated that for one reason or another this bid was done a little differently. It went out not as a bid; it went out as a request for proposal. Specifications were drawn up for the fire truck and the respondents were to give their abilities to construct such a truck. The proposals then were graded and the highest graded company got to have their price opened. This was the idea of the Public Safety Officer, David Nichols, to go through the process this way. There were certain reasons why this was done; this would guarantee the quality of the vehicle and make sure that Old Hickory did not receive an inferior product.

Mr. Haraway made the observation that we have purchased fire trucks from Pierce before.

Mr. Burgess stated that we have purchased custom fire trucks from them before.

Mr. Haraway questioned why we only had one bid for this.

Mr. Burgess stated that there are two others but they were unopened.

Mr. Clay and Mr. Haraway both stated that they did not understand.

Mr. Clay stated that this was fine if this is what Old Hickory wants. Suppose the other bids were almost as good or less.

Charles Rideout, Old Hickory Fire Department, came before the Board and stated that bids were sent out and when they came back they were graded. The other trucks that did not get the top grade did not have everything that the specifications called for. The E-One truck had just about everything that they asked for; Quality and Pierce did not. This was something that David Nichols had drawn up and sent out to the prospective vendors. The score sheet was in the bid packets that went to all the suppliers. They knew how they were going to be graded.

Mrs. Everett asked if Mr. Rideout was happy with this process.

Mr. Rideout said he was because some of the stuff that they called for is on this one that wouldn't be on the other two.

Mr. Haraway wanted someone to tell him something to make him feel more comfortable. He is looking at $167,000 being spent and there is only one bid. How do they know that this same truck cannot be purchased for a lower price.

Mr. Rideout stated that he doesn't think they really can with this process.

Mr. Burgess stated that the only thing that could possibly be done is under the request for proposal format, schedule interviews with all three companies and ask them for a non-binding cost estimate.

Mr. Burgess stated that this process was done to make sure that responses were received from people that are capable of providing the specified equipment. He thinks that is a lot of the basis for why this went out like this because this wasn't a custom piece of equipment. There are probably other vendors that may have used inferior quality materials and would therefore have had a substantially lower price on a straight bid process. So this was a process by which you didn't get a custom vehicle

but you do get a quality vehicle. The delivery time on this is a lot less than say a custom truck.

Mr. Clay stated that this process may be good but it is something that he hasn't run into before. He can't understand why the other bids were not opened.

Mr. Bracey wanted to know why it was done this way.

Mr. Rideout stated that this is the way that David Nichols drew it up.

Mr. Burgess stated that for the basics of this unit, there are probably some vendors with much smaller operations that the quality of the product might have been a little bit questionable. He thought that this process was discussed with the County Attorney's office.

Ben Emerson, County Attorney, stated that he was not consulted on it so he was not familiar with it. But evidently it was discussed with one of the Attorneys at the office.

Mr. Bracey and Mr. Haraway stated that they felt that there was something more to this that they were not aware of. Mr. Haraway stated that he felt that it should be rebidded.

Mr. Clay stated that he was just curious as to why the bids were not opened after they came in, but he is satisfied if that is the way Old Hickory wants to go.

Mr. Bracey stated that he was not worried about the money, but he was worried about only one bid being opened. He doesn't want Quality or Pierce to come and file a suit against the County. He wants to do business fair and up front.

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that this method allows them to select the truck that they want based not solely on price. Just because it was low price it may not have fit their needs or the specifications that they wanted. It appears to be a method that the other prices will never be known but the question is whether the other two trucks would have fit their needs based on their evaluation.

Mr. Haraway stated that if the other two bids were not opened how will they know.

Mrs. Ralph stated that all the proposals were opened to look over the specifications; but the bid price is in a separate envelope.

Mr. Bracey stated that he needed some more information. This process needed to be explained or someone needed to show him exactly what is going on because he does not want to vote on something that is really not clear.

Mr. Haraway agrees with Mr. Bracey but he doesn't think that in two weeks anyone will be able to give them anymore information than they have right now.

Mr. Emerson stated that he would find out who worked on this with Mr. Nichols and report back to the Board.

Mr. Chris Wilkins, Old Hickory Fire Department, came before the Board and explained how the bids were done. They took all the specifications and sat down with Dave Nichols and figured out what they needed on the truck to make it a Class "A" pumper tanker for the County. They then sent out identical bids to all the companies and when they came back, the committee sat down and graded them. The Pierce truck tried to cut corners and didn't want to put certain things on and Quality did the same thing. E-One is going to give them the exact truck that they specified. They are not trying to cut any corners. They knew how they were going to be graded. Which ever one was graded the best was the one that was opened. They looked at the quality of the truck not the prices.

Charles Rideout stated that either 7 or 8 bids were sent out and these three companies were the only ones who submitted a bid.

Mr. Haraway stated that he was not against the purchase of this fire truck, but he felt that it was not in his best business judgment to spend $167,000 and not at least have another bid to compare it to. He feels that there are a lot of questions unanswered.

Mr. Bracey stated that he was going to vote but he wanted the specifications of the entire process be a part of the minutes.

SPECIFICATION REQUIREMENTS

ALL interested bidders shall submit no later than 2:00 P.M. on Wednesday, September 27, 1995, five bound copies and one unbound copy of their proposal. Included with the proposals shall be a letter indicating the intent to bid. Proposals shall not include a bid quotation price. If your proposal includes a price, your proposal will be immediately rejected without any further explanation.

In a SEPARATE SEALED ENVELOPE, THE BIDDER SHALL PROVIDE A BID PRICE QUOTATION FOR THE TOTAL PRICE of the SPECIFIED UNIT delivered to Dinwiddie County. Only those items listed in the RFP as options shall be listed separately as options. BIDS SUBMITTED WITH A BASE PRICE AND A PRICE PER OPTION WILL NOT BE ACCEPTED AND WILL CAUSE THE BIDDER TO BE DISQUALIFIED. This information shall be contained in a sealed envelope with the following information indicated on the front.

COUNTY OF DINWIDDIE
14016 BOYDTON PLANK ROAD
P. O. DRAWER 70
DINWIDDIE, VIRGINIA 23841

Located on the front, in the lower left hand corner shall be the following information.

SEALED BID: COMMERCIAL FIRE PUMPER / TANKER

Bidders must also indicate in the "Yes/No" column (provided in the following technical specifications) if their bid complies on each ITEM (PARAGRAPH) specified. Exceptions will be allowed ONLY if they are "equal to or superior to" that specified and provided they are listed and fully explained on a separate page. It shall be the sole responsibility of the BIDDER to show proof of "equal or superior to".

(PROPOSALS TAKING TOTAL EXCEPTION OR EXCEPTION TO MAJOR COMPONENTS OF THESE SPECIFICATIONS WILL NOT BE ACCEPTABLE)

Also, bidders must submit a detailed proposal. A letter only, even though written on a company letter head, is not sufficient. We must be able to study, evaluate and compare. Bid proposals must be submitted in the same sequence as specifications for ease of checking compliance. An EXCEPTION to these requirements WILL NOT BE TOLERATED.

All proposals will be evaluated and scored using the grading sheet provide on page 60 of this package. Proposals will be ranked according to the final total scores. At this point, the bid from the number 1 ranked proposal will be opened. If the price is within our budget, we may enter into a contract with the successful bidder. If Dinwiddie County and the number 1 cannot negotiate, number 1 will be discarded and we shall open the number 2 and so on. Once we have moved on, we cannot and will not revisit any proposal for any reason.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the proposal from Fire-X Corporation (E-One) in the amount of $167,764.00 be accepted for the purchase for One (1) Emergency One Pumper, Freightliner Chassis for Old Hickory Volunteer Fire Department.

IN RE: AWARD OF CONTRACT -- PROPANE SERVICE

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that the propane service that we have basically serves the Jail, Dinwiddie Volunteer Fire Department and the Ford Volunteer Fire Department. It was time to rebid this so four requests for bids were sent out and two bids were submitted. Spencer Propane Company submitted a "No Bid" and Parker Oil Company submitted a bid of .709 for a fixed rate and .659 for a fluctuating cost. She recommended that the Board approve the fixed price from Parker Oil Company of .709. She feels that this rate would be good for three years and with not knowing what is going to happen in the future she felt that a fixed rate was a better way to go instead of a fluctuating rate. This would be renewable annually so for the next three years we can renew annually or if the rates have dropped we can rebid it.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid for supplying the County propane fuel was awarded to Parker Oil Company on a fixed price basis of .709/gallon, which may be extended for a term of three years negotiated 90 days prior to the expiration date.

IN RE: ACCEPTANCE OF GIFTS -- ROBERT B. PAMPLIN

Mr. William E. Jones, Treasurer, came before the Board and stated that he received a letter from Robert B. Pamplin who desires to give more gifts to the Evelyn Abrahams Scholarship Fund and the Department of Social Services Endowment Fund. He requested the Boards' approval to accept these gifts. He also sent some personal checks to "even-out" his gifts, with no direction from Mr. Pamplin on how the personal checks are to be used. He requested the authority to purchase some more of the stocks that Mr. Pamplin is giving which are the Consolidated Paper common stock.

Mrs. Everett asked Mr. Jones to read the amount of the gifts.

The Abrahams Scholarship gift consists of the transfer of 10,000 shares of Consolidated Paper common stock that is valued, at the date of endorsement, to be $614,375.00. The Social Service's Endowment gift consists of the transfer of 5,000 shares of Consolidated Paper common stock with a value, at the time of endorsement, of $307,187.50. The personal checks to "even-out" his gifts to the Endowment Fund total approximately $75,000.00.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer is authorized to accept the transfer of 10,000 shares of Consolidated Paper common stock from Robert B. Pamplin for the Evelyn Abrahams Scholarship Fund; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer is authorized to accept the transfer of 5,000 shares of Consolidated Paper common stock from Robert B. Pamplin for the Department of Social Service's Endowment gift.

Mr. Jones then requested authority to purchase additional shares of the Consolidated Paper common stock, with the personal checks Mr. Robert B. Pamplin contributed to "even-out" his gifts.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that William E. Jones, Treasurer is authorized to enter orders to purchase, sell or sell short securities of every kind and description for and on behalf of Dinwiddie County and to sell, assign and endorse or transfer certificates representing stocks, bonds or other securities registered in the name or for the account of Dinwiddie County.

Mrs. Everett asked that a letter of appreciation be sent to Mr. Pamplin.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Burgess stated that Mr. Ronald Reekes, Resident Engineer, Department of Transportation, would like for the Board to take a look at the Dinwiddie County Six-Year Plan. Mr. Reekes would like to schedule a work session with the Board sometime in November. He would also like to conduct the public hearing during the month of December.

Mr. Burgess stated that this time frame seems a little earlier than usual and wanted to know how the Board felt about it.

Mr. Haraway stated that with this being an election year, he felt that they should wait until January and February so that the new Board could sit in on the discussion.

After some discussion between the Board, they agreed that they would wait until January and February to start the process.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Moody commented on an article that was in the Progress Index. The article pertained to the redrawing of election district lines which moved some voters from one district to another. He thinks that by the way the article was written, it might have mislead some people as to why these people were moved. Mr. Moody thought that the voters were moved to put them into the proper congressional district thereby negating the voters use of paper ballots. He felt that the wording was wrong because the article said that the lines were moved so they didn't have to drive as far.

2. Mr. Bracey stated that he wanted a list of the contracts that the County has with different businesses. He feels that the Board should know who the County has contracts with. He thinks that when the new Board takes it seat all the contracts should be reviewed.

Mr. Bracey stated that it has been brought to his attention that the County is behind on the reassessment process. This is a very important because the County is getting ready to go to twice a year taxation. He felt that someone was behind. He wanted to know what the Administration had to do to move the process along so they don't get behind.

Mr. Burgess stated that he thought what Mr. Bracey was trying to say is that there was a memorandum from Wingate Appraisal Service that was given to the Board this evening. It red flags the fact that the reassessment process is slowed down because some of the property records are not current.

Mr. Haraway stated that he shares Mr. Bracey's concerns about that letter. He also has concerns about the letter that they received at their last meeting from the auditors. This is two letters that the Board has received in two weeks regarding the Commissioner of Revenue's office. He suggested to the Board that the County Administrator write the State Tax Commissioner and forward a copy of these two letters to him and let them serve as an advisory role and instruct the Board as to what they (the Board) should do. He would like the State Tax Commissioner to review these two letters and give the Board an opinion as to what should be their duty. He asked if anyone objected to this being done.

Mr. Bracey stated that he felt that it had to be done because he should be able to answer to his people what is going on. Since the Board can't do anything, that is what the State Tax Commissioner is for.

3. Mrs. Everett stated that she attended the dedication of the Sussex County Courthouse and she was very impressed with their new court building.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; Section 2.1-344(a) 7-Consultation with legal counsel; following a five minutes recess the Board moved into Executive Session at 8:45 P.M. A vote having been made and approved the meeting reconvened into Open Session at 10:07 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 10:08 P.M.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 15TH DAY OF NOVEMBER, 1995, AT 2:00 P.M.

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

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the agenda was approved as presented.

IN RE: MINUTES

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the minutes for the November 1, 1995 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mr. Charles W. Burgess, Jr., County Administrator stated that he had an additional claim from Commercial Roofing in the amount of $78,900.00 to pay for the new roof that was put on the Administration Building. He requested the Board's approval to pay the claim, which would be contingent upon receiving the notarized warranty.

Mr. Bracey stated that he sees where the bill from Victor Products Corp. to repair the ice machine in the concession stand was going to be paid. He stated that he had read the letter from the Attorney's office advising Mr. Rinaldi, Recreation Director, to release the check to Victor Products. He hopes that Mr. Rinaldi will cease to do business with Victor Products because he couldn't see why they charged the County for repairs on a brand new machine.

Mr. Haraway stated that he shares Mr. Braceys' concerns.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using check #35755 in the amount of $88.00 for General Funds; #36402-#36562 for Accounts Payable in the amount of $394,127.15; General Fund $347,674.33, Jail Commission $667.64, E911 Fund $1,638.00, Self Insurance Fund $1,720.07, Courthouse Maintenance $32,269.96, CDBG Fund $7,479.63.

IN RE: CITIZEN COMMENTS

1. Betty Jeter, Registrar, came before the Board and thanked the Board and the County Attorney for their help and support on doing the limited redistricting.

Mr. Moody asked Mrs. Jeter if something could be done about the parking at the Five Forks Precinct for the next election. He said that people had a difficult time trying to park there. He suggested that maybe the pole workers park somewhere else to allow space for the voters.

Mrs. Jeter stated that she would look into it and see what she could do.

2. Thomas Gholson, Trinity Church Road, Church Road, VA. Mr. Gholson came before the Board and stated that he was representing

interested citizens of Dinwiddie County. He stated that he was trying to acquire the service of Eastside Elementary School. He has several organizations and individual groups that need to use part of the facility. He understands that it is not being used right now for any other reasons. They do not need the whole facility at this time; they just need a portion of it.

Mr. Haraway stated that the Board would take his request under advisement.

3. Pam Wilkerson, Dinwiddie High School. She came before the Board and passed out a packet of information in reference to the Dinwiddie Violence Prevention Program. She explained a little about the Program and requested a statement of support from the Board.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that an official statement of support be drawn up in favor of the Dinwiddie Violence Prevention Program.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald H. Reekes, Resident Engineer, was not present.

IN RE: COMMISSIONER OF REVENUE -- REPORT

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

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, came before the Board.

Mr. Haraway wanted to know if Mr. Jones had any idea when the tax tickets were going to go out.

Mr. Jones stated that Sunday evening (November 12, 1995) at 9:30 P.M. he received the personal property assessments. Tuesday, November 14, 1995 at 11:00 A.M. he received the real estate assessments. His office has printed the tickets, bursted them, and are putting them in the envelopes now. They are shooting for a Friday, November 17, 1995 postmark date.

He stated that his objective for coming to the Board today was to ask for an extension on the December 5th deadline. The assessments came to him well beyond the September 1st required date. He stated that he did not want to come and ask for an extension but he feels that there are two parts of him. There is the cold side of him that tells him that citizens of Dinwiddie County are tax paying people and they should know when their taxes are due. He also has a warm side to him that tells him that there is a Thanksgiving Holiday coming up and people are going to be away on vacation. There are going to be some instances that it will take three days for rural mail to be delivered. He asked if the Board wanted to know how he feels; his blood is boiling. He is frustrated, he is embarrassed and he is angry. His staff is frustrated, embarrassed and angry. Frustrated because they have to go through this every year. Embarrassed because the County has the great distinction of being the only County in the State of Virginia to not even send out one tax bill. Angry because County's that have our same software system are able to produce their assessments at a time that is acceptable to the citizens of their localities. Section 58.1 39.16 gives the Board of Supervisors the governing authority to extend the time for the payment of taxes.

Extract

Mrs. Everett asked what Mr. Jones' recommendation was for the extension.

Mr. Jones stated that the deadline is December 5th, and he felt that December 19th is too long because in order for them to get all of their taxes to work it takes a week after the deadline. Then the week before Christmas is needed to get all of their vehicle decal applications in order. The only thing that he recommends at this time is a December

12th date. All of the phone calls over the last two weeks have been nothing more than wanting to know when they were going to receive their tax bill and what are they are going to do if they can't pay. He knows that there are people out there that can only afford to pay by the week but there are also people out there that plan for that. He stated that he does not like coming to the Board in this type of situation but he feels as a public servant to the citizens of this County that he needs to get this off of his chest. He is going to work to get them out as best as he can and now he has got to set his sights on 1996. He stated that the date he recommends the assessments are in his office next year is April 15, 1996 so that they can be mailed at least by May 1st for a June 5th deadline. He apologized that he had to come to this. His intention was not to belittle anyone or demean anyone. Hopefully this opportunity will be used to strengthen whatever is there so that the County can move on and not be the talk of the State of Virginia.

Mr. Bracey stated that he understands but he wanted to know how much money is the County going to lose with the extension and what caused it.

Mr. Jones stated that usually under normal situations his office probably has one third of the amount collected by November. He stated that usually they do not have to dip into CD's during November because they have enough money to come in.

Mr. Bracey wanted to know exactly what this equated to; maybe a penny or two in real estate tax that he will have to come back to the citizens and ask for. He also stated that this could be setting a precedent.

Mr. Jones stated that that is what he was concerned about because he does not want to set a precedent and it should not be something that the citizens should look for. He stated that he has never had as many people call and ask for an extension. There are mortgage companies coming from Northern Virginia just to pick up their tax tickets because they can not wait any longer. There are big corporations calling and public service people calling wanting their bills. He is telling them that they have them and they are trying to get them out as quick as they can.

Mrs. Everett stated that she would support Mr. Jones on his request for an extension.

Mr. Haraway stated that he agreed with Mrs. Everett; he feels that when someone receives a bill they should have at least thirty days to pay for it.

Mr. Jones stated that the law gives him fourteen days to mail the bills out, which would of been midnight on the 20th. He stated that the County can not afford to go any further and he thinks that it would be a gesture to the citizens of Dinwiddie that at least they were being thought of. He is not only thinking of the citizens but there are also a lot of big corporations that need their bills as soon as possible.

Mr. Haraway stated that he hoped the Board would support Mr. Jones' request.

Mr. Bracey stated that he was going to support Mr. Jones but as a Board they have got to make sure that they will not be sitting in a meeting of this type next year or the year after. He wanted to know what type of measure could be taken or what can the Board do to assure the citizens that this will not happen again. There has to be a stop to this.

Mr. Jones stated that during the second meeting in the month Department Heads and Constitutional Officers are put on the agenda for them to come to the Board and give their report and for the Board to ask questions. The question that he hopes the Board can ask, starting January 1st, "How are the 1996 assessments coming?".

Mr. Bracey wanted to know who he was to ask this question.

Mr. Jones stated that he should ask the agenda item before him.

Mrs. Everett stated that she thought that that question was asked this year.

Mr. Bracey wanted Administration to see that a letter gets to that individual stating what the Board is looking for. He thinks that a lot of times people will not respond to conversation but they will respond to some type of urgency in a letter. He stated that the Board asks for a monthly update now on the Meals Tax and they get them at random. He hopes that the Board supports the idea of sending a letter to that individual.

Mrs. Everett stated that she feels that a Management Study needs to be done in that individual's office and it needs to be enforced.

Mr. Burgess stated that that will be discussed in Executive Session.

Mr. Clay stated that he supports Mr. Jones and realizes what he is saying about not needing to set a precedent. He is sure it is not but he feels that the citizens need a chance to correct mistakes. It doesn't matter how well it is prepared, there will still be mistakes that will need to be corrected. He feels that they will have to do it this time and will try to take some steps so it will not happen again.

Mr. Haraway stated that this does not come as a surprise to any of the Board members. The Board took action at our last meeting to send a letter to the State Tax Commissioner asking for his guidance in this problem; he stated that he was under the understanding that the letter had been sent but there has not been a response yet. He stated that he did not know of anything else the Board can do. He also stated that he appreciates what Mr. Jones is saying and feels sorry for the people that work in his office because he realizes that they have been under a lot of undue stress because of this.

Mrs. Everett stated that they have gotten a lot of criticism that they have not deserved.

Mr. Jones stated that he will not accept any criticism for the way this has turned out.

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

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

Section 19-2.: Due Date for Taxes on Real Estate, Tangible Personal Property and Machinery and Tools; Penalty and Interest on Delinquencies.

(a) For the 1995 tax year only, county taxes on real estate, tangible personal property and machinery and tools shall be paid, by or on behalf of persons owing such taxes, on or before the 12th day of December, 1995. For the 1996 tax year and subsequent tax years, county taxes on real estate, tangible personal property and machinery and tools shall be paid, by or on behalf of persons owing such taxes, on or before the 5th day of December of each year or the first business day thereafter, if the 5th of December is not a business day.

(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.

(c) This amendment was adopted originally pursuant to an emergency ordinance passed by the Board of Supervisors of the County of Dinwiddie on November 15, 1995.

(d) The imposition of real estate, tangible personal property, and machinery and tools taxes are not altered or affected by this section.

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.

Mr. Bracey suggested that since the Board has not gotten a response from the State Tax Commissioner they go through our Legislature to get a response.

Mr. Haraway stated that he felt that they should give the State Tax Commissioner a little more time because the letter was just mailed last week.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, III, Commonwealth Attorney, was not present.

IN RE: SHERIFF -- REPORT

Mr. Bennie M. Heath, Sheriff, was not present.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, presented his report for the month of October, 1995.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of October, 1995.

IN RE: LIVESTOCK CLAIM -- CARLTON BASS

Mr. Steve Beville, Animal Warden, stated that on October 11, 1995 some stray dogs attacked and killed Mr. Bass' 9 purebred Bantan Chickens, for a total of $45.00.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the livestock claim for Carlton Bass, for 9 purebred Bantan Chickens in the amount of $45.00 is approved.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W.C. Scheid, Director of Planning, presented his report for the month of October, 1995.

Mr. Bracey stated that he understands that grass season is over but he stated that he was not very pleased about the grass cutting last summer. He suggested that the Planning Department get prepared for next year so when there are complaints next about over grown yards and such things will be in place to handle the situation.

IN RE: APPROVAL OF CONTRACT - RELOCATION ASSISTANCE - WEST PETERSBURG

Extract

Mrs. Wendy Weber Ralph, Ass't County Administrator, came before the Board and stated that she had an issue that she needed to present to the Board that is part of the Community Development Block Grant. When they went in to do the demolition on Greensville Avenue there were four families that were displaced. At a previous meeting they talked about the escrowing of money that was available for them; they can either rent or they can also ask for the money in a lesser amount to be used as a down payment on a home. She stated that that is the part that she wanted to talk to the Board about today. If they should decide that they would like to draw down the money as down payment assistance on a home then there

really should be someone that works with them. The grant is closed out now and the County does not have the assistance that they did have although the County will be required to escrow this money. If this opportunity comes up then the County will need some assistance to make sure that all the regulations can be met and these people can be helped. While WPVA is working with the lots that the County owns to develop she still feels that should these relocatees decide that would like to build and live there, there should be some priority given to them since they were displaced from there. One of the four relocatees has expressed some interest in moving back to the community. She stated that they talked to the State to see if some of the relocation money could be used for this and they said that it could and it would be just for technical assistance on an hourly basis if these people choose to do this. We do not know that they will. Therefore, if the money is not used it goes back. She stated that they asked for a bid from three different organizations to see what it would cost the County for some assistance. She asked the Board to approve a resolution that states that they solicited bids under small purpose procurement procedures and they recommended that they go with the bid from Gladys Vassar, who is the Housing Coordinator in Greensville County. She stated that the Board recently contracted with Ms. Vassar to do the Indoor Plumbing work in West Petersburg. Her fee could not exceed $3,600; she will do it on a $15.00 per hour basis. Mrs. Ralph highly recommended Ms. Vassar and feels that she will do a good job.

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

WHEREAS, the County must provide relocation assistance pursuant to the 1992--Community Improvement Grant for the West Petersburg Target Area of the County (the "West Petersburg Community Development Block Grant Project"), to individuals who are displaced as a direct result of the demolition of property in the West Petersburg Community Development Block Grant Project; and

WHEREAS, the County lacks sufficient expertise and resources to provide the necessary relocation and technical assistance as required under the 1992--Community Improvement Grant and therefore must contract with an individual to provide the mandated relocation assistance; and

WHEREAS, time is of the essence for providing the necessary relocation assistance to qualified individuals; and

WHEREAS, pursuant to the County's small purchase procurement procedures, the County has obtained the following proposals to perform the above mentioned work:

1.	K.W. Poore & Associates	$6,200.00
2.	Gladys Vassar, Greensville County	$3,600.00
3.	Crater Planning District	$No Bid Submitted; and

WHEREAS, Gladys Vassar has the necessary knowledge, expertise, state approval and familiarity with the West Petersburg Community Development Block Grant Project, to wit: She formerly worked for the Virginia Department of Housing and Community Development, she is familiar with section 104(d) of the Housing and Community Development Act of 1974 and the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (URA) which must be followed to provide the relocation assistance mandated by the West Petersburg Community Development Block Grant Project, and she already is involved in the West Petersburg Community Development Block Grant Project through her contract to administer the Indoor Plumbing Program for the County:

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

1. Agrees to contract with Gladys Vassar of Greensville County to provide the necessary relocation and technical assistance to the four eligible individuals in accordance with the 1992--Community Improvement Grant using Community Development Block Grant Funds made available through the Virginia Department of Housing and Community Development for the West Petersburg Target Area of the County; and

2. Authorizes the County Attorney to draft a contract to be negotiated and executed with Gladys Vassar for this service; and

3. Authorizes the County Administrator to enter into a contract with Gladys Vassar for her to provide relocation assistance to the four individuals qualified to receive this assistance, which contract amount shall be for FIFTEEN DOLLARS ($15.00) per hour per individual but shall not be more than NINE HUNDRED ($900.00) per individual, for a total amount of not more than THREE THOUSAND SIX HUNDRED DOLLARS ($3,600), and which source of funds for this contract amount shall come from the 1992-Community Improvement Grant using Community Development Block Grant Funds made available through the Virginia Department of Housing and Community Development and deposited in escrow with the County.

4. That this Resolution shall become effective immediately.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy M. McElveen, Director of Social Services, stated that she was representing the Christmas Sharing Foundation and she wanted to recognize some volunteers. She recognized the following people who manage the organization each year:

King Talley - Chairperson
Tucker Ramsey - Treasurer
Reverend Herbert Anderson
Lucile Atkinson
Patsy Barnes
Ann Cleaton
Peggy McElveen
Elsie M. Parham
Ellen Purdue
Elnora perry
Lucy Smith
Linda Brandon
Barbara Thomason

IN RE: APPOINTMENTS -- OFFICE ON YOUTH AND COMMUNITY SERVICES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following people be appointed to the Office on Youth:

Extract

Neil Fletcher	At-Risk Coordinator, Dinwiddie County Public Schools
Amos Wingfield	DARE Officer
Claire Goad	Social Services

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mr. Ray Watson, Assistant to the Superintendent for Finance & Technology, came before the Board and stated that he wanted to bring them up to date on the Literary Loans. He stated that the Literary Loan Applications are in and the Architects have promised them faithfully that they will hand deliver the documents on November 17th. He stated that he talked with the Division Chief of Finance from the State, Cathy Kitchens, and she said if the documents were turned in within the next few weeks that they should be put before the State Board of Education in January and it is her prediction that we will be on the approved Literary Loan list in January.

Extract

Mr. Bracey stated that several years ago the School Board voted to close Northside Elementary School. During the discussion of the closure there were some statements made that it would be reopened in several years. There was a decline in enrollment, it had nothing to do with anything but enrollment. Now they are declaring it surplus property and he wanted to know at what point did the School Board decide to deem it surplus. He wanted to know if there were any possibilities of using it as a school because when they closed it that wasn't the idea, the community wasn't given that idea.

Mr. Watson stated that he was not here during the time that Northside Elementary was closed. He stated that as they were looking at the Capital Improvements Project, they took a hard look at Northside and Eastside. They did not look very hard at the old McKenney school because they have space down there. They calculated what it would cost to reopen them and they came to the conclusion that it was not cost effective. He stated that he would have to look back in the minutes to get the figures but he thought it was around $1,000,000 each to reopen them. There is asbestos and other problems within the school that would cost a lot to clean up.

Mr. Bracey stated that he was just concerned because $1,000,000 and something is a lot but at the present time they are talking about spending that much or more in modulars or trailers and we have a school that would stand a cosmetic renovation in an excess of $1,000,000.

Mr. Watson stated that advice from all the consultants was that the cost benefit ratio was not there. They would probably have to satellite Library Services in and a Principal. The basic problems were structural and bringing it up to standards. The asbestos would have to be replaced and all of the mechanical units had to be replaced and the water and sewer at Northside were a problem.

Mr. Bracey stated that there is a difference in structure and asbestos removal. When Mr. Watson says that the building was not structurally sound is he saying that the only thing that it is good for is a ball and chain. He wanted to know if that was what he was saying.

Mr. Watson said that was not what he was saying; he was not talking about the walls. He was talking about the roof and all of the mechanical units.

Mr. Bracey stated that he does not consider that structural.

Mr. Harway stated that a few years ago there was a report that indicated that although Midway and the Middle School were older than Northside and Eastside, they were not as structurally sound as the Midway and the Middle School. He thinks that is why the decision was made to renovate the Middle School and Midway and not Eastside and Northside. The quality in the buildings were not there.

Mr. Bracey stated that the School Board better not come back forward when their modulars do not work out and they want to put the money into the school to reopen.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County accepts the deed of Northside Elementary School from the School Board and authorizes the Chairman to sign same.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Toni S. Rinaldi, Recreation Director, presented his report for the month of October, 1995.

Mr. Bracey asked Mr. Rinaldi when the brick dust would be in to put on the fields.

Mr. Rinaldi stated that they were trying to hold off and save the County some money.

Mr. Bracey stated that there is a drainage problem at that field and he couldn't see why Mr. Rinaldi would not go ahead and get the brick dust to fix it the right way.

Mr. Rinaldi stated that he was looking into other possibilities.

Mr. Haraway asked if Rohoic and Dinwiddie Elementary were included in the fields that Mr. Rinaldi fertilizes.

Mr. Rinaldi stated that he only fertilizes the Middle School and Eastside because they are the only fields that they are really responsible for because they have their activities on those fields.

Mr. Haraway stated that he could not understand why they feel like they have to spend there money on adult fields, like the middle school and just completely not do anything with the fields for the kids.

Mr. Rinaldi stated that kids do play at the middle school, all of the softball with the exception of the fast pitch is there.

Mr. Haraway suggested that Mr. Rinaldi fertilize the fields at Rohoic and Dinwiddie Elementary, if the Board did not object. He stated that he felt that the children of the community deserved a little something and not put all of their resources in one basket.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Dennis E. King, Director of Waste Management, presented his report for the month of October, 1995.

Mr. King also stated that the McKenney Christmas parade which will be sponsored by the Dinwiddie Jaycees will be on December 9th at 1:00 P.M.

IN RE: 1995 LEASE REVENUE BONDS/NOTES -- APPROVAL OF DOCUMENTS

Mr. Daniel Siegel, County Attorney, came before the Board and requested the Board to approve a Resolution authorizing the Industrial Development Authority to finance $5,500,000 in Lease Revenue Bonds for the Dinwiddie County Courts Complex Facilities Series 1995 and $3,365,000 in Lease Revenue Notes for Interim School Funding Series 1995.

Mr. Siegel stated that Darryl Hill from Wheat First Securities was present to answer the Boards' questions.

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

Extract

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia **(the "Board of Supervisors")** has determined that Dinwiddie County, Virginia **(the "County")** has an immediate need to implement certain capital projects and has requested the Industrial Development Authority of Dinwiddie County, Virginia **(the "Authority")** to assist it in the financing of such projects and in furtherance of such financing (a) to issue, offer and sell (i) its lease revenue bonds in an amount not to exceed $5,500,000 **(the "Bonds")** to finance the acquisition, construction and equipping of a courts complex and related facilities **(the "Courts Complex Project")** on unimproved real property to be owned by the County **(the "Courts Complex Project")** on unimproved real property to be owned by the County **(the "County Real Estate")** and (ii) its interim school funding lease revenue notes in an amount not to exceed $3,365,000 **(the "Notes")** to finance the acquisition, construction and equipping of certain improvements and renovations to the County's schools and related facilities **(the "School Project")** on improved real property owned by the Dinwiddie County School Board **(the "School Real Estate")** and (b) to lease the Courts Complex Project and the School Project **(together, the "Projects")** to the County to accomplish certain purposes of the Virginia Industrial Development and Revenue Bond Act **(the "Act")**, and the Authority has agreed to do so; and

WHEREAS, there has been presented to the Board of Supervisors a plan for lease financing of the acquisition, construction and equipping of the Projects involving issuance of Bonds and the Notes by the Industrial Development Authority of Dinwiddie County, Virginia **(the "Authority")** which would not create debt of the County for purposes of the Virginia Constitution; and

WHEREAS, there have been presented to this meeting drafts of the following documents **(the "Documents")**, copies of which shall be filed with the records of the Board of Supervisors:

(a) a Ground Lease between the Authority, the County and the School Board conveying to the Authority a leasehold interest in the County Real Estate and the School Real Estate **(the "Ground Lease")**;

(b) a Financing Lease between the Authority and the County conveying to the County a leasehold interest in the Projects **(the "Financing Lease")**;

(c) An Indenture of Trust between the Authority and the Trustee, pursuant to which the Bonds and the Notes are to be issued, including the form of the Bonds and the Notes, which is to be acknowledged and consented to by the County **(the "Indenture")**;

(d) an Assignment of Rents and Leases between the Authority and the Trustee, assigning to the Trustee certain of the Authority's rights under the Financing Lease, which is to be acknowledged and consented to by the County **(the "Assignment Agreement")**;

(e) a Bond and Note Purchase Agreement among the Authority, the County and Wheat First Butcher Singer, Inc. as Underwriter **(the "Underwriter")** for the purchase of the Bonds and the Notes **(the "Bonds and Note Purchase Agreement")**;

(f) a Continuing Disclosure Agreement among the County, the Authority and the Underwriter for the purpose of assuring compliance with continuing disclosure obligations under Rule 15c 2-12 **(the "Continuing Disclosure Agreement")**; and

(g) an Official Statement for the offering and sale of the Bonds and the Notes.

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

1. The following plan for financing the acquisition, construction and equipping of the Projects for the County as described in the preambles above is hereby approved. The Authority will be requested to issue the Bonds in the maximum of $5,500,000 **(the "Bonds")** and to use the proceeds therefrom to finance the acquisition, construction and equipping of the Courts Complex Project and to issue the Notes in the maximum amount of $3,365,000 and to use the proceeds therefrom to finance the acquisition, construction and equipping of the School Project. The Authority will acquire, construct and equip the Projects on the County Real Estate and the School Real Estate which will be leased to the Authority under the Ground Lease, and the Authority will lease the Projects to the County pursuant to the Financing Lease. The Authority will also enter into the Indenture with Crestar Bank, as trustee **(the "Trustee")**, pursuant to which the Bonds and the Notes will be issued, which Indenture is to be acknowledged and consented to by the Board of Supervisors. The Authority will also enter into the Assignment Agreement whereby the Authority's rights under the Financing Lease will be assigned to the Trustee, which Assignment Agreement is to be acknowledged and consented to by the Board of Supervisors. The Authority will be requested to lease the Courts Complex Project to the County for the term of the Bonds and the School Project to the County for the term of the Notes, under a "triple net lease" at rents sufficient to pay interest and principal due on the Bonds and the Notes, all pursuant to the Financing Lease. The obligation of the Authority to pay principal and interest on the Bonds and the Notes will be limited to rent payments received from the County. The obligation of the County to pay rent will be subject to the Board of Supervisors making annual appropriations for such purpose. The Bonds and the Notes will be secured by an assignment of the Financing Lease to the Trustee for the benefit of the bondholders. If the County exercises its right not to appropriate money for rent payments, the Trustee or the holder of the Bonds may terminate the Financing Lease or

otherwise take possession of the Projects, subject to the terms of the Financing Lease, the Assignment Agreement, the Ground Lease, and the Indenture.

2. The Board has selected Wheat First Butcher Singer, Inc. as underwriter **(the "Underwriter")** for the purchase of the Bonds and the Notes, and the Authority is hereby requested to designate it as such.

3. The Chairman or Vice Chairman of the Board of Supervisors, either of whom may act, is hereby authorized and directed to execute and deliver the Ground Lease, the Financing lease and the Continuing Disclosure Agreement.

4. The Chairman or Vice-Chairman of the Board of Supervisors, either of whom may act, is hereby authorized and directed to acknowledge and consent to the provisions of the Indenture, the Assignment Agreement, the Bond and Note Purchase Agreement and any other instruments executed by the Authority in connection with an assignment of the Financing Lease for the purpose of securing the Bonds and the Notes.

5. The Documents shall be in substantially the forms submitted to this meeting, which are hereby approved, with such completions, omissions, insertions and changes as may be approved by the officer executing them, his execution to constitute conclusive evidence of his approval of any such completions, omissions, insertions and changes.

6. The Courts Complex Project and the School Project are hereby declared to be essential to the efficient operation of the County, and the Board of Supervisors anticipates that the Projects will continue to be essential to the operation of the County during the term of the Financing Lease. The Board of Supervisors, while recognizing that it is not empowered to make any binding commitment to make appropriations beyond the current fiscal year, hereby states its intent to make annual appropriations in future fiscal years in amounts sufficient to make annual appropriations in future fiscal years in amounts sufficient to make all payments under the Financing Lease and hereby recommends that future Boards of Supervisors do likewise during the term of the Financing lease.

7. The Chairman or Vice-Chairman of the Board, the County Administrator, the County Treasurer and all others officers of the County are hereby authorized and directed to work with representatives of the Authority, the County Attorney, Bond Counsel, and the Underwriter to perform all services and prepare all documentation necessary to bring the Bonds and the Notes to market, including without limitation, final forms of the Documents.

8. The County covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bonds or the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, including regulations issued pursuant thereto **(the "Code")**, or otherwise cause interest on the Bonds or the Notes to be includable in the gross income of Federal income tax purposes of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the County at any time to rebate to the United States any part of the earning derived from the investment of the gross proceeds of the Bonds or the Notes.

9. The County covenants that it shall not permit the proceeds of the Bonds or the Notes to be used in any manner that would result in (a) 10% or more of the proceeds of either the Bonds or the Notes being used in a trade or business carried on by any person other than a governmental unit, as

provided in Section 141(b) of the Code, provided that no more than 5% of such proceeds may be used in a trade or business unrelated to the County's use of the Projects, (b) 5% or more of such proceeds being used with respect to any "output facility" (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than as governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the County receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Bonds and the Notes from being includable in the gross income for Federal income tax purposes of the registered owners thereof under existing law, the County need not comply with such covenants.

10. The Board of Supervisors hereby consents to Sands, Anderson, Marks & Miller, P. C., Richmond, Virginia serving as special counsel to the Authority and as bond counsel and recommends that such firm be appointed by the Authority as Bond Counsel and as special counsel to the Authority.

11. The Board of Supervisors hereby recommends to the Authority that Crestar Bank be appointed as Trustee under the Indenture.

12. All other acts of the Chairman or Vice-Chairman of the Board and other officers of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the plan of financing, the issuance and sale of the Bonds and the Notes and the acquisition, construction, and equipping of the Projects are hereby approved and ratified.

13. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.

14. The reimbursement resolutions adopted by the Board of Supervisors on October 6, 1993 relating to expenditures on or after August 7, 1993 with respect to the Courts Complex Project and on May 18, 1994, relating to expenditures on or after March 20, 1994 with respect to the School Project, are hereby ratified, confirmed, approved and re-adopted in their entirety.

15. The Board of Supervisors on behalf of the County hereby designates the Bonds and the Notes as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code, allocates to the Authority $8,865,000 of its allocation of "qualified tax-exempt obligations" for the Bonds and the Notes for purposes of such Section and represents and covenants that not more than $10,000,000 in bonds, notes, leases and other obligations of the County (including any subordinate issuing entities), excluding private activity bonds, will be issued in calendar year 1995 and that neither the Board of Supervisors nor the County will designate more than $10,000,000 of qualified tax-exempt obligations pursuant to Section 265(b)(3) of the Code.

16. The County hereby agrees to indemnify, defend and save harmless the Authority, its officers, directors, employees and agents from and against all liabilities, obligations, claims, damages, penalties, fines, losses, costs and expenses in any way connected with the County, the issuance of the Bonds and the Notes or the acquisition, construction and equipping of the Projects.

17. Nothing in this Resolution, the Bonds, the Notes or the Documents shall constitute a debt or a pledge of the faith and credit of the County, and neither the County nor the

Authority shall be obligated to make any payments under the Bonds, the Notes or the Documents except from payments made by or on behalf of the County under the Financing Lease pursuant to annual appropriation thereof in accordance with applicable law. The Underwriter shall acknowledge on behalf of the Bondholders that any purchase of Bonds and Notes pursuant to the Bond and Note Purchase Agreement is made solely based on representations of the County and no representations of any kind as to the Projects or the ability to repay the Bonds or the Notes has been made by the Authority.

18. This resolution shall take effect immediately.

PASSED AND ADOPTED this 15th day of November, 1995.

Harold L. Haraway
Chairman

ATTEST:

Charles W. Burgess, Jr.
Clerk

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Charles W. Burgess, Jr. presented a copy of a letter from the Governor stating that he was giving additional holiday time for state employees at Thanksgiving and Christmas. He directed offices to be closed at noon on Wednesday, November 22; noon on Friday, December 22; all day on Tuesday, December 26; and an additional day of holiday leave either on Wednesday, December 27; Thursday, December 28; Friday, December 29; or Tuesday, January 2.

Mr. Bracey stated that they did this last year; whatever the governor gave State employees the Board adopted and gave it to their employees.

Mr. Bracey moved to adopt the same Holiday Schedule that the Governor is giving State employees. No one seconded it.

Mr. Clay stated that he felt that it was too many holidays.

Mr. Haraway stated that he share's Mr. Clay's concerns.

Mr. Bracey stated that he felt that it was better to give the employees the time off than to have them call in sick because everyone else was closed.

Extract

Mr. Haraway suggested that they not give the whole amount the Governor did but some of it.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that all local government offices will close at noon on Wednesday, November 22, 1995, and noon on Friday, December 22, 1995 and close on Tuesday, December 26, 1995 in addition to what has already been given.

IN RE: PROPANE SERVICE

Extract

Wendy Weber Ralph, Ass't County Administrator, stated that at the last meeting the Board awarded a bid for the County's Propane Service to Parker Oil. When the County Attorney reviewed the contract, he brought to their attention that they needed to set a term for the contract as opposed to just renewing it on its anniversary every year for the next three years. Parker Oil stated that they would honor the price for the next

five years. She requested the Board to approve that the contract would be good for five years rather than three years.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid for supplying the County propane fuel was awarded to Parker Oil Company on a fixed price basis of .709/gallon, which may be extended for a term of five years negotiated 90 days prior to the expiration date.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- CONTINUED

2. Mr. Burgess stated that he was looking for input from the Board on next year's budget.

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 3:55 P.M. A vote having been made and approved the meeting recessed to the Homeplace Restaurant at 5:00 P.M. to continue the Executive Session. A vote having been made and approved the meeting reconvened into Open Session at 7:00 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: FIRE TRUCK -- OLD HICKORY FIRE DEPARTMENT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bids received for the new fire truck for Old Hickory Fire Department be rejected and Administration is directed to prepare a new request for bids.

Extract

IN RE: APPROPRIATION OF FUNDS -- FORT PICKETT LOCAL REUSE AUTHORITY

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $2,750.00 be appropriated for the Fort Pickett Local Reuse

Authority (FPLRA) to begin their process of planning and producing a redevelopment plan.

IN RE: PRODUCTIVITY ANALYSIS -- COMMISSIONER OF REVENUE

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a productivity analysis be conducted in the Commissioner of Revenue's office at a cost not to exceed $2,500.

IN RE: JOINT WORKSHOP SESSION WITH THE PLANNING COMMISSION

The Board and Planning Commission met at 7:00 P.M. in the Extension Office conference room to discuss curb and gutter requirements and private roads. Ronald H. Reekes, Resident Engineer, VDOT, was also present.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 8:35 p.m.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 6TH DAY OF DECEMBER, 1995, AT 7:30 P.M.

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

IN RE: MINUTES

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the minutes for the November 15, 1995 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using check #36563-36858 for Accounts Payable in the amount of 205,167.12; General Fund $150,897.97, Jail Commission $316.98, E911 Fund $368.00, Self Insurance Fund $14,663.83, Courthouse Maintenance $20,577.01, Law Library $3.74, Fire Programs/EMS $1,044.00, CDBG Fund $17,295.59; and funds were also appropriated for Payroll in the amount of $251,471.69.

IN RE: CITIZEN COMMENTS

No one signed up to speak.

IN RE: RESOLUTION OF APPRECIATION -- BENNIE M. HEATH

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

WHEREAS, Mr. Bennie M. Heath has served the County of Dinwiddie with distinction and integrity in the Dinwiddie County Sheriff's Department since January 15, 1956 and has served as Sheriff since 1984, and

WHEREAS, the Board of Supervisors on this 6th day of December, 1995 is desirous of acknowledging these qualities and further to express its appreciation for forty years of service on behalf of the County;

Extract

NOW THEREFORE BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia hereby commends Mr. Bennie M. Heath for his many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that this resolution be delivered to Mr. Bennie M. Heath and a copy spread upon the minutes of this meeting.

IN RE: RESOLUTION OF APPRECIATION -- ALBERT G. MATHIAS

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

WHEREAS, Lieutenant Albert G. Mathias has served the County of Dinwiddie with distinction and integrity in the Dinwiddie County Sheriff Department from July 1, 1976 to December 31, 1995; and

WHEREAS, The Board of Supervisors on this 6th day of December, 1995 is desirous of acknowledging these qualities and further to express its appreciation for twenty years of service on behalf of the County;

NOW THEREFORE BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia hereby commends Lieutenant Albert G. Mathias for his many contributions and devoted service to the County of Dinwiddie; and

Extract

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that this resolution be delivered to Lieutenant Albert G. Mathias and a copy spread upon the minutes of this meeting.

IN RE: SHERIFF'S DEPARTMENT RETIREES -- PURCHASE SERVICE REVOLVERS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Sheriff Bennie M. Heath and Albert G. Mathias, who are retiring effective December 31, 1995, are authorized to purchase their service revolvers, which is allowable under Virginia Code Section 59.1-148.3, for the amount of $1.00.

Extract

IN RE: P-95-7 -- LOUANN RICE -- REZONING REQUEST -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on November 22, 1995 and November 29, 1995, for the Board of Supervisors to conduct a public hearing to consider a rezoning from B-3, Shopping Center to B-2, General Business. The purpose of the rezoning is to allow the property owner more flexibility in the uses permitted on the property.

Mr. W. C. Scheid, Director of Planning came before the Board and stated that it was a parcel of land containing 2 acres and identified by the County Tax Map as Section 45, Parcel 27A. The parcel is located at 12104 and 12106 Boydton Plank Road, south of the intersection of Turkey Egg Road and Boydton Plank Road. Mr. Scheid also stated that the Planning Commission held a public hearing on the rezoning request on November 8, 1995 and after a brief discussion the Planning Commission recommended it for approval.

This being a public hearing, the Chairman opened the floor for public comment: No one came forward to speak.

Extract

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that land parcel 45-27A of the Dinwiddie County Zoning Maps, located at 12106 and 12104 Boydton Plank Road, is amended by changing the district classification from Shopping Center District B-3 to Business, General, District B-2.

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

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

IN RE: A-95-11 -- AMENDMENT TO DUE DATE FOR TAXES -- 1995 -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on November 22, 1995 and November 29, 1995, for the Board of Supervisors to conduct a public hearing to amend and reordain Dinwiddie Code Section 19-2 "Due Date of Taxes on Real Estate, Tangible Personal Property and Machinery and Tools; Penalty and Interest on Delinquencies" by changing the due date for the above taxes for the 1995 tax year **only** to

Extract

December 12, 1995 and by ordaining that taxes for the 1996 tax year and following tax years shall be due on the 5th of December of each year.

This being a public hearing the Chairman opened the floor for public comment: No one signed up to speak.

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

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

Section 19-2.: Due Date for Taxes on Real Estate, Tangible Personal Property and Machinery and Tools; Penalty and Interest on Delinquencies.

(a) For the 1995 tax year only, county taxes on real estate, tangible personal property and machinery and tools shall be paid, by or on behalf of persons owing such taxes, on or before the 12th day of December, 1995. For the 1996 tax year and subsequent tax years, county taxes on real estate, tangible personal property and machinery and tools shall be paid, by or on behalf of persons owing such taxes, on or before the 5th day of December of each year or the first business day thereafter, if the 5th of December is not a business day.

(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.

(c) This amendment was adopted originally pursuant to an emergency ordinance passed by the Board of Supervisors of the County of Dinwiddie on November 15, 1995.

(d) The imposition of real estate, tangible personal property, and machinery and tools taxes are not altered or affected by this section.

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: PAMPLIN PARK -- REQUEST TO BECOME TAX EXEMPT

Wilson Green, Executive Director, Pamplin Park Civil War Site, came before the Board and requested the Board to pass a resolution allowing Pamplin Park Civil War Site to become tax exempt from Real Estate Taxes and from the County's Admissions Tax because it is a nonprofit organization. He stated that under state law it is admissible for a Board of Supervisors to recommend that tax exemption be applied if it is a nonprofit organization. He also stated that he was respectfully requesting this on behalf of Robert Pamplin.

Mr. Haraway asked if he was asking for exemption from the Personal Property Tax also.

Mr. Green stated that that probably would be Mr. Pamplin's desire. He stated that he did not specify that, but he was sure if they were subject to that tax, Mr. Pamplin would also like exemption from that.

Mr. Haraway asked if this could be discussed in Executive Session.

Mr. Dan Siegel, County Attorney stated that this could be discussed in Executive Session.

After some discussion between the Board they agreed to discuss the subject in Executive Session. No action was taken.

IN RE: CIVIL WAR RE-ENACTMENT -- UPDATE -- CHRISTINE SORENSON

Ms. Christine Sorenson, President of the Five Forks Commemorative Committee, came before the Board and updated the Board on the Civil War Re-enactment of the Battle of Five Forks and Hatchers Run that is scheduled for March 30 -31, 1996. It will take place on Boydton Plank Road near the Virginia Motorsports Park.

IN RE: APPROVAL -- SALE OF LEASE/REVENUE BONDS/NOTES -- COURTS COMPLEX AND SCHOOL IMPROVEMENTS

Mr. Daniel M. Siegel, County Attorney, came before the Board and discussed the pricing of the Lease/Revenue Bonds. He stated that Darrell Hill, Wheat First Securities, was present to answer any questions the Board may have.

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

Extract

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia (the "Board of Supervisors") adopted a resolution on November 15, 1995 (the "Approving Resolution") relating to the issuance by the Industrial Development Authority of Dinwiddie County, Virginia (the "Authority") of (i) lease revenue bonds in an amount not to exceed $5,500,000 (the "Bonds") to finance the acquisition, construction and equipping of a courts complex and related facilities (the "courts Complex Project") and (ii) interim school funding lease revenue notes in an amount not to exceed $3,365,000 (the "Notes") to finance the acquisition, construction and equipping of certain improvements and renovations to the County's schools and related facilities (the "School Project") and the Authority, by its resolution adopted November 20, 1995 has agreed to do so; and

WHEREAS, Wheat First Butcher Singer, Inc. (the "Underwriter") is preparing to offer and sell the Bonds and the Notes pursuant to a Preliminary Official Statement and is expecting the Notes to be sold at an interest rate not to exceed 4.70% and the Bonds to be sold at an interest rate not to exceed 6.65% and has requested authorization and direction to complete the financings based on such expectations;

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

A. The issuance of the Notes maturing on February 1, 1998 at a per annum interest rate not to exceed 4.70% is hereby approved and the issuance of the Bonds in serial and term forms with a maturity not exceeding February 1, 2017, at a per annum interest rate not to exceed 6.65% is hereby approved. The Chairman or Vice Chairman of the Board of Supervisors, the County Administrator, the Clerk of the Board of Supervisors, the County Treasurer and all other County officers are hereby authorized and directed to execute and deliver all documents and instruments related to or appropriate in connection with the issuance of the Bonds and the Notes, including but not limited to the Notes and the Bonds, with such completions, omissions, insertions, and changes as may be approved by the officer executing the, his or her execution to constitute conclusive evidence of his or her approval of any such completions, omissions, insertions and changes, including but not limited to the interest rate and maturity of the Bonds and the Notes.

B. All other acts of the Chairman or Vice-Chairman of the Board and other officers of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the plan of financing, the issuance and sale of the Bonds and the Notes and the acquisition, construction, and equipping of the Projects (as referred to in the Approving Resolution) are hereby approved and ratified.

C. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.

D. The County hereby agrees to indemnify, defend and save harmless the Authority, its officers, directors, employees and agents from and against all liabilities, obligations, claims, damages, penalties, fines, losses, costs and expenses in any way connected with the Authority, the issuance of the Bonds and the Notes or the acquisition, construction and equipping of the Projects.

E. This resolution shall take effect immediately.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Charles W. Burgess, Jr., County Administrator, stated that the second phase of the Regional Communications Study is coming up and if the Board desires to be included in this phase, the cost will be $2,912.00.

After some discussion between the Board they stated that they would approve that the County could take place in the second phase of the Communications Study if it was a budgeted item.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $2,912.00 be appropriated in order for Dinwiddie to participate in the second phase of the Regional Communications Study contingent upon it being a budgeted item.

2. Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that Chesdin Animal Hospital was requesting permission to hold Rabies Clinics in the County during the year 1996.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator draft a letter to the Crater Health District in support of Rabies Clinics being held in the County during the year 1996.

Extract

3. Mr. Burgess stated that the PETFIX Coalition is requesting that the Board designate the Month of February 1996 as PETFIX Month.

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

WHEREAS, dogs and cats give companionship to and share the homes of over 50,000,000 individuals in the United States; and

WHEREAS, two unaltered cats and their kittens can produce 420,000 more kittens in seven years and two unaltered dogs and their puppies can produce 67,000 more dogs in six years; and

WHEREAS, humane societies and shelters euthanize more than 12 million dogs and cats each year, although many of them are healthy and adoptable, simply because there are not enough good homes; and

WHEREAS, the problems of pet overpopulation costs the taxpayers of this country millions of dollars annually through animal control programs trying to cope with the millions of unwanted pets; and

WHEREAS, spaying and neutering dogs and cats has been shown to drastically reduce cat and dog overpopulation; and

WHEREAS, veterinarians, humane societies, and national and local animal protection organizations worked together to ensure the spaying and

neutering of more than 28,000 companion animals on "Spay Day USA" in 1995; and

WHEREAS, local veterinarians and local humane organizations have joined together to advocate the spaying and neutering of companion animals during "PETFIX MONTH 1996":

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Dinwiddie, Virginia, recognizes the month of February 1996 as "PETFIX MONTH 1996" and calls this resolution to the attention of all citizens in observing this month by having their dog or cat spayed or neutered or by sponsoring the spaying or neutering of another's dog or cat.

4. Mr. Burgess stated that he received a letter from the Secretary of Public Safety asking us to take part in the Community Work Project Program sponsored by the Department of Corrections. He stated that the Community Work Project Program seeks to place supervised groups of non-violent offenders into work projects across the state. He stated that the CWPP affords localities and state agencies a cost effective way to complete projects and gives inmates opportunities to contribute to the community as well as build marketable skills. In order to implement the program a resolution from the Board must be passed accepting the use of inmate labor and we would need to submit a written request/proposal that includes a description of the project(s), location, specific tasks required, number of inmates requested, and the general time frame requested.

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

Extract

WHEREAS, In accordance with Virginia Code 53.1-59, inmate labor may be used for public works projects on public lands, and

WHEREAS, In order to proceed with this request, this resolution is required to conform to the Virginia Code prior to using inmate labor on public works projects;

NOW, THEREFORE BE IT RESOLVED that the Dinwiddie County Board of Supervisors forwards this Resolution to the Department of Corrections as required and

BE IT FURTHER RESOLVED, that the Dinwiddie County Board of Supervisors supports public works projects that can use inmate labor, and stand on record in supporting this concept for other Dinwiddie County projects requesting inmate labor as offered under Virginia Code 53.1-59.

5. Mr. Burgess stated that at a previous Board meeting, Administration was instructed to write a letter to the State Tax Commissioner. That was done and a response was received. Subsequently, a meeting took place with representatives of the State Department of Taxation and there will be future meetings possibly around the first of the year once the management study on the Commissioner of Revenue's Office is received.

6. Mr. Burgess stated that he had received a copy of the next draft of the Regional Sewer Authority Agreement. He also stated that he was hopeful that this item will be a major discussion of the Board at the December 20th meeting.

7. Mrs. Ralph stated that Mr. Toni Rinaldi, Recreation Director asked her to present his request to be authorized to purchase brick dust for the softball fields at Dinwiddie Middle School. The price would be $2,700 which includes delivery. This is a 1995 price, and he would like to order now so he could lock it in at this year's price.

After some discussion between the Board, they agreed to wait and talk to Mr. Rinaldi when he could be present to answer some of the Board's questions.

8. Mrs. Ralph stated that Dinwiddie Volunteer Fire Department was having their Christmas Party on December 16th and they wanted to let the Board know that they were invited to attend.

9. Mrs. Ralph stated that the Architects gave the Board information, some time ago, stating that they have reviewed the well system that serves the County Administration Building and determined that it would not be sufficient to serve the new Courthouse as well. They prepared specifications to bid out and the following bids were received:

Gammon Well Company, Inc.	$28,900.00
Royall Pump and Well Company	$10,407.50
Dinwiddie Deep Well Drilling, Inc.	$ 8,430.00
Gentry Well Works, Inc.	$ 6,540.00

After some discussion between the Board they decided to postpone action so they could discuss it in Executive Session.

10. Mrs. Ralph stated that the carpet in the School Board office is in awful shape which is now causing some safety concerns. She requested permission to go and get some price estimates and for the Board to review them at their December 20th meeting.

None of the Board had any opposition to the request.

IN RE: PRESENTATION OF PLAQUE

Mr. Clay presented Mr. Haraway with a plaque for his service as Chairman to the Board in 1995.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Moody wanted to know if an Extension Agent had transferred to the County yet.

Mr. Burgess stated that there hadn't been one to his knowledge.

Mr. Moody suggested that the County advertise for the position if no one transferred by the end of the year.

Mrs. Everett stated that she agreed with Mr. Moody.

Mr. Burgess stated that they would discuss it further on December 20th.

2. Mr. Haraway stated that in a letter from Christine Sorenson, President of Five Forks Commemorative Committee, she requested that a volunteer be appointed to a group to provide exposure via press and other media for the Re-enactment to be held in Dinwiddie next March.

Mr. Bracey nominated Mrs. Everett.

Mrs. Everett stated that she would be glad to help.

3. Mr. Haraway stated that the Board is scheduled to meet on December 20, 1995 at 2:00 P.M. and he suggested that the Board meet before the meeting at 11:30 A.M. so that they can have their Executive Session.

4. Mr. Haraway stated that if no one on the Board objected; he would like to invite Mr. Michael Tickle into Executive Session since he will be taking office January 1, 1995.

None of the Board members opposed.

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; Section 2.1-344(a) 6-Investment of

public funds; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 8:57 P.M. A vote having been made and approved the meeting reconvened into Open Session at 10:30 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: APPROVAL OF CONTRACT FOR RELOCATION SPECIALIST -- WEST PETERSBURG COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the contract for a relocation specialist for West Petersburg Community Development Block Grant Project is approved contingent upon review by the County Attorney to include all required insurance.

IN RE: APPROVAL OF MORAL OBLIGATION FOR LOAN TO THE DINWIDDIE COUNTY AIRPORT AND INDUSTRIAL AUTHORITY

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

WHEREAS, the Petersburg-Dinwiddie County Airport and Industrial Authority has the need to construct additional t-hangars capable of housing corporate aircraft; and

WHEREAS, the Airport Authority has limited access to sources necessary to secure such funding; and

WHEREAS, the fees to be derived form the rental of space within the hangars appears to be adequate to justify the request for a loan; and

Extract

WHEREAS, the County of Dinwiddie stands to benefit from such construction project due to the added jobs, increased tax revenues, both sales and personal property and added fuel sales;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, agrees to repay a loan for such hangars, if sufficient funds are not available from the Airport Authority, subject to annual appropriation by the Board of Supervisors, with the funds for such loan to be used by the Petersburg-Dinwiddie County Airport and Industrial Authority for the construction of twenty new t-hangars at the airport to be repaid by the Airport Authority as rental fees are collected; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that this action is contingent upon the review of all loan documents by the County Attorney.

IN RE: AUTHORIZATION TO DRAFT AMENDMENT TO SUBDIVISION ORDINANCE

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Attorney is authorized to draft an amendment to the county code to handle exceptions to the subdivision ordinance.

IN RE: POSITION ANNOUNCEMENT -- CONSTRUCTION INSPECTOR

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Donald Faison is appointed to the position of Construction Inspector, effective December 11, 1995, at Grade 12, Step F2, and salary of $34,225.

IN RE: REJECTION OF BIDS FOR WATER WELL DRILLING -- DINWIDDIE COURTHOUSE -- AUTHORIZATION TO REBID

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that all bids that were submitted for the Water Well Drilling for the proposed Dinwiddie Courthouse are rejected and Administration is authorized to rebid.

N RE: DINWIDDIE JAIL/COURTHOUSE EMERGENCY PROCUREMENT OF ENVIRONMENTAL SERVICES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administration is authorized to enter into a contract with Groundwater Technology, Inc. on an emergency basis to provide environmental consultant services, not to exceed $5,000; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the reasons for this emergency procurement are based on the following:

1. The Department of Environmental Quality, by letter dated November 20, 1995, is requiring the County to immediately investigate a suspected release of petroleum from an underground storage tank facility impacting the Dinwiddie Jail/Courthouse wells, by State regulation VR-680-31-02, Sections 5.1 and 5.3;

2. This investigation and reporting must be submitted by December 27, 1995, thereby requiring all investigative procedures, i.e. monitoring wells, etc. to be in place as soon as possible;

Extract

3. By virtue of its performing the 1990 environmental site, risk and remediation assessment at the Dinwiddie Maintenance Facility, Groundwater Technology, Inc. is already familiar with Dinwiddie County and its geologic features;

4. Since 1990, no other entity has performed environmental site, risk and remediation assessment for Dinwiddie County, and it is believed that no other entity would be as familiar with Dinwiddie County's geologic facilities;

5. Groundwater Technology, Inc.'s ability to begin work immediately and without the need to become acquainted with Dinwiddie County's geologic and other natural features allows Groundwater Technology to be able to meet the deadlines imposed by the State Department of Environmental Quality;

6. With only 21 days until the state deadline and with the next Board of Supervisors meeting scheduled for December 20, 1995, a contract procuring the necessary services could not be awarded that would allow the County to comply with the State Department of Environmental Quality's deadline; and

7. The health, safety and welfare of neighboring citizens, as determined by the Department of Health, requires that the source of the alleged petroleum release, which gave rise to the State Department of Environment Quality's letter, be located as soon as possible.

IN RE: AUTHORIZATION TO PREPARE SPECIFICATIONS TO REMOVE ASBESTOS

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Hening, Vest & Covey is authorized to prepare specifications for the removal of the asbestos from the dwelling located on the new Courthouse property, at a cost not to exceed $1,750.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 10:50 P.M. and was continued until December 20, 1995 at 11:30 A.M. for an Executive Session.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 20TH DAY OF DECEMBER, 1995, AT 11:30 P.M.

PRESENT:	DONALD L. HARAWAY, CHAIR	ELECTION DISTRICT #2
	AUBREY S. CLAY, VICE-CHAIR	ELECTION DISTRICT #5
	HARRISON A. MOODY	ELECTION DISTRICT #1
	EDWARD A. BRACEY	ELECTION DISTRICT #4
	LEENORA EVERETT	ELECTION DISTRICT #3
	MIKE TICKLE	ELECTION DISTRICT #2
	DANIEL SIEGEL	COUNTY ATTORNEY

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 3-Discussion or consideration of the condition, acquisition or use of real property for public purpose; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry where no previous announcement; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 11:30 P.M. A vote having been made and approved the meeting reconvened into Open Session at 2:09 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: HENING, VEST & COVEY -- AUTHORIZATION TO PROCEED WITH PHASE II -- COURTHOUSE PROJECT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Architects, Hening, Vest & Covey are authorized to proceed with the Phase II, Interior Design, of the bid package for the Courthouse Project.

Extract

IN RE: AUTHORIZE DRAFT OF RESOLUTION -- PAMPLIN PARK -- TAX EXEMPT

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Attorney is authorized to draft a resolution allowing Pamplin Park to become tax exempt; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Attorney is authorized to advertise for a public hearing to consider allowing Pamplin Park to become tax exempt.

IN RE: AUTHORIZE DRAFT OF AMENDMENT -- JUNIOR FIREFIGHTER ORDINANCE

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Attorney is authorized to draft an amendment to the Junior Firefighter Ordinance that would allow the Junior Firefighters to participate in training only when supervised by a State certified training instructor; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Attorney is authorized to advertise for a public hearing to consider an amendment to the Junior Firefighter Ordinance.

IN RE: RECLASSIFICATION -- CLERICAL POSITIONS -- DATA PROCESSING COORDINATOR -- DIRECTOR OF PLANNING

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following jobs are reclassified effective January 1, 1996:

Extract

	Current Grade/Salary	Proposed Grade/Salary
CLERICAL POSITIONS		
Anne Heath	6(E2)/$20,324	8(D2)/$22,338
Becky Millirons	8(A1)/$18,325	10(A)/$20,956
Cheryl Stewart	6(B1)/$16,673	8(A1)/$18,325
Charity Taylor	6(B)/$16,346	7(B1)/$18,006
DATA PROCESSING COORDINATOR		
Cathy Carwile	9(A2)/$20,187	9(B2)/$21,423
DIRECTOR OF PLANNING		
Guy Scheid	16(A)/$33,254	16(B)/$35,289

IN RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 2:13 P.M.

Donald L. Haraway
Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 20TH DAY OF DECEMBER, 1995, AT 2:00 P.M.

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

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the agenda was amended as follows:

Add, 13. Executive Session - Sec. 2.1-344(a) 7-Consultation with legal counsel.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the December 6, 1995 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following claims are approved and funds appropriated for same using check #36860-#37101 (void #36859) for Accounts Payable and Payroll in the amount of $304,677.24; General Fund $204,631.39, E911 Fund $1,638.00, Self Insurance Fund $32,177.50, Law Library $677.46, CDBG Fund $12,145.00, Capital Projects $53,407.89; and funds were appropriated for Payroll in the amount of $256,477.32.

IN RE: CITIZEN COMMENTS

1. Robert Ragsdale, Boydton Plank Road, Dinwiddie, VA. He came before the Board and stated that he had two trucks bought in 1990 and the Commissioner of Revenue is only taxing him on one of them. He has gone to her every year since the problem started and every year she says she will correct it and never does. He asked the Board for their help in correcting the problem.

2. John Fraser, Bain Road, Stony Creek, VA. He came before the Board and spoke on the lack of the County having an Extension Agent. He wanted to know when the Board was planning on advertising for the position so that they could get someone in there.

After some discussion between the Board and Administration the Board requested Administration to draw up a job description for an Extension Agent and be ready for some action by the Board at the January 3rd meeting.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald Reekes, Resident Engineer, Virginia Department of Transportation, was not present.

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that she was concerned about the notice that the County was getting in

reference to bridges closing which causes detours. She stated that they have only been giving the County about two day notices and it really concerns her.

After some discussion between the Board and Administration the Board requested Administration to draw up a letter to Highway Department expressing the Board's displeasure with their poor planning.

IN RE: COMMISSIONER OF REVENUE -- REPORT

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

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer presented his report for the month of November, 1995.

IN RE: APPROVAL OF VEHICLE & DOG LICENSE AGENTS & LOCATION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the following list for Vehicle License Agents & Locations was approved:

Namozine Volunteer Fire Department	Larry Maitland
Reams Ruritan Club	Van Miller
Wilson-Hebron-Ford Ruritan Club	Fred Sahl
Wallace Supermarket	Robert Wallace

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the following list for Dog License Agents & Locations was approved:

Country Hardware & Garden Shop	George Williams
Reams Ruritan Club	Van Miller
Classics Supermarket	Louis Dowdy
Bolsters Store	Mike Barnes
Wallace Supermarket	Robert Wallace

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Van Miller be added to the Surety Bond at the Clerk's Office to authorize him to sell Vehicle Licenses.

IN RE: DISCUSSION -- BANK SERVICES CONTRACT

Mr. William E. Jones, stated that at the October 4, 1995 Board meeting the Board approved the County to go into a contract negotiation with the Bank of Southside of Virginia to provide the County with banking services contingent on the direct deposit hook-up. Mr. Jones stated that as of this date a contract has not been signed with the Bank of Southside because there are some problems with the direct deposit hook-up. He asked the Board how they felt about setting a deadline, for maybe the next Board Meeting, to look at the County's other options for Banking Services if the Bank of Southside has not hooked-up the direct deposit.

After some discussion between the Board they decided not to set a deadline at this time but did ask for an update at the next Board Meeting.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, III, Commonwealth Attorney, came before the Board and stated that he was available to answer any questions that the Board may have.

Mrs. Everett asked Mr. Rainey if the County had any obligation to divert traffic off of the interstate in the event of a big accident. There was a big accident on the interstate the night before and the traffic was backed up for miles and people waited at a dead standstill for hours.

Mr. Rainey stated that the State Troopers had an obligation to the Interstate but if the Troopers could not get there the County would come in.

IN RE: SHERIFF -- REPORT

Mr. Bennie M. Heath, Sheriff, was not present.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne H. Abernathy, Building Inspector, was not present at the meeting but submitted his report for the month of November, 1995 prior to the meeting.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of November, 1995.

Mr. Bracey stated that he was concerned over the fact that his neighbor has a Pitbull and it keeps coming into his yard and he wanted to know if the County had something in the ordinance about those type animals because of the fact that they are known to be vicious. He wanted to know if he had to file a complaint to remove that dog from the neighborhood.

After some discussion between the Board they asked Mr. Beville to look into an ordinance addressing vicious animals, such as Rotweilers and Pitbulls.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W.C. Scheid, Director of Planning, presented his report for the month of November, 1995.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy M. McElveen, Director of Social Services, presented her report for the month of November, 1995.

IN RE: APPROPRIATION OF FUNDS -- FEDERAL CHILD DAY CARE BLOCK GRANT

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Federal Day Care Block Grant allocation of $25,393.00 was accepted and the funds appropriated to the Social Services Department.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mrs. Troilen Seward, Director of Student Services, came before the Board and stated that Dr. Gaul was not available to come to the meeting so she stated that she was filling in for him. She also stated that Dr. Gaul's last day with the School Board would be January 15, 1996 and her appointment of Interim Superintendent of Schools would not be effective until January 16, 1996. They have everything in place for her and they are on track so that they will have a smooth transition when Dr. Gaul leaves.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of November, 1995.

Mr. Rinaldi requested that he be allowed to purchase 60 tons of brick dust for the fields at the Middle School which would be in the amount of $2,700.00.

After some discussion between the Board they asked Mr. Rinaldi to seek bids to put top soil on the fields opposed to putting brick dust.

Mrs. Anne Scarborough, Boydton Plank Road, Dinwiddie, VA asked to speak in reference to Mr. Rinaldi's request. She stated that all departments should be treated the same, because when other departments request to purchase things the Board asks if the item was budgeted for and just as they say that it is the Board approves it. She did not feel that it was fair because Mr. Rinaldi had budgeted for this item and is being told that he cannot purchase it.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Dennis E. King, Director of Waste Management, presented his report for the month of November, 1995.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Services Coordinator, was not present at the meeting but submitted her report for the month of November, 1995 prior to the meeting.

IN RE: REIMBURSEMENT RESOLUTION -- ADMINISTRATION BUILDING ROOF

Mr. Daniel Siegel, County Attorney brought to the attention of the Board Members a proposed form of reimbursement Resolution concerning the new roof on the Administration Building.

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

RESOLUTION OF THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA DECLARING ITS INTENTION TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES MADE AND/OR TO BE MADE IN CONNECTION WITH THE REPAIR AND INSTALLATION OF A ROOF ON THE DINWIDDIE COUNTY ADMINISTRATION BUILDING

WHEREAS, the County of Dinwiddie, Virginia (the "Issuer") is a political subdivision organized and existing under the laws of the Commonwealth of Virginia; and

WHEREAS, the Issuer has paid, beginning no earlier than October 22, 1995, and will pay, on and after the date hereof, certain expenditures (the "Expenditures") in connection with the repair and installation of a roof on the Dinwiddie County Administration Building (the "Project"); and

WHEREAS, the Board of Supervisors of the Issuer (the "Board") has determined that those moneys previously advanced no more than 60 days prior to the date hereof and to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Issuer for the Expenditures from the proceeds of one or more issues of tax-exempt bonds (the "Bonds");

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

Section 1. The Board hereby declares the Issuer's intent to reimburse the Issuer with the proceeds of the Bonds for the Expenditures with respect to the Project made on and after October 22, 1995, which date is no more than 60 days prior to the date hereof. The Issuer reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds.

Section 2. Each Expenditures was and will be either (a) of a type properly chargeable to capital account under general federal income tax principles (determined in each case as of the date of the Expenditures), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Issuer so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Issuer.

Section 3. The maximum principal amount of the Bonds expected to be issued for the Project is $78,900.

Section 4. The Issuer will made a reimbursement allocation, which is a written allocation by the Issuer that evidences the Issuer's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in Service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Issuer recognizes that exceptions are available for certain "preliminary expenditures, " costs of issuance, certain de minimis amount, expenditures by "small issues" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Extract

Section 5. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED THIS 20th day of December, 1995.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel Siegel, County Attorney, went over with the Board interest rates for Lease/Revenue Bonds/Notes for the Courts Complex and School Improvements.

IN RE: PRESENTATION OF 1994-95 AUDIT

John Montoro, Montoro and Associates, came before the Board and reviewed his findings in reference to the 1994-95 audit.

Mr. Bracey asked if Department Heads could give the Board a written response in reference to the management letter from Mr. Montoro.

After some discussion between the Board they decided that Department Heads will give the Board a written response in reference to the management letter and then the Board sit down with the Department Heads and discuss it with them.

IN RE: ISTEA IV GRANT REQUEST FOR PAMPLIN PARK CIVIL WAR SITE -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on December 6, 1995 and December 13, 1995, for the Board of Supervisors to solicit comments regarding a grant application that is being submitted for Intermodal Surface Transportation Efficiency Act (ISTEA) funds from the Virginia Department of Transportation.

Mrs. Wendy Weber Ralph, Ass't County Administrator, came before the Board and stated that the grant application is to establish a project to highlight Pamplin Park Civil War Site as one of the Civil War sights in a statewide program entitled "Virginia's Civil War Trail". Also included in the grant proposal is a request for funding from the Lee's Retreat Consortium to reprint the existing brochures for Lee's Retreat. She stated that Jerry Wooten, from Pamplin Park was present to answer any questions that the Board may have.

Mr. Wooten came before the Board and went over what the grant would pay for and how it would work.

Mr. Haraway opened the floor for citizen comment.

No one signed up to speak.

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

WHEREAS, in accordance with the Commonwealth Transportation Board construction allocation procedures, it is necessary that a request by resolution be received from the local government or state agency in order

that the Virginia Department of Transportation program an enhancement project in Dinwiddie County;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia hereby requests the Commonwealth Transportation Board to establish a project to highlight Pamplin Park Civil War Site as one of the Civil War sites in a statewide program entitled "Virginia's Civil War Trail"; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby agrees to pay up to $3,600, which is 20 percent of the total costs for planning and design, right of way, and construction of this site, said 20 percent local share is being held in escrow by Pamplin Park Civil War Site for such purpose; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia requests the Commonwealth Transportation Board to establish a project to include the reprinting of the brochures for the existing Lee's Retreat route; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia agrees to pay up to $4,000, which is 20% of the total cost for reprinting the brochures, which 20% is being provided by the Virginia's Retreat Consortium in its FY 96-97 budget; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that if Dinwiddie County subsequently elects to cancel this project, Dinwiddie County hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

Extract

IN RE: AUTHORIZATION TO ADVERTISE FOR PUBLIC HEARING -- RESOLUTION CREATING SOUTHSIDE REGIONAL SEWERAGE AUTHORITY

Mr. Charles W. Burgess, Jr., stated that he was seeking the Board's authorization to advertise for a public hearing for the purpose of the adoption of a resolution that would create a sewerage authority under the Virginia Water and Sewer Authorities Act. The proposed localities are the Cities of Petersburg and Colonial Heights, as well as the Counties of Chesterfield, Prince George and Dinwiddie. All of the localities are planning for their own public hearings on the adoption of this resolution and everyone should have conducted their public hearing by mid February. He requested that our public hearing be scheduled for February 7, 1996.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise for a public hearing on February 7, 1995 to consider passing a resolution creating the Southside Regional Sewerage Authority.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Charles W. Burgess, Jr., County Administrator stated that he wanted to know if the Board had any Legislative priorities that they wanted staff to draft and get to our Legislative Representatives for the upcoming General Assembly Session.

Mrs. Everett stated that she wanted staff to ask for some reinstated funding for the Virginia Extension Service.

Mr. Haraway stated that he has a real problem with the jump in the number of mobile homes that has come into the County. He encouraged an amendment to our code to put our County on a level playing field with other localities. He feels that our County is receiving a much larger number than other surrounding Counties.

Mr. Haraway asked if any of the Board members would be opposed to staff drafting a letter to our Legislators expressing their wish that the language that was adopted regarding manufactured housing be repealed.

All of the Board members stated that they did not oppose the drafting of the letter.

Mr. Bracey stated that he wanted to know what our local representatives voted for and against at the end of the General Assembly Sessions.

2. Mrs. Everett stated that she noticed that Mr. Samuel Shands, our new Sheriff as of January 1, 1996, was present and she wanted to know if he wanted to come forward to say a few words.

Mr. Shands came forward and said a few words.

3. Mr. Burgess requested the Board's approval to attend the Economic Development Conference to be held in Richmond at the Omni Hotel January 31st and February 1st.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Charles W. Burgess, Jr., County Administrator is authorized to attend the Economic Development Conference on January 31st and February 1st at the Omni Hotel.

4. Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that the well drilling at the Jail was conducted Saturday, December 16th and from an eye view point and a smell view point things look good. The labs test are still out and they are not positive yet that there is no problem with that sight until the test comes back in. She also stated that she would have an update for the Board as soon as it comes back in.

IN RE: BOARD MEMBER COMMENTS

All the Board members expressed how much they enjoyed working with Mr. Haraway and that they felt that he did a good job while he was on the Board.

Mr. Haraway thanked the Board Members and staff for all of their help during his four year term on the Board and wished Mr. Mike Tickle good luck on the next four years.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 4:20 P.M. following a five minutes recess. A vote having been made and approved the meeting reconvened into Open Session at 5:17 P.M.

IN RE: CERTIFICATION

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

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

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

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

convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: REQUEST FOR PROPOSALS -- LANDFILL CLOSURE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to send out Request for Proposals for Engineering Services for the completion of the closure of the Landfill.

Extract

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 5:25 p.m.

Donald L. Haraway
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 3RD DAY OF JANUARY, 1996, AT 7:30 P.M.

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

COUNTY ADMINISTRATOR PRESIDING

IN RE: TERM OF CHAIR AND VICE-CHAIR

Extract

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Tickle voting "aye", the Chair and Vice-Chair for the Board of Supervisors will serve a one-year term of office.

IN RE: ELECTION OF CHAIR -- 1996

Extract

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Tickle voting "aye", Mr. Clay "abstaining", Mr. Aubrey S. Clay, was elected Chair for the year of 1996 or until his duly elected successor assumes office.

IN RE: ELECTION OF VICE-CHAIR -- 1996

Extract

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Clay, Mr. Tickle voting "aye", Mr. Moody "abstaining", Mr. Harrison A. Moody, was elected Vice-Chair for the year of 1996 or until his duly elected successor assumes office.

IN RE: SCHEDULE OF MEETINGS AND DATES FOR 1996

Mr. Bracey suggested that both meetings in the month be scheduled at 7:30 P.M. instead of having one at 7:30 P.M. and one at 2:00 P.M. The reason for the one at 2:00 P.M. was to give Department Heads and Constitutional Officers a chance to come and report to the Board but some of them are not even coming to the meetings.

Mr. Moody stated that he wanted to keep the old schedule because it was better because it gives older citizens who do not like to get out at night a chance to come to the meeting.

Mrs. Everett stated that she liked the current schedule.

Mr. Clay stated that he is in favor of leaving the schedule the same.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following schedule is established for the regular meetings of the Board of Supervisors for the calendar year of 1996 with the 8th day following the meetings to be used as a makeup date if the regular meeting is to be continued because the Chair or the Vice-Chair finds that weather or other conditions are hazardous for the Board members to attend:

DATES	TIME
January 3, 1996	7:30 P.M.
January 17, 1996	2:00 P.M.
February 7, 1996	7:30 P.M.
February 21, 1996	2:00 P.M.

March 6, 1996	7:30 P.M.
March 20, 1996	2:00 P.M.
April 3, 1996	7:30 P.M.
April 17, 1996	2:00 P.M.
May 1, 1996	7:30 P.M.
May 15, 1996	2:00 P.M.
June 5, 1996	7:30 P.M.
June 19, 1996	2:00 P.M.
July 3, 1996	7:30 P.M.
July 17, 1996	2:00 P.M.
August 7, 1996	7:30 P.M.
August 21, 1996	2:00 P.M.
September 4, 1996	7:30 P.M.
September 18, 1996	2:00 P.M.
October 2, 1996	7:30 P.M.
October 16, 1996	2:00 P.M.
November 6, 1996	7:30 P.M.
November 20, 1996	2:00 P.M.
December 4, 1996	7:30 P.M.
December 18, 1996	2:00 P.M.

MR. AUBREY S. CLAY, ASSUMED THE CHAIR

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the December 20, 1995 Continuation Meeting and December 20, 1995 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mr. Bracey stated that he wanted Administration to look into the cost of the Workman's Compensation Claims.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Tickle 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 #37103-#37219 (void #37102) for Accounts Payable and Payroll in the amount of $175,887.41; General Fund $146,852.83, Jail Phone $711.82, E911 $5,168.00, Self Insurance $8,176.68, Law Library $46.49, CDBG $11,151.85; and funds were appropriated for Payroll in the amount of $3,779.74.

IN RE: CITIZEN COMMENTS

1. Bobby Bowman, Boydton Plank Road, Dinwiddie, VA. Mr. Bowman came before the Board and asked for assistance with the Commissioner of Revenue. He feels that the assessment on his barn is not correct and asked if Mrs. Everett would go with him to the Commissioner of Revenue's office to sit down and try to work out.

Mrs. Everett stated that she would be glad to go with Mr. Bowman.

IN RE: P-95-8 -- TARMAC

This being the time and place as advertised in the Dinwiddie Monitor on December 20, 1995 and December 27, 1995 for the Board of Supervisors to conduct a public hearing to consider a rezoning request by PCS PrimeCo., on behalf of TARMAC, Lone Star, Inc., to rezone a parcel from B-1, Limited Business, to A-2 General Agricultural,

Mr. William C. Scheid, Planning Director, stated that it is a parcel of land containing 9.70 acres and identified by the County Tax Map as Section 20, Parcel 32B. It is located north of the intersection of Route 460 and Route 226, Cox Road, in the Rohoic Magisterial District. The applicant wishes to rezone the property from Business, Limited, B-1 to

Agricultural, General, A-2 since the current zoning does not represent the current and past use of the property. This site has been used for quarrying operations for decades. The zoning category sought is the most reasonable district classification which would allow the current property usage. The applicant wishes to construct a communication facility if the rezoning is granted. Such a use is permitted in an A-2 district with a conditional use permit. The applicant understands that if the property is rezoned, there is no guarantee that a conditional use permit will be granted.

Staff recommended that the rezoning application be granted for the following reasons:

1. The adopted comprehensive land use plan identifies this area for Agricultural and Industrial purposes;
2. Several of the properties in the vicinity are zoned A-2;
3. The current zoning is not consistent with the past, current or future use of this property nor is it consistent with any of the other zonings found in this area (RR line excluded); and
4. The rezoning category sought is the least offensive of those categories in which quarrying operations are permitted.

Mr. Scheid also stated that the Planning Commission conducted a Public Hearing on the issue and the applicant, PCS Primeco, appeared to explain the request. No one else in attendance spoke in favor of, or opposition to, the rezoning request. On a vote of 5-2, the Planning Commission recommended approval of the rezoning to the Board of Supervisors. Those Planning Commissioners voting "aye" appeared to be in agreement with the Planning Staff report in which it was recommended that the rezoning be recommended for approval. Those Planning Commissioners voting "nay" expressed concern regarding down zoning the property and spot zoning.

Mr. Cary Ralston, PCS PrimeCo., stated that his Company is a advanced Wireless Cellular Communication Company that will be providing wireless communication to the citizens of Dinwiddie County and surrounding localities. He stated that they would not be leasing the whole 9.70 acres; they would only be leasing a small portion of it in order to put their tower up.

Mr. Tickle suggested that Mr. Ralston request that Tarmac ask to rezone their entire parcel to A-2 so that it would be in line with the Comprehensive Plan and it would be zoned correctly for future growth.

Mr. Ralston stated that he did not have a problem with going to Tarmac with this request.

This being a public hearing the Chairman opened the floor for public comment: No one signed up to speak.

Mr. Bracey questioned how much taxes would this tower generate for the County.

Mr. Ralston stated that that had to be determined by the Commissioner of Revenue.

Mr. Tickle asked Mr. Ralston to go back and apply for the entire parcel to be rezoned A-2.

Mr. Bracey and Mr. Clay stated that they couldn't make them go back and reapply; they could ask them to consider reapplying for the whole parcel to be rezoned A-2.

Mr. Bracey asked Mr. William C. Scheid, Director of Planning, if this were approved would it be spot zoning.

Mr. Scheid stated that it wouldn't be because state law clearly says that adjacency does not necessarily mean that because there is a small parcel of land in between other parcels of land that you are spot zoning.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that land parcel 20-32B of the Dinwiddie County Zoning Maps, located near 23308 Cox Road, is amended by changing the district classification from Business, Limited B-1 to Agricultural, General, A-2.

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

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

Extract

Mrs. Everett stated that she would like to see Tarmac seek a request to rezone the entire parcel of A-2.

Mr. Clay stated that he wanted Mr. Scheid to write a letter to Tarmac requesting that they consider rezoning the parcel.

IN RE: PUBLIC HEARING -- SECONDARY ROAD SYSTEM -- SIX YEAR CONSTRUCTION PLAN FOR THE YEARS 1996-2002

This being the time and place as advertised in the Dinwiddie Monitor on December 27, 1995 and January 3, 1996 and in the Progress-Index Newspaper on December 21, 1995, December 24, 1995, December 27, 1995, December 31, 1995 and January 3, 1996 for the Board of Supervisors to conduct a Public Hearing on the County's Secondary Road System Six Year Construction Plan for the years 1996-2002.

Mr. Ronald H. Reekes, Resident Engineer, Virginia Department of Transportation, presented the six-year road plan for Dinwiddie County. He stated that there are some changes from last year and the most significant change is debt. He stated that Dinwiddie has incurred a debt of $1.3 million to $1.4 million in secondary projects. He stated that most of the projects were misbudgeted due to fees that were not foreseen, such as archeological digs and problems with right of ways. He stated that they had to push back some projects because they have budgeted to pay back the debt in two years.

Mr. Bracey asked if roads were being accepted to be put on the list to be worked on.

Mr. Reekes stated that roads could be added to the list but there is no way that they will be able to finance or put any money on them but if they wanted to add a road to the priority list to say that the road is on there and it will fall into the cycle and continue to move up just like all the other roads they can do that. He also stated that it would basically fall to the back of the plan because there is really no money.

This being a public hearing the Chairman opened the floor for public comment:

1. Danny Erb, Sapony Church Road, came before the Board and stated that he has been there 22 years and he is still waiting for his road to be paved. He would like to see funds that are being budgeted for roads that are already paved to be put towards roads that are not even paved.

2. Jerome Rivers, 9612 Wheaton Road, came before the Board and stated that he has been waiting 45 years to get his road paved and his father waited for years to get it paved and he died before he could see it paved.

3. George Ridley, Jr., Ridley Road, came before the Board and stated that his road isn't on the list to be paved and he asked that it be added.

4. Carlton West, Old Vaughan Road, stated that his road needs to be paved and elevated. He stated that he is having terrible drainage

problems right in front of his house and his neighbors call him and want to know what he is going to do about it and he wants to know what VDOT is going to do about it.

5. George Flowers, Wingfield Road, stated that he has been on his road for 71 years and it needs to be paved.

6. Wallace Rowland, Butterwood Road, stated that his road needs to be put on the list for improvements.

7. Ermagean Flowers, Shady Lane, asked that her road be considered for the list of roads to be paved.

8. George Flowers, Shady Lane, stated that his road is a mess and needs to be paved badly.

9. Eric Hamilton, Wheaton Road, stated that his road has been bumped further and further down the list to be paved and it was bumped again this year.

10. Alvin Blaha, Squirrel Level Road, stated that VDOT needs to take into consideration farmers when they put up guardrails because it is hard to maneuver big farm equipment when there is no where for them to go to get off the road in order to let someone pass.

11. Winston Walker, Spriggs Road, stated that he wanted his road added to list of roads to be paved.

Delegate Riley E. Ingram, General Assembly, Senate District 62, came before the Board and stated that he is trying to get money for Dinwiddie and Amelia Counties for unpaved roads.

Mr. Tickle asked Delegate Ingram if he would work with the House of Delegates and the Senate to try to get a higher ratio of funding.

Mr. Bracey stated that he wanted the following roads added to the list: Route 666, Route 670, Route 628, Route 661, Route 711 and Route 729.

Mr. Moody suggested that he would like to see the money budgeted for improvements on Halifax Road be put towards roads that need to be paved.

The Chairman at 9:40 P.M. declared a 10 minute recess.

The Chairman at 9:50 P.M. stated that the Board and VDOT will take the suggestions under consideration and will have a report at the next night meeting which will be February 7, 1996.

IN RE: RESOLUTION IN SUPPORT OF TAX EXEMPTION REQUEST OF THE PAMPLIN FOUNDATION OF DINWIDDIE COUNTY, VIRGINIA TO BE EXEMPTED FROM PROPERTY TAX PURSUANT TO ARTICLE X, SECTION 6(a)(6) OF THE CONSTITUTION OF VIRGINIA

This being the time and place as advertised in the Dinwiddie Monitor on December 27, 1995 for the Board of Supervisors to conduct a public hearing for the purpose of adopting a proposed resolution in support of the request by the Pamplin Foundation that such organization's real and personal property, more commonly known as Pamplin Park Civil War Site, in Dinwiddie County be exempt from taxation pursuant to Article X, Section 6(a)(6) of the Constitution of Virginia.

Mr. Paul Jacobson, County Attorney, stated that the Code of Virginia allows the General Assembly to designate organizations owning property in a County as tax exempt; but before the General Assembly can act they have to consider a resolution by the Board of Supervisors from that County. The property has to be used for religious, charitable, patriotic, historical or other designated purposes. The resolution must state that the Board has considered certain aspects of the request, such as the affect on the County and the purposes that the organization is using the property for. The code requires that a public hearing be held before adoption of the resolution which supports or does not support the exemption.

This being a public hearing the Chairman opened the floor for public comment:

1. Joy Bowman, Boydton Plank Road, came before the Board and stated that the advertisement that was put in the newspaper advertising the public hearing stated that the assessed value of the real property owned by the Pamplin Foundation in Dinwiddie for 1995 was $111,400.00 and the real property taxes paid to Dinwiddie in 1995 by the Pamplin Foundation totaled only $824.36. She fells that that assessment is not correct because the Pamplin Foundation just but a building on the property that cost 2.5 million dollars to build and there is no way the taxes with that amount of acreage and improvements only totaled $824.36. She feels that the County would be missing out on a lot of taxes. She also stated that she is not against the Park but she feels that they do not qualify for tax exempt status when they charge admission and there have been some statements made in reference to them providing lodging and meals for visitors. She wanted to know if all of those things are going to be tax exempt.

2. Alvin Blaha, Squirrel Level Road, came before the Board and stated that after the public hearing on paving secondary roads, which was prior to this one, he feels that it is ridiculous that the Board is considering giving up tax money. He also stated that he does not have anything against the Park but he can not see the County giving up good tax money and it is going to cost the County to maintain it.

3. Eric Hamilton, Wheaton Road, came before the Board and echoed Mr. Blaha's statements.

Mr. Wilson Greene, Director, Pamplin Park Civil War Site, came before the Board and stated that he is just representing Mr. Pamplin who has made the request. He stated that he felt a little uncomfortable assuming what Mr. Pamplin would say if he were present. He did state that the Park is a nonprofit organization. He stated that the Park is not only an educational organization to the citizens of Dinwiddie County but to adults and children all over the United States. There is a tremendous economic benefit for the County because of the number of tourists that the Park plans to bring in. The park also employs local people with their construction projects.

Mr. Bracey asked if he was also asking exemption from the meals tax.

Mr. Greene stated that Mr. Pamplin did request exemption from all taxes as a nonprofit organization.

Mrs. Everett stated that he was not requesting exemption from anything right now but real estate and personal property.

Mr. Tickle stated that if they give the exemption request to Mr. Pamplin what stipulations are there to prevent other people from coming back to the County and asking for simular requests. He also stated that there is no doubt that the County will receive more tax funds than the County would loose in loss of taxes from the Park. He stated that the only fair thing for the County to do is give this exemption to anyone with the same request if they meet the criteria. He doesn't feel that it would be fair to give it to Mr. Pamplin and not give it to someone else if they request it and if they meet the criteria.

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

WHEREAS, the Pamplin Foundation ("Pamplin") has requested the Board of Supervisors of Dinwiddie County, Virginia (the "Board") to support a designation by the General Assembly of Virginia that Pamplin's real property, which is commonly known as the Pamplin Park Civil War Site, and personal property be exempt from taxation by the County of Dinwiddie, Virginia and Commonwealth of Virginia; and

WHEREAS, Pamplin has made certain representations to the Board on which the findings stated below are based;

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County that the Board recommends to the General Assembly that the Pamplin Foundation's purpose be classified as historical and that the real and personal property of the Pamplin Foundation be exempt from state and local property taxes pursuant to Article X, Section (6)(a)(6) of the Constitution of Virginia.

IT IS FURTHER RESOLVED that the Board has examined and considered the provisions set forth in Section 30-19.04.B of the Code of Virginia of 1950, as amended, and finds as follows:

1. Pamplin is exempt from taxation pursuant to Section 501(c) of the Internal Revenue Code of 1954.

2. Pamplin does not hold a current annual alcoholic beverage license for serving alcoholic beverages from the Virginia Alcoholic Beverage Control Board for use on any of the Pamplin Park property.

3. No Director or Officer of Pamplin is paid compensation by Pamplin.

4. No part of the net earnings of Pamplin inures to the benefit of any individual. A significant portion of the services provided by Pamplin is generated by funds received from donations, contributions or local, state or federal grants.

5. Pamplin provides services for the common good of the public.

6. None of the activities of the organization involves carrying on propaganda or otherwise attempting to influence legislation, and Pamplin does not participate in, or intervene in, any political campaign on behalf of any candidate for public office.

7. No rule, regulation, policy or practice of the Pamplin discriminates on the basis of religious conviction, race, color, sex or national origin.

8. The assessed value of the real property in Dinwiddie County owned by Pamplin for 1995 was $111,400 and the real property taxes paid to Dinwiddie County in 1995 by Pamplin was in the amount of $824.36. Pamplin does not have any personal property assessed by the County of Dinwiddie and accordingly paid no personal property taxes.

Extract

IT IS FURTHER RESOLVED that this Resolution shall be effective immediately.

IN RE: CITIZEN COMMENTS

1. Mr. Alvin Blaha, Squirrel Level Road, came before the Board and requested an update to the County's position for an Extension Agent.

Mr. Charles W. Burgess, Jr., County Administrator, stated that the Board is scheduled to talk about the County's position for an Extension Agent in Executive Session after their regular meeting.

IN RE: ABIDCO -- APPOINTMENT

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mike Tickle is hereby appointed to ABIDCO for a term expiring September 30, 1996.

IN RE: BOARD OF ZONING APPEALS -- APPOINTMENT

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Charles Friedl is recommended to the Circuit Court Judge

for appointment to the Board of Zoning Appeals for a term expiring December 31, 2000.

IN RE: CRATER CRIMINAL JUSTICE ACADEMY -- APPOINTMENT

The Board was informed that John Talmage's term expired in December of 1995 for the Crater Criminal Justice Academy.

Mr. Tickle stated that Mr. Talmage notified him that he did not feel that he could adequately serve because the meetings are during the day and he suggested to Mr. Tickle that they find someone else. Mr. Tickle stated that he then received a suggestion from someone that Mr. William A. Kissner be appointed to fill the position.

Mr. Bracey asked if this appointment could wait.

IN RE: CRATER HEALTH DISTRICT -- APPOINTMENT

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Hannah Wells is reappointed to the Crater Health District for a term expiring December 31, 1998.

IN RE: CRATER PLANNING DISTRICT COMMISSION -- APPOINTMENTS

The Board was informed that all three members of the Crater Planning District Commission expired in December of 1995; Mrs. Everett, Mr. Haraway and Samuel F. Bryant. A board member will have to be appointed to take Mr. Haraway's place.

Mr. Clay asked if Mr. Tickle would take Mr. Haraway's position.

Mr. Tickle stated that he would.

Mr. Bracey wanted to know who Samuel F. Bryant was.

Mrs. Everett stated that Mr. Bryant lives on Duncan Road and he is the Vice-President of an annuities firm connected with the Bank of Southside Virginia and his wife is a lawyer here in the County.

Mr. Bracey stated that he felt that these appointments were a little political. He stated that the Board used to get a report for these people and they do not get anything now.

Mr. Bracey also wanted to know how Mr. Tickle was going to take both appointments that he was nominated for.

Mrs. Everett stated that Mr. Haraway did why can not Mr. Tickle.

Mr. Bracey stated that Mr. Tickle is not Mr. Haraway. He wanted to know why Mr. Clay or Mr. Moody couldn't go.

Mr. Clay stated that they were just trying to find someone to take the position and if Mr. Bracey didn't like the nomination than he could nominate someone else.

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Moody, Mr. Clay voting "aye", Mr. Bracey "no", Mr. Tickle "abstaining",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that LeeNora Everett and Samuel F. Bryant be reappointed to the Crater Planning District Commission for a term expiring December 31, 1999; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mike Tickle is also hereby appointed to the Crater Planning District Commission for a term expiring December 31, 1999.

Mr. Tickle stated for the record he wanted to address the Board and he had the following to say: This is my first meeting and he wanted

Extract

to state for the Board at no time did I ask to be appointed to ABIDCO or to Crater Planning. I take that in defense that someone will make that comment. I know it appears that someone nominated me to take over what was vacant and I by no means asked for this.

IN RE: PLANNING COMMISSION -- APPOINTMENT

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Harrison A. Moody be reappointed to the Planning Commission for a term expiring December 31, 1999.

IN RE: DINWIDDIE COUNTY WATER AUTHORITY -- APPOINTMENT

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Jack W. DeBoer and Norman C. Olgers, Jr. be reappointed to the Dinwiddie County Water Authority for a term expiring December 31, 1999.

IN RE: TRANSPORTATION SAFETY COMMISSION -- APPOINTMENTS

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following persons are hereby reappointed to the Transportation Safety Commission for a term of one year, expiring December 31, 1996:

A.S. Clay	T.E. Gibbs, Jr.	Rebecca Tilson
Terry Jones	Barbara Wilson	Daniel Lee
Glen Powell	John Roy Hodges	

IN RE: AWARD OF BID -- OLD HICKORY FIRE DEPARTMENT -- FIRE TRUCK

Mr. Charles W. Burgess, Jr., County Administrator, stated that there were two bids submitted for the new Old Hickory Fire Department Fire Truck, which are as follows:

Fire X	$169,764.00
Pierce	$171,645.00

Mr. Charles Rideout, Chief of Old Hickory Fire Department, came before the Board and stated that members of the Fire Department reviewed the bids and they recommend that the Board accept the bid from Fire X.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid submitted by Fire X in the amount of $170,644.00 be accepted to purchase a new Fire Truck for Old Hickory Fire Department, to include the following options: one Kenmar 6" butterfly valve - $825.00; one 2100 AC-32 Wheel chock with QCH -32-H mount - $55.00.

IN RE: AWARD OF BID -- WATER WELL DRILLING CONTRACT -- NEW COURTHOUSE

Mr. Charles W. Burgess, Jr., County Administrator, stated that there were three bids submitted for the well at the new Courthouse, which are the following:

Dinwiddie Deep Well Drilling, Inc.	$ 9,780.00
Royall Pump and Well Co., Inc.	$13,047.50
Gammon Well Company, Inc.	$18,000.00

Mr. Burgess recommended that the Board accept the low bid from Dinwiddie Deep Well Drilling, Inc.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid submitted by Dinwiddie Deep Well Drilling, Inc. in the amount of $9,780.00 be accepted for the Water Well Drilling at the new Courthouse site.

Extract

IN RE: BOARD MEMBER COMMENTS

Mrs. Everett stated that she would like to see the Board pass a resolution for Jack Eubank, who retired as of December 31, 1995, for appreciation for the time he served as Executive Director of the Dinwiddie County Water Authority.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Tickle voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; 5-Discussion concerning a prospective business or industry where no previous announcement; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 10:56 P.M. following a five minute recess. A vote having been made and approved the meeting reconvened into Open Session at 11:48 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Tickle voting "aye", the meeting adjourned at 11:50 P.M.

Aubrey S. Clay
Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 17TH DAY OF JANUARY, 1996, AT 2:00 P.M.

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

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the agenda was amended as follows:

Add 7 o. Discussion of parking lot at the Sheriff's Department.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the January 3, 1996 Regular Meeting are hereby approved with corrections to IN RE: Board Member Comments. Mrs. Everett requested that the resolution she asked be prepared for Jack Eubank be for appreciation for the time he served as **Executive Director of the Dinwiddie County** Water Authority.

IN RE: CLAIMS

Mr. Bracey stated that he would like a breakdown of services for the Courthouse legal fees. He would also like to see a file created with all the fees incurred by the Courthouse Project so the public could access it at any time.

Mr. Clay stated that he would like a monthly update of all legal fees incurred by the Courthouse Project.

Mr. Tickle stated that he would like a monthly update on where all the legal fees are going.

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 check #37221-#37347 (void #37220) for Accounts Payable in the amount of $276,822.08; General Fund $225,123.79, Jail Commission $638.48, Self Insurance Fund $23,266.81, Capital Projects $27,793.00.

IN RE: CITIZEN COMMENTS

Mr. Bracey removed himself from the Board to speak as a citizen. He stated that he called the Animal Warden in reference to a dog in his neighborhood a few weeks ago and was told that nothing could be done until the animal has hurt or killed someone. He feels that something needs to be done to correct this problem because the dog is known to be a vicious type of animal and someone is going to get hurt.

Mr. Clay asked Mr. Burgess to look into the matter and report back to Mr. Bracey and the Board with his findings.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald Reekes, Resident Engineer, Virginia Department of Transportation, was not present.

IN RE: COMMISSIONER OF THE REVENUE

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

Mr. Bracey asked that Administration keep an ongoing record of which Constitutional Officers and Department Heads attend the monthly meetings because he feels that they are not attending like they should.

Mr. Clay asked that Administration send a letter to the Officers and Department Heads asking them to please be present at the meetings even if they do not have anything to report; the Board could have the opportunity to ask them questions if they need to.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, presented his report for the month of December, 1995.

He also stated that he feels confident that the Banking Services will work out. He feels so confident that they went ahead and ordered checks.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, III, Commonwealth Attorney, was not present.

IN RE: SHERIFF -- REPORT

Mr. Samuel H. Shands, Sheriff, was not present.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne H. Abernathy, Building Inspector, presented his report for the month of December, 1995. He also presented to the Board a yearly report for 1995.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, presented his report for the month of December, 1995. He also presented to the Board a yearly report for 1995.

Mr. Beville stated that he would like to reply in reference to Mr. Bracey's citizen comment. He stated that state law does not allow you to discriminate according to breed but there is a possibility of a dangerous animal ordinance that would prohibit a dangerous animal from running loose.

The Board asked Mr. Beville to look into getting a dangerous animal ordinance together and presenting it to the Board.

IN RE: LIVESTOCK CLAIM -- DEWEY HARRISON

Mr. Steve Beville, Animal Warden, stated that on December 2, 1995 some stray dogs chased one Hereford Cow and a one week old calf into a ditch and the cows died of exhaustion. The pair was estimated to be worth $400.00.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the livestock claim for Dewey Harrison, for one Hereford Cow and a one week old calf in the amount of $400.00 be approved.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W.C. Scheid, Director of Planning, presented his report for the month of December, 1995.

Mr. Scheid stated that the Planning Commission will be holding a special meeting on January 31, 1996 at 7:00 P.M. for the purpose of soliciting input from the citizens on the Comprehensive Land Use Plan as being proposed. He invited the Board to attend.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy M. McElveen, Director of Social Services, came before the Board and stated that she had several concerns about some trailers and campers that were found in the County. There were nine children all together found in the trailer and camper which had no water, sewerage or utilities. She stated that some of the children were special education cases and she is concerned because she is not sure how many other cases are unknown in the County. She was told by one of the parents that there will probably be a lot more families coming because land is being advertised in out of state papers and in state papers as being real cheap. She stated that she is very concerned over the issue and would like to see if anything can be done about it.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mrs. Troilen Seward, Interim Superintendent of Schools, presented her report for the month of January, 1996.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of December, 1995.

Mr. Rinaldi also stated that he included in the Board's packet a copy of the master plan for the development of the White Oak Road Battlefield Site.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Dennis E. King, Director of Waste Management, presented his report for the month of December, 1995.

IN RE: EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Services Coordinator, presented her report for the month of December, 1995.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel Siegel, County Attorney, was present at the meeting but did not have anything to present.

IN RE: DISCUSSION OF COURTHOUSE AND SHERIFF'S DEPARTMENT PARKING LOT

Mr. Bracey stated that he received a complaint about the parking lot at the Courthouse and Sheriff's Department. It needs some work done to it as soon as possible; it has gotten in real bad shape. Mr. Bracey suggested that some rock be put down as soon as possible and when it warms up in the spring bid it out to be paved.

Mrs. Everett agreed with Mr. Bracey. She stated that she felt that it was deplorable that the lot had never been paved.

Mr. Clay stated that he felt that it was a good idea to go ahead and put some rock down now so they could get in and out of the parking lot and bid it out to be paved in the spring.

IN RE: CRATER CRIMINAL JUSTICE ACADEMY -- APPOINTMENT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that William A. Kissner is hereby appointed to the Crater Criminal Justice Academy for a term expiring December 31, 1999.

Extract

IN RE: DINWIDDIE COUNTY AIRPORT & INDUSTRIAL AUTHORITY -- APPOINTMENTS

The following individuals terms on the Airport Industrial Authority expire on the 31st of January: William C. Knott, L. Bolling Chappell and Neal A. Barnes.

Mrs. Everett made a motion of appoint Jim Andrews to the Dinwiddie County Airport & Industrial Authority to replace Neal Barnes.

Mr. Bracey suggested that they wait until the next meeting to make all three appointments that need to be made so the Board will have time to contact the members and see if they are interested in serving again. He feels that the Board has been too hasty in reappointing individuals to serve on various Boards, Commissions and Authorities.

Mr. Clay stated that the Airport Authority was meeting again before the Boards next meeting and the appointments needed to be made before the Authority met again. He suggested that the Board discuss it in Executive Session and then come out and make the appointments.

IN RE: INDUSTRIAL DEVELOPMENT AUTHORITY -- APPOINTMENT

Wayne Barnes' term on the Industrial Development Authority expires on February 5th of this year and the Board needs to appoint someone to the position.

Mr. Bracey stated that he would like to wait until the next meeting to make the appointment so that he would have time to speak with Mr. Barnes to see if he was interested in being reappointed.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Charles W. Burgess, Jr., County Administrator, stated that the Board is invited to a meeting to be held by the Fort Pickett Local Reuse Authority on January 23, 1996 and he wanted to know how many members would be available to attend.

All members stated that they would be able to attend.

2. Mr. Burgess stated that Nelson Worley from the Appomattox Regional Library has contacted him in reference to using the parking lot at the Health Department to locate the Book Mobile due to a roof leakage problem at their facility. Mr. Burgess asked for the Board's approval for this to take place on Wednesdays and Fridays.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Appomattox Regional Library is authorized to locate their Book Mobile in the parking lot of the Health Department on Wednesdays and Fridays until their facility can reopen due to roof leakage problems.

Extract

3. Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that Dinwiddie Rescue Squad is requesting authorization to sell by sealed bid a 1985 GMC Ambulance and a 1985 Ford Ambulance. They have been replaced for a long time and have been just sitting on the lot.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Dinwiddie Rescue Squad is authorized to sell by sealed bid a 1985 GMC Ambulance and a 1985 Ford Ambulance; and

Extract

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorizes transfer of title to the successful bidder.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Bracey stated that he did not have a personal problem with the Animal Control Officer and his remarks in reference to the problem he addressed previously in the meeting are not directed at him on a personal level.

Mr. Bracey also stated that he hoped that someone was keeping a running total of what it is costing for the school projects so the citizens could access it and know exactly what it is costing them.

Mr. Bracey also stated that he would like all the information that is available on the CAD system that was purchased for the CIP.

2. Mrs. Everett stated that the County is in arrears on 1.3 million on the secondary roads budget. She stated that she feels that the Board took a bum rap on it with some people thinking that they were not abreast of the circumstances and they should of been more knowledgeable about it. She wanted people to consider that a lot of the Highway personnel took early retirement and she doesn't think that people realize how much the Right of Ways and Archeological digs cost. There is a lot more involved than people realize and she stated that she didn't think that there was any reason to point fingers at the Board.

Mr. Bracey stated that he felt that the Board should research the arrears further.

3. Mr. Clay stated that Donald Faison the County's Construction Inspector that was hired to oversee the CIP was present and asked if he had anything to present.

Mr. Faison came before the Board and updated them on the CIP.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; 5-Discussion concerning a prospective business or industry where no previous announcement; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 3:47 P.M. following a ten minute recess. A vote having been made and approved the meeting reconvened into Open Session at 5:22 P.M.

IN RE: CERTIFICATION

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

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

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

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

convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: AIRPORT INDUSTRIAL AUTHORITY -- APPOINTMENTS

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that James F. Andrews, William C. Knott and L. Bolling Chappell are hereby appointed to the Dinwiddie County Airport Industrial Authority for a term expiring January 31, 1999.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mrs. Moody, Mr. Clay voting "aye", the meeting adjourned at 5:25 P.M. to be continued to February 7, 1996 at 5:00 P.M. at the Homeplace Restaurant for an Executive Session.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 7TH DAY OF FEBRUARY, 1996, AT 7:30 P.M.

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

IN RE: AMENDMENT TO AGENDA

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the agenda was amended as follows:

Add 13. Executive Session - Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the January 17, 1996 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 check #37349-#37563 (void #37348) for Payroll in the amount of $258,331.77; General Fund $258,108.60 and E911 $223.17 and for Accounts Payable in the amount of $134,765.64; General Fund $128,832.16, Jail Commission $182.20, E911 Fund $2,916.61, Self Insurance Fund $1,649.80, Law Enforcement $478.87 and CDBG Fund $706.00.

IN RE: RESOLUTION OF APPRECIATION -- DINWIDDIE'S DAY AT THE PARK

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

WHEREAS, Dinwiddie's Day at the Park was held on October 29, 1995; and

WHEREAS, the 1995 Committee of Dinwiddie's Day at the Park consisted of representatives of the six volunteer fire departments and the rescue squad; and

WHEREAS, this Committee, through hard work and cooperation provided a community day which not only provided entertainment and enjoyment to the community but also provided an opportunity for the community to learn about the many contributions the volunteer emergency service organizations make and their dedication to those they serve; and

WHEREAS, the Board of Supervisors on this 7th day of February, 1996 is desirous of recognizing this Committee and all the volunteers and their families for their hard work and dedication in making Dinwiddie's Day at the Park a successful event as well as their devoted service throughout the year to the citizens of Dinwiddie County;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County hereby commends the following 1995 Committee for Dinwiddie's Day at the Park:

Dinwiddie Co. 1	**McKenney Co. 3**	**Old Hickory Co. 5**
Robert L. Mengel	Dennis Bishop	Neal Spiers
Charles L. Lewis	Brian Miller	John Fraser
Ford Co. 2	**Namozine Co. 4**	**Carson Co. 6**
John D. Holt	Raymond Foster	Scott Campbell
Tessa L. Holt	Billy Andrews	Albert Browder
Alvin L. Langley		

Dinwiddie Rescue Squad
Frank Harper
Robert Allen

Extract

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be delivered to the Committee and a copy spread upon the minutes of this meeting.

IN RE: RESOLUTION OF APPRECIATION -- A.J. EUBANK

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

WHEREAS, Mr. A.J. Eubank has served the County of Dinwiddie as Executive Director to the Dinwiddie County Water Authority with distinction and integrity from October 1, 1983 to December 31, 1995, and

WHEREAS, The Board of Supervisors on this 7th day of February, 1996 is desirous of acknowledging these qualities and further to express its appreciation for twelve years of service on behalf of the County;

Extract

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby commends Mr. A.J. Eubank for his many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be delivered to Mr. A.J. Eubank and a copy spread upon the minutes of this meeting.

IN RE: CITIZEN COMMENTS

1. Wayne Varga, Dinwiddie Ambulance and Rescue Squad, came before the Board and presented a status report for 1995 and gave projections for 1996.

IN RE: PROPOSED ESTABLISHMENT OF THE SOUTH CENTRAL WASTEWATER AUTHORITY -- PUBLIC HEARING

This being the time and place as advertised in the Progress-Index on January 6, 1996, for the Board of Supervisors to conduct a public hearing on the proposed establishment of the South Central Wastewater Authority (the "Authority"), pursuant to the Virginia Water and Sewer Authorities Act, Chapter 28, Title 15.1 of the Code of Virginia, as amended.

Extract

Mr. Charles W. Burgess, Jr., County Administrator, stated that the proposed Authority will own and operate certain wastewater treatment and related facilities currently owned by the City of Petersburg and situated on Pocahontas Island. The City of Petersburg, the City of Colonial Heights, Chesterfield County, Dinwiddie County and Prince George County shall jointly establish the Authority and the Authority shall provide sewage treatment services to each of the establishing jurisdictions.

Mr. William J. Leary, Director of Public Utilities for the City of Petersburg, came before the Board and gave a short overview on the Authority and how it will be structured.

Mr. John Clements, Chairman Dinwiddie County Water Authority, came before the Board and thanked them for their strong support during the planning stage of the project. He also wanted to pay a special tribute to Mr. Jack Eubank for all of his efforts to the project. He stated that with the establishment of the Authority, it would be attractive to new business coming into the County and he encouraged it.

This being a public hearing, the Chairman opened the floor for public comment: No one came forward to speak.

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

CONCURRENT RESOLUTION OF THE CITY COUNCILS OF THE CITIES OF PETERSBURG, VIRGINIA AND COLONIAL HEIGHTS, VIRGINIA AND OF THE BOARDS OF SUPERVISORS OF CHESTERFIELD, DINWIDDIE AND PRINCE GEORGE COUNTIES, VIRGINIA CREATING A SEWER AUTHORITY UNDER THE VIRGINIA WATER AND SEWER AUTHORITIES ACT AND SETTING FORTH THE ARTICLES OF INCORPORATION OF THE AUTHORITY

WHEREAS, the City Councils of the Cities of Petersburg, Virginia and Colonial Heights, Virginia and the Boards of Supervisors of Chesterfield, Dinwiddie and Prince George Counties, Virginia (each a "Governing Body" and collectively, the "Governing Bodies"), after notice and public hearing, have determined that creation of a Sewer Authority pursuant to the Virginia Water and Sewer Authorities Act, Chapter 28, Title 15.1 of the Code of Virginia, as amended, (the "Act") to own and operate certain wastewater treatment and related facilities would serve the interests of their citizens; and

WHEREAS, the Governing Bodies wish to create such an Authority as provided by the Act;

NOW, THEREFORE, BE IT RESOLVED by the City Councils of the Cities of Petersburg and Colonial Heights, and by the Boards of Supervisors of Chesterfield, Dinwiddie and Prince George Counties, in separate meetings assembled:

Section 1

The Governing Bodies shall cause a joint application to be filed with the State Corporation Commission to create a Sewer Authority pursuant to the Act, to be known as the South Central Wastewater Authority (the "Authority").

Section 2

The purpose for which the Authority is formed is to acquire, finance, construct, expand, improve, operate and maintain wastewater treatment and related facilities (including, without limitation, sewerage trunk or interceptor lines and pumping stations, together with all appurtenant equipment necessary or suitable therefore and all properties, rights easements or franchises relating thereto and deemed necessary or convenient by the Authority for their operation) for the long-range needs of the Cities of Petersburg and Colonial Heights, and for Chesterfield, Dinwiddie and Prince George Counties.

The Authority shall be solely responsible for the operation and maintenance of such wastewater treatment and related facilities and for compliance with all requirements of applicable laws and regulations, except as otherwise provided in the Service Agreement to be entered into following creation of the Authority.

The Authority shall impose equitable charges against the jurisdictions in amounts necessary to amortize the costs of improving, expanding and providing for debt service of such improvements and expansions, in addition to charges for the maintenance and operation of the facilities, and the Authority shall impose charges on other users of its facilities consistent with existing contractual obligations and, otherwise, as it may deem appropriate.

Except as expressly limited herein and in the Articles of Incorporation, it is the intent of the Governing Bodies that the Authority have all of the powers granted to water and sewer authorities under the Act.

Section 3

The Articles of Incorporation of the Authority shall be as follows:

ARTICLES OF INCORPORATION
OF THE
SOUTH CENTRAL WASTEWATER AUTHORITY

The City Councils of the Cities of Petersburg, Virginia and Colonial Heights, Virginia, and the Boards of Supervisors of Chesterfield, Dinwiddie and Prince George Counties, Virginia (each a "Governing Body" and collectively, the "Governing Bodies") desire to create an Authority pursuant to the Virginia Water and Sewer Authorities Act, Chapter 28, Title 15.1 of the Code of Virginia, 1950 as amended (the "Act"), which Authority shall be a public body, politic and corporate. The Governing Bodies hereby certify:

1. The name of the Authority shall be The South Central Wastewater Authority ("Authority").

2. The address of the principal office of the Authority shall be 900 Magazine Road, Petersburg, VA 23803.

3. The political subdivisions incorporating the Authority are the Cities of Petersburg and Colonial Heights, Virginia, and the Counties of Chesterfield, Dinwiddie and Prince George, Virginia ("Incorporating Subdivisions").

4. The purpose for which the Authority is formed is to acquire, finance, construct, expand, improve, operate and maintain wastewater treatment and related facilities (including, without limitation, sewerage trunk or interceptor lines and pumping stations, together with all appurtenant equipment necessary or suitable therefore and all properties, rights, easements or franchises relating thereto and deemed necessary or convenient by the Authority for their operation) for the long-range needs of the Incorporating Subdivisions.

5. The powers of the Authority shall be exercised by a board (the "Board") consisting of five members, one member to be appointed by each of the Governing Bodies.

6. The names, addresses and terms of the initial members of the Board are as follows:

Member Name/Address	Incorporating Subdivision	Term Expiration
	Petersburg	July 1, 2000
	Colonial Heights	July 1, 2000
	Chesterfield	July 1, 2000
	Dinwiddie	July 1, 2000
	Prince George	July 1, 2000

The terms of the initial members of the Board shall begin on the date of the issuance of a certificate of incorporation by the State Corporation Commission and expire on the date set opposite his or her name; provided, however, that each initial member shall continue in office until he or she is reappointed or until his or her successor shall be duly appointed and qualified.

The successor of each initial member shall be appointed by the respective Governing Body that appointed the outgoing member, for a term

of four (4) years but shall continue in office until his or her successor shall be duly appointed and qualified, except that any person appointed to fill a vacancy shall serve for the unexpired term. Any member shall be eligible for reappointment to the Board. Alternate members may be provided for in the Bylaws.

7. Each member of the Board shall be entitled to one vote on matters before the Board. A majority of members of the Board shall constitute a quorum.

8. Each member of the Board shall receive such compensation for his or her services as a member of the Board as may be provided from time to time by concurrent resolutions duly adopted by the Governing Bodies of the Incorporating Subdivisions. Each member shall be reimbursed for his or her actual expenditures necessarily incurred in the performance of his or her duties as a member of the Board.

9. The Governing Bodies of the Incorporating Subdivisions hereby find that it is impracticable to include herein estimates of capital costs, descriptions of specific projects to be undertaken or preliminary estimates of initial rates for services.

10. The Authority may contract with the Incorporating Subdivisions and any other political subdivision, any sanitary district thereof or any other authority created pursuant to the Act to furnish wastewater disposal services upon such terms and for such charges as the Authority shall determine, provided, however, that the service charges applicable to the Incorporating Subdivisions shall be uniform.

11. The Authority shall cause an annual audit of its books and accounts to be made by an independent certified public accountant at the end of each fiscal year, beginning with the fiscal year ending June 30, 1996. The Authority shall cause a copy of the annual audit to be delivered, upon completion, to the City Managers of Petersburg and Colonial Heights and to the County Administrators of Chesterfield, Dinwiddie and Prince George Counties.

12. The services provided by the Authority are limited to the provision of the services contemplated by Section 4.

13. Except as otherwise required by law, the Authority shall not undertake a project not underway or planned at the time of creation of the Authority within the boundaries of an Incorporating Subdivision without the consent of its Governing Body. Unless otherwise provided by the Board of Supervisors of Chesterfield County, the Authority shall serve only the Ettrick and Matoaca areas of Chesterfield County.

14. Except as may be expressly stated herein, nothing herein shall be construed as a limitation on the exercise by the Authority of the full powers granted to such entities under the Act.

IN WITNESS WHEREOF, the City Councils of the Cities of Petersburg and Colonial Heights and the Boards of Supervisors of Chesterfield, Dinwiddie and Prince George Counties have caused these Articles of Incorporation to be executed on their behalf by their City Managers or County Administrators this ____ day of _____, 1996.

CITY OF PETERSBURG

By: _____
City Manager

CITY OF COLONIAL HEIGHTS

By: _____
City Manager

CHESTERFIELD COUNTY

By: _____
County Administrator

DINWIDDIE COUNTY

By: Charles W. Boyd
County Administrator

PRINCE GEORGE COUNTY

By: _____
County Administrator

Section 4

The initial members of the Board for each Incorporating Subdivision shall be appointed by resolution adopted by its respective Governing Body prior to the filing of the Articles of Incorporation of the Authority with the State Corporation Commission.

Section 5

The City Managers of Petersburg and Colonial Heights and the County Administrators of Dinwiddie, Chesterfield, and Prince George Counties are hereby authorized and directed to cause the executed Articles of Incorporation to be filed with proof of publication of the notices of public hearings and a record thereof which shall indicate whether the City Councils and the Boards of Supervisors desire to proceed with creation of an authority and whether any of the Governing Bodies called for a referendum pursuant to Section 15.1-1244 of the Act.

THE CHAIRMAN CALLED FOR A FIVE MINUTE RECESS AT 8:05 P.M.

IN RE: SECONDARY ROAD SYSTEM -- SIX YEAR CONSTRUCTION PLAN FOR THE YEARS 1996-2002

Mr. Ronald H. Reekes, Resident Engineer, Virginia Department of Transportation, presented some revisions to the six year plan that was discussed at a public hearing held at the January 3, 1996 Board Meeting.

Mr. Bracey stated that he could not vote for the plan and face the people that live in his district because some of the roads were on the plan a few years ago and they were taken off. He doesn't feel that there is any relief to the people in his district in any years to come.

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

WHEREAS, a public hearing was held jointly with the Virginia Department of Transportation on January 3, 1996 to receive public input on the Secondary System Six Year Construction Plan; and

WHEREAS, after giving consideration to the comments at the public hearing and the recommendations from the Virginia Department of Transportation representatives, the Board of Supervisors concurs with the priorities listed in the Secondary System Six Year Construction Plan;

Extract

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the priority list of construction projects for Dinwiddie County be adopted for the years 1996-2002 as presented by the Virginia Department of Transportation.

IN RE: DINWIDDIE COUNTY INDUSTRIAL & DEVELOPMENT AUTHORITY -- APPOINTMENT

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Wayne C. Barnes is reappointed to the Dinwiddie County Industrial & Development Authority for a four year term, expiring on February 5, 2000.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Charles W. Burgess, Jr. asked for authorization to advertise for some public hearings in March in reference to local tax collection.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that County Administration is authorized to advertise public hearings for several proposed Code amendments for local tax collection.

2. Mr. Burgess asked the Board if they wanted to take a stand on any items before the General Assembly and staff notify their legislative representative.

The Board discussed supporting funding Literary Loans and unpaved roads. They also discussed not supporting proposed legislation that would not allow the localities to have a say in whether sludge disposal could take place in their area.

3. Mr. Burgess asked the Board when they would be available to meet in February for a budget work session.

After some discussion between the Board they decided to meet on February 14, 1996 at 12:30 P.M. in the Conference Room of the Pamplin Administration Building.

4. Wendy Weber Ralph, Ass't County Administrator, asked for authorization to advertise the Treasurer's Accountability Statement in the Dinwiddie Monitor Newspaper.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the County Administrator is authorized to publish the Treasurer's Accountability Statement for year ending June 30, 1995.

Extract

5. Mrs. Ralph stated that since the County has changed Banking Institutions; staff has also prepared an application to change the credit card to that same banking institution and she requested authorization for the County Administrator to sign.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to sign the new credit card application with the County's new banking institution, Bank of Southside Virginia.

Extract

6. Mrs. Ralph asked for authorization for the Chairman to sign the Deed to the Tot Lot. All the requirements and conditions have been met in reference to the construction of the Tot Lot and now the Deed needs to be signed to convey the property to West Petersburg & Vicinity Awareness, Inc ("WPVA"). She pointed out that the Deed does contain language requiring WPVA, Inc. to maintain a $1 million general liability policy with the County named as an additional insured and makes WPVA, Inc. responsible for maintenance on the property.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Chairman is authorized to sign the Deed of Gift conveying the Tot Lot property to West Petersburg & Vicinity Awareness.

Extract

IN RE: BOARD MEMBER COMMENTS

Mr. Bracey asked for the County Administrator to update the Board on the status of the Dinwiddie branch of the Appomattox Regional Library.

Mr. Burgess stated that the maintenance department for the School System is looking into some cost estimates to repair the roof so that the roof will be repaired and the branch could reopen.

Mr. Bracey stated that he requested some time ago that the problem of run down yards with junk cars and overgrown grass be looked into and he wanted to know what the status was of his request.

Mrs. Everett stated that she felt that the problem with these yards is enforcement. She feels that these people should be encouraged to donate these junk cars to the Kidney Foundation.

Mr. Tickle stated that he would like to see something done about it, also because he has gotten several complaints in his area.

Mr. Tickle also stated that when he was on the Board a few years ago he got to participate in a Strategic Plan and he would like to see that again.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; the Board moved into Executive Session at 8:42 P.M. A vote having been made and approved the meeting reconvened into Open Session at 8:52 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 8:53 P.M. and was continued until February 14, 1996 at 12:30 P.M. for a Budget Workshop.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 14TH DAY OF FEBRUARY, 1996, AT 12:30 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay, voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; the Board moved into Executive Session at 12:45 P.M. A vote having been made and approved the meeting reconvened into Open Session at 1:40 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: APPROPRIATION OF FUNDS -- CARSON VOLUNTEER FIRE DEPARTMENT -- REPAIR OF SELF CONTAINED BREATHING APPARATUS EQUIPMENT

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $2,846.60 be appropriated from the Capital Improvements Category within the Fire Departments Budget for payment to Guardian Fire & Safety Equipment Co., Inc. for improvements to Carson Volunteer Fire Department's Self Contained Breathing Apparatus Equipment.

IN RE: BUDGET WORK SESSION -- FY 96-97

The Board of Supervisors met in a workshop session to review the proposed budget for FY 96-97. The Chairman declared a five minute recess at 2:55 P.M.

IN RE: ADJOURNMENT

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

adjourned at 4:13 P.M. to be continued to February 21, 1996 at 8:30 A.M. for a Budget Work Session.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT THE HOME PLACE RESTAURANT IN DINWIDDIE COUNTY, VIRGINIA, ON THE 7TH DAY OF FEBRUARY, 1996, AT 5:00 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry where no previous announcement has been made; Section 2.1-344(a) 6-Investment of public funds; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into a joint Executive Session with the Dinwiddie County Water Authority at 5:15 P.M. The Board recessed at 6:30 P.M. to the Pamplin Administration Building to continue their executive session. A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 7:35 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 21ST DAY OF FEBRUARY, 1996, AT 8:30 A.M.

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

IN RE: BUDGET WORKSHOP SESSIONS WITH DEPARIMENT HEADS/CONSTITUTIONAL OFFICERS

The Board of Supervisors met with the following Department Heads and Constitutional Officers to discuss their proposed budget requests for FY 96-97:

Commonwealth Attorney
Commissioner of the Revenue
Treasurer
Sheriff
Director of Sanitation

THE CHAIRMAN CALLED FOR A RECESS AT 11:50 A.M. TO TAKE A LUNCH BREAK AND RECONVENED INTO OPEN SESSION AT 12:30.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye", the meeting adjourned at 1:40 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 21ST DAY OF FEBRUARY, 1996, AT 2:00 P.M.

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

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye", the agenda was amended as follows:

Add, 8(a) Carey Dail - BFI.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the February 7, 1996 Continuation Meeting, February 7, 1996 Regular Meeting and February 14, 1996 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #37564-#37749 (void #37564-37600) for Accounts Payable in the amount $244,728.82; General Fund $211,036.81, Jail Commission $296.25, E911 Fund $2,109.11, Self Insurance Fund $9,192.49, Law Library $693.40, CDBG Fund $10,461.00 and Capital Projects $10,939.76.

IN RE: CITIZEN COMMENTS

1. Carol Martin, Consultant Fish & Wildlife Management, Blackstone, VA. Mr. Martin came before the Board and recommended the following in reference to Hunting and Fishing at Fort Pickett:

a. Recommend that, when the status of Fort Pickett changes, the Department of Game & Inland Fisheries of Virginia take over the conservation and harvest of fish and wildlife and maintain it for Public Hunting and Fishing when it does not interfere with Military Missions, through a cooperative program with the United States Army or the Virginia National Guard as specified by U.S. Code 10-2671 and 16-670a. We, the Hunters and Fishermen of this area, feel our needs and hunting tradition will be greater adhered to.

b. Recommend that all Hunting area be open for hunting deer with dogs throughout Fort Pickett. Hunting deer with dogs is a long standing tradition in this part of Virginia. This would be in keeping with the same type of hunting that is carried on throughout Southside Virginia and would preclude creating an environment where overpopulation, malnutrition, and subsequent disease would be inevitably occur.

c. Recommend that Department of Defense policy be implemented by coordinating with the seeking out input from sportsmen in the surrounding communities before finalizing and publishing the Hunting and Fishing regulations annually for Fort Pickett.

1. By forming a Hunting and Fishing Advisory Committee from the local community to meet annually.

d. Recommend that Duck Hunters be allowed to check in from hunting the same time daily as all other hunters. Due to the fact that roosting swamps are located in isolated areas and it is impossible in most cases to retrieve your kill and get back to the checking station in time as required for a duck hunter.

e. Recommend that the $5.00 additional fee to the Hunting Permit fee be discontinued or be voluntary. Federal laws governing hunting and fishing and trapping (pages 507-508, Ch#5c, Section #16-670a) spell out how these fees can be collected and used.

f. Recommend that hunting groups or hunting clubs be allowed to send one person to pick up daily check in or out cards, when hunting land joining Fort Pickett. And do not require daily check in or out for land owners and guest whose land lies above Jonesboro Bridge in area #60 or Cedar Creek Bridge.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that they support its Hunters and Residents in a Petition to Congressman Norman Sisisky to change the Hunting and Fishing Regulations at Fort Pickett, and when the status of Fort Pickett changes, that the Department of Game & Inland Fisheries of Virginia take over the Conservation and Harvest of Fish and Wildlife and maintain it for Public hunting and fishing when it does not interfere with the Military Missions of the Post.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald Reekes, Resident Engineer, Virginia Department of Transportation, came before the Board and updated the Board on various sites being worked on in the County.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, came before the Board and asked the Board for some direction as to the Admissions Tax in relation to the upcoming National Event at the Motorsports Park. She stated that she thought that they needed to come up with some stricter guidelines for collecting the Admissions Tax so the process would be more precise. She also stated that there were some problems with people scalping tickets last year and she wanted to know if the Board wanted to address that issue also.

Mr. Bracey stated that he didn't feel that they needed to get involved with the issue of ticket scalpers.

Mr. Clay stated that he felt that they needed to get more out of the Admissions Tax.

After some discussion between the Board they asked that the County Attorney and Commonwealth Attorney look into the previous issues discussed and maybe consider some ordinance amendments.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, was not present but submitted his report prior to the meeting.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, Commonwealth Attorney, was present but did not have anything to present.

IN RE: SHERIFF -- REPORT

Mr. Samuel H. Shands, Sheriff, was not present.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne H. Abernathy, Building Inspector, presented his report for the month of January, 1996.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of January, 1996.

IN RE: LIVESTOCK CLAIM -- THOMAS POWELL

Mr. Steve Beville, Animal Warden, stated that on January 5, 1996 some stray dogs caught 7 Bantam Chickens and 1 Hen Turkey and killed them. The total value of the animals that were killed was $33.00.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the livestock claim for Thomas Powell, for 7 Bantan Chickens and 1 Hen Turkey in the amount of $33.00 be approved.

Mr. Bracey asked Administration to look into the ordinance to see about the County's Liability in reference to livestock claims where the animals that are killed are running free and are not caged up.

IN RE: DIRECTOR OF PLANNING

Mr. W.C. Scheid, Director of Planning, presented his report for the month of January, 1996.

IN RE: DISCUSSION OF ADOPTION OF RESOLUTION -- SUBDIVISION STREET ADDITIONS -- CHESTNUT GARDENS SECTION 9

Mr. W.C. Scheid, Director of Planning, came before the Board and asked them to consider adopting a resolution accepting Chestnut Gardens Section 9 into the Secondary System of Highways. He also stated that after the recent inclement weather, the Highway Department has noticed that there are many areas of pavement throughout this subdivision that are already beginning to break apart. T.H. Taylor, Jr., Department of Transportation stated that in order to keep the process moving forward, he would like for the Board to adopt the resolution but he will not present the resolution to the Transportation Board for acceptance into the Secondary Systems of Highways until such time that the improvements have been completed, inspected, and approved by the Dinwiddie County Planning office and the Virginia Department of Transportation.

Mr. Bracey suggested that the Board wait to adopt the resolution until the roads have been repaired.

After some discussion between the Board, they decided to wait to adopt the resolution until after the improvements have been completed.

IN RE: DISCUSSION OF ADOPTION OF RESOLUTION -- SUBDIVISION STREET ADDITIONS -- SYSONBY RIDGE SECTION 4

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

WHEREAS, McIlwaine Drive, Gloria Drive and Paul Drive described on form SR-5(a), Proposed Additions to the Secondary System of State Highways, fully incorporated herein by reference, are shown on plat date 08/08/90 recorded in Deed Book 14, Page 40-41 in the Clerks Office of the Circuit Court of Dinwiddie County, and

WHEREAS, the Resident Engineer for the Department of Transportation has advised the Dinwiddie County Board of Supervisors that McIlwaine Drive, Gloria Drive and Paul Drive meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, requests the Virginia Department of Transportation to add McIlwaine Drive, Gloria Drive and Paul Drive described on the Form SR-5(A) to the Secondary System of State Highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills, and drainage, and

Extract

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

IN RE: DINWIDDIE COUNTY ACCEPTANCE INTO REGIONAL CONSORTIA -- REGION 5A

Mr. W.C. Scheid, Director of Planning, came before the Board and stated that Gladys A. Vassor, Housing Coordinator, County of Greensville, has established a Regional Consortia. Mr. Scheid stated that he would like to see Dinwiddie County participate in the Regional Consortia. The Consortia in their mission wish to improve the quality of life for residents in Southside Virginia through housing rehabilitation, water and sewer improvements, new construction and home ownership opportunities. Dinwiddie County's match depends on how many other localities join the Consortia, but it would roughly be around $1,050.00.

The possible participants for Region 5A are as follows:

Sussex County
Surry County
City of Emporia
Brunswick County
Dinwiddie County
Prince George County
Greensville County
Lincoln Heights/Washington Park Group
West Petersburg Vicinity Awareness Group

Their projected activities are as follows:

1. Training of program administrators and staff;
2. Rehabilitation of existing subcontracted homes;
3. Creating home ownership opportunities;
4. In fill of existing neighborhoods;
5. New construction of single family homes.

Their concerns are as follows:

1. Bringing private resources to the table;
2. Qualifying buyers;
3. Zoning and building requirements;
4. Relocation of elderly occupants;
5. Available buildable lots;
6. Lack of approved water and sewer systems;
7. Educating the public of new programs;
8. Lack of staff (Rehab Specialist);
9. Proposal writing, and

10. Educating the Regional Consortia members on loan packaging including closing, etc.

Mr. Bracey stated that he would vote for it if Mr. Scheid could assure him that the word would get out to Dinwiddie County citizens that there were funds available, through grants, for improving the quality of their lives.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Dinwiddie County is authorized to join Region 5A of the Regional Consortia in an amount not to exceed $1,050.00 contingent upon the funds being available in the Planning Department's budget.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director of Social Services, presented her report for the month of January, 1996.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mrs. Troilen Seward, Interim Superintendent of Schools, presented her report for the month of January, 1996.

IN RE: REAPPROPRIATION OF FUNDS -- SCHOOL BOARD

Mrs. Troilen Seward, Interim Superintendent of Schools, stated that their FY 95 Audit Report reflects an ending balance of $216,123.00 in the School Fund. The school financial records and those of the county indicate that the actual amount is $216,122.87. She stated that she is requesting the reappropriation of these funds.

Mrs. Seward stated that the School Board pledged to the Board during discussions on the FY-96 Budget, that they desire to use $212,658.40 for the purchase of school buses. The remaining funds, $3,464.47 belong to the Southside Virginia Regional Technology Consortium and should be reappropriated for use by that organization. The School Board serves as the lead district and fiscal agent for this consortium.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $212,658.40 be reappropriated within the school board budget to transportation for the purchase of new school buses; and

Extract

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $3,464.47 be reappropriated within the school board budget to Instruction for use by the Southside Virginia Regional Technology Consortium.

IN RE: SCHOOL BOARD BUDGET PRESENTATION -- FY 96-97

Mrs. Troilen Seward, Interim Superintendent of Schools, came before the Board and presented the following FY-97 Categorical Expenditure School Budget:

The FY-97 Budget is built on the estimate of an Average Daily Membership of 3850. This is an increase of eighty students over the ADM 3770 used to construct the FY-96 Budget. The percent changes evident in the budget are from the original FY-96 budget and do not include the supplemental appropriations already approved due to increased ADM in FY-96.

Instruction (61) shows a 6.31% increase which is primarily attributable to more teaching positions due to increased ADM and the 4% salary increase. The Federal Program expenditures exceed the anticipated budgeted revenue because Head Start expenditures include the state revenue shown under Other State Agencies (CCDBG). The budgeted Federal expenditures reflect a 15.5% decrease due to reduced Federal revenue. The

textbook expenditures will be less next year because the purchase of new science textbooks is to take place in FY-96.

The total Instruction category reflects a 4.00% increase. This would be slightly higher had not the $30,000 for various contracted printing costs been moved from Instruction (61) to Administration, Attendance & Health (62).

While Administration, Attendance & Health has a budgeted 8.78% increase, $30,000 was moved into this account for the printing costs and $25,000 is budgeted for the costs of a Superintendent search. If we remove the effect of these two items from this area, the change from the FY-96 budget to the FY-97 budget would be a reduction of $7,443 or -1.4%.

Pupil Transportation has an 8.12% increase due to the 4% salary increases and the adjustments we had to make to the original FY-96 budget with the supplemental appropriations.

Operation and Maintenance indicates a reduction of $51,488. This is created by the combination of a $115,000 savings guaranteed by Johnson Controls, the 4% salary increase, and the addition of a custodian at Midway Elementary and one at the High School.

Facilities reflects the funding for CIP coordination and is an attempt to keep these costs out of the debt service for the Capital Improvement Program.

Debt Service contains the payments for the Performance Contract in addition to the other existing debt service obligations.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of January, 1996.

IN RE: AGREEMENT FOR DEVELOPMENT AND ADMINISTRATION OF WHITE OAK ROAD BATTLEFIELD SITE INTERPRETATION BY THE COUNTY

Mr. Anthony S. Rinaldi, Recreation Director, requested authorization for the County Administrator to sign the Agreement for Development and Administration of White Oak Road Battlefield Site Interpretation by the County of Dinwiddie.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to sign the Agreement for Development and Administration of White Oak Road Battlefield Site Interpretation by the County of Dinwiddie contingent upon review by the County Attorney.

Extract

THE CHAIRMAN CALLED FOR A FIVE MINUTE RECESS AT 3:35 P.M.

IN RE: DIRECTOR OF SANITATION -- PERMIT FOR LICENSED HAULER

Mr. Dennis E. King, Director of Sanitation, came before the Board and stated the time has come once again to renew the Hauler permits for the two Waste Haulers in the County. He recommended that they be approved contingent upon all requirements being met.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the applications for Mr. George D. Pack and Mr. David Thweatt, Sr. for collection and hauling of garbage was approved for renewal for 1996 contingent upon all requirements being met.

Extract

The Board asked Administration to request a code amendment to change the procedure of the applicant getting approval from the Board to approval by the County Administrator. The Board feels that the County

Administrator should be authorized to give approval if all the requirements have been met by the applicant.

IN RE: LANDFILL -- FEES FOR DUMPING OF BUILDING DEBRIS & SHINGLES

Mr. Dennis E. King, Director of Sanitation, requested the Board to set the following fees for dumping of building debris & shingles:

$45.00/ton for out-of-County generated waste
$25.00/ton for in-County generated waste with the appropriate building inspection documents/permits.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following tipping fees be set at the Landfill:

$45.00/ton for out of County generated waste
$25.00/ton for in County generated waste with the appropriate building inspection documents/permits.

Extract

Mr. Alvin Blaha, a County citizen, came before the Board and asked that they look into individuals who do not take their debris to the County Landfill. He stated that they just take their debris to fields and secluded areas and just dump it. He also stated that it might discourage individuals even more from taking their debris to the County Landfill if fees are imposed.

IN RE: LANDFILL - PURCHASE OF EQUIPMENT

Mr. Dennis E. King, Director of Sanitation, stated that they have been renting some equipment to process the waste at the Landfill for some time now and he recommended that they go ahead and purchase it.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that funds be appropriated to purchase a Backhoe at a price of $15,511.50 and a Bobcat at a price of $12,400.00 contingent upon the proper procurement practices being met.

IN RE: EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Services Coordinator, presented her report for the month of January, 1996.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel Siegel, County Attorney, was present but did not have anything to report.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, presented his report for the month of January, 1996.

IN RE: AUTHORIZATION TO ADVERTISE BID -- CONSTRUCTION OF COURTHOUSE

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Hening, Vest & Covey, Architects are authorized to advertise the bid for the Construction of the new Courthouse.

IN RE: PRESENTATION BY RECYC SYSTEMS -- SUSAN TRUMBO

Ms. Susan Trumbo, Recyc Systems, came before the Board and went on to describe how her company takes in sludge from local landfills and treats it so they can provide free fertilizer to local farmers. She gave

an extensive overview of her specific company and the service they provide. She went on to inform the Board how other localities regulate her from providing free fertilizer to the farmers in their area and gave some suggestions on how she felt that she should be regulated. She passed out several information packets not only on her specific company but how they operate.

Mr. Carey Dail, BFI, came before the Board and stated that his company offers the same product as Recyc Systems and passed out some information on how his company operates.

Mr. Alvin Blaha, a County citizen, came before the Board and expressed his opinion of what a good thing he felt Recyc Systems and other companies were doing by recycling fertilizer so that farmers could benefit.

Mr. William Bain, a County citizen, came before the Board and stated that he is a farmer here in the County and is very impressed with the system that Ms. Trumbo described. He stated that he knows the family personally that owns Recyc Systems and they are very reputable.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Wendy Weber Ralph, Ass't County Administrator, came before the Board and stated it is time for the preparation of the Annual Report at the Landfill for the groundwater quality assessment program. She stated that, Draper Aden has been preparing the report and performing the County's groundwater monitoring program. Their price is not to exceed $600.00 and she recommended that they be allowed to prepare that report.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Draper Aden Associates be authorized to perform the Annual Report at the Landfill for the groundwater quality assessment program at a price not to exceed $600.00.

Extract

2. Mrs. Ralph stated that the Board, two years ago, granted approval for Pamplin Park to purchase at wholesale some Dinwiddie County History Books and then offer them for sale at the County's retail price of $15.68 with the profits going to the foundation. She stated that now the National Battlefield Park is requesting the same privilege.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that National Battlefield Park is authorized to purchase some of the Dinwiddie County History Books at a cost of $9.41 (wholesale) to sell at $15.68 with the profits going towards their nonprofit organization.

Extract

3. Charles W. Burgess, Jr., County Administrator, stated that the when the Fort Pickett Local Reuse Authority was developed the draft bylaws stated that the members would be elected officials. When the Bylaws for the Authority were approved the appointment of the members was left with the local government bodies but they were not necessarily elected individuals. He asked the Board whether or not they wanted to adopt some new language wherein membership on the Authority would not necessarily have to be a Board Member but someone who is appointed by the Board of Supervisors.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Agreement that was drawn up to create the Fort Pickett Local Reuse Authority be amended to state that the officials who make up the Authority, better known as the Steering Committee, be appointed by the local governing bodies opposed to being an elected official.

Extract

4. Mr. Burgess stated that the Dinwiddie Library Foundation is requesting to use the image of the new courthouse for a Christmas

Ornament. The Dinwiddie Historical Society is also requesting to use the images of several historical buildings in the County to make a collage for a Christmas Ornament. They asked that Mr. Burgess to seek the Boards permission to use these images.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie Library Foundation is authorized to use use the image of the new courthouse to create a Christmas Ornament as a fund raiser for their organization.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie Historical Society is authorized to use the image of the Courthouse for a collage of various Historical County buildings to sell as a fund raiser for their organization.

Extract

5. Mr. Burgess stated that the Board at their last meeting agreed to become a part of the South Central Wastewater Authority and someone needed to be appointed to represent the County's interests with an alternate appointed in the event that the representative was unavailable.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Charles W. Burgess, Jr. be appointed to the South Central Wastewater Authority with Robert Harrison as the Alternate member for a term expiring July 1, 2000.

Extract

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 5:02 P.M. A vote having been made and approved the meeting reconvened into Open Session at 5:42 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay, voting "aye", the following resolution was adopted:

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

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

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

IN RE: ADJOURNMENT

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

adjourned at 5:45 P.M. to be continued to February 27, 1996 at 1:00 P.M. for a Budget Work Session.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 27TH DAY OF FEBRUARY, 1996, AT 1:00 P.M.

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

IN RE: BUDGET WORKSESSION

The Chairman at 1:15 called the meeting to order and the Board held a workshop session to discuss the proposed Budget for FY 96-97.

The Chairman called for a ten minute recess at 2:40 P.M.

IN RE: JAIL/COURTHOUSE WELLS -- GEOTECHNICAL WORK

Mrs. Wendy Ralph, Ass't County Administrator, advised the Board that the final billing on the geotechnical work for the jail/courthouse wells by Groundwater Technology is $4,930.75. The original quote was $4,434.00. The additional costs are due to a change in the original proposed work scope which resulted in additional drilling - The Board originally authorized the work not to exceed $5,000.00.

IN RE: JAIL/COURTHOUSE WELLS -- ACTIVITY AUTHORIZATION FORM

Mrs. Wendy Ralph, Ass't County Administrator, informed the Board that the Department of Environmental Quality is requiring the installation of 3 additional monitoring wells for the Jail/Courthouse site investigation. The preparation of an Activity Authorization Form is the first step. When approved by the State, this form can then be used to bid the remaining wells and reports required by DEQ at an estimated cost of $10,000 to $15,000. This work should be reimbursable by the State.

Groundwater Technology, Inc. has proposed to complete the Activity Authorization Form and provide generic bid forms at a cost of $160.00 to $200.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Groundwater Technology, Inc. is authorized to prepare an Activity Authorization Form and generic bid documentation for the additional monitoring wells and reports required by DEQ at a cost not to exceed $200.00.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 6-Investment of Public Funds; the Board moved into Executive Session at 2:50 P.M. A vote having been made and approved, the meeting reconvened into Open Session at 4:10 P.M.

IN RE: CERTIFICATION

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

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote

and in accordance with the provisions of the Virginia Freedom of Information Act; and

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

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

IN RE: APPOMATTOX REGIONAL LIBRARY -- FULLY FUND BUDGET REQUEST -- FY 96-97

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the full budget request for the Appomattox Regional Library is re-instated in the proposed 96-97 budget.

IN RE: SHERIFF DEPARTMENT -- REQUEST FOR DEPUTIES VEHICLES

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that 7 new Deputy Vehicles for the Sheriff's Department are included in the proposed 96-97 budget.

IN RE: FIRE DEPARTMENTS -- INCREASE IN FUNDING

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that an additional $2,000 is included for the County's Fire Department proposed budgets for FY 96-97 excluding Carson Volunteer Fire Department which will receive an additional $1,000.

IN RE: COMMISSIONER OF THE REVENUE -- BUDGET FY 96-97

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $2,500 be appropriated in the Commissioner of the Revenue's budget for FY 96-97 for partitions to provide more privacy for her office.

IN RE: MACHINERY & TOOL TAX -- AUTHORIZATION TO ADVERTISE

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise the Machinery & Tool Tax for FY 96-97 at $3.30 per 100.

IN RE: PLANNING DEPARTMENT -- CODE ENFORCEMENT TECHNICIAN

The Board instructed Administration to remove the position of Code Enforcement Technician in the Planning Department's Budget. Mrs. Everett stated that she would like to revisit the position later in the year after a review of the County's fiscal position.

IN RE: 100 YEAR OLD COUNTY CITIZEN -- AUTHORIZATION TO PREPARE RESOLUTION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution is adopted:

WHEREAS, Mrs. Eulalia Mitchell was born on March 3, 1896 in the McKenney area of Dinwiddie County and, having lived all of her life in the County, now resides on Hardiways Mill Road; and

WHEREAS, on March 3, 1996, Mrs. Mitchell will be celebrating her 100th birthday; and

WHEREAS, during her 100 distinguished years, Mrs. Mitchell has been blessed with a wonderful family--her husband, a farmer in Dinwiddie County, seven children, seventeen grandchildren, and five brothers and five sisters; and

Extract

WHEREAS, Mrs. Mitchell, besides being a devoted wife and mother, has also dedicated her life to serving God as a member of the Mt. Level Baptist Church; and

WHEREAS, the Board of Supervisors is desirous of acknowledging Mrs. Mitchell and joining with her family and friends on this glorious day of celebration;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia joins in this, her 100TH BIRTHDAY CELEBRATION, and wishes Mrs. Eulalia Mitchell a joyful day and a very blessed and prosperous life.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 4:35 P.M. to be continued until March 6, 1996 at 4:30 P.M. at Kings Barbecue on W. Washington Street in Petersburg for an Executive Session.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rle

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT KINGS BARBECUE RESTAURANT IN THE CITY OF PETERSBURG, VIRGINIA ON THE 6TH DAY OF MARCH, 1996, AT 4:30 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 6-Investment of public funds; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 4:35 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 7:32 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 6TH DAY OF MARCH, 1996, AT 7:30 P.M.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the February 21, 1996 Continuation Meeting, February 21, 1996 Regular Meeting and February 27, 1996 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, 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 #37750-#37753 (void #37750-#37751) and using checks #1000001-#1000231 (void #1000001-#1000002) except for check #1000164 in the amount of $463.97 and check #1000229 $120.03; for Accounts Payable in the amount of $113,577.92 and Payroll in the amount of $255,317.07; General Fund $107,189.98, E911 Fund $368.00, Self Insurance Fund $605.30, Law Library $58.84, Fire Programs $2,860.10, Law Enforcement $444.70, CDBG Fund $2,051.00, General Fund Payroll $255,009.32 and E911 Fund Payroll $307.75.

IN RE: CITIZEN COMMENTS

1. Robert Mengel, Ass't Chief, Dinwiddie Fire Dept. Co. #1, came before the Board and introduced Wayne Varga, Chief for EMS at Dinwiddie Fire Dept. Co. #1.

Mr. Wayne Varga came before the Board and stated that back in August of last year he came before the Board to advise them of the mechanical problems that they were having with their First Responder Vehicle. He stated that the problems had gotten more severe and it was no longer reliable for fire or EMS calls. He requested that the Board support them in obtaining a grant to replace their First Responder Vehicle.

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

Extract

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, supports Dinwiddie Volunteer Fire Department Co. #1 in their efforts to submit a request for a state grant to purchase a new First Responder Vehicle; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia will make up 50% of what the grant will not cover, at an amount not to exceed $15,000.

2. Wayne Varga, representing Dinwiddie County Volunteer Rescue Squad, came before the Board and stated that their ambulance Rescue 3 is having some problems and, because of its age, they are suggesting to replace it instead of putting money into it to be fixed. He stated in order to have it fixed it would cost a fortune and they wouldn't even have

a very good warranty on it. So they went out seeking bids and the cheapest bid that they got on a new unit was $67,000. They applied for a grant last year to help out with purchasing a new unit and they were turned down. They would like to try and apply for another grant this year but the deadline on the grant is coming up and they are not sure if they will have time to prepare it. They requested that the Board support them in their efforts to apply for the grant, which would include, if they were approved, the County contributing the portion the grant does not cover.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, support Dinwiddie Volunteer Fire Co. #1 in their efforts to submit a request for a state grant to purchase a new Ambulance; and

Extract

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia will make up 50% of what the grant will not cover, at an amount not to exceed $33,500.

3. Anne Scarborough, Boydton Plank Road, Dinwiddie, VA. She came before the Board and stated that she was very excited about the Emergency Services that the County was providing and she hoped that the Board would support them.

Mrs. Scarborough stated that she was present at the meeting because of two articles in the paper. The first article deals with the Budget "County Administrator, Charles Burgess told the Board that the reduction (in Machinery & Tools Tax) was to bring Dinwiddie in line with other localities, "This is just to make us more competitive". In the second article it states that the Board is going to advertise the Machinery and Tools Tax at the current rate, but she is concerned that advertising the $3.30 per 100 rate does not mean the Board can not reduce that rate after the public hearing. She does not feel that a reduction in the Machinery and Tools Tax will put money back in the pockets of the citizens. It is going to put money back in the pockets of strangers that want to come to this County and do business. She asked the Board if they could assure the citizens that they were not going to raise taxes next year if they reduce this tax. She feels that the County is competitive, she passed out a comparison between Dinwiddie and other surrounding localities. She compared Chesterfield on the sheet but she does not count them because Dinwiddie can not be compared to Chesterfield. She stated that Dinwiddie's tax rate for Machinery and Tools is $3.30, they are taxed at 20% so the effective rate is $0.66. She stated that Amelia County is $1.00, Brunswick $0.68, Greensville $0.70. She stated that Nottoway has a sliding scale, you have to be in business for five years before you will be below Dinwiddie. Prince George also has a sliding scale, you have to be in business for three years before you will be cheaper than Dinwiddie. Surry is $0.88, Sussex has a sliding scale and you have to be in the 26th year of doing business there before they would be cheaper than we are. She ruled Chesterfield out because she feels that Dinwiddie cannot be compared to Dinwiddie. It seems like to her that on the sheet four other localities are already above Dinwiddie and the other three you have to be in business for years before it would be lower than us. She doesn't feel that Dinwiddie is out of line and she knows that Mr. Burgess, the County Administrator, would argue with her on that. She stated that it appears to some of the County citizens, not just her, that that tax does not need to be reduced. She wanted to know why they are going to voluntarily say that we will not take in more revenues because we have got needs that she can not imagine how they will be paid off. She stated that she knows that the citizens are taxed heavily, Personal Property at $4.90 per 100. There are 95 Counties in the State of Virginia, only 12 are higher than Dinwiddie. This tax is what is killing a lot of them. If they want to reduce taxes then she suggested that they reduce that one. The Real Estate Tax is at $0.74 per 100, 70 Counties are lower than us. If you eat within the boundaries of the Counties, the Board says pay a 4.5% tax. If she wants to open a business in the County, the Board is telling her to buy a business license. She feels that the citizens are being taxed rather heavily, she stated that they should study the present tax structure and see if they could help the citizens before the Board helps some stranger in trying to bring in an industry.

4. Robert Ragsdale, Boydton Plank Road, Dinwiddie, VA. He came before the Board and stated that he was not happy with how things were being handled in the Commissioner of the Revenue's office and he feels that the Board could do something about it. He also stated that the County is losing a lot of money in uncollected taxes.

IN RE: C-95-4 -- A.M.E. ZION CHURCH -- NURSING HOME

This being the time and place as advertised in the Dinwiddie Monitor on February 21, 1996 and February 28, 1996, for the Board of Supervisors to conduct a public hearing for the purpose of considering a request for a conditional use permit submitted by A.M.E. Zion Church in order to establish a personal care facility (Rest Home) for the elderly.

Mr. William C. Scheid, Director of Planning, came before the Board and stated that the property is designated by the County Tax Map as Section 57, Parcel 83 and is located on the west side of Courthouse Road (Rt. 619) just south of I-85. The property contains 59.7 acres and is currently accessed by Lundys Road.

Mr. Scheid also stated that the Planning Commission voted unanimously to recommend approval of the request to the Board with the seven conditions cited by Staff.

Mr. Leroy Reynolds, A.M.E. Zion Church, came before the Board and asked them for their support.

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the conditional use permit request submitted by A.M.E. Zion Church to establish a personal care facility (Rest Home) for the elderly be approved with the following conditions:

1. Before any construction can begin, a site plan prepared by an engineer, must be submitted to the Planning Department for approval. This site plan shall include all phases of the proposed development, i.e. adult/child daycare center, assembly building. This site plan shall show current and finished contours at two foot intervals.

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

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

4. Before any building permits will be issued, a complete set of building plans, prepared by a registered architect, must be submitted to the Building Department for approval.

5. Location, type, size and height of all exterior signs shall be subject to the review and approval of the Zoning Administrator per the Sign Ordinance.

Extract

6. All construction must be completed on phase one of this development, including parking and landscaping, before any permits will be let for additional construction.

7. This conditional use permit shall apply to the proposed sixty (60) bed personal care facility and related on-site accessory uses only. The A.M.E. Zion Church shall not operate a personal care facility for the aged in excess of 60 beds in Dinwiddie County without receiving an additional conditional use permit.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: A-95-12 --- AMEND CRITERIA APPLICABLE TO ACCESSORY USES, A-2 DISTRICT

This being the time and place as advertised in the Dinwiddie Monitor on February 21, 1996 and February 28, 1996, for the Board of Supervisors to conduct a public hearing to consider adopting an ordinance to amend Section 22-76(4) of Chapter 22 (Zoning) of the Code of the County of Dinwiddie regulating height and setback restrictions for accessory structures in Agricultural, General, District 1-2.

Mr. William C. Scheid, Director of Planning, explained the purpose of this amendment was to remove an inconsistency regarding height and setback restrictions on accessory buildings within an Agricultural, General, A-2, District. The Planning Commission voted unanimously to recommend approval of this amendment to the Board of Supervisors.

Extract

He suggested that the Zoning Ordinance be amended as follows:

The following section of the County Code be deleted:
Section 22-76(4) No accessory structure which is within twenty (20) feet of any party line shall be more than one (1) story in height. All accessory buildings shall be less than the main building height.

In its stead the following shall be added:
Section 22-76(4) No accessory use or structure may be closer than fifteen (15) feet to any side or rear property line.

In all other respects, said Zoning Ordinance remains in full force and effect.

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

Mrs. Everett made the motion of accept Mr. Scheid's suggestion to the Zoning Ordinance. Mr. Moody seconded the motion.

After some discussion between the Board and the County Attorney they felt that deleting Sec. 22-76(4) of Chapter 22 (Zoning) of the Code of the County of Dinwiddie would be more understandable.

Mrs. Everett withdrew her motion and the Board agreed.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the following amendments to Chapter 22 (Zoning) of the Dinwiddie County Code are hereby adopted and the Dinwiddie County Code in all other respects be and hereby is reordained:

Section 22-76(4) of the Code of the County of Dinwiddie be deleted.

This Ordinance shall be effective immediately.

IN RE: A-95-14 -- AMEND SECTION 18-10 -- SUBDIVISION ORDINANCE

This being the time and place as advertised in the Dinwiddie Monitor on February 21, 1996 and February 28, 1996, for the Board of Supervisors to conduct a public hearing to consider adopting an ordinance to amend Section 18-10 of Chapter 18 (Subdivisions) of the Code of the County of Dinwiddie to allow for an aggrieved person to appeal the Planning Commission's decision under 18-10 (waiver of Subdivision standards) to the Board of Supervisors; to provide for a filing fee under

Sec. 18-10 of the Code of the County of Dinwiddie; and to establish application procedures for using Section 18-10 of the Code of the County of Dinwiddie.

Mr. W.C. Scheid stated that the amendment was prepared at the request of the Board of Supervisors. The Subdivision Ordinance does not have an appeals process from decisions rendered by the Planning Commission on subdivision matters. The Board felt that they should hear appeals from any aggrieved party on decisions rendered by the Planning Commission. The Planning Commission voted unanimously to recommend approval of this amendment to the Board of Supervisors.

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the Code of Dinwiddie be amended and reordained by adding the following provisions:

Section 18-10

*

*

*

Extract

(c) Applications for exception under this section shall be filed with the zoning administrator and shall be accompanied by a cashier's check or money order in the sum of forty dollars ($40.00) payable to the county treasurer. If actual expenses associated with the application exceed forty dollars ($40.00), the subdivider shall be billed the difference. In the application, the subdivider shall state the reasons for seeking an exception under this section and provide any other information necessary for consideration of the factors set forth in Sec. 18-10(b).

(d) Any decision to approve or deny an exception under this section shall be made only after a public hearing is held in accordance with Sec. 15.1-431 of the Code of Virginia. The filing fees paid by the subdivider under this section shall be used to pay actual expenses associated with the application, including without limitation, the costs of advertising. If the decision of the planning commission is appealed, all expenses associated with the appeal, including without limitation, the costs of advertising for the appeal, shall be paid by the person appealing such decision.

(e) Any person aggrieved by the decision of the planning commission under this section shall have fifteen (15) calendar days after the decision of the planning commission to file an appeal in writing to the board of supervisors. The notice of appeal shall be filed with the zoning administrator, shall state briefly the reasons for appealing the decision of the planning commission, and shall be accompanied by a cashier's check or money order for one hundred dollars ($100.00) payable to the county treasurer. Failure to file a written appeal within such fifteen (15) day period shall be deemed a waiver of all rights of appeal, and the decision of the planning commission shall be deemed final.

(f) On appeal the board of supervisors shall hold a public hearing in accordance with Sec. 15.1-431 of the Code of Virginia and shall not approve exceptions to this chapter unless it finds that the requisite factors listed in Sec. 18-10(b) are satisfied.

This Ordinance shall be effective immediately.

IN RE: A-96-1 -- WRITTEN NOTICE -- TAX RELIEF FOR THE ELDERLY/DISABLED -- REAL ESTATE

This being the time and place as advertised in the Dinwiddie Monitor on February 14, 1996 and February 21, 1996, for the Board of Supervisors to conduct a public hearing to consider an Ordinance to amend Section 19-38 of the Code to provide that the Treasurer of the County shall enclose written notice in each real estate tax bill of the terms and conditions for real estate tax exemption established for elderly and disabled persons pursuant to Section 19-36 et seq. of the Code.

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

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

BE IT ORDAINED, by the Board of Supervisors of Dinwiddie County, Virginia, that Section 19-38 of the Code of the County of Dinwiddie, Virginia, be amended and reordained by redesignating the current paragraph as subparagraph (A) and adding subparagraph (B) as follows:

Extract

SECTION 19-38 ADMINISTRATION.

A. {Current Text}.

B. The Treasurer of the County shall enclose written notice, in each real estate tax bill, of the terms and conditions of the real estate tax exemption established in Article III (Real Estate Tax Exemption for Elderly and Disabled Persons) of Chapter 19 (Taxation), Section 19-36 et seq. The Treasurer shall also employ other reasonable means necessary to notify residents of the County about the terms and conditions of this real estate tax exemption program for the elderly and handicapped residents of the County.

This Ordinance shall be effective immediately.

IN RE: A-96-2 -- TAX RELIEF FOR THE ELDERLY/DISABLED -- FILING DATE CHANGE -- REAL ESTATE

This being a public hearing as advertised in the Dinwiddie Monitor on February 14, 1996 and February 21, 1996, for the Board of Supervisors to conduct a public hearing to consider an Ordinance to amend Section 19-40 of the Code to provide that an Applicant's Affidavit and Certificate of Disability for real estate tax exemption pursuant to Section 19-36 et. seq. of the Code must be filed no later than March 1 and not before January 1 of the taxable year and to amend the certification necessary to qualify for real estate tax exemptions on the grounds of permanent and total disability.

Mrs. Deborah M. Marston, Commissioner of the Revenue, came before the Board and stated that this amendment would change the filing deadline for Tax Relief for the elderly/disabled - Real Estate to coincide with the upcoming twice a year taxation.

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

Extract

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

BE IT ORDAINED, by the Board of Supervisors of Dinwiddie County, Virginia, that Section 19-40 of the Code of the County of Dinwiddie, Virginia, be amended and reordained as follows:

SECTION 19-40 APPLICANT'S AFFIDAVIT AND CERTIFICATE OF DISABILITY.

A. Annually and not later than March 1 and not before January 1 of the taxable year, person or persons claiming an exemption under this Article must file an Affidavit with the

Commissioner of the Revenue. The Affidavit shall set forth, on a form to be furnished by the Commissioner of the Revenue, names of the related persons occupying the dwelling for which the exemption is claimed, their gross combined income, their combined net worth, including equitable interests, and that the general prerequisites established in Section 19-39 of the Code of the County of Dinwiddie are satisfied.

B. If the applicant for exemption under this Article is under sixty-five (65) years of age, the Affidavit required by this Section shall have attached thereto a certification by the Social Security Administration, the Department of Veterans Affairs, or the Railroad Retirement Board, or if such Applicant is not eligible for certification by any of these agencies, a sworn Affidavit by two (2) medical doctors, who are either licensed to practice medicine in the Commonwealth of Virginia or military officers on active duty who practice medicine in the United State Armed Forces, to the effect that the applicant is permanently and totally disabled as defined in Section 19-36 of the Code of the County of Dinwiddie; however, a certification pursuant to 42 U.S.C. 423(d) by the Social Security Administration, so long as the Applicant remains eligible for such Social Security benefits, shall be deemed to satisfy the definition in Section 19-36 of the Code of the County of Dinwiddie. The Affidavit of at least one of the doctors shall be based upon a physical examination of the Applicant by such doctor. The Affidavit of one of the doctors may be based upon medical information contained in the records of the Civil Service Commission which are relevant to the standards for determining permanent and total disability as defined in Section 19-36 of the Code of the County of Dinwiddie.

This Ordinance shall be effective immediately.

IN RE: A-96-3 -- WRITTEN NOTICE -- TAX RELIEF FOR THE ELDERLY/DISABLED -- PERSONAL PROPERTY

This being the time and place as advertised in the Dinwiddie Monitor on February 14, 1996 and February 21, 1996, for the Board of Supervisors to conduct a public hearing to consider an Ordinance to amend Section 19-159 of the Code to provide that the Treasurer of the County shall enclose written notice in each tangible personal property tax bill of the terms and conditions for personal property tax exemption established for elderly and disabled persons pursuant to Section 19-151 et seq. of the Code.

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

Extract

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

BE IT ORDAINED, by the Board of Supervisors of Dinwiddie County, Virginia, that Section 19-159 of the Code of the County of Dinwiddie, Virginia, be amended and reordained by designating the current paragraph as subparagraph A and adding subparagraph B as follows:

SECTION 19-159 ADMINISTRATION.

A. (Current Text).

B. The Treasurer of the County shall enclose written notice, in each tangible personal property tax bill, of the terms and conditions of the County's personal property tax exemption for elderly and disabled persons established pursuant to Chapter 19 (Taxation), Article XIII (Personal Property Tax Exemptions for Elderly and Disabled Persons) Section 19-151 et seq. of the Code of the County of Dinwiddie. The Treasurer also shall employ any other reasonable means necessary to notify residents of the County of the terms and conditions of the tangible personal property relief program

for elderly and disabled residents of the County.

This Ordinance shall be effective immediately.

IN RE: A-96-4 -- TAX RELIEF FOR THE ELDERLY/DISABLED -- FILING DATE CHANGE -- PERSONAL PROPERTY

This being the time and place as advertised in the Dinwiddie Monitor on February 14, 1996 and February 21, 1996, for the Board of Supervisors to conduct a public hearing to consider an Ordinance to amend Section 19-161 of the Code to provide that an Applicant's Affidavit and Certificate of Disability for tangible personal property tax exemption pursuant to Section 19-160 et seq. of the Code must be filed no later than March 1 and not before January 1 of the taxable year and to amend the certification necessary to qualify for exemptions on the grounds of permanent and total disability.

Mrs. Deborah M. Marston, Commissioner of the Revenue, came before the Board and stated that this amendment would change the filing deadline for Tax Relief for the elderly/disabled - Personal Property to coincide with the upcoming twice a year taxation.

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

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

BE IT ORDAINED, by the Board of Supervisors of Dinwiddie County, Virginia, that Section 19-161 of the Code of the County of Dinwiddie, Virginia, be amended and reordained by deleting the current text of this Ordinance and adopting in its place the following:

Extract

SECTION 19-161 APPLICANT'S AFFIDAVIT AND CERTIFICATE OF DISABILITY.

A. Annually and not later than March 1 and not before January 1 of the taxable year, the person or persons claiming an exemption under this Article must file an Affidavit with the Commissioner of the Revenue. The Affidavit shall set forth, on a form to be furnished by the Commissioner of the Revenue, the names of the persons for which the exemption is claimed, his or her spouse, if any, their combined income and their net combined financial worth, including equitable interests, and that the Applicant satisfies the general prerequisites for exemption under this Article as established in Section 19-160 of the Code of the County of Dinwiddie.

B. If the Applicant for exemption is under sixty-five (65) years of age, the Affidavit required by this Section shall have attached thereto a certification by the Social Security Administration, the Department of Veterans Affairs, or the Railroad Retirement Board, or if such person is not eligible for certification by any of these agencies, a sworn Affidavit by two (2) medical doctors, who are either licensed to practice medicine in the Commonwealth of Virginia or military officers on active duty who practice medicine with the United States Armed Forces, to the effect that the Applicant is permanently and totally disabled as defined in Section 19-157 of the Code of the County of Dinwiddie. The Affidavit of at least one of the doctors shall be based upon a physical examination of the person by the doctor. The Affidavit of one of the doctors may be based upon medical information contained in the records of the Civil Service Commission which are relevant to the standards for determining permanent total disability as defined in Section 19-157 of the Code of the County of Dinwiddie.

This Ordinance shall be effective immediately.

IN RE: A-96-5 -- CLARIFICATION OF DUE DATE ON ALL TAXES

This being a public hearing as advertised in the Dinwiddie Monitor on February 14, 1996 and February 21, 1996, for the Board of Supervisors to consider an Ordinance to amend Section 19-2 of the Dinwiddie County Code to clarify that the payment deadline extension granted in 1995 is no longer applicable and to clarify that for 1996 and subsequent years the County's tax on real estate, tangible personal property, and machinery and tools shall be collected semi-annually on June 5 and December 5 of each year as provided by Section 58.1-3916 of the Code of Virginia, 1950, as amended, and to provide for the recovery of reasonable attorney's or collection agency's fees incurred in collecting delinquent taxes.

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

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

Extract

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

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, 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.

IN RE: JOHN TYLER BOARD OF DIRECTORS -- APPOINTMENT

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that John Roy Hodges is hereby reappointed to the John Tyler Board of Directors for a term retroactive to June 30, 1995 and expiring June 30, 1999.

IN RE: CRATER DISABILITY SERVICES BOARD -- DISCUSSION OF APPOINTMENT

Staff advised the Board that Donna Saunders on February 5, 1996 informed them that she could no longer serve on the Crater Disabilities

Services Board and they had solicited an ad for interested individuals and to date staff has not gotten a response.

The Board advised staff that they would look within their districts for an interested individual and report back with their findings at the next Board meeting.

Extract

Mrs. Everett stated that she would like for staff to see that a letter is sent to Mrs. Saunders, thanking her for her contribution of service and letting her know what a good job she did.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Charles W. Burgess, Jr., County Administrator, stated that the Crimesolvers Media Appreciation Banquet is on Thursday, February 14th and he wanted to know what Board members would like to attend.

The Board stated that they would check their schedules and let Mr. Burgess know in the next few days.

2. Mr. Burgess stated that Mr. Richard L. Jordan, Jr., Emergency Services Department, had completed his training for EMT-Advanced. He requested that he be reclassified from a grade 8A to a grade of 10A

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Richard L. Jordan, Jr. be reclassified from a grade 8A, $17,966 to a grade 10A, $20,956.

3. Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that the sidewalk at the Rohoic District office of the Appomattox Regional Library is in really bad shape. It is filled large stones which make it very uneven and staff is suggesting that the sidewalk can be leveled with concrete installed by County Employees. The Library has agreed to provide the materials and the County provide the labor.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that County Employees are authorized to assist the Rohoic District Station of the Appomattox Regional Library in improving their sidewalk.

IN RE: BOARD MEMBER COMMENTS

1. Mrs. Everett stated that Sandelin Stewart from the County will help carry the torch for upcoming Olympic games. She stated that the individual will be coming through the County and she thought that it would be a good idea for the County to get involved and show their support.

She wanted to commend Kevin Critenden, a Dinwiddie High School student, who made an outstanding showing in Track at Regionals and State. She also stated that she wanted to commend the whole Track team and their coach who did an excellent job representing the County.

She also wanted to Thank Jamie Brown from the Dinwiddie Monitor, for all the attention he has shown to the Five Forks Reenactment.

2. Mr. Moody stated that he would like to see the Sheriff's Department and the Planning Department get together and discuss the Zoning Ordinance where it talks about junk yards and such. He felt that the Sheriff's Department, if made aware of the Code, could enforce the junk yard complaints and such.

3. Mr. Bracey stated that he felt that County Administrator and Ass't County Administrator did a good job putting together the budget and he wanted to commend them. He stated that he felt that staff should send letters to individual departments and tell them a time and place where

they could bring their budget requests to the Board and if they choose not to come they should hold their requests until next year.

4. Mr. Moody stated that he had a citizen in his district that just turned 102 and he requested that the Board adopt a resolution recognizing her.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a resolution be drawn up to recognize Mrs. Fairy Lee Prosise for turning 102 years old.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 9:42 P.M. to be continued to March 12, 1996 at 1:00 P.M. for an Executive Session.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 12TH DAY OF MARCH, 1996, AT 1:00 P.M.

PRESENT:		
	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	MICHAEL H. TICKLE (ARRIVED AT 1:25 P.M.)	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3

IN RE: CLAIM -- CRIMESOLVERS MEDIA APPRECIATION BANQUET

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that check #1000233 in the amount of $75.00 be approved for the County Administrator and four Board Members to attend the Crimesolvers Media Appreciation Banquet on March 14, 1996.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; the Board moved into Executive Session at 1:15 P.M. A vote having been made and approved the meeting reconvened into Open Session at 3:30.

IN RE: CERTIFICATION

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

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

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

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

IN RE: AUTHORIZATION FOR COMMISSIONER OF THE REVENUE TO LEASE A READER PRINTER

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Commissioner of the Revenue is authorized to lease a Reader Printer for 30 days in an amount not to exceed $900.00

IN RE: RESOLUTION RECOGNIZING -- 102 YEAR OLD COUNTY CITIZEN

Mr. Moody stated that he had a woman in his district that just turned 102 years old and he would like the Board to adopt a resolution in her honor.

Extract

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

WHEREAS, Mrs. Fairy Lee Prosise was born on February 27, 1894 in the Wilsons area of Dinwiddie County, where she has lived most of her life; and

WHEREAS, on February 27, 1996, Mrs. Mitchell celebrated her 102nd birthday; and

WHEREAS, during her 102 distinguished years, Mrs. Prosise has been blessed with a wonderful family--her husband, a farmer in Dinwiddie County, one child and four grandchildren; and

WHEREAS, Mrs. Prosise, besides being a devoted wife and mother, has also dedicated her life to serving God as a member of the White Oak United Methodist Church; and

WHEREAS, the Board of Supervisors is desirous of acknowledging Mrs. Prosise and joining with her family and friends in commemorating this accomplishment in her life;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia recognizes and congratulates Mrs. Fairy Lee Prosise for reaching her 102ND BIRTHDAY and wishes Mrs. Prosise a very blessed and prosperous life.

IN RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 3:40 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 20TH DAY OF MARCH, 1996, AT 2:00 P.M.

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

* ARRIVED AT 2:15 P.M.

IN RE: AMENDMENT TO AGENDA

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye", the agenda was amended as follows:

Add, 14. Executive Session - d. Section 2.1-344(a) 3-Discussion or consideration of the condition, acquisition or use of real property for public purpose.

IN RE: MINUTES

Anne Scarborough, a County citizen, came before the Board and stated that she appeared at the March 6th Board Meeting under citizens comments to discuss an issue in reference to the Budget. She stated that when she saw the minutes from that meeting, her statements were so general that she felt that someone wouldn't even be able to understand the point that she was trying to make. She requested that all her comments be stricken from the minutes if they couldn't be more specific.

After a brief discussion between the Board members they requested that the minutes be changed to reflect Mrs. Scarborough's request.

Mr. Clay suggested that the minutes from the March 6, 1996 and March 12, 1996 Continuation Meetings be approved and they wait to approve the minutes from the March 6, 1996 Regular Meeting until they can be corrected.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the March 6, 1996 Continuation Meeting and the March 12, 1996 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Tickle, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1000232-1000354 for Accounts Payable in the amount of $233,392.93; General Fund $188,743.30, E911 Fund $1,537.40, Self Insurance Fund $18,475.59, CDBG Fund $9,810.00 and County Construction $14,826.64.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Harold Dyson, Ass't Resident Engineer, Virginia Department of Transportation, came before the Board and updated the Board on various sites being worked on in the County.

Mr. Tickle asked that Mr. Dyson inform the Resident Engineer that he would like the acceleration lane coming off of Interstate 85 looked into in front of Bullets Restaurant on Route 460 as far as extending it. He stated that the lane was too short and it was an accident waiting to happen.

Mr. Clay stated that Mr. Reekes had informed him that VDOT was going to completely redo Route 460 from Nottoway to Route 1.

Mr. Dyson stated that it would be about 75% of Route 460.

Mr. Clay stated that he felt that it did not need it. He stated that he felt that those funds could be used to pave some of the dirt roads in the County.

Mr. Dyson stated that the Project to redo Route 460 will now probably be put off for a couple of years because of the snow removal costs.

IN RE: COMMISSIONER OF THE REVENUE

Mrs. Deborah M. Marston, Commissioner of the Revenue, did not have anything to report but was present if the Board had any questions.

She stated that Christine Sorenson, Five Forks Commemorative Committee, had called her and they were working together to help Ms. Sorenson get everything in order for the upcoming Re-enactment.

Ms. Marston also stated that in looking through the minutes from the last Board meeting she wanted to clarify that her office did not **purchase** a Reader Printer; they are **leasing** a Reader Printer.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, presented his report prior to the meeting for the month of February, 1996 because he was going to be out of town.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, Commonwealth Attorney, was not present.

IN RE: SHERIFF -- REPORT

Mr. Samuel H. Shands, Sheriff, was not present.

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

Excal X

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $1,000 be allotted from the uniforms and wearing apparel category of the Sheriff's Office budget for the Special Police to purchase uniforms.

Mr. Charles W. Burgess, County Administrator stated that Gary Baker with the Five Forks Re-enactment Group has requested two off duty officers for Saturday, March 30th, and two off duty officers for Sunday, March 31st, for traffic control and security. He stated that the Sheriff's Office will supply these officers at their overtime rate to be paid by Five Forks Re-enactment Group.

Mr. Bracey stated that he did not think that the County should enter into paying any bills for someone else's security unless it is for the County. He felt that the Re-enactment Group could pay the officers a check at the end of the day. He wanted to know why it had to come through the County's books.

Mrs. Ralph stated that it had to be done that way for insurance purposes.

Mr. Bracey stated that the Board was not responsible for private industry. He wanted to know why they were covering the officers on the

County's insurance policy while they were working for someone else. He stated that he could not agree with that.

It was brought to the Boards attention that during the National Event at the Motorsports Park off duty officers were paid by the County and then reimbursed by the Motorsports Park.

Mr. Moody stated that he would like to make the motion to approve the request because they have done it before for other organizations with the condition that the county look into making a policy. Mrs. Everett seconded the motion. Mrs. Everett, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", Mr. Bracey voting "NO".

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that two off duty Police Officers are authorized to work for the Five Forks Re-enactment Group at their overtime rate to be reimbursed by the Five Forks Commemorative Committee with the condition that the County look into making a policy.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, presented his report for the month of February, 1996.

He also stated that the Five Forks Re-enactment Group was requesting a fire works permit and per the County Code the Board has to approve the request. Mr. Abernathy apologized for the delay in bringing it before the Board but stated that the Re-enactment Group just brought the request to his office the day before.

Mr. Bracey stated that these requests had to stop coming in so close to the time that they needed approval. He stated that there should be guidelines made and they should be kept.

After some discussion between the Board, they instructed Administration to look into setting some guidelines so when these requests come in, the Board will have ample time to do some investigating if they need to.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the fire works permit requested by the Five Forks Re-enactment Group be approved.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of February, 1996.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W.C. Scheid, Director of Planning, presented his report for the month of February, 1996.

Mr. Scheid introduced the new Senior Planner/Zoning Administrator, John Marchington Altman, Jr., "March".

He also stated that there will be a street vacation at the next Board Meeting, on a small section of road at the intersection of Patillo and Wheelers Pond Road. The property is owned by the Roger Shell, Jr., Estate.

Mr. Clay stated that he did not think that it was fair that the Shell family had to pay the $100.00 to get the land back after they had given the land to the County.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the $100.00 fee imposed by the Planning Department to advertise for the Street Vacation be waived.

Mr. Scheid also stated that the Planning Commission has had their final public hearing on the Comprehensive Plan and is ready to pass it on to the Board. He did say that he was now in the process of having some amendments done to it and he would get copies to the Board once they were done. He wanted to know how the Board wanted to approach reviewing it.

Mr. Tickle stated that he wanted to suggest a workshop between the Planning Commission and the Board so they could discuss the Comprehensive Plan.

Mrs. Everett stated that she would like to see a workshop take place also.

After some discussion between the Board they agreed to set a date for a workshop to discuss the Comprehensive Plan between the Board and the Planning Commission at the next meeting.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director of Social Services, presented her report for the month of February, 1996.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mrs. Troilen Seward, Superintendent of Schools, presented her report for the month of February, 1996.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of February, 1996.

Mr. Rinaldi presented three bids for a portable "Rain Train" to be used this summer when we do not get much rain. He stated that this would enable him to keep the fields watered so they will not dry out.

The bids were as follows:

Pioneer -	Rain Train	$1,095.00
	1 100' Hose	440.00
	TOTAL BID	$1,535.00
Summit -	Rain Train (T200) (Includes Hose)	$1,693.00
Summit -	Rain Train (M2-400) (Includes Hose)	$1,923.00
Water Reel -	Rain Train B100	$1,870.00
	Rain Train B110	$1,940.00

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from Pioneer to purchase a Rain Train for the Recreation Department in the amount of $1,535.00 be accepted.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Dennis E. King, Director of Waste Management, presented his report for the month of March, 1996.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Services Coordinator, presented her report for the month of February, 1996.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel Siegel, County Attorney, came before the Board and stated that he has prepared an amendment to the County ordinance to allow Administration to handle an application for a solid waste permit.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, presented his report for the month of February, 1996.

IN RE: A-95-7 -- JR. FIREFIGHTER -- PUBLIC HEARING

This being the time and place as advertised in the Progress Index on March 6, 1996 and March 13, 1996, for the Board of Supervisors to conduct a public hearing for the purpose of adopting amendments to the Dinwiddie County Code concerning Junior Firefighter Programs.

Mr. Charles W. Burgess, County Administrator, stated that the amendments would allow Junior Firefighters to enter an approved training facility structure which contains burning materials while under the supervision of a fire training officer. It would also allow them to respond to mutual aid calls.

Mr. Tickle stated that he had reservations about the Junior Firefighters going out of their jurisdiction.

Mr. Burgess, stated that it did not matter if the Junior Firefighters were in their own jurisdiction or someone else's they were to be under the supervision of the officer in charge. They are under the same regulations as if they were in their own jurisdiction.

This being a public hearing the Chairman opened the floor for public comment: No one signed up to speak.

Mrs. Ralph, Ass't County Administrator, stated that she received a phone call prior to the meeting from Charles Rideout who was unable to attend the meeting but asked the Board for their support.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Code of the County of Dinwiddie, Virginia is amended and reordained as follows:

Section 10-5. Volunteer junior firefighter programs.

(a) The volunteer fire companies of Dinwiddie County are authorized to establish a junior firefighter program for minor persons 16 or 17 years of age who are residents of Dinwiddie County in accordance with this ordinance and all other applicable law.

Extract

(b) Prior to participating in the junior firefighter program, any such minor person shall have filed with the County Administrator's Office, the Public Safety Officer, and the Clerk of the Circuit Court of Dinwiddie County, a notarized consent statement signed by all parents and/or legal guardians of that minor person stating that the minor person has permission to participate in Dinwiddie County Fire Company activities. The consent statement shall be in a form acceptable to the County Administrator and shall state that the parents and guardians signing the form recognize that the junior firefighter program may involve risks to the personal safety of participating minor persons.

(c) No junior firefighter program shall be established or conducted unless the volunteer fire company or governing body of Dinwiddie County has purchased and maintains insurance which provides coverage for injuries to or the death of any such minor in the performance of activities in the junior firefighter program in accordance with State law.

(d) Minors qualified to participate in the junior firefighter program may engage in fire training activities under the direct supervision of a State Certified Fire Instructor I or above. Such training shall be conducted in strict accordance with guidelines established by the Virginia Department of Fire Programs. Junior firefighters may enter an approved training facility structure which contains burning materials while under the supervision of a fire training officer.

(e) Minors qualified to participate in the junior firefighter program may engage in activities at a fire scene as follows:

(1) They shall only participate in firefighting support functions at the fire scene.
(2) They shall not enter the fire area.
(3) They shall not enter a burning structure, enter a structure that contains burning materials, or enter an area that contains harmful products of combustion.
(4) They shall not participate in fighting wildland fires.
(5) They shall not respond to an incident involving actual or suspected hazardous materials or chemicals.
(6) They may respond to mutual aid calls outside the jurisdictional boundaries of Dinwiddie County.
(7) They shall not drive any piece of fire or rescue apparatus.

(f) If any such minor is a student, he or she must maintain passing grades in all subjects as a condition or participation in the junior firefighter program.

This ordinance shall be effective immediately.

Mr. Tickle stated that he would like a report back from the Fire Departments in about a year to see how it is working out.

IN RE: REQUEST FROM DINWIDDIE VOLUNTEER RESCUE SQUAD -- EMERGENCY GENERATOR

Mr. Lamonte Fields, President of Dinwiddie Ambulance and Rescue Squad, came before the Board and stated that their emergency generator needed to be replaced at a total cost of $17,236.50. He stated that DVRS has not requested any additional funds from the county since 1992. DVRS is requesting that the County pay 80% of the total cost of the generator and they pay 20%.

He stated that the present generator has been in place since the squad has been in existence for 25 years. At this time the generator does not function and is not worth the cost of the repair. He stated that DVRS has one of only two existing generators within Dinwiddie County. The other belongs to Dinwiddie County Sheriff's Department.

Mr. Clay stated that he was not in favor of it at this time but did say that the Board would take it into consideration at another time.

Mr. Bracey suggested that he ask the United Way or other agencies for some financial help.

Mrs. Everett stated that she would like to review the request at a later time.

IN RE: CRATER DISABILITY SERVICES BOARD -- APPOINTMENT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Christina Winfield be appointed to the Crater Disability Services Board to fill the unexpired term of Donna Saunders for a term ending January 31, 1997.

Extract

IN RE: POSITION ANNOUNCEMENT -- SENIOR PLANNER/ZONING ADMINISTRATOR

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that John Marchington Altman, Jr. be appointed to the position of Senior Planner/Zoning Administrator, effective March 15, 1996, at the salary level of Grade 10, Step D1, $25,545.00.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Charles W. Burgess, Jr., County Administrator, stated that the Department of Transportation will be having their Preallocation Hearing on Tuesday, April 9, 1996 and he asked them to be thinking about any issues the Board would like to convey to them in reference to updating the Six-Year Improvement Program.

2. Mr. Burgess stated that he received a memorandum from the Fort Pickett Local Reuse Authority Secretary seeking two nominees from the various participating localities that may be considered for its Restoration Advisory Board (RAB) selection panel.

Mr. Moody stated that he had two people in his district that would be interested.

3. Mr. Burgess stated that it was coming of time for our Business Appreciation Dinner and he requested some input from the Board in reference to a time frame.

Mr. Burgess stated that he would come back with some dates at the next Board Meeting.

4. Mr. Burgess stated that he received a request from Central Virginia Health Planning Agency, a private, non-profit corporation governed by regional representatives of health care consumers and providers. The Agency is involved in a number of functions including planning for medical services and facilities, collecting and disseminating health care data and information, as well as providing health education and information. They are requesting funding from Dinwiddie County in the amount of $1,768.00.

After some discussion between the Board they agreed that they were not going to fund any new Agencies this Budget year. The Board suggested that they may want to try again next year.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 3-Discussion or consideration of the condition, acquisition or use of real property for public purpose; Section 2.1-344(a) 5-Discussion concerning a prospective business; Section 2.1-344(a) 7-Consultation with legal counsel; following a ten minute recess the Board moved into Executive Session at 3:55 P.M. A vote having been made and approved the meeting reconvened into Open Session at 5:03 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: SHERIFF'S DEPARIMENT -- ACCEPTANCE OF VEHICLES

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that titles for two vehicles, by which the identification numbers will be provided by the Sheriff's Department, are accepted and will be insured by the County.

IN RE: LANDFILL -- BACKHOE OPERATOR -- AUTHORIZATION TO FILL POSITION

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Director of Sanitation is authorized to take the necessary action to fill the part-time position of Backhoe Operator at the Landfill.

THE BOARD RECESSED TO THE HOMEPLACE RESTAURANT, DINWIDDIE COUNTY, VIRGINIA AT 5:06 P.M.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 3-Discussion or consideration of the condition, acquisition or use of real property for public purpose; Section 2.1-344(a) 5-Discussion concerning a prospective business; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 5:15 P.M. A vote having been made and approved the meeting reconvened into Open Session at 6:45 P.M.
THE BOARD RETURNED TO THE PAMPLIN ADMINISTRATION BUILDING.

IN RE: COUNTY ATTORNEY AUTHORIZED TO RETAIN COUNSEL

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Attorney is authorized to take the necessary action for employing counsel relating to an insurance coverage claim against the Division of Risk Management.

IN RE: CERTIFICATION

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

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

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

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

IN RE: PUBLIC HEARING -- FY 96/97 PROPOSED COUNTY BUDGET AND SCHOOL BOARD BUDGET AND 1996 TAX RATES

This being the time and place as advertised in the Dinwiddie Monitor on March 13, 1996 for the Board of Supervisors to conduct a public hearing to on the FY 96/97 proposed County budget and School budget and 1996 tax rates.

Mr. Charles W. Burgess, County Administrator, gave the following overview of the budget:

FISCAL YEAR 1996-97 BUDGET OVERVIEW

Some of the highlights of the proposed budget are as follows:

- no increase in any local tax.
- a reduction in the Machinery and Tools Tax was recommended by staff. The Board of Supervisors has not reached a decision on this issue as of this Public Hearing. The proposed reduction is from the current rate of $3.30 per $100 to $2.50 per $100. The anticipated lost revenue by lowering the rate is $60,000.
- the General Fund Revenues have increased by 6.9% ($948,851).
- the General Fund Expenditures have increased by 3.9% ($543,112).
- employees working for Constitutional Officers will receive a 4.35% salary increase effective December 1st.
- local government employees will receive a 2% cost of living increase effective July 1st plus be eligible for a 2% merit increase on their employment anniversary date.
- the local government funds for the Public Schools are proposed to increase by 5.65% ($341,182).
- the local government funds for Social Services are proposed to increase by 5.65% ($18,399).
- the County's payment to the Appomattox Regional Library System is funded at 100% of the requested amount ($142,403).
- the increase in funding for other regional agencies is "capped" at 4%.
- funding for one new deputy position in the Commissioner of the Revenue's Office is provided. However, the actual advertisement/hire date has not yet been determined by the Board of Supervisors.
- the following positions were requested but not funded:

Commissioner of the Revenue	4 additional positions
Sheriff	1 new Deputy

- the following new vehicles are recommended for funding:

Sheriff	7 new cars (10 requested)
Animal Warden	1 new truck (2 requested)

- the County's contribution to each of the Volunteer Fire Departments

increased by $2000 (Carson Volunteer Fire Department receives an additional $1000).

- a new fire truck is not included in this budget.

- the Board of Supervisors is supporting a grant application for a new first responder vehicle for Dinwiddie Volunteer Fire Company. The County's anticipated share in the cost of the vehicle is $15,000.

- the Board of Supervisors is supporting a grant application for a new transport unit for the Dinwiddie Ambulance and Rescue Squad. The County's anticipated share in the cost of vehicle is $33,500.

- funding is provided for the purchase of self contained breathing apparatus systems for the volunteer fire companies. This is a phased program whereby the exiting equipment will be replaced over the next few years.

- an additional $30,000 has been added to the line for the general repairs and maintenance of existing County Buildings (funding of this line is currently $30,000).

Mrs. Wendy Weber Ralph, stated the following as amendments to the proposed budget:

- state employees to receive a 4.35% increase in December.

- in Debt Service there will be additional Underwriting Fees for each of the County's Bond Issues at $2,000 each for a total of $8,000.

- Paid EMS there will be an additional $4,800 for Rent.

- The Board agreed to match two State Grants - Van - DVFD $15,000
  Ambulance - DVRS $33,500

Since this is also a public hearing on the 1996 tax rates, Mrs. Ralph also read the following tax rates proposed for 1996:

Real Estate	.74
Mobile Homes	.74
Mineral Lands	.74
Public Services	.74
Personal Property	4.90
Personal Property - Volunteer Vehicles	.25
Machinery & Tools	3.30
Heavy Construction Machinery	3.30
Airplanes	.30

Mr. Bracey questioned why the Machinery and Tools Tax was being reduced.

This being a public hearing, the Chairman opened the floor for public comment:

1. Marshall Smith, President John Tyler Community College, came before the Board and expressed his appreciation for their support. He also wanted to Thank the Board for their reappointment of John Roy Hodges to the John Tyler Board of Directors.

2. JoAnne M. Ortiz, Carson Road, Dinwiddie, VA. She came before the Board and and thanked them for fully funding the FY 96/97 Library Budget.

3. Anne Scarborough, Boydton Plank Road, Dinwiddie, VA. She requested that the Machinery & Tools Tax not be reduced. If they wanted to reduce a tax she asked them to think about reducing the $4.90 per 100 Personal Property Tax. She stated that she had several questions but she would make an appointment with the County Administrator and see if he could answer them. She questioned why in the County Attorney's budget there was a line item for Dues & Subscriptions in the amount of $350.00. She wanted to know what the dues were for and what were the subscriptions to. She stated that she was sad that the Board took the Code Enforcer out

of the budget and she was also sad that they reduced the First Responder Budget.

4. Charles Lewis and Robert Mengel, Dinwiddie Volunteer Fire Department. They stated that they were disappointed that the Fire Truck was not included in this years budget. There truck is currently 20 years old and they are in desperate need of one. It was in the budget and it got left out and they stated that they would like to work something out with the Board.

5. Robert Mengel, Dinwiddie Volunteer Rescue Squad. He asked the Board for the $3,000 that is in the budget for the Chief's Association to be turned over to the Chief's for them to handle. He stated that when the County had a Public Safety Officer he would handle it but since the County does not have a Public Safety Officer anymore he wants to handle it for the Chief's Association.

6. Wallace Rowland, Butterwood Road, Dinwiddie. He complained about the tax rates. He also stated that he was having to pay taxes on some property that the State has the right of way on.

7. Charles Lundie, Carson Volunteer Fire Department. He asked that there department get the same increase this budget year as all the other fire departments.

8. Gloria G. Harvell, Fox Branch Road, Carson, VA. She thanked the Board for their support with the Library.

9. Deborah M. Marston, Commissioner of the Revenue, came before the Board and stated that she thought when the Board passed lowering the Airplane Tax last year they stated that they would look into it after a year and see if by lowering it, it generated other revenues.

10. Dwayne Snead, McKenney Volunteer Fire Department. He stated that he was upset about the money that the Board took out of their First Responder Budget. He also stated that they were also supposed to be getting a new fire truck this year, so he thought, but they couldn't even get one if they wanted to because their station is so small one wouldn't fit.

The Chairman closed the public hearing.

Mr. Bracey stated that he does not see the necessity in lowering the Machinery & Tools Tax rate. He thought that they could look into lowering the Personal Property Tax rate.

Mrs. Everett stated that she was impressed by the comments by Mr. Dwayne Snead. She would like to do something about the First Responder Funds that were taken out of their budget and look into these other requests further. She agrees with Mr. Bracey in reference to the Machinery & Tools Tax. She feels that the Airplane Tax does need to be looked into and that the $3,000 does need to be turned over to the Chief's Association.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 8:20 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 3RD DAY OF APRIL, 1996, AT 7:30 P.M.

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

IN RE: AMENDMENT TO AGENDA

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the agenda was amended as follows:

Add, 7a. Report Bid Opening - Courthouse Project.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the March 6, 1996 Regular Meeting and March 20, 1996 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1000360-#1000595 (void #1000355-#1000359) for Accounts Payable in the amount of $188,619.12; General Fund $183,024.81, Jail Commission $126.28, E911 Fund $368.00, Self Insurance Fund $897.30, Law Library $55.00, Fire Programs/EMS $1,731.23, Law Enforcement $482.50, CDBG $1,934.00 and Payroll in the amount of $261,343.41; General Fund $260,685.48, E911 Fund $657.93.

IN RE: CITIZEN COMMENTS

1. Robert Ragsdale, Boydton Plank Road, Dinwiddie, VA. He came before the Board and stated that he was the owner of the property that the Re-enactment took place on the weekend prior. He stated that it was a big success. There were people that came from all over to participate in it. He thanked the Board for their support and asked them to support them in the future.

Mrs. Everett thanked Mr. Ragsdale for allowing the Re-enactment to take place on his property and also stated what a great success it was.

IN RE: A-95-13 -- AMENDMENT TO SUBDIVISION DEFINITION -- SECTION 18.3, CHAPTER 18 -- PUBLIC HEARING

Mr. W. C. Scheid, Director of Planning, came before the Board and stated that this public hearing had to be postponed since the proposed amendment to the Subdivision definition is only a part of A-95-13. The remainder of A-95-13 deals with private street standards. This part of the amendment has not been finalized by the Planning Commission as of this date. It is anticipated that the entire amendment (subdivision definition/private street standard) will be sent to the Board for the May 1, 1996 Regular Meeting. This date was selected in order to meet advertising requirements as stated by the Code of Virginia.

Extract

IN RE: C-95-3 -- PCS PRIMECO -- CONDITIONAL USE PERMIT FOR COMMUNICATION TOWER -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on March 20, 1996 and March 27, 1996 for the Board of Supervisors to conduct a public hearing for the purpose of considering a request for a conditional use permit submitted by PCS PrimeCo to establish a communication tower on property owned by Tarmac located off of Cox Road (Route 226) just north of Route 460.

Extract

Mr. W. C. Scheid, Director of Planning, came before the Board and stated that the Planning Commission voting 6-1, recommends approval of this conditional use permit with the following conditions attached;

1. The tower will be restricted to a maximum height of one hundred fifty (150) feet.

2. The base of the tower will be situated on the site to be at least three hundred (300) feet from any existing residential structure and the edge of the pavement of Route 226.

3. The tower and any buildings will be fenced in with an eight (8') foot high chain link fence with three (3) strand barb wire top. The gate will be locked at all times.

4. If the tower should become inoperative for more than twelve (12) consecutive months the owner of the tower at that time shall be responsible for taking the tower down within sixty (60) days following disuse.

5. A copy of any FAA approval must be on file before Certificate of Occupancy is issued. If lighting is required by the FAA that light shall be red if approved by the FAA.

6. The owner of the tower shall carry a liability insurance policy covering damages to adjacent properties resulting from structural failure. This liability coverage shall be in the amount of one million ($1,000,000) dollars. Proof of insurance coverage in form acceptable to County Planner will be provided annually.

7. If any property owner should have any interference problem with his or her electrical communications equipment, which is confirmed by the County Planning Department to have been caused by this tower, PCS PrimeCo will investigate the problem, devise a solution, and replace any damaged equipment attributable to that problem.

8. The conditional use permit must be reviewed at least every two years for compliance with stated conditions.

9. The County shall have the opportunity to place an antenna on this tower for emergency services, if needed, at such location that can be mutually agreed upon.

Mr. Bracey questioned condition #7. He stated that if a property should have an interference problem with his or her electrical communications equipment, a private company should investigate, not PCS PrimeCo.

Mr. Cary Ralston, a representative of PCS PrimeCo, came before the Board and stated that they did not have a problem with an Independent Company investigating. He did ask who would be responsible for paying the Company.

Mr. Bracey stated that PCS PrimeCo would.

Mr. Ralston wanted to know even if the claim was frivolous were they still responsible.

Mr. Mark Cornell, a representative of PCS PrimeCo, came before the Board and stated that the FCC regulates their company and if there is any interference they could be investigated and fined by the FCC.

Mr. Tickle stated that he is against it because he wouldn't want it in his back yard and he couldn't vote to put it in someone else's. He stated that his main concern is the looks of it and how many are going to be placed in the County.

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the conditional use permit request submitted by PCS PrimeCo to establish a communication tower be approved with the following conditions:

1. The tower will be restricted to a maximum height of one hundred fifty (150) feet.

2. The base of the tower will be situated on the site to be at least three hundred (300) feet from any existing residential structure and the edge of the pavement of Route 226.

3. The tower and any buildings will be fenced in with an eight (8') foot high chain link fence with three (3) strand barb wire top. The gate will be locked at all times.

4. If the tower should become inoperative for more than twelve (12) consecutive months the owner of the tower at that time shall be responsible for taking the tower down within sixty (60) days following disuse.

5. A copy of any FAA approval must be on file before Certificate of Occupancy is issued. If lighting is required by the FAA that light shall be red if approved by the FAA.

6. The owner of the tower shall carry a liability insurance policy covering damages to adjacent properties resulting from structural failure. This liability coverage shall be in the amount of one million ($1,000,000) dollars. Proof of insurance coverage in form acceptable to County Planner will be provided annually.

7. If any property owner should have any interference problem with his or her electrical communications equipment, which is confirmed by the County Planning Department to have been caused by this tower, PCS PrimeCo will investigate the problem, devise a solution, and replace any damaged equipment attributable to that problem.

8. The conditional use permit must be reviewed at least every two years for compliance with stated conditions.

9. The County shall have the opportunity to place an antenna on this tower for emergency services, if needed, at such location that can be mutually agreed upon.

IN RE: SA-96-1 -- RAYMOND & DONNIE HENSHAW -- APPEAL FROM PLANNING COMMISSION -- SECTION 18-79(c) -- CURB/GUTTER/STORM DRAINS -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on March 20, 1996 and March 27, 1996 to conduct a public hearing to consider an appeal from the Planning Commission's denial to grant an Exemption to Section 18-79(c), Chapter 18, pertaining to curbs, gutters, and storm drains is requested by Donnie Henshaw for property to be developed for residential purposes located at the southeast corner of the intersection of River Road (Rt. 601) and Olgers Road (Rt. 632).

Extract

Mr. W.C. Scheid, Director of Planning, came before the Board and stated that on July 12, 1996 the Planning Commission denied the Henshaw's request and on March 6, 1996 the Board adopted an appeals procedure under Section 18-10 (Subdivision). The Planning Commission at their March 13, 1996 meeting was approached and asked if they wanted to rehear the

matter. Since they have dealt with this case several times in the past and the majority of the Planning Commissioners have not changed their position, they waived their right to an additional hearing.

Mr. Jeff Collins, a representative of Charles C. Townes & Associates, came before the Board to speak on behalf of Raymond & Donnie Henshaw. He stated that in accordance with Section 18-10.a and 18-10.b.1-4 of the County Subdivision Ordinance, they are providing the following findings that show evidence as to why an exception to the curb and gutter requirements should be considered:

18.10.b.1 The granting of this request will not be detrimental to the public safety, health or welfare or injurious to other property or improvements in the neighborhood in which the property is located.

The request will allow the installation of a roadside ditch design. This design has been safely and successfully implemented in subdivision design since the inception of subdivisions themselves. The public health, safety, and welfare are served continuously everyday in the County and State by roadside ditch design in subdivision without any question as to their capability or integrity.

18.10.b.2 The conditions upon which the request for an exception is based are unique to the property for which the exception is sought and are not applicable, generally, to other properties.

This request is unique in that the location of a major stream through the middle of the site combined with the hilly topography creates a condition in which runoff under a curb and gutter design would be directed to the existing stream in a very quick fashion with no opportunity for filtering of the runoff or slowing of the runoff velocity. Roadside ditch design offers both of these qualities. The grass shoulder and ditch slopes allow for the grit and grim that washes off roadways to be filtered out. The increased time it takes for runoff to traverse a roadside ditch as compared to curb, allows for attenuation of peak runoffs to the mainline stream which, in turn, reduces the possibility of eroding the channel. This would be a benefit to the environment.

18.10.b.3 Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

The hardship endured is one that goes beyond just the owner/developer. The hardship created is borne by the county and the local environment from the impact associated with the increase in the quantity of runoff and the increase in pollutant levels created by curb and gutter installation.

18.10.b.4 The purpose of the exception is not based exclusively upon a financial consideration.

Financially, roadside ditch design is not significantly less expensive than a normal curb and gutter design. The subdivision regulations that were newly issued by the Virginia Department of Transportation in January of 1996, have allowed for significantly reduced widths of roadways for curb and gutter road sections. The main issue here is one of environmental impact and the ability of roadside ditch design to assist in the reduction of this impact.

Mr. Tickle brought up the drainage problems at Sysonby Ridge & Mansfield Subdivisions.

Mr. Collins stated that those subdivisions had a lot more of a flat topography as opposed to the proposed site.

Mr. Tickle stated that it concerns him because Mr. Collins' firm is the same firm that designed those subdivisions with drainage problems now and he has received a lot of complaints from citizens in his district about the drainage problems and he doesn't want it to happen again.

Mr. Collins stated that if roadside ditches are approved with this project, an independent engineering firm will review those plans to see that they meet the proper criteria. He stated that the County could pick the firm and the property owner would pay for it.

Mr. Tickle stated that he would like to see the results from the Engineering Firm prior to him voting for or against the request.

Mr. Collins stated that the subdivision has not been designed yet. They are waiting for a decision from the Board as to whether they are going to waive curb and gutter before they proceed with the design phase.

Mr. Collins also stated that if the Engineering Firm was not agreeable with the plans then the project would not be any good.

Mr. Bracey stated he would like for the same firm that reviews the plans to come back upon completion of the subdivision and sign off that the work was done according to the original plans.

Mr. Collins stated that once the project is completed they wouldn't have a problem with a "Letter of Substantial Completion" being written by an independent firm, which says that the project was built according to the plans.

This being a public hearing, the Chairman opened the Public Hearing.

1. Mr. Robert Ragsdale, Boydton Plank Road, Dinwiddie, VA. He stated that if you were to go to the Corps of Engineers they would recommend that you do without curb and gutter and the Virginia Department of Transportation is also trying to get away from it.

2. Mrs. Anne Scarborough, Boydton Plank Road, Dinwiddie, VA. She came before the Board and stated that she has lived in a subdivision that did not have curb and gutters and it was not pleasant. It was fine for the first few years but down the road there were a lot of problems.

Mrs. Everett stated that she wished the curb and gutter requirement would of come sooner in the County and she is glad that it has been adopted. She feels that it would be precedence setting if the Board waived it.

Mrs. Everett made the motion to deny the request from Raymond & Donnie Henshaw to waive the curb and gutter requirements for property to be developed for residential purposes located at the southeast corner of the intersection of River Road (Rt. 601) and Olgers Road (Rt. 632); there was no second. Mrs. Everett voting "aye", Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "nay", the motion failed.

Mr. Tickle stated that he had a question in reference to detention ponds. He wanted to know if detention ponds were created, in this case he assumed they would be, would the County be held liable to create a ditch line and clean out the detention ponds when needed or will the developer be held liable.

Mr. Scheid stated that the Highway Department will not maintain the detention ponds. He stated that the Planning Department has been that the developer will be responsible to write like a homeowners agreement for those properties that abut the detention ponds, that it is their responsibility to maintain the detention ponds and to repair them should they need any kind of repairs.

Mr. Burgess stated that the maintenance of the ditches will be the responsibility of the Virginia Department of Transportation.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a request from Donnie Henshaw be approved to be exempted from Section 18-79(c), Chapter 18 (curb and gutter requirement) of the Code of Virginia for Tax Parcels 8-20, 8-21, 8-22 and 8-23 with the following proffers as presented by the applicant:

1) Thirty-five (35) feet from the center of River Road and Olgers Road will be dedicated free and unrestricted to the County of Dinwiddie for right of way. This shall be dedicated either at the time that lots adjacent to these roads are recorded or when the County needs the right of way for road improvement.

2) All lots shall have selective cutting of timber.

3) A thirty (30) foot buffer shall be maintained adjacent to the wetlands that are immediately contiguous to the creek running through the property from south to north. No disturbance of vegetation shall be allowed within this buffer except for the removal of dead, diseased or dying trees and installation of utilities to serve this project. This shall be noted on all subdivision plats.

4) Instead of the tar and gravel roads required by the Subdivision Ordinance, the developer will pave all interior roads with one and one half (1 1/2) inches of bituminous asphalt.

5) All new site utilities shall be placed underground.

6) The developer will submit plans for storm water management that will be equal to or more effective than the curb and gutter required by the Ordinance. The developer will also agree to pay for an independent review of the plans to verify this.

7) The entire property will be developed as a single family residential subdivision.

8) The minimum lot size will be increased from 15,000 to 20,000 square feet.

THE CHAIRMAN CALLED FOR A TEN MINUTE RECESS AT 9:00 A.M.

IN RE: SV-96-1 -- PATILLO ROAD -- LOUIS C. SHELL -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor Newspaper on March 20, 1996 and March 27, 1996 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing to consider an application to vacate a short section of Patillo Road located at the juncture of the relocated Patillo Road (Rt. 715) and Wheelers Pond Road (Rt. 645) per Articles 15.1-482, 482-1 and 483, Chapter 11 of the Code of Virginia, 1950, as amended. The old roadway is located adjacent to Tax Map Parcel 43(4)K owned by Robert L. Shell, Jr., et als.

Extract

Mr. W.C. Scheid, Director of Planning, came before the Board and stated that many years ago, the Shell family gave the land in question to the County so that road improvements could be made to Patillo road. Recently, the State changed the location of the intersection of Patillo Road with Wheelers Pond Road. In so doing, they abandoned a small portion of Patillo Road adjacent to the Shell property. Since the County and State do not need this property anymore, the Shell family wishes to have the property deeded back to them.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that a portion of Patillo Road is hereby declared a vacant street, shown on Sheet 8 of the Plans for Route 715, State Highway Project 0715-026-P32, M501, located west of the relocated Patillo Road (Route 715), and continuing in a westerly direction to its intersection with Wheelers Pond Road, said parcel of land containing approximately 0.27 acres.

IN RE: A-96-6 -- AMENDMENT TO REFUSE HAULER SECTION OF THE SOLID WASTE ORDINANCE -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on March 10, 1996 and March 27, 1996 for the Board of Supervisors to conduct a public hearing for the purpose of adopting a proposed ordinance to amend Section 17-9 of Chapter 17 of the Code of Dinwiddie County to provide for the County Administrator to approve applications for renewal of existing permits and to issue renewal permits for existing holders of permits for collection of refuse in the county and to assign permit numbers to approved vehicles for existing holders of permits.

Extract

This being a public hearing the Chairman opened the floor for public comment: No one signed up to speak.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 17-9 of the Dinwiddie Code shall be amended as follows:

(a) It shall be unlawful for any person other than local governing bodies, unless he possesses a valid permit from the board of supervisors, to collect and transport refuse, garbage or trash for others for consideration. The board of supervisors may issue permits or franchises for such applicants and the county administrator may issue permits or franchises for renewals for applicants holding existing permits or franchises; provided, that such permits shall be limited to persons having proper equipment and personnel to collect and transport refuse in accordance with the provisions of this chapter.

(b) Every person desiring to engage in the collection of refuse in the county shall make written application to the board of supervisors or if the person holds an existing permit or franchise shall make written application to the county administrator, setting forth the name, address and phone number of such person, a description of the equipment to be used in the collection of such refuse, and shall state generally the areas within the county that he proposes to serve, the frequency of collections, proposed rates, the number of vehicles to be used and the place and manner of disposal. Upon approval of such an application the board of supervisors may issue a permit to the applicant.

(d) The board of supervisors may issue a permit and the county administrator may issue a renewal permit upon receipt of a valid application and upon satisfactory finding that the applicant has complied with all applicable sections of this chapter. Prior to the issuance of any permit, all vehicles shall be inspected by the county health department. Such permit shall assign each vehicle covered by such permit with a number.

(e) All permits shall expire on December 31 following the date of issue and shall be renewed between January 1 and 31 of each year. The board of supervisors reserves the right now to renew such permits or to direct the county administrator not to renew such permit for any reason when such action is deemed to be in the best interests of the county.

(l) Upon the issuance of a permit, the board of supervisors shall assign or upon the issuance of a renewal permit, the county administrator shall assign, to all approved vehicles a permit number, which shall be permanently affixed by the applicant with the name, address, and telephone number of the applicant to both sides of the vehicle on the door of the cab or at the farthest point forward on the truck body in letters and numbers not less than four (4) inches high, and

such permit numbers will be four (4) inches high, not less nor more. The above identification shall be painted in conspicuous color contrasting with that of the vehicle.

This Ordinance shall be effective immediately,

IN RE: BIDS -- NEW COURTHOUSE PROJECT

Mr. Charles W. Burgess, Jr., County Administrator read the following bids that were received for the new courthouse project:

CONTRACTOR	TOTAL BASE BID + ADDITIVE ALTERNATIVES
Gulf Seaboard General Ashland, VA	$8,009,000
Kenbridge Construction Kenbridge, VA	$8,070,800
W.M. Jordan Co., Inc.	$8,265,800
J.W. Enochs, Hopewell, VA	$8,621,500

Extract

Mr. Burgess requested that the County enter into discussions with Gulf Seaboard to inquire as to how they came up with the bid they submitted. He stated that he will meet with them in the next couple of weeks, if the Board desires, and then report back to the Board on April 17, 1996 at 12:00 noon to report his findings.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that staff is authorized to enter into negotiations with Gulf Seaboard to inquire as to how they came up with the bid they submitted.

Mr. Bracey asked that Administration keep the public apprised of the outcome of the meetings.

IN RE: ADOPTION OF 1996-97 BUDGET AND 1996 TAX RATES

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that the tax rates are proposed as advertised unless the Board chooses to change them. She then presented the following amendments to the proposed budget that were outlined at the public hearing on March 20, 1996:

1. Increase from 2.25% to 4.35% for Constitutional Officers/employees in December (mainly State reimbursed)

2. Rent for EMS - $5,000

Extract

3. Debt Service - $;8,000 for annual underwriter's fees for four existing bond issues

4. Designated funds for match for State Grants -
$15,000 - Dinwiddie VFD
$33,500 - DVRS

Since she presented the previous amendments she has been notified of two more changes.

1. She was notified by the Virginia Retirement System that there will not be a required contribution this year for life insurance, which is now included in the proposed budget.

2. The retirement contribution for COLA adjustments has been increased from 4.23% to 4.54%.

She felt the additional retirement contribution could be taken care of with the removal of the life insurance contribution.

Mrs. Ralph also stated that the following funds need to be established:

County Debt Service - includes windfall - twice a year tax collection
School Debt Service
County Construction Fund
School Construction Fund

Mrs. Everett stated that she would still like to look into the Airplane Tax to see if it is at the appropriate rate.

Mr. Burgess stated that the Fort Pickett Local Reuse Authority is requesting funding for its operating budget for Fiscal year 1996-97. The portion that they are requesting from Dinwiddie is $5,500 which is 13.75% of the entire budget.

After some discussion between the Board they decided to budget the $5,500 and once it comes time to disburse the funds they will review the request again.

Mrs. Everett stated that she would like to look into the budget for the First Responder at the end of this fiscal year, to see if the Board could come up with some more funds.

Mr. Edward A. Bracey, Jr., read the following conflict of interest statement:

I, Edward A. Bracey, Jr., "In accordance with Section 2.1-639-14, paragraph (g) of the Code of Virginia, wish to disclose that my wife (Bernice Bracey) is employed by the Dinwiddie County School system. Employment of my wife occurred several years prior to my election to the Board of Supervisors and the results of any decision by this Board will affect my wife to no greater or less extent than other teachers with similar credentials and experiences. Therefore, I feel that I am able to participate in the actions of the Board concerning the 1996-97 budget effectively, fairly and in the public interest.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following 1996-97 budget is adopted:

INCOME ESTIMATES	Current Fiscal Year	Fiscal Year Commencing July 1, 1996
GENERAL FUND:		
Revenue from Local Sources:		
General Property Taxes	$8,520,000	$ 9,273,000
Other Local Taxes	2,168,080	2,206,000
Permits, Privilege & Regulatory Licenses	155,000	161,100
Fines and Forfeitures	105,000	140,000
Revenue from Use of Money & Property	262,000	387,000
Charges for Services	259,600	337,550
Miscellaneous Revenue	160,950	156,350
TOTAL	11,630,630	12,661,000
Revenue from the Commonwealth	2,069,431	2,056,500
Revenue from the Federal Government	9,100	
Non-Revenue Receipts	-0-	-0-
TOTAL GENERAL FUND	$13,709,161	14,717,500
LAW LIBRARY FUND	3,500	3,500
SCHOOL TEXTBOOK FUND	157,020	192,063

SCHOOL CAFETERIA FUND		978,500
SCHOOL FUND:		
Revenue from Local Sources	77,000	63,400
Revenue from the Commonwealth	13,413,028	13,224,417
Revenue from the Federal Government	1,015,586	837,104
Transfers from Other Funds	6,029,501	5,320,836
TOTAL SCHOOL FUND	20,535,115	19,445,757
VA PUBLIC ASSISTANCE FUND	1,612,969	1,697,051
E911 FUND	57,000	60,000
SELF-INSURANCE FUND	275,000	275,000
GENERAL CAPITAL PROJECTS FUND	165,000	-0-
OYCS FUND	54,160	57,730
CDBG CAPITAL PROJECTS FUND	-0-	-0-
FIRE PROGRAMS FUND	28,000	32,000
FORFEITED ASSET SHARING	-0-	4,000
MEALS TAX	300,000	300,000
SCHOOL CAPITAL PROJECTS	-0-	-0-
CSA FUND	528,792	563,726
JAIL COMMISSION FUND	16,500	16,500
COURTHOUSE MAINTENANCE FUND	18,000	20,000
COUNTY DEBT SERVICE	-0-	1,472,646
COUNTY CONSTRUCTION FUND	-0-	145,700
SCHOOL CONSTRUCTION FUND		10,000,000
SCHOOL DEBT SERVICE	-0-	1,208,847
GRAND TOTAL -- ALL FUNDS	$37,460,217	$51,190,520
LESS INTERFUND TRANSFERS	7,072,110	8,689,650
TOTAL INCOME	$30,388,107	$42,500,870
FUND BALANCES, JULY 1	7,066,289	15,882,532
CASH RESOURCES	$37,454,396	$58,383,402

CONTEMPLATED EXPENDITURES

GENERAL FUND:		
Board of Supervisors	$ 67,197	$ 52,334
County Administrator	188,038	198,706
County Attorney	40,350	40,350
Independent Auditor	22,750	22,750
Commissioner of the Revenue	154,504	188,621
Business License	18,315	17,698
General Reassessment	200,000	70,000
Land Use	17,045	16,728
Treasurer	209,240	222,841
Data Processing	47,882	52,575
Electoral Board and Officials	76,664	72,316
Circuit Court	12,050	14,050
County Court	5,060	5,060
Special Magistrates	185	200
Clerk of the Circuit Court	54,557	54,915
Commonwealth's Attorney	103,662	106,206
Sheriff-Law Enforcement	1,707,617	1,875,723
Fire & Rescue Service	21,000	
Volunteer Fire Departments	137,500	154,000
Ambulance & Rescue Service	21,260	40,300
Forestry Service	11,720	11,720
Dinwiddie EMS	147,254	273,735
Sheriff-Correction & Detention	268,286	312,608
Probation Office	3,966	4,300
Other Correction & Detention	35,036	65,127
Building Inspection	111,280	164,772
Construction Inspector		46,784
Animal Control	87,247	105,177

Medical Examiner	500	500
Public Safety/Civil Defense	65,775	-0-
Road Administration	250	250
Street Lights	42,000	42,000
Refuse Disposal	1,185,017	1,039,932
Public Nuisance	5,000	5,000
Public Utilities	96,900	101,500
Maintenance of Buildings & Grounds	209,038	240,884
Water Service	144,000	144,000
Health	153,781	160,000
Mental Health	39,571	40,998
Welfare Administration	-0-	-0-
Other Social Services	18,783	19,534
Community College	1,210	1,268
Recreation	154,833	139,175
Lake Chesdin	2,000	1,500
Regional Library	132,614	142,403
Planning	111,915	113,797
Economic Development	23,022	30,619
Other Planning & Community Development	79,464	79,464
Regional Planning Commission	12,275	12,540
Soil and Water Conservation	7,500	7,500
Advancement of Agric & Home Economics	41,289	36,720
Internal Services	54,850	54,850
Subtotal	6,351,252	6,604,030
Transfers to Other Funds	7,738,890	7,950,941
TOTAL - GENERAL FUND	$14,090,142	14,554,971
LAW LIBRARY FUND	3,500	3,500
SCHOOL TEXTBOOK FUND	342,020	242,063
SCHOOL FUND	20,649,815	19,445,757
SCHOOL CAFETERIA FUND		966,905
VA PUBLIC ASSISTANCE FUND	$1,612,969	1,697,051
E911 FUND	41,481	38,731
SELF INSURANCE FUND	275,000	275,000
OYCS FUND	54,160	62,730
GENERAL CAPITAL PROJECTS	165,000	-0-
SCHOOL CAPITAL PROJECTS	-0-	-0-
CDBG FUND	-0-	60,000
FIRE PROGRAMS FUND	28,744	32,000
FORFEITED ASSET SHARING	-0-	4,000
MEALS TAX FUND	-0-	159,000
CSA FUND	528,792	563,726
JAIL PHONE COMMISSION FUND	16,500	30,000
COURTHOUSE MAINTENANCE	18,000	-0-
DEBT SERVICE		1,215,247
COUNTY CONSTRUCTION FUND		5,686,003
SCHOOL DEBT SERVICE		1,208,847
SCHOOL CONSTRUCTION FUND		9,352,427
GRAND TOTALS - ALL FUNDS	$37,826,123	55,597,958
LESS INTERFUND TRANSFERS	7,072,110	8,689,650
TOTAL EXPENDITURES	$30,754,013	46,908,308
FUND BALANCES - JUNE 30	6,700,383	11,475,094
TOTAL REQUIREMENTS	$37,454,396	$58,383,402

IN RE: AUTHORIZATION TO ESTABLISH FUNDS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following funds be established within the existing County budget:

County Debt Services

School Debt Service
County Construction Fund
School Construction Fund

Mr. Bracey requested that staff give a separate report on the four different categories that staff was requesting that the Board establish. He requested that it be presented on a monthly basis outlining what the expenditures and balances were.

Mrs. Ralph stated that she would see that they would get it.

IN RE: ADOPTION OF TAX RATES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following 1996 tax rates are adopted:

TAX RATES FOR 1996

Real Estate	.74
Mobile Homes	.74
Mineral Lands	.74
Public Services	.74
Personal Property	4.90
Personal Property - Volunteer Vehicles	.25
Machinery & Tools	3.30
Heavy Construction Machinery	3.30
Airplanes	.30

Extract

Mrs. Ralph notified the Board that staff would be advertising for a public hearing in the next couple months to amend the 1995-96 budget to accept the funds for the Capital Improvements Project and the School Administration will have amendments for the 1996-97 budget.

IN RE: VOLUNTEER APPRECIATION WEEK

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

WHEREAS, the foundation of a humane and just society is the people's willingness to work together for the common good; and

WHEREAS, experience teaches us that government by itself cannot solve all of our nation's social problems; and

WHEREAS, our country's volunteer force of 89.2 million people is a great treasure; and

WHEREAS, volunteers demonstrate that it is possible to bring the desperate elements of our communities together

WHEREAS, self-sacrificing individuals mobilized to help others can stem the tide of poverty, hunger, homelessness, spouse and child abuse, and other problems that afflict society; and

WHEREAS, the giving of oneself in service to another empowers the giver and the recipient; and

Extract

WHEREAS, it is the duty of all our citizens to honor our dedicated volunteers and celebrate the volunteer programs which contribute to the life of our communities throughout Dinwiddie County, Virginia.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia does hereby proclaim April 21-27, 1996 as National Volunteer Week in Dinwiddie County, Virginia, and urge their fellow citizens to observe this period by considering how they can devote a portion of their lives each week to people in need, or an important cause or group.

IN RE: NATIONAL COUNTY GOVERNMENT WEEK

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

America faces many challenges now and in the future. Meeting those challenges successfully lies with county governments -- the governments of the future.

County governments are committed to stopping unfunded mandates, which are depleting local revenues and causing local services to be cut back.

County governments are the nation's health safety net, providing hospital and health services to the poor and those without insurance.

Extract

County governments are leading the fight to end violence and reduce crime through programs, policies and NACo's Children's Initiative Task Force, which is pursuing solutions to held our nation's troubled youths.

County governments are using technology and innovation to tackle the nation's problems.

County governments are flexible and adaptable in providing services directly to the people and are able to provide county-wide and regional solutions to problems.

America's counties are America's future. In recognition of the contributions made and the leadership offered by our nation's counties,

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby proclaims April 21-27, 1996 National County Government Week.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Burgess stated that the Planning Commission will be available on the Wednesday, April 10, 1996 at 7:30 P.M. to hold a workshop session on the Comprehensive Plan with the Board.

The Board agreed that that would be a good time for them to meet.

2. Mr. Burgess stated that the School Board was requesting a letter of support for a grant application that they were submitting for Southside Virginia Regional Technology Consortium in the amount of $250,000.

The Board was in agreement and asked that staff prepare the letter.

IN RE: APPOINTMENT -- RESTORATION ADVISORY BOARD -- FORT PICKETT

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Martha Stone and William Springston are recommended for appointment to the Restoration Advisory Board for Fort Pickett.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Bracey stated that since the School Board is now elected they should have to follow some guidelines like the Board of Supervisors has to. He suggested that the Board write to their representatives at the General Assembly to make them follow some regulations.

2. Mrs. Everett stated that the Re-enactment was a great success and she hoped that they would be able to do it again.

3. Mr. Tickle stated that he was concerned about the funds that the County is giving to the Local Reuse Authority for Fort Pickett.

IN RE: CRATER DISTRICT HEALTH ADVISORY BOARD -- PRIMARY CARE FOR THE INDIGENT

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

WHEREAS, an assessment of primary care needs for the citizens of Crater Health District to include the cities of Petersburg, Hopewell and Emporia and the counties of Dinwiddie, Prince George, Sussex, Surry and Greensville indicates a large number of its citizens are medically indigent (14% have incomes below the Federal poverty level and 36% are below 200% poverty); and

WHEREAS, the number of uninsured citizens continues to increase based on national assessments; and

WHEREAS, the lack of provision for adequate care for the medically indigent results in improper use of emergency rooms and undue burden on hospitals and ultimately in significant expense to the taxpayer; and

WHEREAS, the provision of preventive care and timely attention to chronic diseases is medically and economically beneficial yet is lacking for the uninsured and medically indigent; and

Extract

WHEREAS, even those citizens covered by Medicare often lack the financial resources for appropriate medications; and

WHEREAS, there are no imminent solutions to the problems associated with the uninsured medically indigent population.

NOW, THEREFORE BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that the provision of primary care services for the medically indigent and uninsured is a matter of sufficient concern and impact to warrant priority action by local public health districts and ongoing consideration by the General Assembly and representative members of the healthcare community.

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 6-Investment of public funds; Section 2.1-344(a) 7-Consultation with legal counsel; following a ten minute recess the Board moved into Executive Session at 10:18 P.M. following a ten minute recess. A vote having been made and approved the meeting reconvened into Open Session at 12:15 A.M. on Thursday, April 4, 1996.

IN RE: CERTIFICATION

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

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

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

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted

from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: AUTHORIZATION TO SOLICIT BIDS ON BUILDER'S RISK PROGRAM FOR COUNTY & SCHOOL CIP PROGRAM

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

Extract

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorizes the agent of record for the County and the School Board's property insurance program, awarded in October of 1994, to obtain bids for builder's risk insurance for the County and School Board CIP Program.

IN RE: SALE OF TIMBER -- PROPERTY BESIDE ROHOIC ELEMENTARY SCHOOL

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

Extract

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorizes the cruising of timber on 7 + or - acres that belongs to the County adjacent to Rohoic Elementary School in conjunction with sale of timber on the Airport property.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 12:20 A.M. to be continued until April 10, 1996 at 7:30 P.M. in the Board Meeting Room to meet with the Planning Commission to discuss the Comprehensive Plan.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 10TH DAY OF APRIL, 1996, AT 7:30 P.M.

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

IN RE: JOINT WORKSHOP SESSION -- PLANNING COMMISSION -- BOARD OF SUPERVISORS -- COMPREHENSIVE PLAN

The Board of Supervisors and the Planning Commission members met for a joint workshop session to discuss the Comprehensive Plan.

The Board recessed to the Conference Room of the Pamplin Administration Building.

IN RE: AUTHORIZATION FOR TREASURER TO REINVEST PROCEEDS FROM ROBERT B. PAMPLIN -- SOCIAL SERVICES ENDOWMENT FUND

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer is authorized to reinvest proceeds from the Social Services Endowment Fund for and on behalf of Dinwiddie County and to sell, assign and endorse or transfer certificates representing stocks, bonds or other securities registered in the name or for the account of Dinwiddie County.

Extract

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 9:00 P.M. A vote having been made and approved the meeting reconvened into Open Session at 10:40 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: LANDFILL -- PURCHASE OF EQUIPMENT

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

WHEREAS, by resolution adopted February 21, 1996, the Board authorized the purchase of and appropriated the funds to purchase a backhoe at a price of $15,511.50 from White Oak Equipment and a skid steer type loader from Carter Machinery Company at a cost of $12,400 for the Dinwiddie County landfill, contingent upon proper procurement practices being met; and

WHEREAS, informal written quotes were solicited for each price of equipment as follows:

Extract

Backhoe

1.	White Oak Equipment, Inc.	$15,511.50
2.	J.L. Gomer Equipment, Co.	$37,600.00
3.	Baker Brothers, Inc.	$38,500.00

Loader

1.	Carter Machinery Company	$12,400.00
2.	Atlantic Contractors	$16,500.00
3.	Victory Equipment Group, Inc.	$12,500.00; and

WHEREAS, because the price of the backhoe exceeded $15,000, the process was repeated for each piece of equipment through a formal bid process resulting in the following bids:

Backhoe

White Oak Equipment, Inc.	$15,511.40

Loader

Carter Machinery Company	$10,480.00
White Oak Equipment, Inc.	$16,000.00

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, accepts the low bid for a Backhoe from White Oak Equipment, Inc. at a price of $15,511.50 and a Loader from Carter Machinery Company at a price of $10,480.00; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that funds be appropriated for same.

IN RE: APPOINTMENT -- RICHARD L. JORDAN -- EMERGENCY MEDICAL SERVICES

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Richard L. Jordan, Jr. be reclassified from a grade 8A, $17,966 to a grade 10A, $20,956, retroactive to March 6, 1996.

IN RE: ADJOURNMENT

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

meeting adjourned at 10:45 P.M. and was continued until April 17, 1996 at 12:00 P.M. for an Executive Session to discuss legal issues.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 17TH DAY OF APRIL, 1996, AT 2:00 P.M.

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

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the agenda was amended as follows:

Add, 7p. Attendance of Constitutional Officers/Department Heads.

Add, 10c. Section 2.1-344(a) 5-Discussion of an Industrial Prospect.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the April 3, 1996 Regular Meeting and April 10, 1996 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1000596-#1000744 (void #1000596) for Accounts Payable in the amount of $260,063.32; General Fund $227,995.91, Jail Commission $781.70, E911 Fund $1,525.00, Self Insurance Fund $22,882.92, Law Library $164.00, Fire Programs/EMS $421.01, CDBG Fund $6,292.78.

IN RE: VIRGINIA DEPARIMENT OF TRANSPORTATION -- REPORT

Mr. Harold Dyson, Ass't Resident Engineer, Virginia Department of Transportation, came before the Board and stated that Ronald Reekes, Resident Engineer, had a staff meeting so he was unable to attend.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

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

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, presented his report for the month of March, 1996.

Mr. Tickle asked for the procedure of how the Admissions Tax was collected.

Mr. Jones stated that he would have to discuss it with the Commissioner of the Revenue.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, Commonwealth Attorney, was not present.

IN RE: SHERIFF'S REQUEST TO PROVIDE SECURITY -- MOTORSPORTS PARK

Mr. Samuel H. Shands, Sheriff, presented the following letter to the Board of Supervisors:

April 17, 1996

Aubrey S. Clay, Chairman
Dinwiddie County Board of Supervisors
P.O. Drawer 70
Dinwiddie, VA 23841

Re: Off-duty employment at Virginia Motorsports Park Calendar Year 1996

Dear Mr. Chairman and Members of the Board:

This office has again this year been approached by Virginia Motorsports Park to provide security at the upcoming National event May 3, 4, 5, 1996 and other events to be held at the park.

I feel any time large numbers of people are assembled in Dinwiddie County then security becomes a priority issue, and when possible, I feel that the business should bear the brunt of expenses for providing security.

As in previous years, the Virginia Motorsports Park has agreed to reimburse the General Fund for security provided by this office. I request the Board's approval for payment to members of my office to provide security at Virginia Motorsports Park with the understanding that reimbursement will be made by Virginia Motorsports Park in a timely manner.

Sincerely,

Samuel H. Shands, Sheriff

Mr. Shands stated that Ann Blazek, Picture Lake Campground, is also requesting some security at her family owned campground which is right next to the Motorsports Park and will have a lot of campers from the National Event.

In an effort to sum up his request, Mr. Shands requested the Board's approval for payment to members of the Sheriff's Department to provide security for the upcoming National Event at the Motorsports Park with the understanding that reimbursement will be made by Virginia Motorsports Park in a timely manner.

After some discussion between the Board, Mr. Bracey made the motion to grant this request for the last time until a policy can be drawn up. He suggested that Administration seek some legal advice and see how other localities are handling this situation. Mr. Tickle seconded Mr. Bracey's motion. Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Samuel Shands request was approved as presented for Off-duty employment at Virginia Motorsports Park for Calendar Year 1996.

IN RE: SHERIFF -- REPORT

Mr. Samuel H. Shands, stated that he was available for any questions that the Board may have.

Mr. Tickle stated that he was having a problem with illegal parking in his district at the dumpsters. There are about 7 or 8 signs posted so it is not that you can not see the signs. He stated that there have been instances where tractor trailers have been parked there for many many days and he calls the sheriff's department reporting the truck being parked there and they will not write a ticket. He stated that if there is an ordinance on the books that states that it is illegal to park in a certain area than the Sheriff's Department should write the tickets.

Mr. Tickle stated that the bottom line is that he does not feel that the County should provide parking for tractor trailers on County used property just because individuals do not want to drive there tractor trailers home and park them in their own yards. He suggested that the Sheriff's Department not tow the vehicles initially but give them a warning first, but something needs to be done.

IN RE: BUILDING INSPECTOR -- REPORT

Dave Hartsook, Plans Review/Inspector, presented their report for the month of March, 1996.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of March, 1996.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W. C. Scheid, Director of Planning, presented his report for the month of March, 1996.

IN RE: PLANNING DIRECTOR -- AUTHORIZATION TO ATTEND 1996 VAPA CONFERENCE

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Planning Director, W.C. Scheid is authorized to attend the 1996 VAPA Conference to be held in Hampton, Virginia on May 19 - 21, 1996.

IN RE: SENIOR PLANNER -- AUTHORIZATION TO ATTEND ZONING OFFICIALS CERTIFICATION TRAINING PROGRAM

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Senior Planner, J. March Altman, Jr. is authorized to attend the Zoning officials Certification Training Program to be held in Blacksburg, Virginia, on June 6-7, 1996.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy M. McElveen, Director of Social Services, presented her report for the month of March, 1996.

IN RE: DINWIDDIE COUNTY POLICY AND MANAGEMENT TEAM -- APPOINTMENTS

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Louis Puryear and Mrs. Patsy Barnes are appointed to the Dinwiddie County Policy and Management Team.

IN RE: APPROPRIATION OF FUNDS DONATED TO SOCIAL SERVICES

Mrs. Peggy McElveen, Director of Social Services, asked the Board to appropriate the following funds for the FY 95-96 budget of the Dinwiddie Social Services Department. No local match is needed.

Extract

VA Power	$200
Titmus Foundation	$200
St. John's Catholic Church	$546
Women of Moose/Chapter 1296	$ 25
	$971

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", $971.00, as presented, was appropriated to the Social Services Department for FY 95-96.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mrs. Troilen Seward, Superintendent of Schools, presented her report for the month of March, 1996.

IN RE: SCHOOL BOARD BUDGET -- SUPPLEMENTAL APPROPRIATION

Mrs. Seward stated that the annual Average Daily Membership (ADM) for the schools is officially 3915. They have been operating on a budget modified to reflect state revenue based on an ADM of 3830. The additional 85 students included in the ADM will result in an increase of $236,385 in state revenue. She requested that the Board approve a supplemental appropriation of $236,385, for the FY 95-96 School Board budget to be broken down in the following categories:

Expenditure Categories

Maintenance and Operation $125,730
This amount includes $110,000 for roof replacement at Rohoic Elementary and $15,730 for an adequate phone system for the School Board Office.

Administration, Attendance & Health $8,000
These funds are needed to cover the shortfall created by paying for Dr. Gaul's accumulated vacation and leave time which were included in his contract.

Instruction $102,655
The new Standards of Learning require a significant increase in student's demonstrable technological skills. These funds will allow us to provide one additional computer lab at the Middle School and one at the High School to help us address the requirements of the revised SOL's and the 4X4 organization at the High School.

Extract

Total $236,385

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $236,385 be appropriated to the School Board budget for FY 95-96 in the following expenditure categories:

Maintenance and Operation	$125,730
Administration, Attendance & Health	$ 8,000
Instruction	$102,655

THE CHAIRMAN CALLED FOR A TEN MINUTE RECESS AT 3:45 P.M.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of March, 1996.

IN RE: SUNNYSIDE ELEMENTARY SCHOOL WALKING TRAIL -- APPROVAL

Mr. Rinaldi listed the following options for the cost of materials for Sunnyside Elementary School walking trail:

OPTION # 1

Landscape Timbers

- Total needed	330
- Price per each	2.50
- Sub-total cost	825.00

- Re-enforced rods (3 per timber)	990
- Cost of per rod	1.00
- Sub-total cost	990.00
GRAND TOTAL	$1,815.00

OPTION # 2

- Landscape timbers and rods	$1,815.00
- 15 tons of brick dust	600.00
GRAND TOTAL	$2,490.00

OPTION # 3

- Landscape timbers and rods	$1,815.00
- 15 ton of 3/8 brick chips	600.00
GRAND TOTAL	$2,415.00

OPTION # 4

- Landscape timbers and rods	$1,815.00
- 15 tons of # 10 screening/ stone chips	131.00
GRAND TOTAL	$1,946.00

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Rinaldi is authorized to use Option #1, as presented, in the amount of $1,815.00 to construct a walking trail at Sunnyside Elementary School.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Dennis E. King, Director of Waste Management, presented his report for the month of March, 1996.

IN RE: AUTHORIZATION TO HIRE PERSONNEL -- LANDFILL

Mr. King stated that they have been shorthanded at the landfill and they have solicited applications for several part-time positions. He requested authorization now to hire the necessary personnel to fill these positions so they could go to work as soon as possible.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to hire the necessary personnel to fill the vacancies at the Landfill as soon as possible.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Services Coordinator, presented her report for the month of March, 1996.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel Siegel, County Attorney, was present but did not have anything to report.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, presented his report for the month of March, 1996.

IN RE: ATTENDANCE OF CONSTITUTIONAL OFFICERS/DEPARTMENT HEADS

Mr. Tickle stated that there has been some problems with the Constitutional Officers/Department Heads attending the meetings and if they could not be in attendance then the Board would like prior notice in the form of a letter so they could make other arrangements to get their questions answered if they have any. He would also like to see a letter sent to them stating that if they can not be in attendance then they should have someone come in their place. It was suggested that any questions the Board members had for Constitutional Officers/Department Heads who were absent could be forwarded in writing through the County Administrator.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Charles W. Burgess, Jr. stated that the Board recently had a joint meeting with the Planning Commission regarding the Comprehensive Land Use Plan. He wanted to know how the Board wanted to proceed next in dealing with the issue.

After some discussion between the Board they decided to have a public hearing and at a later time take action to implement it.

2. Wendy Weber Ralph, Ass't County Administrator, stated that there will be a public hearing coming before the Board on May 1st to amend the budget for FY 95-96 to appropriate funds for the County Courthouse Project and Schools and related facilities.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Tickle requested that Administration notify the different Boards/Commissions that the Board would like copies of their minutes on a regular basis for them to be aware of what is going on.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 5-Discussion of an Industrial Prospect; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 4:30 P.M. A vote having been made and approved the meeting reconvened into Open Session at 6:40 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: AUTHORIZATION -- COUNTY APPLY FOR VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT GRANT

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

Extract

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorized an application to apply for the Virginia Juvenile Community Crime Control Act Grant which would provide the County with two part time positions to implement programs for juvenile offenders with no local matching funds.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, came before the Board and apologized for not being present earlier, she had a business license to get out but she wanted to bring the Board up to date with where they are with the printing of the 1996 Personal Property and Real Estate Books. All assessments have been made on the personal property and they are in the process of doing a little bit of cleaning up, finalizing clean up. Those books will be starting to be produced tomorrow afternoon or no later than Friday morning with tax tickets coming shortly thereafter. The real estate books, all transfers were made within the time frame that the Board alloted her to have with the microfilm reader printer. On Monday she called the gentlemen to come and pick it up. Right now she is just trying to finalize the building permits that she has someone keying for her. The person keying wasn't real comfortable with some of them so she has just got to make sure that they have been put on the right parcels because if they are making all the transfers and she wants to make sure that the houses got switched and moved to the right parcels. That should be completed by the weekend with the real estate books being run by Monday. The assessments have been done. She has had a tremendous staff this year helping her get it done and they are there. It has about killed them all but they are there.

Mr. Tickle wanted to know if they were early and if they were how early.

Mrs. Marston stated that they are early and that state code says that after the Board sets the rate she has ninety days to get the books to the treasurers office. She will have it within thirty days to him, less than thirty days.

Mr. Clay wanted to know how the reassessment was coming.

Mrs. Marston stated that they were doing a fantastic job, they are clearing up problems from the last reassessment of the houses that were not picked up plus houses that were put on the wrong parcels. Houses that had a no value are now getting a value put on them. What she means is that the last reassessment put a n/v, which means no value, they saw no value, this one is now picking them up. She has been extremely impressed with these gentlemen. They are being very thorough, they are measuring every house and they are well on target. They are bringing her daily stuff to change. Mr. Burgess will verify that they did come in and picked up all of her 1995 new construction forms because she couldn't get out and do it. She worked with them and they picked it up for her and all of that has been keyed in.

Mr. Bracey stated that all of these two and three year people claiming that they have not gotten a tax bill, will get a bill.

Mrs. Marston stated that she prays they will. The only way that they won't will be because she does not know the names of the people that have not gotten one and that is the fact truth and if you know of someone that was in and told you, give her that name on a slip of paper, you don't have to tell her where it is coming from and you can go in the system and look it up, it is public information. You can verify yourself if it is out there or not. That is all I ask of all of you, just tell me who they are because I do not know the names of the people that are saying they don't get a tax ticket.

Mr. Bracey asked Mr. Burgess if those people that came in his office the other week ever got their tax ticket right.

Mr. Burgess stated that not that he was aware of.

Mrs. Marston wanted to know who they were.

Mr. Bracey stated that he did not know.

Mr. Bracey also stated that he wanted Mrs. Marston's comments part of the minutes that she said that everything was up to date.

Mrs. Marston stated that she wanted to clarify and make sure that they understand, up to date means December 31, 1995.

Mr. Bracey asked if those houses or those parcels can legally be put on the books.

Mrs. Marston stated that if she has been made apprised of them they are. The assessments are complete, if anyone has asked me to make sure that they are on the books, I have tried to make sure that they are there. If someone outside has said to you, I don't have my building assessed and they have not come to me, then she doesn't know it and she can't correct what she does not know, nobody can do that. She asked if Mr. Bracey understood.

Mr. Bracey stated that she lost him because if someone built a house two years ago and everything was done and they got a permit to occupy that particular dwelling, that dwelling should be on the tax roll, is that right.

Mrs. Marston stated that it should be.

Mr. Bracey stated that when the tax tickets come out they should get a tax ticket.

Mrs. Marston stated that they should.

Mr. Tickle stated that based on what Mrs. Marston said about the reassessment, if it is a parcel and a building permit has been issued then this reassessment firm will pick it up.

Mrs. Marston stated that it should.

Mr. Bracey stated that he then should see a greater increase this year in parcels being taxed. It should come somewhere close to what the building office has registered.

Mrs. Marston wanted them to understand that some of the permits that they have given to them, as an assessment, as of March of this year, when we went and appraised, they were foundation only. So you have got to take that into consideration also, she can not assess what is not there. If they have given them a $65,000 assessment on a building contract price and it was a building that was supposedly built in 1995 but as of March of 1996 still had the base foundation on the ground but nothing built.

Mr. Bracey stated that he was talking about property that had occupancy permits, all of those are done.

Mrs. Marston stated that to the best of what she knows.

Mr. Bracey stated so they should see a great increase in taxes this year.

Mr. Tickle stated that he wanted Mrs. Marston to think about how she was going to handle the Admissions Tax with new businesses and he suggested that she maybe talk to Administration.

Mrs. Marston stated that she asked the Board last month to give her some guidance and assistance in relation to that. She was not going to do anything without legal advice.

Mr. Bracey stated that Mr. Tickle was asking what was her plan for collecting Admissions Taxes.

Mrs. Marston stated that she was going to ask other Commissioners in the area to see how they deal with it.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 6:50 P.M. to be continued until May 1, 1996 at 5:00 P.M. at the Home Place Restaurant for an Executive Session.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 17TH DAY OF APRIL, 1996 AT 12:00 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	MICHAEL H. TICKLE(ARRIVED AT 12:15 P.M.)	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3
	DAN SIEGEL	COUNTY ATTORNEY

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 5-Discussion of a prospective business or industry; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 12:00 P.M. A vote having been made and approved the meeting reconvened into Open Session at 2:10 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 2:11 P.M.

Aubrey S. Clay
Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 1ST DAY OF MAY, 1996, AT 7:30 P.M.

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

IN RE: SHERIFF'S REQUEST TO PROVIDE SECURITY -- MOTORSPORTS PARK

Mr. Bracey stated that at the last Board meeting they granted a request to allow deputies to work at the Motorsports Park. He stated that he misunderstood what the request was, meaning in Mr. Shands request he stated that not only did he want to provide security for the upcoming National event but also for other events held at the park. When Mr. Bracey made the motion to approve the request he did not realize that it was also for other events to be held at the park.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Sheriff's Deputies are authorized to provide security at the upcoming National event at the Motorsports Park with the stipulation that this will be the last request granted for deputies to provide security for a private organization until Administration can draft a policy for the Board to review.

Mr. Bracey requested that Administration have a policy to the Board by the 1st meeting in June.

IN RE: MINUTES

Mr. Tickle requested that a summary of his conversation with the Sheriff in reference to illegal parking be inserted into the minutes.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for April 17, 1996 Continuation Meeting and the April 17, 1996 Regular Meeting are hereby approved with corrections to the Regular Meeting minutes under the Sheriff's Report by adding Mr. Tickle's comments in reference to illegal parking.

IN RE: CLAIMS

Mr. Bracey requested that a letter be sent to those Departments that have not submitted their bills in a timely manner.

Mr. Tickle requested a summary of the amount of money spent on bottled water at the Courthouse and Jail since it was mandatory that they be put on bottled water.

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1000745-#1001206 (void #1000745-1001001) for Accounts Payable in the amount of $107,398.30; General Fund $94,875.66, Jail Commission $218,08, E911 Fund $1,526.94, Self Insurance Fund $3,979.94, Law Library $29.90, Fire Programs/EMS $1,496.50, Law Enforcement $566.88, CDBG Fund $4,704.40 and Payroll in the amount of $265,228.65; General Fund $264,735.88, E911 Fund $492.77.

IN RE: CITIZEN COMMENTS

1. Bill Armbruster, Fort Pickett Local Reuse Authority, came before the Board and updated them on the Authority and he also wanted to thank them for their support.

Mr. Tickle stated that to the best of his knowledge, there were 15,000 acres of land in Fort Pickett that Dinwiddie County owns. He wanted to know if there were any plans in the works of freeing up the land in Dinwiddie so the County could use it.

Mr. Armbruster stated that nothing was under way at the present time. He stated that the process was such that property was being switched over for use by the National Guard. The property that was switched was property that they felt was critical to training needs and that encompassed land that was in Dinwiddie. Once the transfer takes place the Guard will evaluate their needs and they may find that they do not need some the property.

IN RE: PUBLIC COMMENT PERIOD -- COMPREHENSIVE LAND USE PLAN

Mr. Charles Burgess, stated that this item was designed to have a period set aside where citizens could come forward and make comments to the Board on the proposed revisions to the Comprehensive Land Use Plan. The public hearing will be scheduled in the near future.

No one came forward to speak.

IN RE: AMENDMENT TO FY95-96 BUDGET -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on April 24, 1996 for the Board Supervisors to conduct a public hearing to consider an amendment to the FY95-96 budget to appropriate $5,500,000 in bond proceeds to finance a portion of the costs of the acquisition, construction and equipping of a courts complex to house the County Courthouse and related facilities and $3,365,000 in note proceeds to finance a portion of the costs of the acquisition, construction and equipping of certain improvements and renovations, to certain of the schools and related facilities for the County of Dinwiddie. These projects being the same projects known as the County's Capital Improvement Program (CIP).

Mrs. Wendy Weber Ralph, Ass't County Administrator, came before the Board and stated that the public hearing was necessary to amend the budget and appropriate these funds according to Section 15.1-162.1 of the State Code.

This being a public hearing the Chairman opened the floor for public comment: No one signed up to speak.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that FY 1995-96 School and County Budgets be amended as follows:

FY 1995-96 GENERAL FUND

COUNTY CONSTRUCTION FUND (COURTHOUSE)

$5,500,000 - Bond Proceeds
- 82,500 - Underwriter's Fees
+ 17,983 - Accured Interest
5,435,483

- 536,255.31 - Expenses to Date
$4,899,227.69
- 370,000.00 - Projected Expenses June 30

$4,529,277.69 - Balance for July 1, 1996

SCHOOL FUND

FY 1995-96 SCHOOL CONSTRUCTION FUND (School Projects)

$3,365,000 - Note Proceeds
- 50,475 - Underwriter's Fees
+ 7,945 - Accrued Interest
3,322,470

- 716,651.40 - Expenses to Date
2,605,818.60
-1,066,170 - Projected Expenses June 30

$1,539,648.60 - Balance for July 1, 1996; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that $5,500,000 of Bond Proceeds and $3,365,000 of Note Proceeds be appropriated to the FY 1995-96 School and County Budgets.

IN RE: A-95-13 -- AMENDMENT TO SECTION 18-3, DEFINITIONS AND TO SECTION 18-101, PRIVATE STREETS -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on April 17, 1996 and April 24, 1996 for the Board of Supervisors to conduct a public hearing to consider an ordinance to amend the definition of Subdivision contained in Section 18-3, Chapter 18, by changing the phrase five (5) acres appearing in the introductory paragraph to twenty (20) acres.

Mr. William C. Scheid, Director of Planning, came before the Board and stated that the public hearing would also be for an ordinance to amend Section 18-101 of Chapter 18, pertaining to standards of construction for private streets by changing the standards to which private streets shall be constructed in subdivisions and requiring supplemental documentation and assurances associated with the construction and maintenance of the private streets.

Mr. Scheid also presented the following memo to the Board:

TO: BOARD OF SUPERVISORS

FROM: W. C. SCHEID

SUBJECT: PROPOSED REVISION TO SUBDIVISION DEFINITION
PROPOSED REVISION TO PRIVATE STREET STANDARDS

DATE: APRIL 22, 1996

As discussed during the last Board of Supervisors' meeting, the following information is sent as a follow up to the material issued on April 17th.

The Planning Commission was given the task of reviewing the current private street situation and make a recommendation to the Board on this matter. Essentially, the Planning Commission resolved that one of the following options must be recommended:

1. Make no changes to the existing Subdivision Ordinance;
2. Do not allow private streets in Dinwiddie County; or
3. Allow private streets but upgrade the current private street standards contained in Section 18-101.

It was unanimously agreed upon by the Planning Commission that the existing Subdivision Ordinance is inadequate regarding the provisions governing private streets. There was a discussion in which the elimination of private streets was explored. Mr. Lee expressed the view point that private streets encouraged residential development within the agricultural community. Inevitably, there will be conflicts between the farming interests and those living in the area but commuting to work in the urban areas. It appears that such a conflict could result in restrictions placed upon the farming community. The other Planning Commissioners recognized

this concern as being valid but stated that residential growth in rural areas is a natural occurrence as the County grows. The private street provision allows the landowner the option of developing building lots on interior land and, thus, reduce the pressure on 'strip development' along the State maintained street. Upon a vote of 6-1, with Mr. Lee voting nay, the Planning Commissioners voted to recommend continuation of a private street provision in the subdivision ordinance.

In view of the above, the Planning Commission set to work on revising Section 18-101 of the Subdivision Ordinance. It become apparent to the Commission that in revising the private street standards the definition of Subdivision contained in Section 18-3 must be reviewed. After several meetings during which time the Planning Commission discussed private streets, it was resolved to appoint a Committee to prepare a private street standard and report their findings to the Planning Commission.

The Committee met several times and submitted a complete revision of Section 18-101 to the Planning Commission. Additionally, the Committee recommended that the current definition of Subdivision be amended by changing the phrase five (5) acres appearing in the introductory paragraph to twenty (20) acres . The Committee reviewed Ordinances of several Counties around Dinwiddie County and found that most of them required a minimum of ten (10) acres. Three (3) of these Counties required a minimum of twenty (20) acres in order to be exempt from the Subdivision Ordinance.

The Planning Commission held several meetings on the proposed amendments to the Subdivision Ordinance as submitted by the Committee. There were changes made by the Planning Commission as well as by the County's Attorney. The Planning Commission voted 7-0 on the final recommendation which was distributed to the Board at your April 17th meeting.

Mr. Bracey stated that his only concern was the change from the three acres to the five acres.

Mr. Scheid stated that the reason that the Planning Commission voted to upgrade this was because they felt that people would be building on Agricultural Property and it would be on a private road. They felt that it was reasonable to increase the acreage because they were building on a private road opposed to a public road.

Mr. Bracey stated that he had a problem with that; he felt that it should stay as is. He felt that the reason that the Planning Commission voted to change it was not concrete enough, it was all based on what they felt.

Mr. Tickle questioned # 6 of Section B in reference to how many lots the private street could serve.

Mr. Scheid stated that the private street could not serve more than six residences and the lots that are located at the intersection of the private street and public street shall be permitted to enter either street, but not both, without affecting the number of lots permitted on a private street.

Mr. Tickle also questioned # 7 of Section B in reference to how close a private street entrance can be located to another private street entrance.

Mr. Scheid stated that a private street entrance shall not be located within six hundred feet (600') of another private street entrance that is located on the same side of the public street. The distance will be measured from the center line of each private street where the private street intersects with a public street.

Mr. Tickle stated that he would like it mandatory that all driveway entrances come in off the private street. He felt that it would be too much stopping and starting for people traveling the public road if there were driveways and private streets all along it.

Mr. Tickle also questioned item # 2 of Section D.

Mr. Scheid stated that the Attorney's drew this section up because they felt that the State made provisions that you do need to provide for partial releases of bonds as a person accomplishes a certain amount of work.

Mr. Tickle stated that the reason he questioned this item was because in Waterford Landing a person created a development and when they built the road after a year or two it dissipated to a gravel road which at one time was tar and gravel. There are long sections of road where the roads are not in the state system and there is no money there to protect the citizens from buying lots on these roads. In item # 3 of Section D it states that within 30 days of receipt of written notice from the subdivider of completion of part or all of the improvements the Director of Planning can decide to give the developer a partial release or a whole release. It may take longer than 30 days to see a deterioration in the road; it may be anywhere from six months to a year and a half that you will see that the road is deteriorating.

Mr. Burgess stated that item 11 of Section B stated that all streets shall have a maximum delta angle of sixty degrees (60). He felt that it should be forty eight degrees (48) because the Virginia Department of Transportation standards are that it should be forty eight degrees and if the homeowners at one point in the future want the road to be considered to be accepted in the state system than it should be set at VDOT standards.

THE CHAIRMAN CALLED FOR A TEN MINUTE RECESS AT 8:53 P.M.

This being a public hearing, the Chairman opened the Public Hearing.

1. Johnny Bain stated that he was on the committee that was appointed to come up with the private road ordinance to present to the Planning Commission. He stated that they worked hard and he feels that the ordinance is a compromise. He does not feel that there should be any changes to the ordinance.

2. Ronald Gordon stated that he also was on the committee that worked on proposing a private road ordinance. He stated that there was a lot of time and hard work put into this ordinance. He feels that it is not a perfect ordinance but a good one and with a couple of minor adjustments it will be an excellent plan. He doesn't see any problem with changing the delta angle to 48 degrees from 60 degrees but can't see increasing the acreage from 3 to 5.

3. George Whitman stated that he felt that the County shouldn't worry about putting together a private street ordinance. They should just clean up the present ordinance and enforce it.

4. Otis Henshaw stated that this ordinance is defeating the whole purpose of trying to clean up the problems with private streets.

5. Anne Scarborough thanked the Board for having the issue studied and thanked everyone for their input into the ordinance and investigating the problem. She stated that she agreed with changing the acreage from 3 to 5.

Mr. Bracey stated that he felt that the Board needed more time before a vote can be taken. He felt that it is a good ordinance but a little more work needs to be done on it before the Board could commit to something.

Mr. Moody stated that there were some good points brought up and there could be some possible changes that the Board may need to look at but he feels that the ordinance is better than what the County has and it needs to be put into effect now. He feels that the ordinance is a good compromise and it needs to be adopted and then work on some changes not only on private streets but on other issues.

Mr. Tickle stated that the ordinance is so much better than what the County has now. He does feel that there are some issues that the Board needs to address.

Mrs. Everett wanted to know from Administration and Staff how they felt about the issues that were addressed.

Mr. Scheid stated that he would like to collect his thoughts about what was said and talk with others to see if he interpreted everyone's thoughts correctly.

Mr. Burgess stated that there will be issues that need to be revisited whether the ordinance is adopted now or later. He recommended that the Board adopt the ordinance with the one change of the delta angle from 60 degrees to 48 degrees and revisit the ordinance in the near future to consider the other changes that were addressed at this meeting.

Mr. Clay stated that he was afraid that if the Board did not approve it with the intentions that they would revisit it in the next couple weeks they would never get back to it and be right back where they started.

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

AN ORDINANCE TO AMEND A DEFINITION OF SUBDIVISION IN SECTION 18-3 OF THE CODE OF THE COUNTY OF DINWIDDIE BY DELETING THE PHRASE FIVE (5) ACRES.

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

I. That under Section 18-3, Definitions, the term Subdivision shall be amended and reordained as follows:

The phrase five (5) acres appearing in the introductory paragraph be deleted and twenty (20) acres inserted in lieu thereof. The remainder of the definition shall remain unchanged; and

AN ORDINANCE TO AMEND SECTION 18-101 OF CHAPTER 18 (SUBDIVISIONS) OF THE CODE OF THE COUNTY OF DINWIDDIE, VIRGINIA PERTAINING TO STANDARDS OF CONSTRUCTION FOR PRIVATE STREETS BY CHANGING THE STANDARDS TO WHICH PRIVATE STREETS SHALL BE CONSTRUCTED IN SUBDIVISIONS.

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

I. That Section 18-101 of the Code of the County of Dinwiddie, Virginia be amended and reordained by deleting the current text of this Ordinance and adopting in its place the following:

SECTION 18-101 PRIVATE STREETS.

A. All private streets constructed in Dinwiddie County, Virginia shall conform to the following standards and requirements:

1. All streets shall have a minimum fifty foot (50') right-of-way for the street's construction and for utilities. The location of this right-of-way shall appear on all preliminary subdivision plats and all subsequent subdivision plats;

2. All streets shall have a minimum improved width of thirty feet (30') as measured perpendicular from side ditch to side ditch. This improved area shall be known as the "street bed";

3. Within the street bed, all topsoil and vegetative matter shall be removed to provide a cleared subgrade surface of material adequate to support the private street. Once the street bed is cleared and before proceeding further, the subdivider shall notify the Planning Department in writing of the completion of this stage of improvement. A duly licensed engineer acceptable to the County and employed by the subdivider shall certify to the County that the cleared subgrade surface shall provide adequate support for the street's traffic;

4. The street bed shall have a minimum stone base width and a minimum travel surface width of sixteen feet (16');

5. All streets shall have a minimum street shoulder width of three feet (3').

6. The stone base and travel surface shall be as follows:

   a. A two inch (2") layer of number 3 stone as base*; and

   b. A top layer of three inches (3") of number 21A stone as the travel surface;

   c. Once the stone base and travel surface layers are in place and before proceeding further, the subdivider shall notify the Planning Department, in writing, of the completion of this stage of improvement. A duly licensed engineer acceptable to the County and employed by the subdivider shall certify to the County that the stone base and travel surface comply with these standards;

   (*The requirement of 6(a) may be waived by the Subdivision Agent if the new private road is built upon an existing private road of material with a depth equal to a two (2) inch layer of number 3 stone.)

7. All streets shall have a maximum road grade of ten percent (10%), except that within one hundred feet (100') of an intersection with a public street, the private street shall have a grade of no more than two percent (2%);

8. At the end of all private streets, a turn around area (the "private street cul-de-sac") shall be provided with a minimum radius of fifty feet (50') and shall have a stone base and a travel surface radius of not less than twenty-five feet (25');

9. All streets shall have a minimum street crown of three percent (3%);

10. The front and back slopes of all drainage ditches and all the embankment slopes shall have a maximum slope ratio of 2:1;

11. All streets shall have a maximum delta angle of forty-eight degrees (48°); and

12. All drainage structures located beneath the street shall consist of materials which meet the approved Virginia Department of Transportation standards for such a use.

B. In addition, all private streets shall be designed and constructed in accordance with the following requirements:

1. At the entrance to the private street, a sign shall be erected by the subdivider, which shall be constructed of a metal with a thickness of 0.125 inches or greater and which shall measure not less than 12" x 18" in size. The sign shall have lettering of no less than two inches (2") in size and shall state "**PRIVATE STREET--NOT MAINTAINED BY COUNTY OR STATE FUNDS.**" The subdivider shall maintain this sign until the initial conveyance of all lots shown on the subdivision plat has occurred, and the deeds for the lots have been recorded in the Clerk's Office of the Circuit Court;

2. In lieu of the payment to the County for costs associated with street signs, the subdivider shall erect at all intersections of private and public streets, a street pole and street sign of the type found throughout the County;

3. A private street shall not serve any lot or parcel with less than five (5) acres in area;

4. All private streets shall originate from a public street and shall not originate from any other private street;

5. All private streets shall not connect two public streets or serve as a thoroughfare between any two streets, whether public or private;

6. Private streets shall not serve more than six (6) lots and shall not serve more than six (6) residences. Lots, which are located at the intersection of a private street and public street and which meet the Zoning District's requirements for frontage upon a public street, shall be permitted to have ingress and egress to either street, but not both streets, without affecting the number of lots permitted on a private street;

7. A private street entrance shall not be located within six hundred feet (600') of another private street entrance that is located on the same side of the public street. This distance shall be measured from the center line of each private street where the private street intersects with a public street;

8. Each driveway, or access point, for a lot served by the private street shall have at least a twenty foot (20') length of pipe beneath the driveway or access point to provide drainage. This pipe shall have a diameter that is adequate to carry the anticipated flow of water and shall consist of concrete or metal. Under no circumstances, however, shall the diameter of the pipe be less than twelve inches (12");

9. The requirements in Section 18-99 regarding the maximum length of a cul-de-sac street shall not apply to private streets, but the length of the private street shall not exceed one thousand eight hundred feet (1800');

10. A restrictive covenant mandating that all lot owners, and their successors, obligate themselves to maintaining the streets in a subdivision through a "Street Maintenance Agreement" shall be recorded in the Clerk's Office of the Circuit Court contemporaneously with records of final subdivision plat on all lots served by private street. This restrictive covenant shall be set forth expressly in all deeds recorded subsequent to the approval of the subdivision plat. This restrictive covenant and its recording requirement also shall appear as a note on all subdivision plats; and

11. All subdivision plats, which contain any private streets, shall contain the following statement:

"THE PRIVATE STREET(S) IN THE SUBDIVISION WILL NOT BE PAVED OR MAINTAINED WITH FUNDS OF DINWIDDIE COUNTY OR FUNDS ADMINISTERED BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION. IN THE EVENT THE OWNERS OF LOTS IN THIS SUBDIVISION SUBSEQUENTLY DESIRE THE ADDITION OF SUCH PRIVATE STREET(S) TO THE SECONDARY SYSTEM OF STATE HIGHWAYS, THE COST TO UPGRADE THE STREET(S) TO THE PRESCRIBED STANDARDS SHALL BE PAID FROM FUNDS OTHER THAN THOSE ADMINISTERED BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION OR DINWIDDIE COUNTY. ALL PRIVATE STREETS IN THIS SUBDIVISION ARE NOT DEDICATED TO DINWIDDIE COUNTY."

Each deed conveying a lot in this subdivision also shall contain this statement.

C. Prior to final subdivision plat approval, the subdivider of a subdivision containing private streets shall, among other documents required by this Chapter, provide the following documents to the Planning Department:

1. A copy of the Street Maintenance Agreement that all lot owners served by the private street shall be required to sign. The Street Maintenance Agreement shall set forth the duties and obligations of the lot owners for maintaining the street to Dinwiddie standards and shall not be amended, modified or altered in any other manner without prior written notice to the County;

2. An Erosion and Sediment Control Plan containing the information and details necessary for compliance with Chapter 9 of the Code of the County of Dinwiddie, Virginia;

3. A statement by an engineer, licensed in the Commonwealth of Virginia, acceptable to the County and employed by the subdivider that the subdivider has completed or has provided for completion of all required improvements at the subdivider's expense.

D. To provide for completion of all improvements in accordance with 18-101(C)(3), the subdivider shall provide the Director of Planning a certified check; cash escrow; surety bond; or bank or savings and loan association's irrevocable letter of credit, approved by the county attorney, in an amount sufficient to cover the estimated costs of all required improvements as follows:

1. The amount of the certified check, cash escrow, bond or irrevocable letter of credit shall not exceed the estimated cost of construction plus a reasonable allowance for estimated administrative costs, inflation and potential damage to existing roads or utilities. The cost estimate for the improvement shall be prepared at the subdivider's expense by an engineer licensed in the Commonwealth of Virginia to make this estimate, and the individual making the estimate shall affix to the cost estimate a sworn certificate of being so qualified. The subdivider shall obtain the Director of Planning's approval of the subdivider's estimate of the time necessary to complete the improvements. If that time is exceeded and is not extended by the Director of Planning, the Director of Planning shall arrange for completion of the improvements using the certified check, cash escrow, or irrevocable letter of credit or by calling on the surety on the bond.

2. Upon the subdivider's written request, the Director of Planning shall make periodic partial releases of bonds, escrows, letters of credit or other performance guarantees in a cumulative amount equal to no more than 90 percent of the original amount for which the bond, escrow, letter of credit or other performance guarantee was taken, based upon the submission by the subdivider of a certificate, prepared and signed by a qualified engineer licensed in the Commonwealth of Virginia, who is acceptable to the County, that the percentage of the completed improvements equals the percentage of funds to be released and that after the release of this percentage of funds, sufficient funds shall remain to cover the outstanding costs of completing the improvements.

3. Within 30 days of receipt of written notice from the subdivider of completion of part or all of the improvements required to be constructed, the Director of Planning shall determine whether subdivider's request complies with the design plans approved by the Director of Planning. Written notice under this subsection shall consist of a letter from the subdivider to the Director of Planning requesting reduction or release of

the performance guarantee along with a set of as-built plans and a certificate of completion by a duly licensed engineer. If no action is taken by the Director of Planning within the 30 -day period, the request shall be deemed approved and a partial release granted to the subdivider. No final release shall be granted until after such 30 -day period has expired, and there is an additional request in writing sent by certified mail, return receipt requested, to the County Administrator. The Director of Planning shall have ten working days to act after receipt of the second request for final release, and, if no action is taken, the request shall be deemed approved and final release granted to the subdivider.

E. Upon the completion of all improvements, the subdivider shall furnish a statement by an engineer, licensed in the Commonwealth of Virginia, who is acceptable to the County, that all construction is in substantial conformity to the regulations and requirements of this Chapter and the plans approved by the Director of Planning. This engineer's statement shall be addressed to the Director of Planning. The Director of Planning may release the subdivider from the obligation to complete all of the improvements in the subdivision, if the undeveloped portion of the subdivision has been vacated as provided by law and if the subdivider furnishes a statement by an engineer, licensed in the Commonwealth of Virginia, to the County that all construction which has been completed conforms to the regulations and requirements of this Chapter and the design plans approved by the Director of Planning.

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the Board will revisit the adoption of the private road ordinance within the next sixty days.

These ordinances shall be effective immediately.

Mr. Bracey excused himself from the meeting at 9:55 P.M.

IN RE: RESOLUTION ADOPTING PROCEDURE FOR NEGOTIATION WITH LOWEST RESPONSIBLE BIDDER

Mrs. Wendy Weber Ralph, Ass't County Administrator, brought before the Board a resolution establishing procedures for the Board to negotiate with the lowest responsible bidder for their review and adoption.

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

RESOLUTION CONCERNING NEGOTIATION WITH LOWEST RESPONSIBLE BIDDER

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, (the "Board") as follows:

1. This resolution establishes procedures for the County of Dinwiddie, Virginia, under the Virginia Public Procurement Act and pursuant to Section 11-53 of the Code of Virginia, for negotiation with the apparent low bidder in cases where the bid from the lowest responsible bidder exceeds available funds.

2. If the Board wishes to negotiate with the apparent low bidder to obtain a contract price within available funds, negotiations shall be conducted in accordance with the following procedures:

a. The County Administrator shall advise the lowest responsible bidder, in writing, that the proposed purchase exceeds available funds. He shall further suggest amendment of the proposed purchase and invite the lowest responsible bidder to amend its bid proposal based upon the proposed amendment.

b. Repetitive informal discussions with the lowest responsible bidder for purposes of obtaining a contract within available funds shall be permissible.

c. The lowest responsible bidder shall submit an addendum to its bid, which addendum shall include any change in scope for the proposed purchase and the reduction in price.

Extract

d. If the proposed addendum is acceptable to the Board, the Board may award a contract within funds available to the lowest responsible bidder based upon the amended bid proposal.

e. If the Board and the lowest responsible bidder cannot negotiate a contract within available funds, all bids shall be rejected.

3. The procedures described above shall be summarized in any Invitation to Bid issued by the County of Dinwiddie, Virginia.

IN RE: AUTHORIZATION TO ADVERTISE AMENDMENT TO SMALL PURCHASE PROCEDURES

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that the General Assembly has authorized an increase in the limit on an Invitation to Bid for which the County would be able to use small purchase procedures. The limit has been increased from $15,000 to $30,000. She requested that the Board give staff authority to prepare this amendment for public hearing for the July 3rd meeting since the change does not become effective until July 1, 1996.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that staff is authorized to to prepare and advertise an amendment to the County Code that would change the limits for small purchase procedures from $15,000 to $30,000.

IN RE: ACCEPTANCE OF BID -- WORK ON THE PAMPLIN ADMINISTRATION BUILDING

Mr. Charles W. Burgess, Jr., County Administrator presented the following bid that was submitted for the painting of soffits on the Administration Building and the cleaning of the precast stone:

M.P. Barden & Sons, Inc. $7,780.00

He also stated that this was an advertised bid solicitation and the County only received this one proposal. He requested that the Board review and approve if they see fit.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid submitted by M.P Barden & Sons, Inc. in the amount of $7,780.00 be accepted to repair and paint all the exterior drywall soffits on the Administration Building and power clean all the exterior precast stone fascia.

IN RE: EMERGENCY MEDICAL SERVICES WEEK & VOLUNTEER RESCUE SQUAD WEEK

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

WHEREAS, emergency medical services and volunteer rescue squads are a vital public service; and

Extract

WHEREAS, the members of emergency medical services teams and volunteer rescue squads are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, only a third of Americans rate their households as being "very well prepared" for a medical emergency; and

WHEREAS, emergency medical services providers and volunteer rescue squad providers have traditionally served as the safety net of America's health care system; and

WHEREAS, emergency medical services teams and volunteer rescue squads consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands or hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, Americans benefit daily from the knowledge and skills of these highly trained individuals; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers and volunteer rescue squad providers by designating Emergency Medical Services Week and Volunteer Rescue Squad Week; and

WHEREAS, injury prevention and the appropriate use of the ems system will help reduce national health care costs; and

NOW, THEREFORE BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, in recognition of this event does hereby proclaim the week of May 19-25, 1996 as Emergency Medical Services Week and Volunteer Rescue Squad Week and encourage the community to observe this week with appropriate programs, ceremonies, and activities.

IN RE: COUNTY RECOGNIZING OLYMPIC TORCH BEING CARRIED THROUGH COUNTY

Mrs. Everett stated that she has been notified that the Olympic Torch will be carried through the County on June 22, 1996 and she encouraged the idea of ordering some American flags to have citizens and students line up and down Route 1 to show support when the runner comes through. She stated that the cost would be about $700.00.

Mr. Tickle stated that he would donate the funds for the County to participate in recognizing the Olympic Torch being carried through the County.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County,Virginia, that Staff is authorized to purchase flags, with donated funds, for the County citizens to recognize the Olympic Torch being carried through the County.

IN RE: BOARD MEMBER COMMENTS

Mr. Tickle stated that in the claims he could see where quarterly payments are paid out to the various organizations such as the Health Department, Social Services and etc. He requested that he get a quarterly update on what they are doing and how the citizens of the County are benefiting from those funds. He feels that they do an excellent job when it is budget time to let the Board know what the money is going to be used for. The Board tries to support them but it is also nice to receive a update on a quarterly basis so the Board can follow how the funds are benefiting the citizens of the County.

IN RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 10:10 P.M. to be continued until May 8, 1996 at 8:00 A.M. to meet at the Administration Building to leave for the Airfield 4-H Conference Center in Wakefield for a Retreat.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT THE HOMEPLACE RESTAURANT IN DINWIDDIE COUNTY, VIRGINIA, ON THE 1ST DAY OF MAY, 1996, AT 5:00 P.M.

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

* Mr. Moody arrived at 5:30 P.M.
* Mr. Tickle arrived at 5:20 P.M.

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 5-Discussion of a prospective business or industry; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 5:00 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 7:33 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT THE AIRFIELD 4-H CONFERENCE CENTER IN WAKEFIELD, VIRGINIA, ON THE 8TH DAY OF MAY, 1996 AT 9:00 A.M.

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

At 8:00 A.M. the Board gathered at the Pamplin Administration Building to leave for a Board Retreat at the Airfield 4-H Conference Center in Wakefield, Virginia. They arrived at the Conference Center and went into open session at 9:30 A.M.

IN RE: RESOLUTION RECOGNIZING -- 100 YEAR OLD COUNTY CITIZEN

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

WHEREAS, Mrs. Emma S. Hicks was born on May 11, 1896 in Nottoway County and has lived most of her life in the McKenney area of Dinwiddie County; and

WHEREAS, on May 11, 1996, Mrs. Hicks will be celebrating her 100th birthday; and

WHEREAS, during her 100 distinguished years, Mrs. Hicks has been blessed with a wonderful family -- her husband, a farmer and carpenter in Dinwiddie County, 10 children, 1 adopted daughter and 29 grandchildren -- 141 direct descendents from 6 generations; and

Extra

WHEREAS, Mrs. Hicks, besides being a devoted wife and mother, has also dedicated her life to serving God as a member of Big Bethel Church in McKenney, Virginia; and

WHEREAS, the Board of Supervisors is desirous of acknowledging Mrs. Hicks and joining with her family and friends in commemorating this accomplishment in her life;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia recognizes and congratulates Mrs. Emma S. Hicks for reaching her 100TH BIRTHDAY and wishes Mrs. Hicks a very blessed and prosperous life.

IN RE: RETREAT DISCUSSION

The Board met in a workshop session and the following items were discussed:

a. Administration Building - Office Addition/Rearrangement of Office Space
b. Reuse of Eastside School (and Northside)
c. Off-duty Employment Issues

At 12:00 Noon the Board recessed for Lunch and at 1:00 P.M. the Board reconvened into open session.

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 1:27 P.M. A vote having been made and approved the meeting reconvened into Open Session at 2:18 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: RETREAT DISCUSSION -- CONTINUED

Following the Executive Session the Board resumed the agenda and discussed the following issues:

d. Budget/Capital Improvement Program
e. Self Insurance Program
f. Voice-Mail System
g. Zoning Enforcement Issues
h. County trash system (manned sites, etc.)

IN RE: ADJOURNMENT

Upon motion of Mr. Tickle, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 4:30 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 15TH DAY OF MAY, 1996, AT 2:00 P.M.

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

IN RE: MINUTES

Mr. Tickle asked that a correction be made to the spelling of his name in the Certification section of the May 1, 1996 Continuation Meeting.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the May 1, 1996 Continuation Meeting, May 1, 1996 Regular Meeting and the May 8, 1996 Continuation Meeting are hereby approved with corrections to the May 1, 1996 Continuation Meeting minutes under Certification by correcting the spelling of Mr. Tickle's name.

IN RE: CLAIMS

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1001207-#1001373 (void #1001207) for Accounts Payable in the amount of $237,198.24; General Fund $226,226.03, E911 Fund $1,893.53, Self Insurance Fund $799.88, Fire Programs/EMS Fund $682.90, CDBG Fund $7,595.90.

IN RE: CITIZEN COMMENTS

1. Joe Daniels, Sutherland, VA, came before the Board and stated that his neighbor shoots his gun all the time and it is causing some real problems. He displayed some of the ammunition that was being fired and stated that it is very dangerous. He has called the Sheriff's Department several times and is not getting anywhere. He would like to see the code state that if someone discharges a weapon in a residential district they could be cited. He presented the following petition signed by 12 residents in his neighborhood:

PETITION

We respectfully request that an ordinance be passed which would restrict or prevent the use of firearms in the Rupert A. Collins Subdivision, State Route #623, Namozine District, Dinwiddie County, Virginia.

According to the Dinwiddie County Sheriff Department, there are no laws on the books preventing use of firearms in this area. Their hands are tied.

Because certain individuals refuse to show respect for their neighbor's lives and property, we feel we must take this matter before you.

There are children, pets, etc., walking and playing in the woods behind our homes as well as the campers at Whippernock Marina who are in danger from the flying bullets.

Even children playing in their own yards and people working gardens in their own yards are forced to go inside their homes seeking protection from the possibility of stray bullets.

Your kind consideration of this urgent and consequential matter will be greatly appreciated.

After some discussion between the Board they asked the Zoning Administrator and the Commonwealth Attorney to investigate the problem and come back at the next board meeting with a recommendation.

2. Pamela Scibelli, Sutherland, VA, stated that she agreed with Mr. Joe Daniels.

3. Melinda Daniels, Sutherland, VA, came before the Board and stated that she also agrees with Mr. Daniels but she also wanted to add that their neighborhood is scared for their children and animals. They are terrified that something will happen to them if they go outside.

IN RE: DINWIDDIE VOLUNTEER RESCUE SQUAD -- ACCEPTANCE OF TITLE

Darryl E. Hayes, Dinwiddie Volunteer Rescue Squad, came before the Board and requested the title to Rescue 2. The unit is presently sitting at Robinson Ambulances in Windsor, VA and it is not operational and has been approved for trade by the DVRS Board of Directors. They are wishing to trade the chassis on Rescue 2 for repairs to their crash truck.

Extract

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorizes the release of the title to Rescue 2 for payment to Robinson Ambulances to upgrade their crash truck.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Harold Dyson, Ass't Resident Engineer, Virginia Department of Transportation, came before the Board and stated that Ronald Reekes, Resident Engineer, was out of town and was unable to attend.

Mr. Dyson answered several questions for the Board dealing with different sites.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, came before the Board and stated that she did not have anything officially to report. She also stated that she had to leave before the County Attorney was to present the proposed ordinance establishing certain motor vehicles as a separate class of personal property for local tax purposes and she wanted to make several comments on it since she would be the administrator of the ordinance if it is passed. She has talked to Caroline County and the Department of Taxation and it looks like it is only going to affect the motor common carrier which would be a person that would be a individual that leases himself and/or his vehicle out for hire to haul articles or merchandise. It would not include the motor private carrier who would be people like Walmart. At this time Caroline County only has two motor carrier vehicles involved with the special tax rate.

Mrs. Marston stated that the books are complete and dumped to the Treasurer and everything went fine. She notified Mr. Bracey that the microfilm machine was picked up last week.

Mr. Bracey stated that it did not bother him that it took so long for them to pick up the machine because the County was only going to pay for the time that they used it.

Mrs. Ralph, Ass't County Administrator, asked Mrs. Marston if she had a feel for how many people the new tax rate for motor common carriers would affect.

Mrs. Marston stated that she didn't think that we had that many people here that would be greatly affected. She has already asked the County Attorney to consider making a part of the ordinance that before you can qualify for this special tax, you must provide to the office of the Commissioner of the Revenue a current copy of your certificate of Interstate Commerce Commission Authority. By them submitting this they would know if the person was legitimate or not to get this special tax relief.

Mr. Moody asked if the law stated that we have to do this.

Mrs. Marston stated that the law states that we may do it.

Mrs. Marston stated that the bottom line is that these individuals would be taxed at a rate of $3.30 per $100 opposed to a tax rate of $4.90 per $100.

Mr. Bracey stated that Mrs. Marston said that she was leaving and the Board needed to see her in Executive Session after the Regular Meeting.

After some discussion between the Board they agreed to have an Executive Session now.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; the Board moved into Executive Session at 2:50 P.M. A vote having been made and approved the meeting reconvened into Open Session at 3:20 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: COMMISSIONER OF THE REVENUE -- REPORT -- CONTINUED

Mr. Burgess read the following statement on behalf of the Board of Supervisors: "Mrs. Marston, the Board has determined that based on mis-communication on the fact of the expenditure of funds and the lateness of reporting expenditures in the past several months. The Board hereby requests that within the next seven calendar days that a report be submitted to this Board delineating those expenses associated with twice a year tax collection which was above and beyond the appropriations of your department that were made for this current fiscal year and based upon that report the Board will then address the overages that appear in the claims that have been made versus the appropriations that your department is to operate under. Based upon the information that you submit, additional appropriations will be made in such an amount that will match those monies that are clearly associated with the twice a year tax collection. Until

such time as that report is submitted and this issue resolved there are no additional funds to be expended out of your department."

Mrs. Marston stated for the record that she was never called into the Executive meeting when she was told that she was needed to be present so she could attend.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, presented his report for the month of April, 1996.

Mr. Jones also stated that the first half of the tax bills were mailed off this morning.

Mr. Moody asked if their was enough time in between when the tax bills were mailed out and when they are due.

Mr. Jones stated that he indicated to the Board last November that he would like to postmark them on May 1st but we were within the law to send them out now and require that they still be payable on their due date of June 5th.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, Commonwealth Attorney, was present.

He stated that in reference to the Daniels' coming before the Board earlier complaining about their neighbor shooting, he has set up a meeting with him and they are thinking about bringing the Game Warden into the meeting to see if he has some ideas.

They are going to try to present to the Board at their next meeting what is on the books right now, state and locally, some potential options they have if they want to do something and lastly, some things that they are not going to be able to do.

Mr. Rainey stated that in reference to the questions that Mr. Tickle had in reference to the policy of illegal parking, he spoke with Dan Siegel, County Attorney, and his office is in the process of drawing up an ordinance to address that. The ordinance will also address handicap parking. He also informed Mr. Tickle that he did not have any luck finding out anything about collecting fines but that Mr. Tickle was welcome to go to the General District Clerk's Office and speak with Donna Brockwell.

IN RE: SHERIFF -- REPORT

Mr. Sameul H. Shands, Sheriff, stated that he did not have anything to present but he was available for questions from the Board.

He also stated that his office had received several complaints from Mr. Daniels in reference to his neighbor shooting and they had responded to each complaint.

Mr. Bracey requested copies of the complaints that Mr. Daniels filed with the Sheriff's Office.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, came before the Board and presented his report for the month of April, 1996.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of April, 1996.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W.C. Scheid, Director of Planning, presented his report for the month of April, 1996.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy M. McElveen, Director of Social Services, presented her report for the month of April, 1996.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mrs. Troilen Seward, Superintendent of Schools, came before the Board and presented her report for the month of April, 1996.

IN RE: AUTHORIZATION FOR SUPERINTENDENT TO PROCEED WITH ISSUANCE OF CONTRACTS FOR POSITIONS INCLUDED IN THE REVISED FY-97 SCHOOL BOARD BUDGET

Mrs. Seward, Superintendent of Schools, came before the Board and passed out copies of the Revised FY-97 School Board Budget that the Dinwiddie County School Board approved at their May 14, 1996 meeting. She requested that the Board of Supervisors allow them to proceed with the issuance of contracts for positions included in this revised budget. She also stated that if they are allowed to proceed, they can better compete for new teachers and have improved knowledge of openings that need to be filled.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the School Board is authorized to proceed with the issuance of contracts for positions included in the Revised FY-97 School Board Budget.

IN RE: GROUNDS MAINTENANCE PROGRAM -- AWARD OF BID -- TRACTOR AND LAWNMOWER

Mr. Charlie Chambers, Supervisor of Maintenance for the Dinwiddie County School Board, came before the Board and presented the following bids for the purchase of a tractor and a lawn mower that the County and the School Board would share:

Company	Base Tractor	4-Wheel Drive	Total
Southside Ford	$13,640.00	$15,502.00	$18,156.00
TOTAL BID INCLUDING FINISHING MOWER AND BUSHOG			$20,194.00
Dinwiddie Tractor	$14,572.00	$17,883.98	$18,021.63
TOTAL BID INCLUDING FINISHING MOWER AND BUSHOG			$22,265.61

Mr. Chambers recommended the approval of the 4-Wheel Drive Tractor in the amount of $15,502.00 from Southside Ford with tires and rims in the amount of $2,211.00 for a total of $17,713.00. He then recommended that they purchase the finishing mower in the amount of $1,468.66 and the bushog in the amount of $815.97 from Dinwiddie Tractor.

Extract

Mr. Bracey stated that he did not particularly care for the arrangement between the School Board and the County. He feels that the School Board is the one that needs the tractor and he doesn't see why they just don't purchase it on their own. It doesn't matter how much the County pays towards it, the School Board will ultimately own it.

Mr. Chambers stated that he understood Mr. Bracey's concerns but they have a plan that they discussed with the County Administrator and his assistant and they feel that they can work together.

Mr. Bracey requested that a copy of the agreement between the County and the School Board in reference to the use of this tractor be distributed to each Board Member.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County is authorized to participate with the School

Board in the purchase of a 4-Wheel Drive Tractor in the amount of $15,502.00 from Southside Ford with tires and rims in the amount of $2,211.00 for a total of $17,713.00; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County is authorized to participate with the School Board in the purchase of a finishing mower in the amount of $1,468.66 and the bushog in the amount of $815.97 from Dinwiddie Tractor.

IN RE: OFFICE ON YOUTH AND COMMUNITY SERVICES -- APPOINTMENTS

Mrs. Francene Newman, Director, Office on Youth, came before the Board and listed individuals that the existing Youth Commission members recommended for potential new members.

Mr. Tickle stated that he felt the individuals that she named were very good recommendations but felt that the individuals that were named were not a very good cross representation of the student population. He would like to recommend that they have a cross section of the student population, not only gender and/or color, but also academically and socially.

Mrs. Everett asked if they could go ahead and approve the recommendations for this year and take into consideration Mr. Tickle's comments next year.

Mr. Bracey stated that he agreed with Mrs. Everett but he would like for Mr. Tickle's request to become a part of the guidelines for the Office on Youth for next year.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following individuals are appointed to the Office on Youth and Community Services:

For three year term:

Carla Brandon
Caroltine Jones
Tom Wicks
Butch Cunningham
George Rivers

For one year term (students):

Beth Henshaw
Tyler Ragsdale
Teneille Walker
Nekesa Jones
April Spain

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of April, 1996.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Dennis E. King, Director of Waste Management, presented his report for the month of April, 1996.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Services Coordinator, presented her report for the month of April, 1996.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Paul Jacobson, County Attorney, came before the Board and discussed with the Board the proposed ordinance establishing certain motor vehicles as a separate class of personal property for local tax purposes.

Mr. Bill Jones, Treasurer, came forward and stated that he felt that the Board should wait and see how many people the ordinance would affect before the Board does anything.

After some discussion between the Board they agreed to wait and see how many people the ordinance would affect before they consider adopting the ordinance because it may very well not affect anyone at all.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, came before the Board and stated that he did not have anything to present for the month of April, 1996 but he was available for any questions from the Board.

IN RE: CDBG PROGRAM -- ADOPTION OF REVISED ANTI-DISPLACEMENT AND PROGRAM INCOME PLANS

Mrs. Wendy Weber Ralph, Ass't County Administrator, came before the Board and presented the revised Residential Anti-Displacement and Relocation Assistance Plan and the revised Program Income Plan in reference to the Community Development Block Grant for West Petersburg.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the revised Residential Anti-Displacement and Relocation Assistance Plan and the revised Program Income Plan were approved as presented in reference to the Community Development Block Grant for West Petersburg.

IN RE: ENVIRONMENTAL CONSULTANT SERVICES -- AWARD OF BID

Mrs. Wendy Weber Ralph, Ass't County Administrator, came before the Board and submitted the proposals received for the Environmental Consultant Services for the groundwater monitoring wells and additional work required by DEQ for the Jail and Courthouse wells.

The Review Committee consisted of Mr. Burgess, Donald Faison and Wendy Ralph. Since this was a Request for Proposals, they had to select at least two to interview. They selected the following:

Groundwater Technology
Marshall Miller & Assoc.
IMS Environmental

This is the same order they ranked them after the interview. Because this was a request for "other than professional services", they could ask for and discuss pricing. The cost breakdown from all of the above firms did not exceed the UCR allowed for reimbursement by the Dept. of Environmental Quality. What this means is that most of the costs should be reimbursable.

Extract

The staff recommended Groundwater Technology based on their experience and familiarity already with the project at the jail. They installed the first monitoring well in November and prepared the Site Investigation Report. They are presently managing the work for the School Maintenance shop and Midway School. The staff therefore, requested authorization to negotiate a contract with Groundwater Technology.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County is authorized to negotiate a contract with the following firms, beginning with the first firm listed and then negotiating with the second if a contract cannot be reached with the first, for the Environmental Consultant Services for the groundwater monitoring wells and additional work required by DEQ for the Jail and Courthouse Wells:

Groundwater Technology
Marshall Miller & Associates

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Charles W. Burgess, Jr., County Administrator, reminded the Board that the Business Industry Appreciation Reception is June 6, 1996 at the Pamplin Administration Building from 3:00 to 6:00 P.M.

IN RE: COUNTY ADMINISTRATOR ATTEND -- VIRGINIA LOCAL GOVERNMENT MANAGEMENT ASSOCIATION CONFERENCE

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to attend the Virginia Local Government Management Association Conference from June 26-29, 1996 in Virginia Beach, VA.

IN RE: BOARD MEMBER COMMENTS

1. Mrs. Everett reminded the citizens that the Recreation Department will be having Senior Citizen Day at the Homeplace Restaurant on May 22, 1996 from 10:00 A.M. to 2:30 P.M.

2. The Board decided that they would meet in Executive Session next Wednesday, May 22, 1996 at 7:00 P.M. to discuss Personnel issues.

3. Mr. Clay stated that he received a letter from Wilson Greene, Pamplin Park Civil War Site, requesting that the Park become exempt to Admissions Taxes. The Board asked Administration to put the item on the agenda for the next meeting.

4. Mr. Moody stated that Mrs. Marston stated that she didn't get a chance to speak in the Executive Session that was earlier in the meeting and he felt that there was such a shortage of time that she would have been late for her previous appointment if they brought her in.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 7-Consultation with legal counsel; after a five minute recess the Board moved into Executive Session at 4:55 P.M. A vote having been made and approved the meeting reconvened into Open Session at 5:39 P.M.

IN RE: CERTIFICATION

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

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

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

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

Extract

IN RE: AUTHORIZATION TO HIRE PART TIME PERSONNEL - GENERAL REASSESSMENT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to hire one part-time person to assist with the General Reassessment Office.

IN RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 7:00 P.M. to be continued until Wednesday, May 22, 1996 at 7:00 P.M. for an Executive Session to discuss Personnel.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 22ND DAY OF MAY, 1996, AT 7:00 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; the Board moved into Executive Session at 7:05 P.M. A vote having been made and approved the meeting reconvened into Open Session at 9:05 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: COMMISSIONER OF THE REVENUE -- ADDITIONAL APPROPRIATION

Mr. Charles W. Burgess, Jr., County Administrator, stated that staff recommends that the Board make a supplemental appropriation to the Commissioner of the Revenue Budget as follows:

The Commissioner of the Revenue Budget, Dept. #12310, will receive a supplemental appropriation to the current fiscal year budget in the amount of $40,000 making the budget amount for this Department $194,504.00.

Extract

The $40,000 will be established in a newly designated line labled "Twice a year Taxation".

The budgeted monies will be used this fiscal year to pay the full time payroll for the months of May and June, the existing part time payroll for the month of May, any existing outstanding claims of the Department and the remainder of the funds for this fiscal year will be used for operational expenses. Those anticipated expenses being postage and telecommunications.

The source of this funding is the County reserve fund.

Mr. Bracey stated that in good concious he was sorry that he could not vote yes with the Board because in his heart he does not feel that all of the appropriations have to do with twice a year taxation.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a supplemental appropriation of $40,000 be made to the Commissioner of the Revenue Budget, Dept. #12310, to the current fiscal year budget making the budget amount for this Department $194,504.00; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the $40,000 will be established in a newly designated line labled "Twice a year Taxation"; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the budgeted monies will be used this fiscal year to pay the full time payroll for the months of May and June, the existing part time payroll for the month of May, any existing outstanding claims of the Department and the remainder of the funds for this fiscal year will be used for operational expenses; those anticipated expenses being postage and telecommunications; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the source of this funding is the County reserve fund.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 9:12 P.M. A vote having been made and approved the meeting reconvened into Open Session at 9:45 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 9:50 P.M. to be continued until Wednesday, June 5, 1996, at 5:00 P.M. for an Executive Session.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 5TH DAY OF JUNE, 1996, AT 7:30 P.M.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the May 15, 1996 Regular Meeting, May 22, 1996 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1001374 - #1001615 for Accounts Payable in the amount of $121,661.64; General Fund $114,436.92, E911 Fund $368.00, Self Insurance Fund $2,850.33, Fire Programs/EMS Fund $2,869.90, Law Enforcement Fund $515.77, Jail Commission Fund $346.38, Law Library Fund $274.34; and Payroll in the amount of $281,282.03, General Fund $280,935.47, E911 Fund $346.56.

IN RE: CITIZEN COMMENTS

1. Anne Scarborough, Boydton Plank Road, Dinwiddie, VA. She came before the Board and wanted to know what the County planned to do with the two vacant schools that the County has in their possession. She stated that she would like to see the County try to use them or sell them.

She also stated that she would like to see on the agenda, when the Board has an Executive Session, the purpose for the session. She stated that she has some copies of surrounding localities agendas where they list, beside the code section, what specific topic they are going to discuss. She feels that the citizens should be kept apprised of what is going on in the County.

IN RE: VIRGINIA JUVENILE COMMUNITY CONTROL CRIME ACT -- AUTHORIZATION TO APPLY FOR GRANT

Mr. Howard L. Parrish, Probation Supervisor, came before the Board and requested the Board's approval to apply for VJCCCA Grant Funds. He stated that Dinwiddie has the opportunity to apply for $5,676.00 in VJCCCA Funds. The restrictions on these funds are that they must be used for a program that addresses the diversion of non-delinquent youth from the court. In addition, there is a 50% match of local funds required. He stated that he has spoken with Mrs. Troilen Seward, Superintendent of Schools, and they have come up with the following recommendation:

Extract

> Apply for the $5,676.00 in VJCCCA Funds and use $2,837.00 from an existing Truancy Grant the school system has already received as the match. The VJCCCA Funds will help extend the planned program, supported by the existing Truancy grant, to combat Truancy in the middle school and high school.

He then stated that this plan will not call for an expenditure of additional county funds nor the hiring of additional personnel. The

VJCCCA Grant does not obligate the county to continue the program after the grant is complete.

Mr. Bracey suggested that Mr. Parrish get in writing from the School Board the agreement that he and Mrs. Seward discussed.

Mr. Parrish stated that if the funds were to fall through from the School Board, he would not come before the Board and ask for the local match; he would just not apply for the Grant.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Howard L. Parrish, III, Probation Supervisor, is authorized to apply for Virginia Juvenile Community Control Crime Act (VJCCCA) Grant Funds in the amount of $5,676.00 with the local match of $2,837.00 to come from an existing Truancy Grant the school system has already received.

IN RE: BOARD MEMBER COMMENT

Mr. Moody stated that he noticed that there were individuals in the audience that came before the Board at the last meeting complaining about their neighbor shooting all the time. He was wondering if they were going to get a report from Administration.

Mr. Bracey stated that he did not see the item on the agenda.

Mr. Tickle stated that it should have been on the agenda because the Board told the individuals that Administration would have a report for them at this meeting.

Mr. Clay asked Administration to have a report available for the individuals at the next board meeting and to notify them personally to let them know if the matter would be on the agenda.

IN RE: VIRGINIA ASSOCIATION OF COUNTIES -- LARRY LAND -- BRIEFING

Mr. Larry Land, Director of Policy Development for the Virginia Associates of Counties, came before the Board and presented and reviewed with the Board the services that VACo provides to its members.

Mrs. Everett asked if VACo has developed an application for municipal sewage sludge.

Mr. Land stated that they have not but he offered to suggest to VACo to continue trying to develop one.

Mr. Tickle suggested that VACo try to fight for additional funds to improve roads in smaller localities. Just because Dinwiddie may have a smaller population than other surrounding localities, the funds are greatly needed to improve the condition of the roads.

Mr. Land suggested that they take their concerns to the next Transportation Steering Committee meeting at the Charlottesville Omni on August 11, 1996.

IN RE: COMPREHENSIVE LAND USE PLAN -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on May 15, 1996 and May 22, 1996 for the Board of Supervisors to conduct a public hearing to consider adopting the revised Comprehensive Land Use Plan which shall be used as a guide for future land use decisions by the Planning Commission and the Board of Supervisors.

Mr. W.C. Scheid, Director of Planning, came before the Board and presented the Plan with several additions. One specific addition that he wanted the Board to be aware of is Mr. and Mrs. James Bland, the owners of the property at the intersection of Cox Road (Rt 226) and Ferndale Road (Rt 600), spoke with Mr. Scheid regarding the proposed use of their property. The proposed Land Use Plan suggests that this parcel be used

for medium density residential purposes. They spoke with him in terms of the property being used in a commercial (business) sense. The property is currently zoned for single family residential use. Mr. Scheid stated that it appears that there is some merit to their suggestion and he recommended that the Board approve their parcel being used for commercial purposes.

Mr. Moody asked if this addition is included in the Comprehensive Plan as proposed; would it still have to go through the zoning process with a public hearing?

Mr. Scheid stated that it would. The Comprehensive Land Use Plan does not have any basis with the law as being an enforcement document. It is an advisory document. The current zoning on the property would remain and it would only change at such time as the owner or the County chose to initiate a change of the zoning. One of the items that staff looks at whenever a rezoning is requested, is the Comprehensive Land Use Plan. The main reason that the property was rejected from being rezoned in the past was because the current Comprehensive Land Use Plan states that the property should be used as a residential use. Things have changed since then and the revised Comprehensive Land Use Plan should reflect the changes of the area to business. It does not seem appropriate for that parcel to remain residential.

Mr. Bracey stated that the property is sitting right in the middle of several businesses and this one little piece is sitting there and the County has control over it. If we leave it like this then it is the individuals who are being denied the right to be a part of that particular community. He stated that he is having a problem with this because this seems very unique that five little acres are sitting among all those businesses. If those people want to change it to commercial he feels that this should be done in the Comprehensive Plan instead of letting it sit there and then tell the individuals that they are at the mercy of the Board. He doesn't feel that is fair.

This being a public hearing the Chairman opened the floor for public comment:

1. Mr. Joe Daniels came before the Board and stated that he felt that the speed limit is too high on Route 226 where it intersects with Route 600.

The Board stated that they have no control over that and that the Virginia Department of Transportation is the one that regulates that.

Mrs. Everett stated that she feels that the Board should go ahead with Mr. Scheid's suggestion.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Comprehensive Land Use Plan is approved as presented with the proposed additions from a letter dated April 29, 1996 from Victor Liu and with the proposed addition presented by Mr. Scheid in reference to Mr. and Mrs. James Bland.

IN RE: APPOINTMENT -- PROFESSIONAL ASSESSOR

Mr. Charles W. Burgess, Jr., County Administrator, stated that pursuant to Section 58.1-3275 of the Code of Virginia, it is necessary for the Board of Supervisors to appoint a Professional Assessor, who must then be approved by the Department of Taxation.

Mr. Burgess recommended Mr. Dan K. Cooley to be appointed as the Professional Assessor.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Dan K. Cooley be appointed as the County's Professional Assessor.

IN RE: AUTHORIZATION FOR FORD VOLUNTEER FIRE DEPARTMENT TO REPAIR HEAT EXCHANGER ON THEIR RESERVE PUMPER

Mr. Charles W. Burgess, Jr., County Administrator, stated that Ford Volunteer Fire Department is requesting funds to repair the heat exchanger on their reserve pumper. Slagle's Fire Equipment and Supply Co., Inc. has submitted a repair estimate in the amount of $739.00.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Ford Volunteer Fire Department is authorized to proceed with repairing the heat exchanger on their Reserve Pumper with the monies to come from the Volunteer Fire Department/Motor Vehicles and Equipment line item (32200-3311).

IN RE: SOCIAL SERVICES BOARD -- APPOINTMENT

Mr. Burgess stated that Mr. Edward Bracey's term on the Social Services Board expires on the 30th of June and the appointment needs to be a Board member and that Mr. Bracey will no longer be eligible to serve.

Mr. Bracey nominated Aubrey S. Clay; Mrs. Everett seconded the nomination.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Aubrey S. Clay is appointed to the Social Services Board for a term expiring June 30, 2000.

IN RE: CRATER PLANNING DISTRICT EXECUTIVE COMMITTEE & METROPOLITAN PLANNING ORGANIZATION -- APPOINTMENT

Mr. Burgess stated that LeeNora Everett's term on the Crater Planning District Executive Committee & Metropolitan Planning Organization expires on the 30th of June. The appointment needs to be a Board member and she is requesting to be reappointed.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mrs. LeeNora Everett is reappointed to the Crater Planning District Executive Committee & Metropolitan Planning Organization for a term expiring June 30, 1997.

IN RE: MICHAEL H. TICKLE -- RESIGNATION -- ABIDCO

Mr. Michael H. Tickle asked the Board to consider accepting his resignation from the ABIDCO Board and appoint a new member.

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

Extract

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, accepts the resignation of Michael H. Tickle from the Appomattox Basin Industrial Development Corporation (ABIDCO) Board effective upon receipt of his official resignation in writing to the County Administrator.

Mrs. Everett and Mr. Clay stated that they wished that Mr. Tickle would reconsider.

He stated that he could not because of extenuating circumstances.

IN RE: PAVING OF EXISTING JAIL/COURTHOUSE PARKING AREAS -- AWARD OF BID

Mr. Burgess stated that the following companies submitted bids to pave the existing jail/courthouse parking areas:

	W.T. Curd, Inc.	Burton P. Short & Son
Sheriff's Dept.	$19,500	$9,400
Service Drive	$15,692	$8,744
Courthouse	$7,902	$4,480

Mr. Burgess recommended for approval the low bid from Burton P. Short & Son to pave the Sheriff's Department and the Courthouse parking lots but not the service drive.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid be awarded to Burton P. Short & Son to pave the Sheriff's Department parking lot in the amount of $9,400 and Courthouse parking lot in the amount of $4,480.

IN RE: AUTHORIZATION TO SIGN DEPARTMENT OF CRIMINAL JUSTICE SERVICES GRANT -- SHERIFF'S DEPARTMENT

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

Extract -2-

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to sign the Grant from the Department of Criminal Justice Services for the purchase of a computer system for the Sheriff's Department in the amount of $69,250.00 in Federal Funds and $23,083.00 in local cash match for a total award of $92,333.00.

IN RE: FIVE FORKS REENACTMENT -- REIMBURSEMENT ADMISSIONS TAX

Mr. Burgess stated that the Five Forks Commemorative Committee received their nonprofit notification status from the Department of Internal Revenue Service the day after they held their Reenactment in March. They did pay Admissions Tax to the Commissioner of the Revenue office in the amount of $287.28 and staff recommends that that money be refunded to them. He stated that at the time that this event was held the County was led to believe that the designation of nonprofit status was purely eminent but he hoped that in the future there would be no retroactive actions in regards to the collection of the Admissions Tax or any other tax.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Five Forks Commemorative Committee be reimbursed the $287.28 that they paid in Admissions Tax from the Reenactment that they held in March of 1996 due to the fact that they received their nonprofit notification status from the Department of Internal Revenue Service the day after the event.

Mr. Bracey requested that a letter be sent to the collector of the Admissions Tax notifying them of the Board's decision to reimburse the funds.

IN RE: ACCEPTANCE OF PROPOSAL -- CUT TIMBER BESIDE ROHOIC ELEMENTARY SCHOOL

Mrs. Wendy Weber Ralph, Ass't County Administrator, came before the Board and stated that the County has received bids on the timber being cut on the 7 + or - acres adjacent to Rohoic Elementary School in conjunction with the sale of timber on the Airport property. Stone Container has submitted two bids; one in a lump sum amount of $13,000 and if it were done on a per unit basis it could be as much as $17,000 but not below $13,000. Staff recommends that it be sold on a per unit basis because they feel that it will not go below the $13,000 and there is a possibility it could be sold for as much as $17,000.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the proposal from Stone Container to cut the timber on the 7 + or - acres that belongs to the County adjacent to Rohoic Elementary School on a per unit basis be accepted.

IN RE: ADDITIONAL HOLIDAY -- 4TH OF JULY

Mrs. Ralph stated that the Governor is giving the 5th of July as an additional holiday to state employees for the 4th of July Holiday.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that all local government offices will be closed on July 5, 1996 in addition to what has already been given.

IN RE: AIRPORT AUTHORITY -- ACCEPT NOTE AND APPROPRIATE FUNDS

Mr. Ben Emerson, County Attorney, came before the Board and presented a promissory note that is evidence of a debt from the Airport Authority. The Airport Authority is seeking funds in connection with the environmental cleanup that resulted from the prior operator of the Airport. This particular note is for a sum of up to $200,000 so it would be money that they could draw down to pay the costs of the study that they need to have done to satisfy the Environmental Regulator and to stabilize the property. He requested the Board's authority to accept the note from the Airport Authority and to appropriate the funds so that they can draw down as they need it.

Mr. Moody stated that he hates to do it but he feels that the Board does not have any other choice because the Airport is part of the County and the problem needs to be taken care of. He hopes that the Airport can pay the County back one day.

Mr. Emerson stated that it is a three year term note with interest at a rate of 8% which is renewable at the end of that time.

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

Extract

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorizes a loan to the Dinwiddie County Airport and Industrial Authority in accordance with the terms of a Promissory Note from the Authority to the Board of Supervisors which allows principal advances to be made in the amount requested but not to exceed $200,000, which Note is by its terms due in three years and may at that time be renewed for an additional three year term; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that $200,000 be appropriated from the General Fund to be drawn upon as outlined above.

IN RE: ADOPTION OF RESOLUTION -- BUSINESS AND INDUSTRY APPRECIATION

Mr. Burgess reminded the Board that the Business and Industry Appreciation Reception is Thursday, June 6, 1996 from 3:00 P.M. to 6:00 P.M. He asked the Board to consider adopting a resolution to be given to each business or industry.

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

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

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

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

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

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

Extract

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

NOW, THEREFORE, BE IT UNANIMOUSLY RESOLVED, that the Dinwiddie County Board of Supervisors hereby recognizes your Business or Industry and its executives and staff, for their outstanding contribution to Dinwiddie County, Virginia, and the citizens thereof.

IN RE: OLYMPIC TORCH RELAY DAY -- JUNE 22, 1996

1. Mrs. Everett asked the Board to authorize the drawing of a proclamation designating Saturday, June 22, 1996 as Olympic Torch Relay Day in Dinwiddie County and urging County Citizens to be mindful of the historic event and to cooperate with the activities. She also asked for the use of the grounds around the Administration Building for the event and for the rest rooms to be open to the public.

Mr. Bracey stated that he felt that they would probably need port-a-johns in addition to using the rest rooms in the building.

Mrs. Everett stated that she would appreciate those.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a proclamation be drawn up designating Saturday, June 22, 1996 as Olympic Torch Relay Day urging County citizens to be mindful of the historic event and to cooperate with the activities,

Extract

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the citizens be allowed to use the grounds around the Administration Building for the event and that the rest rooms in addition to port-a-johns be open to the public on that day.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Tickle stated that he talked to the Sheriff and the Commonwealth Attorney a few weeks ago about an illegal parking ordinance and he requested that the issue be put on the agenda for the next meeting.

Mr. Burgess stated that they have received a draft of the ordinance.

Mr. Tickle stated that Ronald Reekes, Resident Engineer, from the Transportation Department stated at a prior meeting that he would come back to the Board about the transportation flow on Route 226 and 600. He wanted Administration to ask him to come back and give an update.

Mr. Tickle also stated that a couple meetings ago the Board approved a private road ordinance with the condition that they would come back and revisit it in sixty days. He stated that he would like to see it put on the agenda in the future so they can revisit it.

He also requested that Administration bring before the Board in the near future a draft of the policy for off-duty employment of our Sheriff's Deputies.

Mr. Tickle also wanted to thank Mr. Scheid, Director of Planning, for some information that he provided to him.

2. Mr. Moody stated that Martha Stone who is on the Restoration Advisory Board (RAB) will be sending a letter to the Board about some concerns about the committee and is requesting some direction.

3. Mr. Bracey stated that he thought that the County had resolved the problems about the easement with Lebannon United Methodist Church. He requested that Administration and the County Attorney work together in resolving the issue.

Mr. Bracey also stated that he was still waiting to see the agreement on the grass cutting that the school and the county were going in together on.

Mr. Bracey also stated that the Reassessment has been going on for a while and he wanted to know when the Board was going to get a report on how they are doing.

4. Mr. Clay stated that he felt that there was not a very good turn out on the public hearing for the Comprehensive Plan.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 9:08 p.m.

Aubrey S. Clay
Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT THE HOME PLACE RESTAURANT IN DINWIDDIE COUNTY, VIRGINIA, ON THE 5TH DAY OF JUNE, 1996, AT 5:00 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 5:15 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:35 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 7:38 P.M.

Aubrey S. Clay
Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 19TH DAY OF JUNE, 1996, AT 2:00 P.M.

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

IN RE: AMENDMENTS TO AGENDA

Mr. Bracey requested that they add to their 2nd Executive Session discussion of the agreement between the School Board and the County in reference to grass cutting.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following be added to the agenda:

13. Executive Session - 2.1-344(a) 1-Personnel
Agreement between the School Board and the County in reference to grass cutting.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the June 5, 1996 Continuation Meeting and June 5, 1996 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1001616 - #1001810 for Accounts Payable in the amount of $209,045.81; General Fund $155,318.44, Jail Commission Fund $26.14, E911 Fund $1,526.04, Self Insurance Fund $3,867.57, Law Library Fund $133.75, Fire Programs/EMS Fund $6,914.38, County Debt Service $41,362.97.

Mr. Bracey stated that he would like to see the fees that the County has paid towards straightening out the restrictive covenants next to Ingram recuperated when the land is sold to a potential buyer.

Mr. Tickle stated that he thought that the amount of money that the County is spending on bottled water is really high and he feels that something needs to be done to try to reduce it. He asked that staff look into alternative methods of providing a water supply.

IN RE: CITIZEN COMMENTS

1. Harold Conover, Old Coker Lane, Carson, VA. He came before the Board and stated that he was an avid Hunter but thought that the County needed to come up with an ordinance to protect the citizens from people shooting near residences and livestock. He felt that they should consider an ordinance that prohibited the discharging of a firearm within 100 yards of a property line.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald Reekes, Resident Engineer, updated the Board in reference to several different sites that they are working on in the County.

Mr. Tickle wanted to know what was being done about the illegal parking on Route 460 in front of Walmart Distribution Center.

Mr. Reekes stated that he has met with some people from Walmart and he hoped that they could come up with a solution but it appears that they are not going to. He stated that the next step is to put up "No Parking" signs and then aggressively enforce it.

Mrs. Everett stated that people on Duncan Road were traveling way to fast in front of Pamplin Park and she feels that someone is going to get seriously injured or killed.

Mr. Reekes stated that they are working on a long term plan but they need help from the Sheriff's Department enforcing the speed limit.

Mrs. Everett thanked VDOT for all their support and help in reference to the upcoming Olympic Torch Relay.

Mr. Tickle stated that Route 601 (River Road) needs some work because it is in really bad shape.

Mr. Reekes stated that by December 1st of this year they are going to resurface it with a plant mix.

Mr. Tickle stated that he would like to see a "No Through Trucks" sign on Route 226 because the trucks are moving too fast along that road.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a)6 - Investment of Public Funds where competition or bargaining is involved - Courthouse Construction; Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Sheriff's Department; the Board moved into Executive Session at 2:53 P.M. A vote having been made and approved the meeting reconvened into Open Session at 4:04 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: AUTHORIZATION TO ISSUE A LETTER OF INTENT - COURTHOUSE CONSTRUCTION PROJECT

Mr. Charles W. Burgess, Jr., County Administrator, stated that the County in April received four bids for the construction of the new Courthouse. The low bid was submitted by Gulf Seaboard General Contractors, Inc. of Ashland, Virginia with the bid being approximately 7.8 million dollars. This amount not being what the County had anticipated expending for a Courthouse, they entered into negotiations with Gulf Seaboard in an effort to find an affordable project. Their efforts were successful but not as successful as they would of liked for them to have been. They realize that the price that they have been able to obtain from Gulf Seaboard will impact other projects in the County in the near future, such as capital purchases in excess of $25,000. The price that staff is submitting to the Board for their consideration for the construction of the courthouse is $7,082,000. This price needs to be verified by Gulf Seaboard by the end of July with contracts executed on or before Friday, July 26, 1996. The contractor reserves the right, based upon numerous revisions which the County has offered to the original plan, to review the actual documents and confirm the price of $7,082,000. The County in return reserves the right to make sure that price is confirmed before they move forward.

Mrs. Everett wanted to know when completion would be.

Mr. Burgess stated that the original estimates were a construction time of 18 months. He also stated that it is imperative if they are going to start building this season that some activity begin by the end of July. They would anticipate an early 1998 occupancy date.

Mr. Burgess also stated that they recognize as well that the building has to be furnished. There may be some change orders which they would try to minimize and it is recognized that those expenses may add an additional $500,000. They feel that the total project would probably be about $7,500,000. He stated that Gulf Seaboard is requesting that a proposal be accepted and a letter of intent issued by the Board.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a letter of intent be issued to Gulf Seaboard General Contracts, Inc. for the Construction of the new Courthouse Facility.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, came before the Board and stated that she did not have anything to report but was available for questions from the Board.

Mr. Tickle wanted to know how the collection of the funds from the Virginia Motorsports Park from the national event was going.

Mrs. Marston stated that it was going just fine.

Mr. Tickle wanted to know if she was collecting what they were anticipating.

Mrs. Marston stated that not in every ones eyes but by the book she believes that they are pretty much on target subject, to the final audit.

Mr. Tickle wanted to know if the audit was going to be on the the Virginia Motorsports Park books and the NHRA books.

Mrs. Marston stated that she thought it was on all the books.

Mr. Tickle requested that Mrs. Marston report back to the Board on the audit.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, notified staff prior to the meeting that he would be unable to attend because he would be at a conference.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, III, Commonwealth Attorney, notified staff prior to the meeting that he would be unable to attend because he would be at a conference.

Mr. Daniel Siegel, County Attorney, came before the Board and stated that the Commonwealth Attorney had asked him to be present to answer any questions that the Board may have.

IN RE: AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS -- HANDICAPPED ORDINANCE & DISCHARGING FIREARMS

Mr. Daniel Siegel, County Attorney, presented two separate ordinance proposals, one in reference to handicapped parking and one in reference to the discharging of firearms.

After some discussion between the Board and the County Attorney; the Board requested that the Commonwealth Attorney be present at the Public Hearings to answer any questions the Board or citizens may have.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise for an amendment to the Code for an August 7, 1996 Public Hearing in reference to the discharging of firearms.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise for an amendment to the Code for an August 7, 1996 Public Hearing in reference to parking in handicapped spaces.

IN RE: SHERIFF'S REQUEST -- TWO ADDITIONAL DEPUTIES

Mr. Samuel H. Shands, Sheriff, came before the Board and presented the following letter:

May 23, 1996

Aubrey S. Clay, Chairman
Dinwiddie County Board of Supervisors
P.O. Drawer 70
Dinwiddie, VA 23841

Dear Mr. Chairman:

On May 1, 1996, I was notified by the State Compensation Board that two EC7 (Emergency Correction Officer) positions will be eliminated from the Dinwiddie County Sheriff's Office State Personnel Payroll Reimbursement. This will require the laying off of two employees now employed with the Dinwiddie County Jail.

As you and the Board are aware, since 1988 the Dinwiddie County Jail has housed inmates for other jurisdictions in an effort to make the Dinwiddie County Jail self-supporting. This effort has been a total success and, since 1988 no Dinwiddie County tax dollars have been expended for the Boarding and caring of prisoners. This has been accomplished by housing inmates from the cities of Colonial Heights and Hopewell, and Prince George County. The following summary will show this to be true:

Fiscal Year	Jail Expenditures	Jail Income	Net Profit to County
1989-90	$176,863.94	$281,376.49	$ 4,512.55
1990-91	285,886.00	382,482.62	96,596.65
1991-92	264,626.21	414,585.04	149,958.83
1992-93	315,902.54	492,526.04	176,623.50
1993-94	284,745.66	421,017.05	136,271.39
1994-95	321,167.09	388,628.10	67,461.01
	$1,649,191.44	$2,380,615.34	$631,423.93

As you can see, the County has had a net profit above the operational costs of $631,423.93.

I respectfully request the Dinwiddie County Board of Supervisors' emergency approval for funding, beginning July 1, 1996, of two correctional officer positions within the Dinwiddie County Jail. If this request is granted, this will allow this office to continue to house inmates from other jurisdictions and continue to operate the Dinwiddie County Jail at a profit as well as prepare this office for the upcoming opening of the new courthouse with well trained and experienced personnel.

Respectfully,

Sanuel H. Shands, Sheriff

cc: Charles W. Burgess, Jr., County Administrator

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Sheriff is authorized to retain two EC7 (Emergency Correction Officers) positions which the Compensation Board will not be funding; and

Extract

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that funds be provided with the 1996-97 budget to continue these two positions beyond July 1, 1996.

IN RE: ADOPTION OF POLICY FOR OFF-DUTY EMPLOYMENT OF DEPUTIES -- NON-COUNTY AFFILIATED EVENTS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following policy for off-duty employment of deputies for non-County affiliated events be accepted:

Off-Duty Employment for any Deputy working as an employee authorized by the Sheriff at any event in the County will be approved by the Board of Supervisors under the following guidelines:

1. The fee for services will be $24.00/hour plus FICA, payable to the County.

2. The requesting agency/organization will be billed at the above rate with a penalty or service charge to be applied to past due accounts.

3. Individuals working under this policy will be paid at a rate of $20.00/hour.

Extract

4. Any funds paid in excess of $20.00/hour will be retained by the County to cover all expenses incurred.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne H. Abernathy, Building Inspector, presented his report for the month of May, 1996.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steven R. Beville, Animal Warden, presented his report for the month of May, 1996.

IN RE: LIVESTOCK CLAIM -- JOHN M. BONNER

Mr. Steve Beville, Animal Warden, stated that on May 1, 1996 some stray dogs killed 2 pigs. The total value of the animals that were killed was $30.00.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the livestock claim for John M. Bonner, for 2 pigs in the amount of $30.00 be approved.

Mr. Bracey requested the amount of funds that the County pays towards claims each year.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W.C. Scheid, Director of Planning, presented his report for the month of may, 1996.

Mr. Scheid stated that the Planning Commission was asked to respond to the Board's inquiry regarding the increase from three (3) to five (5) acres for lots fronting on a private road. The reasons given were (a) it was established at the public meeting that most of the lots developed on private roads exceeded 5 acres (b) the larger lots would help maintain the rural nature of the County (c) by requiring larger lots it may reduce or slow down the number of private road developments inundating the County (d) possibility larger lots will encourage larger homes and (e) there is a 5 acre minimum lot size requirement in the R-R zoning district of the County.

IN RE: SOCIAL SERVICES DIRECTOR -- REPORT

Mrs. Peggy McElveen, Director of Social Services, presented her report for the month of May, 1996.

IN RE: REAPPROPRIATION OF FUNDS -- FY 95-96 SCHOOL BOARD BUDGET

Mrs. Troilen Seward, Superintendent of Schools, came before the Board and requested authorization to transfer $115,000 from Instruction to Facilities and $1,300 from Instruction to Debt Service because they were incorrectly put into Instruction.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following categories within in FY 95-96 School Board Budget be amended:

$115,000 be moved from Instruction to Facilities and
$1,300 be moved from Instruction to Debt Service.

IN RE: REAPPROPRIATION OF FUNDS -- FY 95-96 TO FY 96-97 SCHOOL BOARD BUDGET -- ROHOIC ELEMENTARY SCHOOL ROOF REPAIR

Mrs. Troilen Seward, Superintendent of Schools, came before the Board and stated that she needed the funds reappropriated from the supplemental ADM money because they were unable to get the repairs done on the roof at Rohoic Elementary School. They were hoping to get the project done by the end of June but were unable to because of rain. Also, the low bid that came in was not based on everything that was asked for because one of the items on their bid package was missing.

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $110,000 of supplemental ADM funds from the FY 95-96 School Board Budget be reappropriated to the FY 96-97 School Board Budget for the repairs on the roof at Rohoic Elementary School to be done.

THE CHAIRMAN CALLED FOR A FIVE MINUTE RECESS AT 5:02 P.M.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of May, 1996.

IN RE: DIRECTOR OF SANITATION -- REPORT

Mr. Dennis E. King, Director of Sanitation, came before the Board and presented his report for the month of May, 1996.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Services Coordinator, presented her report for the month of May, 1996.

Mrs. Titmus stated that the Emergency Medical Services Advisory Council would like for a Board representative to serve on their Council which meets on the 2nd Tuesday of month at 7:00 P.M.

The Board stated that they would think about it and let her know.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel Siegel, County Attorney, was present but did not have anything to report.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, presented his report for the month of May, 1996.

IN RE: VIRGINIA RETIREMENT SYSTEM -- 1996-98 EMPLOYER CONTRIBUTION RATES

Mrs. Wendy Weber Ralph, Ass't County Administrator, came before the Board and stated that they have been notified there are some increases in the contribution rates and group life insurance premiums for the Virginia Retirement System effective July 1, 1996. VRS is giving two different options to pay the premiums. You can immediately fully fund the money or you can gradually pay the premiums over a period of time. Staff recommends that they gradually pay the premiums over a period of time because there is no telling what will happen in the General Assembly next year and they can hold the money a little longer this way.

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

WHEREAS, the Virginia General Assembly, the Governor, and the Board of Trustees of the Virginia Retirement System recognize the growing liability of all employers participating in the Virginia Retirement System as a result of the current practice of funding annual cost of living increases to retirees on a pay-as you-go basis; and

Extract

WHEREAS, the Virginia General Assembly and the Governor have provided, in the budget for the 1996-98 biennium, funds to reach a level that would fully fund the cost of living increases over a five year period beginning in fiscal year 1998 for state employees and public school teachers; and

WHEREAS, pursuant to their authority as set forth in Section 51.1-145 of the Code of Virginia, the Board of Trustees of the Virginia

Retirement System has agreed to allow political subdivisions the option of making contributions beginning in fiscal year 1998 that would either (1) begin to fully fund the cost of living increases for their employees immediately, or (2) to reach a level to fully fund the cost of living increases over a five year period.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that it hereby elects to begin to contribute so as to reach a level to fully fund the cost of living increases over a five year period beginning on July 1, 1997.

IN RE: VIRGINIA RETIREMENT SYSTEM -- H.B. 901 -- PURCHASE OF MILITARY AND/OR OUT OF STATE SERVICE

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that the HB901, which was passed by the General Assembly and signed by the Governor on April 5, 1996 contained an emergency clause which made it effective immediately. HB901 allows any VRS member with at least 25 years of service to purchase up to 36 months of credit for active military service or service rendered in the retirement plan of another state at 5% of salary at the time of purchase. That service can be used to qualify for early unreduced retirement. It costs 15% right now.

Mrs. Ralph stated that staff originally recommended that the County not participate in a program that was only available to a certain group and would have a cost associated to it. However, she pointed out that the School Board has approved this option for its professional and non-professional positions.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Dinwiddie is authorized to allow any VRS member with at least 25 years of service to purchase up to 36 months of credit for active military service or service rendered in the retirement plan of another state at 5% of salary at the time of purchase which can be used to qualify for early unreduced retirement.

IN RE: REAPPOINTMENT -- APPOMATTOX REGIONAL LIBRARY BOARD

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Cornelia Roberts is reappointed to the Appomattox Regional Library Board for a term expiring June 30, 2000.

IN RE: APPOINTMENT -- ABIDCO

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Edward A. Bracey, Jr. is appointed to the Appomattox Basin Industrial Development Corporation (ABIDCO) for a term expiring September 30, 1996.

IN RE: TIMBER SALE -- UPDATE OF AGREEMENT WITH FORESTER

Extract

Mrs. Wendy Weber Ralph, Ass't County Administrator, came before the Board and stated that at the last Board meeting they accepted a proposal from Stone Container to cut the timber on the 7 + or - acres adjacent to Rohoic Elementary School in conjunction with the sale of timber on the Airport property. The agreement between the County and Jeffrey J. Bent, Consulting Forester, needed to be updated to the present date. Mr. Bent has done some work for the County in the past and has been working under the Timber Marketing Agreement dated May 12, 1993.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to sign the agreement between the County and Jeffrey J. Bent, Consulting Forester, updating it to the present year.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a)1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - FY 97 staffing levels of the Commissioner of the Revenue's Office; Section 2.1-344(a)7 - Consultation with legal counsel - Service Authority Contract; County Building Policy; Virginia Bio-Fuels; the Board moved into Executive Session at 5:47 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:28 P.M.

IN RE: CERTIFICATION

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

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

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

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

IN RE: AUTHORIZATION TO PURCHASE EQUIPMENT -- DEPARTMENT OF WASTE MANAGEMENT

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorizes expenditures up to $10,600 for equipment purchases for the Department of Waste Management; and

Extract

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorizes the drafting and issuance of checks up to $10,600.

IN RE: RESOLUTION APPROVING THE SERVICE AGREEMENT AND PRETREATMENT AGREEMENT FOR THE SOUTH CENTRAL WASTEWATER AUTHORITY AND AUTHORIZING THE EXECUTION AND DELIVERY THEREOF

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

WHEREAS, the City of Petersburg, the City of Colonial Heights, Chesterfield County, Dinwiddie County and Prince George County (the "Incorporation Subdivisions") have agreed to create the South Central Wastewater Authority (the "Authority") by concurrent resolutions in accordance with the Virginia Water and Sewer Authorities Act; and

WHEREAS, the Authority, pursuant to its Charter, intends to provide wastewater treatment services to the Incorporating Subdivisions; and

WHEREAS, the purposes of the Authority include the acquisition, expansion, improvement, operation and maintenance of wastewater treatment facilities located on Pocahontas Island in the City of Petersburg and Chesterfield County (the "Facilities"); and

WHEREAS, the Incorporating Subdivisions desire to establish an equitable basis for apportioning among themselves the costs of operation, maintenance, financing, improvement and expansion of the Facilities; and

WHEREAS, the Incorporating Subdivisions and Dinwiddie County Waster Authority ("DCWA"), on behalf of Dinwiddie County, propose to enter into a Service Agreement with the Authority (the "Service Agreement"), a draft of which dated June 14, 1996 has been presented to this meeting with additional amendments, to establish the basis for apportioning such costs; and

WHEREAS, the Incorporating Subdivisions desire to cooperatively implement and enforce wastewater pretreatment programs that fully conform with applicable Federal and State law, to consistently enforce such pretreatment programs upon industrial users tributary to the Authority, and to encourage free exchange between the Incorporating Subdivisions and the Authority of all relevant information concerning industrial users tributary to the Authority; and

WHEREAS, Dinwiddie County and DCWA propose to enter into an Interjurisdictional Pretreatment Agreement (the "Pretreatment Agreement") with the Authority, a draft of which dated June 10, 1996, has been presented to this meeting, to accomplish such ends;

WHEREAS, the wastewater to be sent by DCWA, on behalf of Dinwiddie County, to the Authority will be conveyed from certain points of connection through the sewerage system of the City of Petersburg to the Facilities and DCWA may enter into an Agreement providing for conveyance of wastewaster regarding the same;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Supervisors does hereby approve the forms of the Service Agreement and the Pretreatment Agreement submitted to this meeting with and authorizes the County Administrator to execute and deliver, and, if required, the County Clerk to affix the County Seal to and attest, the Service Agreement and the Pretreatment Agreement, each in substantially such form, with such completions, omissions, insertions and changes as shall be necessary to accurately reflect all negotiations among the authority, the Incorporating Subdivisions and DCWA and/or not inconsistent with this Resolution as may be approved by the County Administrator. Such approval shall be evidenced conclusively by the execution and delivery of such documents on the County's behalf.

Extract

2. The County Administrator and other County officials are authorized to do and perform such things and acts as they shall deem necessary or appropriate to carry out the transactions authorized by this Resolution. Any such things and acts previously done or performed by the County Administrator and/or other County officials are in all respects hereby approved, ratified and confirmed.

3. This Resolution shall take effect immediately.

IN RE: RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT PROVIDING FOR A NON-BINDING OBLIGATION OF THE COUNTY TO CONSIDER CERTAIN APPROPRIATIONS TO THE DINWIDDIE COUNTY WATER AUTHORITY, AND AGREEING TO CERTAIN MATTERS RELATED TO THE ISSUANCE AND SALE OF REVENUE BONDS OF DINWIDDIE COUNTY WATER AUTHORITY TO THE UNITED STATES OF AMERICA

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

WHEREAS, the Dinwiddie County Water Authority (the "Authority") has been duly created by the Board of Supervisors (the "Board of

Supervisors") of Dinwiddie County, Virginia (the "County"), in accordance with the Virginia Water and Sewer Authorities Act;

WHEREAS, the Authority desires to issue revenue bonds in the aggregate principal amount of $5,250,000 (the "1996 Bonds"), the proceeds of which, together with other available funds, are estimated to be sufficient to pay the cost of financing: (a) the purchase, on behalf of the County, of sewer treatment capacity from the new South Central Wastewater Authority (the "SCWWA":), (b) the reimbursement of certain costs incurred by the Authority in developing a proposed wastewater treatment plant and (c) a connection fee to the City of Petersburg, Virginia ("Petersburg"), for connecting to a new sewer interceptor line (collectively, the "1996 Project");

WHEREAS, the 1996 Project will be considered a part of the Authority's main water and sewer system (the "System") and not a part of the Authority's plants, systems, facilities, equipment or property owned, operated or maintained by the Authority in the Courthouse service area, and used in connection with the supply, treatment, storage or distribution of water and the collection, transmission, pretreatment, treatment or disposal of Wastewater by the Authority, the revenues from which were pledged to secure the Authority's Water and Sewer System Revenue and Refunding Bonds, Series of 1994, which the Authority issued on March 10, 1994;

WHEREAS, the United States of America (the "Government") has offered to purchase the 1996 Bonds upon certain terms and conditions, including the requirement that the County enter into an agreement to provide, as necessary, financial support to the Authority in the payment of the operating and maintenance expenses of the System and of debt service on the 1996 Bonds and any other outstanding bonds of the Authority issued heretofore and hereafter in connection with the System, subject to the appropriation by the Board of Supervisors of sufficient funds for such purposes;

WHEREAS, the Authority has requested the Board of Supervisors, on behalf of the County, to enter into such a support agreement and the Board of Supervisors desires to do so, to improve the marketability of the 1996 Bonds and the Authority's cost of financing; and

WHEREAS, a draft dated June 10, 1996, of a Support Agreement with amendments, between the Board of Supervisors, acting on behalf of the County, and the Authority (the "Support Agreement"), has been presented to this meeting;

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

1. It is determined to be in the best interests of the County and its Citizens for the Board of Supervisors to enter into the Support Agreement.

2. In consideration of the Authority's undertakings with respect to financing the 1996 Project, the Chairman or Vice-Chairman, either of whom may act, is hereby authorized and directed to execute and deliver the Support Agreement. The Support Agreement shall be in substantially the form, with amendments, presented to this meeting, which is hereby approved, with such completions, omissions, insertions or changes not inconsistent with this resolution as may be approved by the Chairman or Vice-Chairman, the execution thereof by the Chairman or Vice-Chairman to constitute conclusive evidence of his approval of such completions, omissions, insertions or changes.

3. The County Administrator is hereby authorized and directed to carry out the obligations imposed by the Support Agreement on the County Administrator.

4. As provided by the Support Agreement, the Board of Supervisors hereby undertakes a non-binding obligation to appropriate to the Authority such amounts as may be requested from time to time pursuant to the Support Agreement, to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of

Virginia. The Board of Supervisors, while recognizing that it is not empowered to make any binding commitment to make such appropriations in future fiscal years, hereby states its intent to make such appropriations in future fiscal years, and hereby recommends that future Boards of Supervisors do likewise during the term of the Support Agreement.

5. The Board of Supervisors, on behalf of the County, hereby agrees to the Authority's issuance of the 1996 Bonds, provided that such 1996 Bonds not exceed an original aggregate principal amount of $5,250,000.

6. All resolutions or parts thereof in conflict herewith are hereby repealed.

Extract

7. All approval and actions taken pursuant to this resolution shall be subject to final review and approval by the County Administrator and the County Attorney of the 1996 Bonds, the Support Agreement and related documents thereto.

8. This resolution shall take effect immediately.

IN RE: ADJOURNMENT

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 7:32 P.M. to be continued until Wednesday, June 26, 1996 at 7:00 P.M. for an Executive Session to discuss Investment of Public Funds and Consult with Legal Counsel with the Industrial Development Authority and the School Board.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 26TH DAY OF JUNE, 1996, AT 7:00 P.M.

PRESENT: AUBREY S. CLAY, CHAIRMAN — ELECTION DISTRICT #5

CHARLES W. BURGESS, JR. — COUNTY ADMINISTRATOR

IN RE: OPEN SESSION

Mr. Clay called the meeting to order at 7:04 P.M.

IN RE: ADJOURNMENT

Mr. Clay adjourned the meeting at 7:05 P.M. to be continued until July 3, 1996 at 5:00 P.M. at the Homeplace Restaurant for an Executive Session to discuss Personnel and Legal issues.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 3RD DAY OF JULY, 1996, AT 7:30 P.M.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the June 19, 1996 Regular Meeting and the June 26, 1996 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1001813 - #1002131 (void #1001811 - #1001812) for Accounts Payable in the amount of $227,265.58; General Fund $218,483.29, Jail Commission $397.25, E911 Fund $368.00, Self Insurance Fund $3,347.48, Law Library $317.36, Fire Programs/EMS Fund $2,253.71, Law Enforcement Fund $525.99, County Debt Service Fund $1,572.50; and Payroll in the amount of $267,985.14; General Fund $267,584.42, E911 Fund $400.72.

Mr. Tickle asked for a breakdown of expenses that the County pays to Nottoway County for the Circuit Court Judge whose office is located in Nottoway County.

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that the fee was paid on an annual basis and before the end of the meeting she would get a breakdown of the expenses and give it to the Board.

IN RE: RESOLUTION OF APPRECIATION -- EDWARD A. BRACEY, JR.

Mr. Clay presented Mr. Bracey with the following resolution of appreciation for his service on the Social Services Board:

WHEREAS, Mr. Edward A. Bracey, Jr. has served, for 8 years, on the Dinwiddie County Board of Social Services as Chairman and Vice-Chairman with distinction and integrity from July, 1988 to June, 1996; and

WHEREAS, the Board of Supervisors on the 3rd day of July, 1996 is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW THEREFORE BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia hereby commends Mr. Edward A. Bracey, Jr. for his contributions devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that this resolution be delivered to Mr. Edward A. Bracey, Jr., and a copy spread upon the minutes of this meeting.

IN RE: CITIZEN COMMENTS

1. Mr. Burton Harman, 17502 White Oak Road, Sutherland, VA came before the Board and commented on the County's Personal Property Tax

Rate. He stated that he felt that the rate was too high and presented several signed petitions by citizens in the County.

IN RE: CLAIMS -- CONTINUED

Mrs. Ralph, Ass't County Administrator, presented a copy of the bill from Nottoway County to the Board in regards to the Circuit Court Judge that Mr. Tickle requested earlier in the meeting.

IN RE: P-96-2 -- SAPONY HUNT CLUB -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on June 19, 1996 and June 26, 1996 for the Board of Supervisors to conduct a public hearing to consider a rezoning request by Sapony Hunt Club to rezone a parcel of land from R-1, Residential, to A-2, General Agricultural.

Mr. William C. Scheid, Planning Director, stated that the property has slightly rolling terrain. The 3 acre tract is located at the rear of the property and is not visible from Route 650. Access to the tract is extremely difficult and must be accessed by truck or a 4-wheel drive vehicle. He stated that the tract of land was previously rezoned to Residential R-1 in the early 1970's for Mr. Mason.

Mr. Scheid also stated that Sapony Hunt Club is in the process of purchasing 3.0 acres from Mr. G. Ragsdale in order to build a hunt club. It was recently discovered that this land was rezoned Residential R-1 and a hunt club building is not a permitted use in this zoning district. In order to establish the hunt club building, the property must be rezoned to Agricultural, A-2. Mr. Scheid stated that it was the recommendation of the Planning Staff that the rezoning application be granted for the following reasons:

Extract

1. the existing Comprehensive Land Use Plan and the proposed amended Plan recommend that this land be zoned Agricultural;
2. while this tract of land is zoned Residential, all other adjacent land parcels are zoned Agricultural, A-2;
3. the area has scattered sites for residential homes (with the exception of homes with Lew Jones S/D) with the major land use in the area of being timber production and farming; and
4. the site is remote and will not present a detrimental effect on properties located in the area.

This being a public hearing the Chairman opened the floor for public comment: No one signed up to speak.

Mr. Bracey asked if the property would be used to house a dog kennel.

Mr. Steve Beville, applicant, came before the Board and stated that it would not be used as a dog kennel but there would be some of the members' dogs housed on the property.

Mr. Bracey stated that that was fine as long as there would not be a dog kennel on the property.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that a three acre portion of land parcel 67-44 of the Dinwiddie County Zoning Maps, located approximately 1800 feet from Route 650, Lew Jones Road, is amended by changing the district classification from R-1, Residential, to A-2, General Agricultural.

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

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

IN RE: 1996-97 BUDGET AMENDMENTS

Mrs. Ralph, Ass't County Administrator, came before the Board and stated that there were several amendments to the 1996-97 Budget. The first amendments deal with the Debt Service, School Textbook and School Fund, which is basically the School Board Budget. There will be no change in the School Cafeteria Fund. She also stated that a separate fund needed to be established for the Southside Virginia Regional Technology Consortium (SVRTC) so it would not be included in the School Fund.

For the General Fund, she stated there was an amendment request dealing with the Extension Service and Mr. Fred Custis, Regional Manager, Virginia Cooperative Extension, was asked to be present in order to discuss the request but was not present. She requested that this amendment be postponed until Mr. Custis could be available to discuss it.

Extract

The last amendment is dealing with rent that the Extension Service now has to pay because they were relocated to the Farm Credit Mall Building.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following amendments are approved for the FY 96-97 School Board Budget and Dinwiddie County General Fund Budget:

BUDGET AMENDMENTS

FY 96-97 SCHOOL BOARD BUDGET

	ADOPTED	AMENDMENT
DEBT SERVICE FUND:	$ 1,049,847	$ 1,210,147
SCHOOL TEXTBOOK FUND:		
6200 Instruction	$ 242,063	$ 251,585
SCHOOL FUND:		
Instruction	$14,408,404	$14,511,522
Administration, Attendance & Health Services	$ 583,075	$ 593,757
Pupil Transportation Services	$ 1,395,024	$ 1,403,142
Operation and Maintenance of Services	$ 1,880,841	$ 1,886,217
School Food Services	$ -0-	$ -0-
Capital Projects	$ 77,342	$ 77,342
Special Projects	$ 899,008	$ 907,473
Transfer to School Textbook Rental Fund	$ 192,063	$ 201,585
Transfer to OYCS Fund	$ 10,000	$ 10,000
TOTAL - SCHOOL FUND	$19,445,757	$19,591,038
SCHOOL CAFETERIA FUND:	$ 966,905	$ 966,905
SVRTC FUND:	$ -0-	$ 135,000

FY 96-97 COUNTY BUDGET

ADVANCEMENT OF AGRICULTURE & HOME ECONOMIC:		
1. Rent Building	$ -0-	$ 10,200

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer be authorized to establish the Southside Virginia Regional Technology Consortium (SVRTC) Fund and appropriate funds in the amount of $135,000 effective July 1, 1996;

IN RE: FY 96-97 BUDGET -- APPROPRIATIONS RESOLUTION

Mrs. Ralph, Ass't County Administrator, stated that she wished to go over the proposed appropriations resolution with the Board so they could discuss several things.

The first part of of the resolution is appropriating funds on a monthly basis to the General Fund budget as claims are approved. The next part appropriates the money into the other funds, for example; Law Library Fund, Va. Public Assistance Fund, E911 Fund, Forfeited Asset Sharing Fund, Self Insurance Fund, OYCS Fund, Fire Programs Fund, CSA Fund, Jail Phone Commission Fund, CDBG Capital Projects Fund and Debt Service Fund. The next part establishes the SVRTC Fund (Southside Virginia Regional Technology Consortium).

Mrs. Ralph then stated that she wanted to discuss the next part in greater detail. The County Construction Fund and the School Construction Fund are separate funds shown in the budget this year. Because of projects that are still out there and have not been finalized the budgeted amounts are still in effect which were estimates upon consultations with architects and engineers as to what might be spent in these categories. She had hoped that by this time the projects would be settled and the necessary amendments could be made but since they are not they are going to leave them as they are in the budget and not ask the Board to appropriate money since they do not know what the final figures would be. What they would like to do is as those requisitions come in they would be brought to the Board and then the funds would appropriated.

Extract

In the next part it is the School Board budget by category with two changes to be made. The first is the additional $40,036 to Instruction and the second is in Debt Service which is the additional $159,000 transferred from the Meals Tax.

There is one fee that is not added which is the additional $1,300 that had to be added to the School Debt Service for Trustees fees because when the resolution was typed up it was not added in.

Mr. Tickle stated that he wanted to be sure that the $5,686,003 in the County Construction Fund and the $9,352,427 in the School Construction Fund would not be in the budget but would be appropriated on a monthly basis as requisitions are presented.

Mrs. Ralph stated that they would be in the budget but funds would be appropriated as the Board approved requisitions.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following 1996-97 Appropriations Resolution be adopted:

Whereas, the final 1996-97 budget has been adopted by the Board of Supervisors; and

Whereas, in order for the various departments and agencies to make expenditures within this budget, an appropriation of funds must be authorized by the Board of Supervisors;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the total General Fund budget in the amount of $14,565,171 will be appropriated on a monthly basis as claims are approved; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Law Library Fund in the amount of $3,500; Va. Public Assistance Fund in the amount of $1,697,051; E911 Fund in the amount of $38,731; Forfeited Asset Sharing Fund in the amount of $4,000;

Self Insurance Fund in the amount of $275,000; OYCS Fund in the amount of $62,730; Fire Programs Fund in the amount of $32,000; CSA Fund in the amount of $563,726; Jail Phone Commission Fund in the amount of $30,000; CDBG Capital Projects Fund in the amount of $60,000; Debt Service Fund in the amount of $1,215,247 beginning July 1, 1996; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the SVRTC Fund (Southside Virginia Regional Technology Consortium) be established and funds appropriated in the amount of $135,000 beginning July 1, 1996; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Construction Fund in the amount of $5,686,003 and the School Construction Fund in the amount of $9,352,427 be appropriated on a monthly basis as requisitions are presented; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board budget be appropriated by category as follows, beginning July 1, 1996:

Instruction	$15,670,580
(includes School Textbook Fund in the amount of $251,585)	
Administration, Attendance & Health	$ 593,757
Pupil Transportation	$ 1,403,142
Operation & Maintenance	$ 1,886,217
School Food Service (Cafeteria Fund)	$ 966,905
Facilities	$ 77,342
*Debt Service	$ 1,210,147

*(Includes $159,000 transfer from Meals Tax for bond payments)

IN RE: EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL -- APPOINTMENT

Mr. Charles W. Burgess, Jr., County Administrator, stated that at the last Board meeting he asked for the Board to consider appointing a Board member to the Emergency Services Advisory Council and he wanted to know if they had anyone in mind yet.

Mr. Bracey suggested that they wait until the next Board meeting to appoint someone.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Board will consider appointing a Board member at the July 17, 1996 meeting to the Emergency Medical Services Advisory Council.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Charles W. Burgess, Jr., County Administrator, stated that the South Central Waste Waster Authority closing occurred on July 2, 1996. As of that date the Localities of Chesterfield, Dinwiddie, Prince George and the Cities of Colonial Heights and Petersburg are now in a Sewer Authority for the operation of the Sewer Plant which is located in Petersburg.

IN RE: GENERAL OVER HAUL OF THE EXISTING SUBDIVISION ORDINANCE

Mr. Burgess asked for permission from the Board for Administration to pursue some general revisions called a general over haul of the existing subdivision ordinance. They are also asking that if any Board members have any particular suggestions or comments that they provide them to staff. They are also seeking comments from the Planning Commission and would like to use the comments made by the previously established subdivision committee of some years ago. He is hoping to report back to the Planning Commission and ultimately to the Board by early fall with some findings and recommendations on what changes need to be made to the Subdivision Ordinance.

Extract

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to pursue a general over haul of the existing subdivision ordinance.

IN RE: AWARD OF BID -- CARPET REPLACEMENT

Mr. Burgess presented the following in reference to replacing the carpet in the School Board Office, Social Services Building, Pamplin Administration Building and the Existing Courthouse corridors:

BID TABULATION SHEET

CARPET REPLACEMENT FOR SCHOOL BOARD OFFICE, SOCIAL SERVICES BUILDING, PAMPLIN ADMINISTRATION BUILDING AND EXISTING COURTHOUSE CORRIDORS

Note: All the following bids were signed before the opening except Carpet Plus + - Carpet Plus + bid was signed at 2:11 p.m.

BID ITEM NO. 1

Removed and replace carpet and 4" vinyl base in School Board office

Carpet Plus +	$ 10,484.15
Direct Floors Inc.	$ 10,622.00
Superior Floor Covering	$ 9,900.00

BID ITEM NO. 2

Extract

Remove and replacement carpet and 4" vinyl base in Social Services Building

Carpet Plus +	$ 13,041.00
Direct Floors Inc.	$ 13,000.00
Superior Floor Covering	$ 12,700.00

BID ITEM NO. 3

Remove and replace carpet and 4" vinyl base in the Pamplin Administration Building

Carpet Plus +	$ 21,554.53
Direct Floors	$ 22,659.00
Superior Floor Covering	$ 22,000.00

BID ITEM NO. 4

Remove and replace carpet in the existing corridors of the Courthouse Building

Carpet Plus +	$ 1,830.77
Direct Floors	$ 1,698.00
Superior Floor Covering	$ 1,500.00

UNIT PRICES 1: Add or delete carpet

Carpet Plus +	$ 13.06 S.Y.
Direct Floors Inc.	$ 14.15 S.Y.
Superior Floor Covering	$ 13.00 S.Y.

UNIT PRICE 2: Add or delete 4" vinyl base

Carpet Plus +	$ .87	L.F.
Direct Floors Inc.	$ 1.25	L.F.
Superior Floor Covering	$ .85	L.F.

UNIT PRICE 3: Additional floor patching

Carpet Plus +	$ .0	S.F.
Direct Floors Inc.	$ .25	S.F.
Superior Floor Covering	$ .50	S.F.

* Acoustics & Interiors - No bid submitted *

Staff recommended that they accept the low bid from Superior Floor Covering to replace the carpet in the School Board Office, Social Services Department and the Courthouse Corridors. They felt that the carpet in the Pamplin Administration Building could wait until a later time but felt that the others needed to be done as soon as possible.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the low bid from Superior Floor Covering be accepted to replace the carpet in the School Board Office in the amount of $9,900.00; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the low bid from Superior Floor Covering be accepted to replace the carpet in the Social Services Department in the amount of $12,700.00; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the low bid from Superior Floor Covering be accepted to replace the carpet in the existing corridors of the Courthouse Building in the amount of $1,500.

IN RE: BUDGET AMENDMENT REQUEST -- VIRGINIA COOPERATIVE EXTENSION

Mrs. Ralph stated that the Board was to consider a budget amendment request earlier in the meeting but was unable to because Mr. Fred Custis was not present from the Virginia Cooperative Extension Office to discuss it. She stated that he has since then come into the meeting and wanted to know if it was O.K. for him to come forward at this time.

The Board stated that that would be fine.

Mrs. Ralph stated that what she felt the request was in a nutshell was that instead of funding one of the positions completely by Dinwiddie that position is shared by other localities as are similar positions in the other localities. The funding arrangement does result in an increase in the budget by approximately $6,206. She also stated that Mr. Custis could tell the Board about how the percentages were arrived at.

Mr. Fred Custis, Regional Manager, Virginia Cooperative Extension, came before the Board and stated that the figures came from percentages based on the 1993 Agricultural Census for the State of Virginia. He stated that this is a new staffing plan which was derived by their new director. The reason the plan was derived was because their service, just like any other private organization has gone through a tremendous downsizing in personnel. They came up with this plan trying to meet the needs of the localities based on funding that the localities had already appropriated and the personnel that was already hired. He also stated that the plan is on a trial basis this year. If the plan works then this will become permanent.

Mr. Moody stated that he felt that the County would be losing an Extension Agent because the County would have to share their agent with other localities.

Mr. Custis stated that we would be sharing our agent but we would be gaining access to other agents in other localities that specialize in other fields besides the one that our agent does.

Mr. Moody stated that if the localities were going to have to pay $40,000 a year towards the new plan then they should just pay for their own agent 100% because they will end up sharing the agent with other localities and they will not be in their own localities as much. He does not see where it is a better deal.

Mr. Custis stated that the County had the choice of buying into the plan or funding the position of their Extension Agent 100%. He stated that within the plan the agent would use his own vehicle and would be reimbursed at $0.24 per mile.

Mr. Tickle wanted to know how would the County know if they were getting their right percentage of time from the Extension Agents.

Mr. Custis stated their office would provide to the localities the percentage of time that the agents were spending in each locality.

Mr. Custis also stated that if they find that the plan is not meeting the needs of the localities then they will go back to the drawing board.

Mr. Clay stated that he would be willing to go along with it for one year since it is on a trial basis.

Mr. Bracey and Mr. Moody stated that they would like to talk about it and then consider it at the next meeting.

Upon motion of Mrs. Everett that the Board approve the budget amendment request by Mr. Custis for the County to buy into the Virginia Cooperative Extension Service plan and appropriate funds in the amount of $38,926.00, with no second Mr. Clay called for a vote. Mrs. Everett, Mr. Clay voting "aye", Mr. Bracey, Mr. Tickle, Mr. Moody voting "nay",

The motion was denied by a vote of two "ayes" and three "nays".

The Board agreed to reconsider the budget amendment at their July 17, 1996 Board Meeting.

IN RE: ADJOURNMENT

Upon motion of Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 8:55 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT THE HOMEPLACE RESTAURANT IN DINWIDDIE COUNTY, VIRGINIA, ON THE 3RD DAY OF JULY, 1996, AT 5:00 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Commissioner staffing, Airport Authority employee benefits; Section 2.1-344(a) 7-Consultation with legal counsel - Landfill closure, Off-Duty Employment Policy amendment; the Board moved into Executive Session at 5:22 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:32 P.M.

IN RE: CERTIFICATION

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

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

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 7:35 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 17TH DAY OF JULY, 1996, AT 2:00 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR. (ABSENT)	ELECTION DISTRICT #4
	MICHAEL H. TICKLE (LEFT AT 3:52 P.M.)	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3
	PAUL JACOBSON	COUNTY ATTORNEY

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following be added to the agenda:

14. Executive Session - 2.1-344(a) 7-Legal
Courthouse Construction Documents

IN RE: MINUTES

Mr. Clay stated that the Board will postpone approving the minutes for the July 3, 1996 Regular Meeting and the July 3, 1996 Continuation Meeting until the Board meets again on August 7, 1996.

IN RE: CLAIMS

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mrs. Everett, Mr. Tickle, 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 #1002133 - #1002310 (void #1002132) for Accounts Payable in the amount of $491,336.78; General Fund $169,284.64, Jail Commission $92.43, E911 Fund $21.00, Self Insurance Fund $36,319.79, Fire Programs/EMS Fund $1,991.95, County Capital Projects $170,644.00 and County Debt Service Fund $112,982.97.

Mr. Tickle stated that he thought it would be a good idea for the County to look into getting 2 or 3 suppliers for maintenance on vehicles because of the broad charges in maintenance fees.

Mr. Clay stated that they would have to rebid it.

Mrs. Wendy Ralph, Ass't County Administrator, stated that they could go ahead and rebid it if that is what the Board is directing them to do.

Mr. Tickle stated that he is directing staff in that direction because most industries are starting to negoitate with certain vendors/suppliers and he can't see why they can not find three suppliers in the County that they can do business with and negotiate somewhat of a standard contract with them on certain items.

Mr. Tickle stated that he noticed where the County paid out $36,000 in Self Insurance claims. He wanted an explanation on how the money was being spent out of the Self Insurance Fund.

Mrs. Ralph stated that staff would be addressing that later in the meeting.

IN RE: CITIZEN COMMENTS

No one signed up to speak.

IN RE: RESOLUTION OF APPRECIATION -- EDWARD A. BRACEY, JR.

It was brought to the Board's attention that at the last meeting Mr. Bracey was presented with a resolution of appreciation for his years of service on the Dinwiddie County Social Services Board but the resolution was never formally adopted.

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mrs. Everett, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, Mr. Edward A. Bracey, Jr. has served, for 8 years, on the Dinwiddie County Board of Social Services as Chairman and Vice-Chairman with distinction and integrity from July, 1988 to June, 1996; and

WHEREAS, the Board of Supervisors on the 3rd day of July, 1996 is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW THEREFORE BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia hereby commends Mr. Edward A. Bracey, Jr. for his contributions devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that this resolution be delivered to Mr. Edward A. Bracey, Jr., and a copy spread upon the minutes of this meeting.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Harold Dyson, Ass't Resident Engineer, presented a progress report for VDOT for the month of June, 1996 because Mr. Ronald Reekes, Resident Engineer, was attending a District Staff Meeting.

Mr. Tickle wanted to know if the County had an illegal parking ordinance so that when people park in areas where VDOT has put up "No Parking" signs they will be given a citation.

Mr. Samuel H. Shands, Sheriff, stated that the County has not adopted an illegal parking ordinance as of yet.

Mr. Tickle stated that he would like to get a report every six months on every project that is affected by the funds that Dinwiddie receives from the State for the Six-Year Plan.

IN RE: SUBDIVISION STREET ADDITION -- CHESDIN FOREST SUBDIVISION

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, Sequoia Court, Sierra Road and Yosemite Road described on SR-5(A), Proposed Additions to the Secondary System of State Highways, fully incorporated herein by reference, are shown on plat date 8/27/87 recorded in Deed Book 13, page 74-75 in the Clerks Office of the Circuit Court of Dinwiddie County, and

Extract

WHEREAS, the Resident Engineer for the Department of Transportation has advised the Dinwiddie County Board of Supervisors that Sequoia Court, Sierra Road and Yosemite Road described on the Form SR-5(A) to the Secondary System of State Highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills, and drainage, and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, presented the following memo to the County Administrator prior to the meeting:

TO: Charles W. Burgess, Jr.
County Administrator

FROM: Deborah M. Marston
Commissioner of the Revenue

DATE: July 17, 1996

RE: Board of Supervisors Meeting

Please be advised that I will be unable to attend the meeting today. My deputy and I are diligently working with Wingate Appraisal to clean up the real estate split-offs and new construction to ensure both sides have connected all date properly to the correct parcels. This is an extremely important part of the General Reassessment clean-up process prior to notices being mailed to the taxpayers. If we should finish I will be in attendance, however, we have been working all week and staying over in the evenings to reach our deadline of this Thursday.

Should any questions arise, please memo me and I will be most happy to respond.

Also, I do not have anything to report.

Thanking you and the Board in advance for your kind understanding in this matter.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, came before the Board and presented his report for the month of June, 1996.

IN RE: DELINQUENT TAX LISTING REPORT AS OF JUNE 1996

In accordance with 58.1-3928 of the Code of Virginia, the following information was provided to the Board:

1994 Uncollected Taxes as of June 30, 1996 - Base Tax only

	June 30, 1995	June 30, 1996
1. Uncollected 1994 R.E. Taxes	187,644.31	97,784.16
2. Uncollected 1994 P.P. Taxes	155,835.05	104,630.35
3. Uncollected 1994 P.S. Taxes	3,524.95	2,694.45

1995 Uncollected Tax Listing Report as of June 30, 1996

1. Uncollected 1995 Real Estate taxes	139,637.30
2. Uncollected 1995 Personal Property taxes	151,870.65
3. Uncollected 1995 Public Services taxes	205.89

Extract

1996 Uncollected First Half Tax Listing as of June 30, 1996

1. Uncollected 1996 Real Estate taxes	241,392.89
2. Uncollected 1996 Personal Property taxes	548,131.13

Mr. Jones stated that due to the collection rate being up this year and having other means of collecting delinquent taxes he didn't feel it was necessary to run the list in the newspaper.

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that upon recommendation of the Treasurer the delinquent tax list will not be published for the 1995 calendar year.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mrs. Everett, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 7-Consultation with legal counsel - Landfill Closure; the Board moved into Executive Session at 3:10 P.M. A vote having been made and approved the meeting reconvened into Open Session at 3:28 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Moody, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: AUTHORIZATION TO CONTRACT WITH DRAPER ADEN & ASSOCIATES TO INVESTIGATE LANDFILL CLOSURE

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Draper Aden & Associates is authorized to make an initial investigation of the Landfill closure contingent upon review of existing contracts.

IN RE: COMMONWEALTH ATTORNEY --- REPORT

Mr. T.O. Rainey, Commonwealth Attorney, presented the following letter to the County Administrator prior to the meeting:

July 18, 1996

Board of Supervisors
Dinwiddie County Administration Office
Dinwiddie, VA 23841

Dear Board Members:

A hearing schedule for today in Federal Court will prevent me from being at today's Board meeting, I will however be attending the night meeting on August 7, 1996. I am presently working with the County Attorney on the advertising for the new gun ordinance. At this time I have nothing further to report.

Should you have any questions, please do not hesitate to contact me.

Cordially yours,

T.O. Rainey, III

IN RE: SHERIFF -- REPORT

Mr. Samuel H. Shands, Sheriff, came before the Board and stated that he did not have anything to present at this time but was available for questions or comments from the Board.

Mr. Tickle recommended that the Commonwealth Attorney and Sheriff get together to discuss an illegal parking ordinance. He also suggested that the ordinance be brought before the Board at the same time the proposed handicapped parking ordinance will.

IN RE: BUILDING -- REPORT

Mr. Dwayne Abernathy, Building Inspector, presented his report for the month of June, 1996.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of June, 1996.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W.C. Scheid, Director of Planning, presented his report for the month of June, 1996.

IN RE: SUBDIVISION ORDINANCE REVIEW COMMITTEE

Mr. Scheid stated that the Planning Commission is forming a Subdivision Ordinance Review Committee. It was discussed that the Committee should be comprised of 2 members from the Planning Commission, 1 member from the Board of Supervisors and several citizen members. He stated that if the Board is in agreement with the Committee he would request that the Board select a member to serve on the Committee. Additionally, if any Board member knows of a citizen that would be interested in being considered for this Committee, please let me know. Obviously, the initial Committee members would make the final selection of additional Committee members.

He also stated that this Committee is being established to Comprehensively review the current subdivision ordinance and to propose updates to the ordinance. The Planning Commission suggested that the Board appoint one member but if the Board chooses to appoint two members that is fine.

Extract

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Michael H. Tickle is hereby appointed to serve on the Subdivision Ordinance Review Committee.

Mr. Tickle stated that he feels that it would be better to have two Board members appointed to the Committee.

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Edward A. Bracey, Jr. is hereby appointed to serve on the Subdivision Ordinance Review Committee.

IN RE: DIRECTOR OF PLANNING -- REPORT -- CONTINUED

Mr. Scheid then proceeded to pass out the revised Comprehensive Land Use Plan.

The Chairman announced at 3:52 P.M. that Mr. Tickle needed to leave the meeting due to a previous engagement.

Mr. March Altman, Zoning Administrator, came before the Board and presented his report for the month of June, 1996.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy M. McElveen, Director of Social Services, presented her report for the month of June, 1996.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mr. Charles Taylor, Director of Human Resources, came before the Board and stated that he was representing the Superintendent today because all the administrators were at a conference in Charlottesville.

IN RE: APPROVAL OF REQUISITIONS -- CIP PROGRAM

Mr. Taylor requested that Requisition #8 be approved and funds appropriated in the amount of $8,124.54 which consists of legal fees for the School CIP Program.

Mrs. Wendy Ralph, Ass't County Administrator, came before the Board and stated that there were two separate invoices for requisition #5 for the Courthouse project that needed to be approved and funds appropriated. One is in the amount of $215,798.34 which is the August 1st interest payment on the new bond issue for the Courthouse and the other is in the amount of $1,049.65 which are legal fees for the Courthouse Project.

Extract

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that requisition #8 be approved and funds appropriated in the amount of $8,124.54 for CIP expenses in reference to School CIP; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that requisition #5 be approved and funds appropriated in the amounts of $215,798.34 and $1,049.65 for expenses in reference to the construction of the new courthouse.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of June, 1996.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Dennis E. King, Director of Waste Management, presented his report for the month of June, 1996.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Services Coordinator, presented her report for the month of June, 1996.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Paul Jacobson, County Attorney, was present but did not have anything to report to the Board but stated that he was available for any questions.

IN RE: CONSTRUCTION INSPECTOR

Mr. Donald Faison, Construction Inspector, presented his report for the month of June, 1996.

IN RE: EXTENSION SERVICE -- FY 97 BUDGET AMENDMENT

Mr. Charles W. Burgess, County Administrator, stated that at the last Board meeting Mr. Fred Custis, Regional Manager, Virginia Cooperative Extension, came before the Board and requested an increase in their budget by approximately $6,206. The increase would be because instead of funding one of the positions completely by Dinwiddie that position would be shared by other localities as are similar positions in other localities.

Mr. Moody stated that there was nothing the Board could really do about it but approve it this year and try it and if they were not pleased then they could reconsider next year.

Mrs. Everett stated that she felt that it was unfortunate that the vote was delayed from the last meeting because there is really nothing that the Extension Service could do. She also stated that the concerns of the Board should be directed at the General Assembly and to their Legislators and ask them to increase funding for the Extension Service and to be better to the rural communities.

Extract

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the FY 96-97 Dinwiddie County General Fund Budget be amended and funds appropriated by adding $6,206 to the Department of Advancement of Agriculture & Home Economics as requested.

IN RE: COURTHOUSE CONSTRUCTION -- AUTHORIZATION TO EXECUTE CONTRACT DOCUMENTS

Mr. Burgess stated that staff is requesting to delay this item until after the scheduled executive session after the regular meeting.

IN RE: EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL -- APPOINTMENT

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mrs. LeeNora Everett is hereby appointed to the Emergency Medical Services Advisory Council for a term of two years expiring July 1, 1998.

IN RE: VIRGINIA MUNICIPAL GROUP SELF INSURANCE ASSOCIATION -- AUTHORIZATION TO SUBMIT AN APPLICATION -- WORKERS' COMPENSATION

Mrs. Wendy Ralph, Ass't County Administrator, stated that staff has finally been able to start the process of moving out of the Self Insurance Program into a larger pool. The pool that they are considering for Workers' Compensation is the Virginia Municipal Group. Mrs. Ralph passed out an application to enter into the program and an agreement which is a very lengthy resolution.

Mrs. Ralph requested authorization to submit an application and approval of the resolution for membership which would include paying the first years premium if the application is accepted effective August 1, 1996.

The Board stated that they felt that it would be a good idea to wait until the other Board members could be present in reference to approving membership in the program. They stated that they didn't see a problem with submitting an application because if the Board decided later that they would not like to get involved they could withdraw their application.

Extract

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that staff is authorized to submit an application for membership in the Virginia Municipal Group Self Insurance Association in reference to Workers' Compensation.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public

body - Commissioner staffing; Section 2.1-344(a) 7-Consultation with legal counsel - County Building Policy - Courthouse Construction Documents; the Board moved into Executive Session at 4:40 P.M. A vote having been made and approved the meeting reconvened into Open Session at 5:40 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Moody, seconded by Mr. Everett, Mrs. Everett, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: AWARD OF CONTRACT -- COURTHOUSE CONSTRUCTION

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator and County Attorney are authorized to take the necessary steps to execute contract documents with Gulf Seaboard, General Contracts, Inc., in the amount of $7,107,700 for the construction of the Courthouse.

IN RE: BUILDER'S RISK POLICY -- COURTHOUSE & SCHOOL CONSTRUCTION PROJECTS

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the low bid from Peerless Insurance Company through Bulifant Insurance Center was accepted at $.075/$100 for new construction and $.09 for renovation to provide builders risk insurance coverage for the Courthouse and School Construction projects.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 5:45 P.M. to be continued until Wednesday, August 7, 1996 at 5:00 P.M. for an Executive Session to discuss Personnel and Legal matters.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 7TH DAY OF AUGUST, 1996, AT 5:00 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3
	BEN EMERSON	COUNTY ATTORNEY

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Commissioner Staffing; Section 2.1-344(a) 7-Consultation with legal counsel - VBF Litigation - Self Insurance Program - Contract Addendum/Courthouse Construction - Building Policy; the Board moved into Executive Session at 5:22 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:34 P.M.

IN RE: CERTIFICATION

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 7:36 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 7TH DAY OF AUGUST, 1996, AT 7:30 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3
	BEN EMERSON	COUNTY ATTORNEY

IN RE: MINUTES

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the July 3, 1996 Continuation Meeting, July 3, 1996 Regular Meeting and the July 17, 1996 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1002312 - #1002569 (void #1002311) for Accounts Payable in the amount of $178,265.16; General Fund $165,663.10, Jail Commission $101.94, E911 Fund $1,909.56, Self Insurance Fund $9,304.85, Law Library $546.34, Law Enforcement Fund $671.51, CDBG Fund $67.86; and Payroll in the amount of $268,371.96; General Fund $268,218.15 and E911 Fund $153.81.

IN RE: APPROVAL OF REQUISITIONS -- CIP PROGRAM

Mrs. Wendy Weber Ralph, Ass't County Administrator, came before the Board and stated that she had two requisitions that needed to be approved. Requisition #9 is in reference to the School Project in the amount of $49,228.77 which consists of $2,631.87 in legal fees, $44,523.65 for construction of the High School Track and $2,073.25 for soil testing.

Mr. Bracey wanted to know the total cost of the track at the High School because he knew that the Board had previously appropriated funds for it to be constructed.

Mrs. Troilen Seward, School Superintendent, who was in the audience, stated that she would get those fees together for Mr. Bracey.

Extract

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that requisition #9 be approved and funds appropriated in the amount of $49,228.77 for CIP expenses for the School Improvement Projects Fund.

Mrs. Ralph passed out information in reference to Requisition #6 for the Courthouse Project Fund and apologized for bringing it to the Board at the last minute but she just received some of the invoices that day. She stated that the requisition was in the amount of $67,668.60 which were fees for Architectural Services in reference to the Courthouse Project.

The Board requested that they be given some time to review the invoices and approve it at a later time.

IN RE: A-96-14 -- HANDICAPPED PARKING -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on July 24, 1996 and July 31, 1996 for the Board of Supervisors to conduct a public hearing in order to hear public comments on an Ordinance to add Section 14-5 to the Code of the County of Dinwiddie.

Mr. Ben Emerson, County Attorney, came before the Board and stated that the ordinance would make it a Class 4 Misdemeanor to park in spaces reserved for persons with disabilities and allow for the removal of vehicles not displaying disabled parking license plates or placards.

This being a public hearing, the Chairman opened the floor for public comment:

1. Joe Daniels, Sutherland Road, Sutherland, VA. He came before the Board and stated that he fully supported the County adopting any ordinance that would benefit disabled people.

Mr. Bracey stated that he would like to see, in one year, how many tickets were written for parking in handicapped parking spots.

Mr. Samual Shands, Sheriff, who was present, stated that he would be glad to let Mr. Bracey know how many tickets were written in one year.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the Code of the County of Dinwiddie, Virginia is amended and reordained by adding Section 14-5 as follows:

Section 14-5. PARKING IN SPACES RESERVED FOR PERSONS WITH DISABILITIES PROHIBITED; REMOVAL OF VEHICLES NOT DISPLAYING DISABLED PARKING LICENSE PLATES OR PLACARDS.

A. It shall be unlawful for a vehicle not displaying disabled parking license plates, an organizational removable windshield placard, a permanent removable windshield placard, or a temporary removable windshield placard issued under Section 46.2-731 of the Code of Virginia, 1950, as amended or DV disabled parking license plates issued under subsection B of Section 46.2-731 of the Code of Virginia, 1950, as amended, to park in a parking space reserved for persons with disabilities that limit or impair their ability to walk.

B. It shall be unlawful for a person, who is not limited or impaired in his ability to walk, to park a vehicle, displaying disabled parking license plates, an organizational removable windshield placard, a permanent removable windshield placard, or a temporary removable windshield placard issued under Section 46.2-731 of the Code of Virginia, 1950, as amended, or DV disabled parking license plates issued under subsection B of Section 46.2-731 of the Code of Virginia, 1950, as amended, in a parking space reserved for persons with disabilities that limit or impair their ability to walk, except when transporting a person with such a disability in the vehicle.

C. Organizational removable windshield placards, permanent removable windshield placards, and temporary windshield placards shall be displayed in accordance with Section 46.2-1237 of the Code of Virginia, 1950, as amended.

D. Parking spaces reserved for persons with disabilities that limit or impair their ability to walk shall be identified in accordance with Section 36-99.11 of the Code of Virginia, 1950, as amended.

E. Disabled parking license plates, permanent removable windshield placards, temporary removable windshield placards, and DV disabled parking license plates issued by other states and countries for the purpose of identifying vehicles permitted to use parking spaces reserved for persons with disabilities that limit or impair their ability

to walk shall be accorded all rights and privileges accorded by the Commonwealth of Virginia and County of Dinwiddie to vehicles displaying such devices.

F. The owner or duly authorized agent of the owner of a parking space properly designated and clearly marked as reserved for use by persons with disabilities that limit or impair their ability to walk may have any vehicle not displaying disabled parking license plates, organizational removable windshield placards, permanent removable windshield placards, temporary removable windshield placards, or DV disabled parking license plates removed from the parking space and stored. The owner of the vehicle which has been removed and stored may regain possession of his vehicle on payment to the person or persons, who removed and stored the vehicle, of all reasonable costs incidental to the removal and storage. The owner of the vehicle, on notice to the owner or duly authorized agent of the owner of the parking space, may also petition the General District Court of the County of Dinwiddie for an immediate determination as to whether the removal of the vehicle was lawful. If the Court finds that the removal was unlawful, the Court shall direct the owner of the parking space to pay the costs incidental to the removal and storage of the vehicle and return the vehicle to its owner.

G. In any prosecution charging a violation of this Ordinance, proof that the vehicle described in the complaint, summons, parking ticket, citation or warrant was parked in violation of the Ordinance, together with proof that the defendant was at the time the registered owner of the vehicle, as required by Chapter 6, Title 46.2 of the Code of Virginia, 1950, as amended, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who committed the violation.

H. Upon entry of a conviction under this section, involving the misuse of the privilege pertaining to vehicles displaying their license plates or placard issued pursuant to Section 46.2-731 of the Code of Virginia, 1950, as amended, the Court shall send notice of the conviction of the number of the license plate or placard to the Commissioner of the Department of Motor Vehicles of the Commonwealth of Virginia, who may revoke the license plate or placard if he finds, after hearing if requested by the person to whom the license plate or placard is issued, that such person (i) is not a person with a disability that limits or impairs his ability to walk and is not otherwise eligible to be issued a license plate or placard pursuant to Section 46.2-731 of the Code of Virginia, 1950, as amended, or (ii) is authorized to have such license plate or placard but has allowed the abuse or misuse of the privilege granted thereby so that revocation appears appropriate to remedy the abuse or misuse.

I. A summons or parking ticket for violation of this Ordinance may be issued by law-enforcement officers and other uniformed personnel employed by the County to enforce parking regulations without the necessity of a warrant being obtained by the owner of a private parking area.

J. Any person violating subsection (A) or (B) of this Ordinance shall be guilty of a Class 4 misdemeanor.

State law reference: Code of Virginia Section 46.2-1237.

IN RE: A-96-15 -- PROCUREMENT AMENDMENT -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on July 24, 1996 and July 31, 1996 for the Board of Supervisors to conduct a public hearing for the purpose of considering for adoption an Ordinance to amend the Code of the County of Dinwiddie Section 2-70 to provide that the County's Small Purchase Procedures may be used for goods, services, or insurance the cost of which is not expected to exceed $30,000.00.

Extract

This being a public hearing, the Chairman opened the floor for public comment:

No one signed up to speak.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Article IV, Chapter 2, Section 2-70 of the Code of the County of Dinwiddie, Virginia is amended and reordained by deleting the current text of Section 2-70 and adopting in its place the following:

Section 2.70. Same - Purchases of less than $30,000.

The Board of Supervisors (the "Board") shall have the right to establish purchase procedures, if adopted in writing, that do not require competitive sealed bids or competitive negotiation for single or term contracts not expected to exceed thirty thousand dollars ($30,000.00). Such procedures shall provide for competition wherever practicable. (Ord. of 12-15-82, Section 2-12; Ord. of 3-6-91).

State law reference - Similar provisions, Code of Virginia, Section 11-41F.

IN RE: ADOPTION OF FORM -- SMALL PURCHASE PROCEDURES

Mrs. Ralph then requested the Board to consider adopting a revised form to be used for small purchase procedures.

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the form presented be used when practicing small purchase procedures.

IN RE: A-96-16 -- USE OF FIREARMS -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on July 24, 1996 and July 31, 1996 for the Board of Supervisors to conduct a public hearing for the purpose of considering for adoption a proposed Ordinance to Amend the Code of the County of Dinwiddie.

Mr. Robert Hill, Ass't Commonwealth Attorney, came before the Board and apologized for Mr. T.O. Rainey, Commonwealth Attorney, not being present because he had a previous engagement. Mr. Hill stated that the proposed ordinance would make it illegal to discharge firearms, air-operated or gas-operated weapons within a hundred yards of any building or structure occupied by one or more persons except in the case of immediate danger or as authorized by the Code of the County of Dinwiddie and to make it illegal to shoot, within 100 yards of another's property, an arrow from a bow towards another's property.

Extract

This being a public hearing the Chairman opened the floor for public comment:

1. James D. Stratton, Shoreview Drive, Sutherland, VA. He stated that he was not for or against the proposed ordinance but requested that the Board use "common sense" when coming up with a final draft of the ordinance.

2. Arthur Green, Jr., Quaker Road, Dinwiddie, VA. He stated that the ordinance is not any good the way it is being proposed. He requested that they come up with something more "workable".

3. T.H. Van Pelt, Old Vaughan Road, Dinwiddie, VA. He stated that he did not feel that the County researched the issue and suggested that they investigate the issue further before adopting an ordinance.

4. George Friday, Floyd Avenue, Dinwiddie, VA. He came before the Board and stated that he declined to speak because he already addressed his concerns with the appropriate department head in reference to a separate issue.

5. John Boswell, Church Road, Petersburg, VA. He came before the Board and stated that he did not think that the proposed ordinance was a good idea.

6. Ann Robertson, First Street, DeWitt, VA. She came before the Board and stated that she was glad that the proposed ordinance was still in the planning stages because she stated that there is evidence that an ordinance of some sort is needed. She suggested that the following be substituted for part (b) of the proposed ordinance:

> (b) It shall be unlawful for any person to launch, propel, shoot, throw, or convey any projectile, missile, shaft, bullet, or pellets on to or across the property of any land owner without permission of the owner, tenant, or fee holder of said property.

7. Joe Daniels, Sutherland Road, Sutherland, VA. He came before the Board and stated that an ordinance needs to be put on the books. Mr. Daniels then expressed his concerns as to why he felt that an ordinance needed to be put on the books.

8. John R. Fraser, Bain Road, Stony Creek, VA. He came before the Board and stated that he opposed the ordinance as drafted. He also stated that he disagrees with Mr. Daniels' comments and agrees with Mrs. Robertson's comments.

9. Russell Williams, Quaker Road, Dinwiddie, VA. He came before the Board and stated that he opposed the ordinance. He stated that he feels like too many people are trying to tell him what he can and can not do on his property that he is buying with his own money.

10. Clarence Allgood, Halifax Road, Dinwiddie, VA. He came before the Board and stated that he is opposed to any type of restriction on firearms.

11. Earl Allgood, Halifax Road, Dinwiddie, VA. He came before the Board and stated that he felt that instead of restricting the use of firearms people should be responsible when teaching their children about gun safety. He felt that the whole County should not be penalized because someone else is mishandling a firearm.

12. Cheryl Martinez, Sparrow Court, Petersburg, VA. She came before the Board and stated that she felt that the County needed to come up with some sort of ordinance. She stated that she is having a lot of problems with people shooting at all hours of the day and night and she is concerned for her families safety.

13. Mr. James Stratton, Shoreview Drive, Sutherland. He appeared before the Board and stated that he sympathized with Mr. Joe Daniels but asked the Board to please use "common sense" when they make their final decision.

The Chairman closed the public hearing.

Mrs. Everett stated that she felt that the Board needed to do something about the problems that some citizens were having.

Mr. Tickle stated that he agreed with Mrs. Everett.

Mr. Bracey stated that he would like to see the issue tabled because he does not feel that the whole County should suffer because of a couple of people's problems.

Mr. Moody stated that by the Board passing anything would it do any good. He suggested that they table it for sixty days.

Mr. Clay stated that he felt that sixty days was not long enough to investigate the issue further.

Mr. Burgess stated that Administration needed to reorganize and go back to the drawing board.

Mr. Moody stated that he would like to see a time line set for the issue so they wouldn't just let the issue go unresolved.

Upon motion of Mr. Moody, seconded by Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the issue of the proposed Ordinance to Amend the Code of the County of Dinwiddie Section by adding Section 15-7 to Chapter 15 in reference to the discharging of firearms be tabled for sixty days and if Administration is not ready for a recommendation then, they shall report to the Board on their progress.

THE CHAIRMAN CALLED FOR A TEN MINUTE RECESS AT 9:20 P.M.

IN RE: COURTHOUSE PROJECT -- GEOTECHNICAL ENGINEERING TESTING & SPECIAL INSPECTION SERVICES

Mrs. Wendy Weber Ralph, Ass't County Administrator, came before the Board and stated that the BOCA code requires that the County's projects have Construction Testing Services and also Special Inspection Services. The Architects attempted to procure those services for the County but after reviewing that information, Administration felt that the County should procure the services themselves. This means that the County would need to reject the bids that were submitted and go back through the procurement procedure.

Extract

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bids that were submitted for the Courthouse Project to perform Construction Testing Services and Special Inspection Services be rejected and Administration is authorized to rebid these services.

IN RE: SELF INSURANCE PROGRAM -- APPROVAL TO PARTICIPATE IN VIRGINIA MUNICIPAL GROUP SELF INSURANCE ASSOCIATION

Mrs. Wendy Weber Ralph, Ass't County Administrator, came before the Board and stated that at the last meeting they discussed changing the workers' compensation coverage from the individual self insurance group to a larger pool, the Virginia Municipal Group Self Insurance Association. The Board authorized the application process but now staff is requesting that the Board adopt a resolution allowing the County to participate in the program.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following agreement be adopted:

Extract

THIS AGREEMENT, made and entered into, pursuant to Virginia's Workers' Compensation Act and the State Corporation Commission's Rules Governing Group Self-Insurers of Liability under Virginia's Workers' Compensation Act, between all the parties who are now or may hereafter become members of Virginia Municipal Group Self Insurance Association (the "Association") a licensed group self-insurance association, and the Association.

WITNESSETH

WHEREAS, the Members of the Association have agreed to provide for joint and cooperative action to self-insure and to pool their separate liabilities arising pursuant to the terms of the Virginia Workers' Compensation Act (the "Act") and for certain other types of employers' liabilities for the death of dismemberment of, or injury to, their employees ("Employers' Liability"):

WHEREAS, the Members have organized and formed the Association as a joint fund to provide the necessary anticipated financing for such liabilities;

WHEREAS, the following persons:

Charles A. Robinson, Jr.	Kenneth R. Scott
John D. Cutlip	Clyde L. Williams
Alfred C. Mead, Jr.	Michael V. Wright
	R. Michael Amyx

constitute the current Members' Supervisory Board (the "Board") which is authorized to direct the affairs of the Association and to pass on the admissibility of applicants for membership in the Association;

WHEREAS, each Member of the Association is required to execute an Agreement whereby each will jointly and severally assume and discharge any liability under the Act of any and all Member employers who are parties to this Agreement and under all agreements of the Association relating to Members' Employers' Liability; and, in addition to the rights of the Association herein, in the event of failure of the Association to enforce such rights after reasonable notice to the Association, the Commission shall have the right independently to enforce on behalf of the Association the joint and several liability of its Members under the Act and all agreements relating to Members' Employers' Liability and the liability of Members for any unpaid contributions and assessments;

WHEREAS, each Member of the Association is required to execute an Agreement whereby each Member shall covenant and agree to pay contributions and assessments, based upon appropriate classifications and rates, into a designated cash reserve fund out of which expenses of the Association and lawful and proper claims and awards are to be paid, and further the agreement shall provide that there shall be no disbursements out of such fund by way of dividends or distribution of accumulated reserves to respective Members or former Members, except at the discretion of the Board as provided herein; and

WHEREAS, each Member of the Association has elected to become a party to this Agreement, to comply with the conditions set forth herein and establish a group self-insurance association pursuant to the provisions of Virginia Code Section 65.1-104.2 and the regulations promulgated thereunder, and to execute such other instruments and take such other action as may be required to form and continue such Association.

NOW, THEREFORE, for and in consideration of the mutual covenants, promises and obligations contained herein, which are given by the Association and each Member to each other Member and so accepted by each Member and the Association, the parties hereto covenant and agree as follows:

1. Each and all of the Members jointly and severally agree to assume, pay and discharge any liability under the Act of any and all member employers hereunder and, to the extent applied for by Members and agreed to by the Association, Employers' Liability of all Members; and each Member agrees to pay such assessments as may be required pursuant to paragraph 10(c) hereof; and, in addition to the rights of the Association herein, in the event of failure of the Association to enforce such rights after reasonable notice to the Association, the Commission shall have the right independently to enforce on behalf of the Association the joint and several liability of its Members under the Act and under this agreement and liability of any Member for any unpaid contributions and assessments.

2. The Members intend this Agreement as a mutual covenant of assumption of joint and several liability, and shall not be deemed to form or to be a partnership.

3. The Board has designated and appointed Virginia Municipal League as the Administrator who shall be empowered to accept service on behalf of the Association and authorized to act for and bind the Association and its Members in all transactions relating to or arising out of the operation of the Association. For its services, the Administrator shall receive such compensation as shall be agreed upon by the Board.

The Board, in its discretion, may at any time revoke the aforesaid powers of the Administrator and substitute another in the place and stead thereof. The Administrator's books and records are to be open to inspection by the Board or its agents or designees at all reasonable times.

4. The Board has designated and appointed Hastings-Tapley Services of Cambridge, Massachusetts, as Service Agent for the Association and its Members, or such substitute or replacement as shall be appointed by the Board, subject to approval as a servicing agent by the Commission. The Service Agent shall file with the Commission copies of all contracts entered into with the Association as they relate to services to be performed for the Association. Service Agent's books and records are to be open to inspection by the Board or its agents or designees at all reasonable times.

5. The Administrator shall deposit to the account of the Association, at any bank or banks designated by the Board, all contributions as and when collected, and such monies shall be disbursed only as provided by the rules, regulations, by-laws and resolutions of the Board; the agreement between the Board and the Administrator; this Agreement; and the Commission's Rules Governing Group Self-Insurers of Liability under the Virginia Workers' Compensation Act.

6. The Association may maintain excess insurance as deemed necessary by the Board and as required by the Commission's Rules.

7. The Board may admit as Members of the Association only acceptable and financially sound employers who have common interests as defined in the rules of the Commission and, subject to the approval of the Commission, the Board shall otherwise be the sole judge of whether or not an applying employer shall be admitted to membership and of the eligibility of an employer to remain a Member; and further, the Board may terminate an employer's membership upon thirty (30) days written notice to such Member, the Commission and the Virginia Workers' compensation Commission, and that in either such case no liability shall accrue to the Association or its Members for any liability to an employee of the terminated Member arising after the (30) day, or ten (10) day notice for nonpayment of premium, as the case may be.

8. Each Member agrees to and authorizes the Association to maintain with the State Treasurer of the Commonwealth of Virginia a security deposit of acceptable securities or a surety bond as required by the Commission's Rules. The Board and the Administrator are authorized to obtain such surety bond.

9. The Board shall have the authority to invest the funds of the Association as permitted by the Commission's Rules.

10. The Board shall promulgate the rules and regulations for administering the Association, the expulsion of or suspension of Members and, subject to the Commission's Rules, the admission of members. Each Member of the Association agrees to abide by such rules and regulations, including without limitation the following:

(a) Each Member agrees to initiate and maintain a safety program to give its employees safe and sanitary working conditions and agrees to follow the general recommendations of the Association and the Service Agent in this field to promote the general welfare of its employees. However, each Member shall remain solely responsible for all decisions concerning its safety program and practices and may not rely upon evaluation and/or recommendations made by the Association, the Board, the Service Agent, the Administrator or their representatives in making final decisions concerning its safety program and practices.

(b) In the event of an accident or a reported claim, each Member agrees to make immediate provision for the care of his employee, and to give immediate notification of the accident to the Service Agent on the prescribed forms. Costs of such care shall be paid by the Association to the extent required by the Act and any agreement relating to Members' Employers' Liability.

(c) Each Member shall make prompt payment of all contributions and assessments as required by the Board. Except as may be limited by the Commission's Rules, said contribution may be reduced by a discount allowed by the Board. In the event of a loss fund deficit and depletion of all available excess insurance, the Board may adopt any plan they deem equitable for the elimination of such deficit, including but not limited

to the assessment of all Members in the proportion which the premium of each bears to the total premiums of all Members in the year in which such deficity occurs.

(d) Each Member does hereby appoint the Service Agent of the Association as Agent to act in the Member's behalf to file reports and to make or arrange for payment in claims, medical expenses and all other things required or necessary insofar as they affect the Member's liability under the Act, for covered Employers' Liability or such Member's obligations under the rules, regulations and orders of the Commission and Virginia Workers' Compensation Commission.

(e) Each Member agrees that in the event of the payment of any loss by the Association under this Agreement, the Association shall be subrogated to the extent of such payment to all the rights of the Member against any person or other entity legally responsible for damages for said loss, and in such event, the member hereby agrees to render all reasonable assistance to effort recovery.

(f) The Association is to defend in the name of and on the behalf of each Member any suits or other proceedings which may at any time be instituted against such Member on account of injuries or death within the purview of the Act or otherwise asserting Member's liability thereunder, and/or Employer's Liability to the extent applied for and approved by the Association and Commission including suits or other proceedings alleging such injuries and demanding damages or compensation therefore, even though such suits, other proceedings, allegations or demands are wholly groundless, false or fraudulent, and to pay all costs reasonably incurred in any legal proceeding defended by the Association, all interest accruing after entry of judgment and all expenses incurred for investigations and negotiation of defense.

(g) Liability of the Association to the employees of any Member is specifically limited to such obligations as are imposed by law against the employer Member under the Act and/or Employer' Liability to the extent applied for and approved by the Association and Commission. Upon approval by the Board, liability of the Association may be extended to certain volunteer employees of a Member as specified in Section 65.2-101 of the Act upon the Member's compliance with the requirements of said section.

(h) The Board, the Administrator, the Service Agent, and any of their agents, servants, employees or attorneys, shall be permitted at all reasonable times to inspect the Member's work places, plants, works, machinery, and appliances covered by this Agreement, and shall be permitted at all reasonable times within two (2) years after the final termination of the membership to examine Member's books, vouchers, contracts, documents, and records of any and every kind which show or tend to show or verify the premium which is payable under the terms hereof.

(i) The Association shall at all times have in its possession, in a form acceptable to the State Corporation Commission, a current financial statement for each Member. This requirement shall not apply to governmental entities which are not required by law to have an annual audit performed.

(j) The coverage of the Association shall not apply to punitive or exemplary damages asserted or awarded by or to any employee of any Member under the Act or covered Employers' Liability whether because of bodily injury to an employee employed in violation of law, or otherwise.

11. The Board is authorized to set aside from contributions collected a reasonable sum for the operating expense and administrative expenses of the Association. All remaining funds coming into the Board's hands during any fiscal year of the Association shall be used only for the following purposes:

(a) Payment of a fee, compensation or expenses for an Administrator.

(b) Payment of a fee, compensation or expenses for a Service Agent.

(c) Payment of all legal fees, accounting fees, or other miscellaneous expenses incurred by the Board or the Association.

(d) Payments of liabilities imposed upon Members by the Act and Members' Employers' Liability covered by this Agreement, including settlements, awards, judgments, legal fees, and costs in contested cases.

(e) Payment of taxes and assessments levied and imposed by law and other fees and costs imposed by the Commission or the Virginia Workers' Compensation Commission or incurred in connection with matters and proceedings before the courts or agencies of the government.

(f) Deposits with the State Treasurer, payment of the cost of bonds and excess insurance carried by the Association and auditing expense and examination costs required by the Association or its agents or employees by the Commission or the Virginia Workers' Compensation Commission.

(g) After payment of claims and claim expenses and after provision has been made for open claims, including reported but unpaid claims and incurred but not reported claims, any contingency reserve required by Section 12(b) of the Commission's Rules and the costs and expenses described in the preceding subparagraphs, the Board may set aside such portion of any excess funds arising in any fiscal year as they, but resolution, find appropriate for the purpose of establishing and managing an additional reserve fund used for the benefit of this Association; and any remaining amounts of such excess funds shall be distributed to Members or former Members in such manner as the Board may deem equitable, subject, however, to approval of any such distribution by the Commission.

12. The Association shall operate on a fiscal year from 12:01 a.m. July 1 to midnight of June 30. Application for continuing membership, when approved in writing by the Board or their designee, shall constitute a continuing contract for each succeeding fiscal period unless canceled by the Board, or unless the Member shall have resigned or withdrawn from the Association by written notice as provided in paragraph 15.

13. The Association and each Member agree with each other Member, whether now or to become a Member, to be bound by all the terms and conditions to this Agreement.

14. The Members jointly and severally covenant and agree that there shall be no disbursements to Members or former Members of the Association out of funds of the Association by way of dividends or distribution of claim reserves until after provision has been made for all obligations of the Association under the Act and for Members' Employers' Liability and except at the discretion of the Board upon application to and approval by the Commission.

15. Termination of a Member by the Association or by the member or by withdrawal of approval by the Commission shall be by thirty (30) days written notice to the Association, the Member, the Commission and the Workers' Compensation Commission; provided, a Member may be terminated by the Association for nonpayment of premium upon ten (10) days written notice to the Member, the Commission and the Workers' Compensation Commission.

IN WITNESS WHEREOF, the Members of the Association have caused this Indemnity Agreement and Power of Attorney to be executed by the duly authorized Officer of the Association and by the Association's duly designated Administrator or Assistant Administrator and the Member has executed or caused the same to be executed as of August 1, 1996.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Charles W. Burgess, County Administrator, stated that the County will be holding another auction in conjunction with the School Board on October 19, 1996.

IN RE: VDOT -- RESTRICITION OF CUT THROUGH TRAFFIC -- SUNSET DRIVE AND FRANKLIN STREET -- ADOPTION OF RESOLUTION

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following resolution be adopted:

WHEREAS, the residents of Franklin Street and Sunset Drive, State Routes 1312 and 1313, have requested the Resident Engineer of the Department of Transportation to restrict Cut-through Traffic, and

WHEREAS, the Resident Engineer has advised this Board that this area will qualify as a study area to implement various "traffic calming" measurers, and

Extract

WHEREAS, the Resident Engineer has informed the Board these studies will be conducted at no cost to the County's Construction Improvement Budget, and

NOW, THEREFORE, BE IT RESOLVED, this Board hereby requests the Resident Engineer to perform the necessary studies to develop recommendations to prohibit Cut-through Traffic along Franklin Street and Sunset Drive, and

BE IT FURTHER RESOLVED, that after these studies have been conducted, the Resident Engineer review the available options with this Board and a recommendation to implement.

IN RE: LYNNE COSLEY -- EMS -- RECLASSIFICATION

Mr. Burgess stated that Lynne Cosley has completed the Cardiac Technician course. She has also completed the program that is required by our organization and has been released by our Medical Director to provide Advanced Life Support. Mr. Burgess recommended that Mrs. Cosley be advanced from the Basic to the Advanced Provider Salary. He also stated that all of DEMS full-time personnel are now Advanced Life Support providers.

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Lynne Cosley be reclassified from a grade 8A, $18,325 to a grade 10A, $21,375, retroactive to August 1, 1996.

Mr. Clay stated that he did not feel that every time an employee has completed training and needed to be reclassified it needed to be brought before the Board to be approved. He felt that staff could handle it without needing the Boards' approval.

Mr. Bracey stated that he agreed but requested that they be notified when someone was reclassified.

The Board agreed.

IN RE: UNITED STATES POSTAL SERVICE -- 100 YEARS OF RURAL FREE DELIVERY

Mrs. Wendy Weber Ralph, Ass't County Administrator, came before the Board and stated that Margie Barnes with the Dinwiddie County Quality of Worklife/Employee Involvement Workteam, contacted her in reference to recognizing 100 years of rural free mail delivery by the U.S. postal service. The Workteam consists of postmasters and rural carriers from the area post offices and they are requesting to place some memorabilia in the hallway for a week and then also use the exhibit case for a limited period of time. She also stated that they are asking for a resolution which can be adopted at a later time.

Extract

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie County of Worklife/Employee Involvement Workteam is authorized to place some memorabilia in the hallway of the Administration Building and use the exhibit case for a limited time to recognize 100 years of rural free mail delivery in the U.S. postal service.

IN RE: BOARD MEMBER COMMENTS

1. Mrs. Everett stated that since the Extension Service has relocated across the street there is no longer a television or a VCR available to use for County functions. She requested that it be looked into to see how great the need is for this equipment.

2. Mr. Bracey stated that he was approached by some Sheriff's Deputies that stated that in Dinwiddie County people have been hunting illegally with scopes on their muzzleloading rifles. He was told that the state law allows someone to hunt with scopes on a muzzleloading rifle but the County ordinance states that you can not do it. He requested that the two be brought in line together.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 9:55 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 21ST DAY OF AUGUST, 1996, AT 2:00 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3
	DAN SIEGEL	COUNTY ATTORNEY

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following be added to the agenda:

11. Executive Session - c. Section 2.1-344(a) 3-Discussion or consideration of the condition, acquisition or use of real property for public purpose.

IN RE: MINUTES

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the August 7, 1996 Continuation Meeting and the August 7, 1996 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1002570 - #1002719 (void #1002570) for Accounts Payable in the amount of $159,761.95; General Fund $77,203.17, E911 Fund $5,294.68, Law Library $91.13, County Debt Service $77,172.97.

IN RE: APPROVAL OF REQUISITION #6 -- CIP PROGRAM

Mrs. Wendy Ralph, Ass't County Administrator, came before the Board and stated that at the last Board meeting she presented Requisition #6 for approval and they requested some time to review the invoices and approve it at a later time. She stated that the requisition #6 consists of Invoices 23, 24, 25 & 26 for Architectural services for the Courthouse Project.

Extract

Mr. Tickle stated that on page 3 of Invoice #25 it has that the Architects worked 507.5 hours which totals 62 days and he found that hard to believe during a time frame of June 1st through July 8th. He requested some narrative for the hours that they stated that they worked before the Board approves that particular invoice.

Upon of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that requisition #6, which includes Invoice #23, 24, & 26 and excludes Invoice # 25 from Hening, Vest & Covey, be approved and funds appropriated in the amount of $30,564.83 for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

1. Wayne Varga, came before the Board and stated that he was representing the Dinwiddie Emergency Medical Services Council and requested the Board's support in applying for a grant that would help them to purchase five defibrillator units and upgrade another to bring it into compliance and a first responder vehicle. The maximum the County would have to match would be $27,402.50 with the least being $10,961.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, supports Dinwiddie Emergency Medical Services Council in their efforts to submit a request for a state grant to purchase five defibrillator units and upgrade another to bring it into compliance and to purchase a first responder vehicle; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia will appropriate 50% of what the grant will not cover, at an amount not to exceed $45,000.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald Reekes, Resident Engineer, presented a progress report for the month of July, 1996.

IN RE: DINWIDDIE COUNTY AIRPORT & INDUSTRIAL AUTHORITY -- ANNOUNCEMENT

Mr. L. Bolling Chappell, Chairman of the Dinwiddie Airport & Industrial Authority, came before the Board and stated that they have completed construction of their twenty new hangars and he invited the Board to attend the ribbon cutting ceremony on Friday, August 30, 1996 at 3:00 P.M.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, stated that she did not have anything to present but she was available for questions from the Board.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, presented his report for the month of July, 1996.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, III, Commonwealth Attorney, stated that he did not have anything to present but he was available for questions from the Board.

IN RE: AUTHORIZATION TO TRANSFER FUNDS -- SHERIFF BUDGET

Mr. Samuel H. Shands, Sheriff, stated that he obtained three bids so he could purchase a copier and under 1996-97 Capital Outlay category of his budget he requested $3,150 for the purchase of a new copying machine. However, a mistake was made by his office in computing the purchase price from state contract. He then requested an additional $1,725 from his existing budget so he could purchase the Pitney Bowes C320 Copier off of the state contract.

Extract

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that an additional $1,725.00 be transferred from within the existing budget of the Sheriff to the Capital Outlay category for the purchase of a Pitney Bowes C320 copier off state contract.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, came before the Board and presented his report for the month of July, 1996.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of July, 1996.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W.C. Scheid, Director of Planning, presented his report for the month of July, 1996.

Mr. Bracey suggested that the Planning Department see if the Health Department could help with some of the complaints that the County has been getting about abandoned houses because they would constitute as an unhealthy situation.

IN RE: ZONING ADMINISTRATOR -- REPORT

Mr. J. March Altman, Jr., came before the Board and stated that he needed some guidance from the Board. He stated that they were going to prepare a corridor plan but he wanted to know which area the Board felt needed to be focused on first.

The Board agreed that Route 1 needed to be reviewed from Route 1 in Petersburg to the Courthouse first except Mr. Tickle who stated that he felt that River Road needed to be looked at first.

Mr. Altman then suggested the hiring of a graduate student to assist in the completion of the study and various other activities. Under the work-study program at VCU, students are allowed to only work a maximum of twenty (20) hours per week during enrollment, but can work a maximum of forty (40) hours per week during non-enrollment. By using a student that is work-study eligible the County will be reimbursed at a rate of fifty (50) percent for the federal share of the wages.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", Mr. Tickle voting "nay",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Route 1 will be the focus of the first part of a corridor plan that the County will conduct under the Comprehensive Plan; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to hire a work-study graduate student to assist in the completion of the study and various other activities.

THE CHAIRMAN CALLED FOR A TEN MINUTE RECESS AT 4:10 P.M.

IN RE: VIRGINIA MOTORSPORTS PARK -- ANNOUNCEMENT

Mr. Paul Coleman, General Manager, Virginia Motorsports Park, came before the Board and stated that he had some important news that would effect the County in a very positive way. The National Hot Rod Association has announced the National Event date for next year at the Motorsports Park to be the last weekend in April which is a week earlier than last year.

IN RE: WEST PETERSBURG -- CONVEYANCE OF PROPERTY -- CONSTANCE WINSTON

Mrs. Wendy Ralph, Ass't County Administrator, came before the Board and stated that there was a lot that needed to be conveyed to Constance Winston in West Petersburg. Ms. Winston has met the requirements to have a lot on Greensville Avenue deeded over to her. The Board has taken action previously to allow the Chairman to sign the deed but she wanted to notify them that there was another lot sold. Mrs.

Winston was a relocatee under the CDBG program who now will be able to be a homeowner.

IN RE: SOCIAL SERVICES DIRECTOR -- REPORT

Mrs. Peggy M. McElveen, Director of Social Services, presented her report for the month of July, 1996.

Mrs. McElveen also stated that James W. Harvell, a member of the Social Services Board, has passed away. She notified the Board that Mr. Harvell was in Mr. Bracey's district and he needed to be thinking about a nomination to fill his unexpired term.

IN RE: APPROPRIATION OF FUNDS RECEIVED BY SOCIAL SERVICES

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $4,628.00 from United Way be appropriated to the Social Services Department for FY 1996-97.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mr. Charles Taylor, Director of Human Resources, came before the Board and stated that he was representing the Superintendent. He presented Mrs. Seward's report for the month of July, 1996.

Mr. Bracey requested a computer printout of all School Board employees as of July 1, 1996 with salaries above $10,000. He would like their salaries and their positions also listed on the printout and he would like it within seven days.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of July, 1996.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Dennis E. King, Director of Waste Management, presented his report for the month of July, 1996.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Services Coordinator, presented her report for the month of July, 1996.

Mrs. Titmus stated that she has gotten a request from Dinwiddie Volunteer Fire Department Co. #1 to sell their tanker that is not being used. They would like to sell it by sealed bid instead at the County auction and would like for the money from the sale to go back in their department fund instead of back to the County.

After some discussion between the Board members, they stated that Co. #1 could sell the tanker by sealed bid but the funds would have to go into a special fund within the General Fund set aside for equipment purchases for all fire departments.

IN RE: AUTHORIZATION FOR DEPUTY EMS COORDINATOR TO ATTEND SYMPOSIUM

Mrs. Titmus requested approval to attend the Virginia EMS Symposium for education purposes. The Symposium will be held November 8-10, 1996 in Norfolk. The registration fee will be $135.00 plus approximately $100.00 per night for lodging.

Extract

Upon motion of Mr. Tickle, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Dawn Titmus is authorized to attend the 17th Annual

Virginia Emergency Medical Services (EMS) Symposium in Norfolk, Virginia on November 8-10, 1996.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel Siegel, County Attorney, was present but did not have anything to report to the Board but stated that he was available for any questions.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, presented his report for the month of July, 1996.

IN RE: COURTHOUSE PROJECT -- GEOTECHNICAL ENGINEERING TESTING & SPECIAL INSPECTION SERVICES

Mrs. Wendy Ralph, Ass't County Administrator, came before the Board and presented the names of the firms that were interviewed for Geotechnical Engineering Testing & Special Inspection Services on the Courthouse Project. Staff is recommending ECS, Ltd. to perform the Construction Testing Services and Dunbar, Milby & Williams to perform the Special Inspections. She also stated that in order for them to start their work as soon as possible staff would need to negotiate a contract with them tomorrow before their meeting to be held on Friday.

Extract

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to negotiate contracts with ECS, Ltd. and Dunbar, Milby & Williams to perform Construction Testing Services and Special Inspections on the Courthouse Project.

IN RE: AUTHORIZATION TO ADVERTISE -- PUBLIC HEARING -- TERMS OF BOARD OF EQUALIZATION

Mr. Charles W. Burgess, Jr., County Administrator, stated that the Board needed to conduct a public hearing to consider the terms of the members that will serve on the Board of Equalization.

Extract

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", Mrs. Everett voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise a public hearing for the Board to consider the terms of the members that will serve on the Board of Equalization to be held September 18, 1996 at 7:00 P.M.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Charles W. Burgess, Jr., stated that it has been brought up in the past that the School Board and the Board would meet together for a joint session to discuss the different Capital Projects. The School Board has now received their bids on their Capital Projects and is ready to meet. He asked if the Board would agree to such a meeting and if they do, can they set something up.

After some discussion between the Board they agreed to meet with the School Board on August 28, 1996 at 8:00 P.M. in the Multipurpose Room of the Pamplin Administration Building.

IN RE: RESOLUTION AUTHORIZING COMPETITIVE NEGOTIATION -- VEHICLE MAINTENANCE

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

Extract

WHEREAS, the Board of Supervisors of Dinwiddie County (the "Board") wishes to receive proposals from qualified vendors for the repair and maintenance of Dinwiddie County vehicles, to evaluate convenience of

location, diagnostic testing abilities, experience and qualifications of vendors and to negotiate specific contractual terms and conditions favorable to Dinwiddie County (the "County"); and

WHEREAS, Section 11-41(C) of the Virginia Public Procurement Act provides that goods and services may be procured by competitive negotiation upon a determination in writing that competitive sealed bidding is not advantageous to the public.

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia:

1. The County Administrator, in cooperation with other County staff persons, is authorized to issue on behalf of the County, a written request for proposals for the provision of service for repair and maintenance of County vehicles.

2. This Resolution shall constitute a written determination that competitive sealed bidding is not advantageous to the public for the reasons stated above.

3. This Resolution shall be effective as of August 21, 1996.

IN RE: BOARD MEMBER COMMENTS

1. Mrs. Everett stated that she found out that EMS was renting a refrigerator for $50.00 a month and she requested that they purchase one instead of renting one. She stated that they could have purchased one by now with all the money that the County has paid in rental fees.

2. Mr. Bracey stated that he frequently visits the Administration Building and he has noticed how the Commissioner of the Revenue uses every vacant room or office in the Pamplin Building to spread her people out so that they can work. He stated that he did not feel that that was very professional because some of the offices were used for private meetings and their workers were in them.

Mr. Bracey questioned the warranty that the County was negotiating with the company that was going to install the carpet in the Pamplin Building.

Mr. Bracey also stated that he was not satisfied with the arrangement between the County and the School Board in reference to grass cutting. He stated that he felt that the Board needed to discuss the situation.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Commissioner staffing; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; Section 2.1-344(a) 3-Acquisition or use of real property for public purpose; the Board moved into Executive Session at 5:50 P.M. A vote having been made and approved the meeting reconvened into Open Session at 6:42 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 6:45 P.M. to be continued until Wednesday, August 28, 1996 at 8:00 P.M. for a joint session with the School Board to discuss the CIP Program.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE MULTIPURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 28TH DAY OF AUGUST, 1996, AT 8:00 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	(ABSENT)	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR		ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.		ELECTION DISTRICT #4
	MICHAEL H. TICKLE		ELECTION DISTRICT #2
	LEENORA EVERETT		ELECTION DISTRICT #3

IN RE: JOINT SESSION WITH SCHOOL BOARD -- CIP PROGRAM

The Board met with the School Board and discussed the current Capital Improvements Project for the Dinwiddie County Public School System.

THE CHAIRMAN CALLED FOR A TEN MINUTE RECESS AT 9:58 P.M.

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session with the School Board at 10:15 A.M. A vote having been made and approved the meeting reconvened into Open Session at 10:50 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye", the meeting adjourned at 11:00 P.M.

Aubrey S. Clay
Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 4TH DAY OF SEPTEMBER, 1996, AT 7:30 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	(ABSENT)	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR		ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.		ELECTION DISTRICT #4
	MICHAEL H. TICKLE		ELECTION DISTRICT #2
	LEENORA EVERETT		ELECTION DISTRICT #3
	BEN EMERSON		COUNTY ATTORNEY

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Moody voting "aye", Mr. Bracey voting "abstain",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following be added to the agenda:

Delete - 6. Resolution of Appreciation.

Add - 11. Executive Session - b. Section 2.1-344(a) 6-Investment of public funds - Financing of School CIP.

IN RE: MINUTES

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the August 21, 1996 Regular Meeting and the August 28, 1996 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1002720 - 1002906 (void #1002720) for Accounts Payable in the amount of $141,549.58; General Fund $131,564.31, Jail Commission $69.12, Self Insurance Fund $8,739.47, Fire Programs/EMS FUnd $450.30, Law Enforcement Fund $726.38; and Payroll in the amount of $272,062.68; General Fund $271,985.18 and E911 Fund $77.50.

IN RE: APPROVAL OF INVOICE #25 FROM REQUISITTON #6 -- CIP PROGRAM

Mr. Charles W. Burgess, Jr., County Administrator, stated that at the last meeting the Board approved Requisition #6 which included Invoice #23, 24 & 26 and excluded Invoice #25 from Hening, Vest & Covey for CIP expenses for the Courthouse Project Fund. Invoice #25 was excluded because the Board questioned the hours that the architects stated that they worked. Mr. Burgess then presented a summary of where the hours were spent.

Extract

Mr. Tickle stated that he was still not happy with the bill for the hours of services that they say that they provided. He then stated that he would like to see a summary of how much more money it will cost the County for Architectural Services. He also stated that he would like to know how many other projects the architects were working on because there was no way that they could work on more than one project at a time if they were putting in that many hours on each one.

Mr. Bracey stated that he could see both sides but it had to end sometime. They had no other way but to pay the bill or take them to court and dispute the charges.

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Moody voting "aye", Mr. Bracey voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Invoice #25 from Hening, Vest & Covey in the amount of $37,387.76 is approved to be included in Requisition #7 and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #7 -- COURTHOUSE PROJECT/CONTRACTOR'S FIRST DRAW

Mr. Burgess stated that they received the first request for payment from Gulf Seaboard General Contractors in the amount of $225,484.40 for construction services on the new Courthouse. He stated that he and Mr. Donald Faison, Construction Inspector, were satisfied with the work that they have completed so far and felt that they were entitled to their first draw.

Extract

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the first draw from Gulf Seaboard in the amount of $225,484.40 be approved to be included in Requisition #7 and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: A-96-9 -- EDUCATION RETREAT CENTER -- A-2 -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on August 21, 1996 and August 28, 1996 for the Board of Supervisors to conduct a public hearing in order to hear public comments on an ordinance to amend Section 22-71 of the Dinwiddie County Zoning Ordinance by adding "education retreat center" as a permitted use in the Agricultural, General, District A-2.

Mr. W.C. Scheid, Director of Planning, came before the Board and stated that this amendment request has been made by an individual because it is his intention to establish such a use in the County. Furthermore, the applicant believes that this use is more compatible with uses within an agricultural district rather than those in a commercial or residential zoning district. It is envisioned that such a use would be comparable to the 4-H facility located in Wakefield. The Planning Commission unanimously approved the request.

Mr. Bracey asked what was the definition of an "educational retreat center".

Extract

Mr. Scheid stated that they still had to bring their recommendation to the Planning Commission and then ultimately to the Board but they came up with the following: A building or complex of buildings and/or structure or structures that house Administrative Offices, temporary living quarters, a dining facility and such other structures or facilities which provide cultural, recreational and/or educational programs on a short term basis for a small group of people.

Mr. John Bradshaw, applicant, came before the Board and stated that he is requesting this amendment because he would like to establish a small retreat on a piece of property that he owns which is zoned A-2. He stated that if this was approved by the Board they would still have to come before the Board and request a conditional use permit to operate an educational retreat center.

This being a public hearing, the Chairman opened the floor for public comment:

No one signed up to speak.

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 22-71 of the Dinwiddie County Code pertaining to

permitted uses in the Agricultural, General, District A-2 be amended to read as follows:

(61) Educational retreat center, with a conditional use permit.

In all other respects, said zoning ordinance is hereby reordained.

IN RE: A-96-10 -- DAY CARE CENTER -- B-2 -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on August 21, 1996 and August 28, 1996 for the Board of Supervisors to conduct a public hearing in order to hear public comments on an ordinance to amend Section 22-185 of the Dinwiddie County Zoning Ordinance by adding "day care center" as a permitted use in the Business, General, District B-2.

Mr. W.C. Scheid, Director of Planning, came before the Board and stated that this amendment has been discussed at a previous Planning Commission meeting and the Planning Commission unanimously approved the request.

This being a public hearing, the Chairman opened the floor for public comment:

Extract

No one signed up to speak.

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 22-185 of the Dinwiddie County Code pertaining to permitted uses in the Business, General, District B-2 be amended to read as follows:

(42) Day care center.

In all other respects, said zoning ordinance is hereby reordained.

IN RE: A-96-11 -- ALL USES PERMITTED IN M-1 - M-2 -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on August 21, 1996 and August 28, 1996, for the Board of Supervisors to conduct a public hearing to consider adding "all uses permitted in M-1" as a permitted use under Section 22-223, Industrial, General, District M-2.

Mr. W.C. Scheid, Director of Planning, came before the Board and stated that this amendment has been discussed at a previous Planning Commission meeting and the Planning Commission unanimously approved the request.

Extract

This being a public hearing, the Chairman opened the floor for public comment:

No one signed up to speak.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 22-223 of the Dinwiddie County Code pertaining to permitted uses in the Industrial, General, District M-2 be amended to read as follows:

(37) All uses permitted in M-1.

IN RE: A-96-12 -- EXEMPTION UNDER SECTION 22-237 (c) IN A-2 FOR CHURCHES, HUNTING CLUBS, LODGES, RURITANS & OTHER CIVIC ORGANIZATIONS -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on August 21, 1996 and August 28, 1996, for the Board of

Supervisors to conduct a public hearing to consider deleting the first sentence in Section 22-237 (c) and insert the following in its place "any parcel of land used as a public parking area shall be constructed of concrete, asphalt or other equivalent permanent dustless surface, except that, in Agricultural, General, District A-2, churches, hunting clubs, lodges and ruritans and such other civic organizations shall be exempt".

Extract

Mr. W.C. Scheid, Director of Planning, came before the Board and stated that this amendment was proposed by the BZA as a result of a variance granted to the DeWitt Rocky Run Ruritan Club for relief from paving their parking lot. The BZA felt that Section 22-41 (d) addressed the issue such that this amendment to the Zoning Ordinance should be made. The Planning Commission voted 6-1 to recommend approval of this amendment to the Board of Supervisors.

This being a public hearing, the Chairman opened the floor for public comment:

No one signed up to speak.

Mr. Bracey stated that he would like a time limit set on this issue for the Board to revisit it and reconsider adding other exemptions besides the ones that were presented.

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 22-237 (c) of the Code of the County of Dinwiddie be amended and reordained as follows:

Delete the first sentence in 22-237(c) which reads "Any parcel of land used as a public parking area shall be constructed of concrete, asphalt, or other equivalent permanent dustless surface." and in its place insert the following: "Any parcel of land used as a public parking area shall be constructed of concrete, asphalt, or other equivalent permanent dustless surface, except that, in Agricultural, General, District A-2, churches, hunt clubs, lodges, ruritans and such other civic organizations shall be exempt."

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that this amendment shall be revisited by the Board in six months to reconsider adding other exemptions besides the ones that were recommended.

IN RE: A-96-13 -- AMENDMENT TO SECTION 22-4 OF ZONING ORDINANCE TO REQUIRE FOOTING SURVEY -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on August 21, 1996 and August 28, 1996, for the Board of Supervisors to conduct a public hearing to consider amending Section 22-4 of the Dinwiddie County Zoning Ordinance by adding paragraph (b) which will require a footing survey whenever a structure is located within 5 feet of the required setback or frontage requirement of the applicable zoning district.

Extract

Mr. W.C. Scheid, Director of Planning, came before the Board and stated that the BZA has heard several requests for variances which could have been avoided had the ordinance been in effect. He also stated that the Planning Commission unanimously recommended the request.

This being a public hearing, the Chairman opened the floor for public comment:

No one signed up to speak.

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 22-4 of the Code of the County of Dinwiddie be amended and reordained as follows:

Section 22-4. Compliance with chapter in issuing permits and licenses.

(a) All departments, officials and public employees of the county vested with the duty or authority to issue permits or licenses shall conform to the provisions of this chapter. They shall issue permits for uses, buildings or purposes only when they are in harmony with the provisions of this chapter. Any such permit, if issued in conflict with the provisions of this chapter, shall be null and void.

(b) Whenever any proposed building or structure is within five (5) feet of the required setback or yard, the owner or developer shall set, at the time of footing inspection, survey markers locating the required setback or yard, which have been set and certified by a land surveyor licensed under the laws of the Commonwealth of Virginia. The owner or developer should also submit a certified plat depicting the building corners, zoning setback and yard requirements, and property lines that were located during a field survey of the property to be submitted to the Zoning Administrator. The markers shall remain in place and undisturbed until the completion of the foundation wall.

IN RE: A-96-17 -- AMENDMENT PERTAINING TO MUZZLELOADING RIFLES -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on August 21, 1996 and August 28, 1996 in order for the Board of Supervisors to hear public comments on an Ordinance to amend Section 15-3 to the Code of the County of Dinwiddie to delete the ban on telescopic sites for muzzle-loading rifles due to changes in state law and regulations for muzzle-loading rifles.

Mr. Ben Emerson, County Attorney, came before the Board and stated that in order for the County Code to comply with the State Code this needed to be considered.

This being a public hearing, the Chairman opened the floor for public comment:

No one signed up to speak.

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 15-3 of the Code of the County of Dinwiddie, Virginia is hereby amended and reordained as follows:

Extract

I. Section 15-3. Hunting with certain rifles prohibited; exceptions.

It shall be unlawful and a Class 3 misdemeanor for any person to hunt with a rifle of a caliber larger than .22 in the county, except in the hunting of groundhogs (woodchucks) between March 1 and August 31; however, this section shall not apply and does specifically exempt from the above provisions the hunting of game species with a muzzle-loading rifle during the prescribed open seasons for the hunting of game species as established by the Commission of Game and Inland Fisheries; provided, however, that the use of such muzzle-loading rifle in the hunting of deer may only be from a stand located at least ten (10) feet in elevation above the ground; and "accelerator" cartridges are strictly prohibited from use in conjunction with said muzzle-loading weapons.

Editor's note - for special act authorizing county to adopt above section, see Acts, 1964, Ch. 59.

Cross references - Penalty for Class 1 misdemeanor, Section 1-11; animals and fowl, Ch. 4.

State law reference: Code of Virginia, Section 29.1-528; 4 Va. Admin. Code Section 15-90-80.

IN RE: P-96-3 -- LEONARD HARRISON -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on August 21, 1996 and August 28, 1996 for the Board of Supervisors to consider a request by Leonard Harrison to change the district classification of land parcel 21-113A from residential, R-1 to business, B-2. The parcel contains approximately 10 acres and is located at 5906 Boydton Plank Road.

Mr. W.C. Scheid, Director of Planning, came before the Board and stated that there is a single family house on the property which the applicant wishes to convert to commercial use. The applicant owns other tracts of land in this area, some of which are zoned B-2. The parcel is located to the rear of the parcel and it appears logical to the applicant that the commercial zoning should continue to Route 1.

Mr. Scheid stated that the Planning Commission reviewed this rezoning application at their August 14, 1996 public hearing. The applicant Mr. Leonard Harrison, voluntarily agreed to profer, in writing, that he would not construct a building and/or parking/loading area within forty (40) feet of the Route 1 highway right-of-way line. In view of the above, the Planning Commission unanimously recommended that rezoning request P-96-3 be approved by the Board of Supervisors.

Extract

This being a public hearing, the Chairman opened the floor for public comment:

No one signed up to speak.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that parcel 113A of Section 21 of the Dinwiddie County Zoning Maps, located at 5906 Boydton Plank Road, is amended by changing the district classification from Residential, Limited, R-1 to Business, General, B-2 with the following condition proffered by the applicant:

No building or parking/loading area will be located within forty(40) feet of the Route 1 highway right-of-way line.

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that in order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

In all other respects, said zoning ordinance is hereby reordained.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Bracey stated that he was pleased with the Courthouse Project and the time and effort that Mr. Donald Faison, Construction Inspector, was putting into it, and how he was handling the paving of the parking lot at the Jail.

2. Mr. Moody commended the Planning Department on their productivity.

3. Mr. Tickle requested an update on the several issues in the past that the Board requested to be brought back to them. He would also like an explanation as to why they have not been brought back to the Board sooner.

Mr. Tickle also stated that he had an opportunity to look at the Courthouse construction area and he saw a stream of water and he requested an explanation of the proposed retention basis because he was not on the Board when that was discussed.

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Commissioner staffing; Section 2.1-344(a) 6-Investment of public funds - Financing of School CIP.; following a ten minute recess the the Board moved into Executive Session at 9:12 P.M. A vote having been made and approved the meeting reconvened into Open Session at 10:52 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye", the meeting adjourned at 10:57 P.M. to be continued until September 18, 1996 at 12:00 Noon for an Executive Session to discuss Personnel and Investment of public funds.

A. S. Clay

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.

Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 18TH DAY OF SEPTEMBER, 1996, AT 12:00 NOON

PRESENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3
	DUTCH BUMGARDNER	COUNTY ATTORNEY

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 3 - Acquisition or use of real property for public purpose; Section 2.1-344(a) 6 - Investment of Public Funds - Financing of School CIP; the Board moved into Executive Session at 12:40 P.M. A vote having been made and approved the meeting reconvened into Open Session at 2:05 P.M.

IN RE: CERTIFICATION

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 2:07 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 18TH DAY OF SEPTEMBER, 1996, AT 2:00 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3
	DUTCH BUMGARDNER	COUNTY ATTORNEY

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following be added to the agenda:

Add - 12. EXECUTIVE SESSION
c. Section 2.1-344(a) 3 - Acquisition or use of real property for public purpose.
d. Section 2.1-344(a) 6 - Investment of Public Funds - Financing of School CIP.
e. Section 2.1-344(a) 7 - Consultation with legal counsel - Virginia Bio-Fuel litigation.

IN RE: MINUTES

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye", Mr. Clay voting "abstain",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the September 4, 1996 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Tickle, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1002907 - 1003027 (void #1002907) for Accounts Payable in the amount of $159,967.30; General Fund $80,754.20, E911 Fund $2,040.13, County Debt Service $77,172.97.

IN RE: APPROVAL OF REQUISITION #10 -- SCHOOL PROJECT

Mrs. Wendy Ralph, Ass't County Administrator, stated that Requisition #10 for School Projects is in the amount of $3,737.02 which consists of some asbestos testing, some bid readvertisements and some reimbursable expenses to the Architects.

Extract

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #10 in the amount of $3,737.02 be approved and funds appropriated for CIP expenses for the School Improvement Projects Fund.

IN RE: APPROVAL OF REQUISITION #8 -- COURTHOUSE PROJECT

Mrs. Wendy Ralph, stated that Requisition #8 for the Courthouse Project is in the amount of $12,068.43 which consists of Architectural fees, Builders Risk Insurance Policy and surveyor fees.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #8 in the amount of $12,068.43 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

1. Mr. Ken Cox, 22508 Cox Road, Petersburg, VA. He came before the Board and stated that he is building a cabinet shop and per the County code it states that he must have a paved parking lot. He stated that they will not have any customers that come to the shop. The shop will only be used to construct the cabinets because they go to see their customers. The only vehicle that will be parked at the shop will be his vehicle and the only other traffic they would get will be a tractor trailer that delivers their materials and it only comes a couple times a year. He stated that the tractor trailer will only tear up the parking lot and they will not have a use for it. He has paid the $100.00 fee for the Board of Zoning Appeals to hear his case but he requested that the Board consider changing the code so that small businesses such as his would not have to pave their lots.

Mrs. Everett stated that she felt that Administration should have some powers for smaller issues so the Board of Zoning Appeals would not be bogged down with small issues.

Mr. Tickle stated that he sympathized with Mr. Cox but felt that there was nothing that the Board could do because what would happen if Mr. Cox turned around and sold his business to someone that did have a lot of customer traffic.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald H. Reekes, Resident Engineer, came before the Board and updated the Board on several different projects for the month of August, 1996.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was present but did not have anything to report to the Board but stated that she was available for any questions.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, came before the Board and presented his report for the month of August, 1996.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, III, Commonwealth Attorney, came before the Board and presented a report on how the collection of fines is doing.

IN RE: SHERIFF -- REQUEST FOR ADDITIONAL FUNDS TO PURCHASE VEHICLES

Extract

Mr. Samuel H. Shands, Sheriff, presented the following letter to the Board prior to the meeting:

Dear Members:

In my 1996-97 budget, I requested approval for the purchase of ten police vehicles at a purchase price of approximately $19,000 each and received approval to purchase seven vehicles at that price. On September 4, 1996, the State contract for police vehicles was awarded to Sheehy Ford of Springfield, Inc. The contract base price was $19,378. When these vehicles are painted Sheriff's brown and have spotlights installed and the anti-theft security system removed, the purchase price for this office is $19,691 from State Contract.

In an effort to stay within budget, I contacted several other dealers. Beach Ford of Virginia Beach supplied a purchase price of

$19,260 plus $180 for spotlight and $202 for paint at a total price of $19,642 and equipped in the same manner. I received information from Bobby Jones Ford of Augusta, Georgia that he had in stock seven 1996 Sheriff's brown ford Crown Victoria police equipped vehicles. The delivered price without spotlights was $18,944.50 with an additional cost of $120 each to install spotlights for a total of $19,064.50.

It is my opinion that the 1996 Ford Crown Victorias will serve this office as well as the 1997 Crown Victorias. These 1996 police vehicles are equipped in the same manner and carry the same factory warranty of three years or 36,000 miles.

I therefore, request authority from the Board to purchase seven vehicles at $133,451.50. As previously stated this will be over budget by $451.50.

I ask the Board to understand that it is very difficult to prepare a budget in December when State contracts are not awarded until September the following year. I feel I have made every effort to secure the lowest bid for the purchase of these vehicles and request authority to purchase the seven 1996 vehicles at a total purchase price of $133,451.50 with the understanding that this price is $451.50 above budget.

Your immediate approval is requested due to the uncertain availability of these vehicles past September 20,1996.

Respectfully yours,

Samuel H. Shands

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that an additional $451.50 be appropriated to the Sheriff's 1996-97 budget for the purchase of seven 1996 Sheriff's brown Ford Crown Victoria police equipped vehicles from Bobby Jones Ford of Augusta, Georgia.

IN RE: AUTHORIZATION TO ADVERTISE AN AMENDMENT TO THE SPECIAL ENTERTAINMENT PERMIT -- PLAN OF SECURITY MEASURES

Extract

Mrs. Wendy Ralph, Ass't County Administrator, stated that the Sheriff's Department is requesting that they be allowed to advertise for an ordinance to amend Section 3-39 of the Code of the County of Dinwiddie, Virginia to require that a plan of security measurers be submitted and approved by Dinwiddie County's Sheriff Department for special entertainment permits.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise for an ordinance to amend Section 3-39 of the Code of the County of Dinwiddie, Virginia to require that a plan of security measurers be submitted and approved by Dinwiddie County's Sheriff Department for special entertainment permits.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne H. Abernathy, Building Inspector, came before the Board and presented his report for the month of August, 1996.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of August, 1996.

IN RE: DIRECTOR OF PLANNING & ZONING ADMINISTRATOR -- REPORTS

Mr. J. March Altman, Jr., Zoning Administrator, came before the Board and stated that Mr. Scheid, Director of Planning, was unable to be

at the Board meeting because of an injury. He then presented his Zoning report and then went over Mr. Scheid's Planning report.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director of Social Services, presented her 1995-96 annual report.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mrs. Troilen Seward, Superintendent of Schools, presented her report for the month of August, 1996.

THE CHAIRMAN CALLED FOR A TEN MINUTE RECESS AT 3:27 P.M.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of August, 1996.

IN RE: AUTHORIZATION FOR DIRECTOR OF RECREATION TO PURCHASE HOT DOG MACHINE

Extract

Mr. Rinaldi stated that he received three bids for the purchase of a hot dog machine for the concession stand at the Middle School. The prices came in as follows:

Victor Products	$385.00 Delivered
Douglas Equipment	$450.00
Jeppi Nut/Candy	$399.00

Mr. Rinaldi stated that the hot dog machine that they have been using was one that a County resident had let them borrow and he felt that it was time for them to return it. He also stated that the funds were already in his budget which are left over from the construction of the concession stand.

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Recreation is authorized to purchase a hot dog machine from Victor Products in the amount of $385.00 with funds that are already existing in his budget.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Waste Management, presented his report for the month of August, 1996.

Mr. King also announced that the Town of McKenney will be holding their annual Christmas Parade on December 14, 1996 at 1:00 P.M. He encouraged any of the Board Members that were interested to participate.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Services Coordinator, was not present.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Dutch Bumgardner, County Attorney, came before the Board and stated that he did not have anything to present to the Board but was available for any questions.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, presented his report for the month of August, 1996.

Extract

IN RE: RENEWAL OF NOTE FOR AIRPORT & INDUSTRIAL AUTHORITY

Mrs. Wendy Ralph, Ass't County Administrator, stated that the Board first issued a note to the Airport & Industrial Authority in 1993 in the amount of $100,000 with an non-interest bearing note. It was brought to the attention of staff during the audit that the note was up for renewal this past April. She asked the Board to consider renewing the note for three years as opposed to annually.

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Note in the amount of $100,000 to the Airport & Industrial Authority, originally dated April 26, 1993 is hereby renewed, under the same non-interest bearing rate, for three years, ending April 26, 1999.

Extract

IN RE: REAPPOINTMENT -- ABIDCO

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Milton Hargrave is hereby reappointed to serve on the Appomattox Basin Industrial Development Corporation (ABIDCO) for a term expiring September 30, 1997.

Extract

IN RE: REAPPOINTMENT -- ABIDCO

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mrs. Everett, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", Mr. Bracey voting "abstain",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Edward A. Bracey, Jr. is hereby reappointed to serve on the Appomattox Basin Industrial Development Corporation (ABIDCO) for a term expiring September 30, 1997.

IN RE: RESOLUTION PROCLAIMING OCTOBER AS NATIONAL BREAST CANCER AWARENESS MONTH

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, breast cancer is one of the most common cancers among American women; and

WHEREAS, in 1996, 4500 Virginia women will be diagnosed with breast cancer, and 1100 will die from the disease; and

Extract

WHEREAS, the residents of Dinwiddie have been impacted by the devastation of breast cancer. Since 1990, approximately 20 Dinwiddie women have died from breast cancer and 10 new cases will be diagnosed this year; and

WHEREAS, women receiving mammography are more likely to discover cancerous lumps during the early stages when it is more easily treated; our research shows that less than half of local women are getting screening mammograms in accordance with nationally accepted guidelines; and

WHEREAS, by providing information and opportunities for early detection, nine out of ten breast cancer patients can be successfully treated when diagnosed early;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby join the Crater Health District's Every Woman's Life Program, Virginia Department of Health, The Centers for Disease Control and The American Cancer Society, in proclaiming the month of October, Breast Cancer Awareness Month and October 18 as Mammography Day in recognition of mammography as the single best method for detecting

breast cancer. We encourage all women in Dinwiddie to become aware that they are at risk and to check with their doctors to see when they should get a mammogram. We also urge each and every resident of Dinwiddie to make the women they care about participate in this program.

IN RE: RESOLUTION AUTHORIZING COMPETITIVE NEGOTIATION -- RISK MANAGEMENT CONSULTANT SERVICES

Mrs. Wendy Ralph, Ass't County Administrator, stated that the Board at a previous meeting authorized Administration to contract for Workmen's Compensation coverage through VML and now they would like to obtain consultant services to assist with Auto, General Liability and Real and Personal Property Property coverage. In order to contract the procurement process, the following resolution must be adopted:

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County (the "Board") wishes to receive proposals from qualified venders for risk management consulting services to evaluate firm experience with risk management consulting in Virginia localities, qualifications and experience of specific personnel, references from other clients, a work plan for immediate services and/or any continued services as may be requested, and knowledge of Virginia insurance laws and regulations as well as the Virginia Public Procurement Act, and further to negotiate specific contractual terms and conditions favorable to Dinwiddie County (the "County"); and

Extract

WHEREAS, Section 11-41(c) of the Virginia Public Procurement Act provides that goods and services may be procured by competitive negotiation upon a determination in writing that competitive sealed bidding is not advantageous to the public;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia:

1. The County Administrator, in cooperation with other county staff persons, is authorized to issue on behalf of the County, a written request for proposals for risk management consultant services;

2. This Resolution shall constitute a written determination that competitive sealed bidding is not advantageous to the public for the reasons stated above.

3. This Resolution shall be effective as of September 18, 1996.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Burgess stated that he received a letter from the Department of Corrections asking each locality statewide to notify them in reference to being considered as a potential site for the construction of a correctional facility.

The Board asked that he respond that the County is not interested.

IN RE: BOARD MEMBER COMMENTS

Mrs. Everett stated that she saw that Calvin Beville, who represents Dinwiddie on the Crater District Area Agency on Aging, was in the audience and wanted to know if he would like to say a few things to the Board.

Mr. Beville came before the Board and gave them an update on the Crater District Area Agency on Aging.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the

Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Commissioner staffing; Section 2.1-344(a) 3-Acquisition or use of real property for public purpose; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; Section 2.1-344(a) 6-Investment of Public Funds - Financing of School CIP; Section 2.1-344(a) 7-Consultation with legal counsel - Virginia Bio-Fuel litigation; the Board moved into Executive Session at 4:15 P.M. The meeting recessed to the Homeplace Restaurant at 5:00 P.M. to continue the Executive Session. A vote having been made and approved the meeting recessed to the Pamplin Administration Building to reconvene into Open Session at 7:03 P.M.

IN RE: CERTIFICATION

Upon motion Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: RESOLUTION IN RECOGNITION OF 100 YEARS OF RURAL FREE DELIVERY

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

Extract

WHEREAS, on October 1, 1996, rural free mail delivery was established as a means of communications; and

WHEREAS, rural mail delivery enhances the quality of life of each and every citizen of the community; and

WHEREAS, the Board of Supervisors is desirous of acknowledging the postmasters and rural mail carriers for their contributions and dedicated service;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia joins the rural mail carriers in celebrating 100 years of rural free mail delivery by the United States Postal Service; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia especially recognizes our postmasters and rural mail carriers for their outstanding service to Dinwiddie County, surrounding counties, and citizens thereof.

IN RE: A-96-18 -- TERMS OF EQUALIZATION BOARD -- PUBLIC HEARING

Extract

This being the time and place as advertised in the Dinwiddie Monitor on September 4, 1996 and September 11, 1996, for the Board of Supervisors to hear public comments on a proposed Ordinance to add Section 19-9 to the Code of the County of Dinwiddie to provide for Application and Disposition Deadlines for the Orderly and Efficient Processing of Equalization of Real Estate Assessments.

This being a public hearing, the Chairman opened the floor for public comment:

No one signed up to speak.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 19-9 of the Code of the County of Dinwiddie be amended and reordained as follows:

Section 19-9 Application and Disposition Deadlines for the Processing of Equalization of Real Estate Assessments.

(a) The deadline for receipt of applications to the County of Dinwiddie Board of Equalization shall be February 28, 1997.

(b) The deadline for disposition of timely applications by the County of Dinwiddie Board of Equalization shall be April 18, 1997.

State Law References: Code of Virginia Section 58.1-3378.

IN RE: AUTHORIZATION RESOLUTION OF DINWIDDIE COUNTY BOARD OF SUPERVISORS AS TO SCHOOL PROJECT

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

Extract

WHEREAS, the County of Dinwiddie (the "County") is a political subdivision organized and existing under the laws of the Commonwealth of Virginia: and

WHEREAS, the Superintendent of the Dinwiddie County Public Schools (the "Superintendent") has brought to the attention of the County Board of Supervisors (the "Board of Supervisors") the need for capital improvements within the County public school system, specifically to the Dinwiddie Middle School, Dinwiddie High School and Midway Elementary School (the "Project"); and

WHEREAS, the Board of Supervisors intends for application to be made for the County to participate (the "Application") in the Virginia Public School Authority (the "VPSA") 1996 Interest Rate Subsidy Program in relation to the Project, and to finance the Project with proceeds of one or more issues of tax-exempt bonds (the "Bonds");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY AS FOLLOWS:

1. In connection with financing the Project, the Board of Supervisors declares its intent to participate in, and the Superintendent, County Administrator and his designees, County Attorney and Bond Counsel are authorized to take any and all actions necessary for the County to participate in, the 1996 Interest Rate Subsidy Program, VPSA School Financing Bonds Series 1996 B, in an amount of not to exceed $13,000,000.

2. The actions of the County Administrator, Superintendent, County Attorney, Bond Counsel and any other agent, employee or representative of the County in completing and submitting the Application to the VPSA are hereby authorized, approved and ratified.

3. The County Administrator and his designees, County Attorney and Bond Counsel are authorized to take any and all actions necessary for the Board of Supervisors to consider final authorization of the Bonds, including but not limited to publication as required by law of a notice of public hearing on final authorization of the Board of Supervisors of the issuance of the Bonds.

4. This resolution shall take effect immediately upon its passage.

IN RE: AUTHORIZATION TO ADVERTISE -- CIP PROGRAM -- PUBLIC HEARING

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise for a public hearing to be held on October 16, 1996 at 7:00 P.M. in reference to the County participating in the 1996 Interest Rate Subsidy Program, VPSA School Financing Bonds Series 1996 B, in an amount of not to exceed $13,000,000.

IN RE: USE OF PAMPLIN ADMINISTRATION BUILDING -- PUBLIC DISPLAYS, ADVERTISEMENTS OR SOLICITATIONS

Mrs. Wendy Ralph came before the Board and stated that there has been an unwritten policy for a long time that there not be any public displays, advertisements or solicitations in the Pamplin Administration Building in relation to things that are not County related. She wanted to know if the Board wanted to reaffirm that policy because Administration has been getting a lot of requests by private organizations to post their advertisements.

Extract

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that there will be no posting of public displays, advertisements or solicitations that are not County related allowed in the County Administration building.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 7:25 P.M. to be continued until September 26, 1996 at 7:00 P.M. for an Executive Session.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 26TH DAY OF SEPTEMBER, 1996, AT 7:00 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3
	PAUL JACOBSON	COUNTY ATTORNEY

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 3-Acquisition or use of real property for public purpose; Section 2.1-344(a) 6-Investment of Public Funds - Financing of School CIP; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 7:10 P.M. The Chairman called for a ten minute recess at 8:57 P.M. A vote having been made and approved the meeting reconvened into Open Session at 9:40 P.M.

IN RE: CERTIFICATION

Upon motion Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: RIGHT OF ENTRY AGREEMENT -- MONITORING WELLS

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Chairman is authorized to execute a right-of-entry agreement with Stephen F. & Carolyn M. Perry for the installation of two monitoring wells to test groundwater for the Dinwiddie County landfill with a consideration of $100.00 per year.

IN RE: VIRGINIA ASSOCIATION OF COUNTIES -- CONFERENCE ATTENDANCE

Mr. Tickle stated that he would like to attend the VACO Conference to be held November 10-12, 1996 at the Homestead in Hot Springs, Virginia. Staff was authorized to draft a check in the amount of $185.00 for registration fees.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting

adjourned at 9:45 P.M. to be continued until October 2, 1996 at 4:00 P.M. for an Executive Session.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 2ND DAY OF OCTOBER, 1996, AT 4:00 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3
	DAN SIEGEL	COUNTY ATTORNEY

IN RE: AMENDMENT TO MINUTES OF SEPTEMBER 26, 1996 CONTINUATION MEETING

Mrs. Wendy Ralph, Ass't County Administrator, asked the Board to amend the minutes of the September 26, 1996 meeting to include the certification statement after the Board came out of Executive Session.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the September 26, 1996 are amended by adding the following certification:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: AMENDMENT TO AGENDA

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following be added to the agenda:

EXECUTIVE SESSION
2.1-344(a) 7-Consultation with legal counsel - Virginia Bio-Fuel litigation - Liability Claim.

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 7-Consultation with legal counsel - Virginia Bio-Fuel litigation - Liability claim; the Board moved into Executive Session at 4:10 P.M. A vote having been made and approved the meeting reconvened into Open Session at 4:30 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: COURTHOUSE PROJECT -- DISCUSSION ABOUT POND

Mr. Donald Faison, Construction Inspector, came before the Board and stated that the Board has three different options for resolving the problem with whether or not the pond in front of the new courthouse will be dry or wet. Mr. Faison stated that it would be much more expensive to have a wet pond due to the fact that some rocks would have to be removed and additional storm water pipes would have to be installed. It would be less expensive to have a dry pond.

Mr. Faison suggested that they have a dry pond.

After some discussion among the Board they asked Mr. Faison to use his own discretion.

IN RE: DISCUSSION WITH ARCHITECTS -- COLOR SAMPLES -- NEW COURTHOUSE

The Board went outside to view several different color samples that the Architects had brought for the new Courthouse.

THE BOARD RECESSED TO THE HOMEPLACE RESTAURANT AT 5:20 P.M.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 3-Acquisition or use of real property for public purpose; Section 2.1-344(a) 6-Investment of Public Funds - Financing of School CIP; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; Section 2.1-344(a) 7-Consultation with legal counsel - Virginia Bio-Fuel litigation - Liability Claim; the Board moved into Executive Session at 5:45 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2)

only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 7:33 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 2ND DAY OF OCTOBER, 1996, AT 7:30 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3
	DAN SIEGEL	COUNTY ATTORNEY

IN RE: AMENDMENT TO AGENDA

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following be added to the agenda:

9. AWARD OF CONTRACTS
   3. Sheriff's Department Computer

IN RE: MINUTES

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the September 18, 1996 Continuation Meeting and the minutes for the September 18, 1996 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mr. Moody questioned check #1003156 in the amount of $2,500.00 made out to the Sheriff's Department for Advanced Expenses for Polygraph School. He stated that he thought that there were not any additional funds appropriated in the Sheriff's budget to train anyone other than Alvin Booth on the Polygraph. He then stated that he saw that the $2,500 check is for training Mr. Fendall Vaughan on the Polygraph. He requested that the check be held for payment until Administration could investigate to see whether or not the funds were in his budget.

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 using checks #1003028 - #1003247 (void #1003028) except for check #1003156 in the amount of $2,500.00; for Payroll in the amount of $266,589.08; General Fund $266,519.11, E911 Fund $69.97; and Accounts Payable in the amount of $449,144.66; General Fund $326,529.18, Jail Phone Commission $81.12, E911 Fund $402.53, Self Insurance Fund $110,654.30, Fire programs/EMS Fund $2,204.73, Law Enforcement Fund $448.75, CDBG Fund $8,824.05.

IN RE: APPROVAL OF REQUISITION #9 & #11 -- COURTHOUSE/SCHOOL PROJECT

Mrs. Wendy Ralph, Ass't County Administrator, stated that Requisition #9 for the Courthouse consists of the final billing from the Attorney's on the financing of the bond issue and then the second draw from Gulf Seaboard, General Contractor.

Mrs. Ralph stated that Requisition #11 for School Projects consists of Architectural expenses as well some track expenses.

Mr. Bracey questioned a fee in Requisition #11 for work on the Track Project. The fee is for the balance due on the track project minus

the retainage fee. He wanted to know what the retainage fee was because he heard that there were a couple of things that still needed to be completed and he wanted to make sure that there was enough money being withheld to cover those expenses.

Mr. Tickle stated that he agreed with Mr. Bracey.

Mr. Bracey suggested that they approve the money being disbursed contingent upon Administration having the School Board confirm that the money that is being retained is enough to finish the track.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #9 in the amount of $118,458.34 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #11 in the amount of $141,748.53 be approved and funds appropriated for CIP expenses for the School Improvement Projects Fund, contingent upon confirmation of the Requisition for track expenses.

IN RE: RESOLUTION OF APPRECIATION -- JAMES W. HARVELL

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, Mr. James W. Harvell has served for 7 years on the Dinwiddie County Board of Social Services as Chairman and Vice-Chairman with distinction and integrity from July, 1989 until his death on July 21, 1996; and

Extract

WHEREAS, The Board of Supervisors on the 4th day of September, 1996 is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW THEREFORE BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia hereby commends Mr. James W. Harvell for his contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that this resolution be delivered to the family of Mr. James W. Harvell, and a copy spread upon the minutes of this meeting.

IN RE: CITIZEN COMMENTS

1. Mr. Arnie Slimmen, 5813 Sutherland Drive, Sutherland, VA. He came before the Board and stated that he was trying to build a small apartment/garage on his property for his mother-in-law who needs to be close to them for medical purposes. He can not get a zoning permit because the zoning ordinance presently does not allow for a second use on one parcel which would accommodate a dependent family member. He asked the Board if they could help with amending the ordinance so people with dependent families could build a small apartment if needed.

The Board stated that he needed to talk to the Planning Department in reference to taking his problem before the Board of Zoning Appeals.

IN RE: REQUEST FOR A MOORING BUOY ON LAKE CHESDIN -- ROBERT L. GROSSMANN

Extract

This being the time and place as advertised in the Dinwiddie Monitor on September 25, 1996 for the Board of Supervisors to conduct a public hearing to consider a request from Robert L. Grossmann to place a mooring buoy located on Lake Chesdin in front of Lot 50 in Chesdin Acres.

Dr. Grossmann, came before the Board and stated that he would like to place a mooring buoy out past his pier in Lake Chesdin to keep his

boats from beating up against the pier and the bulkhead. He stated that there is so much traffic on Lake Chesdin that it pushes his boat up against the pier and the bulkhead. He stated if he had the mooring buoy he could keep his boat away from the pier and the bulkhead.

Staff informed Dr. Grossmann that if the request was approved there would be several rules and regulations that he would need to follow. First, once the buoy is put into public waters it becomes public property. That means that anyone can use the buoy, not just the applicant. Second, once the buoy is put in place, it cannot be removed for any reason except if the buoy needs to be repaired or replaced.

This being a public hearing, the Chairman opened the floor for public comment:

No one signed up to speak.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", Mr. Tickle voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Mr. Robert L. Grossmann is authorized to place a mooring buoy located on Lake Chesdin in front of Lot 50 in Chesdin Acres.

IN RE: REQUEST FOR A "SLOW NO WAKE" BUOY ON LAKE CHESDIN -- JERRY WAUFORD

This being the time and place as advertised in the Dinwiddie Monitor on September 25, 1996 for the Board of Supervisors to consider a request from Jerry Wauford to locate a "Slow No Wake" buoy adjacent to his property, 3031 Oxford Road, on Lake Chesdin.

Mr. Wauford was not present but stated in his letter to the Board that he wanted to get the buoy for several different reasons. First he stated he and his family like to go swimming in the lake and some boaters and jet ski operators come by his property at a high rate of speed with no regard to the swimmers. He also stated in his letter that jet ski traffic has increased in the past two years, particularly jet ski traffic. He estimated that there has been at least two feet of land eroded from his property due to the wakes of high speed craft. He did say that in an effort to save his boat dock, he incurred the expense of building a bulk head to protect a portion of the property, but was unable to do the whole property.

Extract

Mr. Moody stated that he felt that they should still hold the public hearing and then continue their decision until the applicant could be present.

This being a public hearing, the Chairman opened the floor for public comment:

No one signed up to speak.

The Board agreed that they would delay action until the next meeting on October 16, 1996 at 7:00 P.M.

IN RE: AWARD OF CONTRACT -- GASOLINE & FUEL OIL -- RENEWAL

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the fuel contract with Parker Oil Company, Inc. is extended for one year at the following prices on a fixed price basis to commence October 1, 1996:

Extract

87 octane no lead gasoline $.6790 per gallon
Low sulfur diesel fuel $.7290
#2 fuel oil $.7190 per gallon

MR. CLAY TURNED THE CHAIRMANSHIP OVER TO THE VICE-CHAIRMAN, MR. MOODY SO THERE WOULD NOT BE A CONFLICT OF INTEREST IN REFERENCE TO THE

AWARD OF CONTRACT ON THE VEHICLE MAINTENANCE BID BECAUSE HIS SON, STEVE CLAY SUBMITTED A BID FOR DEWITT TIRE.

MR. HARRISON A. MOODY, ASSUMED THE CHAIR.

IN RE: AWARD OF CONTRACT -- VEHICLE MAINTENANCE

Mrs. Wendy Ralph, Ass't County Administrator, stated that an evaluation committee of five people was developed to interview the applicants for the vehicle maintenance contract. The evaluation committee consisted of Donald Adams, Sheriff's Dept.; Claire Goad, Social Services; Denny King, Waste Management; and Harrison Moody.

The following companies submitted proposals: Wheel Service-Parker Simmons, Tony's Auto & Truck Repair-Tony C. Christopher, Lewis Garage & Body Shop-Samuel J. Lewis, Sr. & Jr., DeWitt Tire, Inc.-Steve Clay & Doug Stell. Mrs. Ralph stated that the committee would like to recommend that a contract be awarded to DeWitt Tire, Inc. for one year which may be renewed if negotiated 90 days prior to the expiration date.

Extract

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye", Mr. Clay voting "abstain",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the proposal from DeWitt Tire, Inc. is accepted for maintenance on those vehicles under the control of the Board of Supervisors which may be renewed on an annual basis if negotiated 90 days prior to the expiration date.

MR. HARRISON A. MOODY TURNED THE CHAIRMANSHIP BACK OVER TO AUBREY S. CLAY.

IN RE: AWARD OF CONTRACT -- SHERIFF'S DEPARTMENT COMPUTER

Mrs. Wendy Ralph, Ass't County Administrator, came before the Board and presented the following memo to the Board:

MEMO

TO: Board of Supervisors

FROM: Wendy Weber Ralph

DATE: October 2, 1996

RE: Public Safety Information System

Extract

As you recall, in June of this year, the Board approved the award of a grant from the Dept. of Criminal Justice Services for the purchase of a computer system for the Sheriff's Department in the amount of $69,250 in Federal Funds and $23,083 in local funds for a total of $92,333. The Sheriff's Department, with the assistance of the Dept. of Criminal Justice Services issued an RFP for the system and received three (3) proposals on September 12, 1996. The vendors were: Applied Micro Technology, Reston, Virginia, Digital Solutions, Inc., Altoona, Pa., and Vision Software, Wilmington, N.C. The Evaluation Committee reviewed the proposals, visited sites, and conducted interviews with the top two vendors selected. Based on the evaluation, the Committee selected Digital Solutions, Inc. to award a contract and reached a negotiated price of $92,315 for a complete, turn-key system.

The guidelines of the grant required a commitment from the Sheriff's Department on a vendor and price by 5:00 P.M. on Monday, September 30, 1996. If the commitment was not made by that time, we would have lost the grant. Therefore, we faxed an acceptance letter to Digital Solutions, Inc. awarding them the contract at $92,315. Because the grant was awarded to the County of Dinwiddie, a motion is needed by the Board to ratify the action taken on September 30, 1996.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the contract for the purchase of a computer system for the Sheriff's Department be awarded to Digital Solutions, Inc. in the amount of $92,315.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Charles W. Burgess, Jr., County Administrator, stated that Dinwiddie Volunteer Rescue Squad is requesting $34,000 to purchase a new unit. Wayne Varga came to the Board in March and requested $33,500 so that they could apply for a state grant to purchase a new unit and the money would have been used as the County's match. The Board then was notified in August by Wayne Varga that they did not get the grant to purchase the new unit so they wanted to use the $34,000 to apply for another grant to purchase some defibrillators and a first responder vehicle.

The Board requested further information from Administration before they could make a decision on what to do.

IN RE: VDOT -- RESOLUTION IDENTIFYING ROUTE 670 -- DUNCAN ROAD -- EXISTING SPEEDING PROBLEM

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, under Section 46.2-878.2 of the Code of Virginia, as amended, a provision exists for establishing additional fines for speeding in certain residential sections, and

WHEREAS, the Board has identified Route 670 (Duncan Road) from Route 1 (Boydton Plank Road) to 1.24 mile south as an area where a speeding problem exists, and

WHEREAS, Route 670 (Duncan Road) meets the criteria as a collector road with an established speed limit of 35 MPH, and

WHEREAS, there is community support for establishing additional fines for speeding, and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that this Board hereby requests the Residential Engineer for the Department of Transportation to perform the appropriate studies to determine if Route 670 is eligible for signage of additional fines for speeding; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that this Board requests the Resident Engineer to notify the County of his findings and action taken.

Mr. Tickle stated that there will be other people asking for similar access to this type of ordinance. He asked the Board to take this issue seriously because there are a lot of people with roads very similar to Duncan Road that will be coming forward with this same issue.

IN RE: AUCTION -- SURPLUS PROPERTY

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following items be declared surplus property and be authorized for sale at a public auction which will take place on October 19, 1996 by the Dinwiddie County School Board:

Social Services

(2) Plastic floor pads/mats for desks
(1) Black and White video monitor
(1) Hitachi Video deck Ser. #60221624

Dinwiddie Volunteer Fire Department

(1) 1976 Ford Fire Truck #114 - Tanker

Sheriff's Department

(1) Monroe copier model #R1-945DX Ser. #Y472275

Mrs. Ralph asked the Board if they were sticking with the same policy as last year; that County employees were not allowed to bid on any items at the auction.

The Board stated that they were sticking with that policy.

IN RE: CLAIM -- SHERIFF'S DEPARTMENT -- POLYGRAPH SCHOOL

Earlier in the meeting, during Claims, the Board questioned whether funds were appropriated for additional deputies to be trained on the Polygraph besides Alvin Booth. Mrs. Ralph stated that she felt that additional funds were appropriated and thought that the claim should be approved in the amount of $2,500 and suggested that Administration investigate it further and bring their findings back to the Board.

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that check #1003156 in the amount of $2,500 be approved for Fendall Vaughan to attend Polygraph School with the funds to come out of their existing budget.

IN RE: AUTHORIZATION TO DRAFT A LETTER IN SUPPORT OF NATIONAL GUARD LOCATING AT FORT PICKETT

Mr. Moody stated that the Virginia National Guard Headquarters wants to move down into the Fort Pickett area and Governor Allen has endorsed that and they are now starting to get a little resistance from people in the Richmond area because they will be moving out of their area. He asked for the Board's support in moving the Virginia National Guard Headquarters to this area because it would bring in jobs to the community. He requested that Administration write a letter to Lt. Governor Beyer and send a similar letter to the Delegates and Senators in this area showing Dinwiddie's support.

Extract

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to draft letters to the Lt. Governor, the Delegates and Senators in our area showing Dinwiddie's support of the Virginia National Guard moving into the Fort Picket area.

IN RE: RESOLUTION IN SUPPORT OF AMERICAN ARMORED FOUNDATION RELOCATING THEIR MUSEUM TO BLACKSTONE -- FORT PICKETT

Mr. Moody stated that the American Armored Foundation, Inc. has a museum of armored tanks and war memorabilia in Long Island, New York and they are looking at Fort Pickett to relocate their museum. He requested that the Board adopt a resolution supporting their idea of relocating to the Fort Pickett area.

Extract

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mr. Bracey, Mrs. Everett, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, The American Armored Foundation, Inc. located in Mattituck, New York has expressed an interest in relocating its Tank and Ordnance Museum; and

WHEREAS, with the realignment of Fort Pickett Military Base in Nottoway County Virginia, approximately 4000 acres of land will be

declared excess by the Federal Government and will be available for Re-Use/Development; and

WHEREAS, it is the opinion of this Board of Supervisors that the Fort Pickett Military Base in Nottoway County would be an ideal location for the museum due to its proximity to major population centers, the availability of real estate with infrastructure in place and a relatively low moving expense; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County Virginia, does hereby encourage The American Armored Foundation, Inc. to consider Nottoway County Virginia as its permanent home; and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Dinwiddie County Virginia, does hereby pledge its support for the relocation of the Tank And Ordnance War Memorial Museum to Nottoway County Virginia and to the future operation of this historically significant museum.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Tickle stated that he was seriously considering speaking with the Department of Transportation concerning the speeding problem on Sterling Road.

2. Mrs. Everett stated that the traffic light at Ferndale and Cox Road is operational and she was very pleased with it.

3. Mr. Daniel M. Siegel, County Attorney, stated that the oral argument on the Virginia Bio-Fuel issue will be in Baltimore, Maryland on October 31, 1996. He wanted to notify the Board in case any of them were interested in attending. Mr. Burgess, County Administrator, stated that he would be attending.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 8:52 P.M.

Aubrey S. Clay
Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 16TH DAY OF OCTOBER, 1996, AT 2:00 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3
	BEN EMERSON	COUNTY ATTORNEY

IN RE: MINUTES

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the September 26, 1996 Continuation Meeting, October 2, 1996 Continuation Meeting and the October 2, 1996 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1003248 - #1003439 (void #1003248 - #1003251) for Accounts Payable in the amount of $334,682.33; General Fund $242,317.82, E911 Fund $1,674.54, Self Insurance Fund $8,837.39, Law Library $775.92, Fire Programs/EMS Fund $10,695.69, County Debt Service $70,380.97.

IN RE: CITIZEN COMMENTS

1. Paul Coleman, General Manager, Virginia Motorsports Park. He came before the Board and stated that the Motorsports Park has contributed to the County of Dinwiddie a total of approximately $300,000.00 in taxes and fees within the first six months of this year.

2. Della E. Tucker, Rawlings, VA. She came before the Board and stated that she was not happy with the reassessment that she just received. She stated that it went up about $37,000 and there are no structures on the property; half of it is open land and the other has timber on it. She felt that it was too big of an increase of one time.

3. Merle L. Elder, DeWitt, VA. She came before the Board and stated that her taxes had gone up 26% and she felt that it was too big of an increase at one time.

4. Louis Thibault, Sutherland, VA. He came before the Board and informed the Board of a vicious dog in his neighborhood that always gets out of his fenced in area and terrorizes everyone. He requested that the Board do something about extending the leash law in the County.

5. James Hawks, Sutherland, VA. He came before the Board and reiterated Mr. Thibault's complaint about the vicious dog in his neighborhood.

IN RE: AUTHORIZING THE ISSUANCE OF BONDS FOR SCHOOL PURPOSES -- PUBLIC HEARING

Extract

Mr. Charles Burgess, County Administrator, stated that this being the time and place as advertised in the Dinwiddie Monitor on October 2, 1996 and October 9, 1996 for the Board of Supervisors to conduct a public hearing to consider a resolution authorizing the issuance of up to $13,000,000 in general obligation bonds for school purposes. The resolution if approved would allow the County to participate in the

Virginia Public School Authority Financing Bonds 1996 Series B. This allows the County to participate in the Literary Subsidy Program that the State Department of Education is offering. The County has previously been placed on the Literary Funding list for three school projects with those being; Midway Elementary School in the amount of $3,000,000, Dinwiddie County High School in the amount of $5,000,000 and the Dinwiddie County Middle School in the amount of $5,000,000. This program allows for, in lieu of the County receiving the funds on an as spent basis, the County to receive the $13,000,000 up front. It will eliminate the need for the County to do any interim financing for any such projects. Therefore, it would be a savings to the County. The twenty year obligation and the anticipated annual debt service on this obligation would be approximately $880,000 to $890,000 per year.

This being a public hearing, the Chairman opened the floor for public comment:

No one signed up to speak.

Mr. Burgess stated that this also was advertised to be a public hearing later in the day at 7:00 P.M. He stated that at that time the Board would take action whether or not to pass the proposed resolution.

IN RE: DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald H. Reekes, Resident Engineer, came before the Board and stated that it was time again to update the six year plan. He gave the following schedule:

November 6, 1996 - Public Information Meeting
November 20, 1996 - Workshop with the Board
December 4, 1996 - Public Hearing

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was present but did not have anything to report to the Board but stated that she was available for any questions.

Mr. Bracey stated that he received her letter with copies of the code. He stated that the information that she provided does not answer his question. He stated that he is going to take it to an Attorney and then he will proceed from there because the information does not answer the question of why he had to write a letter to be relieved of some personal property that he did not own at the time of filling out papers. The personal property came about after the fact but Mrs. Marston's office saw fit to put it on his taxes. He stated that he came to her office and said that he did not own it at the first of the year and he was informed that he had to write a letter to get it off. He stated that he has proof of when he became the owner of the car. He stated that he is upset because he had to write a letter and if another tax payer had the same problem and they did not have to write a letter.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, came before the Board and presented his report for the month of September, 1996. He also stated that the second half of the tax bills have been mailed so, hopefully, there will be some money coming in real soon.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, III, Commonwealth Attorney, came before the Board and stated that he did not have anything to present but he was available for questions from the Board.

Mr. Tickle stated that he wanted Mr. Rainey to please explain to the Board how the vicious dog ordinance works.

Mr. Rainey stated that he wanted the public to understand that in order for a dog to be considered vicious; an individual must have made complaints to the Dog Warden or Sheriff's Department over a period of

time. If there is an animal in the neighborhood that has been terrorizing everyone it must be reported to the authorities each time. Do not let instances go by and then expect after the first complaint that the animal will be declared vicious.

IN RE: SHERIFF -- REPORT

Mr. Samuel H. Shands, Sheriff, was not present.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne H. Abernathy, Building Inspector, came before the Board and presented his report for the month of September, 1996.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of September, 1996.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W.C. Scheid, Director of Planning, presented his report for the month of September, 1996.

He wanted to bring to the Board's attention several complaints that have been filed with his office concerning drainage problems. The complaints have been received from people in subdivisions as well as in agricultural districts. He has scheduled to meet with the individuals but stated that he needed some guidance from the Board because the County does not have the ability to address all of the drainage problems that people are directing to his department and they are demanding that some type of action be taken. In some cases the Highway Department has visited these sites and stated that it is the County's responsibility to take care of the drainage ditch once the water leaves the road side ditch. He stated that it appears to him that the County must address this issue of drainage ditch maintenance by taking one of the following positions: pressure the Highway Department into accepting responsibility; accept no responsibility on the County's behalf and offer no solution; or accept County responsibility and initiate repair work through such means as a public works department, private contractors, etc.

IN RE: SOCIAL SERVICES DIRECTOR -- REPORT

Mrs. Peggy M. McElveen, Social Services, presented the 1995-96 annual report for the Comprehensive Services for At Risk Children.

IN RE: TRANSFER FUNDS -- COMPREHENSIVE SERVICES FOR AT RISK CHILDREN BUDGET TO OYCS

Mrs. McElveen requested on behalf of the Dinwiddie County Policy and Management Team that $5,000 from the local FY 96 fund balance for Comprehensive Services be transferred from the local allocation category to the Office on Youth and Community Services for FY 97.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $5,000 from the local FY 96 fund balance for Comprehensive Services be transferred from the local allocation category to the Office on Youth and Community Services for FY 97.

IN RE: SCHOOL BOARD BUDGET -- SUPPLEMENTAL APPROPRIATION

Extract

Mrs. Troilen Seward, Superintendent of Schools, came before the Board and stated that at the October 8th School Board Meeting they authorized her to request that the Board of Supervisors amend the FY-97 School Board Budget by $432,949. This additional state revenue is the result of a significant increase in the number of students enrolled in the County's schools. They based the original FY-97 Budget on a conservative membership projection of 3850 students. They have a fall membership of

4088 and are projecting an Average Daily Membership of 4000. Since this is a conservative projection of ADM, they will probably have to request a second adjustment after the March 30, 1997 calculation of the ADM.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $432,949 in State revenues be appropriated to the School Board Budget for FY 96-97 in the following expenditure categories:

Instruction	$334,949
Maintenance	$ 40,000
Transportation	$ 8,000
Facilities	$ 50,000

THE CHAIRMAN CALLED FOR A TEN MINUTE RECESS AT 3:55 P.M.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of September, 1996.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Dennis E. King, Director of Waste Management, presented his report for the month of September, 1996.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Services Coordinator, presented her report for the month of September, 1996.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Ben Emerson, County Attorney, was present but did not have anything to report.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, presented his report for the month of September, 1996.

IN RE: AIRPORT MANAGER -- REPORT

Mr. Gordon Winn, Airport Manager, came before the Board and presented his report for the month of September, 1996.

IN RE: APPOINTMENT -- SOCIAL SERVICES BOARD

Staff informed the Board that Mr. James Harvell's position on the Social Services Board needed to be filled.

Mr. Bracey submitted an application from Earl R. Weaver, Sr. to fill the vacancy.

Extract

Mr. Tickle stated that there were five members on the Social Services Board and one of them was a Board member. He stated that he knew that the Board was not appointed by district but he felt that each district needed to be represented.

Mr. Tickle asked staff to look into the code and see what it states in reference to how the Social Services Board is made up. He stated that he wanted his district to have a representative.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Earl R. Weaver, Sr. is hereby appointed to the Social Services Board to fill the unexpired term of James W. Harvell, for a term ending June 30, 1997.

IN RE: AUCTION -- SURPLUS PROPERTY

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following items be declared surplus property and be authorized for sale at a public auction which will take place on October 19, 1996 by the Dinwiddie County School Board:

Extract

COUNTY

(1) Red Secretarial Chair
(1) Rust colored guest chair
(2) Upright vacuum cleaners
(1) Sharp Facsimile - F0800

SHERIFF

(1) Victor model 670 calculator
(1) Selectric model 72 typewriter
(1) Xerox model 1025 copier
(1) 1983 BMW - VIN #WBADK8307D9208610

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Charles W. Burgess, County Administrator, stated that staff had received a letter from Mecklenburg County asking for the Board to show their support for the tobacco industry. In the letter they stated that it was brought to their attention that there was not adequate smoking areas at the Southside Community College Campus in Alberta.

After some discussion among the Board they agreed not to take any action.

IN RE: APPROVAL OF AGREEMENT WITH THE STATE HEALTH DEPARTMENT

Extract

Mr. Burgess stated that he had in his possession the original Statement of Agreement with the Board and the State Health Department for FY 96-97 so services could be provided here in the County. When the Board adopted the budget for this fiscal year they appropriated $160,000 to go the Health Department. The State is only requesting that the County contribute $127,670 towards the local Health Department. This will be a savings of $32,330 to the County; because of this savings the State Health Department is requesting an additional $5,000 to go towards a new computer for the local Health Department to better serve the citizens of the County.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Statement of Agreement for FY 96-97 be approved between the County of Dinwiddie and the State Health Department; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County's local budget appropriation for FY 96-97 is $127,670; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that an additional $5,000 be appropriated from the savings from the original $160,000 budgeted allocation, to go towards the purchase of a new computer for the local Health Department.

IN RE: AUTHORIZE BOARD MEMBER TO CAST VOTE AT VIRGINIA ASSOCIATION OF COUNTIES ANNUAL BUSINESS MEETING

Extract

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Michael H. Tickle is authorized to cast the Board's vote(s)

at the upcoming Virginia Association of Counties Annual Business Meeting at the Homestead in Bath County on November 12th.

AT 4:55 P.M. THE BOARD RECESSED TO THE HOMEPLACE RESTAURANT FOR DINNER AND AN EXECUTIVE SESSION.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Administrative Staff; Section 2.1-344(a) 3-Acquisition or use of real property for public purpose - School CIP; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; Section 2.1-344(a) 6-Investment of public funds - School CIP; Section 2.1-344(a) 7-Consultation with legal counsel - VBF Litigation; the Board moved into Executive Session at 5:20 P.M. At 6:35 P.M. the Board recessed to the Pamplin Administration building. A vote having been made and approved the meeting reconvened into Open Session at 7:00 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: RESOLUTION OF APPRECIATION -- PATRICIA HUME

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

Extract

WHEREAS, Mrs. Patricia Hume has served, for 4 years, on the Dinwiddie County Planning Commission with distinction and integrity from September 1992, until September, 1996; and

WHEREAS, the Board of Supervisors on this 16th day of October in the year 1996 is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW THEREFORE BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia hereby commends Mrs. Patricia Hume for her contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that this resolution be presented to Mrs. Patricia Hume, and a copy spread upon the minutes of this meeting.

IN RE: CONTINUED BOARD DISCUSSION OF JERRY L. WAUFORD'S REQUEST TO LOCATE A "SLOW NO WAKE" BUOY ON LAKE CHESDIN

At the last Board Meeting the Board conducted a public hearing to consider granting a request from Jerry L. Wauford to locate a "Slow No Wake" Buoy in front of his property on Lake Chesdin. Mr. Wauford was

unable to attend the last meeting so the Board continued it until he could be present.

Mr. Wauford came before the Board and stated that the main reason that he was requesting this buoy is because he is concerned about the safety of his family. When his family is in the water right in front of his property the boats and jet skis fly by without any consideration for the swimmers. He stated that he felt that he had no other choice but to request the buoy because he feared for his family's life.

Mr. Tickle stated that he could not vote for this because if he did everyone on the lake would want one. If everyone on the lake requested one; no one would be able to ski.

Extract

Mr. Bracey stated that he did not feel that he could vote for it either because there were other residents at the end of his cove and it would effect them too.

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the request from Jerry L. Wauford to place a "Slow No Wake" buoy in front of his property on Lake Chesdin is denied.

IN RE: AUTHORIZATION FOR ISSUANCE OF BONDS FOR SCHOOL PURPOSES

This being the time and place as advertised in the Dinwiddie Monitor on October 2, 1996 and October 9, 1996 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing to consider a resolution authorizing the issuance of up to $13,000,000 principal amount of general obligation bonds. The Bonds would be for school purposes.

Mr. Charles W. Burgess, County Administrator, stated that the Board held a public hearing earlier in the meeting because this issue was advertised to take place at 2:00 P.M. & 7:00 P.M.

This being a public hearing, the Chairman opened the floor for public comment:

No one signed up to speak.

Upon motion Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", Mr. Tickle voting "nay", the following resolution was adopted:

Extract

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $13,000,000 GENERAL OBLIGATION SCHOOL BONDS, OF THE COUNTY OF DINWIDDIE, VIRGINIA, SERIES 1996, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF.

WHEREAS, the Commonwealth of Virginia Board of Education (the "Board of Education") has placed the application (the "Application") of the School Board of Dinwiddie County, Virginia (the "School Board") for a loan of $13,000,000 (the "Literary Fund Loan") form the Literary Fund, a permanent trust fund established by the Constitution of Virginia (the "Literary Fund"), for the construction, renovation and expansion of school buildings (the "Project") in Dinwiddie County, Virginia (the "County") on the First Priority Waiting List;

WHEREAS, the Board of Education was to have approved the release of Literary Fund moneys to the School Board and make a commitment to loan such moneys to the School Board (the "Commitment") within one (1) year of placement of the Application on the First Priority Waiting List upon receipt by the Literary Fund of an available unencumbered sum at least equal to the amount of the Application and the approval, by the Board of Education, of the Application as having met all conditions for a loan from the Literary Fund;

WHEREAS, the Board of Education was thereafter to have given advances on the amount of the Commitment for the Literary Fund Loan to the

School Board, as construction or renovation of the Project progressed, in exchange for temporary notes from the School Board to the Literary Fund (the "Temporary Notes") for the amounts so advanced;

WHEREAS, after the completion of the Project and the advance of the total amount of the Commitment, the Temporary Notes were to have been consolidated into a permanent loan note of the School Board to the Literary Fund (the "Literary Fund Obligation") which was to evidence the obligation of the School Board to repay the Literary Fund Loan;

WHEREAS, the Literary Fund Obligation was to have borne interest at two percent (2%) per annum and mature in annual installments for a period of twenty (20) years;

WHEREAS, in connection with the 1996 Interest Rate Subsidy Program (the "Program") the Virginia Public School Authority (the "VPSA") has offered to purchase general obligation school bonds of the County, and the Board of Education has offered to pay, to the County, a lump sum cash payment (the "Lump Sum Cash Payment") equal to the sum of (i) net present value difference, determined on the date on which the VPSA sells its bonds, between the weighted average interest rate that the general obligation school bonds of the County will bear upon sale to the VPSA and the interest rate that the Literary Fund Obligation would have borne plus (ii) an allowance for the costs of issuing such bonds of the County (the "Issuance Expense Allowance");

WHEREAS, the Board of Supervisors (the "Board") of the County of Dinwiddie, Virginia (the "County") has determined that it is necessary and expedient to borrow not to exceed $13,000,000 and to issue its general obligation school bonds for the purpose of financing certain capital projects for school purposes;

WHEREAS, the County held a public hearing, duly noticed, on October 16, 1996, on the issuance of the Bonds (as defined below) in accordance with the requirements of Section 15.1-227.8.A, Code of Virginia 1950, as amended (the "Virginia Code"); and

WHEREAS, the School Board of the County has, by resolution, requested the Board to authorize the issuance of the Bonds (as hereinafter defined) and, consented to the issuance of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF DINWIDDIE, VIRGINIA:

1. Authorization of Bonds and Use of Proceeds. The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bonds in an aggregate principal amount not to exceed $13,000,000 (the "Bonds") for the purpose of financing certain capital projects for school purposes. The Board hereby authorizes the issuance and sale of the Bonds in the form and upon the terms established pursuant to this Resolution.

2. Sale of the Bonds. It is determined to be in the best interest of the County to accept the offer of the Virginia Public School Authority (the "VPSA") to purchase from the County, and to sell to the VPSA, the Bonds at par upon the terms established pursuant to this Resolution. The Chairman of the Board, the County Administrator, and such officer or officers of the County as either may designate are hereby authorized and directed to enter into a Bond Sale Agreement dated as of October 16, 1996, with the VPSA providing for the sale of the Bonds to the VPSA in substantially the form submitted to the Board at this meeting, which form is hereby approved (the "Bond Sale Agreement").

3. Details of the Bonds. The Bonds shall be issuable in fully registered form; shall be dated the date of issuance and delivery of the Bonds; shall be designated "General Obligation School Bonds, Series 1996"; shall bear interest from the date of delivery thereof payable semi-annually on each January 15 and July 15, beginning July 15, 1997 (each an "Interest Payment Date"), at the rates established in accordance with Section 4 of this Resolution; and shall mature on July 15 in the years (each a "Principal Payment Date") and in the amounts set forth on

Schedule I attached hereto (the "Principal Installments"), subject to the provisions of Section 4 of this Resolution.

4. Interest Rates and Principal Installments. The County Administrator is hereby authorized and directed to accept the interest rates on the Bonds established by the VPSA, provided that each interest rate shall be ten one-hundredths of one percent (0.10%) over the interest rate to be paid by the VPSA for the corresponding principal payment date of the bonds to be issued by the VPSA (the "VPSA Bonds"), a portion of the proceeds of which will be used to purchase the Bonds, and provided further, that the true interest cost of the Bonds does not exceed eight percent (8%) per annum. The Interest Payment Dates and the Principal Installments are subject to change at the request of the VPSA. The County Administrator is hereby authorized and directed to accept changes in the Interest Payment Dates and the Principal Installments at the request of the VPSA, provided that the aggregate principal amount of the Bonds shall not exceed the amount authorized by this Resolution. The execution and delivery of the Bonds as described in Section 8 hereof shall conclusively evidence such interest rates established by the VPSA and Interest Payment Dates and the Principal Installments requested by the VPSA as having been so accepted as authorized by this Resolution.

5. Form of the Bonds. For as long as the VPSA is the registered owner of the Bonds, the Bonds shall be in the form of a single, temporary typewritten bonds substantially in the form attached hereto as Exhibit A.

6. Payment; Paying Agent and Bond Registrar. The following provisions shall apply to the Bonds;

(a) For as long as the VPSA is the registered owner of the Bonds, all payments of principal, premium, if any, and interest on the Bonds shall be made in immediately available funds to the VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date or Principal Payment Date or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next preceding such Interest Payment Date or Principal Payment Date.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Bonds.

(c) The Bank of Southside Virginia, Carson, Virginia, is designated as Bond Registrar and Paying Agent for the Bonds.

7. No Redemption or Prepayment. The Principal Installments of the Bonds shall not be subject to redemption or prepayment. Furthermore, the Bond covenants, on behalf of the County, not to refund or refinance the Bonds without first obtaining the written consent of the VPSA or the registered owner of the Bonds.

8. Execution of the Bonds. The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the board are authorized and directed to execute and deliver the Bonds and to affix the seal of the County thereto.

9. Pledge of Full Faith and Credit. For the prompt payment of the principal of and premium, if any, and the interest on the Bonds as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any of the Bonds shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Bonds as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

10. Use of Proceeds Certificate and Certificate as to Arbitrage. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate are hereby authorized and directed to execute a Certificate as to Arbitrage and a Use of Proceeds

Certificate each setting forth the expected use and investment of the proceeds of the Bonds and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the Bonds and on the VPSA Bonds except as provided below. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Bonds will be invested and expended as set forth in such Certificate as to Arbitrage and such Use of Proceeds Certificate and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the Bonds and on the VPSA Bonds will remain excludable from gross income for Federal income tax purposes.

11. State Non-Arbitrage Program; Proceeds Agreement. The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer to participate in the State Non-Arbitrage Program in connection with the Bonds. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Bonds by and among the County, the other participants in the sale of the VPSA Bonds, the VPSA, the investment manager, and the depository, substantially in the form submitted to the Board at this meeting, which form is hereby approved.

12. Continuing Disclosure Agreement. The Chairman of the Board, the County Administrator and such officer or officers of the County of the County as either may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix F to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12.

13. Filing of Resolution. The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

14. Further Actions. The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Bonds and any such action previously taken is hereby ratified and confirmed.

15. Effective Date. This Resolution shall take effect immediately.

IN RE: SCHOOL BOARD REQUEST FOR CIP FUNDS FOR SCHOOL PROJECTS

Mr. Burgess stated that approximately six weeks ago the second bids were submitted to the School Board for the three projects and based on the information provided to the Board of Supervisors and Administration Staff; the financial needs for the turn key aspect of these projects approaches $24,500,000 versus the $22,000,000 that the Board of Supervisors acted on early in 1995. The recommendation to the Board at this time is to fund up to $24,500,000 for these three projects. The October 9, 1996 letter from Troilen Seward to him with attachments, which itemizes the three particular projects, should become part of the record to show the scope of work which the Board expects to be accomplished. The $24,500,000 will be turn key which means that it will include everything. The overall ramifications of this project when put with the Courthouse Project based on a financial analysis; staff anticipates that there will be a substantial need to increase taxes in the year 1999 through 2001. It would be an incremental tax increase on the general property tax rate. The increase will need to generate an additional $.24 in real estate taxes. The County is currently under general reassessment with the notices just going out to the citizens of the County.

Mr. Bracey stated that he thought that the document that was submitted to the Board was put together very well and stated that he wanted to see the final letter that comes in from the Contractor that will

perform the School Renovations that states what there final price will be. Once that letter comes in he would like to see it made a part of the minutes.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", Mr. Tickle voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the School Board is authorized to spend up to $24,500,000 on the School CIP Program which consists of renovating Dinwiddie High School, Dinwiddie Middle School and Midway Elementary School, as outlined in the following documentation from the School Superintendent:

TROILEN G. SEWARD, Superintendent

ALICE H. JONES, Clerk

Dinwiddie County Public Schools

OFFICE OF SUPERINTENDENT

P. O. BOX 7

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Carol L. Fisher, Chairman
19405 Oxford Lane
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Harold M. Walker
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6967 Grubby Road
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October 9, 1996

Mr. Charles Burgess, County Administrator
County of Dinwiddie
P. O. Drawer 70
Dinwiddie, Virginia 23841

Dear ~~Mr. Burgess~~ Charlie:

Attached is a re-cap of the allocation of needed CIP dollars. I have them listed by category so you can see where they would be spent. There are some areas where actual need may not equal what is budgeted (i.e.site personnel; we may not need all those persons, but money is there if we should). The bid amount is that which was advertised the second time; the possible cuts which I had shared with you are not included.

There is about $400,000 in value engineering savings which we can take and not impact the quality of these projects. In fact, I would recommend this in order to substitute a four classroom addition at Midway. This addition would accommodate another 100 students. The total cost, with the $400,000 in value engineering savings, would then be $24,600,000.

Also attached is a brief synopsis of the work being done in all three of the projects. This, I think, provides a broad overview.

If I can be of further help or provide more complete information, please advise. Thanks for providing me the opportunity to communicate with you.

Sincerely,

Troilen

Troilen G. Seward, Ed.S.
Superintendent

TGS/ahj

Enc.

cc: School Board Members
Jim Hutchinson
Donnie Faison

Total Capital Improvement Dollars Needed

Contingency		
High School	3 Percent	$179,725.00
Middle School	5 Percent	$410,482.00
Midway Elementary	5 Percent	$205,273.00
Sub Total		$795,480.00
Furniture/Fixture/Equipment		
High School		$350,000.00
Middle School		$350,000.00
Midway Elementary		$150,000.00
Sub Total		$850,000.00
Special Inspections		
High School		$10,187.09
Middle School		$30,028.15
Midway Elementary		$30,860.01
Sub Total		$71,075.25
Site Personnel (Security/Clerk Asst.)		
High School		$40,000.00
Middle School		$30,000.00
Midway Elementary		$33,000.00
Sub Total		$103,000.00
Special Middle School		
Connect to County Sewer		$227,260.00
Lease/Set-up Modulars for Students		$120,000.00
Sub Total		$347,260.00
Hold Back (Legal/Hidden Asbestos/Etc.)		$251,826.91
Total of Above		$2,418,642.16
LOW COMBINATION BID OF 8/20/96		$20,699,000.00
A & E FEE		$1,132,015.00
TRACK CONTRACT		$264,780.00
CARRY-OVER APPLIED TO TRACK		($107,000.00)
Add Back Midway Canopy to Gym		$69,000.00
Add Back H.S. Weight Room Addition		$85,000.00
Add Back 4 Classrooms at Midway		$300,000.00
Printing/Survey Completed and Paid		$94,437.75
Legal Fees/Advertising/Asbestos &		
Lead Testing Completed & Paid		$48,173.09
TOTAL CAPITAL IMPROVEMENT COST		$25,004,048.00

Capital Improvement Program
for
Dinwiddie County Public Schools

October 3, 1996

Prepared by: J. Hutchinson

Verified by: D. Faison

Midway Elementary

The highlights of the Capital Improvements "Alterations & Additions" to Midway Elementary are:

- The Work shall consist of a 2-story addition (17,910 sq.ft.) attached on the west end of the existing building and a small 846 sq.ft. addition to the rear of the existing kitchen. The main addition shall consist of ten (10) classrooms capable of housing kindergarten, 1-5 classrooms, student toilets, mechanical and electrical rooms, two fire stairs, and one ADA elevator.

- The main building will be totally renovated to provide new heating, ventilating, air conditioning, plumbing, electrical, compliance with the Virginia Uniform Building Code, and ADA. The auditorium will be renovated with refurbished seating and one ADA required wheelchair lift access to the stage. The main building will contain eight (8) full size classrooms, resource rooms, Special Ed rooms, staff support rooms, library, administrative area, cafeteria, kitchen, student restrooms, staff restrooms, music / art room and a full size computer lab.

- A retrofit pre-engineered standing seam metal roof will be installed over the existing building and the new addition.

- Windows in the existing building will be replaced with new windows. New windows to consist of two 1/4" insulated panes and Kynar finish, thermal break, heavy commercial grade aluminum combination windows with a fixed sash.

- Existing utilities will be relocated, modified and upgraded as required.

- Plumbing: The condition of the plumbing fixtures is poor and will not be salvaged. Also, based on the age and condition of the sanitary waste and domestic water system and the extensive modifications to the toilet facilities, these systems will not be salvaged and new systems will be provided for the new addition and the existing building. Some examples:

    - A new combined domestic water and fire protection main will be provided from the on site well.
    - A new sanitary sewer will be provided and connected to the existing main.
    - All new lavatories, sinks, urinals and water closets will be provided in the existing building. New toilet partitions will be installed.
    - New water, sanitary waste and vent piping to be provided, along with new floor drains and plumbing insulation.

- All asbestos floor tiles will be removed and replaced with a vinyl-composition tile.

Midway Elementary Continued

- Electrical: Electrical system to be totally upgraded and replaced: The existing electrical service entrance equipment will be removed. New, larger equipment will be provided in an electrical equipment room which will be part of the building addition. A new Main Distribution Switchboard will be installed. Solid-state ground-fault protection units, equipped with static relays, sensors, pilot light and push buttons for fault indication and reset will be provided on switchboards. Switchboards will be provided with phase failure protection and lighting protection on the load side. All existing power panels will be replaced.

- Interior building lighting: All interior lighting in existing building to be upgraded and replaced with energy efficient lighting that conforms to the current regulations and codes.

- A Fire Detection and Alarm System will be installed in the existing building and the new addition. The fire alarm system will comply with NFPA for protected premises signaling systems.

- All interior finishes in the existing building, including walls, doors, door frames, base and wall cabinets, storage cabinets', teachers' wardrobe, book shelving, acoustical tiles to be refurbished or replaced.

- All bathrooms in the existing building to be totally gutted and rebuilt with all new fixtures.

- Master clock system to be replaced.

- New "two-way" intercom system to be installed in all classrooms.

- Limited area sprinkler systems installed where required by codes.

- Infrastructures installed for current and future technology requirements.

- Existing kitchen will reuse and/or relocate existing equipment as much as possible. New equipment will include walk-in refrigerator/freezer, upgraded range exhaust system, and enlarged to meet minimum state requirements for a 550 plus student body.

- Heating, Ventilating and Air Conditioning. The central plant will be designed to serve both the new addition and existing building. A central chilled water and hot water system will provide cooling and heating to the entire building. The existing boiler room will house the boilers, pumps and water heaters.

- New exhaust systems will be provided for all toilets, storage rooms, and closets.

- A Direct Digital Control (DDC) will be provided to automatically control all HVAC equipment.

- Energy conservation will be maximized by many methods such as: Heat recovery shall be provided by the air cooled chillers for hot water reheat during cooling operations; Economizer cycles will be specified for each supply fan so optimum use of outdoor air can be made for free cooling; Low velocity duct systems will be used and will result in lower fan horsepower. Air cooled condensing units shall be selected with high EER ratings.

What Midway Elementary Will Contain When Renovation/Addition Is Completed

New Addition:

- Six (6) Grade 2-5 Classrooms
- Four (4) Grade K-1 Classrooms
- Two (2) Mechanical/Electrical Rooms
- One (1) Boys & One (1) Girls Restroom on each floor
- One (1) Elevator
- One (1) Combination Storage/Janitorial Closet on each floor

Existing Building:

- Eight (8) full size Grade 2-5 Classrooms
- One (1) full size room used for Music/Art (can be converted to a regular classroom)
- One (1) Computer Lab
- Two (2) Resource rooms
- Two (2) S.F.A. rooms
- One (1) Media Center with
  a. A/V room: b. Conference room: c. Work room: d. Librarian Office
- One (1) Staff Lounge
- One (1) Special Education Room
- Two (2) Mechanical/Electrical Rooms
- Two (2) Janitorial Closets
- Two (2) Storage Rooms
- One (1) Wheel Chair Lift Storage Room
- One (1) Boys and One (1) Girls Restroom
- One (1) Teacher/Staff Restroom
- One (1) Administrative Office Complex consisting of:
  a. Principal's Office: b. General Office: c. Waiting Room: d. Nurse Station
- One (1) Auditorium with Stage and refurbished seating
- One (1) Boiler Room
- One Cafeteria (designed for three seating)
- One expanded Kitchen designed to handle 550 plus students

Dinwiddie Middle School

The highlights of the Capital Improvements "Alterations & Additions" to the Middle School are:

- When completed the school will accommodate a maximum enrollment of 1,000 students and provide a core for 1,100 students.
- The main building will be totally renovated to provide new heating, ventilating, air conditioning, plumbing, electrical, compliance with the BOCA & ADA codes and regulations.
- Existing windows will be removed and replaced with new energy efficient windows.
- Corridor doors will be fire-rated.
- Due to the extensive nature of demolition, the existing plaster will be re-skimmed, or furred out with veneer plaster or sheet rock.

- Renovation in the annex buildings will be less extensive and as follow:
  - **Cafeteria Annex:**
    - Kitchen and dining area will be expanded to handle three lunch periods for 1,100 students. New heating, ventilating and air conditioning will be installed in the cafeteria annex building. Toilets will be modified to come up to ADA requirements.
  - **Classroom Annex:**
    - The classroom annex will receive a new EPDM roof. Rooms will be modified to allow for a gain of three additional spaces which will house I.S.S./Resource/Computer Lab and the conversion of three classrooms into two science labs with associated prep rooms. Bathrooms will be renovated and brought up to ADA requirements.

- New addition will consist of approximately 7,200 sq.ft. containing the main entrance, the administrative office complex (which is being relocated in order to convert the existing administrative office complex into 8th grade classrooms which allows the 8th grade team to be grouped like the other teams), Special Education classroom's, teacher's workroom and one elevator to access the two main floors and the basement.

- Some existing footings have settled and will need to be stabilized by soil grouting or underpinning.

- Some of the existing kitchen equipment will not meet current code and must be replaced. A new hood with a new fan over the dishwasher will be installed. New grease extractors in the existing cooking hood and a new roof mounted fan will replace the existing filters.

- Walk-in refrigeration rooms will be added to the kitchen

- Main Building Heating/Cooling Plant: The heating plant will be two hot water boilers fired with no. 2 fuel oil. The existing above ground fuel oil tank will be used as the fuel source. Each boiler will be sized for 2/3 of the total building heating requirement providing back up capacity should one boiler fail.

- Hot water will be distributed throughout the building utilizing centrifugal constant speed pumps and piping distribution system.

- The cooling plant will consist of two air-cooled, rotary screw, packaged chillers of approximately 200 tons per chiller. The packaged chiller was chosen due to space limitations within the building, economical first cost, and ease of maintenance.

- Chilled water will be distributed throughout the building utilizing centrifugal constant speed pumps and a piping distribution system. The piping from the chillers to the boiler room will be below grade, preinsulated piping.

- The chillers will be equipped with a heat recovery device in order to heat water during cooling cycles to provide reheat water to the building for dehumidification. This option will allow for reheat without the use of boilers and without using any new energy.

- New exhaust systems will be provided for toilets, storage rooms and closets.

- A Direct Digital Control (DDC) system will be provided to automate control of all HVAC equipment.

- Two oil fired hot water boilers will be provided to heat the annex

- Plumbing: The condition of the plumbing fixtures is poor and will not be salvaged

Dinwiddie Middle School Continued

- A new combined domestic water and fire protection main will be provided.
- A new sanitary sewer will be provided and connected to the existing main
- New water closets, lavatories, urinals, sinks, electric water coolers & showers will be provided
- Limited area fire protection sprinkler systems will be provided
- The existing electrical services (both the main building and the annex) will be removed. New services will be provided to accommodate the increase in demand due to the installation of air conditioning and the increase in general power distributed.
- The main building will receive all new energy efficient lights. (Both annex buildings received new energy efficient lighting under the JCI performance contract.)
- A new Fire Detection and Alarm System will be installed
- A new "two-way" intercom system will be installed
- A new Master Clock and Class Period Scheduler will be installed

What Middle School Will Contain When Renovation/Addition Is Completed

Main Building: Consisting of two main floors and the basement:

Basement:

- One (1) Boiler Room
- One (1) Mechanical Room
- One (1) Janitorial Work Room
- Two (2) General Storage Rooms
- One (1) Janitorial/Staff Restroom
- One (1) Elevator Mechanical Room
- One (1) Elevator
- Two (2) Health Classrooms
- Two (2) P.E. Storage Rooms
- One (1) Girls Locker Room with showers/restrooms//laundry room & a coach's office
- One (1) Boys Locker Room with showers/restrooms/laundry room & a coach's office
- One (1) Band Room with 2 band equipment storage rooms

First Floor:

- One (1) Gym with Stage & Gym Equipment Storage Room
- Two (2) Mechanical Mezzanines
- One (1) General/Book Storage Room
- One (1) A/V Storage Room
- One (1) Staff Restroom

Middle School First Floor Continued

- Two (2) Girls & Two (2) Boys Restrooms
- One (1) Media Center
- One (1) Library Office
- One (1) Computer Head End Room
- One (1) Periodical Room
- One (1) Teachers Work Area
- One (1) Conference Room
- One (1) Administrative Office Complex containing the Principal's office, conference room, staff workroom, bookkeeping office, general secretarial office and two staff toilets
- One (1) Computer File Server Room
- One (1) Record Storage Vault
- One (1) Attendance Office
- One (1) Student Waiting Area
- Eight (8) Full Size 8th Grade Classrooms
- Two (2) 8th Grade Science Labs with associated prep rooms
- One (1) ILS Classroom
- One (1) Guidance Office complex with a resource room, storage and a waiting room
- One (1) Janitorial Closet
- One (1) Teachers Lounge
- One (1) Health Clinic
- One (1) Assistant Principals Office with a toilet and a secretary/waiting room
- Two (2) LD Classrooms
- One (1) Folding Chair Storage Room
- One (1) General Storage Room
- One (1) Choral/Meeting Room with 3 small storage closets
- One (1) Horticulture Lab
- One (1) Home Ec Classroom
- One (1) Hands-On Work Shop
- One (1) Synergystics Lab with storage
- One (1) Classroom shared by Hands-On and Synergystics Lab
- One (1) Maint. Worker Work Area
- One (1) Teachers Work Room
- Wheel chair lifts where required by codes and ADA
- One (1) Resource Room

Main Building - Second Floor

- Eight (8) full size 7th Grade Classrooms
- Two (2) 7th Grade Science Labs with associated prep rooms
- One (1) Girls & One (1) Boys Restroom
- Two (2) LD Classrooms
- One (1) ILS Classroom
- One (1) Teachers Planning Room
- One (1) Teachers Work Room
- One (1) Janitorial Closet
- One (1) Special Ed Receptionist Area with a waiting room
- One (1) Elevator lobby
- One (1) Electrical Room
- One (1) Resource Room

Main Building Exterior

- New (safer) Student Drop-off Area.

Classroom Annex

- One (1) Computer/Media Room
- One (1) Resource Room
- One (1) I.S.S. Room
- One (1) Boys & One (1) Girls Restroom
- Two (2) Mechanical Rooms
- One (1) Boiler/Mechanical Rooms
- One (1) Assistant Principal Office with toilet
- One (1) Guidance Office Complex consisting of 3 guidance offices, secretary & waiting area, 1 storage closet and a staff toilet
- Eleven (11) General 6th Grade Classrooms
- Two (2) 6th Grade Science Rooms
- Two (2) Special Ed Classrooms
- One (1) Janitorial Closet

Cafeteria Annex

- One (1) Expanded Kitchen (expanded into existing dining/cafeteria)
- One (1) Expanded Cafeteria (converted two old classrooms into cafeteria space)
- One (1) Dishwasher Room
- One (1) Mechanical Room
- One (1) Boys & One (1) Girls Restroom
- One (1) Teachers Dining/work room
- One (1) Special Ed Room
- One (1) Janitorial Room

Dinwiddie High School

The highlights of the Capital Improvements "Alterations & Additions" to the High School are:

- The Work shall consist of a 26,884 sq. ft one story addition to the front of the existing building and a 1,900 sq.ft. addition to the existing cafeteria. The cafeteria and the new addition will be connected by an enclosed walk-way/Lobby. The new addition will be fully air conditioned and have a slope metal roof. The new addition will contain eleven (11) classrooms and a new administrative office complex which will allow the existing media center to be expanded into the current administrative office complex.

- The existing building will be fully air conditioned

- The Auditorium and the Gym will be air conditioned.

- The electrical system in the existing building will be upgraded to handle current and future demands and technology needs.

- New exhaust systems will be provided for all toilets, storage rooms and closets

- All bathrooms in existing building will be renovated

- New Fire Detection & Alarm system to be installed in both new addition and existing building

- New "two-way" intercom system to be installed in both new addition and existing building
- Limited area sprinkler system installed where required by codes
- A Direct Digital Control (DDC) will be provided to automatically control all HVAC equipment

What Dinwiddie High School Will Contain When Renovation/Addition Is Completed

New Addition:

- Five (5) Math Rooms
- Three (3) Biology Rooms / with prep room
- One (1) Earth Science Room
- Two (2) Chemistry/Physics Rooms with prep rooms
- One (1) Book Storage Room
- One (1) Resource Room
- One (1) Staff Work Room
- One (1) Boys & One (1) Girls Restroom
- One (1) Male & One (1) Female Staff Restroom
- One (1) Equipment Mezzanine
- One (1) Administrative Office Complex consisting of a Principal's office / with toilet, a records vault, a storage room, a conference room, a secretarial office and workroom, a staff workroom, and a waiting area with one male and one female bathroom
- One (1) Bookkeepers Office
- One (1) Administrative Office
- One (1) enclosed walkway, with a lobby, connecting new addition to the cafeteria
- One (1) Janitorial Closet
- One (1) Electrical Room
- One (1) renovated front drive and parking area for visitors/handicap/staff

Existing Building

- One (1) expanded & renovated Cafeteria
- One (1) renovated Kitchen capable of handling 1,300 students. The Kitchen contains a food prep area, a dish washing room, a trash can room, a can washing room, a walk-in refrigerator, a walk-in freezer, a cafeteria office, two serving areas, one janitorial closet and two toilets
- One (1) Equine Mgmt/Horticulture Classroom with welding booths, a small storage room, a tool storage room and a small office
- One (1) Construction Tech/MFG Tech Classroom with tool storage, a small office & a toilet
- Thirty-seven (37) Regular Classrooms (English/History/Govt../Language/etc)
- One (1) Chorus Room with storage
- One (1) Music Room with storage and three practice rooms
- One (1) Health Room
- Two (2) Computer Labs
- Two (2) Computer Centers
- One (1) Alt Ed/At Risk Classroom
- One (1) ISS Classroom with a small extension
- One (1) Art Room
- Two (2) Food Occ./Life Mgmt Classrooms
- One (1) At Risk Room
- Six (6) Special Ed Rooms
- One (1) Special Ed Suite with 2 EMR rooms/1 Spec. Ed/1 LD room & 2 toilets
- One (1) Media Center with a librarian's office, workroom & toilet
- One (1) Head End Room

- One (1) Periodical Library
- One (1) Renovated Gym with new gym lights & refinished/repaired floor
- One (1) Renovated Boys Locker Room with storage/showers/toilets/varsity dressing room/laundry room/janitorial closet and coaches office
- One (1) Renovated Girls Locker Room with storage/showers/restrooms/basket room/janitorial closet and small coaches office
- One (1) Weight Room with mat storage
- One (1) Athletic Directors Office
- One (1) Coaches Room
- One (1) Renovated Auditorium with a Stage
- Four (4) Janitorial Closets
- One (1) Career Guidance Suite with 4 guidance offices, 1 career center, 1 storage closet, 1 secretary office, 1 waiting room, 1 staff toilet
- One (1) Maint. Work Shop
- Five (5) Boys and Five (5) Girls Restrooms
- One (1) Assistant Principal's Office with a closet
- One (1) Attendance Office with a waiting room shared with Assistant Principal (above)
- One (1) Nurse Station with exam room/two cot rooms/one male & one female toilets
- One (1) Assistant Principal's Office with storage closet
- Six (6) Electrical/Mechanical Rooms
- Two (2) Teachers Lounge/Work Rooms
- One (1) Teachers Conference Room
- Five (5) Small General Storage Rooms
- Two (2) Male & Two (2) Female Staff Toilets

IN RE: A-96-25 -- AMENDMENT TO SECTION 3-29 OF THE COUNTY CODE PERTAINING TO SPECIAL ENTERTAINMENT PERMITS

This being the time and place as advertised in the Dinwiddie Monitor on October 2, 1996 and October 9, 1996 for the Board of Supervisors to conduct a public hearing to hear public comments on a proposed Ordinance to amend Section 3-29 to the Code of the County of Dinwiddie to require a plan of security measures be submitted and approved by Dinwiddie County's Sheriff's Department.

Extract

Mrs. Wendy Weber Ralph, Ass't County Administrator, came before the Board and stated that the Sheriff, Samuel Shands, was not present but she would try and explain the proposed amendment to the ordinance the best that she could.

Mrs. Ralph stated that the amendment would basically provide for a plan for security measures to insure the safe and orderly conduct and control of individuals and crowds in and around the festival. This plan shall meet the requirements of all federal, state, and local statutes, ordinances, and regulations and will not be accepted unless approved by the Sheriff's Department of Dinwiddie County.

She also stated that on the current special entertainment permit the only thing required from the Sheriff's Department is approval of adequate parking areas. This amendment would allow the Sheriff's Department to review the permit on events where they feel security is necessary and be able to comment and make their comments a part of the approval of the permit.

Mr. Bracey stated that he wanted to know who would appeal the Sheriff's Department suggestions. He stated that he does not like that the Sheriff's Department would have the authority to tell an individual how much security they would need if any. He stated that he could not support the amendment in the form that it is being proposed. He feels that there should be some type of appeals process if the individual does not agreement with the Sheriff's suggestion.

After some discussion between the Board they decided to postpone any action until they could speak to the Sheriff's Department.

This being a public hearing, the Chairman opened the floor for public comment:

No one signed up to speak.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that A-96-25 be tabled until the Sheriff can be present to discuss some of the Board's concerns on November 6, 1996 at 7:30 P.M.

IN RE: CITIZEN COMMENT

Mr. Robert Ragsdale came before the Board and stated that he misunderstood what time the meeting was and he wanted to appear under citizen comments but came to the meeting too late.

Mr. Clay stated that he could speak before the Board at this time if he wished.

Mr. Ragsdale stated that he felt that the Board of Supervisors should take some action on the cost of health permits that citizens have to get when they build new homes. He stated that not only are the prices for the permits too high but it takes too long to get them approved once they apply for them and the people are very hard to work with at the Health Department.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 7:50 P.M. to be continued until November 6, 1996 at 5:00 P.M. for an Executive Session at the Home Place Restaurant.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT THE HOMEPLACE RESTAURANT IN DINWIDDIE COUNTY, VIRGINIA ON THE 6TH DAY OF NOVEMBER, 1996, AT 5:00 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3
	DUTCH BUMGARDNER	COUNTY ATTORNEY

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Commissioner staffing; Section 2.1-344(a) 3-Discussion or consideration of the condition, acquisition or use of real property for public purpose; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; Section 2.1-344(a) 7-Consultation with legal counsel - VBF Litigation - Building Use Policy; the Board moved into Executive Session at 5:15 P.M. At 6:55 P.M. the Board recessed to the Pamplin Administration Building. A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 7:33 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 6TH DAY OF NOVEMBER, 1996, AT 7:30 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3
	DUTCH BUMGARDNER	COUNTY ATTORNEY

IN RE: AMENDMENT TO AGENDA

Mr. Tickle requested that after the public hearings they add Auto Graveyard Discussion.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following be added to the agenda:

10. Auto Graveyard Discussion

IN RE: MINUTES

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the October 16, 1996 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1003440 - #1003647 (void #1003440); for Payroll in the amount of $268,723.85; Accounts Payable in the amount of $131,619.77; General Fund $98,301.82, E911 Fund $2,008.60, Self Insurance Fund $30,482.78, Law Library $256.50, Law Enforcement Fund $570.07.

IN RE: APPROVAL OF REQUISITION #10 -- COURTHOUSE CONSTRUCTION

Mr. Donald Faison, Construction Inspector, came before the Board and stated that he felt that the charges in this requisition were reasonable.

Mr. Bracey stated that he would like a total of all fees incurred for the Courthouse Project by the Attorney's, Sands, Anderson, Marks & Miller. Mr. Tickle added that he would like an explanation of services under the retainer.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #10 in the amount of $182,364.85 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

1. Mrs. Anne Scarborough, Boydton Plank Road, Dinwiddie, VA. She came before the Board and stated that she wanted to go over several issues. First, the old Courthouse needs painting and there are some

bricks that are missing. Second, she is still waiting on a report about the revenue that the Airport has generated since the Board lowered their personal property tax to $00.30 per 100. Third, she wanted to know what is going on with the staffing problem at the Commissioner of the Revenue's Office because she sees on the agenda how the Board discusses it a lot in Executive Session. Fourth, she stated that she thought that there were two Dispatchers on at the Sheriff's Department at one time but found out that it is only one and she feels that there needs to be two in the event of two calls coming in at the same time. Fifth, she stated that she sees on the claims that there are bills that are being submitted for payment that are old and she fells that the Department Heads/Constitutional Officers should submit them as soon as possible and not hold on to them. Sixth, she stated that she did not like the fact that VDOT held a public workshop at 6:00 P.M. earlier that evening because it did not give people ample time to get to the meeting after work.

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that the Board was going to address the Commissioner of the Revenues staffing needs and the Courthouse roof later in the meeting. VDOT advertised the public meeting on the Six Year Plan before notifying administration of the time.

IN RE: RESOLUTION OF RECOGNITION -- 100 YEAR OLD COUNTY CITIZEN

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, Ms. Annie Grandison was born on November 10, 1896 in the Stony Creek area of Dinwiddie County, and having lived all of her life in the County, now resides on Wingfield Road; and

WHEREAS, on November 10, 1996, Ms. Grandison will be celebrating her 100th birthday; and

WHEREAS, during her 100 years, Ms. Grandison has been blessed with a wonderful family -- six children, twenty-four grandchildren, thirty-six great grandchildren, nineteen great great grandchildren, and three brothers and two sisters; and

Extract

WHEREAS, Ms. Grandison, besides being a devoted mother, has also dedicated her life to serving God as a member of Little Bethel Baptist Church; and

WHEREAS, the Board of Supervisors is desirous of acknowledging Ms. Grandison and joining with her family and friends on this glorious day of celebration;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia joins in this, her 100TH BIRTHDAY CELEBRATION, and wishes Ms. Annie Grandison a joyful day and a very blessed and prosperous life.

IN RE: A-96-25 -- CONTINUATION OF AMENDMENT TO SECTION 3-29 OF THE COUNTY CODE PERTAINING TO SPECIAL ENTERTAINMENT PERMITS

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that A-96-25 is removed from the table for discussion.

Extract

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that at the last Board meeting a public hearing was held to hear public comments on a proposed Ordinance to amend Section 3-29 to the Code of the County of Dinwiddie to require a plan of security measurers be submitted and approved by Dinwiddie County's Sheriff's Department.

Mr. Tickle stated that he does not feel that the Board should have to evaluate the permits. He feels that the Board could hear appeals in the event that there is a disagreement about what the Sheriff recommends.

Mr. Bracey stated that he feels like it would be a dictatorship if the Sheriff started telling people how many deputies would be needed for a certain event. Mr. Bracey wanted to know what criteria the Sheriff would use in order to judge how many deputies would be needed.

Sheriff Samuel Shands came before the Board and stated that he would review the permit and would use his own judgement because it depended on the circumstances of the event.

Mr. Bracey stated that he just wanted to make sure that Sheriff Shands knew what he was doing.

Sheriff Shands stated that he could handle it.

Mr. Bracey requested that the following letter be made a part of the minutes:

Dinwiddie County Board of Supervisors
P.O. Drawer 70
Dinwiddie, VA 23841

Dear Members of the Board:

I am writing in hopes of clarifying the position of the Sheriff's Office on security employment at functions held within Dinwiddie County.

I understand that some citizens have expressed concerns about requiring the function sponsors to provide security at each and every event.

I ask that the Board evaluate each request for a special entertainment permit and grant approval, after due consideration to the following criteria.

1. Parking availability
2. Number of persons expected to be in attendance
3. Restroom availability
4. Will alcohol be readily available or served at the event?
5. Previous violations at prior functions sponsored by this organization or prior violations at the event location, to include:

    A. Excessive noise complaints
    B. Parking in highway complaints
    C. Alcohol violations to include underage alcohol consumption
    D. Drug violations
    E. Other criminal violations, such as assaults or any other criminal activity

I hope you will find these suggestions useful, and if I may be of any further assistance in reference to special entertainment permits, please do not hesitate to ask.

Respectfully,

Samuel H. Shands, Sheriff

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 3-29 of the Code of the County of Dinwiddie, Virginia is amended and reordained as follows:

Section 3-29 Documents, Plans Etc. to Accompany Application.

(1) - (10) Unchanged.

(11) A plan of security measures to insure the safe and orderly conduct and control of individuals and crowds in and around the festival. This plan shall meet the requirements of all federal, state, and local

statutes, ordinances, and regulations and will not be accepted unless approved by the Sheriff's Department of Dinwiddie County.

IN RE: C-96-1 -- A CONDITIONAL USE REQUEST SUBMITTED BY EVA BRATSCHI TO ESTABLISH A KENNEL FOR BREEDING AND SELLING AKC REGISTERED DOGS

This being the time and place as advertised in the Dinwiddie Monitor on October 16, 1996 and October 23, 1996 in order for the Board of Supervisors to conduct a public hearing to consider a conditional use permit request submitted by Eva Bratschi to establish a kennel for breeding and selling AKC registered dogs.

Mr. W.C. Scheid, Director of Planning, came before the Board and stated that the applicant was present to offer any additional information if the Board requested. He stated that this tract of land is located south of Route 40 approximately 2 miles east of the Town of McKenney.

Mr. Scheid stated that the Planning Commission voted 4-1 in favor of the permit with ten conditions.

The Board members were concerned with the following issues:

1. Who would see that they would abide by the conditions.
2. The amount of noise that the kennel would generate from barking dogs.
3. Notifying potential buyers of adjacent properties of the type of use located on the property.
4. Why hunt clubs are not required to obtain a permit because they sale and trade dogs.

Michael Bratschi, applicant, came before the Board and stated that he and his wife were just trying to comply with all of the requirements that the Planning Commission set forth.

This being a public hearing the Chairman opened the floor for public comment:

1. Phillip Harris, Rainey Creek Road, McKenney, VA. He came before the Board and presented a petition with 20 signatures of people that do not want the kennel in their area.

Mrs. Bratschi came before the Board and stated that they have never had any complaints about their dogs being noisy because they already have eight dogs now.

Extract

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye", Mr. Clay voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a conditional use permit request submitted by Eva Bratschi to establish a kennel on Cutbank Road be approved with the following conditions:

1. Before any construction can begin a site plan, prepared by an engineer or certified land surveyor, must be approved by the Planning Department. This site plan shall also include a grading plan showing the current topography and the finished site at two foot contours.

2. An erosion and sediment control plan for any land disturbing activities must be submitted to and approved by the Planning Department. This will include a storm water management plan which will include controls during the construction and field operation phases of the facility.

3. The entire kennel shall be enclosed with wire-mesh type fencing of a design and height subject to approval of the Planning Department. Kennel facilities or runs shall not be located closer than 100 feet to any property line and no closer than 100 feet to any well, watercourse or drainageway, natural or man-made.

4. A complete set of structural plans as determined by the Building Official shall be submitted to and approved by the Building Official prior to the commencing of any construction.

5. All signs erected on or in conjunction with the facility are subject to approval of the Zoning Administrator.

6. Copies of any local and state permits or licenses must be on file with the Planning Department prior to the issuance of a Certificate of Occupancy.

7. All canine feces shall be disposed of by combination above ground and under ground disposal system and pursuant to County and Health Department guidelines.

8. No more than twenty-five (25) dogs shall be permitted at the facility at any one time. This shall include dogs that are over six (6) months of age or dogs that have been boarded for more than fourteen (14) consecutive days.

9. All canine dying on premises shall be disposed of pursuant to applicable county and Health Department guidelines.

10. The applicant or future land owners shall maintain their permanent residence on-site. Failure to do so shall render this conditional use permit null and void.

THE CHAIRMAN CALLED FOR A TEN MINUTE RECESS AT 9:00 P.M.

IN RE: A-96-19 -- AN ORDINANCE TO AMEND SECTION 22-185 BY DELETING "RETAIL FOOD STORES" AND INSERTING IN ITS PLACE "RETAIL STORES AND SHOPS"

This being the time and place as advertised in the Dinwiddie Monitor on October 16, 1996 and October 23, 1996, for the Board of Supervisors to conduct a public hearing to consider an ordinance to amend Section 22-185 of the Dinwiddie County Zoning Ordinance by deleting "retail food stores" as a permitted use in General Business District 3-2 and in its place insert "retail stores and shops".

Mr. W. C. Scheid, Director of Planning, explained that this ordinance was proposed in order to be able to clarify the uses permitted in the Zoning Ordinance. Mr. Scheid stated that the Planning Commission voted unanimously for the approval of this amendment.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

Extract

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 22-185 in Division 11, "Business General District B-2" of Article IV in Chapter 22 of the Code of Dinwiddie County, Virginia is hereby amended and reordained as follows:

1. delete (1) retail food stores; and in its stead add (1) retail stores and shops.

2. the remainder of this ordinance remains in effect and unchanged; and

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, and general welfare and good zoning practice.

This Ordinance shall be effective immediately.

IN RE: A-96-20 -- AN ORDINANCE TO AMEND SECTION 22-1 BY ADDING THE DEFINITION, "EDUCATIONAL RETREAT CENTER"

This being the time and place as advertised in the Dinwiddie Monitor on October 16, 1996 and October 23, 1996 for the Board of Supervisors to conduct a public hearing to consider an ordinance to amend Section 22-1 of the Dinwiddie County Zoning Ordinance by adding the definition, "educational retreat center".

Mr. W. C. Scheid, Director of Planning, came before the Board and stated that staff came up with the following definition:

> Educational Retreat Center: A building/complex of buildings and/or structure(s) that house an administrative office, temporary living quarters, dining facilities which provide cultural, recreational and educational programs on a short term basis for small groups of people.

Mr. Scheid stated that this was an attempt by staff to define an educational retreat center. The Planning Commission voted unanimously in favor of the definition.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

Extract

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 22-1 of Chapter 22 of the Code of Dinwiddie County, Virginia is hereby amended and reordained to adding the following:

> Educational Retreat Center: A building/complex of buildings and/or structure(s) that house an administrative office, temporary living quarters, dining facilities which provide cultural, recreational and educational programs on a short term basis for small groups of people; and

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, and general welfare and good zoning practice.

This Ordinance shall be effective immediately.

IN RE: A-96-24 -- AN ORDINANCE TO AMEND SECTION 18-12 BY ADDING A PARAGRAPH ENTITLED "REQUIRED ZONING" TO THE DINWIDDIE COUNTY SUBDIVISION ORDINANCE

This being the time and place as advertised in the Dinwiddie Monitor on October 16, 1996 and October 23, 1996 for the Board of Supervisors to conduct a public hearing to consider an ordinance to amend Section 18-12, entitled "Mutual responsibility of county and subdivider", of the Dinwiddie County Subdivision Ordinance by adding a paragraph entitled "Required Zoning" in order to subdivide property for residential purposes.

Mr. W. C. Scheid, Director of Planning, came before the Board and stated that the Planning Commission voted unanimously in favor of this amendment.

Extract

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 18-12, of the County Subdivision Ordinance, be amended and reordained as follows:

Section 18-12. Mutual responsibility of county and subdivider; Required zoning.

(a) It shall be the mutual responsibility of the subdivider and the county to divide the land so as to improve the general use pattern of the land being subdivided.

(b) All proposed subdivisions for residential purposes must be zoned in a residential category (Residential, Limited (R-1), Residential, Rural (RR-1), Residential, Limited (R-1A), Residential, General (R-2) Residential, Planned Development (PRD) pursuant to the Zoning Ordinance of Dinwiddie County prior to final subdivision approval; and

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, and general welfare and good zoning practice.

This Ordinance shall be effective immediately.

IN RE: AUTO GRAVEYARD DISCUSSION

Mr. Tickle requested that this item be added to the agenda because he felt that there was a serious problem on Route #613 and Route #1. He asked Mr. Scheid to update the Board on the problem.

Mr. Scheid described the action that he has taken with Mr. Pulver, owner of the auto graveyard.

Mr. Tickle asked for the Board to support some energy being put towards this problem because something needs to be done about this. It is not fair to the neighbors adjacent to this property or any other property that looks like this. He stated that Mr. Pulver is breaking the law and the Board needs to do everything possible to enforce the law.

The Board agreed that there is a problem and stated that they support everything possible being done to enforce the law.

IN RE: RISK MANAGEMENT SERVICES -- AUTO, GENERAL LIABILITY AND PROPERTY INSURANCE

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that Administration solicited proposals for risk management consulting services and received proposals from the following companies:

1. Rosenthal Insurance Consulting, Inc. - Richmond, VA

2. McNeary Insurance Consulting, Inc. - Richmond, VA

3. Commercial Risk Consultants, Inc. - Hampton, VA

The firm will provide the following services:

Extract

1. Review the County's current automobile, general liability and real and personal property program and make recommendations for improvements which would be incorporated into an insurance coverage request for proposals to be issued as soon as possible.

2. Prepare the above request for proposals, analyze the responses, negotiate as necessary with proposers and make recommendations to the governing body for award of coverage.

3. In addition to those services outlined above, the County may from time to time ask for interim services regarding review and advice on current policy coverage and issues concerning renewals as they become due.

Mrs. Ralph stated that the Evaluation Committee consisted of herself, Charles W. Burgess, Jr., County Administrator and Glenice N. Townsend, Fiscal Officer. They interviewed all three firms and based

their evaluations on the following: Firm experience with risk management consulting in Virginia localities. Government experience preferred; Qualifications and experience of specific personnel and available alternates; References from other clients for whom the firm has performed similar tasks in the past three (3) years; Detailed fee proposal in conformance with Section entitled FEES of the RFP; knowledge of the Virginia Public Procurement Act and Virginia insurance law and regulations.

Mrs. Ralph requested authorization to negotiate a flat fee retainer for services for one year with Rosenthal Insurance Consulting, Inc., with an option to renew on an annual basis.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that staff is authorized to negotiate a flat fee retainer for services for one year with Rosenthal Insurance Consulting, Inc., with an option to renew on an annual basis.

IN RE: APPOINTMENT -- PLANNING COMMISSION

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Edward Hutson Titmus, III is hereby appointed to the Planning Commission to fill the unexpired term of Patricia Hume, for a term ending December 31, 1998.

IN RE: APPOINTMENTS -- APPOMATTOX RIVER WATER AUTHORITY

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Robert Harrison and W.C. Scheid, alternate, are hereby appointed to the Appomattox River Water Authority for a term of four years, expiring November 30, 2000.

Extract

The Board asked staff if they would prepare a resolution of appreciation for Dr. J. Darrell Rice for his years of service on the Appomattox River Water Authority.

IN RE: EXPANSION OF SOCIAL SERVICES BOARD

Mrs. Becky Millirons, Deputy Clerk, stated that at the last Board meeting Mr. Tickle inquired how another member could be appointed to the Social Services Board in order for every district to have a representative. Legal counsel informed staff that the Board can be expanded to however many members the Board of Supervisors desires, as long as there are at least three members.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Social Services Board be expanded from five members to six members.

Mr. Tickle stated that he would have an appointment for his district at the next Board meeting.

IN RE: VDOT -- RESOLUTION IDENTIFYING ROUTE 603 -- STERLING ROAD -- EXISTING SPEEDING PROBLEM

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Tickle, Mr. Clay voting "aye", the following resolution was adopted:

Extract

WHEREAS, under Section 46.2-878.2 of the Code of Virginia, as amended, a provision exists for establishing additional fines for speeding in certain residential sections, and

WHEREAS, the Board of Supervisors has identified Route 603 (Sterling Road) from Route 1 (Boydton Plank Road) to Route 226 as an area where a speeding problem exists, and

WHEREAS, Route 603 (Sterling Road) meets the criteria as a collector road with an established speed limit of 35 MPH, and

WHEREAS, the Sheriff of Dinwiddie concurs a speeding problem does exist, and

WHEREAS, there is community support for establishing additional fines for speeding, and

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors of Dinwiddie County, Virginia, hereby requests the Resident Engineer for the Department of Transportation to perform the appropriate studies to determine if Route 603 is eligible for signage of additional fines for speeding, and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby requests the Resident Engineer to notify the County of his findings and action taken.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Wendy Weber Ralph, Ass't County Administrator, presented the following tentative 1997-98 budget calendar for the Board's review and approval:

November 6th	Discussion with Board of Supervisors on FY 97 Budget Goals
November 11th	Budget materials distributed to Agencies and Departments
December 23rd	Agencies/Departments submit Budget requests
Week of January 6th	1996 value estimates submitted by the Commissioner of the Revenue
Week of February 3rd	Proposed Budget submitted to the Board of Supervisors
Month of February	Board of Supervisors Budget Work Sessions
March 5th	Budget Public Hearing

She also asked the Board for any budget goals they would like to propose for the upcoming budget year.

Mr. Bracey stated that the Board needed to consider at budget time the problem with full time part timers that do not have benefits in reference to employees at the Landfill.

Mr. Tickle stated that he agreed with Mr. Bracey.

Mr. Clay stated that he felt that the Board needed to be conservative because of all the projects that the County was working on.

2. Mrs. Ralph stated that staff is going through a Capital Improvements Program process this year for the County so there will be at least a five year plan for major projects. These projects will be submitted to the Planning Commission for recommendation to the Board. She is hoping that staff might have a draft ready for the Board in January.

3. Mrs. Ralph stated that staff received a notice from the Department of Environmental Quality that they will hold a public hearing

if they receive enough public inquiries in reference to a water permit for RGC Mineral Sands.

4. Mrs. Ralph stated that enclosed in their packets is a rough draft of New Business, Professional and Occupational License Tax (BPOL Tax) Ordinance for Dinwiddie County. The General Assembly has given the County until January 1st to have something adopted. The Commissioner of the Revenue has received a copy and staff understands that she has been working on it with other localities.

IN RE: OLD COURTHOUSE -- AUTHORIZATION TO SOLICIT PRICES FOR LEAD ABATEMENT SERVICES

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that staff is authorized to solicit bids for Lead Abatement services for the Old Courthouse.

IN RE: COMMISSIONER OF THE REVENUE OFFICE -- AUTHORIZATION TO RECLASSIFY DEPUTY II POSITION TO DEPUTY IV POSITION

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that the Commissioner of the Revenue has requested approval for a reclassification of one of her Deputy II positions to a Deputy IV position.

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", Mr. Bracey voting "nay",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that by the direction of the State Compensation Board and by recommendation of legal counsel, the request by the Commissioner of the Revenue to reclassify Dorothy Rogers, Deputy II to a Deputy IV position is hereby approved.

IN RE: BOARD MEMBER COMMENTS

Mrs. Everett stated that she wanted to remind everyone that the ground breaking ceremony for the School Projects is tomorrow at Midway Elementary School.

Mr. Moody stated that he has been getting a lot of calls from older retired citizens in his district about how high their taxes are. They are concerned that if the taxes keep going up they will not be able to hold on to their property. He asked for the Board to take their concerns into consideration at budget time.

Mr. Bracey stated that he has gotten a lot of calls from citizens about problems with the reassessments and stated that he feels that people are being over taxed. He feels that the Company that did the reassessment before Wingate Appraisal Service had to have done a rotten job or Wingate Appraisal Service is just way out of line.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 10:30 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 20TH DAY OF NOVEMBER, 1996, AT 2:00 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	MICHAEL H. TICKLE (ABSENT)	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3
	DAN SIEGEL	COUNTY ATTORNEY

IN RE: MINUTES

Mr. Bracey stated that at the last meeting a position in the Commissioner of the Revenue's office was reclassified from a Deputy II to a Deputy IV and in the minutes the recipient of the reclassification was not identified by name and he asked that it be put into the minutes.

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the November 6, 1996 Continuation Meeting and the minutes for the November 6, 1996 Regular Meeting are hereby approved with corrections to the November 6, 1996 Regular Meeting minutes under COMMISSIONER OF THE REVENUE OFFICE.

IN RE: CLAIMS

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, 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 #1003648 - #1003882 for Accounts Payable in the amount of $196,124.35; General Fund $91,182.09, Jail Commission $228.00, E911 Fund $3,351.23, Self Insurance Fund $35,336.97, Fire Programs/EMS Fund $1,558.15, County Debt Service $64,467.91.

IN RE: APPROVAL OF REQUISITION #11 -- COURTHOUSE PROJECT

Mrs. Wendy Ralph, Ass't County Administrator, stated that Requisition #11 for the Courthouse consists of Architectural services.

Extract

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #11 in the amount of $13,847.34 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: TRANSFER OF FUNDS

Mrs. Wendy Ralph, Ass't County Administrator, stated the following: With the adoption of the budget, $159,000 was appropriated from the Meals Tax fund to make the interest payments on the $3,365,000 School CIP notes for 1996-97. The first payment of $95,341.67 was paid in August of this year. With the issuance of the VPSA Bonds, VPSA is requiring that we make the February interest payment from the note proceeds. Therefore, $71,506.25 will be deducted from the available construction proceeds. To make up for the loss, we are recommending that this amount be transferred from Meals Tax to School Construction rather than Debt Service as was adopted in the budget. If this is agreeable with the Board, the following action would be needed: 1. Transfer $95,341.67 from Meals Tax to School Debt Service to cover the interest payment made in August (as budgeted). 2. Transfer $71,506.25 from Meals Tax to School Construction fund to cover the shortfall in note proceeds used for the second interest payment.

Mr. Bracey wanted to know if the School Board agreed with this transfer of funds.

Mrs. Ralph stated that they were aware of what was going on and had agreed to it.

Mr. Bracey stated that he would like to see it in writing.

Upon motion of Mr. Moody, Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $95,341.67 be transferred from Meals Tax to School Debt Service to cover the interest payment made in August; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $71,506.25 be transferred from Meals Tax to School Construction fund to cover the shortfall in note proceeds used for the second interest payment.

IN RE: DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald H. Reekes, Resident Engineer, came before the Board and stated that he did not have anything to present but was available for questions.

IN RE: VDOT -- SIX YEAR PLAN -- WORKSHOP

Mr. Ronald Reekes reviewed how the projects on the current plan were coming along and stated that he had a couple of recommendations which were as follows: First, he stated that he would like to pay off the debt that is still owed on past projects which is in the amount of $534,083. Second he stated that the County owes a portion of the fee for the traffic light on Route 226 and Ferndale and that he would also like to eliminate the steel rail bridges here in the County. The total cost for these two items would be approximately $100,000. Third, he stated that he would like to add three unpaved roads under the plan to be paved which would cost approximately $95,000.

Mrs. Everett stated that she would like to see some of the expenses recovered that were incurred while doing Archeological digs. She felt that they should talk to their Delegates and Senators about taking their concerns to the General Assembly since they are the ones that mandate that they perform these digs.

Mr. Moody stated that he would like to add more streets to the plan to be paved instead of paying off the debt. He stated that they have waited this long to pay it off why could they not wait a little longer.

Mr. Bracey stated that he would like for the Businesses that benefit from these traffic lights to contribute to help pay for them.

Mr. Reekes stated that there would be a public hearing on the six year plan at the December 4th Board meeting.

Mr. Bracey wanted to know what was the use in holding a public hearing if VDOT was not willing to make any changes to the plan that they were presenting with recommendations.

IN RE: SUBDIVISION STREET ADDITION -- CHESTNUT GARDENS

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

Extract

WHEREAS, West Autumn Drive, Westbriar Lane, Woods Drive and Iris Circle described on SR-5(A), Proposed Additions to the Secondary System of the State Highways, fully incorporated herein by reference, are shown on plat date 9/20/89 recorded in Deed Book 14, page 16-18 in the Clerks Office of the Circuit Court of Dinwiddie County, and

WHEREAS, the Resident Engineer for the Department of Transportation has advised the Dinwiddie County Board of Supervisors that West Autumn Drive, Westbriar Lane, Woods Drive and Iris Circle described on the Form SR-5(A) to the Secondary System of State Highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills, and drainage, and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, came before the Board and stated that the Board had his report in front of them and he did not have anything further to present.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, III, Commonwealth Attorney, came before the Board and stated that he did not have anything to present but was available for questions.

IN RE: UPDATE OF FIREARMS ORDINANCE -- A-96-16

Mr. T.O. Rainey, stated that he felt that the Board should consider the proposed ordinance "as is", or in the alternative, may wish to consider adding an exception which permits the use of the enumerated weapons with the written consent of the effected landowners.

Mr. Bracey stated that he felt that the Board should leave it alone.

Mrs. Everett stated that she felt that the Board should hold another public hearing before they vote on the proposed ordinance.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", Mrs. Everett voting "nay",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that A-96-16 is removed from the table for discussion.

Mrs. Everett made a motion to adopt the proposed ordinance with an amendment to include the language "without the permission of the landowner or occupant of the dwelling". No one seconded the motion.

Mrs. Everett voting "aye", Mr. Bracey, Mr. Moody, Mr. Clay voting "nay", the motion was denied.

IN RE: SHERIFF -- REPORT

Deputy William Knott was present to represent Sheriff Shands.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, presented his report for the month of October, 1996.

The Board asked the Mr. Abernathy to send a copy of the Certificate of Occupancy Report to the Commissioner of the Revenue.

IN RE: ANIMAL WARDEN -- REPORT

Mrs. Mary Ellison, Deputy Animal Warden, came before the Board and presented her report for the month of October, 1996.

IN RE: LIVESTOCK CLAIM -- C.W. HARRISON

Mrs. Ellison stated that on October 5, 1996 some stray dogs killed 2 goats. The total value of the animals that were killed was $80.00.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the livestock claim for C.W. Harrison, for 2 goats in the amount of $80.00 be approved.

IN RE: EXTRA HELP -- DOG POUND

Mrs. Ellison stated that since Steve Beville, Animal Warden, has been out sick, her daughter, Kelly Snow, has been coming in to help out at the Dog Pound.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Kelly Snow is authorized to work at the Dog Pound and be compensated for her time after a rate has been negotiated.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W.C. Scheid, Director of Planning, presented his report for the month of October, 1996.

IN RE: DEED OF TRUST RELEASE -- WEST PETERSBURG -- HORACE BELOATE

Mr. Scheid stated that the County of Dinwiddie holds a Deed of Trust on a piece of property owned by Mr. Horace Beloate from where the County did some work under the IPR Program (Indoor Plumbing & Rehabilitation). Mr. Beloate passed away before any funds were paid back and there was a clause in the Deed of Trust that stated if the recipient were to die before the lien was satisfied it would be deemed as paid. Mr. Scheid requested the Board to release the Deed of Trust.

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Deed of Trust in the amount of $4,134.00, held by the County of Dinwiddie on a piece of property owned by Horace Beloate, be deemed satisfied due to his death.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy M. McElveen, Director of Social Services, notified the Board prior to the meeting that she would not be able to attend.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mrs. Troilen Seward, Superintendent of Schools, presented her report for the month of October, 1996.

IN RE: ESTABLISH HEAD START FUND

Mrs. Seward stated that she met with a consultant of Head Start and was strongly advised to separate Head Start record keeping into a separate fund. This is needed to make the monitoring of the Head Start funds for each program year more manageable. Since Head Start operates on a program year that begins on 1 December and ends on 30 November, the establishment of a separate fund will simplify the federal audit of this program. Since Federal Programs are included in the category of Instruction, this additional fund would not require a modification of the categorical budget approved by the Board of Supervisors. They would transfer the approved appropriations, revenues, and expenditures of this new fund. After discussing this with the Treasurer and the Fiscal Officer, the designated fund number would be Fund 203. Even though there are no local funds included in the proposed Fund 203, she requested that the Board approve the establishment of Fund 203.

Extract

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer is authorized to establish Fund 203 for Head Start.

Mr. Bracey wanted to know if children that lived in travel trailers were allowed to attend public schools?

Mrs. Seward stated that they could not discriminate as to how the children lived; they had to allow them to attend school.

Mr. Bracey stated that he had noticed that construction has started at the High School and he wanted to know if there was a signed contract yet?

Mrs. Seward stated that there was not one yet because they are still waiting on the final drawings.

Mr. Bracey wanted to know if this was good business not to have a signed contract with the work already under way.

Mrs. Seward stated that the contractor will not be going much further until there is a signed contract. Their attorneys advised them not to sign a contract until they have the final drawings.

Mr. Bracey asked the County Attorney if it was good business for a County to have 24.5 million dollars out there hanging with no written contract.

Dan Siegel, County Attorney, stated that they have talked with them but Allen Heyward, has really done all of the dealings with the School Board. He stated that he thought what they were waiting for is the Architects to put together the basic contract. From the School Boards standpoint the original bid that was awarded was awarded with the exact form of contracts in the bid. So they are bound by that. The only risk at this stage is the $400,000 difference that was made as opposed to the full 24.5 million.

Mrs. Seward stated that in the letter of intent that Allen Heyward drafted, the $400,000 was listed.

Mr. Bracey wanted to know when something was going to be done about Dinwiddie Elementary. There was some work being done on it a few years ago and the people were pulled off to do work on other schools.

Mrs. Seward stated that in the past maintenance funds were not allocated properly within the budget. She has devised a new way to see that each school gets exactly what they need.

Mr. Bracey stated that he just wanted it to be fair because he feels that Dinwiddie Elementary needs to have as much consideration as the other schools in the County.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of October, 1996.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Dennis E. King, Director of Waste Management, presented his report for the month of October, 1996.

THE CHAIRMAN CALLED FOR A TEN MINUTE RECESS AT 3:40 P.M.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Services Coordinator, was not present.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel M. Siegel, County Attorney, came before the Board and stated that he did not have anything to present but was available for questions.

IN RE: AUTHORIZATION TO ADVERTISE -- NEW BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE TAX ORDINANCE

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to advertise an ordinance for a public hearing for the purpose of amending portion of Chapter 13 of the Dinwiddie County Code, specifically to comply with the requirements of the Code of Virginia governing the County's business, professional and occupational license tax and to impose additional license tax filing requirements.

Extract

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, Construction Inspector, presented his report for the month of October, 1996.

IN RE: SATELLITE DISH -- EXTENSION OFFICE

Mr. Faison stated that he received three bids for installing the pole and empty conduit for the new satellite dish that the Extension Office needs from where they had to relocate their office. The bids were as follows:

M.D. McCray Electric Co.	$1,500.00
Hall Brothers Electrical	$1,520.00
Rudy L. Hawkins Elec. Cont.	$1,800.00

Mr. Faison recommended that the Board accept the low bid from M.D. McCray Electrical Co.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the low bid from M.D. McCray Electric Co. in the amount of $1,500.00 be accepted to install the pole and empty conduit for the new satellite dish that the Extension Office needs from where they had to relocate their office.

IN RE: AIRPORT MANAGER -- REPORT

Mr. Gordon Winn, Airport Manager, presented his report for the month of October, 1996.

Mr. Bracey asked Mr. Winn for a report on how the County has been impacted because of the lowering of the personal property tax rate on Aircrafts.

Mr. Winn stated that he would have to gather that information together.

Mr. Bracey asked the County Administrator to see that this information was available for the Board to review at budget time.

IN RE: PROBATION OFFICE -- RESOLUTION AUTHORITY APPLICATION FOR VIRGINIA JUVENILE COMMUNITY CRIME ACT GRANT FUNDS

Mr. Howard L. Parrish, Probation Officer, came before the Board and stated that the Board adopted a resolution a couple months ago in reference to applying for Virginia Juvenile Community Crime Act Grant Funds. He stated that the County was approved for the Funds but they requested that the County adopt a more detailed resolution.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Virginia Juvenile Community Crime Act provides grants to counties desiring to expand juvenile crime services, and

WHEREAS, the 11th Judicial District Court Service Unit of the Virginia Department of Juvenile Justice and Dinwiddie County have identified programs as grant--eligible services for which there is a need in Dinwiddie.

NOW, THEREFORE, BE IT RESOLVED, that the Dinwiddie County Board of Supervisors hereby authorizes a grant application for Virginia Juvenile Community Crime Act funds under the following guidelines:

Extract

A. Dinwiddie County will not contribute less funding for the implementation of this local plan than was expended for block grant funding programs or services either operated or utilized in FY 1995 in compliance with 16.1-309.6 of the Code of Virginia;

B. Dinwiddie County will not utilize funds provided by this Act to supplant funds established as the state pool of funds under 2.1-757 in compliance with 16.1-309.3 of the Code of Virginia;

C. Dinwiddie County will comply with all provisions of 16.1-309.9 of the Code of Virginia which gives the Board of Juvenile Justice the authority to establish and enforce standards and to review the expenditures and services established by the local plan;

D. Dinwiddie County consulted with the Judge of the Juvenile and Domestic Relations District Court and the Director of Court Services;

E. Dinwiddie County will submit routine reports and any other information to the Director of the Department of Juvenile Justice for each program or service funded by the Act in compliance with 16.1-309.3E and 16.1-309.10 of the Code of Virginia and all applicable Departmental procedures;

F. Dinwiddie County will not use the grant funds to reduce or offset its present level of spending on secure detention.

IN RE: MCKENNEY VOLUNTEER FIRE DEPARIMENT -- TRUCK REPAIR

Mr. Alan Paige, Cheif of McKenney VFD, came before the Board and stated that they had to have some work done on the power steering box of their 1985 Chevrolet Fire Truck. He stated that they already had it repaired by M.A. Williams Truck Repair for a total cost of $943.11.

Upon motion of Mr. Moody, Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bill in the amount of $943.11 from M.A. Williams Truck Repair be paid from the Volunteer Fire Departments Capital Improvements Fund line.

Mr. Paige then asked what percentage was the County willing to pay toward building their Company a new Fire Station.

Extract

Mr. Burgess stated that the County was in the process of putting together a Capital Improvements Program and that Mr. Paige would need to submit his needs to Planning staff so that he could be included in the Plan.

Mr. Paige stated that he has talked to Planning Staff but wanted to know if the Board could give him any further information on what percentage they would be willing to help with.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Charles W. Burgess, Jr., County Administrator, stated that he would like to thank the Board and staff for all of their consideration and help while he was out for surgery.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody stated that he would like for Wheat First Securities to come before the Board and make a public presentation of the County's financial forecast.

Mr. Moody also stated that he felt that the Board needed to put together a list of issues that needed to be taken before the General Assembly.

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Maintenance/Janitorial Staff; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; Section 2.1-344(a) 7-Consultation with legal counsel - Building Use Policy; the Board moved into Executive Session at 4:40 P.M. A vote having been made and approved the meeting reconvened into Open Session at 5:52 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: BOARD MEMBER COMMENT

Mr. Bracey requested that the pallet in the hallway of the Administration Building be removed. He stated that it is an eye soar and it does not look professional.

IN RE: ADDITIONAL HOLIDAYS -- THANKSGIVING & CHRISTMAS 1996

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that all local government offices will close at noon on Wednesday, November 27, 1996, and December 24, 1996 in addition to what has already been given.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 5:56 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 4TH DAY OF DECEMBER, 1996, AT 7:30 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	MICHAEL H. TICKLE (ABSENT)	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3
	PAUL JACOBSON	COUNTY ATTORNEY

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following be added to the agenda:

11. EXECUTIVE SESSION
a. Sec. 2.1-344(a) 5-Discussion concerning a prospective business or industry.

IN RE: MINUTES

Mr. Bracey stated that he would like for the conversation between him and Dan Siegel, County Attorney, added where they discussed the signing of the School CIP Contract.

The Board agreed that they would approve the minutes as is for now. They instructed staff to add the conversation between Mr. Bracey and Dan Siegel, County Attorney for them to review at the next Board Meeting.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the November 20, 1996 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, 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 #1003883 - #1004076 for Payroll in the amount of $268,586.46; Accounts Payable in the amount of $190,030.86; General Fund $186,677.75, Jail Commission $131.70, E911 Fund $368.00, Self Insurance Fund $341.65, Law Library $1,045.76, Fire Programs/EMS Fund $1,466.00.

IN RE: APPROVAL OF REQUISITION #12 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that Requisition #12 for the Courthouse consists of Geotechnical Services & the 4th draw from the contractor.

Extract

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #12 in the amount of $207,053.77 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #12 -- SCHOOL CONSTRUCTION

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that Requisition #12 for the School Projects consists of the Balance of the Track Project, Transcript Binding and Legal Fees, and Builders Risk Insurance.

Mr. Bracey wanted to know if there was someone available at the meeting to answer whether or not the bill for the Balance of the Track Project was being issued because the work was completed.

Mr. Ray Watson, Ass't to the Superintendent for Finance and Technology, came before the Board and stated that the work was complete and the bill was signed off on by the Superintendent. Mr. Watson stated that there was one piece of warranty work being done but it was being done satisfactory.

Extract

Mr. Bracey stated that if they release this money then it releases this Company from the contract.

Mr. Watson stated that it does not release them from their warranty agreement.

Mr. Bracey stated that he would like to see the warranty agreements in writing as soon as possible.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #12 in the amount of $21,900.64 be approved and funds appropriated for CIP expenses for the School Project Fund.

IN RE: RESOLUTION OF APPRECIATION -- DR. J. DARRELL RICE

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, Dr. J. Darrell Rice has served, for 16 years, on the Appomattox River Water Authority with distinction and integrity from December, 1980, until September, 1996; and

Extract

WHEREAS, The Board of Supervisors on this 4th day of December in the year 1996 is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW THEREFORE BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia hereby commends Dr. J. Darrell Rice for his contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, BY the Board of Supervisors of Dinwiddie County, Virginia that this resolution be presented to Dr. J. Darrell Rice, and a copy spread upon the minutes of this meeting.

IN RE: VDOT -- SIX YEAR CONSTRUCTION PROGRAM -- 1997-98 THROUGH 2002-03

This being the time and place as advertised in the Progress Index Newspaper on November 24, 1996, November 28, 1996, December 1, 1996, December 3, 1996 and in the Dinwiddie Monitor on November 20, 1996 and November 27, 1996 for the Board of Supervisors to conduct a Public Hearing for the revision of the six-year road plan for secondary road improvements -- 1997-98 through 2002-03.

Mr. Ronald H. Reekes, Resident Engineer of the Virginia Department of Transportation, presented the six-year road plan for Dinwiddie County.

This being a public hearing the Chairman opened the floor for public comment:

1. Bill Newton came before the Board and stated that he lives in Virginia Beach but owns property on Route 619. He stated that he saw that it was on the plan to have a section of it repaved and he would like to see it stay on schedule to get completed.

2. Ramon Zitta came before the Board and stated that a portion of his private property was being used for public access. He stated that he lives on Blue Tartan Road and has brought this concern to the Board previously but nothing has been done. He would like to see it added to the State system for them to maintain because the public uses it. He stated that one of the problems in the past was that a portion of a neighbor's property was involved and they were not willing to give a right-of-way. He stated that the owner of the property was now willing.

Ron Reekes, Resident Engineer, came before the Board and stated that he was aware of the problem but had not followed up on it. He assured Mr. Zitta and the Board that he would follow up on the request.

3. Leonard Davis 5004 Olgers Road and Beamon Hayes 5010 Olgers Road submitted the following statement prior to the meeting:

We are not able to attend the hearing on the Secondary Road System Six Year Construction Plan for the years 1997 to 2003. It is our desire to call your attention to our road 632 Olgers Road. We would like very much to have it paved with asphalt. The asphalt will make for a more durable and cleaner surface. The tar and gravel that is being used to maintain the surface is unstable and cause chips and tar damage to our vehicles.

Mrs. Everett stated that she felt that they needed to continue to try to recuperate funds from the State for Archeological digs that the Federal and State government mandates.

Mr. Moody stated that he has never voted for a change of priority because he believes once it has been set it should stay that way.

Extract

Mr. Bracey stated that he was concerned about Route 670, Shady Lane, being taken off of the plan some time ago because it met the criteria and is still being left out. He stated that he could not vote for the plan in good conscience. He also stated that he felt that a response should be mailed to the gentlemen on Olgers Road that requested that their Road be paved.

Mr. Reekes stated that his office will respond.

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Moody, Mr. Clay voting "aye", Mr. Bracey voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County of Virginia, that the six-year plan for 1997-98 through 2002-03 was approved as presented by the Virginia Department of Transportation.

IN RE: C-96-2 -- CONDITIONAL USE PERMIT SUBMITTED BY JETHRO WILLIAMS TO ESTABLISH A HOME FOR THE AGED AT 7902 DUNCAN RD

This being the time and place as advertised in the Dinwiddie Monitor on November 20, 1996 and November 27, 1996 for the Board of Supervisors to conduct a public hearing to consider a conditional use permit submitted by Jethro Williams to establish a home for the aged on property identified as Tax Map Parcel #34-7 and addressed as 7902 Duncan Road. The property is situated at the intersection of Duncan Road and Merten Lane.

Extract

Mr. Scheid came before the Board and stated that Mr. Williams requested that the Board delay the public hearing because he still needs to get together some more information and he also needs to address some of the citizens concerns that were expressed at the Planning Commission meeting. Mr. Scheid stated that he felt that if the Board tabled it for sixty days, that would give Mr. Williams enough time.

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED By the Board of Supervisors of Dinwiddie County, Virginia, that C-96-2 be tabled for sixty days.

IN RE: P-96-4 -- A REZONING REQUEST TO CHANGE THE DISTRICT CLASSIFICATION FROM RESIDENTIAL, R-1, TO BUSINESS B-2 - TONY CHRISTOPHER

This being the time and place as advertised in the Dinwiddie Monitor on November 20, 1996 and November 27, 1996 for the Board of Supervisors to conduct a public hearing to consider a rezoning request submitted by Tony C. Christopher seeking to change the district classification of land parcel 20-90A from R-1, Residential, Limited to B-2, Business, General for the purpose of establishing a "towing service".

Mr. William Scheid, Director of Planning, came before the Board and stated that Mr. Christopher owns a towing service and wishes to locate this business on the site under consideration. This property consisting of 1.87 acres and is located on the west side of U.S. Route 1 a few hundred yards south of Guiseppies Pizza. The property is low and flat. It is fairly clear on the front and has standing timber in the rear. Mr. Scheid also stated that the Planning Commission reviewed this application by the applicant on March 9, 1994. The staff report submitted at that time recommended approval of the request. The Planning Commission had several concerns regarding this site and recommended disapproval to the Board.

Mr. Scheid added that the applicant has addressed many of the concerns raised by the Planning Commission during the March 1994 meeting and has voluntarily proffered the following conditions:

1. No structure or parking/loading area will be built within 70 feet of the center line of the highway right-of-way;

2. The office building will be of block construction with a brick facade facing Route 1;

3. The vehicle storage area shall be located behind the main office building and will have a 8' foot high chain link fence which will also provide screening from public view on the north, south and east side;

4. The vehicle storage area will provide storage for approximately 25 vehicles;

5. While a graveled storage area is proposed, the area will be monitored by the Planning Department to insure that there is not an environmental problem arising from fluid leakage;

6. The paved entrance road will be located near the northern most property line adjacent to the property owned by Mr. & Mrs. Goodwyn and there will be paved parking area for a minimum of four (4) vehicles; and

7. There will be no storage of junk vehicles and/or vehicle parts.

The Planning Commission recommended approval with proffers by a 5-2 vote.

Mr. Burgess stated that he felt that the chain link fence which will provide screening from public view needed to be clarified as to how a chain link fence will provide screening.

Mr. Christopher stated that he was thinking of putting the slats inside the chain links.

Mr. Burgess asked if Mr. Christopher would mind adding that to his proffers.

Mr. Christopher then added to his proffers that he would put slats inside the chain links of the fence and then initialed the correction.

This being a public hearing, the Chairman opened the floor for public comment:

No one signed up to speak.

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that parcel 20-90A of the Dinwiddie County Zoning Maps, is amended by changing the district classification from R-1, Residential, Limited to B-2, Business, General with the following conditions proffered by the applicant:

1. No structure or parking/loading area will be built within 70 feet of the center line of the highway right-of-way;

2. The office building will be of block construction with a brick facade facing Route 1;

3. The vehicle storage area shall be located behind the main office building and will have a 8' foot high chain link fence with slats, which will also provide screening from public view on the north, south and east side;

4. The vehicle storage area will provide storage for approximately 25 vehicles;

5. While a graveled storage are is proposed, the area will be monitored by the Planning Department to insure that there is not an environmental problem arising from fluid leakage;

6. The paved entrance road will be located near the northern most property line adjacent to the property owned by Mr. & Mrs. Goodwyn and there will be a paved parking area for a minimum of four (4) vehicles; and

7. There will be no storage of junk vehicles and/or vehicle parts.

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that in order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

In all other respects, said zoning ordinance is hereby reordained.

IN RE: SV-96-2 -- AN APPLICATION FOR STREET VACATION OF APPROXIMATELY 389 FEET OF BROWNWALL ROAD SUBMITTED BY TIMMONS AND ASSOCIATES ON BEHALF OF EAST COAST AND JMC CORPORATION

This being the time and place as advertised in the Progress Index on November 21, 1996 for the Board of Supervisors to conduct a public hearing to consider a request submitted by Timmons and Associates on behalf of the JMC Corp. and East Coast to vacate approximately 389 feet of Brownwall Road (Rt. 671) as measured from the dead end adjacent to Route 460 and running in a north eastern direction toward Route 1. The road is bounded by the properties of JMC Corp. and a small portion of San Martin.

Extract

Mr. Scheid came before the Board and stated that some of the information that Timmons and Associates submitted was false so he requested that the Board go ahead and hold the public hearing but wait to take action until Mr. Scheid could get the corrected information from the applicant.

This being a public hearing, the Chairman opened the floor for public comment:

No one signed up to speak.

The Board agreed that they would defer action until January 2, 1996 at 7:30 P.M.

IN RE: A-96-21 -- AN AMENDMENT TO THE ZONING ORDINANCE TO PROVIDE FOR AN ADMINISTRATIVE VARIANCE

This being the time and place as advertised in the Dinwiddie Monitor on November 20, 1996 and November 27, 1996 for the Board of Supervisors to conduct a public hearing to consider an ordinance to amend Section 22-1 of the Dinwiddie County Zoning Ordinance by adding the definition, "variance, administrative".

Mr. Scheid stated that this amendment and the following one go together. They deal with the Zoning Ordinance in matters that are handled by the Board of Zoning Appeals and the Zoning Administrator. The BZA over the last couple years have expressed the desire that on certain items, specifically setbacks, the Zoning Administrator be given some discretion of being allowed to vary some standards without the matters constantly coming to the BZA when common sense would dictate that these matters should allow for a variance. The state code recently has been changed to allow for this. Legal Counsel has reviewed the two proposed ordinances and have found that they are legally acceptable. The Planning Commission voted to approve the amendment on a 7-0 vote.

Extract

This first would allow for an administrative variance which simply states: A variance from any building setback requirement which may be granted by the Zoning Administrator.

The second would grant the Zoning Administrator the authority to approve an administrative variance.

This being a public hearing, the Chairman opened the floor for public comment:

1. Jeffrey H. Anderson, Susie Drive, Sutherland, VA. He came before the Board and stated that he felt that these requests should continue to go before the BZA. He feels that it gives too much power to the Zoning Administrator.

Mr. Scheid wanted to clarify that these administrative variances are only concerning front, side and rear setbacks, not uses or anything else, strictly setbacks.

Mr. Scheid also wanted to clarify that if there were any concerns raised by the adjacent property owners within 21 days of being notified of the request, it would automatically be brought before the BZA. The Zoning Administrator could only approve an administrative variance if there were no objections.

Mr. Bracey stated that he agreed with Mr. Anderson. He felt that the BZA should continue to hear these requests and the Zoning Administrator not be given that much authority.

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Moody, Mr. Clay voting "aye", Mr. Bracey "nay",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 22-1 of Article I in Chapter 22 of the Code of the County of Dinwiddie, Virginia is hereby amended by adding the following:

Variance, Administrative: A variance from any building setback requirement which may be granted by the Zoning Administrator.

This Ordinance shall become effective immediately.

IN RE: A-96-22 -- AN AMENDMENT TO GRANT THE ZONING ADMINISTRATOR THE AUTHORITY TO APPROVE AN ADMINISTRATIVE VARIANCE

This being the time and place as advertised in the Dinwiddie Monitor on November 20, 1996 and November 27, 1996 for the Board of Supervisors to conduct a public hearing to consider an ordinance to amend

Section 22-43 of the Dinwiddie County Zoning Ordinance, by enacting "Zoning Administrator; authority to grant administrative variances."

Mr. Scheid came before the Board and stated that this would go hand in hand with the amendment that was previously adopted. The Planning Commission voted to approve this amendment on a 7-0 vote.

This being a public hearing, the Chairman opened the floor for public comment:

1. Jeffrey H. Anderson, Susie Drive, Sutherland, VA. He came before the Board and stated that he felt what the Board was doing is wrong because it is giving the Zoning Administrator too much power.

2. Wallace Rowland, Butterwood Road, Petersburg, VA. He came before the Board and stated that he does not agree with the proposed amendment because he feels that it gives too much power to one person.

Extract

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Moody, Mr. Clay voting "aye", Mr. Bracey voting "nay",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 22-27 of Article III in Chapter 22 of the Code of the County of Dinwiddie, Virginia is hereby amended and reordained by adding the following:

Sec. 22-27 Zoning Administrator; authority to grant administrative variances.

(a) The Zoning Administrator, may grant an administrative variance from any building setback requirement contained in the Zoning Ordinance. If the Zoning Administrator finds in writing:

(1) That the strict application of the ordinance would produce undue hardship;

(2) That such hardship is not shared generally by other properties in the same zoning district and the same vicinity; and

(3) That the authorization of such administrative variance will not be substantial detriment to adjacent property and that the character of the zoning district will not be changed by the granting of the administrative variance.

(b) The Zoning Administrator shall give, or require the applicant to give, all adjoining property owners written notice of the application and an opportunity to respond to the request within twenty-one (21) days of the date of written notice.

(c) The "date of written notice" shall be the date the notice is mailed. The notice shall specify that the Zoning Administrator shall act on the administrative variance application after twenty-one (21) days have lapsed from the date of written notice. If such written notice is provided by first class mail, the Zoning Administrator shall make an affidavit that such notice has been sent and shall file such affidavit with the application.

(d) If any adjacent property owner files a written objection to the application within twenty-one (21) days of the date of written notice, the application shall be transferred to the Board of Zoning Appeals for a decision.

(e) The Zoning Administrator shall act on the application only after twenty-one (21) days have lapsed from the date of written notice given to the adjoining property owners.

(f) Appeals shall be accompanied by a certified check for twenty dollars ($20) payable to the county treasurer. If actual expenses associated with the appeal exceed twenty dollars ($20), the applicant shall be billed the difference.

This Ordinance shall become effective immediately.

THE CHAIRMAN CALLED FOR A FIVE MINUTE RECESS AT 8:55 P.M.

IN RE: A-96-26 -- NEW BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE TAX ORDINANCE

This being the time and place as advertised in the Dinwiddie Monitor on November 20, 1996 and November 27, 1996 for the Board of Supervisors to hold a public hearing for the purpose of amending portions of Chapter 13 of the Dinwiddie County Code, specifically Sections 13-1 to 13-54 and 13-85 to 13-182 thereof concerning County license taxes in order to comply with the requirements of the Code of Virginia governing the County's business, professional and occupational license tax and to impose additional license tax filing requirements.

Mr. Paul Jacobson, County Attorney, came before the Board and stated that these amendments are from the General Assembly telling us that our ordinance should contain provisions which say, such and such. Mr. Jacobson stated that the Board should hold their public hearing now and then take action at the December 18th meeting.

Deborah M. Marston, Commissioner of the Revenue, came before the Board and stated that she was satisfied with the changes.

Mr. Bracey asked about the appeals process. He wanted to know if the applicant would know up front the method of the appeals process. He stated that if he disagreed with the Commissioner he may not be told of the appeals process. The applicant should be told up front of the appeals process.

Extract

Mrs. Marston stated that if anyone asks what the process is they are told. She also stated that the appeal only comes into play when a person is assessed with a licensing tax as the result of an audit.

Mr. Bracey stated that all he was saying was that he felt that the applicant should be notified of the appeals process on the application.

This being a public hearing, the Chairman opened the floor for public comment:

No one signed up to speak.

Mr. Bracey asked legal counsel to see about how they could display the appeals process on the front of the application so the applicant would be aware of it up front.

The Board agreed that they would delay taking any action on the proposed amendment until their December 18, 1996 meeting.

IN RE: USE OF COUNTY BUILDINGS -- POLICY

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following policy was adopted for the use of county buildings:

Extract

1. Authorized Activities - The use of County buildings is restricted to only those activities conducted by a department of County government (to include related federal/state agencies) in order to carry out a primary function of that department.

2. All requests for use of the Pamplin Administration Building should be directed to the Office of the County Administrator.

3. All requests for use of the Social Services Building should be directed to the Office of the County Administrator and coordinated with Mrs. Peggy McElveen, Director.

4. All requests for use of the Health Department facilities should be directed to the Office of the County Administrator and coordinated with Dr. Edwin Brown, Crater Health District.

5. All requests for use of the Clerk's Office should be directed to the Office of the county Administrator and coordinated with Mrs. Annie L. Williams, Clerk.

6. All requests for use of the courthouse should be directed to the Office of the County Administrator and coordinated with the Commonwealth Attorney, the Circuit Court Judge and Clerk of the Circuit Court.

7. All requests for use of the Dinwiddie County Jail should be directed to the Office of the County Administrator and coordinated with Sheriff Sam Shands.

8. The Department conducting the activity will be responsible for opening and closing the meeting room and/or building approved for use. A representative of the department must be present at all times during the activity. The Department will also be responsible for any equipment/materials or rearrangement of furniture and will make sure such equipment/materials are removed (including trash) and/or returned to their original position.

9. All requests for use of rooms and/or buildings shall be submitted on an application furnished by the Office of the County Administrator a minimum of ten (10) working days prior to the date of use.

10. The County Administrator is authorized to grant approval and schedule procedures in accordance with policies established by the Board of Supervisors. The Board of Supervisors reserves the right to deny use of facilities at any time and is the final authority concerning interpretations and modifications of policy, and in rendering decisions.

Mr. Bracey wanted to know why the School Board uses County offices so much. He stated that he feels that they have ample room in their office.

Mrs. Ralph stated that she would send them a copy of the Building Use Policy.

IN RE: AUTHORIZATION FOR CHESDIN ANIMAL HOSPITAL TO HOLD A RABIES CLINIC ON COUNTY PROPERTY

Mr. Charles W. Burgess, Jr., County Administrator, stated that he received a request from Chesdin Animal Hospital to hold Rabies Clinics here in the County of Dinwiddie for 1997. He wanted to know if this was O.K. with the Board.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Chesdin Animal Hospital is authorized to hold Rabies Clinics in the County of Dinwiddie for 1997.

IN RE: BOARD MEMBER COMMENTS

1. Mrs. Everett stated that she has had some citizens concerned about the open burning that takes place in residential areas. They are concerned about the smoke and the various other health hazards that come from open burning. She advised the citizens that she would bring their concerns before the Board but did not feel that there would be a great deal of support.

2. Mr. Bracey stated that he has gotten a complaint from a citizen that they have a one acre lot that they can not build on because the Health Department says that it is not suitable for a septic system. Mr. Bracey wanted to know what good that land was to the person and why are they paying the same tax rate as everyone else in the County. He also wanted to know where could a citizen go to get a tax reduction if they

have a two acre lot and the County says that it is not enough acreage to build on.

Mrs. Marston came before the Board and stated that if a citizen is denied by the Health Department they are given documentation that states such and they can bring their concern to the Board of Equalization when they convene and they will get a reduction.

Mr. Bracey stated that he was concerned because how were citizens to know this. He feels that the communication lines should be more open.

Mr. Bracey stated that he is still waiting for a copy of the groundskeeper's application.

Mrs. Ralph stated that she was informed that they could have a copy but does not have one yet. She stated that she would follow up on it.

Mr. Bracey wanted to know if the contract has been signed yet for the School Construction.

Mrs. Ralph stated that she was not sure but she did not think so.

Mr. Bracey stated that since it was budget time he felt that the County should solicit bids for Legal Counsel services. The Board a few months ago went out a few months ago and solicited bids for vehicle maintenance and he proposed that they do the same for Legal Counsel services.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; the Board moved into Executive Session at 9:40 P.M. A vote having been made and approved the meeting reconvened into Open Session at 10:15 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: AUTHORIZATION TO EXECUTE PERFORMANCE AGREEMENT & SUPPLEMENTAL AGREEMENT -- NIPPON WIPER BLADE "NWB"

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to sign the Performance Agreement and Supplemental Agreement between the County of Dinwiddie and NWB USA, Inc., subject to review by the County Attorney.

IN RE: AUTHORIZATION FOR CHAIRMAN TO NOTIFY IDA THAT THEY ARE NOT RESPONSIBLE FOR ANY LIABILITIES/EXPENSES INCURRED BY NIPPON WIPER BLADE, INC. "NWB" PROJECT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Chairman is authorized to send a letter to the Chairman of the Industrial Development Authority "IDA" stating that the Board of Supervisors does not hold the IDA responsible for any liabilities/expenses incurred with the Nippon Wiper Blade, Ltd. Project.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 10:30 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 18TH DAY OF DECEMBER, 1996, AT 2:00 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	LEENORA EVERETT (ARRIVED AT 3:00 P.M.)	ELECTION DISTRICT #3
	BEN EMERSON	COUNTY ATTORNEY

IN RE: MINUTES

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the corrected minutes for the November 20, 1996 Regular Meeting and the minutes for the December 4, 1996 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mr. Bracey, Mr. Tickle, 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 #1004077 - #1004221 for Accounts Payable in the amount of $237,838.77; General Fund $132,376.69, Jail Commission $150.00, E911 Fund $6,446.44, Self Insurance Fund $29,763.00, Law Library $85.00, Fire Programs/EMS Fund $2,774.73, County Debt Service $66,242.91.

IN RE: APPROVAL OF REQUISITION #13 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that Requsition #13 for the Courthouse consists of invoices for Special Inspections and Legal Services.

Extract

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #13 in the amount of $1,271.25 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

1. D.R. Lauter, Disputanta, VA, came before the Board and stated that he was getting the run around in reference to how much these Archeological Digs were costing the County that VDOT has to do and what was being found when they were done.

Mr. Charles Gill, Contract Administrator for the Department of Transportation, came before the Board and stated that there is an accounting of each project and he would be glad to help Mr. Lauter the best he could.

Mr. Lauter stated that he specifically would like to see the breakdown of what Route 604 and Route 670 cost.

2. Anne Scarborough, Dinwiddie, VA, came before the Board and stated that she would like for the Board to consider changing the tax rate on aircraft's back to what it was originally opposed to what it was lowered to. She also stated that she would like to know the total revenue value before the tax cut.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Charles Gill, Contract Administrator for the Department of Transportation, came before the Board and stated that Mr. Reekes, Resident Engineer, could not be present. He stated that he did not have anything to present but would be glad to try and answer any questions that the Board may have.

Mr. Tickle stated that he would like an update on how the construction on Interstate 85 was coming and when would it be wrapping up.

Mr. Reekes stated that from South of Halifax Road after December 31st the North and South bound lanes would reopen but north of Halifax Road would still be under construction for an undetermined amount of time. He stated that it all depended on the contractor that was doing the repairs.

Mr. Tickle stated that he does not like the way that the work was handled. He feels that it should of been done in a different way. Lives have been lost and families will suffer just because of a contractor wanting to make some money.

Mr. Tickle requested that this construction be expedited and a response from the Department of Transportation explaining why this has taken so long and when will it be done.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, came before the Board and stated that she did not have anything to present but was available for any questions that the Board may have.

Mr. Tickle requested a letter from Mrs. Marston in reference to a request that he made prior to the meeting.

Mrs. Marston stated that she would be glad to help Mr. Tickle if he would put in writing what he wanted specifically.

Mr. Moody wanted to know for the public what the process of appealing to the Board of Equalization was.

Mrs. Marston stated that the Board of Supervisors will recommend 3 to 5 people to the Circuit Court Judge that they would like to serve on the Board of Equalization. Once the Circuit Court Judge has appointed the members the State Department of Taxation will train them on what they can and cannot do by Law. Then the Board will set up times and dates that they will hear appeals. A notice will be run in all three local papers, The Dinwiddie Monitor, The Progress Index and The Courier Record, stating the dates and times that they will hear appeals.

Mr. Bracey stated that he would like to see the notice run several times not just once.

Mr. Bracey stated that he would like for Wingate Appraisal Service to come before the Board and explain their process of how they assess. He specifically stated that he only wanted them to come if it would not be an additional cost incurred.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, presented his report for the month of November, 1996.

IN RE: APPROVAL OF VEHICLE & DOG LICENSE AGENTS & LOCATIONS

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following list for Vehicle & Dog License Agents & Locations was approved for 1997:

VEHICLE LICENSE:

Namozine Fire & Rescue	Namozine Fire & Rescue
Wilson-Hebron-Ford Ruritan	B & B Grocery
Reams Ruritan	Reams Grocery
Robert Wallace	Wallace & Sons Grocery

ANIMAL LICENSE:

Robert Wallace	Wallace & Sons Grocery
Reams Ruritan	Reams Grocery
Mike Barnes	Bolsters Store
George Williams	Country Hardware
Richard Grenoble	Chesdin Animal Hospital
Steve Beville	

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Dr. Richard Grenoble be added to the list of existing agents to sell Animal Licenses and that he be required to obtain a surety bond in the amount of $5,000.00 and it be recorded with the Clerk of the Circuit Court; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Larry K. Maitland be added to the list of existing agents to sell Vehicle Licenses and that he be required to obtain a surety bond in the amount of $10,000.00 and it be recorded with the Clerk of the Circuit Court; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Louis and Judy Dowdy be deleted as licensing agents and their surety bond be voided.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, III, Commonwealth Attorney, came before the Board and stated that he was available to answer any questions that the Board may have.

IN RE: SHERIFF -- REPORT

Deputy Roy Hodges, came before the Board and stated that the Sheriff had nothing to present.

Mr. Tickle wanted Deputy Hodges to have the Sheriff update the Board on the parking problem on Route 460.

Deputy Hodges stated that he would take his question to the Sheriff.

LEENORA EVERETT ARRIVED AT 3:00 P.M.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, came before the Board and presented his report for the month of November, 1996.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of November, 1996.

IN RE: LIVESTOCK CLAIM -- BILLY WOOD

Mr. Beville stated that on November 6, 1996 some stray dogs killed five of Mr. Billy Wood's goats. The total value of the animals that were killed was $285.00.

Extract

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the livestock claim for Billy Wood, for five goats in the amount of $285.00 be approved.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W.C. Scheid, Director of Planning, presented his report for the month of November, 1996.

IN RE: ZONING ADMINISTRATOR -- REPORT

Mr. March Altman, Jr., Zoning Administrator, presented his report for the month of November, 1996.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy M. McElveen, Director of Social Services, presented her report for the month of November, 1996.

IN RE: SUPPLEMENTAL APPROPRIATION -- SCHOOL BOARD BUDGET

Mrs. Troilen Seward, Superintendent of Schools, came before the Board and stated that she was authorized to request a supplemental appropriation in order to address the refunds from the Department of Environmental Quality (DEQ) in a manner requested by the auditors. There are still two test sites, Midway Elementary and the maintenance shop, for petroleum products.

In the past, the reimbursements from DEQ have been dealt with as expenditure refunds. Since the reimbursements are state money, the auditors requested that they no longer treat them as expenditure refunds, but show them as revenue. This information was given to them in June 1996 which was significantly after the budget process for the current year.

Mrs. Seward continued by saying that they have received two reimbursements from DEQ this year. The total of the two reimbursements is $52,360. She requested that the Board approve a supplemental appropriation in the amount of $52,360 to the revenue budget and to the expenditure budget in the Facilities category. The continuing expenditures for the testing are charged to Facilities, and this revenue will be used to offset those expenditures.

Extract

She also stated that they are diligently trying to get DEQ to close these two alleged spill sites and allow them to stop paying for all of this testing. Their consultants have repeatedly tried to get DEQ to allow closure, but they have been unsuccessful in having DEQ grant closure as the School Board has.

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that $52,360 be appropriated to the revenue budget and to the expenditure budget in the Facilities category of the School Board budget.

IN RE: SUPERINTENDENT OF SCHOOLS

Mrs. Seward presented her report for the month of November, 1996 and wanted to know if she could answer any questions from the Board.

Mr. Tickle questioned what the High School was going to look like once the renovations were completed. He stated that he thought that it would be good for the public to be made aware of the exact renovations that are going to be done because citizens were under the impression that the High School would look brand new and he knew that that was not so.

Mr. Bracey wanted to know if the contracts have been signed yet for the Improvements on the Schools.

Mrs. Seward stated that they have been signed and she would be glad to get Mr. Bracey copies.

Mr. Bracey also requested that some signs be put up at the High School directing where traffic needs to go. They have started construction and you can no longer enter where you used to.

Mrs. Seward assured Mr. Bracey that the contractor promised them that they would put up some signs as soon as possible.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of November, 1996.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Dennis E. King, Director of Waste Management, presented his report for the month of November, 1996.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Services Coordinator, presented her report for the month of November, 1996.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Ben Emerson, County Attorney, came before the Board and stated that he did not have anything to present but was available to answer any questions that the Board may have.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, came before the Board and stated that he has received the following bids for lead abatement services on the existing courthouse:

W.W. Nash (Richmond)	$56,994.00
Rollins Painting (Hopewell)	$37,200.00
Special Renovations (Midlothian)	$28,200.00

Mr. Faison then stated that he received the following bids for painting the existing courthouse:

W.W. Nash (Richmond)	$29,698.00
Rollins Painting (Hopewell)	$17,440.00
M.P. Barden and Sons (Powhatan)	$12,875.00

Mr. Faison wanted to know if the Board wanted him to proceed with the above mentioned services or wait until a later time.

Mr. Bracey stated that he felt that there was too much of a difference in between bids and they should be thrown out and rebid when the Board could come up with some funds. He felt that since the Courthouse was a historical site maybe they could be eligible for some grant funds.

Mr. Faison stated that some work needs to be done to some bricks that have come down before the painting can start and a possible structural problem needs to be investigated.

The Board stated that they would like for Mr. Faison to investigate the problems that he addressed and bring them back a status report in January.

IN RE: AIRPORT MANAGER -- REPORT

Mr. Gordon Winn, Airport Manager, came before the Board and presented his report for the month of November, 1996.

Mr. Bracey requested from Administration that he be given the original text as to why the personal property taxes were lowered on aircraft's.

IN RE: A-96-26 -- ACTION ON NEW BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE TAX ORDINANCE

Mr. Ben Emerson, County Attorney, came before the Board and stated that at the last Board meeting a public hearing was conducted for the purpose of amending portions of Chapter 13 of the Dinwiddie County Code, specifically Sections 13-1 to 13-54 and 13-85 to 13-182 thereof concerning County license taxes in order to comply with the requirements of the Code of Virginia governing the County's business, professional and occupational license tax and to impose additional license tax filing requirements.

He stated that the Board delayed action until this meeting and he presented the proposed ordinance.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", Mr. Tickle voting "abstain",

AN ORDINANCE TO AMEND AND REORDAIN PORTIONS OF CHAPTER 13 OF THE DINWIDDIE COUNTY CODE, SPECIFICALLY SECTIONS 13-1 TO 13-54 AND 13-85 TO 13-182 THEREOF CONCERNING COUNTY LICENSE TAXES IN ORDER TO COMPLY WITH THE REQUIREMENTS OF THE CODE OF VIRGINIA GOVERNING THE COUNTY'S BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE TAX AND TO CLARIFY CERTAIN PROVISIONS THEREOF

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY THAT SECTIONS 13-1 TO 13-54 (INCLUSIVE) AND SECTIONS 13-85 TO 13-182 (INCLUSIVE) OF THE CODE OF THE COUNTY OF DINWIDDIE ARE AMENDED AND REORDAINED TO PROVIDE IN THEIR ENTIRETY AS FOLLOWS:

A. Overriding Conflicting Ordinances.

Except as may be otherwise provided by the laws of the Commonwealth of Virginia, and notwithstanding any other current ordinances or resolutions enacted by the Board of Supervisors of the County, whether or not compiled in the Code of the County, to the extent of any conflict, the following provisions shall be applicable to the levy, assessment, and collection of licenses required and taxes imposed on businesses, trades, professions and callings and upon the persons, firms and corporations engaged therein within this County.

B. Imposition and purpose of taxes generally.

There shall be levied and collected for each license tax year or for such other period of time as may be specifically provided herein the license taxes as set forth in this chapter. The taxes imposed by the provisions of this chapter are in all cases imposed upon the privilege of doing business in the County, including all phases and activities of the business, trade or occupation, conducted in the County.

C. Limitation.

(a) Notwithstanding any provision contained herein, no license tax shall be imposed or levied pursuant to this chapter on any business or profession exempted from such taxation by the provisions of Chapter 37 of Title 58.1 of the Code of Virginia, and all license taxes hereby imposed by this chapter shall be subject to any express limitation of amount as set forth in Chapter 37 of the Code of Virginia irregardless of the rate of taxation herein set forth.

(b) Notwithstanding any provision contained herein, no license tax shall be imposed or levied upon any person solely because of the sale of goods by that person at any arts and craft show conducted in the County by the governmental body or any nonprofit club or civic organization.

(c) Cemeteries operating as a non-profit corporation or a stock corporation, the stock on which is, by the provision of the charter of such corporation, non-dividend paying, shall be exempt from the provisions of this article.

(d) The gross receipts of a cemetery shall exclude the amounts received from the sale of burial plots.

(e) Every person engaged in the business of preparing bodies for burial, an embalmer, conducting funerals, or an undertaker, shall be allowed to deduct from the gross receipts of the business all payments made on account of its customers or clients for burial lots, for doctors, hospitals or nurses services, for newspaper notices, transportation expenses, or other like expenses; provided, that no such item shall be deducted with respect to which the taxpayer has received or become entitled to receive any commission, fee, discount or profit whatsoever.

(f) Advertising agents and agencies shall exclude the amounts paid by them for any customer for advertising space, radio time, electrical transcription, pressings, art work, engraving, plates, mats, printing, printing stock and postage from the amount of gross receipts of the business at the advertising agent or agency in computing the basis for their license tax.

(g) The amounts received by the operator of an impounding lot for feeding animals shall be excluded from the gross receipts of the business for the purpose of computing the license tax on such operator.

(h) The real estate agent shall exclude from his gross receipts the commissions on insurance premiums and receipts from conducting business with respect to real estate belonging to such person and excluding interest, brokerage, and other receipts from the business of lending money belonging to such person.

D. Certain permits required in addition to the permits hereunder.

Every person desiring a license under the provisions of this chapter for activities which require an additional permit or license from state or federal authorities or which require an additional permit pursuant to any other provision of this Code, shall first acquire such additional permit and a copy thereof shall be made part of the application for the required permit or license required hereunder. The commissioner of the revenue or the treasurer as the case may be shall require proof of any such other permit or license prior to the issuance of the license or permit required by this chapter.

E. Definitions.

For the purposes of this ordinance, unless otherwise required by the context:

"Affiliated group" means:

(a) One or more chains of includable corporations connected through stock ownership with a common parent corporation which is an includable corporation if:

(i) Stock possessing at least eighty percent of the voting power of all classes of stock and at least eighty percent of each class of the nonvoting stock of each of the includable corporations, except the common parent corporation, is owned directly by one or more of the other includable corporations; and

(ii) The common parent corporation directly owns stock possessing at least eighty percent of the voting power of all classes of stock and at least eighty percent of each class of the nonvoting stock of at least one of the other includable corporations. As used in this subdivision, the term "stock" does not include nonvoting stock which is limited and preferred as to dividends. The term "includable corporation" means any corporation within the affiliated group irrespective of the state or country of its incorporation; and the term "receipts" includes gross receipts and gross income.

(b) Two or more corporations if five or fewer persons who are individuals, estates or trusts own stock possessing:

(i) At least eighty percent of the total combined voting power of all classes of stock entitled to vote or at least eighty percent of the total value of shares of all classes of the stock of each corporation, and

(ii) More than fifty percent of the total combined voting power of all classes of stock entitled to vote or more than fifty percent of the total value of shares of all classes of stock of each corporation, taking into account the stock ownership of each such person only to the extent such stock ownership is identical with respect to each such corporation.

When one or more of the includable corporations, including the common parent corporation is a nonstock corporation, the term "stock" as used in this subdivision shall refer to the nonstock corporation membership or membership voting rights, as is appropriate to the context.

"Ancillary" means subordinate to, subservient to, auxiliary to, or in aid of, that which is principal and primary.

"Assessment" means a determination as to the proper rate of tax, the measure to which the tax rate is applied, and ultimately the amount of tax, including additional or omitted tax, that is due. An assessment shall include a written assessment made pursuant to notice by the assessing official or a self-assessment made by a taxpayer upon the filing of a return or otherwise not pursuant to notice. Assessments shall be deemed made by an assessing official when a written notice of assessment is delivered to the taxpayer by the assessing official or an employee of the assessing official, or mailed to the taxpayer at his last known address. Self-assessments shall be deemed made when a return is filed, or if no return is required, when the tax is paid. A return filed or tax paid before the last day prescribed by ordinance for the filing or payment thereof shall be deemed to be filed or paid on the last day specified for the filing of a return or the payment of tax, as the case may be.

"Assessor" or "assessing official" means the Commissioner of the Revenue of the County.

"Base year" means the calendar year preceding the license year, except for contractors subject to the provisions of §58.1-3715.

Every person beginning a business, occupation or profession that is subject to a tax equal to a per centum of the gross receipts of the business shall estimate the amount of the gross receipts of the business that he will receive between the date of beginning business and the end of the then current license tax year, and the license tax on every such person beginning business shall be a sum equal to the per centum of that estimate prescribed by the particular provision of this chapter applicable to such business.

Every person whose business occupation or profession is subject to a tax equal to a per centum of the gross receipts of the business and who was licensed for only a part of the next preceding license tax year shall estimate the amount of the gross receipts of the business that he will receive during the then current license tax year, and the license tax on every such taxpayer shall be a sum equal to the per centum of that estimate prescribed by the particular provision of this chapter applicable to such business, occupation or profession.

Every person beginning a business, occupation or profession that is subject to a tax equal to a per centum of a basis other than gross receipts of the business shall estimate the amount of the applicable tax base for the period between the date of beginning of business and the end of the then current license tax year, and the tax for that year shall be an amount equal to the per centum of that estimate at the rate prescribed by the applicable provisions of this chapter with respect to the business.

Every person whose business, occupation or profession is subject to a tax equal to a per centum of a basis other than the gross receipts of the business and who was assessable for only a part of the then next preceding license tax year shall estimate the amount of the applicable tax base for the then current license tax year, and the license tax on every such taxpayer shall be a sum equal to the per centum of that estimate prescribed by the particular provision of this chapter applicable to such business, occupation or profession.

Every estimate made in accordance with the provisions of the preceding four (4) sections shall be subject to correction by the commissioner of the revenue at the close of the license tax year so that the final correct tax shall be computed upon the basis of the actual amount of the applicable tax base at the end of the license tax year.

"Business" means a course of dealing which requires the time, attention and labor of the person so engaged for the purpose of earning a livelihood or profit. It implies a continuous and regular course of dealing, rather than an irregular or isolated transaction. A person may be engaged in more than one business. The following acts shall create a rebuttable presumption that a person is engaged in a business: (i) advertising or otherwise holding oneself out to the public as being engaged in a particular business; or (ii) filing tax returns, schedules and documents that are required only of persons engaged in a trade or business.

"Charitable nonprofit organization" means an organization which is described in IRC § 501(c)(3) and to which contributions are deductible by the contributor under IRC § 170, except that educational institutions shall be limited to schools, colleges and other similar institutions of learning.

"Contractor" shall have the meaning prescribed in §58.1-3714.B of the Code of Virginia, as amended, whether such work is done or offered to be done by day labor, general contract or subcontract.

Every person accepting or offering to accept orders or contracts for doing any work on or in any building or structure, requiring the use of paint, stone, brick, mortar, cement, wood, fabricated or manufactured floor or wall coverings, structural iron or steel, sheet iron, galvanized iron, metallic piping, tin, lead, or other metal or any building material; or accepting or offering to accept orders or contracts to do any paving or curbing on sidewalks or streets, public or private property, requiring the use of asphalt, brick, stone, cement, wood, or any composition; or accepting or offering to accept orders or contracts to excavate earth, rock or material for foundations or any other purpose; or accepting or offering to accept orders or contracts to dredge any material for any purpose; or accepting or offering to accept orders or contracts to construct any sewer of stone, brick, concrete, terra cotta, or other materials; or accepting or offering to accept orders or contracts to care for plots and cemeteries; or accepting or offering to accept orders or contracts for building, remodeling, repairing, wrecking, razing or demolishing any structure; or for moving any building, or for drilling, boring or digging a well; or for the installation, maintenance, or repair or neon signs, or air conditioning apparatus or equipment; or for fumigation or disinfecting to prevent the spread of disease; or for the eradication or extermination of rats, mice, termites, vermin, or insects or bugs of any kind shall be deemed to be a contractor, whether such work is done or offered to be done by day labor, general contractor or subcontract.

Every person conducting or engaging in any of the activities enumerated below by force account on land or property owned, leased or otherwise controlled by such person, for purposes of eventual sale, shall be deemed to be a builder or developer; work on or in any building or structure requiring the use of paint, stone, brick mortar, cement, wood, wallpaper, structural iron or steel, sheet iron, galvanized iron, metallic piping, tin, lead or other metal or any other metal or any other building material; any electrical work on or in any building or structure; paving or curbing on sidewalks or streets, public or private property, requiring the use of asphalt, brick, stone, cement, wood or any composition; excavating earth, rock, or material for foundations or any other purpose; surveying and/or subdividing tracts of land; constructing any sewer of stone, brick, concrete, terra cotta or other material; building, wrecking, repairing, remodeling, razing, or demolishing any structure; moving any building, boring or digging a well.

Every person engaging in the business of accepting or offering to accept orders or contracts for doing any work on or in any building or premises involving erecting, installing, altering, repairing, servicing or maintaining electrical wiring, devices or appliances permanently connected to such wiring; or the erecting, repairing, or maintaining of lines of the transmission distribution of electric light and power shall not be deemed to be a contractor as defined in the preceding section, but shall be deemed to be an electrical contractor and shall pay for the privilege of conducting the business of an electrical contractor the same license tax as that of a contractor, which shall be computed in the same manner, on the same basis and at the same schedule of rates as the license tax imposed by this article upon contractors generally.

It is especially provided, however, that no person who engages in the business of a plumber or steamfitter shall be deemed to be a contractor as defined by this article, by reason of or with respect to the conduct of the business of plumbing or steamfitting; but every such person shall pay for the privilege of conducting the business of a plumber or steamfitter a license tax, computed in the same manner, on the same basis and at the same schedule of rates as the license tax imposed by this article upon contractors generally.

Every contractor, builder and developer, electrical contractor, plumber and steamfitter who proposes to do work in the County for which a permit must be obtained from or contract let by a department, bureau or officer of the County, shall, upon making application for such permit or upon the award of such contract, exhibit to the proper County official the County license authorizing him to engage in the business for the year in which the permit is applied or in which such contract is awarded and shall furnish to that official and to the license inspector a list of his subcontractors. If any or all of such subcontracts have not been closed or awarded at the time of applying for such permit or award of such contract, he shall furnish such list in writing immediately upon awarding the subcontract or contracts, and he shall not allow the work under any subcontract to proceed until the subcontractor shall have exhibited to him his County license to do such business in the County for the current year.

Every person engaged in the business of wrecking, razing, or demolishing buildings or structures and selling the materials obtained from the buildings and structures shall, in addition to the contractor's license tax, pay for such additional privilege of selling the material a merchant's tax.

"Definite place of business" means an office or a location at which occurs a regular and continuous course of dealing for thirty consecutive days or more. A definite place of business for a person engaged in business may include a location leased or otherwise obtained from another person on a temporary or seasonal basis; and real property leased to another. A person's residence shall be deemed to be a definite place of business if there is no definite place of business maintained elsewhere and the person is not licensable as a peddler or itinerant merchant.

"Financial services" means the buying, selling, handling, managing, investing, and providing of advice regarding money, credit, securities and other investments and shall include the service for compensation by a credit agency, an investment company, a broker or dealer in securities and commodities or a security or commodity exchange, unless such service is otherwise provided for in this ordinance.

"Broker" shall mean an agent of a buyer or a seller who buys or sells stocks, bonds, commodities, or services, usually on a commission basis.

"Commodity" shall mean staples such as wool, cotton, etc. which are traded on a commodity exchange and on which there is trading in futures.

"Dealer" for purposes of this ordinance shall mean any person engaged in the business of buying and selling securities for his own account, but does not include a bank, or any person insofar as he buys or sells securities for his own account, either individually or in some fiduciary capacity, but not as part of a regular business.

"Security" for purposes of this ordinance shall have the same meaning as in the Securities Act (§13.1-501 et seq.) of the Code of Virginia, or in similar laws of the United States regulating the sale of securities.

Those engaged in rendering financial services include, but without limitation, the following:

Buying installment receivables
Chattel mortgage financing
Consumer financing
Credit card services
Credit Unions
Factors
Financing accounts receivable
Industrial loan companies
Installment financing
Inventory financing
Loan or mortgage brokers
Loan or mortgage companies
Safety deposit box companies
Security and commodity brokers and services
Stockbroker
Working capital financing

"Gross receipts" means the whole, entire, total receipts attributable to the licensed privilege, without deduction, except as may be limited by the provisions of Chapter 37 of Title 58.1 of the Code of Virginia.

"License year" means the calendar year for which a license is issued for the privilege of engaging in business, except for any license issued to a utility and service company. A license issued to a utility and service company shall be effective on a fiscal year basis of July first through June thirtieth.

"Nonprofit organization" means an organization, other than a "charitable nonprofit organization," which is exempt from federal income tax under IRC § 501.

"Person" means individuals, firms, partnerships, associations, corporations and combinations of individuals of whatever form or character, including any trustee, receiver, assignee or personal representative thereof carrying on or continuing a business, profession, trade or occupation.

"Personal services" shall mean rendering for compensation any repair, personal, business or other services not specifically classified as "financial, real estate or professional service" under this ordinance, or rendered in any other business or occupation not specifically classified in this ordinance unless exempted from local license tax by Title 58.1 of the Code of Virginia, including the following.

(a) The business of operating:

airport
amusement park
athletic field or park
Barbershop
Beauty parlor
Billiard or pool parlor
Boarding houses and lodging houses
Boat landing or boat basin
Bowling alley
Carnivals
Cemetery (except nonprofit) excluding the sale of burial sites
Charter club
Circuses
Coliseum
Convalescent homes (except nonprofit corporations)

Dance band
Dance halls
Dry cleaning and laundry establishments
Flea markets
Furnishing live music or entertainment
Golf course or driving range
Hair dressing establishment
Hotels, motels and campgrounds
Information bureaus, booths
Motion picture theater
Nursing homes (except nonprofit corporations)
Old age homes (except nonprofit corporations)
Physical fitness establishment
Private hospitals (except nonprofit corporations)
Renting of mobile homes in mobile home parks
Swimming pool (other than nonprofit or cooperative)
Theater
Tourist homes and tourist cabins
Turkish, Roman or other like bath or bath parlor

(b) The business thereof: Addressing letters or envelopes, advertising agents and agencies, protective agents or agencies and installers of burglar alarms, agents finding tenants for and renting single rooms, ticket, transportation, travel and tour agents or brokers, renting airplanes, furnishing ambulance service, operating an analytical laboratory, artist's representative, booking agent or concert manager, erecting awnings, installing awnings, storing awnings, taking down awnings, preparing bodies for burial, operating a bottle exchange, a boiler shop and machine shop, chicken hatchery, cleaning the outside of buildings, furnishing business research service, a caterer, cleaning chimneys, a correspondent establishment or bureau, fortunetelling, furnishing detective service, furnishing clean diapers, an electrologist, an embalmer, operating an engineering laboratory, leasing films to others for compensation, operating a frozen food locker plant, conducting funerals, cleaning furnaces, exhibiting a trained and educated horse, boarding or keeping horses or mules, renting horses or mules to others, furnishing house cleaning service, furnishing clean infants' underwear, furnishing janitorial service, operating a kennel or small animal hospital, supplying clean linen, coats, aprons, lock repairing, locksmith, manicurist, a massage practitioner, a masseur, furnishing messenger service, except telephone or telegraph messenger service, mimeographing, cleaning motor vehicles, greasing motor vehicles, polishing motor vehicles, washing motor vehicles, motor vehicle repair, multigraphing, nurses' registry, packing, crating, shipping, cutting, hauling, or moving goods or chattels for others, a parking lot for the storage of or parking of motor vehicles, a photographer, physician's registry, picture framing or gilding, plating metals or any other materials, operating a reducing salon or health club, renting any kind of tangible personal property, operating a scalp treating establishment, furnishing statistical service, stevedoring.

(c) Repairing, renovating or servicing the following: Bicycles, radios and television apparatus, electric refrigerators, pianos, pipe organs or other musical instruments, fire extinguishers, road construction machinery, road repair machinery, farm machinery, industrial or commercial machinery, business office machinery or appliances, household appliances, shoes, watches, jewelry, umbrellas, harnesses, leather goods or shoes, guns, window shades, dolls, cameras, toys, fountain pens, pencils, kodaks, lawn mowers, mattresses or pillows, mirrors, electric motors, scales, saws or tools, rewinding electric apparatus, repairing or upholstering furniture, repairing or reweaving clothing or hosiery, repairing any article not mentioned.

(d) Repairing or servicing septic tanks or septic systems.

(e) Warehouse for storage or merchandise, tobacco, furniture, other goods, wares or materials, cold storage warehouse, warehouse for icing or precooling goods, wares or merchandise, telephone answering service, furnishing telephone, sanitizing service, supplying clean towels, supplying clean work clothes, an undertaker, renting or furnishing automatic washing machines, cleaning windows, letter writing.

(f) Canvassers, other than those working on a salary or wage basis as employees of persons duly licensed under this section; detectives, publishers of county or city directories, operators of passenger motor bus terminals; renting or furnishing horses or ponies for riding within a limited area, field, park or other enclosure; pawnbrokers and pawnshops.

(g) Ambulance service, book binding, day care center, duplication service, nursing home, homes for the elderly, sanitarium, hospital, supplier of cable TV or sound track music, public motor rink (go-cart or motorcycle), refuse service (hauling).

(h) Any person engaged in any personal service not otherwise licensed under this chapter, where the service is rendered for compensation either upon or for persons, animals or personal effects.

(i) Provided, however, that every individual who alone and not in combination or association with any other entity, tutors another individual on a one-to-one basis in any academic subject or music, dance or art shall be exempt from the license tax levied by this section.

(j) Any person engaged in any business service not otherwise licensed under this chapter where the service is rendered for compensation either upon or for any business, trade, occupation or governmental agency.

(k) Any minor engaged in a personal service, such as babysitting, lawn mowing, etc., on a part-time basis shall be exempt from the license tax levied by this section.

(l) Any person engaged in the business of operating a warehouse and distribution facility which stores and distributes goods and merchandise solely to retain facilities owned by the same person and which receives no gross receipts for such services shall be exempt from the license tax levied by this section.

"Professional services" means services performed by architects, attorneys-at-law, certified public accountants, dentists, engineers, land surveyors, surgeons, veterinarians, and practitioners of the healing arts (the arts and sciences dealing with the prevention, diagnosis, treatment and cure or alleviation of human physical or mental ailments, conditions, diseases, pain or infirmities) and such occupations, and no others, as the Virginia Department of Taxation may list in the BPOL guidelines promulgated pursuant to 58.1-3701 of the Code of Virginia. The Department shall identify and list each occupation or vocation in which a professed knowledge of some department of science or learning, gained by a prolonged course of specialized instruction and study is used by its practical application to the affairs of others, either advising, guiding, or teaching them, and in serving their interests or welfare in the practice of an art or science founded on it. The word "profession" implies attainments in professional knowledge as distinguished from mere skill, and the application of knowledge to uses for others rather than for personal profit. No license shall be issued to one engaged in the practice of medicine, homeopathy, chiropractic, naturopathy, chiropody, dentistry, law, chemical engineering, civil engineering, highway engineering, sanitary engineering, or any other profession which requires a certificate of registration and examination under the provisions of the Code of Virginia unless such person furnishes evidence to the Commissioner of the Revenue that he has properly registered and has in effect current registration as required by state law.

"Purchases" shall mean all goods, wares and merchandise received for sale at each definite place of business of a wholesale merchant. The term shall also include the cost of manufacture of all goods, wares and merchandise manufactured by any wholesaler or wholesale merchant and sold or offered for sale. Such merchant may elect to report the gross receipts from the sale of manufactured goods, wares and merchandise if it cannot determine or chooses not to disclose the cost of manufacture.

"Real estate services" shall mean rendering a service for compensation as lessor, buyer, seller, agent or broker and providing a real estate service, unless the service is otherwise specifically provided for in this ordinance, and such services include, but are not limited to, the following:

Appraisers of real estate
Escrow agents, real estate
Fiduciaries, real estate
Lessors of real property
Real estate agents, brokers and managers
Real estate selling agents
Rental agents for real estate

"Retailer" or "Retail Merchant" shall mean any person or merchant who sells goods, wares and merchandise for use or consumption by the purchaser or for any purpose other than resale by the purchaser, but does not include sales at wholesale to institutional, commercial and industrial users.

Any person who is both a retail merchant and a wholesale merchant is hereby required to obtain both classes of license; provided, however, that any retail merchant who desires to do a wholesale business also may elect to do such wholesale business under his retailer's license by paying license taxes under the provisions of this article as a retailer on both his retail and wholesale business; the provision shall not apply to any retail merchant the greater part of whose business during the next preceding year was wholesale, nor to a beginner, the greater part of whose business it is estimated will be wholesale for the period covered by the license.

"Retail Sale" means a sale of goods, wares and merchandise for use or consumption by the purchaser or for any purpose other than resale by the purchaser, but does not include sales at wholesale to institutional, commercial and industrial users which are classified as wholesale sales.

"Sales Solicitation" is the act or acts directly related to selling particular items or goods to a particular person. Sales solicitation does not include non-solicitation activities prior or subsequent to sales solicitation activities.

"Services" shall mean things purchased by a customer which do not have physical characteristics, or which are not goods, wares, or merchandise.

"Wholesaler" or "Wholesale Merchant" shall mean any person or merchant who sells wares and merchandise for resale by the purchaser, including sales when the goods, wares and merchandise will be incorporated into goods and services for sale, and also includes sales to institutional, commercial, government and industrial users which because of the quantity, price, or other terms indicate that they are consistent with sales at wholesale.

F. License Requirement.

(a) Every person engaging in the County in any business, trade, profession, occupation or calling (collectively hereinafter "a business") as defined in this ordinance, unless otherwise exempted by law, shall apply for a license for each such business if (i) such person maintains a definite place of business in the County, (ii) such person does not maintain a definite office anywhere but does maintain an abode in the County, which abode for the purposes of this ordinance shall be deemed a definite place of business, or (iii) there is no definite place of business but such person operates amusement machines, is engaged as a peddler or itinerant merchant, carnival or circus as specified in §§ 58.1-3717, 3718, or 3728, respectively of the Code of Virginia, or is a contractor subject to §58.1-3715 of the Code of Virginia, or is a public service corporation subject to §58.1-3731 of the Code of Virginia. A separate license shall be required for each definite place of business. A person engaged in two or more businesses or professions carried on at the same place of business may elect to obtain one license for all such businesses and professions if all of the following criteria are satisfied: (i) each business or profession is licensable at the location and has satisfied any requirements imposed by state law or other provisions of the ordinances of the County; (ii) all of the businesses or professions are subject to the same tax rate, or, if subject to different tax rates, the licensee agrees to be taxed on all businesses and professions at the highest rate; and (iii) the taxpayer agrees to supply such information as the assessor may require concerning the nature of the several businesses and their gross receipts.

(b) Each person subject to a license tax shall apply for a license prior to beginning business if he was not subject to licensing in the County on or before January 1 of the license year, or no later than March 1 of the current license year if he had been issued a license for the preceding license year. The application shall be on forms prescribed by the assessing official.

(c) Every license issued under this article shall state the amount of license tax assessed and paid, the privilege to be exercised under the license and the period of time for which the license is valid.

(d) Each person receiving a license in the County shall also be provided by the Commissioner of the Revenue at the same time a brief written notice of the taxpayer's right to appeal for a correction of any licensing tax assessed hereunder.

(e) In the event of a failure or refusal of any person to file with the Commissioner of the Revenue the information necessary to enable the Commissioner to assess the license tax due under this article, the Commissioner shall assess the tax upon the best information he can obtain, adding thereto any penalty due thereon.

G. Expiration of license.

No license shall be issued under this chapter for a period beyond the end of the current license tax year, and unless otherwise expressly provided every license issued under this chapter shall expire at the end of the license tax year.

H. Collection and payment of tax.

(a) The tax shall be paid with the application in the case of any license not based on gross receipts. If, the tax is measured by the gross receipts of the business, the tax shall be paid on or before March 1, or if such day is not a business day, the next following business day.

(b) The assessing official may grant an extension of time, not to exceed 90 days, in which to file an application for a license, for reasonable cause. The extension **may** be conditioned upon the timely payment of a reasonable estimate of the appropriate tax, subject to adjustment to the correct tax at the end of the extension together with interest from the due date until the date paid and, if the estimate submitted with the extension is found to be unreasonable under the circumstances, a penalty of ten percent of the portion paid after the due date.

(c) It shall be the duty of the County Treasurer to collect the license taxes imposed by this article.

I. Interest for failure to file or nonpayment.

(a) A penalty of ten percent of the tax may be imposed upon the failure to file an application or the failure to pay the tax by the appropriate due date. Only the late filing penalty shall be imposed by the assessing official if both the application and payment are late; however, both penalties may be assessed if the assessing official determines that the taxpayer has a history of noncompliance. In the case of an assessment of additional tax made by the assessing official, if the application and, if applicable, the return were made in good faith and the understatement of the tax was not due to any fraud, reckless or intentional disregard of the law by the taxpayer. there shall be no late payment penalty assessed with the additional tax. If any assessment of tax by the assessing official is not paid within thirty days the treasurer may impose a ten percent late payment penalty. The penalties shall not be imposed, or if imposed, shall be abated by the official who assessed them, if the failure to file or pay was not the fault of the taxpayer. In order to demonstrate lack of fault, the taxpayer must show that he acted responsibly and that the failure was due to events beyond his control.

"Acted responsibly" means that: (i) the taxpayer exercised the level of reasonable care that a prudent person would exercise under the circumstances in determining the filing obligations for the business and (ii) the taxpayer undertook significant steps to avoid or mitigate the failure, such as requesting appropriate extensions (where applicable), attempting to prevent a foreseeable impediment, acting to remove an impediment once it occurred, and promptly rectifying a failure once the impediment was removed or the failure discovered.

"Events beyond the taxpayer's control" include, but are not limited to, the unavailability of records due to fire or other casualty; the unavoidable absence (e.g., due to death or serious illness) of the person with the sole responsibility for tax compliance; or the taxpayer's reasonable reliance in good faith upon erroneous written information from the assessing official, who was aware of the relevant facts relating to the taxpayer's business when he provided the erroneous information.

(b) Interest shall be charged at the rate of ten (10) percent per annum on the late payment of the tax from the due date until the date paid without regard to fault or other reason for the late payment. Whenever an assessment of additional or omitted tax by the assessing official is found to be erroneous, all interest and penalty charged and collected on the amount of the assessment found to be erroneous shall be refunded together with interest on the refund from the date of payment or the due date, whichever is later. Interest shall be paid on the refund of any tax paid under this ordinance from the date of payment or due date, whichever is later, whether attributable to an amended return or other reason. Interest on any refund shall be paid at the rate of ten (10) percent per annum, as allowed pursuant to § 58.1-3916.

(c) No interest shall accrue on an adjustment of estimated tax liability to actual liability at the conclusion of a base year. No interest shall be paid on a refund or charged on a late payment, in event of such adjustment, provided the refund or the late payment is made not more than thirty days from (i) the date of the payment that created the refund, or (ii) the due date of the tax, whichever is later.

J. Situs of Gross Receipts.

(a) General rule. Whenever the tax imposed by this ordinance is measured by gross receipts, the gross receipts included in the taxable measure shall be only those gross receipts attributed to the exercise of a licensable privilege at a definite place of business within the County. In the case of activities conducted outside of a definite place of business, such as during a visit to a customer location, the gross receipts shall be attributed to the definite place of business from which such activities are initiated, directed, or controlled. The situs of gross receipts for different classifications of business shall be attributed to one or more definite places of business or offices as follows:

(1) The gross receipts of a contractor shall be attributed to the definite place of business at which his services are performed, or if his services are not performed at any definite place of business, then the definite place of business from which his services are directed or controlled, unless the contractor is subject to the provisions of §58.1-3715 of the Code of Virginia.

(2) The gross receipts of a retailer or wholesaler shall be attributed to the definite place of business at which sales solicitation activities occur, or if sales solicitation activities do not occur at any definite place of business, then the definite place of business from which sales solicitation activities are directed or controlled; however, a wholesaler or distribution house subject to a license tax measured by purchases shall determine the situs of its purchases by the definite place of business at which or from which deliveries of the purchased goods, wares and merchandise are made to customers. Any wholesaler who is subject to license tax in two or more localities and who is subject to multiple taxation because the localities use different measures, may apply to the Department of Taxation for a determination as to the proper measure of purchases and gross receipts subject to license tax in each locality.

(3) The gross receipts of a business renting tangible personal property shall be attributed to the definite place of business from which the tangible personal property is rented or, if the property is not rented from any definite place of business, then the definite place of business at which the rental of such property is managed.

(4) The gross receipts from the performance of services shall be attributed to the definite place of business at which the services are performed or, if not performed at any definite place of business, then the definite place of business from which the services are directed or controlled.

(b) Apportionment. If the licensee has more than one definite place of business and it is impractical or impossible to determine to which definite place of business gross receipts should be attributed under the general rule and the affected jurisdictions are unable to reach an apportionment agreement, except as to circumstances set forth in §58.1-3709 of the Code of Virginia, the gross receipts of the business shall be apportioned between the definite places of businesses on the basis of payroll. Gross receipts shall not be apportioned to a definite place of business unless some activities under the applicable general rule occurred at, or were controlled from, such definite place of business. Gross receipts attributable to a definite place of business in another jurisdiction shall not be attributed to the County solely because the other jurisdiction does not impose a tax on the gross receipts attributable to the definite place of business in such other jurisdiction.

(c) Agreements. The assessor may enter into agreements with any other political subdivision of Virginia concerning the manner in which gross receipts shall be apportioned among definite places of business. However, the sum of the gross receipts apportioned by the agreement shall not exceed the total gross receipts attributable to all of the definite places of business affected by the agreement. Upon being notified by a taxpayer that its method of attributing gross receipts is fundamentally inconsistent with the method of one or more political subdivisions in which the taxpayer is licensed to engage in business and that the difference has, or is likely to, result in taxes on more than 100% of its gross receipts from all locations in the affected jurisdictions, the assessor shall make a good faith effort to reach an apportionment agreement with the other political subdivisions involved. If an agreement cannot be reached, either the assessor or taxpayer may seek an advisory opinion from the Department of Taxation pursuant to § 58.1-3701, notice of the request shall be given to the other party. Notwithstanding the provisions of §58.1-3993, when a taxpayer has demonstrated to a court that two or more political subdivisions of Virginia have assessed taxes on gross receipts that may create a double assessment within the meaning of §58.1-3986, the court shall enter such orders pending resolution of the litigation as may be necessary to ensure that the taxpayer is not required to pay multiple assessments even though it is not then known which assessment is correct and which is erroneous.

K. Limitations and extensions

(a) Where, before the expiration of the time prescribed for the assessment of any license tax imposed pursuant to this ordinance, both the assessing official and the taxpayer have consented in writing to its assessment after such time, the tax may be assessed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

(b) Notwithstanding § 58.1-3903 of the Code of Virginia, beginning in 1997, if the commissioner of the revenue ascertains that any local tax has not been assessed, the commissioner shall assess the local license tax omitted because of fraud or failure to apply for a license for the current license year and the six (6) preceding years. If the assessing official determines that any local tax has not been assessed for any tax year prior to 1997, the assessing official shall assess the local license tax omitted because of fraud or failure to apply for a license for the current license year and the three (3) preceding years.

(c) The period for collecting any local license tax shall not expire prior to the period specified in § 58.1-3940 of the Code of Virginia, two years after the date of assessment if the period for assessment has been extended pursuant to this section, two years after the final determination of an appeal for which collection has been stayed pursuant to the following subsection L(b) or L(d) of this ordinance, or two years after the final decision in a court application pursuant to § 58.1-3984 of the Code of Virginia or similar law for which collection has been stayed, whichever is later.

L. Appeals and Rulings

(a) Any person assessed with a licensing tax under this ordinance as the result of an audit may apply within 90 days from the date of the assessment to the assessing official for a correction of the assessment. The application must be filed in good faith and sufficiently identify the taxpayer, audit period, remedy sought, each alleged error in the assessment, the grounds upon which the taxpayer relies, and any other facts relevant to the taxpayer's contention. The assessor may hold a conference with the taxpayer if requested by the taxpayer, or require submission of additional information and documents, further audit, or other evidence deemed necessary for a proper and equitable determination of the applications. The assessment shall be deemed prima facie correct. The assessor shall undertake a full review of the taxpayer's claims and issue a determination to the taxpayer setting forth its position. Every assessment pursuant to an audit shall be accompanied by a written explanation of the taxpayer's right to seek correction and the specific procedure to be followed in the jurisdiction (e.g., the name and address to which an application should be directed).

(b) Provided an application is made within 90 days of an assessment, collection activity shall be suspended until a final determination is issued by the assessor, unless the assessor determines that collection would be jeopardized by delay or that the taxpayer has not responded to a request for relevant information after a reasonable time. Interest shall accrue in accordance with the provisions of subsection I(d) of this ordinance, but no further penalty shall be imposed while collection action is suspended. The term "jeopardized by delay" includes a finding that the application is frivolous, or that a taxpayer desires (i) to depart quickly from the County, (ii) to remove his property therefrom, (iii) to conceal himself or his property therein, or (iv) to do any other act tending to prejudice, or to render wholly or partially ineffectual, proceedings to collect the tax for the period in question.

(c) Any person assessed with a license tax under this ordinance as a result of an audit may apply within ninety days of the determination by the assessing official on an application pursuant to subsection F(a) above to the Tax Commissioner for a correction of such assessment. The Tax Commissioner shall issue a determination to the taxpayer within ninety days of receipt of the taxpayer's application, unless the taxpayer and the assessing official are notified that a longer period will be required. The application shall be treated as an application pursuant to § 58.1 - 1821 of the Code of Virginia, and the Tax Commissioner may issue an order correcting such assessment pursuant to § 58.1 - 1822 of the Code of Virginia. Following such an order, either the taxpayer or the assessing official may apply to the appropriate circuit court pursuant to § 58.1-3984 of the Code of Virginia. However, the burden shall be on the party making the application to show that the ruling of the Tax Commissioner is erroneous. Neither the Tax Commissioner nor the Department of Taxation shall be made a party to an application to correct an assessment merely because the Tax Commissioner has ruled on it.

(d) On receipt of a notice of intent to file an appeal to the Tax Commissioner under subsection L(c) above, the assessing official shall further suspend collection activity until a final determination is issued by the Tax Commissioner, unless the assessor determines that collection would be jeopardized by delay or that the taxpayer has not responded to a request for relevant information after a reasonable time. Interest shall accrue in accordance with the provisions of subsection I(d), but no further penalty shall be imposed while collection action is suspended. The term "jeopardized by delay" shall have the same meaning as set forth in subsection L(b) above.

(e) Any taxpayer may request a written ruling regarding the application of the tax to a specific situation from the assessor. Any person requesting such a ruling must provide all the relevant facts for the situation and may present a rationale for the basis of an interpretation of the law most favorable to the taxpayer. Any misrepresentation or change in the applicable law or the factual situation as presented in the ruling request shall invalidate any such ruling issued. A written ruling may be revoked or amended prospectively if (i) there is a change in the law, a court decision, or the guidelines issued by the Department of Taxation upon which the ruling was based, or (ii) the assessor notifies the taxpayer of a change in the policy or interpretation upon which the ruling was based. However, any person who acts on a written ruling which later becomes invalid shall be deemed to have acted in good faith during the period in which such ruling was in effect.

M. Recordkeeping and audits.

Every person who is assessable with a license tax shall keep sufficient records to enable the assessor to verify the correctness of the tax paid for the license years assessable and to enable the assessor to ascertain what is the correct amount of tax that was assessable for each of those years. All such records, books of accounts and other information shall be open to inspection and examination by the assessor in order to allow the assessor to establish whether a particular receipt is directly attributable to the taxable privilege exercised within the County. The assessor shall provide the taxpayer with the option to conduct the audit in the taxpayer's local business office, if the records are maintained there. In the event the records are maintained outside the County, copies of the appropriate books and records shall be sent to the assessor's office upon demand.

N. Exclusions and deductions from "gross receipts."

(a) General Rule. Gross receipts for license tax purposes shall not include any amount not derived from the exercise of the licensed privilege to engage in a business or profession in the ordinary course of business or profession.

(b) The following items shall be excluded from gross receipts:

(1) Amounts received and paid to the United States, the Commonwealth or any county, city or town for the Virginia retail sales or use tax, or for any local sales tax or any local excise tax on cigarettes, for any federal or state excise taxes on motor fuels.

(2) Any amount representing the liquidation of a debt or conversion of another asset to the extent that the amount is attributable to a transaction previously taxed (e.g., the factoring of accounts receivable created by sales which have been included in taxable receipts even though the creation of such debt and factoring are a regular part of its business).

(3) Any amount representing returns and allowances granted by the business to its customer.

(4) Receipts which are the proceeds of a loan transaction in which the licensee is the obligor.

(5) Receipts representing the return of principal of a loan transaction in which the licensee is the creditor, or the return of principal or basis upon the sale of a capital asset.

(6) Rebates and discounts taken or received on account of purchases by the licensee. A rebate or other incentive offered to induce the recipient to purchase certain goods or services from a person other than the offeror, and which the recipient assigns to the licensee in consideration of the sale of goods and services shall not be considered a rebate or discount to the licensee, but shall be included in the licensee's gross receipts together with any handling or other fees related to the incentive.

(7) Withdrawals from inventory for purposes other than sale or distribution and for which no consideration is received and the occasional sale or exchange of assets other than inventory, whether or not a gain or loss is recognized for federal income tax purposes.

(8) Investment income not directly related to the privilege exercised by a licensable business not classified as rendering financial services. This exclusion shall apply to interest on bank accounts of the business, and to interest, dividends and other income derived from the investment of its own funds in securities and other types of investments unrelated to the licensed privilege. This exclusion shall not apply to interest, late fees and similar income attributable to an installment sale or other transaction that occurred in the regular course of business.

(9) Advertising agents and agencies shall exclude the amounts paid by them for any customer for advertising space, radio time, electrical transcription, pressings, art work, engraving, plates, mats, printing, printing stock and postage from the amount of gross receipts of the business of the advertising agent or agency in computing the basis for their license tax.

(10) Every person engaged in the business of preparing bodies for burial, an embalmer, conducting funerals, or an undertaker, shall be allowed to deduct from the gross receipts of the business all payments made on account of his customers or clients for burial lots, for doctors, hospital or nursing services, for newspaper notices, transportation expense or other like expenses; provided that no such item shall be deducted with respect to which the taxpayer has received or become entitled to receive any commission, fee, discount or profit whatsoever.

(11) The amounts received by the operator of an impounding lot for feeding animals shall be excluded from the gross receipts of the business for the purpose of computing the license tax on such operator.

(12) A real estate agent shall exclude from his gross receipts the commissions on insurance premiums and receipts for conducting business with respect to real estate belonging to such person and excluding interest, brokerage, and other receipts from the business of lending money belonging to such person.

(c) The following shall be deducted from gross receipts or gross purchases that would otherwise be taxable:

(1) Any amount paid for computer hardware and software that are sold to a United States federal or state government entity provided that such property was purchased within two years of the sale to said entity by the original purchaser who shall have been contractually obligated at the time of purchase to resell such property to a state or federal government entity. This deduction shall not occur until the time of resale and shall apply to only the original cost of the property an not to its resale price, and the deduction shall not apply to any of the tangible personal property which was the subject of the original resale contract if it is not resold to a state or federal government entity in accordance with the original contract obligation.

(2) Any receipts attributable to business conducted in another state or foreign country in which the taxpayer is liable for an income or other tax based upon income.

(d) Cemeteries operating as a non-profit corporation or a stock corporation, the stock on which is, by the provision of the charter of such corporation, non-dividend paying, shall be exempt from the provisions of this article. The gross receipts of the cemetery shall exclude the amounts received from the sale of burial plots.

O. <u>License Fee and Tax</u>

Every person or business subject to licensure under the ordinance shall be assessed and required to pay annually:

(a) Except as may be otherwise provided in §§ 58.1-3712, 58.1-3712.1 and 58.1-3713 of the Code of Virginia, every such person or business with annual gross receipts of more than $2,000.00 shall be assessed and required to pay annually a license tax on all the gross receipts of such persons includable as provided in this ordinance at a rate set forth below for the class of enterprise listed

1. For contractors and persons constructing for their own account for sale, $0.14 cents per $100 of gross receipts, from such occupation during the preceding calendar year; the minimum annual license tax shall be thirty dollars ($30);

2. For retailers, $0.16 cents per $100 of gross receipts. The minimum annual license tax shall be twenty-five dollars ($25.00); All goods, wares and merchandise manufactured by a retail merchant and sold as merchandise shall be considered as sales; provided, that this section shall not be construed as applying to manufacturers who sell or offer for sale at the place of manufacture goods, wares and merchandise manufactured by them. A manufacturer may, without a retail merchant's license, sell at the place of manufacture the goods, wares, and merchandise manufactured by him. If a manufacturer desires to sell at a definite place or store other than the place of manufacture, at retail only and not for resale the goods, wares and merchandise manufactured by him, then such manufacturer must take out a retail merchant's

license. When a manufacturer establishes a place or store for the sale of his goods, wares and merchandise, other than at his place of manufacture, at retail only and not for resale, the gross receipts of the business shall include not only the amount of sales made by such manufacturer of goods, wares and merchandise purchased from others, but also the gross receipts for the sale of the goods, wares, and merchandise manufactured by him and sent from the place of manufacture to his store for sale and sold; and he is required to report as hereinafter provided, not only the amount of sale of goods, wares and merchandise purchased by him from others and sold, but also the amount of sales of goods, wares and merchandise manufactured by him either within or without the County and offered for sale by him and sold at his store or definite place in this County other than the place of manufacture.

Every cooperative association, society, company or exchange created or operating under the provisions of the Code of Virginia, §§ 13.1-301 to 13.1-311, every non-profit, cooperative association, with or without capital stock, created or operating under the provisions of the Code of Virginia, §§ 13.1-312 to 13.1-344, and every cooperative marketing or purchasing association or corporation incorporated or organized under the general corporation laws of this state and brought under the provisions of the Code of Virginia, §§ 13.1-301 to 13.1-344, whether such association, society, company, exchange or corporation be organized or brought under the provisions of those sections of the Code of Virginia prior or subsequent to the effective date hereof, and whether chartered under the laws of this state or otherwise chartered and doing business in this state, and conducting a mercantile, merchandise or brokerage business on the cooperative plan, shall be taxable as a merchant by the County. Every such association, society, company, exchange or corporation which sells to others at retail only and not for resale shall be a retail merchant and taxable as such under this section.

Every person who sells merchandise by means of a coin-operated machine or device shall pay the merchant's license tax prescribed herein. All such machines shall be plainly marked so as to show the name and address of the owner thereof.

3. For financial, real estate and professional services, $0.45 cents per $100 of gross receipts;

4. For repair, personal and business services and all other businesses and occupations not specifically listed or exempted in this ordinance or otherwise by law, $0.30 cents per $100 of gross receipts. The minimum annual license tax shall be twenty-five dollars ($25.00);

5. For wholesalers, $0.05 cents per $100 of purchases throughout the then next preceding calendar year. The minimum annual license tax shall be twenty-five dollars ($25.00);

The word "purchases" as used in this section shall be construed to include all goods, wares and merchandise received for sale at each definite place of business of every wholesale merchant and shall not be construed to exclude any goods, wares and merchandise otherwise coming within the meaning of the word. All goods, wares and merchandise manufactured by a wholesale merchant and sold or offered for sale as merchandise shall be considered as purchases within the meaning of this section; provided, that this section shall not be construed to apply to manufacturers who offer for sale at the place of manufacture goods, wares and merchandise manufactured by them, but such manufacturer may, without a wholesale merchant's license, sell at the place of manufacture, the goods, wares and merchandise manufactured by him. If a manufacturer desires to sell at a definite place or store, other than the place of manufacture, to others for resale or to institutional, commercial or industrial users the goods, wares and merchandise manufactured by him, then such manufacturer must take out a wholesale merchant's license. When a manufacturer establishes a place or store for the sale of his goods, wares or merchandise other than at his place of manufacture, to others for resale, the amount of license tax is to be measured not only by the amount of purchases made by such manufacturer from others, if any, but also by the goods, wares and merchandise manufactured by him and sent from the place of manufacture to his store for sale, if any; and he is required to report, as hereinafter provided, not only the amount of goods, wares and merchandise purchased by him from others and offered for resale, but also the amount of goods, wares and merchandise

manufactured by him either within or without the County and offered for sale by him at his store or definite place in this County, other than the place of manufacture. The word "purchases" as used in this division in relation to the purchase price of goods, wares an merchandise sold by a manufacturer at a place of business other than the place of manufacture shall be the cost of manufacturing such goods, wares and merchandise together with the factory mark-up and overhead.

Every cooperative association, society, company or exchange created or operating under the provisions of the Code of Virginia, §§ 13.1-301 to 13.1-311, every non-profit cooperative association, with or without capital stock, created or operating under the provisions of the Code of Virginia, §§ 13.1-312 to 13.1-344 and every cooperative marketing or purchasing association or corporation incorporated or organized under the general corporation laws of this state and brought under the provisions of the Code of Virginia, §§ 13.1-301 to 13.1-344, whether such association, society, company, exchange or corporation be organized or brought under the provisions of those sections of the Code of Virginia prior or subsequent to the effective date hereof and whether chartered under the laws of this state or otherwise chartered and doing business in this state, and conducting a mercantile, merchandise or brokerage business on the cooperative plan shall be taxable as a merchant by the County. Every such association, society, company, exchange or corporation which sells to others for resale only or which sells to institutional, commercial or industrial users shall be a wholesale merchant and taxable as such under this division.

6. For massage parlors, $5,000 annual license tax, not subject to proration for part of a license year;

7. For itinerant merchants or peddlers, $500 per year. The license tax for each itinerant merchant doing business at any organized event of five (5) days or less shall be fifty dollars ($50) for each such organized event, not to exceed $500 per year. Any person who engages in, does or transacts any temporary or transient business in the County or traveling from place to place in the same of goods, wares and merchandise and who for the purpose of carrying on such business hires, leases, uses or occupies any building or structure, motor vehicle, tent, car, boat or public room or any part thereof, including rooms in hotels, lodging houses or houses of private entertainment, or in any public road in the County, for a period of less than one (1) year, for the exhibition of or sale of such goods, wares or merchandise, except foods, wares and merchandise received from bankruptcy sales, trustee sales, railroad wrecks, fire sales, slaughter sales or sales of like character or designation, and stock received from expositions and fairs, whether such person associates temporarily with another merchant or engages in such temporary or transient business in connection with or as a part of the business or in the name of another merchant or not, shall be deemed an itinerant merchant. No person who shall be deemed an itinerant merchant solely because such person exhibits or otherwise displays goods or services or information concerning goods or services if such person does not contract to sell, or offer to contract to sell, such goods or services at such temporary location.

Every itinerant merchant when applying for a license to do business in the County shall report to the Commissioner of the Revenue the street and house number of the place where he proposes to conduct business and no license shall be issued unless such place is adequately illuminated in the daytime without the aid of artificial light. He shall further report in detail the goods, wares and merchandise to be sold at such place and what statements or representations are to be made or advertised concerning them; and if previously engaged in a like or similar business, he shall designate all the places where the same has been conducted within the preceding twelve (12) months.

It shall be unlawful for a peddler to park, stand, stop, or allow a vehicle to remain in any place for the purpose of peddling any longer than is necessary to conclude a sale of any goods, wares, or merchandise or a continuous, uninterrupted series of sales thereof, and in any event it shall be unlawful for a peddler to park, stand, stop, or allow a vehicle to remain in any place for the purpose of peddling more than thirty (30) minutes in any day;

The license tax imposed under this article shall be imposed upon each person and each agent of a corporation, association or other entity who conducts the activities of a peddler; except that peddlers who peddle from and in close proximity to any vehicle and who all peddle the same type of goods, wares and merchandise may obtain a peddler's license, which shall list the names of said peddlers, for each vehicle rather than for each peddler peddling from and in close proximity to such vehicle and the license tax for such license shall be the amount of tax that would otherwise have been charged to each of said peddlers.

Nothing in this section shall be construed to require the payment of a license tax for the sale of goods, wares and merchandise by an assignee, trustee, executor, fiduciary, officer in bankruptcy or other officer appointed by any court of the state or of the United States.

Any person who carries from place to place any goods, wares or merchandise and offers to sell or barter the same, or actually sells or barters the same, and at the time of such sale or exposure for sale delivers, or offers to deliver, the goods, wares or merchandise to the buyer is a "peddler." Any delivery on the day of sale shall be construed as a delivery at the time of sale. For purposes of this article, bartering or offering to barter goods, wares or merchandise shall be deemed to be a form of selling or offering to sell goods, wares or merchandise.

Every peddler who is not expressly exempt from tax under the provisions of this article shall obtain a license for the privilege of doing business in the County and shall pay a license tax of the applicable amount set forth below:

(a) Unless otherwise provided in some other section of this Code, the license tax for each peddler other than those described in subparagraphs (b), (c), (d), (e) and (f) shall be $500 for the tax year.

(b) Any person who sells or offers to sell goods, wares or merchandise to licensed dealers, other than at a definite place of business operated by the seller, and at the time of such sale or exposure for sale delivers, or offers to deliver, the goods, wares or merchandise to the buyer, is a "peddler at wholesale." Any delivery on the day of sale shall be construed as a delivery at the time of sale. Each peddler at wholesale shall pay a license tax for the tax year; the license tax rate for each peddler at wholesale shall be the same as the license tax rate applicable to a wholesale merchant selling similar goods, wares or merchandise at one (1) definite place of business.

(c) No license tax shall be imposed on any peddler who sells or offers for sale in person or by his employees only the following items or any of them if such items were grown or produced by him or by his employees and were not purchased by them for sale: ice, wood, charcoal, meats, milk, butter, eggs, poultry, game, vegetables, fruits or other family supplies of a perishable nature or farm, domestic or nursery products.

(d) A license tax of twenty-five dollars ($25) for the tax year shall be imposed on any peddler who sells or offers for sale in person or by his employees the following items, or any of them if such items were not grown or produced by him or by his employees: meats, milk, butter, eggs, poultry, fish, oysters, seafood, game, vegetables, fruit or other edible family supplies of a perishable nature, or firewood, for home consumption.

(e) A license tax of twenty-five dollars ($25) for the tax year shall be imposed on any peddler who sells or offers for sale only Christmas trees or Christmas greens not grown or produced by him.

(f) A peddler whose activities are conducted solely for charitable purposes and who is not paid for his services shall not be required to pay any license tax under this article.

Every person who is licensed as a peddler and has paid the tax required under this article shall be provided a license tin or tag which shall be affixed to the person of the peddler or to the vehicle used by the peddler.

A peddler's license shall not be transferrable and shall not be subject to proration. The full amount of the license tax shall be paid when assessed.

8. For direct sellers as defined in §58.1-3719.1 of the Code of Virginia with total annual sales in excess of $4,000, $0.16 cents per $100 of total annual retail sales or $0.05 cents per $100 of total annual wholesale sales, whichever is applicable;

9. For every person other than a guaranty, fidelity, and security company doing business in the state under the provisions of the Code of Virginia, Sections 38.2-100 through 38.2-4917, as amended, that engages in the business of entering or offering to enter into bonds for others for compensation, whether as a principal or surety, shall pay a license tax equal to one hundred dollars ($100);

No license shall be issued to any person pursuant to the preceding section until the applicant shall have first obtained a certificate from the judge of the circuit court of the county that such person is of good moral character and entitled to be so licensed pursuant to Code of Virginia, § 58.1-3724.

10. For every person engaged in the business of providing telephone and telegraph communications, an annual license tax equal to one-half of one percent (½ of 1%) of the gross receipts during the preceding license tax year from business accruing to such person from any such business in the County; provided, however, charges for long distance telephone calls shall not be considered receipts from business in the County;

11. For every person furnishing heat, light, power and gas for domestic, commercial or industrial consumption in the County, one-half of one percent (½ of 1% of the gross receipts of such business, excluding receipts from service furnished to other electric utilities for resale.

P. Duty of license applicant to ascertain if location properly zoned and use permit issued.

It shall be the duty of every person applying for a business license to ascertain if the location for the conducting of such business, trade or occupation is properly zoned and has the necessary use permit before making application for such business license as may be required. The commissioner of the revenue or treasurer in any case where he knows that the location is not properly zoned for the type of business, trade or occupation applying for a business license shall refuse to issue such business license until a certificate is issued by the director of planning stating that the location is properly zoned or the business is being operated in a proper zone. Should either the commissioner of revenue, treasurer or director of planning discover that the business, trade or profession is being operated at a location that is not properly zoned for such operation, either official may revoke any license granted hereunder without refund of license tax and cause such operation to cease, or require such operation to move to a properly zoned area and cause the license to be amended.

Q. Assignment and transfer.

(a) No license tax shall be assessed against a taxpayer as a beginner who succeeds in and to the business of a taxpayer that was duly licensed at the time of such succession if such license was assignable and transferable and if such successor contracted with the predecessor for an assignment and transfer of predecessor's license to the business, even though the license be not completely transferred as hereinafter required.

(b) Where there is a change in a partnership by the death or withdrawal of one or more existing partners or by the addition of one (1) or more partners or a combination of either the death or withdrawal and the addition of one (1) or more partners, it shall be considered that there is the creation of a new partnership for the purposes hereof and a beginner's license shall be required of such new partnership, unless there is a contract between the parties for the assignment and transfer of a license which may be lawfully assigned and transferred.

(c) Except where otherwise provided in this chapter, upon presentation to the commissioner of the revenue of any license issued under the provisions of this chapter, except a license the tax upon which is based upon an estimate, for the then current license year, the tax upon which has been fully paid for the entire license tax year, with a written assignment, the license may be assigned and transferred for the unexpired term of such license to the assignee thereof. The assignee shall comply with all the terms and conditions upon which the original license was issued and shall be entitled to all the privileges afforded the original licensee for the unexpired term of the license. The commissioner of the revenue shall make a charge of two dollars ($2.00) for each license assigned and transferred.

(d) Upon the presentation of the assigned license, the commissioner of the revenue shall certify the assignment and transfer upon the original license. Every person conducting any business for which a license is required, without completing the assignment and transfer of such license during the current year of such license and without the payment of the charge for such assignment and transfer, shall be assessed with and shall pay a penalty of twenty dollars ($20.00). Such assessment shall be made by the commissioner of the revenue in the same manner as license taxes are assessed, and the penalty may be recovered in any manner that license taxes may be recovered.

(e) When a person has obtained a license to carry on any business, occupation or profession at any definite place in the County and desires to remove to any other place in the County and wishes his license altered accordingly, the commissioner of the revenue shall make such alteration unless there be an express provision elsewhere forbidding removal or alteration in the license. The commissioner shall charge a fee of two dollars ($2.00) for such alteration.

(f) Every assignment and transfer of a license shall be in such form as is prescribed by the commissioner of the revenue. Nothing in this section shall permit anyone to speculate or trade in licenses. No transfer or assignment shall be valid unless it be pursuant to the bona fide intent of transferee or assignee to engage in the business and at the location covered by the license.

(g) If the license was obtained or had validity by reason of a certificate of any court or of any oath or bond, the assignment shall not be valid without a like certificate in favor of the assignee and a like oath or bond by the assignee as was required for the original grant; and when assigned shall be a personal privilege to the assignee and shall not be exercised by any person other than the assignee, unless otherwise authorized by law. If the license tax already paid by the assignor is less than the license tax which would be assessable against the assignee but for the assignment, an additional license tax shall be paid by the assignee equal to the difference between the tax paid on the assigned license and the license tax which would be otherwise assessable against the assignee.

R. Display of license.

All licenses issued by the commissioner of revenue pursuant to this chapter shall be openly and publicly displayed by the licensee at the business location, residence or place of business as designated on such license. Additionally, any such license shall be made available for inspection by any official of the County upon request.

S. Evidence of payment and display of same.

(a) The commissioner of the revenue shall provide annually tins or tags of such color and design as he may prescribe, to be used as evidence of payment of the license tax prescribed for peddlers, junk dealers, canvassers and dealers in secondhand paper.

(b) The commissioner of the revenue shall provide annually a stamp or sticker of such color and design as he may prescribe to evidence the payment of license taxes on slot machines which shall be issued upon the payment of the license tax so required.

(c) For each renewal tin, tag, button, stamp or sticker where the original has been lost or mutilated, the applicant shall pay one dollar ($1.00).

(d) No license tin, tag, button, sticker or stamp shall be transferred from one person to another, and any sticker issued for a slot machine shall be securely fastened to the machine.

T. Enforcement of Article.

(a) In any case, except where otherwise provided in this chapter, in which the commissioner of the revenue has reason to believe that the return or statement filed is incorrect, he shall cause an investigation of the taxpayer's books and records to be made and shall ascertain whether such person has made a true and correct return or statement. To that end such officer is expressly authorized and empowered when necessary to summon such person before him and require the production of all his books and papers which he has reasonable cause to believe will throw any light upon the matter under investigation and shall also be authorized and empowered to make such other and further investigation and examination as he may deem proper in order to accurately determine the proper return or statement to be made by such person.

(b) Whenever any person required under the provisions of this chapter to file a return or statement shall fail or refuse to file such return or statement, the commissioner of the revenue shall make an estimate of the amount of taxes on the basis of his best information.

(c) In addition to any interest or penalty imposed by this chapter, operation of a business or profession without a County license shall constitute a misdemeanor and subject the operator to twelve (12) months in jail, a fine of up to the maximum amount allowed by law or both.

U. Certification of Erroneous Assessments

The Commissioner of the Revenue is empowered to certify to the Treasurer any instances of erroneous assessments. Upon receipts of such certificate the Treasurer is directed to make a refund based upon the certification of the Commissioner of the Revenue.

Licenses issued under the provisions of this chapter, except those measured by other than gross receipts or gross expenditures, shall be subject to refund where the licensee goes out of business before the end of the current license year, subject to all of the following qualifications:

(1) License for the current license year must be based on gross receipts or gross expenditures obtained throughout the preceding calendar year.

(2) The reason for going out of business is not connected in any manner with the violation of any state law or local ordinance or of violation of any rules or regulations made pursuant thereto.

(3) The amount of refund shall be determined in the following manner: If the licensee goes out of business after January first and before April first, the refund shall be seventy-five (75) percent of the tax paid; if the licensee goes out of business on or after April first and before July first, the refund shall be fifty (50) percent of the tax paid; and if the licensee goes out of business on or after July first and before October first, the refund shall be twenty-five (25) percent of the tax paid; but in no case shall the refund reduce the tax below twenty-five dollars ($25.00).

(4) If any person seeking refund is indebted to the county or any department or office thereof, or is indebted to any state constitutional office of the county for a local levy, the refund, or so much thereof as is necessary, shall first be applied to such indebtedness.

IN RE: BOARD OF ZONING APPEALS -- REAPPOINTMENT

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Ronald Abernathy is recommended to the Circuit Court Judge for reappointment to the Board of Zoning Appeals for a term expiring 12-31-2001.

IN RE: PLANNING COMMISSION -- APPOINTMENT

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that M.D. McCray is appointed to the Planning Commission to replace Dr. Mark E. Moore for a term expiring 12-31-2000.

IN RE: PLANNING COMMISSION -- REAPPOINTMENT

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that C. Floyd Perkinson is reappointed to the Planning Commission for a term expiring 12-31-2000.

IN RE: WATER AUTHORITY -- REAPPOINTMENTS

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that John H. Clements and Joseph R. Patterson are reappointed to the Dinwiddie County Water Authority for terms expiring 12-31-2000.

IN RE: SOCIAL SERVICES BOARD -- APPOINTMENT

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Linwood Ernest Fitzgerald, Sr. is appointed to the Social Services Board for a term expiring June 30, 2000.

IN RE: DISTRICT 19 COMMUNITY SERVICES BOARD -- APPOINTMENT

Mr. Bracey stated that he had an individual that he would like to appoint to replace Mrs. Lillian Stewart on the District 19 Community Services Board but he did not have her application that she filled out. Mr. Bracey stated that she worked for the School system and wanted to know if Mrs. Troilen Seward, who was in the audience, would tell the Board a little about her.

Extract

Mrs. Seward stated that she is a very dedicated person and she could recommend her with great comfort.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Tamara Colbert is appointed to serve on the District 19 Community Services Board to replace Lillian Stewart for a term expiring 12-31-99.

IN RE: TRANSPORTATION SAFETY COMMISSION -- REAPPOINTMENTS

The Transportation Safety Members have expressed an interest to be reappointed, but due to some health problems, Mr. Glen Powell has requested that he not be reappointed.

Extract

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following persons are herby reappointed to the Transportation Safety Commission for a term of one year, expiring December 31, 1997:

A.S. Clay	T.E. Gibbs, Jr.	Rebecca Tilson
Terry Jones	Barbara Wilson	Daniel Lee
John Roy Hodges		

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Charles W. Burgess, Jr., County Administrator, stated that he would be meeting with the Superintendent of Schools & the Recreation Director tomorrow in reference to an agreement between the public schools and the Recreation Department as far as use of facilities. He invited any members of the Board to attend if they so desired.

IN RE: DINWIDDIE VOLUNTEER FIRE DEPARTMENT -- RELEASE OF TITLES

Mr. Burgess stated that DVRS is in the process of purchasing a new ambulance and transport unit. Part of the deal that they have worked out is to trade two other units. They are requesting that the titles be released to the two units so that the purchase can be made.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that title to the 1988 GMC and 1991 Ford Ambulance be released to allow Dinwiddie Volunteer Rescue Squad to trade them in on a new ambulance and transport unit.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- CONTINUED

2. Mr. Burgess wanted to know if there were any specific legislative issues that the Board would like for Administration to discuss with the General Assembly.

Mrs. Everett wanted them to discuss the reimbursement of Archeological digs and Library Fund support for a library in the northern part of the County.

Mr. Clay stated that he felt that they should ask for some of the lottery money.

Mrs. Everett stated that the Board needed to support the funds that were being spent on renovations for school buildings.

IN RE: BOARD MEMBER COMMENTS

Mrs. Everett stated that she wanted to wish Mr. Jim Heckle, Dinwiddie Monitor, good luck on his new job that he will be taking after the first of the year. She stated that she felt that he did a good job and he was going to be missed.

Mr. Bracey stated that he hoped that Administration would set up a retreat for the Board after the first of the year. He stated that there are several things that the Board needs to address.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 6-Investment of Public Funds - Remediation of Co-Composting Facility; Section 2.1-344(a) 7-Consultation with legal counsel - Mobile Home Ordinance and A Property Claim; the Board moved into Executive Session at 4:40 P.M. A vote having

been made and approved the meeting reconvened into Open Session at 5:25 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: CLAIM -- SCHOOL BUS ACCIDENT

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye",

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that check #1004342 in the amount of $2,256.01 be approved for Suburban Auto Sales to repair a vehicle that was hit by one of the County's School buses.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 5:28 P.M.

Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 2ND DAY OF JANUARY, 1997, AT 7:30 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN (ABSENT)	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	DANIEL SIEGEL	COUNTY ATTORNEY

COUNTY ADMINISTRATOR PRESIDING

IN RE: TERM OF CHAIR AND VICE-CHAIR

Upon motion of Mr. Tickle, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye", the Chair and Vice-Chair for the Board of Supervisors will serve a one-year term of office.

Extract

IN RE: ELECTION OF CHAIR -- 1997

Extract

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye", Mr. Harrison A. Moody, was elected Chair for the year of 1997 or until his duly successor assumes office.

IN RE: ELECTION OF VICE-CHAIR -- 1997

Extract

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye", Mr. Edward A. Bracey, Jr., was elected Vice-Chair for the year of 1997 or until his duly elected successor assumes offices.

Mr. EDWARD A. BRACEY, JR., ASSUMED THE CHAIR.

IN RE: SCHEDULE OF MEETINGS AND DATES FOR 1997

Mr. Tickle suggested that they move the meeting on September 3, 1997 to a day meeting because that night was the Steak Supper in Sutherland for his Ruritan Club and there were about 400 County citizens in attendance every year.

Mrs. Everett stated that she did not think that the time should be moved.

Mr. Clay stated that he did not care but the Board in the past has received some heat from citizens that felt that the meeting time should remain the same always.

Extract

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following schedule is established for the regular meetings of the Board of Supervisors for the calendar year of 1997 with the 8th day following the meetings to be used as a makeup date if the regular meeting is to be continued because the Chair or the Vice-Chair finds that weather or other conditions are hazardous for the Board members to attend:

DATES	TIME
January 2, 1997	7:30 P.M.
January 15, 1997	2:00 P.M.
February 5, 1997	7:30 P.M.
February 19, 1997	2:00 P.M.
March 5, 1997	7:30 P.M.
March 19, 1997	2:00 P.M.

April 2, 1997	7:30 P.M.
April 16, 1997	2:00 P.M.
May 7, 1997	7:30 P.M.
May 21, 1997	2:00 P.M.
June 4, 1997	7:30 P.M.
June 18, 1997	2:00 P.M.
July 2, 1997	7:30 P.M.
July 16, 1997	2:00 P.M.
August 6, 1997	7:30 P.M.
August 20, 1997	2:00 P.M.
September 3, 1997	7:30 P.M.
September 17, 1997	2:00 P.M.
October 1, 1997	7:30 P.M.
October 15, 1997	2:00 P.M.
November 5, 1997	7:30 P.M.
November 19, 1997	2:00 P.M.
December 3, 1997	7:30 P.M.
December 17, 1997	2:00 P.M.

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following underlined area be added to the agenda:

11. EXECUTIVE SESSION
b. Section 2.1-344(a) 7-Consultation with legal counsel - courthouse - VBF Litigation.

IN RE: MINUTES

Mr. Clay stated that since the Board had just received a copy of the minutes for the December 18, 1996 Regular Meeting, he thought that they should postpone action until the next meeting.

The Board agreed.

IN RE: CLAIMS

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye",

Extract

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 #1004222 - #1004438 (void #1004222); for Payroll in the amount of $269,934.22; Accounts Payable in the amount of $168,180.39; General Fund $130,119.86, Jail Commission $100.06, E911 Fund $52,87, Self Insurance Fund $37,032.48, Fire Programs/EMS Fund $510.11, Law Enforcement Fund $365.01.

IN RE: APPROVAL OF REQUISITION #14 -- COURTHOUSE CONSTRUCTION

Extract

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that Requisition #14 for the Courthouse consists of invoices for Architectural and Construction Services. It also consists of the 5th draw from Gulf Seaboard, General Contractor.

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #14 in the amount of $137,292.60 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #13 -- SCHOOL CONSTRUCTION

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that Requisition #13 for the School Projects consists of invoices for Engineering and Architectural Services.

Mr. Tickle stated that he thought that the School system had a contract with the Architects with a set price for services rendered. He questioned why they were being billed for $38,000.

Mrs. Seward, Superintendent of Schools, stated that the Architects had to add on to their original plans so it incurred a fee above and beyond what they estimated.

Mr. Bracey stated that he noticed that an invoice that was submitted to the Board for approval had just initials next to the approved for payment stamp. Mr. Bracey stated that he felt that the full signature needed to be put on the invoice.

Extract

Mrs. Seward stated that the initials were put on the invoice by Jim Hutchinson to verify that the bill is the same information that was given to him. Once Mr. Hutchinson has put his initials on it then Mrs. Seward signs off on it.

Mr. Bracey stated that it did not look good with only initials and not a full signature.

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #13 in the amount of $426,959.66 be approved and funds appropriated for CIP expenses for the School Project Fund.

IN RE: "NO-WAKE" BUOY REQUEST -- PUBLIC BOAT RAMP ON LAKE CHESDIN -- DEPARTMENT OF GAME AND INLAND FISHERIES -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on December 18, 1996 for the Board of Supervisors to conduct a public hearing to consider a request from the Department of Game and Inland Fisheries to place two "No-Wake" buoys in front of the public boat ramp on Lake Chesdin.

Mr. Jeffrey M. Curtis, Boating Education Coordinator for the Department of Game and Inland Fisheries, came before the Board and stated that the two buoys would replace two that were already there but now are missing.

This being a public hearing, the Chairman opened the floor for public comment:

Extract

No one signed up to speak.

The Board agreed that they did not have a problem with approving the request because the buoys were just being replaced.

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Department of Game and Inland Fisheries is authorized to place two "No-Wake" buoys in front of the public boat ramp on Lake Chesdin.

IN RE: BOARD OF EQUALIZATION -- RECOMMENDATION FOR APPOINTMENTS

Mr. Charles W. Burgess, Jr., County Administrator, listed the following five members that are being recommended to serve on the Board of Equalization:

Extract

District #5 - Robert H. Spiers, Jr.
21018 Double Branch Road
Stony Creek, VA 23882

District #4 - John C. Stewart
10018 Boisseau Road
Sutherland, VA 23885

District #3 - Andrew J. Eubank
24306 Wedgewood Road
Petersburg, VA 23803

District #2 - Frances H. Franck
3422 Chesdin Blvd.
Sutherland, VA 23885

District #1 - Samuel B. Spicely
14221 Glebe Road
DeWitt, VA 23840

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Robert H. Spiers, Jr., John C. Stewart, Andrew J. Eubank, Frances H. Franck, Samuel B. Spicely be recommended to the Circuit Court Judge for appointment to the Board of Equalization.

IN RE: RESOLUTION DESIGNATING THE MONTH OF FEBRUARY 1997 AS PETFIX MONTH

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye", the following resolution was adopted:

Extract

WHEREAS, dogs and cats give companionship to and share the homes of over 50,000,000 individuals in the United States; and

WHEREAS, two unaltered cats and their kittens can product 420,000 more kittens in seven years and two unaltered dogs and their puppies can produce 67,000 more dogs in six years; and

WHEREAS, it is estimated that more than 12,000,000 dogs and cats are euthanized each year in the United States, although many of them are healthy and adoptable, simply because there are not enough homes; and

WHEREAS, the Virginia Federation of Humane Societies estimates that there are over 300,000 dogs and cats euthanized in the Commonwealth of Virginia each year; and

WHEREAS, the problems of pet overpopulation costs the taxpayers in this country millions of dollars annually through animal control programs trying to cope with the millions of unwanted animals; and

WHEREAS, spaying and neutering dogs and cats has been show to drastically reduce cat and dog overpopulation; and

WHEREAS, veterinarians, humane societies, and national and local animal protections organizations worked together to ensure the spaying and neutering of more than 51,000 companion animals during the "Spay Day USA" event in February 1996; and

WHEREAS, veterinarians and humane organizations in the Harrisonburg, Charlottesville and Central Virginia areas have joined together to advocate the spaying and neutering of companion animals during "PETFIX MONTH 1997".

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Dinwiddie, Virginia, recognizes the month of February 1997 as "PETFIX MONTH 1997" and encourages all citizens to observe this month by either having their dogs or cats spayed or neutered or by sponsoring the spaying or neutering of a companion animal for another.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Charles W. Burgess, Jr., County Administrator, stated that staff has contacted the Department of Historic Resources and they will be sending us the application and guidelines for requests for financial assistance to restore/renovate our old courthouse. The grant requires a local match of 50%. The request must be made to the General Assembly

through our local legislators. Staff was told that they do not like to consider these requests in the middle of the biennium; however, we can still try. The grant application would have to be submitted by January 8. The application, of course, will have to contain an estimate of costs and a description of what work needs to be done. Since we probably would not be beginning the majority of the work until the building is vacated next December/January, we would suggest planning on submitting a package for the 1998 session of the General Assembly. This will allow time to have the building examined for structural/maintenance requirements as well as time to decide what the ultimate use of the building will be.

Mr. Burgess stated that staff would like to suggest that the Board consider appointing a citizen's committee made up of citizens who may have an interest in this process and would be willing to serve on the committee.

Mrs. Everett stated that she thought that the committee was a good idea and that it should be developed to decide how the courthouse should be reused.

The Board agreed that they would bring this matter up at the next Board Meeting.

IN RE: BOARD MEMBER COMMENTS

1. Mrs. Everett stated that Pamplin Park Civil War Site had just received its third award for its architectural design. She stated that she is very proud of that facility.

Mrs. Everett then stated that East Coast is breaking ground in the northern End of the County and the wiper blade company is progressing nicely.

2. Mr. Tickle stated that he would like to see on the agenda discussion for additional information at a future meeting about the taxation of aircraft. He stated that it is extremely low at $.30 and it needs to be brought up between $2.00 and $2.50.

Mr. Tickle stated that he would like to see what the Planning Commission is considering bringing before the Board. He would like to be able to read about the facts a couple weeks before the Board is to review it.

Staff assured Mr. Tickle that they would talk to the Planning Department about sending the information to the Board a couple weeks in advance of them having to review it.

Mr. Tickle stated that he was aware of East Cost coming to the County and he wanted staff to make sure that it will be something pleasant. He stated when Exxon came to the County and located on Route 1 and Interstate 85 they had no idea how many vehicles would be coming in and out and staying all night in the parking lot with their engines running. He wanted the Board to think about the access from East Cost going south; the traffic is going to exit onto Route 460, cross the bridge and turn left onto Interstate 85. This is a very similar situation to what vehicles have to go through to get to Exxon on Route 1. He wanted to know what VDOT has planned to take care of that traffic because there is not an adequate deceleration lane presently on the other side of Route 460. There will be increased traffic there in the years to come and wants to know if staff and VDOT have investigated this potential problem. He stated that he felt that this issue needed to be addressed before the County gets too involved because he sees this as a potential problem.

Mr. Burgess stated that traffic leaving East Coast going west on Route 460 and then eventually going south on Interstate 85 was a much debated item at VDOT. The consideration for the eventual need for a signal at Route 1 and Route 460 was taken into account and that item has been covered at the expense of East Coast when VDOT decides that is needed. The egress only from the site on to Route 460 at VDOT's option can be closed if it becomes a hazard and the owner realizes that as well. There were some safety issues that were looked at prior to the permits being issued by the County.

Mr. Tickle wanted to request that this be added to the minutes. Upon VDOT's request or possible request via the County to VDOT that that egress onto Route 460 can be closed.

Mr. Burgess stated that the County was copied on a letter from VDOT to the owners of East Coast where that was one of the six or seven different conditions.

Mr. Tickle also stated that there is already a situation at the Exxon where some of the neighbors complain about vehicles staying longer than the two or three hour minimum. He wanted to know what was going to be done in the event that the same problem arises at the East Coast station.

Mr. Burgess stated that there has not been a forum in which that could be addressed.

Mr. Tickle wanted to know is the County going to address it.

Mr. Burgess stated that he did not know what form such a condition could be imposed.

Mr. Tickle stated that the condition was put on Exxon.

Mr. Burgess stated that it was a condition of rezoning and there is not such a form available to do the same with East Coast because it is already zoned correctly.

Mr. Tickle stated that he would like for staff to find out what the original conditions were imposed on Exxon during the rezoning process.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Administration; Section 2.1-344(a) 7-Consultation with legal counsel - Contractual services - Courthouse - VBF litigation; the Board moved into Executive Session at 8:13 P.M. A vote having been made and approved the meeting reconvened into Open Session at 9:10 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: POSITION ANNOUNCEMENT -- JEROME R. RUPKEY & AUDIE O. PETTAWAY -- EMERGENCY MEDICAL SERVICES

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Jerome R. Rupkey and Audie O. Pettaway are appointed to the position of full-time EMT advanced at pay grade 10 step A.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye", the meeting adjourned at 9:15 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 15TH DAY OF JANUARY, 1997, AT 2:00 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	DANIEL SIEGEL	COUNTY ATTORNEY

IN RE: MINUTES

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", Mrs. Everett "abstain",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the December 18, 1996 Regular Meeting are hereby approved in their entirety.

Mr. Tickle stated that at the January 2nd meeting under Board Member Comments he talked about East Coast coming to the County. He stated that he wanted to clarify some of the statements that he made. He listed his clarifications and the Board agreed that they were reasonable.

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey voting "aye", Mr. Moody "abstain",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the corrected minutes for the January 2, 1997 Regular Meeting are hereby approved.

IN RE: CLAIMS

Mr. Bracey questioned what a fee was for in the amount of $6,648.38 made out to Southside Electric Cooperative.

Staff informed him that it was a bill submitted by the Director of Sanitation and he was not present to answer any questions.

Mr. Bracey stated that he would like to approve all of the claims except that one in particular bill until the Director of Sanitation could come before the Board and explain it.

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1004439 - #1004569 (void #1004440) except for check #1004546 in the amount of $8,420.87; for Accounts Payable in the amount of $251,874.02; General Fund $176,871.64, Jail Commission $365.72, E911 Fund $614.07, Self Insurance Fund $8,502.38, Law Library $289.75, Fire Programs/EMS Fund $762.55, County Debt Service $64,467.91.

IN RE: APPROVAL OF REQUISITION #15 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that Requisition #15 for the Courthouse consists of a Bond Interest Payment, Geotechnical Services and Special Inspections.

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 Requisition #15 in the amount of $163,463.85 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #14 -- SCHOOL CONSTRUCTION

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that Requisition #14 for the School Projects consists of the second interest payment.

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 Requisition #14 in the amount of $71,506.25 be approved and funds appropriated for CIP expenses for the School Construction Fund.

IN RE: CITIZEN COMMENTS

1. Sandra Vadnais, Bittersweet Road, Dinwiddie, came before the Board and presented the following letter to the Board:

January 13, 1997

Dinwiddie Board of Supervisors

Dear Board Members,

This letter is to inform you about the construction of the Lebanon Methodist Church located in Dinwiddie, Virginia. There are a few points of strong concern that I would like to bring to your attention.

At the beginning of this project, proper sediment control was not sufficiently put in place, and as a result, my personal property is being ruined by excessive amounts of silt run-off. This silt, crosses over a road adjacent to my property and ends up in my fully stocked pond that is now nothing but a mere mud hole. The damage that is being done to my property is increasing with any amount of rain fall. The few silt fences that are installed are not properly maintained and are full as well as down.

I am writing to you to let you know that our legal representative has bee contacted about this situation that is getting worse everyday. We would sincerely like to keep this situation out of litigation ad appropriated measurers to rectify this matter, would greatly be appreciated. All other means have been exhausted and I am asking you, the Board, to please help resolve this matter before an injunction takes place. Once again I can not stress enough about the property damage that has been done and I want my property to be restored to the ORIGINAL state that it was in before all of this construction took place.

Sincerely,

Gerard & Sandra Vadnais

Mr. Moody stated that he and the Director of Planning, Mr. Scheid, have been to the property several times and they were aware of the damage that was being done. He stated that he thought that Mr. Scheid could give an update under his report.

Mr. Bracey stated that he felt that the General Contractor that is building the Church should take care of the problem.

IN RE: GENERAL REASSESSMENT -- WINGATE & ASSOCIATES

Mr. Harold Wingate, Wingate & Associates, came before the Board and brought the Board up to date on where the reassessment process stands.

Mr. Tickle suggested that when the times are set for the Board of Equalization to meet, it should be advertised more than once so citizens will have a greater chance of seeing it.

IN RE: DEPARTMENT OF TRANSPORTATION

Mr. Harold Dyson, Ass't Resident Engineer, came before the Board and apologized for comments made by the VDOT representative at the December 18th Board meeting.

Mr. Tickle stated that he did not feel that an apology was necessary because the representative was just being truthful.

IN RE: SUBDIVISION STREET ADDITION -- SENTRY WOODS

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, A.P. Hill Drive and Sentry Hill Court described on SR-5(A), Proposed Additions to the Secondary System of the State Highways, fully incorporated herein by reference, are shown on plat date 9/15/87 recorded in Deed Book 13, page 80 in the Clerks Office of the Circuit Court of Dinwiddie County, and

WHEREAS, the Resident Engineer for the Department of Transportation has advised the Dinwiddie County Board of Supervisors that A.P. Hill Drive and Sentry Hill Court described on the Form SR-5(A) to the State Highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills, and drainage, and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deboarh M. Marston, Commissioner of the Revenue, came before the Board and stated that she did not have anything to present but was available for any questions.

Mr. Bracey stated that he received a questionnaire from Mrs. Marston's office and he questioned why he received one.

Mrs. Marston stated that she sent them out because they were trying to insure that subcontractors had obtained a business license when working under a contractor.

Mr. Bracey stated that he would like in writing how much it cost Mrs. Marston's office in between postage and labor to send the questionnaires out and how much did the county benefit from them.

The Board questioned Mrs. Marston about how much the Board of Equalization were compensated in years past.

Mrs. Marston stated that they were paid $60.00 per day no matter how long or how short they worked.

The Board asked Mrs. Marston to call some other localities that were currently under a reassessment and see how much they were paying their Board of Equalization.

Mrs. Marston stated that she would and then report back to the Board later in the meeting.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, came before the Board and stated that he did not have anything further to report besides the report that he submitted prior to the meeting.

Mr. Tickle stated that he would like a report from Mr. Jones on how unpaid taxes are being collected.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, III, Commonwealth Attorney, was not present.

IN RE: SHERIFF -- REPORT

Mr. Samuel H. Shands, Sheriff, came before the Board and stated that he did not have anything to present but was available for any questions.

Mrs. Everett stated that some time ago Mr. Alvin Blaha came before the Board and asked that something be done about the tires that were being illegally dumped. He thought that the Board could maybe look into an ordinance prohibiting the illegal dumping of tires.

Mr. Bracey stated that the books are loaded with ordinances that they can not enforce now. He did say that he did not see why they could not look into it but did not feel that they should consider one now because he felt that there was already something on the books currently.

The Board instructed staff to look into the ordinances in the current code book and see if there was something addressing the problem.

THE CHAIRMAN CALLED FOR A 15 MINUTE RECESS AT 3:25 P.M. SO THAT THE BOARD COULD LOOK AT BRICK SAMPLES FOR THE NEW COURTHOUSE.

THE BOARD RECONVENED AT 3:55 P.M.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, came before the Board and stated that he did not have anything further to report other than the report he submitted prior to the meeting.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, was not present at the meeting due to the preparation for some surgery.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W.C. Scheid, Director of Planning, came before the Board and gave an overview of how he has handled the complaint from Mr. & Mrs. Vadnais about their problem with Lebannon United Methodist Church.

He stated that he has been trying to contact the Engineers of the project to discuss the problem with them and he has not received a response yet.

The Board stated that they would give the Engineers until the next Board meeting to contact Mr. Scheid and then they wanted a report back.

IN RE: ZONING ADMINISTRATOR -- REPORT

Mr. March Altman, Zoning Administrator, came before the Board and presented his report for the month of December, 1996.

Mr. Altman also stated that he had looked into the ordinance that addresses the issue of illegal dumping of tires and the only way that someone could be fined for it would be to actually catch them in the act of dumping the tires.

Mr. Bracey and Mr. Clay stated that they did not feel that an additional ordinance should be looked into at this time.

Mr. Tickle stated that he agreed with Mr. Bracey and Mr. Clay but if Mrs. Everett is really concerned about it he did not see why they could not just look into it.

Mrs. Everett stated that she was just acting on the concern of a citizen not on her own beliefs.

Mr. Bracey felt that the only thing that he felt that the citizen deserved was a letter stating that they looked into the ordinance and there is nothing that they can legally do about it right now because they have to catch them.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director of Social Services, presented her report for the month of December, 1996.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mr. Ray Watson, Ass't Superintendent for Finance and Technology, came before the Board and presented the Superintendent report for the month of December, 1996.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Tony Rinaldi, Recreation Director, presented his report for the month of December, 1996.

Mr. Rinaldi also wanted to invite Administrative Staff and the Board to their Volunteer Appreciation night on February 19th.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Waste Management, came before the Board and stated that he understood that the Board questioned a bill during claims in reference to his department.

He stated that about a year ago a truck at the landfill rolled from a parked position into a light pole. Nothing was damaged except for the box that was on the light pole. He thought nothing else about because it never interrupted power or anything until some workers from Southside Electric were in the area and they saw the box and panicked. The next day a large crew from Southside Electric came out to the Landfill and removed the box because they felt that they did not need it any longer and sent them a large bill for payment of the damaged box.

Mr. Bracey stated that he did not like how the bill was handled because it is such a large amount. He felt that Administration should of been notified directly what the bill was about. He stated that he thought Southside Electric should of come to the County Administrator in reference to the bill.

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 check #1004546 is approved in the amount of $8,420.87 made payable to Southside Electric Cooperative contingent upon them coming to the County Administrator and explaining the bill to his satisfaction.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy EMS Coordinator, came before the Board and presented her report for the month of December, 1996.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel M. Siegel, County Attorney, came before the Board and stated that he did not have anything to present at this time.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, came before the Board and presented his report for the month of December, 1996.

Mr. Clay stated that while they were outside looking at the color for the roof the Board never came to an agreement. Everyone told them what they thought but they never agreed on a particular color.

Mr. Faison stated that he felt that the Board could wait a little while on agreeing on a particular color for the roof but they needed to agree on a color for the brick and mortar.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 selections were approved for the exterior color scheme of the new Courthouse:

Utility Brick Color No. 1 - Taylor Clay #321 (Gray)

Utility Brick Color No. 2 - Darlington #1700 (Dover White)

Mortar Color for Brick No. 1 - Flamingo #C-224

Mortar Color for Brick No. 2 - Flamingo - Soft White with puddle duck sand

Upon motion of Mr. Clay, seconded by Mr. Tickle, 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 Board wait for two weeks to decide on the color of the roof at the new Courthouse.

IN RE: AIRPORT MANAGER -- REPORT

Mr. Gordon Winn, Airport Manager, came before the Board and presented his report for the month of December, 1996.

Mr. Bracey stated that he heard that a gentlemen was forgiven of some money that he owed the Airport Authority and he wanted to know how true it was. He stated that he felt that the Board should get an in depth report for the Airport Authority on their financial activities. He wanted to know if the Authority had the power to forgive tax payers dollars. He stated that he felt that if the Authority was forgiving funds then the Board should petition the General Assembly to do away with the Airport Authority and let the Board take care of it.

Mr. Moody suggested that the Board and the Airport Authority hold a joint meeting to discuss this.

Mr. Burgess stated that by reviewing some information provided by the General Assembly in reference to the set up of the Airport Authority, he understands it to read that the Airport Authority can conduct their financial activities to their discretion.

Mr. Bracey stated that if that is the case he would hope that the Board would not participate financially with the Airport. He stated that they are taking taxpayer dollars and doing what they want with them. He stated that he could not sit on the Board with good conscience and vote for any money for the Airport unless the citizens are reaping some benefit or they have some say so.

Mr. Gordon Winn stated that he realized that this was a bad time but the Board some time ago approved a $200,000 note for clean up at the Airport and he requested a draw from that note in the amount of $51,521.00.

Mr. Bracey stated that since this was money that the Board approved at a previous time he would approve payment until the note was satisfied in full.

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 payment is approved and a check be issued in the amount of $51,521.00 for invoices for the clean up of the Airport mandated by the EPA.

IN RE: DINWIDDIE INDUSTRIAL DEVELOPMENT AUTHORITY -- REAPPOINTMENT

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 Loid A. Hodnett is reappointed to the Dinwiddie Industrial Development Authority for a term expiring 2-5-2001.

IN RE: DINWIDDIE INDUSTRIAL DEVELOPMENT AUTHORITY -- REAPPOINTMENT

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 Robert A. Wallace is reappointed to the Dinwiddie Industrial Development Authority for a term expiring 2-5-2001.

IN RE: DINWIDDIE AIRPORT & INDUSTRIAL AUTHORITY -- APPOINTMENT

Mr. Tickle stated that he wanted to know if the Board would be willing to petition the General Assembly to expand the Dinwiddie Airport & Industrial Authority to allow for every magisterial district to have a representative.

Mr. Burgess, County Administrator, stated that the time had passed to petition the General Assembly for this year and they would have to wait until next year.

The Board agreed that they would wait and discuss expanding the Authority at an upcoming Board Retreat.

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 Michael W. Lee is appointed to the Dinwiddie Airport & Industrial Authority for a term expiring 1-31-2000.

The Board was also notified that Thomas Hooker's term expires on the Dinwiddie Airport & Authority on the 31st of this month and he has not expressed an interest to serve an additional term. The position was advertised in the Dinwiddie Monitor on December 25th and staff has not received any public interest.

The Board directed staff to readvertise the position.

IN RE: CRATER DISABILITIES SERVICES BOARD -- REAPPOINTMENT

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 Christina Winfield is reappointed to the Crater Disabilities Services Board for a term expiring 1-31-99.

EXTRACT

The Board was also notified that Peggy McElveen's term on the Disabilities Services Board expires on the 31st of this month and she has not expressed an interest to serve an additional term. The position was advertised in the Dinwiddie Monitor on December 25th and staff has not received any public interest.

The Board directed staff to readvertise the position.

Mr. Bracey stated that he felt that not a lot of people subscribe to the Dinwiddie Monitor so he thought that staff should also advertise in the Progress Index.

IN RE: BOARD OF EQUALIZATION -- COMPENSATION

Mrs. Deborah M. Marston, Commissioner of the Revenue, came before the Board and listed the pay that other localities were paying their Board of Equalization.

Upon motion of Mr. Clay, 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 Board of Equalization shall be compensated at a rate of $75.00 per day plus mileage to a particular property that needs to be viewed if no other County vehicle is available.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Charles W. Burgess, Jr., stated that he was aware that the Board wanted to go on a retreat and wanted to know when would be a good time.

After some discussion by the Board they agreed that they would go to the Airfield Conference Center in Wakefield, Virginia on Wednesday, January 29, 1997.

2. Mr. Burgess stated that he will be serving on the VACO Transportation Committee and if the Board had any transportation issues that they wanted to be brought to that committee for possible legislation he would be glad to.

IN RE: RESOLUTION AUTHORIZING COMPETITIVE NEGOTIATION -- PROPERTY AND CASUALTY INSURANCE

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that a few weeks ago she came before the Board and requested authorization to bid out the County's Property and Casualty Insurance. At this time she requested that they be able to bid it out by competitive negotiation.

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

RESOLUTION AUTHORIZING COMPETITIVE NEGOTIATION -- PROPERTY AND CASUALTY INSURANCE

WHEREAS, the Board of Supervisors of Dinwiddie County (the "Board") wishes to receive proposals from qualified proposers for the County's property and casualty insurance, to evaluate various subjective factors, including proposed coverages, their costs, the added enhancements included and agency/company services, experience and qualifications and to negotiate specific contractual terms and conditions favorable to Dinwiddie County (the "County"); and

WHEREAS, Section 11-41(C) of the Virginia Public Procurement Act provides that goods and services may be procured by competitive negotiation upon a determination in writing that competitive sealed bidding is not advantageous to the public.

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia:

1. The County Administrator, in cooperation with other County staff persons, is authorized to issue on behalf of the County, a written request for proposals for the County's property and casualty insurance coverages.

2. This Resolution shall constitute a written determination that competitive sealed bidding is not advantageous to the public for the reasons stated above.

3. This Resolution shall be effective as of January 14, 1997.

IN RE: COUNTY ADMINISTRATOR COMMENTS CONTINUED

Mrs. Ralph, Ass't County Administrator, stated that the HVAC unit at the Social Services Building needs to be replaced and Mr. Faison, Construction Inspector was assisting with getting some prices but roughly it was going to cost about $15,000.

IN RE: BOARD MEMBER COMMENTS

Mr. Bracey stated that when the Board goes on their retreat he wanted to discuss advertising for all the services the County has under contract.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Commissioner of the Revenue & Administration; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; the Board moved into Executive Session at 6:13 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:23 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: COMMISSIONER OF THE REVENUE -- ADDITIONAL POSITION

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Moody voting "aye", Mr. Bracey voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Commissioner of the Revenue is authorized to hire an additional position to be classified as a Secretary II/Tax Clerk-Personal Property at a salary not to exceed $18,722.00.

IN RE: COUNTY ADMINISTRATOR PERFORMANCE EVALUATION

Upon motion of Mrs. Everett, 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 the County Administrator's salary, based upon a successful evaluation, is increased from the current amount of $60,000 to $64,000 retroactive from December 1, 1996; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator shall not be included in any across the board increases as are all County employees.

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 7:30 P.M. to be continued until Wednesday, January 29, 1997 at 8:00 A.M. for a Retreat.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT THE AIRFIELD 4-H CONFERENCE CENTER IN WAKEFIELD, VIRGINIA, ON THE 29TH DAY OF JANUARY, 1997 AT 9:00 A.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2

At 8:00 A.M. the Board gathered at the Pamplin Administration Building to leave for a Board Retreat at the Airfield 4-H Conference Center in Wakefield, Virginia. They arrived at the Conference Center and went into open session at 9:20 A.M.

IN RE: RETREAT DISCUSSION

The Board met in a workshop session and the following items were discussed:

a. Capital Improvements Program

1. Reuse of Eastside and Northside Schools
2. Reuse of Existing Courthouse
3. Administration Building - Storage/Office Space Requirements.

b. Contractual Services

AT 11:07 A.M. THE CHAIRMAN CALLED FOR A 20 MINUTE RECESS.

At 12:30 P.M. the Board recessed for Lunch and at 1:30 P.M. the Board reconvened into open session.

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Airport Authority appointments; additional Dispatch positions/ buildings & grounds maintenance; Waste Management personnel; following a ten minute recess the Board moved into Executive Session at 2:39 P.M. A vote having been made and approved the meeting reconvened into Open Session at 3:52 P.M.

IN RE: CERTIFICATION

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 4:00 P.M. to be continued until Wednesday, February 5, 1997 at 4:30 P.M. for the Board to view colors for the new Courthouse roof.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 5TH DAY OF FEBRUARY, 1997, AT 4:30 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	BEN EMERSON	COUNTY ATTORNEY

The Board met at the Administration Building at 4:35 P.M. to view colors for the new Courthouse roof.

The Board recessed to the Home Place Restaurant at 5:00 P.M. for an Executive Session.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Dispatch positions - Sheriff; Buildings & Grounds Maintenance; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; Section 2.1-344(a) 7-Consultation with legal counsel - Single-wide Manufactured Housing; Section 2.1-344(a) 6-Investment of Public Funds; the Board moved into Executive Session at 5:05 P.M. The Board recessed to the Administration Building at 6:30 P.M. to meet in Executive Session with the Dinwiddie Airport & Industrial Authority. A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 7:33 P.M.

Harrison A. Moody
Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Charles W Burgess
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 5TH DAY OF FEBRUARY, 1997, AT 7:30 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	BEN EMERSON	COUNTY ATTORNEY

IN RE: MINUTES

Upon motion of Mrs. Everett, 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 the minutes for the January 15, 1997 Regular Meeting and the January 29, 1997 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mr. Bracey questioned why the County was paying for the Probation Officer's cellular phone bill and why the Sheriff's Department has ten phones. He requested itemized copies of the 10 Sheriff's Department bills.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1004570 - #1004794 for Accounts Payable in the amount of $165,664.59; General Fund $163,008.74, E911 Fund $1,933.22, Law Library $256.50, Forfeited Asset Sharing; and for Payroll in the amount of $283,649.98.

IN RE: CIP REQUISITION #16 -- COURTHOUSE CONSTRUCTION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 #16 in the amount of $497,754.57 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CIP REQUISITION #15 -- SCHOOL CONSTRUCTION

Mr. Bracey questioned the Attorney fees that were being billed every time there is a requisition. He wanted to know if and when they would ever stop and what the School Board was getting for their money.

Mr. Tickle stated that he knew that Mr. Faison was checking all the time sheets from the companies that were performing work on the new courthouse and he wanted to know if there was anyone from the School Board checking the time sheets on the companies that were working on the school renovations.

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 Requisition #15 in the amount of $268,144.82 be approved and funds appropriated for CIP expenses for the School Construction Fund.

IN RE: RESOLUTION OF APPRECIATION -- DR. MARK MOORE

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, Dr. Mark Moore has served, on the Dinwiddie County Planning Commission, with distinction and integrity from August 16, 1995, until December 31, 1996; and

WHEREAS, The Board of Supervisors on this 5th day of February in the year 1997 is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW THEREFORE BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia hereby commends Dr. Mark Moore for his contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, BY the Board of Supervisors of Dinwiddie County, Virginia that this resolution be presented to Dr. Mark Moore, and a copy spread upon the minutes of this meeting.

IN RE: RESOLUTION OF APPRECIATION -- LILLIAN M. STEWART

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, Lillian M. Stewart has served, for 9 years, on the District 19 Community Services Board with distinction and integrity from February 17, 1988, until December 31, 1996; and

WHEREAS, The Board of Supervisors on this 5th day of February in the year 1997 is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW THEREFORE BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia hereby commends Lillian M. Stewart for her contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, BY the Board of Supervisors of Dinwiddie County, Virginia that this resolution be presented to Lillian M. Stewart, and a copy spread upon the minutes of this meeting.

IN RE: DINWIDDIE AIRPORT & INDUSTRIAL AUTHORITY

1. Mr. Ronald VanSickle from the VA Council of Experimental Aircraft Association came before the Board and stated that he supported our local Airport and Industrial Authority and he also stated that he felt that the Fly In that our Airport was sponsoring in June would be great for our economy.

2. Kenneth F. Wiegand, Director of the VA Department of Aviation, came before the Board and expressed his support for our local Airport. He also expressed the importance of a local Airport and the great impact it could do to the local economy.

3. T.W. Taylor, Performance Aviation, came before the Board and stated that he supported the idea of Regionalizing our local Airport and he would be glad to help with any ideas of doing so.

IN RE: 1997 PLASTIC PESTICIDE CONTAINER RECYCLING PROGRAM

Mr. Michael J. Parrish, Extension Agent, came before the Board and presented the 1997 Plastic Pesticide Container Recycling Program. The maximum reimbursement for the 1997 Program will again be $1,875. The Program will begin on April 1, 1997 and end on October 31, 1997.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 Dinwiddie is authorized to participate in the 1997 Plastic Pesticide Container Recycling Program.

Mrs. Everett commended Mr. Parrish on his hard work and dedication that he has shown towards the County and asked him to keep up the good work.

IN RE: P-96-5 --- GREEN ACRES MOBILE HOME PARK -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on January 15, 1997 and January 22, 1997 for the Board of Supervisors to conduct a public hearing to consider a request from Green Acres Mobile Home Park to rezone property from B-2 Business, General to A-2 Agricultural, General in order to expand the existing mobile home park.

Mr. W.C. Scheid, Director of Planning, came before the Board and stated that the property, consisting of 9.10 acres is bordered by I-85 to the East, Hatchers Run to the South; existing Green Acres Mobile Home Park to the West, and properties to the North. The property is further identified as Tax Map 33, Parcel 69B.

Mr. Tom Cook, an engineer with Bengston, Debell, and Elkin came forward and stated that he was representing Mr. Isaac Forrest, owner of Green Acres Mobile Home Park. He stated that the request would allow them to develop larger home sites in the park as opposed to what existed. He showed the Board and the public a schematic showing the location of the proposed development of the larger lots. He stated that that the applicant was granted permission sometime in 1960 to have 200 lots and will not exceed this amount with the expansion.

Mr. Scheid stated that at the Planning Commission meeting there was no one present in opposition or support of the request and the Commission approved the request at a 4-1-1 vote.

This being a public hearing, the Chairman opened the floor for public comment:

1. Jean Maitland, Boydton Plank Road, Dinwiddie, VA, came before the Board and stated that her property adjoins the existing mobile home park and she does not agree with the rezoning request because she is having nothing but problems with the tenants and the landlord.

2. Rebecca Koenig, Boydton Plank Road, Dinwiddie, VA, came before the Board and stated that she would be speaking for Sarah Maitland, Agnes Ozmar and Tony Meza who all had written their concerns because they were not physically able to come before the Board. They all ultimately asked that the property not be rezoned due to problems they were having with the existing tenants and landlord.

Mr. Bracey stated that they could get 200 lots on the property that is already zoned A-2 and he does not feel that approving the rezoning would be good for the community. He suggested waiting until Mr. Forrest could come before the Board and address some of the citizens concerns.

Mr. Clay suggested that the issue be tabled until some proffers could be made and agreed on.

Mr. Tickle stated that the owner already has 200 lots on the property that is zoned for the mobile home park use. He stated that he is opposed to granting the requested rezoning. He does not feel that Mr. Forrest is a good neighbor based on the statements made by the adjacent property owners.

Mrs. Everett stated that the owner already has adequate land to develop, but she stated that it should be used as a playground for the tenants children. She also stated that the violations that the citizens complained of should be looked into.

Mr. Moody stated that he is also a member of Planning Commission and when that group heard this rezoning request there was no public input and they had no idea about all the adjacent landowner concerns.

Upon motion of Mr. Tickle, seconded by Mr. Bracey, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", Mr. Clay voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that P-96-5 is turned down.

THE CHAIRMAN CALLED FOR A TEN MINUTE RECESS AT 8:50 P.M.

IN RE: AUDIT PRESENTATION -- CHERRY, BEKAERT & HOLLAND

John Montoro, Cherry, Bekaert & Holland, came before the Board and reviewed his findings in reference to the 1995-96 audit.

IN RE: PUBLICATION OF TREASURER'S ACCOUNTABILITY STATEMENT

Staff asked for authorization to advertise the Treasurer's Accountability Statement in the Dinwiddie Monitor Newspaper.

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the County Administrator is authorized to publish the Treasurer's Accountability Statement for the year ending June 30, 1996.

IN RE: HERMAN MILLER SYSTEMS FURNITURE -- NEW COURTHOUSE

Mr. Donald Faison, Construction Inspector, came before the Board and stated that the furniture for the new Courthouse needs to be purchased prior to February 15th in order to receive a 67% discount off of list price. The contract renewal and price increases within Herman Miller and Morton Marks and Sons will be taking place after this date. The amount of money needed at this time would be $26,491.08.

Mr. Clay stated that he did not feel that he could vote for this because he did not know if all this office furniture was needed or not.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", Mr. Clay voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to submit an order to Herman Miller Systems Furniture in the amount of $26,491.08 for furniture for the new Courthouse.

IN RE: COUNTY ADMINISTRATORS COMMENTS

Mr. Charles W. Burgess, Jr., County Administrator, stated that budgets will be distributed to the Board on Friday, February 7th. He asked the Board when they would like to begin holding budget work sessions.

The Board agreed that they would meet on February 12th at 4:00 P.M. in the conference room to have their first budget work session.

IN RE: RESOLUTION IN RECOGNITION OF AMERICAN HISTORY MONTH

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

EXTRACT

WHEREAS this Nation has been built upon the efforts, sacrifices and contributions of a great number of persons; and

WHEREAS the National Society of the Daughters of the American Revolution encourages all Americans to read and become more aware of the history of their Country; and

WHEREAS a knowledge of our history increases an appreciation of the many rights and privileges which are part of our national heritage.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of the County of Dinwiddie this 5th day of February, 1997, hereby declares the month of February as "American History Month" for 1997; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that a copy of this Resolution be posted for the public and spread upon the minutes of this meeting.

IN RE: AFRICAN AMERICAN HERITAGE MONTH -- FEBRUARY

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 month of February 1997 is designated as African American Heritage Month.

IN RE: HVAC SYSTEM -- SOCIAL SERVICES BUILDING

Mr. Donald Faison, Construction Inspector, came before the Board and stated that he received the following bids for the new HVAC system at the Social Services Building:

W.D. Wall Sheet Metal Shop, Inc.		$ 8,219.00
Catlett-Johnson Corporation		$12,371.00
Eveready Mechanical Corporation		$15,845.00
Barnes Heating & Cooling, Inc.	(Gas)	$ 8,244.00
	(Oil)	$ 8,496.00

Mr. Faison stated that staff would like to recommend the low bid from W. D. Wall Sheet Metal Shop, Inc. in the amount of $8,219.00 which would include a 4-ton air conditioning unit.

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 the low bid from W.D. Wall Sheet Metal Shop, Inc. be accepted in the amount of $8,219.00 for the new HVAC system for the Social Services Building.

IN RE: BOARD MEMBER COMMENTS

1. Mrs. Everett stated that the Wastewater Treatment Plant that the County participates in is Regional and she asked that the Board consider a feasibility study on Regionalization of the County Airport.

2. Mr. Bracey stated that he would like to know what the pay scale for new employees would be at Nippon Wiper Blade Company and when would they start hiring. He also wanted to know if any banks in the area were financing the project.

Mr. Bracey also stated that he was contacted by some citizens who were upset about Lebanon United Methodist Church being able to hook onto the County sewer line and they were told that they could not. He wanted it to be looked into and see if the information was correct.

3. Mr. Moody stated that he was quoted in the Newspaper saying that Lebanon United Methodist Church has not done anything to help correct the problem on Bittersweet Road. He did not say that; he said that the Engineers from the Church had not contacted the County after several attempts to get in touch with them. He stated that he just wanted to clarify this for the record.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Tickle voting "aye", the meeting adjourned at 9:50 P.M. to be continued until February 12, 1997 at 4:00 P.M. for the Board to conduct a budget work session.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 12TH DAY OF FEBRUARY, 1997 AT 4:00 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2

IN RE: AUTHORIZATION TO PAY CLAIM - JAMES N. GRAY CONSTRUCTION

Upon motion of Ms. Everett, seconded by Mr. Clay, Ms. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the drafting of a check in payment was authorized and funds were appropriated in the amount of $235,000.00 for James N. Gray Construction Co., Inc., to be made payable to the Dinwiddie County Industrial Development Authority for initial site work per agreement with NWB.

IN RE: APPROVAL OF EXTERIOR COLORS FOR NEW COURTHOUSE

Upon motion of Ms. Everett, seconded by Mr. Clay, Ms. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye", Mr. Tickle "abstaining", the following color selections were approved for the new courthouse:

Metal Roof - Valspar "Charcoal"
Architectural Louvers - custom color to match roof, approx. $1,000 extra
GFRC columns, cornice, portico facade - Duron #8231 W, "Sawyer's Fence"
Architectural Louvers (wall) - Bone White (UC43350)
All/Lite Metal Co.

IN RE: REQUISITION #16 FOR COURTHOUSE CONSTRUCTION FUND

Upon motion of Mr. Bracey, seconded by Mr. Clay, Ms. 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 #16 for the Courthouse Construction Fund is approved and funds appropriated in the amount of $497,754.57; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the February 5, 1997 meeting be corrected to reflect this amount.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Ms. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Dispatchers - the Board moved into Executive Session at 4:20 P.M. A vote having been made and approved the meeting reconvened into Open Session at 5:04 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: WORKSHOP SESSION -1997-98 PROPOSED BUDGET

The Board met in a workshop session to review the 1997-98 proposed budget.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 6:36 P.M. to be continued until Wednesday, February 19, 1997 at 8:00 A.M. for the Board to meet with Constitutional Officers and Department Heads on their 1997-98 budget requests.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 19TH DAY OF FEBRUARY, 1997, AT 2:00 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	DANIEL SIEGEL	COUNTY ATTORNEY

IN RE: MINUTES

Mrs. Everett requested that under Board Member Comments her statement regarding the possible regionalization of the airport needs to be corrected to read that the Board may want to consider conducting a feasibility study on this issue.

The staff stated that the bid amounts for the replacement heating system at the Social Services Building are misstated and will be amended to reflect the correct amounts.

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mr. Clay, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the corrected minutes for the February 5, 1997 Regular Meeting are hereby approved in their entirety.

Upon motion of Mr. Tickle, 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 the minutes for the February 12, 1997 Continuation Meeting are hereby approved.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1004439 - #1004569 ; for Accounts Payable in the amount of $236,157.68; General Fund $140,063.98, E911 Fund $1626.79, Self Insurance Fund $29,998.00, County Debt Service $664,468.91.

IN RE: APPROVAL OF REQUISITION #17 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that Requisition #17 for the Courthouse consists of Special Inspections Services.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 #17 in the amount of $280.00 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

There were no citizen comments.

IN RE: DEPARTMENT OF TRANSPORTATION

Mr. Harold Dyson, Ass't. Resident Engineer, came before the Board and stated that he had nothing to present but he was available for any questions.

Mr. Clay inquired as to the status of the construction of the bridge on Nash Road. Mr. Dyson stated that he was unsure when that project would be completed. He did state that the grading on the project has been delayed due to the ground being so wet.

Mrs. Everett requested that a "No Dumping" or "No Littering" sign be placed on Vaughan Road in the vicinity of 7008 Vaughan Road.

Mr. Moody requested that yellow lines be painted on the roadway at the intersection of State Routes 613 and 642.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, came before the Board and stated that she did not have anything to present but was available for any questions.

Mr. Bracey asked when he would receive the information he previously requested regarding the cost of mailing the subcontractor questionnaires. Mrs. Marston stated that the information would be available today. Mr. Bracey also inquired as to what the legal requirements are for the assessment of new dwellings. Mrs. Marston stated that once a Certificate of Occupancy is issued, the new assessment is to be made by January 1st of the following year.

Mr. Tickle inquired as to how the Board of Equalization hearings were proceeding. Mrs. Marston stated that the hearings have gone well thus far and that the deadline for scheduling appointments is February 28th. She also stated that any changes to an assessment would not be made by the Board of Equalization until all interviews were completed.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, came before the Board and stated that he did not have anything further to report other than the report that he submitted prior to the meeting.

The Board requested that Mr. Jones provide footnotes on his monthly report to assist in understanding the fluctuations in the General Fund Balances.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, III, Commonwealth Attorney, came before the Board and stated that he did not have anything to present but was available for any questions.

IN RE: SHERIFF -- REPORT

Mr. Samuel H. Shands, Sheriff, was not present.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, came before the Board and stated that he did not have anything further to report other than the report he submitted prior to the meeting.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, came before the Board and stated that he did not have anything further to report other than the report he submitted prior to the meeting.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. Guy Scheid came before the Board and stated that there was one item in his monthly report which he needed to discuss with the Board. That item pertained to whether or not the Board desires to procure

administrative services for the administration of the Indoor Plumbing Grant Program.

Upon motion by Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors that the staff is authorized to advertise for the procurement of services for the administration of the Indoor Plumbing Grant Program.

IN RE: ZONING ADMINISTRATOR -- REPORT

Mr. March Altman, Zoning Administrator, came before the Board and presented his report for the month of January, 1997. He also presented a report which stated the manufactured housing activity in the County for calendar year 1996.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director of Social Services, was not present.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mrs. Troillen Seward , Superintendent of Schools requested the Board's reappropriation of the unexpended School Funds from FY-96 in the total amount of $487,490.37.

Upon motion by 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 that the unexpended School Funds from FY-96 in the amount of $487,490.37 be reappropriated to the school system as follows:

SVRTC Fund	$23,541.80
School Fund - Transportation	$400,500.00
School Fund - Facilities Site Acquisition	$63,448.57

EXTRACT

Mrs. Seward also requested a supplemental appropriation to the FY 97 Budget in the amount of $157,443.90. The appropriation is to be made to the Instructional Category. The source of the funds are federal revenues and special grants.

Upon motion by Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors that a supplemental appropriation in the amount of $157,443.90 be made to the Instructional Category of the FY 97 School Budget.

Mrs. Francene Newman, Director of the Office on Youth, requested the Board's supplemental appropriation of $12,008.93 be made to the Office on Youth's FY 97 Budget. The additional funds have been received from several sources.

Upon motion by Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors that a supplemental appropriation in the amount of $12,008.93 be made to the Office on Youth's FY-97 Budget. The source of the additional funds is as follows:

$500.00	Wal-Mart Foundation
$5000.00	Virginia Commission for the Arts
$400.00	Maclin Zimmer Magill
$1225.00	Earnings From 'Tis the Season
$2801.93	Additional carryover from FY-96
$2802.00	Increase in funding from DJJ Grant

IN RE: RECREATION DIRECTOR — REPORT

Mr. Tony Rinaldi, Recreation Director, presented his report for the month of January, 1997.

Mr. Rinaldi presented an agreement between the Recreation Department and the Dinwiddie County Public Schools for the use of facilities. Mr. Rinaldi requested the Board consider adopting the agreement.

Upon motion by Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey Mr. Moody voting "aye", the following agreement was adopted.

DINWIDDIE COUNTY DEPARTMENT OF PARKS AND RECREATION AND DINWIDDIE COUNTY SCHOOL BOARD FACILITY AGREEMENT

THIS AGREEMENT, is made and entered into this_____ day of ____, by and between the County of Dinwiddie, Virginia, (the "County") and the Dinwiddie County Public Schools (the "School") through its School Board (the "School Board").

1. Upon request of the Director of the Department of Parks and Recreation (the "Director") and subject to the approval of the Superintendent of the County Schools (the "Superintendent"), the School Board will make available to the Board of Supervisors for community park and recreation activities all school areas and facilities which are suitable for community parks and recreation activities. The County shall have first priority following the Schools.

2. Upon request of the Superintendent and subject to the approval of the Dinwiddie County Administrator, the Board of Supervisors will make available to the School Board for school events, activities and/or programs all playground areas or facilities under control or owned by the County which are suitable for school events, activities, and/or programs. The Schools shall have first priority following the County.

3. All facilities/field uses are subject to approval by the principal of each respective facility or such principal's designated representative and the Superintendent.

4. A schedule of dates for the use of the school facilities will be determined by the Superintendent in advance and this schedule will be arranged as to avoid conflict between school and recreation use wherever possible; provided however, that on the scheduling of said school facilities, school related events and programs will have first priority with the County having next priority. All other uses of school facilities shall be in accordance with a master schedule. The master schedule will be established in meetings to be held in July of each year which shall be attended by the Director of Parks and Recreation and the Superintendent and/or their designated representatives, and other appropriate representatives of the County and the School. A schedule of dates for the use of County park and recreation facilities will be determined by the Director in advance and this schedule will be arranged as to avoid conflict between recreation and school use wherever possible, provided however, that in the scheduling of said parks and recreation facilities, Department events and programs shall have first priority, with the Schools having next priority.

IN WITNESS WHEREOF, and pursuant to the authority granted, the parties hereto have caused this Agreement to be executed on their behalf.

COUNTY OF DINWIDDIE, VIRGINIA

By

Chairman
Dinwiddie County Board Supervisors

DINWIDDIE COUNTY PUBLIC SCHOOLS

By_____
Chairman
Dinwiddie County School Board

Mr. Rinaldi requested the Board's consideration in authorizing the expenditure of $800 to replace the transmission on the Recreation Department tractor.

Upon motion by Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", be it resolved that the Recreation Department is authorized

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Recreation Department is authorized to expend up to $800 for the replacement of the transmission on the Recreation Department tractor.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Waste Management, came before the Board and stated that he did not have anything further to present other than the report he submitted prior to the meeting.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy EMS Coordinator, was not present.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel M. Siegel, County Attorney, came before the Board and stated that he did not have anything to present at this time.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, came before the Board and presented his report for the month of January 1997.

IN RE: AIRPORT MANAGER -- REPORT

Mr. Gordon Winn, Airport Manager, came before the Board and presented his report for the month of January, 1997.

IN RE: PART-TIME COMMUNITY SERVICE WORK COORDINATOR

Mr. H.L. Parrish, Probation Supervisor, came before the Board and requested authorization by the Board for the hiring of the part-time community service work coordinator. The VJCCA Funds provide the monies for this position.

Upon motion by Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors that Mr. Parrish is authorized to hire the part-time community service work coordinator.

IN RE: PRESENTATION OF DINWIDDIE SOIL SURVEY

Mr. Michael Jones, District Conservationist, presented and reviewed the Dinwiddie Soil Survey with the Board.

IN RE: DINWIDDIE AIRPORT & INDUSTRIAL AUTHORITY -- APPOINTMENT

The Board reviewed the three (3) citizen applications which were submitted for the vacancy on the Dinwiddie Airport and Industrial Authority. The three (3) applications were from:

William Harry Morgan

Alfred E. McPeak
Howard Bruce Maitland

Mr. Bracey nominated Mr. Morgan and Mrs. Everett nominated Mr. Maitland. Mr. Morgan received the supporting votes of Mr. Clay, Mr. Tickle and Mr. Bracey and was thereby appointed to the Dinwiddie Airport and Industrial Authority.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Denny Morris, Executive Director of the Crater Planning District Commission, appeared before the Board requesting the Board's consideration in participating in a regional partnership which would seek funding under the Regional Competitiveness Act. This Act was approved by the General Assembly enacted in 1996 to encourage localities to work together to enhance their economic competitiveness and Virginia's competitiveness in the world marketplace.

Extract

Upon motion by Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody, voting "aye",

BE IT RESOLVED that the Board of Supervisors hereby adopts the following resolution:

RESOLUTION TO ESTABLISH A REGIONAL PARTNERSHIP UNDER THE 1996 VIRGINIA REGIONAL COMPETITIVENESS ACT

A RESOLUTION providing for the establishment of a regional partnership within the Crater Planning District, under the Appomattox Basin Industrial Development Corporation.

WHEREAS, Section 15.1-1227.1 through Section 15.1-1227.5, Code of Virginia, as amended, permits counties, cities and towns within a planning district to establish a regional partnership for the purpose of encouraging local governments to exercise the options provided by law to work together for their mutual benefit and the benefit of the Commonwealth (known as the Regional Competitiveness Act); and

WHEREAS, the city managers and county administrators within the Crater Planning District have acted as a working group to evaluate the Regional Competitiveness Act and developed a concept for the formation of a partnership in the Crater District; and

WHEREAS, a concept whereby the regional partnership would be a separate board under the "umbrella" of the Appomattox Basin Industrial Development Corporation (ABIDCO) has been endorsed by the Crater Planning District Commission and the Appomattox Basin Industrial Development Corporation Board of Directors; and

WHEREAS, the guidelines for Virginia's Regional Competitiveness program require that participating local governments within the region adopt a resolution of participation;

THEREFORE BE IT RESOLVED, that the County of Dinwiddie agrees to:

(1) Establish the Crater Regional Partnership under the provisions of the 1996 Regional Competitiveness Act, in conjunction with the other participating member governments of the Crater Planning District, under the "umbrella" of the Appomattox Basin Industrial Development Corporation; and

(2) Appoint the Chairman of the Board of Supervisors and the County Administrator as members of the Crater Regional Partnership.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay and Mr. Tickle requested that the staff move forward with the process of changing the name of the airport to the "Dinwiddie Airport."

The staff was also directed to obtain information on the feasibility of regionalizing the airport.

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 4:05 P.M. to be continued until Tuesday, February 25, 1997 at 2:30 P.M. for a Budget Work Session.

Harrison A. Moody
Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Charles W Burgess
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 19TH DAY OF FEBRUARY, 1997 AT 8:00 A.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2

IN RE: WORKSHOP SESSION - 1997-98 PROPOSED BUDGET

The Board met with the following constitutional officers and department heads to review their 1997-98 budget requests:

Commissioner of Revenue; Treasurer; Director of Planning; Sheriff; Superintendent of Schools

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Ms. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 3 - Acquisition of Property; and 2.1-344(a) 6 - Investment of Funds - the Board moved into Executive Session at 11:55 P.M. A vote having been made and approved the meeting reconvened into Open Session at 2:05 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 2:07 P.M.

Harrison A. Moody
Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 25TH DAY OF FEBRUARY, 1997 AT 2:30 P.M.

PRESENT:		
	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2

IN RE: APPROVAL OF BRONZE PLAQUE -- NEW COURTHOUSE

Mr. Donald Faison, Construction Inspector, presented a draft copy of the bronze plaque to be placed in the new courthouse, outlining the county officials, architects, and contractors involved. An allowance of $3,000 has been provided. The Board approved the draft to show those involved when the contract was actually signed, which would be 1996.

IN RE: APPROVAL OF BUILDING CORNERSTONE -- NEW COURTHOUSE

Mr. Donald Faison, Construction Inspector, asked the Board if they would like to place a cornerstone and a time capsule in the new Courthouse. An allowance of $1,500 has been provided. After some discussion, the Board approved a 32"x16"x8" cornerstone, to include a time capsule, with the date of dedication on the outside.

IN RE: REQUEST FOR ADDITIONAL ELECTRICAL PANELS & WORKSTATION -- COMBINED GENERAL DISTRICT COURTS

The architects submitted a request for approval of three (3) electrical panels to power up workstations in the combined general district courts area in the new Courthouse. The total cost for the kits would be $129.69. The architects also submitted a request for additional workspace for the J&DR Clerk, who would have been working at the fine counter full-time. This was recommended as a cost savings; however, the Clerk now considers that this position requires more workspace. Therefore, the recommendation is to add back in a Herman Miller Workstation at a cost of $3,875.52.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mrs. Everett, Mr. Tickle, Mr. Moody voting "aye", the request for three additional electrical panels at a cost of $129.69 is approved.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mrs. Everett, Mr. Tickle, Mr. Moody voting "aye", the request for an additional Herman Miller workstation at a cost of $3,875.52 was denied.

IN RE: WORKSHOP SESSION - 1997-98 PROPOSED BUDGET

The Board met with the following department heads to review their 1997-98 budget requests:

Registrar; Director of Waste Management

IN RE: EXECUTIVE SESSION

Upon motion of Ms. Everett, seconded by Mr. Tickle, Ms. Everett, Mr. Bracey, Mr. Clay, Mr. Tickle, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1 - Discussion or consideration of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Administration; Commissioner of Revenue - the Board moved into Executive Session at 4:10 P.M. A vote having been made and approved the meeting reconvened into Open Session at 4:50 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mr. Clay, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: APPROVAL OF FULL TIME POSITION -- COMMISSIONER OF REVENUE

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the request from the Commissioner of Revenue to appoint Mrs. Linda T. Stamos to the position of Personal Property Secretary II/Tax Clerk, at a salary of $18,722 was approved, effective March 1, 1997.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 5:07 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Charles W. Burgess, Jr.
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 5TH DAY OF MARCH, 1997, AT 7:30 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	PAUL JACOBSON	COUNTY ATTORNEY

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the agenda was amended to include an Executive Session as 9A for 2.1-344(a) 1 - Personnel - Administration.

IN RE: MINUTES

Upon motion of Mr. Tickle, 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 the minutes for the February 19, 1997 Regular Meeting, the February 19, 1997 Continuation Meeting and the February 25, 1997 continuation meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, 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 #1004938 - #1005154 (void check #1005138 - $65.00 #1004937 and 1005032); for Accounts Payable in the amount of $147,529.99; General Fund $144,547.40, Jail Commission Fund $459.09, E911 Fund $368.00, Self Insurance Fund $116.50, Law Library Fund $27.00, County Debt Service $2012.00.

IN RE: APPROVAL OF REQUISITION #18 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that Requisition #18 for the Courthouse consists of payments to:

Gulf Seaboard General Contractor	$473,844.80
ECS Ltd.	$1381.12
Hening, Vest Covey	$4578.12
Total	$479,804.04

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 #18 in the amount of $479,804.04 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

The following persons addressed the Board:

1. Mr. Leon Elsarelli, Rev Darren Brandon, Mr. Daniel Edwards and Mr. Earl Weaver, Sr. offered comments concerning the need for a drug testing program for the employees of the Sheriff's Department and the need for the Board to authorize the hiring of additional dispatchers for the Sheriff's Department.

2. Mrs. Anne Scarborough offered comments concerning the recent invoices presented by the County Attorney concerning Ingram Book and Virginia Bio-Fuels. She desires an explanation as to the continued work being performed by the County Attorney on these matters. Mrs. Scarborough also commented on the need of the Board of Supervisors to raise the tax rate levied on airplanes.

3. Ms. Dorothy Roney and Mr. Ananias Jones inquired of the hiring practices of County Departments and Agencies. The questions included concerns of how positions are advertised, how one applies for a position and how a selection of a new employee is made.

4. Ms. Deborah Day commented on the need for the Board of Supervisors to resolve the issue of the Commissioner of the Revenue's Office apparent inability to assess all existing properties and businesses in the County.

5. Mr. Walter Love commented on his concerns pertaining to the upkeep of the secondary roads in the County.

IN RE: EPA REVISIONS TO AIR QUALITY STANDARDS

The County Administrator reviewed information with the Board concerning the revisions to the County's air quality standards promulgated by the Environmental Protection Agency. The issue at hand pertains to the potential designation of Dinwiddie County as a nonattainment community. Such a designation would handicap the County's ability to attract certain desirable economic development projects. The Board reviewed a resolution which seeks the County's designation to remain as an attainment area.

Upon a motion by Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye."

BE IT RESOLVED that the Board of Supervisors hereby adopts the following resolution:

RESOLUTION OF THE METROPOLITAN AIR QUALITY COMMITTEE COMMENTING ON THE ENVIRONMENTAL PROTECTION AGENCY'S PROPOSED REVISIONS TO THE NATIONAL AMBIENT AIR QUALITY STANDARDS FOR OZONE AND PARTICULATE MATTER.

WHEREAS the Environmental Protection Agency (EPA) proposed in the Federal Register of December 13, 1996, Proposed Rule Docket Nos. A-95-58 and KA-95-54, to increase the stringency of the current ambient air quality standards for ozone and particulate matter; and

WHEREAS, the EPA is seeking comment on the proposed Rule; and

WHEREAS, air quality in the Richmond, Virginia region, which includes the cities of Richmond, Hopewell and Colonial Heights, and the Counties of Henrico, Hanover, Chesterfield and Charles City, has improved significantly as demonstrated by the decline since 1993 in the number of exceedances of the current ozone standard of 0.122ppm; and

WHEREAS, the Richmond region did not experience any exceedances at any monitoring sites during the 1996 ozone season and that trend is expected to continue; and

WHEREAS, the Commonwealth has petitioned the EPA to redesignate the region to ozone attainment; and

WHEREAS the Clean Air Scientific Advisory Committee established by the EPA to assist in the development of new NAAQS did not reach consensus in support of a 0.08ppm ozone standard averaged over 8 hours;

NOW, THEREFORE BE IT RESOLVED that the Metropolitan Richmond Air Quality Committee (MRAQC) opposes changing the ozone standard to 0.08ppm as proposed in the "National Ambient Air Quality Standards for Ozone: Proposed Decision" - FR Volume 61, Number 241, Friday, December 13, 1996 - Docket No. A-95-58: and opposes adopting a PM 2.5 standard at this time as proposed in the National Ambient Air Quality Standards for Particulate

Matter :Proposed Decision - FR Volume 61, Number 241, Friday, December 13, 1996 - Docket No. A-95-54; and

FURTHERMORE, the MRAQC supports fully implementing a system of monitoring PM 2.5 and evaluating the results of such monitoring along with the adverse health effects of PM 2.5 and economic effects control strategies prior to setting any standard.

IN RE: PURCHASE OF VEHICLE FOR ANIMAL CONTROL DEPARTMENT

Mr. Steve Beville, Animal Warden, presented the quoted prices for a new pickup truck for his department to the Board. The submitted quotes were:

Owen Ford, Inc.	1997 Ford F-150	$17,995.00
Capital Pontiac	1997 GMC 1500	$18,146.00
Strosnider Chevrolet	1997 Chevrolet	$19,107.02

Upon motion by 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 that the Animal Warden is authorized to accept the lowest quoted price for a new pickup truck for his department unless the staff can find a better deal at another dealership.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr,. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1 - Discussion or consideration of employment, salaries, discipline of public officers, appointees, or employees of any public body; and 3 - the acquisition of real property. The Board moved into Executive Session at 8:55 p.m. A vote having been made and approved, the meeting reconvened into Open session at 9:30 p.m.

IN RE: CERTIFICATION

Upon motion by Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Superviosrs of Dinwiddie County, Virginia.

IN RE: COUNTY ADMINISTRATOR'S RESIGNATION

The County Administrator requested the Board's acceptance of his resignation effective April 4, 1997.

Upon motion by Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, MR. Clay, Mr. Tickle , Mr. Bracey, Mr. Moody voting "aye", the Board of Supervisors hereby accepts the resignation of Charles W. Burgess, Jr. in his capacity as County Administrator effective April 4, 1997, and authorizes staff to proceed with advertising this vacancy.

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 9:40 P.M. to be continued until Monday, March 10, 1997 at 2:00 P.M. for a Budget Work Session.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 10TH DAY OF MARCH, 1997 AT 2:00 P.M.

PRESENT:		
	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2

IN RE: APPROVAL OF CLAIM

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mr. Bracey, Mrs. Everett, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", claim #1005155 in the amount of $52.50 was approved and funds appropriated for the Petersburg/Dinwiddie Crimesolvers, Inc. dinner to be held Thurday evening, March 13, 1997.

IN RE: APPROVAL OF APPOINTMENT OF PAMLA A. MANN - ADMINISTRATIVE SECRETARY

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", Mrs. Pamla A. Mann was appointed as Administrative Secretary at a salary of $21,375, effective March 10, 1997.

IN RE: WORKSTATION -- GENERAL DISTRICT COURT CLERK

The Board received another request from the General District Court Clerk to restore the additional workstation to the furniture planned for the new Courthouse. This request was denied at a previous meeting.

Mrs. Everett moved that the additional workstation be approved. There was no second. Mrs. Everett voting "aye", Mr. Tickle, Mr. Bracey, Mr. Clay, Mr. Moody voting "nay", the motion was disapproved.

IN RE: WORKSHOP SESSION - 1997-98 PROPOSED BUDGET

1. Virginia Institute of Government - Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", Mr. Clay voting "nay", $1500 for membership to the Virginia Institute of Government was approved to be included in the 1997-98 budget on a one-year trial basis.

2. Central Virginia Health Planning Agency, Inc. - Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Clay, Mr. Bracey, Mr. Tickle, Mrs. Everett, Mr. Moody voting "aye", action on the budget request from the Central Virginia Health Planning Agency, Inc. was postponed until next year. The Board requested more information on the number of citizens served and benefits provided to Dinwiddie County.

3. Recreation - Generator - Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Clay, Mr. Moody voting "aye", $400 for a generator was approved to be included in the 1997-98 budget. The Board also requested the Recreation Director provide them with periodic reports on the financial status of the various programs.

4. Dept. of Waste Management - Dump Truck - Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Moody voting "aye", $40,000 for a new dump truck for the Dept. of Waste Management was approved to be included in the 1997-98 budget.

5. Appomattox Regional Library - Contribution - Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, voting "aye", Mr. Bracey, Mr. Clay, Mr. Moody voting "nay", the motion to include

full funding for the Appomattox Regional Library for 1997-98 was disapproved.

6. Registrar - Request for additional telephone and telephone line and additional computer connection to State Board of Elections - Upon motion of Mr. Tickle, seconded by Mr. Bracey, Mr. Tickle, Mr. Bracey, Mr. Clay, Mrs. Everett, Mr. Moody voting "aye", the request from the Registar was approved for 1996-97 as follows: An additional telephone line and telephone will be provided. The additional telephone line will also serve as the dedicated line for the computer connection. The request for a PEP Emulation Board with software for Windows was approved at an estimated cost of $800.

7. Planning - Code Enforcement/Technician - Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Moody voting "aye", Mr. Clay, Mr. Bracey voting "nay", the Code Enforcement/Planning Technician, in the amount of $26,000 including benefits, was approved to be included in the 1997-98 budget.

8. Sheriff - Support Staff Supplements - Courtroom Deputies - Dispatchers - Upon motion of Mrs. Everett, 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 the supplements for support staff in the amount of $8,000 for the Sheriff's Department was not approved to be included in the 1997-98 budget; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the request for three Courtroom Deputies, in the amount of $74,088 for the Sheriff's Dept. is approved to be included in the 1997-98 budget; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the request for two Dispatchers, in the amount of $42,886 for the Sheriff's Dept. is approved to be included in the 1997-98 budget; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that because these positions are fully funded by the Board of Supervisors, approval is contingent upon an agreement with the Sheriff that the positions will be filled only after all required information on initially filling the position or filling future vacancies in the position is provided to the Board and approved at a public Board meeting; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that all positions for Constitutional Officers that will be fully funded by the Board of Supervisors will meet these same requirements.

IN RE: DEPARTMENT OF WASTE MANAGEMENT - RECLASSIFYING PART-TIME TO FULL-TIME POSITIONS

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Moody voting "aye", funds in the amount of $6,800 for reclassifying part-time personnel to full-time were approved to be included in the 1997-98 budget.

IN RE: DEPARTMENT OF WASTE MANAGEMENT - RECLASSIFICATION OF ENVIRONMENTAL SERVICES SUPERVISOR

Mrs. Everett moved that funds in the amount of $1,250 be included in the 1997-98 budget to regrade the position of Environmental Services Supervisor. There was no second. Mrs. Everett and Mr. Bracey voting "aye", Mr. Tickle, Mr. Clay, Mr. Moody voting "nay", the motion was disapproved.

Since there was also a request to reclassify the position of Deputy Animal Control Officer, there was discussion that maybe all the positions under the direct control of the Board should be reviewed. The last pay classification plan review was conducted in 1992.

Upon motion of Mr. Tickle, seconded by Mr. Bracey, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", Mrs. Everett and Mr. Clay voting "nay", staff was authorized to request a pay classification plan review through the Virginia Cooperative Extension Service for those positions under the control of the Board of Supervisors, with the understanding that certain positions would be considered for a regrade and funds appropriated at that time if approved by the Board.

IN RE: RECREATION DEPARTMENT -- SEASONAL HELP

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Moody voting "aye", $8,000 for seasonal help for the Recreation Department was approved to be included in the 1997-98 budget, pending discussion with the School Board on the maintenance of all recreational fields in the County.

IN RE: SALARY INCREASE FOR FULL-TIME AND HOURLY EMPLOYEES

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Clay, Mr. Moody voting "aye", funds were approved to be included in the 1997-98 budget for a 2% COLA and a 2% merit raise for full-time employees and a 4% increase for hourly employees under the control of the Board of Supervisors, effective July 1, 1997.

IN RE: AIRPLANE TAX RATE

The Board instructed staff to advertise the tax rate on airplanes at $2.50, and to investigate the status of changing the method of valuation, which currently is 20% of original cost.

IN RE: DESIGNATION OF RESERVE FUNDS

The Board agreed to add $2 million of the undesignated reserve to the Debt Service Fund proposed for the 1997-98 budget to be used to generate capital reserve fund earnings for debt service payments.

IN RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 4:43 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/rlm

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 19TH DAY OF MARCH, 1997, AT 2:00 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	DANIEL SIEGEL	COUNTY ATTORNEY

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye" the agenda was amended to delete the following:

10. Property/Casualty Insurance Proposals

IN RE: MINUTES

Upon motion of Ms. Everett, 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 the minutes of the March 5, 1997 Regular Meeting and the March 10, 1997 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mr. Bracey questioned the Administration on the Self Insurance Plan recipients, how much longer payments are going to last. Mrs. Wendy Weber Ralph, Assistant County Administrator, stated if Mr. Bracey will provide, specific names, Administration will be happy to provide him with more details.

Mr. Tickle questioned do we require secondary physician opinions for these types of situations. Again Mrs. Ralph stated she would be glad to supply information on specific instances and how the program now works under VML.

Mrs. Ralph, pointed out that there was an airport invoice, a request on their note, in the amount of $8,415,00, included in claims.

Mr. Tickle stated he had some questions regarding the Airport Claim. Mrs. Ralph, stated that an up to date status report will be coming on April 2, 1997.

Upon motion of Mr. Bracey, seconded 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 the following claims are approved and funds appropriated for same using checks #1005159 - #1005282 (void checks 1005156 - 1005158); for Accounts Payable in the amount of $165,445.07; General Fund $78,680.71, Jail Commission $233.00, Self Insurance Fund $19,760.16, Law Library $370.28, Fire Programs $1,932.00, County Debt Service $64,468.92.

IN RE: APPROVAL OF REQUISITION #19 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that Requisition #19 for the Courthouse consists of payments to:

Dunbar, Milby, Williams	$1,760.00
Hening-Vest-Covey	4,517.85
Total	$6,277.85

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 Requisition #19 in the amount of $6,277.85 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #16 -- SCHOOL CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that Mrs. Seward was present if you have any questions on Requisition #16 which consists of payment to:

KBS, INC	$329,296.60
Froehling & Robertson, Inc.	4,477.00
Stroud, Pence & Associates, LTD	2,900.40
Sands Anderson Marks & Miller	1,995.64
Ballou, Justice & Upton and Associates	637.56
Work Environment Associates, Inc	650.00
Total	$339,957.20

Upon motion of Mr. Clay, 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 # 16 in the amount of $339,957.20 be approved and funds appropriated for CIP expenses for the School Construction Fund.

IN RE: INTRODUCTION OF ADMINISTRATIVE SECRETARY

Chairman Moody introduced and welcomed Pamla Mann as the new County Administrative Secretary.

IN RE: CITIZEN COMMENTS

The following persons addressed the Board:

1. Mr. Edward H. Titmus, came before the Board as a Planning Commission member and a citizen to comment on free standing porches, open vs enclosed (screened) on trailers in campgrounds. He requested that this issue be passed to the Planning Commission for further study. The Chairman asked for the Building Official and Planning Director to comment on this issue under their department head reports.

2. Mrs. Anne Scarborough offered comments on the following items: a) She extended a thank you to the person responsible for the wonderful chart in the back of the budget; b) requested information regarding carryover funds at the end of the budget year. Mrs. Wendy Weber Ralph, Assistant County Administrator, answered by stating that the money was returned to the General Fund; c) concern on the length of time it was taking citizens to obtain information requested at a previous Board meetings. This information referenced Ingram Book and Virginia Bio-Fuel invoices. A suggestion was made to the Board to allot a time period as to when the information will be received; d) what was the number of law suits against the County at the present time, what law firms are representing the County in these suits, if any, and is the County currently suing any individual, companies, etc; if so how many, and what law firms are involved; and e) would like a detailed explanation on airplane personal property tax rates and assessing procedures for the citizens.

Upon discussion by the Board it was decided by consensus that information requested should be received within twelve (12) working day of a request.

3. Mrs. Dorothy B. Roney again inquired as to the hiring practices of the County concerning the new positions created by the new Courthouse. She was advised that request would be forwarded to the Sheriff. She also questioned how mobile homes were assessed. This question will be forwarded to the Commissioner.

IN RE: DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald H. Reekes, Resident Engineer, came before the Board to present his report for the month. He began by giving congratulations and condolences--congratulations to Mr. Burgess on his career move and condolences to Dinwiddie County for their loss. He wished the Board luck in finding a successor. He reported the following projects in progress or soon to be in progress.

Route 613--will begin demolition of the building on Route 1 immediately.

Route 647-will be one of the next projects, if rain does not continue to hold them up.

Mr. Reekes stated to Mr. Clay that he owed him an apology. He confessed that he had spoken without research regarding the opening of Nash Road in December but hoped it would be open by April.

Route 692 and Route 717 are also on the schedule this spring.

Mr. Reekes reported that five million dollars had been awarded to overlay Route 460 from the Nottoway County line to Route 632, Olgers Road.

His final remark was to remind the Board of the allocation meeting to be held March 26, 1997, at 10:00 A.M. at John Tyler Community College. He stated he would like to push one issue, the Route 1 from I-85 to Route 703 corridor study.

Mr. Tickle questioned Mr. Reekes on why in other states people are working on weekends to complete major corridor work. In Virginia, on our corridor, we are not working weekends. He would like an answer from the Virginia Department of Transportation on why aren't our people working weekends on major arterial roads.

Mrs. Everett inquired as to the pot holes on Halifax Road and Old Stage Road. Mr. Reekes reported the project had been completed.

Mr. Bracey was concerned about the water on Route 1 in the Lake Jordan area. Mr. Reekes said he would review the situation.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, was not present. His report was included in the Board's information.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, III, Commonwealth Attorney, came before the Board and stated that he did not have anything to present but was available for any questions. He also extended a thank you to Mr. Burgess for his service to the County. We are losing a good man and good friend.

Mr. Tickle questioned the "no parking" signs issue. Is it correct that the County Sheriff's Department cannot issue tickets but State Police can? Mr. Rainey stated he had taken this to the Attorney General's Office for an opinion. He stated that the way the State Code is written it is State property and only State Police can ticket. We can ask to be a designated County which would allow the Sheriff's Department to issue tickets on State property. In order to be a designated County, we would have to apply to the General Assembly.

Mrs. Wendy Weber Ralph, Assistant County Administrator, was instructed to make note to apply for this status. Mr. Rainey agreed to discuss the specific areas of concern to the Board with the First Sergeant, State Police.

IN RE: SHERIFF -- REPORT

Mr. Samuel H. Shands, Sheriff, was not present.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, came before the Board and stated that he did not have anything further to report other than the report he submitted prior to the meeting. He requested questions prior to discussion of the campground issue.

There being no questions Mr. Abernathy stated that three (3) or four (4) years ago he had major problems in some campgrounds. Many of these problems fell under the grandfather clause. He expressed his understanding that Building Inspection regulates construction only, whereas Zoning/Planning would determine what can or can not be put in the campground and how to control it. He further stated that the Building Inspection office and Planning Department met with all campground owners two (2) to three (3) months ago and felt that an agreement was reached. Mr. Abernathy was pleased with the progress and felt what was a major problem is now minor. All permits for new construction must be applied for by the campground owner. This keeps the owner aware of what is being constructed. When enclosed rooms were permitted, people misused the enclosed rooms. This is the reason for the open type structures.

Mr. Clay requested information on occupancy permits for new construction. Mr. Abernathy assured him that every effort was made to see that all new construction in the County obtained the proper permits and all building permits and occupancy permits were passed to Mrs. Marston's office for taxing purposes.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, was not present. His report was included in the Board material.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. Guy Scheid, Director of Planning, was not present. Mr. March Altman came before the Board and stated Mr. Scheid was sick. He further stated that the Board had a copy of Mr. Scheid's and his monthly report and he was available for questions.

Mr. Tickle was concerned with the handling of the right of way ticketing in the case of Mr. Pulver. Mr. Altman stated that all agencies involved are watching the situation closely and that again it is a State right of way and only State Police can ticket.

Mr. Moody inquired as to the IPR program. Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that the new requirements are being studied at this time.

Mr. Altman asked the Board for support in entering the Regional Loan Consortium, which would be no cost to the County. This was tabled until a later date when Mr. Scheid was present and could answer questions.

Again the campground issue from the Planning/Zoning stand point was discussed. Mr. Altman stated in the fall they met with the campground owners and reached an agreement being: that a free standing structure with a roof, even extending over the porch which was not attached in any way to the trailer, would be allowed. Further any building permit for such structure must come from the campground owner. Mr. Tickle stated that the campground owners seem to think that this policy would no longer be acceptable by the County. If this policy is still effective then this is not an issue. Mr. Altman stated that no changes in this agreement have been made. Mr. Tickle interjected the fact that this is State Code and if it is not followed then we are in violation of this Code. Mr. Edward Titmus asked to be heard again, stating if it is a State violation, he understood. I do not think anybody has told them it's a State violation, they do not know. Mr. Tickle stated, yes they do. Mr. Titmus stated that

he had not been made aware that it was a State Code violation; this would probably not have gotten this far had he known. Mr. Tickle stated that his preference, as a Board member, is there was a happy agreement between members at one time, that being: to allow an A-frame, where the trailer never attaches to the A-frame dwelling and/or a sleigh type porch, which also is never attached. When the trailer never touches that dwelling or porch that is acceptable. My recommendation to the Board is to allow Planning/Zoning to address this issue, one more time, with the campground owners. If they do not accept this policy, we will just follow the State Code to the T. Mr. Moody suggested that the Planning Commission take a look at it.

Mr. Altman expressed an opinion on Mr. Reekes Route 1 to Route 703 corridor study. He has a student working on that project and the study should be complete in May.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director of Social Services, came before the Board with her report for the month. She outlined some of the changes in the Virginia and Federal Welfare Reform Act.

Mrs. McElveen stated that there had been $908.00 in donations and requested the Board to appropriate this for Social Services Emergency Funds.

Upon motion of Mr. Clay, Seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors that the $908.00 in donations be accepted and appropriated to the Department of Social Services Emergency Fund.

Mrs. McElveen thanked Mr. Burgess for his support during his years with Dinwiddie County.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mrs. Troillen Seward , Superintendent of Schools, came before the Board with her report for the month. She reported on the changes from the General Assembly.

Mr. Bracey remarked on the proposed increases in salary for teachers and administration; he questioned why drug testing was not required for teachers and administration. Mrs. Seward stated because of the expense. Mr. Bracey also commented on the policy for bidding for school purchases, stating they should use local firms when possible.

Mr. Tickle was concerned with the time and budget on the school construction. Mrs. Seward stated that they were approximately one week behind and she was within her budget; no contingency money had been touched.

Mr. Tickle further asked Mrs. Seward if Mr. Faison was performing his duties to her satisfaction. Mrs. Seward stated she had no complaints about Mr. Faison.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Tony Rinaldi, Recreation Director, presented his report for the month of February, 1997. He stated that he failed to include the spring soccer where he had a record attendance with 147 youngsters attending.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Waste Management, came before the Board and stated that he had no additions to his report. He announced that this week he would be working on cleaning up the Claiborne Road dump side and working in the plant trying to disassemble some of the equipment. He said he was available for questions.

Mr. Clay expressed concern about the tire disposal issue. Mr. King stated that Shoosmith Bros. were being very lenient with Dinwiddie County by taking the tires a few at a time.

Mr. Clay thanked Mr. King for the work sheet he had included in his report.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy EMS Coordinator, came before the Board and stated she did not have anything further to report. She did state that she would soon be out on leave and all duties had been assigned during her absence.

Mr. Clay remarked on the mutual aid calls received and asked if Dinwiddie County had responded to these calls. Mrs. Titmus stated Dinwiddie County was not asked to go; however, anytime we are asked, we do try to respond if a unit is available.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel M. Siegel, County Attorney, came before the Board and stated that he did not have anything to present at this time but was available for questions.

Mr. Moody asked if he would respond to the Ingram and Virginia Bio-Fuels issue. Mr. Siegel stated that because of legal strategies, he would prefer to discuss this in executive session. He further stated that the invoices labeled Ingram were incorrectly labeled. These invoices involved the work on real estate transactions and the Governor's Opportunity Funds for NWB, USA.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, came before the Board and presented his report for the month of February 1997. He stated that each Board Member had a copy of another item he was unable to put in the Board package. He asked if the Board had any questions.

Mr. Tickle expressed concern on the courthouse construction schedule which is currently eight (8) to nine (9) weeks behind. Mr. Faison stated the weather had played a role in this, however, he hoped it could be corrected and he would do everything possible to see that the project was completed with the time period allotted.

Mr. Faison submitted his recommendation for the corner stone/time capsule placement on the new courthouse.

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors that Mr. Faison is authorized to move forward with the placement, of the time capsule/corner stone on the right hand side of the new courthouse building.

IN RE: AIRPORT MANAGER -- REPORT

Mr. Gordon Winn, Airport Manager, came before the Board and presented his report for the month of February 1997. He reported his official leaving date to be April 15, 1997.

IN RE: DINWIDDIE VFD -- REQUEST TO PURCHASE FIRST RESPONDER UNIT

TRACT

Mr. Wayne Varga, representing the EMS Council, came before the board and made his presentation for the purchase of a first responder unit for the Dinwiddie Volunteer Fire Department. He advised the Board the county received $16,161.50 for the first responder vehicle. He presented information from the Virginia State Contract on the vehicle he recommended purchasing. He also presented comparative pricing on low band and high band radios, his recommendation being the low bid of $1,990.00, from

Motorola. He also stated that he was in the process of obtaining bids on the lights to be installed and offered an estimated cost of $1,000.00.

Upon motion of Mrs. Everett, Seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors that Mr. Wayne Varga is authorized to proceed with the purchase of the first responder unit using funds from the Virginia Department of Health Grant and Dinwiddie County Funds which will not exceed $16,161.50.

Mrs. Wendy Weber Ralph, Assistant County Administrator, thanked Mr. Varga for his information and purchasing procedure. She hopes all other units will follow this same procedure.

IN RE: PART-TIME COMMUNITY SERVICE WORK COORDINATOR

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye, Miss Marie Andrews was appointed as Dinwiddie County Community Services Coordinator, working approximately thirteen (13) hours per week at an hourly rate of $14.00

IN RE: APPOINTMENTS

A vacancy still exists on the Disabilities Services Board which needs to be filled. Mr. Clay will check with Social Services to see if there are any applicants.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Burgess presented to the Board a letter which was included in the Board packet. This letter is from Will Greene, Executive Director of Pamplin Park Civil War Site. As you are probably aware, the Virginia Department of Transportation has a Revenue Sharing Program that allows for localities to enter into agreements with VDOT for certain projects, transportation related, on the basis of a 50-50 match from the Virginia Department of Transportation. Pamplin Park is interested in having a pedestrian crossing, underground crossing, under Duncan Road. They would like to run this project through the Revenue Sharing Program. All monies and any expenses would be borne by Pamplin Park and there would be no expense to the County. Basically though the County, the locality has to be the one requesting participation under this program. If you are so inclined to do, this we would need some affirmative action from this Board. If in the future you have some project you would like to embrace, in a like manner, there is limited amount of funds that are set aside each year; project in total funding cannot exceed $500,000, but it is allotted on a pro-rata basis. There is no guarantee that you would have $500,000. available to you but Pamplin Park is approaching you today and asking you if you would let them flow this project through your organization.

Mrs. Everett: I would like to make a motion in support of this request that we support the funding of this project through the VDOT Revenue Sharing Program with no cost to the County. Mr. Moody: Do I have a second? Mr. Bracey: I give you a second and a question. Mr. Moody: I have a second. Any discussion? Mr. Bracey: Yes. Now you told me no, it is not going to cost the County anything. This does not minus us on anything that normally what we would do or if there is some funds used that they will be reimbursed fully by the State or by VDOT. Mr. Burgess: This is a separate program under VDOT; it does not subtract any monies from unpaved roads. Say if for example you wanted to pave some additional unpaved roads you could go under this program if you were so inclined on a 50-50 basis with Virginia Department of Transportation, if you wanted to do more roads then what money had been provided. But it's a year to year allocation and this commitment would in no way hurt you for any future projects. Mr. Moody: This money that Pamplin Park reimbursed would it go back into the General Fund? Mr. Burgess: It would go back to the State. What Pamplin Park would do is write you a check, you in turn will write Virginia Department of Transportation a check which equals 50% of the cost of the project. The work would actually be done under VDOT guidelines and actually under their direction because it would actually be included in the already scheduled Duncan Road project. Because of the timing there

are some cost savings on this project just by virtue there is already going to be some work being performed on Duncan Road. So the timing is very good and it eliminates a potentially hazardous dangerous situation of pedestrians crossing Duncan Road that will now - there will be fencing provided so someone would have to crawl over a fence before they would be able to cross Duncan Road going from one Pamplin Park event to another. Mr. Bracey: Then what is going to happen at night when they close? My only thing Mr. Chairman is that I would like for this agreement or whatever it is to become a part of these minutes so that a year down the road or two years down the road won't nobody sit on this Board and tell me that Ed so-n-so-n-so. I'm looking for just what was said here today. I would like for it to become a part of these minutes, as of this day. Mr. Moody: I have a motion and a second. May I have a roll call.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT REVOLVED that the Board of Supervisors supports the request for the funding of the Pamplin Park Civil War Site project on Duncan Road through the Virginia Department of Transportation, with no cost to the County.

Mrs. Wendy Weber Ralph, Assistant County Administrator, extended an invitation to the Board members to attend the audit committee reviews on Tuesday, March 25, 1997, at 9:00 A.M.

Mr. Burgess reminded the Board of the State Compensation Board hearing for the 1997-98 Budget Year to be held April 9, 1997, at 10:00 A.M. The Board instructed the Administration to attend.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - EMS; 2.1-344 (a) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose; 2.1-344 (a) 6 - 2.1-344 (a) 6 the investing of public funds; and 2.1-344 (a) 7 consultation with legal counsel - VBF litigation and the Airport. The meeting moved into Executive Session at 5:25 P.M. A vote having been made and approved the meeting reconvened into Open Session at 6:35 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby, certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: AUTHORIZATION TO HIRE ADVANCED EMT

Upon motion by Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", authorization

was given to hire Jeff Serrett as an Advanced EMT, beginning salary of Grade 10A, $21,375, effective April 1, 1997.

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 6:40 P.M. to be continued until 5:00 P.M., Wednesday, March 26, 1997 for an Executive Session at the Home Place Restaurant.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST:
Charles E. Burgess, Jr.
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT THE HOME PLACE RESTAURANT IN DINWIDDIE COUNTY, VIRGINIA, ON THE 26TH DAY OF MARCH, 1997, AT 5:00 P.M.

PRESENT:	HARRISON A. MOODY, CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY,	ELECTION DISTRICT #5
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Tickle, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344 (a) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose; Section 2.1-344 (a) 6 - The investing of public funds. The meeting moved into Executive Session at 5:12 P.M. The Board recessed at 7:15 P.M. to the Pamplin Administration Building. A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Clay, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by law were discussed in the executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Tickle, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye" the agenda was amended to add the following:

To reconvene the Executive Session pursuant to the Virginia Freedom of Information Act, Section 2.1 - 344 (a) 1 Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; 2.1 - 344 (a) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose.

IN RE: WELCOME TO THE HEARING

Mr. Moody welcomed everyone to the public hearings on the 1997 proposed tax rates and the 1997/98 proposed budget for the County and School Board. The Board is here to receive public comments and questions only. There will be no action taken by the Board tonight. Adoption of the proposed tax rates and budget is scheduled for our next regular meeting, which will be April 2, at 7:30 P.M. We will begin each public hearing with a brief overview. When you come to the podium for public

comment, please state your name and address for the record and try to limit your comments to three (3) minutes in order that everyone may be heard. Your comments are important to us and we plan to stay until everyone is heard. Our constitutional offices, department heads and agency representatives are here tonight so we will try to answer your questions during the course of the public hearing. However, if you have a lot of questions or questions that will need additional research please make sure our clerk has a list of your questions and we will respond to you in writing.

IN RE: PUBLIC HEARING -- 1997 TAX RATES

This being the time and place as advertised in the Dinwiddie Monitor on March 19, 1997 for the Board of Supervisors to conduct a public hearing on the FY 97/98 proposed County budget, School budget and 1997 tax rates.

Mrs. Wendy Weber Ralph, Assistant County Administrator, gave the following overview of the proposed tax rates for 1997:

Real Estate	.74
Mobile Homes	.74
Mineral Lands	.74
Public Services	.74
Personal Property	4.90
Personal Property - Volunteer Vehicles	.25
Machinery & Tools	3.30
Heavy Construction Machinery	3.30
Airplanes	2.50

Mrs. Ralph stated that Airplanes is the only part of the advertised tax rates that is proposed to change. At present the rate is $.30. There have been several questions concerning the method of assessment of airplanes in the County. We have asked the Commissioner of the Revenue, Mrs. Marston, to be present tonight. She will briefly review the assessment method on airplanes and present an option, that the Board might want to consider, to change that method of assessing. She continued by reminding citizens that in 1995 when the capital projects were approved, Mr. Haraway predicted there would be a tax rate increase. We are doing this through the General Reassessment, your tax rate is not proposing to be lowered but of course your assessment has increased. The time to pay the debt service is here, in this proposed budget. Mrs. Ralph further stated that there has also been questions concerning the assessment of mobile homes in the County. At the last Board meeting somebody raised that issue. It is a question on a lot of people's minds; we have asked Mrs. Marston to take some time tonight and explain that procedure to you. I am sure she will be glad to answer any questions that you might pose to her. Following her presentation we will open the public hearing.

Mrs. Deborah M. Marston, Commissioner of the Revenue, came before the Board to address the assessment method of airplanes and mobile homes. She stated that currently we are assessing airplanes at twenty percent (20%) of the original cost of the plane. Original cost being described as the purchase price by the current owner. She further stated that you must provide a bill of sale showing this price. This figure remains constant until the plane is either sold or moved out of Dinwiddie County. Mrs. Marston suggested the following change in the assessing method for airplanes after researching, from the Weldon Cooper Center for Public Service, the localities all over the State of Virginia and their processes and rates. I propose to use the Aircraft Bluebook Price Digest. I would use one hundred percent (100%) of the marketable value. The marketable value definition, as stated in the Aircraft Bluebook Price Digest is "Marketable is the high wholesale and loan value. This number normally is used for a clean, market-ready, aircraft or a merited loan." By going to the market value guide, we would be using the fairest way to assess all airplanes, uniformly and by the State Code of Virginia 58.1-3503. This Section of the Code states in part that airplanes are to be assessed at a fair market value or a percentage or percentages thereof. Mrs. Marston then addressed the second question concerning assessment of mobile homes or manufactured homes in the County. Manufactured homes as defined in the Code of Virginia title 36-85.3 may be valued on a basis of square footage

of living space and at the same time the mobile homes or manufactured homes for the purposes of the subdivision A-8 which is under the title 58.1-3506 says for the purposes of subdivision A-8 equal that applicable to real property. So the State Code of Virginia states out that manufactured homes are to enjoy the real estate tax rates and it is also to enjoy the assessment of the square footage of the living area of that manufactured home. In the latest General Reassessment that took affect January 1, 1997, Wingate Appraisals assessed and measured every mobile home in Dinwiddie County. Mobile/Manufactured homes are assessed on square footage and the condition. This assessment will hold until the next General Reassessment. Any additions to the mobile/manufactured home will be measured and taxed at an addition rate, just as we would on a stick built house.

This being a public hearing, the Chairman opened the floor for public comment:

1. Mr. Edward B. Titmus, came before the Board and expressed concern over the tax rates and proposed lowering the rate in line with the amount of the increase in the budget. He did request that the Board take into consideration that, with this proposed budget, they were increasing the tax much much more than they are increasing your budget over last years budget.

2. Mrs. Anne Scarborough, addressed the Board regarding the airplane tax. She stated that Mrs. Marston had answered her questions on the assessing process. She asked the Board not to assess her on 100% of the cars and let someone who owns an airplane be taxed on 20% of the assessed value. Please tax them like you do the cars, $4.90 - 100%.

Mrs. Wendy Weber, Ralph, Assistant County Administrator, stated she would really like to clarify the legal advertisement, the way it is structured comes straight from the State Code. The 9% is the increase in our revenue for all funds, not our increase in the overall expenditure budget. The general fund expenditures increased by 16%.

Mr. Moody, suggested to Mrs. Ralph, that the scenario that was discussed earlier, if available, should be presented at this time. Mrs. Ralph stated this was available and she was ready to present. She presented a chart of the Estimated Incremental Tax Effect as follows:

YEAR	NEW ADJUSTED DEBT SERVICE	INCREMENTAL TAX EFFECT
1998	$2,691,157.	$0.10
1999	3,355,322.	0.08
2000	3,831,727.	0.05

She explained that the Board had been battling and working with this - it only deals with the debt service, now that the debt service is due and what it would mean as far as tax increases. Please take into consideration that this chart does not include the general reassessment. When a debt service payment comes due next year, the first real blunt of it, the $.10 incremental tax increase will take effect. If you were to look at this, because it does not include the general reassessment, then say we went back to $.57, then you would be looking at this as just to meet next years debt service alone. This would not include any of the rest of the budget. You would be looking at at least $.10 plus $.57 which would be $.67. If the Board were to go out and lower the tax rate down to the $.57 to meet our debt service we would have to raise that rate by $.10 just to be able to meet that debt service. This is only debt service alone; it does not take into account any increase in the rest of the budget. In the next year you would be looking at an additional $.08 because there will be an additional bond. So your $.67 would then become $.75. The next year would be an additional $.05 so you would be looking at $.80. What the Board has done by leaving the tax rate where it is -- with the General Reassessment we are able to do that, because you all know the values have changed -- we are able to take care of this $.10 increase and meet the other demands of the budget. This gives us a balanced budget

for this year and they have met earlier with financial advisors and are working on various scenarios to hopefully decrease and maybe eliminate this future increase. What we wanted to show you was the worst case scenario.

Mr. Moody stated that this is just one scenario the Board has looked at but we will probably be finalizing their strategy in May and deciding on a scenario that we feel like would best meet the needs of the County and minimize the incremental tax increases, so there will not be a need for a large increase in the future.

Mr. Moody closed this public hearing on the tax rates and opened the public hearing on the proposed budget.

Mr. Charles W. Burgess, County Administrator, gave the following overview of the budget:

FISCAL YEAR 1997-98 BUDGET OVERVIEW

Some of the highlights of the proposed budget are as follows:

GENERAL FUND

- the Local Fund Revenues increased by 16.3%

- the State Revenues increased by 1%

- the Federal Revenues - no increase

SUMMARY POINTS - EXPENDITURES

- the contemplated expenditures, as advertised, are $16,505,622.

- operational increase of approximately 15%, excluding personnel

- 3% increase for agencies, fire departments, and rescue squads

- no change in employee benefits

- 4% COLA for County hourly employees in July

- 4% salary increase in December for State employees

- 2% COLA and 2% merit increase in July for County employees

BOARD OF SUPERVISORS

- funding for Education, Conferences

- increase in VACO dues

- addition of Virginia Institute of Government

COMMISSIONER OF THE REVENUE

- computer contract - NADA values, CAMRA maintenance, supplies

- professional services - new construction

- temporary help - mapping

- copies, lease of new copier

- other operation supplies - aerial photos

- capital outlay - replacement chairs (5); calculators (2); bookcase and privacy station

TREASURER

- funding for a new PC and replacement calculator

DATA PROCESSING

- funding for a new PC for County Administrator

JUDGE

- increased funding for Judge's office in Nottoway

SHERIFF

- capital items include:

    - com-foto-fit ID kit
    - computer scanner
    - dust lifter
    - ten (10) new cars
    - three (3) courtroom deputies
    - two (2) dispatchers

FIRE DEPARTMENTS & RESCUE SQUAD

- contribution includes 3% increase for fire and rescue departments

- $30,000 was again provided for capital items outside the abilities of the individual fire departments and $10,000 included for routine maintenance

- 3% increase for first responder programs

DINWIDDIE EMS

- increases provided in janitorial, linen supplies, repairs & maintenance, vehicle maintenance and uniforms

- capital items include a new PC and funds for had held radio equipment

JAIL

- funds are included for razorwire

- $40,000 was transferred to the CIP program for a new generator for the jail

ANIMAL CONTROL

- includes a new truck for Deputy

WASTE MANAGEMENT

- increase in vehicle maintenance

- includes new dump truck for cleanup crew

- manned site at Rohoic

- thirty (30) dumpsters

- regrade for four (4) positions from part-time to full-time

BUILDING AND GROUNDS

- cleaning contract for new courthouse

- increased HVAC for new courthouse

- re-instate and regrade full-time position

WATER SERVICE

- increase due to increased usage

RECREATION

- funds for seasonal help

PLANNING

- funds provided for new PC for Secretary

- funds provided for Code Enforcement/Technician

- funds provided for student intern

ECONOMIC DEVELOPMENT

- funds are again provided for Dinwiddie's share of Lee's Retreat and Ft. Pickett Reuse - no increase

- funds are provided for development of marketing materials, including investigating internet capabilities - no increase

OTHER PLANNING

- increase to Industrial Development Authority due to legal expenses

EXTENSION

- increase due to rented space, janitorial service and copier maintenance

TRANSFERS

- transfers to Schools was reduced by $75,000 (requested amount $5,776,602. recommended funding amount $5,701,602.)

- Social Services and CSA are included as requested

- self insurance has been increased due to commercial policies

- Debt service includes beginning of debt service payments for ongoing County ($478,700) and School ($949,972) projects. Transfer from General Fund for School Debt Service has been reduced by substitution of $440,000 from Meals Tax.

UNDESIGNATED RESERVE

- Funds from the undesignated reserve in the amount of $2 million are proposed to be added to the Debt Service fund for Capital Reserve earnings.

Mr. Moody opened this public hearing:

1. Mr. Chuck Koutnik, Director of the Appomattox Regional Library, came before the Board asking them to consider full funding of the budget amount requested.

2. Ms. Joanne Ortiz, President of the Dinwiddie Friends for the Library, addressed the Board to thank them for all their hard work throughout the year and especially for their past support of the Library. I would like to thank the Board for their continued support by voting the 3% increase in funding from last year's request. She asked the Board to reconsider the request for 10% increase in funding.

3. Ms. Cornelia Roberts, expressed her concerns and support of the Library. She thanked the Board for giving her the opportunity to address them. She asked the Board to give due consideration to an opportunity for improving the quality of the life of our citizens through

the Library, all citizens from students - to the preschoolers - to the senior citizens who come for their enjoyment, by providing the additional funding requested.

4. Mrs. Anne Scarborough spoke to the Board regarding the Meal's Tax funds, which were earmarked for the School system, subject to the Board's approval. She proposed to the Board that they amend their motion and taking a small percentage of the Meal's Tax and designating it to special projects. Special projects could include the Library, the Historical Society, a building for the EMS, and/or the Fire Departments. She requested additional funds for the Library to help them with the move this year. She also spoke on the Historical Society and the wonderful service they are providing for the County. She questioned the spending in Economic Development - where did the County find the additional funding? She also voiced her opinion on the heating/cooling system in the Pamplin Building. She questioned the impact on Dinwiddie County of the opening of the Regional Jail. She again thanked Mrs. Townsend for the last sheet in the budget.

Mr. Moody again stated that the tax rates will be set and voting on the budget will be done next Wednesday. He thanked everyone for coming to this public hearing.

Mr. Moody declared the public hearing closed.

IN RE: EXECUTIVE SESSION

Upon motion by Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Clay, Mr. Bracey, Mr. Moody, voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; 2.1-344 (a) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose. The meeting moved into Executive Session at 8:52 P.M. A vote having been made and approved the meeting reconvened into Open Session at 9:31 P.M.

IN RE: CERTIFICATION

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by law were discussed in the executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: AUTHORIZATION TO CONTRACT WITH DON LACY OF VIRGINIA TECH

Upon motion by Mr. Tickle, seconded by Mr. Bracey, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", Mr. Clay voting "nay" authorization was given to contract through the Virginia Extension Service with Mr. Don Lacy of Virginia Tech to perform a pay/wage classification review, rewrite job descriptions, update our personnel plan, and provide us with a new performance evaluation system for the sum of $4200.

IN RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, voting "aye", Mr. Clay "abstaining" the meeting adjourned at 9:35 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: _____
Charles W. Burgess, Jr.
County Administrator

/pam

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 2ND DAY OF APRIL, 1997, AT 7:30 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	BEN EMERSON	COUNTY ATTORNEY

IN RE: MINUTES

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 the minutes for the March 19, 1997 Regular Meeting, are hereby approved in their entirety. The minutes from the March 26, 1997 continuation meeting will be held until the next meeting.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay, 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 #1005284 - #1005497 (void checks 1005283, 1005379 and 1005494); for Accounts Payable in the amount of $155,517.22; General Fund $151,985.51, Jail Commission Fund $135.86, E911 Fund $1,968.90, Grant Fund $1,426.95, Payroll in the amount of $276,308.48 and CDGB Grant Fund $597.74.

IN RE: APPROVAL OF REQUISITION #20 -- COURTHOUSE CONSTRUCTION

Mr. Moody stated we have Requisition #20 for the Courthouse which consists of a single payment to:

Gulf Seaboard General Contractors, Inc.	$420,933.60

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 Requisition #20 in the amount of $420,933.60 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #17 -- SCHOOL CONSTRUCTION

Mr. Moody stated that Requisition #17 consists of payments to:

KBS, INC.	$608,879.70
Froehling & Robertson, Inc.	2,001.00
Stroud, Pence & Associates, LTD	2,900.40
Total	$613,781.10

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 #17 in the amount of $613,781.10 be approved and funds appropriated for CIP expenses for the School Construction Fund.

IN RE: CITIZEN COMMENTS

The following persons addressed the Board:

1. Mr. George Hobbs came before the Board to request information regarding the time limit on coming back to the Board to change the name on his road back to Halifax Road.

Mr. Moody directed Mr. Scheid to research this question and report his finding to Mr. Hobbs.

2. Paul Coleman came before the Board to update them on the progress of the National Event at Virginia Motorsports Park. Ticket sales are up from last year. Arrangements have been completed with the Dinwiddie Sheriff's Department, Virginia State Police, Virginia Department of Transportation, Dinwiddie Sports Club, Dinwiddie County High School and the public school system. All arrangements are ahead of last year and he thinks we can look forward to a prosperous event, good event, and an event that will speak well for the County. This year the events will be televised Friday night for two (2) hours, Saturday for one (1) hour live, and Pay for View eight and one-half (8 1/2) hours.

IN RE: ADOPTION OF 1997-98 BUDGET AND 1997 TAX RATES

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that the tax rates are proposed as advertised unless the Board chooses to change because of the method of airplane assessment. She presented the following comments regarding budget changes that might occur:

1. Budget amendments will be presented to the Board at a later date to reflect the changes approved by the Compensation Board. The additional revenue is not shown in this budget, but will not have a large impact. Also, the School Board will be presenting their revised budget, which should not affect the General Fund transfer.

2. Also, Mrs. Ralph advised the citizens that $1 million of the undesignated fund balance is being considered by the Board for Capital Projects. A recommendation from the Planning Commission should be finalized in the near future.

3. Information on the airplane assessment is enclosed in the Board packets from the Commissioner of the Revenue along with a copy of the letter Administration wrote her requesting additional information.

Mr. Bracey asked Mrs. Ralph where was Mrs. Marston's response to the letter from her? Mrs. Ralph stated that she did not have a response, unless something was received today. Mrs. Ralph stated she had not received a letter. Mr. Bracey stated then you have not received a response from the Commissioner of the Revenue. Mrs. Ralph stated not in writing. Mr. Burgess commented by reading the last sentence of Mrs. Ralph's memorandum, "In the absence of anything in writing, our recommendation will be for the Board to proceed as stated above." This is $.50 tax rate on aircraft based on 100% of the value according to Aircraft Bluebook values. Mr. Bracey stated he did not like to do business this way. This method is what Mrs. Ralph is saying, not what the Commissioner of the Revenue is saying. I would like to know her plan. I think we all agree on the $.50, I think we also agree on the 100% assessment. Is she going to use this, or come up next week, or six months from now and say I didn't understand. Mrs. Ralph assured Mr. Bracey that, when she wrote the letter and put it in Mrs. Marston's hand, the conversation was that she agreed to what is in that letter. Mrs. Ralph further stated that she did ask for Mrs. Marston to verify it in writing for the Board, before the meeting, and all she can tell the Board is that we do not have a response yet. But our conversation was the recommendation; she would be using the bluebook, and it would be 100% valuation if the Board made the rate $.50. Mr. Bracey questioned how do you adopt a budget - Mr. Emerson can this be done? Mr. Burgess stated that the memorandum was consistent with the statements the Commissioner made at the public hearing and we were trying to verify those in writing. For certain reasons I requested Mrs. Ralph to put that last sentence in and in the absence of a response we would take that as an affirmative. Mr. Bracey questioned Mr. Emerson, if that was

alright. Mr. Emerson, County Attorney, stated that he felt that was alright; however, the Board can amend the budget later if they find the Commissioner is doing something different. Mr. Tickle expressed himself by stating that the Board of Supervisors sets the rate and we also set the design of how it is to be carried forth, so no matter what Mrs. Marston decides to do we set the rate and it is her job to follow through. If we have indicated that this method is what we want then the Commissioner has to follow that, is this not true? Mr. Burgess intervened, by stating, the Commissioner determines the valuation process. Mr. Bracey confirmed by agreeing with Mr. Burgess; she determines the valuation. Mrs. Ralph stated the Board determines the rate. Mr. Tickle stated we have minutes from the last meeting, in which, I think Mrs. Marston publicly acknowledged exactly what is in our bids here, so I cannot see it's any problem. Mr. Bracey - if it is not a problem, fine. Mr. Chairman in that particular case can this become a part of the minutes. This statement that Mrs. Ralph sent to the Commissioner of the Revenue. Mr. Moody responded if the Board so desired. Mrs. Ralph stated if the Board so chooses to make it a part. Mr. Bracey stated in it's entirety. The only other comment Mrs. Ralph had was that we had received a letter from John Tyler Community College requesting full funding.

TO: Mrs. Deborah M. Marston
Commissioner of Revenue

FROM: Wendy Weber Ralph
Ass't County Administrator

DATE: March 27, 1997

SUBJECT: Airplane Assessments

This is to follow up on your presentation Wednesday evening on the methodology of airplane assessments in the County and how that relates to the tax rate to be set by the Board of Supervisors.

It is the Board's understanding that you will be changing the methodology of assessing airplanes in the County to 100% based on the value according to the Aircraft Bluebook Digest. This would allow the Board to set the tax rate at 50 cents. Please confirm this in writing to me so I may provide the Board with a copy before their meeting on April 2, 1997. In absence of anything in writing, our recommendation will be for the Board to proceed as stated above.

Mr. Edward A. Bracey, Jr., read the following conflict of interest statement:

I, Edward A. Bracey, Jr., "In accordance with Section 2.1-639-14, paragraph (g) of the Code of Virginia, wish to disclose that my wife (Bernice Bracey) is employed by the Dinwiddie County School system. Employment of my wife occurred several years prior to my election to the Board of Supervisors and the results of any decision by this Board will affect my wife to no greater or less extent than other teachers with similar credentials and experiences. Therefore, I feel that I am able to participate in the actions of the Board concerning the 1997-98 budget effectively, fairly and in the public interest.

Upon motion of Mrs. Everett, 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 the airplane tax rate be changed to $.50 per hundred based on 100% of the Aircraft Bluebook Digest value.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 1997 tax rates are adopted:

TAX RATES FOR 1997

Real Estate	.74
Mobile Homes	.74
Mineral Lands	.74
Public Services	.74
Personal Property	4.90
Personal Property - Volunteer Vehicles	.25
Machinery & Tools	3.30
Heavy Construction Machinery	3.30

Mr. Moody stated we would now move to the 1997-98 budget and asked for discussion from the Board.

Mrs. Everett stated that she would like to see the $10,000. reinstated for the Appomattox Regional Library request and also the $426.00 for John Tyler Community College. These are both regional enterprises that we are involved in. With regards to the community college, we do have 237 Dinwiddie students at John Tyler and their request is based on a formula that involves the localities that are served. While it isn't a great amount of money there is a principle involved here and the $426.00 would bring that request to it's total of $1733., and I would like to see that $426.00 added to the budget for John Tyler Community College. I turn that into a motion.

Mr. Moody stated we have a motion, for both of those at the same time? Mrs. Everett stated that she would like to make them separate. Mr. Moody said that they would do John Tyler Community College first.

Upon motion of Mrs Everett, seconded by Mr. Bracey, Mr. Clay, Mr. Tickle voting "nay", Mrs. Everett, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the $426.00 be returned to John Tyler Community College allocation bringing the total up to $1733.00.

Upon motion of Mrs. Everett, there being no second given, Mrs. Everett voting "aye", Mr. Clay, Mr. Tickle, Mr. Bracey, voting "nay", Mr. Moody "abstaining",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the motion to reinstate the $10,000.00 to the Appomattox Regional Library budget is denied.

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody, voting "aye", Mrs. Everett voting "aye with protest",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following 1997-98 budget is adopted:

INCOME ESTIMATES	Current Fiscal Year	Fiscal Year Commencing July 1, 1996
GENERAL FUND:		
Revenue from Local Sources:		
General Property Taxes	$ 9,273,000	$11,293,100
Other Local Taxes	2,206,000	2,231,000
Permits, Privilege & Regulatory Licenses	161,100	158,900
Fines and Forfeitures	140,000	147,000
Revenue from Use of Money & Property	387,000	417,000
Charges for Services	337,550	307,120
Miscellaneous Revenue	156,350	176,350
TOTAL	12,661,000	14,730,470

Revenue from the Commonwealth	2,056,500	2,061,386
Revenue from the Federal Government	-0-	-0-
Non-Revenue Receipts	-0-	-0-
TOTAL GENERAL FUND	$14,717,500	16,791,856
LAW LIBRARY FUND	3,500	5,000
SCHOOL TEXTBOOK FUND	192,063	210,487
SCHOOL CAFETERIA FUND	978,500	958,500
SCHOOL FUND:		
Revenue from Local Sources	63,400	96,400
Revenue from the Commonwealth	13,224,417	13,844,882
Revenue from the Federal Government	837,104	660,332
Transfers from Other Funds	5,320,836	5,700,102
TOTAL SCHOOL FUND	19,445,757	20,301,716
VA PUBLIC ASSISTANCE FUND	1,697,051	1,849,389
E911 FUND	60,000	62,000
SELF-INSURANCE FUND	275,000	320,000
GENERAL CAPITAL PROJECTS FUND	-0-	-0-
OYCS FUND	57,730	52,807
CDBG CAPITAL PROJECTS FUND	-0-	35,108
FIRE PROGRAMS FUND	32,000	37,000
FORFEITED ASSET SHARING	4,000	7,600
MEALS TAX	300,000	300,000
SCHOOL CAPITAL PROJECTS	-0-	-0-
CSA FUND	563,726	596,500
JAIL COMMISSION FUND	16,500	11,000
COURTHOUSE MAINTENANCE FUND	20,000	20,000
COUNTY DEBT SERVICE	1,472,646	1,673,306
SVRTC FUND	-0-	135,000
HEAD START FUND	-0-	123,819
COUNTY CONSTRUCTION FUND	145,700	4,000,000
SCHOOL CONSTRUCTION FUND	10,000,000	6,725,552
SCHOOL DEBT SERVICE	1,208,847	2,001,319
GRAND TOTAL -- ALL FUNDS	$51,190,520	56,217,959
LESS INTERFUND TRANSFERS	8,689,650	9,899,532
TOTAL INCOME	$42,500,870	46,318,427
FUND BALANCES, JULY 1	15,882,532	21,741,247
CASH RESOURCES	$58,383,402	68,059,674

CONTEMPLATED EXPENDITURES

GENERAL FUND:		
Board of Supervisors	$ 52,334	$ 54,134
County Administrator	198,706	206,358
County Attorney	40,350	40,350
Independent Auditor	22,750	22,000
Commissioner of the Revenue	188,621	224,746
Business License	17,698	19,255
General Reassessment	70,000	-0-
Land Use	16,728	17,953
Treasurer	222,841	232,981
Data Processing	52,575	54,961
Electoral Board and Officials	72,316	75,671
Circuit Court	14,050	15,050
County Court	5,060	5,080
Special Magistrates	200	500
Clerk of the Circuit Court	54,915	57,653
Commonwealth's Attorney	106,206	110,607
Sheriff-Law Enforcement	1,875,723	2,163,375

Fire & Rescue Service	-0-	-0-
Volunteer Fire Departments	154,000	147,000
Ambulance & Rescue Service	40,300	42,087
Forestry Service	11,720	11,720
Dinwiddie EMS	273,735	286,589
Sheriff-Correction & Detention	312,608	308,108
Probation Office	4,300	3,150
Other Correction & Detention	65,127	67,074
Building Inspection	164,772	169,387
Construction Inspector	46,784	49,383
Animal Control	105,177	104,160
Medical Examiner	500	500
Road Administration	250	-0-
Street Lights	42,000	42,000
Refuse Disposal	1,039,932	1,186,110
Public Nuisance	5,000	5,000
Public Utilities	101,500	103,100
Maintenance of Buildings & Grounds	240,884	267,729
Water Service	144,000	160,000
Health	160,000	160,011
Mental Health	40,998	41,612
Welfare Administration	-0-	-0-
Other Social Services	19,534	19,916
Community College	1,268	1,733
Recreation	139,175	149,850
Lake Chesdin	1,500	1,500
Regional Library	142,403	146,676
Planning	113,797	166,102
Economic Development	30,619	18,515
Other Planning & Community Development	79,464	77,404
Regional Planning Commission	12,540	12,540
Soil and Water Conservation	7,500	7,500
Advancement of Agric & Home Economics	36,720	53,061
Internal Services	54,850	12,850
Subtotal	6,604,030	7,123,041
Transfers to Other Funds	7,950,941	9,383,007
TOTAL - GENERAL FUND	$14,554,971	16,506,048
HEAD START	-0-	123,819
SVRTC FUND	-0-	135,000
LAW LIBRARY FUND	3,500	5,000
SCHOOL TEXTBOOK FUND	242,063	251,585
SCHOOL FUND	19,445,757	20,301,716
SCHOOL CAFETERIA FUND	966,905	985,610
VA PUBLIC ASSISTANCE FUND	$1,697,051	1,849,389
E911 FUND	38,731	45,960
SELF INSURANCE FUND	275,000	347,711
OYCS FUND	62,730	52,807
GENERAL CAPITAL PROJECTS	-0-	-0-
SCHOOL CAPITAL PROJECTS	-0-	-0-
CDBG FUND	60,000	38,308
FIRE PROGRAMS FUND	32,000	37,000
FORFEITED ASSET SHARING	4,000	7,600
MEALS TAX FUND	159,000	440,000
CSA FUND	563,726	596,500
JAIL PHONE COMMISSION FUND	30,000	-0-
COURTHOUSE MAINTENANCE	-0-	-0-
DEBT SERVICE	1,215,247	1,323,306
COUNTY CONSTRUCTION FUND	5,686,003	4,000,000
SCHOOL DEBT SERVICE	1,208,847	2,001,319
SCHOOL CONSTRUCTION FUND	9,352,427	13,447,002
GRAND TOTALS - ALL FUNDS	$55,597,958	$62,495,680
LESS INTERFUND TRANSFERS	8,689,650	9,899,532
TOTAL EXPENDITURES	$46,908,308	52,596,148
FUND BALANCES - JUNE 30	11,475,094	15,463,526
TOTAL REQUIREMENTS	$58,383,402	$68,059,674

IN RE: C-97-2 -- ROBERT RAGSDALE -- PUBLIC HEARING

This being the time and place advertised as in the Dinwiddie Monitor on March 19, 1997 and March 26, 1997 for the Board of Supervisors to conduct a public hearing for the purpose of considering a request for a conditional use permit submitted by Robert Ragsdale to provide storage for explosives on property totaling 126 acres located in Ford, Virginia, south of Route 460 on Baltimore Road.

Mr. W. C. Scheid, Director of Planning, came before the Board and stated that the total acreage is 126 acres, consisting of two (2) parcels of land designated by Tax Map Number 41, parcels 45 and 46. The property is zoned General Agricultural (A-2). The location and description of the property is as follows:

The property is located in Ford, south of Route 460 on Baltimore Road. The property starts approximately 1/3 mile east of Baltimore Road. The Topography varies from flat to rolling terrain. There are some wet lands as well as pasture and timber lands.

The applicant's request is: The applicant wishes to provide storage for explosives. Such a use is permissible in an Agricultural, General, A-2 zoning classification with a conditional use permit. It is proposed that there will be two (2) portable buildings measuring 264" x 84" x 84". There will also be two (2) storage bins measuring 44' in height and 10' square.

The Planning Commission reviewed a similar case in 1993 (C-93-5). It was recommended by staff at that time that the request be granted with eight (8) conditions. The Commission on a unanimous vote, recommended approval to the Board with conditions attached. The Board voted unanimously to accept the Planning Commission's recommendation. There have been no violations or problems with the facility built in 1994. The site under consideration is located within approximately 1/2 mile (straight line) of the previously approved site. It is remote and should not present a threat to any adjacent land owner.

What I would like to now do is to just go back to the cover sheet in which it was stated that the Board would hear this request on April 2nd meeting, which is this evening. The Planning Commission heard the case on March 12th, 1997 and recommend approval with conditions by a 4-1 vote. It was stated that upon the motion of Mr. Titmus, seconded by Mr. Perkinson, Mr. McCray, Mr. Perkinson, Mr. Titmus, Mr. Lee, voting "aye", Mr. Moody voting "nay", BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, the Planning Commission recommends that C-97-2 be forwarded to the Board of Supervisors for approval with the following conditions: 1. All BATF guidelines be adhered to, specifically in respect to Table 55.128 (table of distance for storage for explosive materials.) 2. A site plan will be submitted showing distances from all structures on the site to inhabited buildings, public highways, and the separation of magazines. 3. An annual inspection will be required from the Planning Department or its representatives for each magazine on site. 4. All regulations contained in F2600 of the Virginia Statewide Fire Prevention Code must be adhered to. 5. The facility will be located as shown on the location maps submitted with the conditional use permit application. 6. The facility will be open whenever necessary for inspection by the Planning Department or its representative. 7. The perimeter of the actual storage site will be secured with an eight (8) foot high fence topped with three (3) strands of barbed wire. The gate to the facility will be locked when security personnel are not on-site. 8. No vegetation will be disturbed for at least three hundred (300) feet around the fence protecting the magazines and storage bins, with the exception of the area needed to be cleared for the access road. 9. A road gate will be erected within two hundred (200) feet of the access road (Baltimore Road) and will be locked during hours when personnel are not located on premises.

Mr. Scheid then proceeded by showing the location of the property in question on the overhead projector.

Mr. Bracey questioned Mr. Scheid as to the number of his Commissioner's who actually went to look at this site? Mr. Scheid answered with none of them had expressed to him if they had or had not been to the site.

Mr. Moody asked if the applicant was in attendance and if so to please come forward. Mr. Robert Ragsdale came to the podium. He stated that he had personally taken Mr. Scheid out to the Piedmont Explosive Inc. site, which was established in 1994. It is a very well done site, it is kept clean, and there is no danger of explosion there whatsoever. I don't think you can get more remote than the proposed site unless you go to Cherry Hill. Mr. Bracey asked for an explanation of what type of explosives, what they would be used for, and who will be running this operation. Mr. Richard B. Gotcher, Division Manager for The Ensign-Bickford Company, came before the Board to address the questions regarding the proposed operation. The reason for locating in Dinwiddie County is it is central to the market that they are looking at. The products that would be stored on site would be non-electric detonators, gas boosters, and ammonium nitrate. This location will serve the entire State of Virginia. We would use Baltimore Road as our main route of travel, and the chemicals would be transported in large tanker trucks. Mr. Bracey inquired as to the number of people The Ensign-Bickford Company would plan to employ? Mr. Gotcher stated he hoped to begin with approximately 25 or more and as the business expanded the number would increase. Mr. Tickle asked what impact, financially, you are going to make on this County if we decide to change the zoning and allow your type of business in that area and also what type of negative impact have you made in other areas to property values by having a facility like yours located in the area? Mr. Gotcher could not answer questions regarding property values. He would only state that this would be financially beneficial to Dinwiddie County.

This being a public hearing the Chairman opened the Public Hearing on C-97-2 -- Robert Ragsdale -- conditional use permit. The following persons spoke on the request:

1. Ms. Mary Allen -11713 Baltimore Road - was concerned about the traffic that will be added to Baltimore Road - she stated the road is not designed for this type of traffic. She requested that the Board of Supervisors not approve this type of facility.

2. Mr. Leonard Drost - 12315 Siding Road, Church Road - stated that he objected to this type of facility being located in Dinwiddie County.

3. Bernice Taylor - 12207 Baltimore Road, Ford - expressed her concern about the hazardous waste that will be in our area, and the trucks that will be traveling Baltimore Road. She stated that it is not safe to have these trucks on her road and she preferred not to have it in Dinwiddie County.

4. Ms. Mary Palmer - 12416 Baltimore Road, Ford - stated her concerns mainly the trucks, along with the danger of a wreck and spill of the chemicals. She felt that the trucks travel at excessive speeds. She expressed the fact she is frightened.

5. Mr. Ronnie Wray - 11404 Baltimore Road, Ford - expressed what he considered grave concerns. First was the vehicular traffic issue, the road not being designed for this type of vehicles. Another concern is for the safety of the homes on Baltimore Road. If an accident should occur on this road, the road would have to be closed and residents evacuated from their homes. And last was property values. He asked the Board to please look closely before you approve this industry.

6. Mr. Rick Heitzenrater - 11211 Colemans Lake Road - came forth and stated that there was not much he wished to say that had not already been expressed. I feel that this industry would be of no benefit to Dinwiddie County.

7. Ms. Kristy Heitzenrater - 11211 Colemans Lake Road - wished to emphasize what everyone else had expressed. What happens to all the souls that live out on Baltimore Corner, if the wells get polluted, skin burns, and who knows what occur from this facility.

8. Mr. Bobby Martin - 9900 Boze Road - wishes to confirm his agreement with the previous speakers regarding traffic.

9. Mr. Mike Schoenenberger - his mother-in-law, Ms. Frances Wells, lives at 8820 Baltimore Road - made a presentation of pictures he had taken of the large trucks traveling on Baltimore Road. He followed a PEI truck for several miles stating that the truck was traveling in excess of 75 miles per hour. The truck was not only speeding but traveling in the middle of the road. The truck was carrying blasting agents, oxidizers, and a lot of other things that would have absolutely blown that neighborhood off the face of the earth. He suggested that this Company look into the Fort Pickett area or other remote, more suitable locations. Mr. Ragsdale has a lot more land to sell and I am sure there are a lot more of these things that would love to come to Dinwiddie County. His question was do we want to live with them?

10. Ms. Anna H. Schoenenberger - she is co-owner of the farm located at 8820 Baltimore Road - her concern was with violations - or better yet Mr. Scheid's statement that there have been no violations with the C-93-5 which was approved for PEI in 1994 when they came to Dinwiddie County. The residents have had a few problems. There have been some problems at the railroad siding at Ford. There was a spill there on March 17th. Right across the road from the siding we have a business, that has been there for a number of years, Williams & Lewis Fuel Oil Business. Our farm has been broken into five (5) times in less than twelve (12) months. Our insurance is being cancelled because of the crime and the potential problems with the ammonia nitrate sitting on the siding at Ford. There are several potential problems such as water pollution, spills causing poison gas to be released, fire, and explosion. She urged the Board to please vote no on this particular request for a conditional use permit and would also urge you to reconsider or consider rescinding your previous approval for the existing explosive plant.

11. Mr. Bill Cheek - 9302 Boze Road, Ford - expressed concern for the property values. He asked the Board to make a decision that would take this County forward and not backwards.

There being no other persons desiring to speak, Chairman Moody closed the public hearing and offered Mr. Ragsdale a chance for rebuttal.

Mr. Charles Phipps, a representative of The Ensign-Bickford Company, came before the Board to convey the following facts about the proposed industry. The driveway would be 2.2 miles south of 460. It would be on the better portion of Baltimore Road. The product that we have in question is a product that we can go to any local farm supply store and purchase. The American Table of Distance requires us to get away from highways and inhabited buildings far enough in case there would be a problem of explosion. The reason the Table of Distance is as it is, that if all of it would go off at one time, that the public would not be harmed. If this was not true they would have us go a greater distance. We have no rail sidings and we have no manufacturing plants. We are seeking permission for storage and delivery from this location. The twelve (12) people or more, we have no way of predicting at the moment how many we might start, we feel that our prospects is bright for the future, and the number could be far greater. We would be buying local building materials and therefore we would be adding to the tax base and I am sure that our citizens who would be employed would contribute to the income of this County. Thank you for listening to me.

Mr. Bracey questioned the number of people to be employed from Dinwiddie County, not brought in from out side the County. Mr. Phipps answered that the majority of the employees would be from Dinwiddie County.

Mr. Tickle also had questions regarding the blast area, blaster, and if this ignited what would happen to the area, what is it going to look like. Mr. Phipps explained a blaster being a person that is a technician who controls the blast at the customer location. If in fact, for some unlikely reason, we would have an unwanted detonation at our location, the Government has made us stay away from inhabited buildings and farm areas so that the public would not be harmed. Mr. Tickle - if for some unknown reason that facility went up in a blast, would the blast

be 10 feet high, or 100 feet high, or basically what is the circumference of the radius of the site. Mr. Phipps responded by less than 2,000 feet out. Mr. Tickle asked will you be leasing or buying this property? Mr. Phipps stated buying. Mr. Tickle asked about the regulated speeds of their trucks, since they are carrying hazardous material, dangerous material. Mr. Phipps yes, we had regulated speeds. Our Company has been complimented by law enforcement officers on the cleanliness of our trucks, the appearance of our drivers, and the way that we conduct ourselves. This is not to say that we have never broken the speed limit, but if this was reported to us, well let me say they would no longer be in our employ. Mr. Tickle requested information on the number of accidents reported to an insurance company over the past five years. Mr. Phipps stated he did not know. Mr. Tickle then questioned Mr. Phipps on site violations, how many have you had? Mr. Phipps stated there have been no site violations. Mr. Tickle asked about security at night. Mr. Phipps stated that the facility would be well secured - State and County codes do not require 24 hour security. Mr. Tickle asked about growth of the proposed facility - could this be doubled in the future? Mr. Phipps stated that they would have to go deeper into the property and that they can do a tremendous amount of business with the amount of storage that they have presently proposed. Never is a long time and Mr. Phipps stated that he could not say words that would forever be held against him, therefore when I say that we will never grow larger than that 200 or 300 area, I don't know. Mr. Tickle asked is they would be willing to set conditions, say I will come back to you if I decide to expand. That way the citizens in this area would never be put in a situation that that would occur. Mr. Phipps stated in all fairness to the Board, as County leaders, and to the citizens of the surrounding community that we should come to you if our growth should require us to enlarge more than 300,000 pounds. Mr. Tickle asked Mr. Phipps about the lighting on the grounds. Mr. Phipps replied by stating that the way the terrain lies, the facility would be in a valley, which should prevent the lighting from disrupting the citizens in the area. Mr. Tickle's last question was how many facilities such as these sites are there in Virginia? Mr. Phipps stated that he was aware of only four (4) in Virginia. Mr. Tickle stated four (4) in Virginia and we have three (3) in Dinwiddie County. Mr. Gotcher stated that their Company could not be held responsible for Piedmont, the things that have happened there. I understand the concerns of the community. We claim to run a first class operation, we have in the past and plan to do so in the future.

The Board questioned the spill in March. Mr. Shands was asked to check into that matter and report back to the Board.

Mr. Moody stated that as a member of the Planning Commission he had voted against this amendment to the zoning ordinance and he stands by his position to vote against this also. He feels that this will hurt the property values to some extent. Also 622 is a winding road, not designed for this type of traffic.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 C-97-2 be denied.

IN RE: P-97-2 -- CALVIN WILKERSON -- PUBLIC HEARING

This being the time and place advertised in the Dinwiddie Monitor on March 19, 1997 and March 26, 1997 for the Board of Supervisors to conduct a public hearing to consider a rezoning from Residential, Limited R-1 to Agricultural, General A-2. The purpose of the rezoning is to allow the property owner to place a single family dwelling on his property.

EXTRACT

Mr. Scheid came before the Board to present the Planning Staff Report. This case P-97-2 is submitted by the applicant Calvin Wilkerson, with the location of the property being 7051 Squirrel Level Road. There is approximately 93 acres in this tract of land being identified as Tax Map Number 22-69. The current zoning on this land is Residential Limited, R-1.

The property is located on the east side of Route 613, Squirrel Level Road, just north of Route 676, Flank Road. St. John's Church/Hall/ Rectory are located near this property. The land is relatively flat and is used for agricultural and timber production. There is a large power line which transverses the property along Route 613, Squirrel Level Road. This is a limitation on the development of the property.

The applicant seeks to rezone the parcel (a portion thereof) from Residential, Limited R-1 to Agricultural, General A-2. The applicant has proffered the following if the property is rezoned:

1. the property fronting on Route 613 measuring 500" in depth, and running parallel to Route 613, will remain zoned Residential, Limited R-1;

2. one residence will be located on the property rezoned to Agricultural, General, A-2 and will be located approximately 1200' from Route 613 and 1800' from Route 676; and

3. the property will continue to be farmed with no intensive livestock operation permitted.

The area has three (3) different zoning classification. They are Residential Limited, R-1, Agricultural, General, A-2 and Industrial, General M-2. The industrial zoning is found adjacent to the railroad tracks which defines the northern boundary of the County with Petersburg. The agricultural zoning is found to the west of Squirrel Level Road (Route 613). The remaining land is zoned residential.

The residential zoning in this area has existed since the early 1970's. Most of the residential lots in this area have frontage on existing state roads with the exception of Virginia Hills Subdivision which was developed in the late 1970's and early 1980's. A large lot development was platted a few years ago off of Church Road and is served by a private road named Fort Fisher. This property is zoned as General, Agricultural, A-2. It must be mentioned that this area has not received much growth over the past decade.

The comprehensive land use plan which was revised June 5, 1996 has identified this area as agricultural-residential. This indicated that significant residential growth is not anticipated in this area within the next 5 to 10 years.

In discussing future expansion of the public water and sewer services with Mr. Rob Harrison of the Dinwiddie County Water Authority, he stated that there are no plans in the foreseeable future to extend lines in this area. The Water Authority is working with land developers to extend services in the Route 1 and River Road corridor areas. Since the Authority has a limited amount of sewage capacity at the Petersburg Treatment Plant, they must be selective in providing service to new areas within the County. Also, the Authority must account for "infill development" since service is already available to those lands.

The soil survey recently published for Dinwiddie County shows this area as poorly suited for on-site septic systems. The Planning Department has noted that residential lots built upon in this area have been on acreage parcels. The soil information indicates Mr. Wilkerson's soil types as Mattaponi sandy loam (12A & 12B) and Roanoke loam (16A). These soils are very good for cultivated crops and woodlands.

As stated in Mr. Wilkerson's application, the primary use of this land for the past sixty (60) years has been for agricultural purposes. Again, reference is made to the County's Comprehensive Land Use Plan. The comprehensive plan appears to address Mr. Wilkerson's situation as follows:

1. Policy statement #4 preserve productive agricultural and timber lands from premature conversion to urban uses by discouraging urban development patterns throughout the County;

2. Open Space, Recreation and Historic Preservation - Preserve "open space" areas throughout the County such that these areas will become

an integral part of the community as the growth corridors and centers expand.

c. Permit large land owners, i.e. timber companies, agricultural land under cultivation, etc., in urbanizing areas to continue functioning under favorable zoning classification if this action does not impose an undue economic or development hardship upon the County.

Mr. Scheid further stated that the Planning Commission heard this case on March 12, 1997, and recommended approval with proffers by a 5-0 vote.

Mr. Scheid continued that Mrs. Wilkerson originally came into the office and applied for a zoning permit for Mr. Wilkerson to build a home. Health conditions became such that he had a heart attack and had some other health problems and it has turned out that his plans had to be changed. What he had done is he has purchased, thinking that he could go forward with this, a double wide mobile home to put on the property. This is a customized mobile home. In talking with the building inspector that this was so modified that it actually came in under BOCA code except for one exception. The floor joist does not comply with BOCA code; therefore Mr. Scheid stated he could not allow this structure to go on the property under the current zoning.

Chairman Moody then opened the Public Hearing on P-97-2 request:

Mr. Calvin Wilkerson - 7051 Squirrel Level Road, Petersburg, Virginia - came before the Board to explain to them that he was under the impression that he could go forward with this, as Mr. Scheid had previously voiced and in turn had invested $40,000.00 cash money already in this project. Our home is ready to be delivered as soon as things go through, it has been ready for more than six (6) weeks. I thought I had done what I was supposed to do when I came up and applied. I have the septic tank in place, the well is there, the road is there, the electricity has been put in, we are just waiting to be able to put the home there. I have no intention to put any other trailers, mobile homes, etc., on this property. I only want to put my home, one (1) single dwelling for my family on this property. We have added almost $20,000.00 upgrade to this home.

There being no further citizens wishing to speak at this public hearing, Mr. Moody declared the Public Hearing closed.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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, the Board approves the rezoning application P-97-2 with proffers submitted by applicant.

IN RE: A-97-1 -- ZONING ORDINANCE AMENDMENT

This being the time and place as advertised in the Dinwiddie Monitor newspaper on March 19, 1997 and March 26, 1997, for the Board of Supervisors to conduct a public hearing to discuss the proposed amendment in the Dinwiddie County Code under Chapter 22, Section 22-1, Section 22-22, Section 22-43, Section 22-59 and Section 22.71 which pertains to the definition of single family dwelling, conditional use permit review by the Board of Zoning Appeals, conditions relating to the placement of a mobile home on an individual lot and permitted uses within Agricultural, Limited, A-1 and Agricultural, General, A-2 districts.

EXHACT

Mr. Scheid read over the proposed changes. After reading Mr. Scheid called for questions from the Board members.

There being no questions from the Board, Chairman Moody opened the Public Hearing on A-97-1.

1. John Rick - representative of the Virginia Manufactured Housing Association - came before the Board to "save them some money". He voiced his opinion on what he felt was legal and what was not legal. What Dinwiddie County wants to do is not legal. If we pass these changes we will become part of a suit which will cost the County. State law in that Section 36-85.11 states that a manufactured homes has to be called that, has to be defined a certain way, and it is by definition not a mobile home. The proposed change mixes those up totally. Also the basic law 15.1-486.4 says counties, cities and towns adopting and enforcing zoning regulations under the provisions of this article may, to provide for the general purposes of zoning ordinances, adopt uniform standards, so long as they apply to all residential structures erected within the agricultural zoning district or other districts identified etc. -- The last sentence is the killer -- Such standards shall not have the effect of excluding manufactured housing. Third the State Building Code laws from the statues 1972 - we went to uniform state wide building code - we did not have one before then - State Code sections state very clearly zoning ordinance can not be used to control structures. Mr. Rick suggested to the Board they wait to see what happens to our neighbors next door - save yourself some money. There may be some other way to deal with this - put your creativity in a direction that will work.

2. C. W. Harrison stated that he was in agreement with Mr. Rick's comments. He shared with the Board copies of the laws that Mr. Rick had read. He also urged the Board to hold off on action until they had more information and to save the County some tax dollars.

Mr. Moody stated that he was not going to vote to spend any money for any legal suit for this case. If a case gets drawn against it, I'll not vote for spending any County funds for a suit like that.

Upon motion by Mr. Bracey, Seconded by Mr. Tickle, 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 A-97-1 be tabled to a later date.

IN RE: A-97-2 : -- AMENDMENTS TO SUBDIVISION ORDINANCE

This being the time and place as advertised in the Dinwiddie Monitor newspaper on March 19, 1997 and March 26, 1997, for the Board of Supervisors to conduct a public hearing to discuss the proposed amendment in the Dinwiddie Code, Chapter 18, Subdivisions.

Mr. Scheid again approached the Board with recommendations for changes to the Subdivision Ordinance. Mr. Scheid wished to recognize the Committee that worked on this ordinance review. The members being, from the Board of Supervisors, Mr. Bracey, Mr. Tickle; from the Planning Commission, Mr. Wood, Dr. Moore; and citizen members were Mr. Tom Green, Mr. Bill Young, Mr. Tom VanPelt and Mr. Charles Titmus. They did an excellent job.

IMPACT

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 18, Subdivisions, of the Dinwiddie County Code shall become effective immediately:

Chapter 18

SUBDIVISIONS*

Sec. 18-1.	Short title.
Sec. 18-2.	Purpose of chapter.
Sec. 18-3.	Definitions.
Sec. 18-4.	Chapter constitutes minimum requirements; affect chapter on other ordinances, easements, etc.
Sec. 18-5.	Enforcement of chapter.
Sec. 18-6.	Compliance with chapter.
Sec. 18-7.	Permit not to be issued for construction on lot created in violation of chapter.

Sec. 18-8. Penalty for violation of chapter.
Sec. 18-9. Designation and general duties of agent.
Sec. 18-10. Exceptions from chapter.
Sec. 18-11. Amendment of chapter.
Sec. 18-12. Mutual responsibility of county and subdivider; required zoning.
Sec. 18-13. Processing fees.
Secs. 18-14--18-23. Reserved.

ARTICLE II. PLATS AND SKETCHES

Division 1. Generally

Sec. 18-24. General plat requirements.
Sec. 18-25. Preparation and content of plats generally.
Sec. 18-26. Changes in plats or data sheets after approval.
Sec. 18-27. Consideration of zoning matters in plat review.
Sec. 18-28. Resubdivision.
Sec. 18-29--18-33. Reserved.

***Editor's note**--The subdivision ordinance adopted October 19, 1983, is included in this chapter, as amended, without substantive change. The sections have been rearranged and renumbered to conform to the format of this code, formal provisions have been omitted, catchlines have been altered, and minor changes in terminology, along with other stylistic and nonsubstantive changes, have been made, as authorized by section 15.1-37.3 of the Code of Virginia. Any words appearing in brackets {} were added by the editor for clarity.

Cross references--Buildings and building regulations, Ch. 6; erosion and sediment control, Ch. 9; flood protection, Ch. 11; water, sewers and sewage disposal generally, Ch. 21; storm water systems in subdivisions, prior approval required, Sec. 21-9; zoning, Ch. 22.

State law references--Duty of Board of Supervisors to adopt subdivision ordinance and required provision of such ordinance, Code of Virginia, Secs. 15.1-465, 15.1-466; codification of subdivision ordinances, Sec. 15.1-37.3.

Division 2. Preliminary Sketch

Sec. 18-34. Submission; purpose.
Sec. 18-35. Preparation and contents.
Sec. 18-36. Action by agent after submission.
Secs. 18-37--18-41. Reserved.

Division 3. Preliminary Plat

Sec. 18-42. Required; purpose.
Sec. 18-43. Contents generally.
Sec. 18-44. Scale; additional information required.
Sec. 18-45. Submission; number of copies; etc.
Sec. 18-46. Platting part of tract.
Sec. 18-47. Scheduling of commission review; distribution of copies.
Sec. 18-48. Approval or rejection.
Sec. 18-49. Expiration and renewal of approval.
Sec. 18-50--18-54. Reserved.

Division 4. Final Plat.

Sec. 18-55. Size; preparation; contents.
Sec. 18-56. Area to which applicable.
Sec. 18-57. Submission generally.
Sec. 18-58. Application for approval.
Sec. 18-59. Approval or disapproval generally.
Sec. 18-60. Appeal from inaction by agent or disapproval.
Sec. 18-61. Recordation.
Secs. 18-62--18-71. Reserved.

Article III. Required Improvements and Design Standards

Division 1. Generally

Sec. 18-72. Conformity to applicable laws, ordinances, rules and regulations.
Sec. 18-73. Preservation of natural, historical, etc., features.
Sec. 18-74. Improvements generally.
Sec. 18-75. Waterworks and sewer systems.
Sec. 18-76. Payment of pro rata share of cost of sewerage and drainage facilities located outside subdivision.
Sec. 18-77. Monuments.
Sec. 18-78. Dedication of land for public use.
Sec. 18-79. Flood and storm water control generally.
Sec. 18-80. Preservation of flood plains.
Sec. 18-81. Acquisition and preservation of land for public use.
Sec. 18-82. Easements.
Sec. 18-83. Streetlights.
Sec. 18-84. Underground utilities.
Sec. 18-85. Pedestrian circulation.
Sec. 18-86. Buffering.
Sec. 18-87. Reserved.

Division 2. Streets

Sec. 18-88. Names.
Sec. 18-89. General design and location requirements.
Sec. 18-90. Arrangement generally.
Sec. 18-91. Extension to boundary lines of tract.
Sec. 18-92. Planning of streets in business and industrial developments.
Sec. 18-93. Primary and secondary public street access.
Sec. 18-94. Stub roads.
Sec. 18-95. Location near railroads or limited access highways.
Sec. 18-96. Access to arterial or collector streets.
Sec. 18-97. Right-of-way width.
Sec. 18-98. Construction requirements; inspections.
Sec. 18-99. Diameter of cul-de-sac turnarounds and maximum length of cul-de-sacs.
Sec. 18-100. Half-streets.
Sec. 18-101. Private streets.
Sec. 18-102. Intersections.
Sec. 18-103. Alleys.
Secs. 18-104--18-108. Reserved.

Division 3. Blocks

Sec. 18-109. Size generally; shape
Sec. 18-110. Size when designed for commercial or industrial uses.
Sec. 18-111--18-115. Reserved.

Division 4. Lots

Sec. 18-116. Size, shape and orientation generally.
Sec. 18-117. Compliance with rules of state health department and Chapter 21 of this code.
Sec. 18-118. Depth and width of commercial or industrial lots.
Sec. 18-119. Peculiarly-shaped elongations to require necessary square footage.
Sec. 18-120. Drainage.
Sec. 18-121. Street frontage requirements.
Sec. 18-122. Additional setback requirements for lots fronting on arterial and collector streets.
Sec. 18-123. Additional width for corner lots.
Sec. 18-124. Avoidance of right angle lots.
Sec. 18-125. Avoidance of double and reversed frontage lots.
Sec. 18-126. Location of side lines with respect to street lines.
Sec. 18-127. Lines to follow, rather than cross, county boundary lines.

ARTICLE I. IN GENERAL

Sec. 18-1. Short title.

This chapter shall be known and may be cited as the "Subdivision Regulation of Dinwiddie County, Virginia."
(Old. of 10-19-83, Sec 15-1)

Sec. 18-2. Purpose of chapter.

(a) The purpose of this chapter is to establish certain subdivision standards and procedures for the county and such of its environs as come under the jurisdiction of the Board of Supervisors as provided for by the Code of Virginia, Section 15.1-466.

(b) The regulations described by this chapter are part of a long-range plan to guide and facilitate the orderly and beneficial growth of the community and to promote the public health, safety, convenience, comfort, prosperity and general welfare. More specifically, the purposes of these standards and procedures are to provide a guide for the change that occurs when lands and acreage become urban in character as a result of development for residential, business or industrial purposes, to provide assurance that the purchasers of lots are buying a commodity that is suitable for development and use and to make possible the provision of public services in a safe, adequate and efficient manner.

Sec. 18-3. Definitions.

For the purposes of this chapter, certain words and terms used herein shall be interpreted as follows: The word "lot" includes the word "parcel"; the word "approves" shall be considered to be followed by the words "or disapproved"; any reference to this chapter includes all ordinances amending or supplementing the same; all distance and areas refer to measurements in a horizontal plane. The following words and phrases shall have the meanings respectively ascribed to them by this section, except when the context clearly indicates otherwise:

Agent: The representative appointed by the Board of Supervisors to serve as the agent of the board in approving or disapproving subdivision plats.

Alley: A permanent service way providing a secondary means of access to abutting properties.

Authority: The county water authority or the authorized deputy, director, agent or representative thereof.

Block: A tract of land bounded by streets or by a combination of streets and public parks, cemeteries, railroad right-of-way, shorelines of waterways or boundary lines of the county.

Building: Any structure built for the support, shelter or enclosure of persons, animals, chattels or moveable property of any kind and which is permanently affixed to the land.

Building setback line: A line or lines within a lot or parcel of land so designated on a recorded plat as otherwise established by law between which line and the closet property line, the erection of a building is prohibited.

Commission: The Planning Commission of the county.

Cul-de-sac: A street with only one (1) outlet and having an appropriate turnaround for a safe and convenient reverse traffic movement.

Developer: An owner of property being subdivided or developed, whether or not represented by an agent.

Development: A tract of land developed or to be developed as a unit under single ownership or unified control, which is to be used for any business or industrial purpose or is to contain three (3) or more residential dwelling units. This definition shall not be construed to include any property which will be principally devoted to agricultural, forestall or horticultural production.

Easement: A grant by a property owner of the use of land for one or more specific purposes, either public or private.

Engineer: An engineer licensed by the commonwealth.

Frontage: The width of a lot as measured from one (1) side lot line to the other along the front building setback line.

Governing body: The Board of Supervisors of the county.

Grade: The slope of a road, street, drainageway, public utility line or other public facility/utility specified in percentage.

Grade, landing: The grade required on streets entering major thoroughfares, at points of intersection as specified herein.

Health official: The health director of the county or the sanitarian.

Highway engineer: The resident engineer employed by the Virginia Department of Transportation serving the county.

Jurisdiction: The area of territory subject to the legislative control of the Board of Supervisors.

Limited access highway: A trafficway for through traffic in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same except only at such points and in such manner as may be determined by the public authority having jurisdiction over such trafficway.

Lot: A numbered portion of a subdivision intended for transfer of ownership or for building development for a single building.

Lot, corner: A lot abutting upon two (2) or more streets at their intersection.

Lot, depth of: The mean horizontal distance between the front and rear lot lines.

Lot, double frontage: An interior lot having frontage on two (2) streets.

Lot, interior: A lot other than a corner lot.

Lot of record: A lot which has been recorded in the office of the clerk of the circuit court.

Lot, width of: The mean horizontal distance between side lot lines.

Pedestrian Way: A right-of-way or easement across along or within a block for use by pedestrian traffic whether designated as a pedestrian way, crosswalk or otherwise designated, and which may include utilities.

Plat: The word "plat" includes the following terms: Map, plan, plot, replat or replot; a map or plan of a tract or parcel of land which is to be, or which has been, subdivided. When used a verb, "plat" is synonymous with "subdivide."

Plat, amended: A change to a recorded subdivision which does not involve a change in property lines. Changes that may be made by an amended plat include, but are not limited to name changes and corrections relating to metes and bounds descriptions, correction of flood plain lines, setback lines, drainage easements, misnumbered lots and misspelled words.

Property: Any tract, lot, parcel or several of the same collected together for the purpose of subdividing.

Public water or sewer line, facility or system: A utility operating for public purposes, which may be under public ownership or be a privately owned utility, operating in a proprietary capacity to furnish utility services to persons other than the owner on a contractual basis.

Resubdivision: Any division or transfer of land, laid out on a plan previously approved by the county subdivision agent, which proposes to change property lines or public right-of-way not in strict accordance with the approved plan.

Street: A highway, street, avenue, boulevard, road, land, alley, or any public way; the principal means of access to abutting property.

Street, arterial: A major road which serves corridor movements having trip length and travel density characteristics indicative of substantial statewide or interstate travel.

Street, collector: A through street or road that carries a large volume of through traffic or anticipated traffic exceeding five hundred(500) vehicles per day.

Street, minor: A street that is used primarily as a means of public access to the abutting properties with anticipated traffic of less than five hundred (500) vehicles a day.

Street or alley, public use of: The unrestricted use of a specified area or right-of-way for ingress and egress to two (2) or more abutting properties.

Street, private: A street which serves only the lots within a subdivision, which is constructed pursuant to section 18-101 of this Code and serves no more than six (6) lots.

Street, service drive: A public right-of-way generally parallel and contiguous to a major highway, primarily designed to promote safety by eliminating promiscuous ingress and egress to the right-of-way by providing safe and orderly points of access to the highway.

Street, stub: A road which no lot has as its only street access and which is shown on subdivision plat to dead-end or terminate at a property line or, in the case of a subdivision constructed in sections, at the periphery of the section.

Street, width: The total width of the strip of land dedicated or reserved for public travel, including roadways, curbs, gutters, sidewalks, and planting strips.

Subdivider: An individual, corporation, registered partnership or a group of two (2) or more persons owning any tract, lot or parcel of land to be subdivided who have given their power of attorney to one (1) of their group or to another individual to act on their behalf in planning, negotiating for, in representing or executing the legal requirements of the subdivision.

Subdivision: Any division of a parcel of land into three (3) or more lots or parcels any one (1) of which contains an area of less than twenty (20) acres for the purpose of transfer of ownership or building development, or, if a new street is involved in such division, any division of a parcel of land, except that the following divisions of land shall be exempted from this definition:

(1) The division or partitioning of land in an estate by court order or among heirs of the original owner unless or until development of the land is proposed.

(2) A bonafide division of a tract of land made so that one or more of the resulting parcels maybe used as part of a public utility right-of-way; provided, that if a parcel resulting from such a division is ever to be used as a building site for other than such right-of-way, before a building permit may be issued for such other use, the owner shall comply with the minimum requirements of this chapter and Chapter 22

of this Code.

(3) The sale or exchange of parcels of land between owners of adjoining properties for the purposes of small adjustments in boundaries; provided, that none of the original lots, portions of which are sold or exchanged, shall be reduced below the minimum sizes required by this chapter or Chapter 22 of this Code.

(4) A single division of land into parcels where such division is for the sale or gift to a member of the immediate family of the property owner. Only one (1) such division shall be allowed per family member and shall not be for the purpose of circumventing this chapter. A member of the immediate family shall be defined as any person who is a natural or legally defined offspring, spouse or parent of the owner. All lots resulting from such division of less than five (5) acres shall have a reasonable right-of-way of not less than ten (10) feet providing ingress and egress to a dedicated recorded public street or thoroughfare.

The term "subdivision shall include resubdivision and, when appropriate to the context shall relate to the process of subdividing or to the land subdivided and solely for the purpose of recordation of any single division of land into two (2) lots or parcels, a plat of such division shall be submitted for approval in accordance with section 18-24 of this Code.

Surveyor: A certified land surveyor licensed by the commonwealth.
(Ord of 10-19083, Sec. 15-3, Ord. of 4-20-88)

Cross Reference-Definitions and rules of construction generally, Sec. 1-2.

Sec. 18-4. Chapter constitutes minimum requirements; affect of chapter on other ordinances, easements, etc.

(a) The provisions of this chapter shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare. Where the conditions imposed by any provisions of this chapter upon the subdivision of land are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this chapter or of any other applicable law, ordinances, resolution, rule or regulation of any kind, the regulations which are more restrictive and impose higher standards or requirements shall govern.

(b) This chapter is not intended to abrogate any easement, covenant or other private agreement or involve the county in the administration and enforcement of private agreements; provided, that where the regulation of this chapter are more restrictive or impose higher standards or regulations than such easement, covenant or other private agreement, the requirements of this chapter shall be enforced.
(Ord. of 10-19-83, Sec. 15-9)

Sec. 18-5. Enforcement of chapter.

The board of supervisors of the county or its appointee shall enforce the provisions of this chapter.
(Ord. of 10-19-83, Sec. 15-6)

Sec. 18-6. Compliance with chapter.

The regulations set forth in this chapter are hereby adopted for the subdivision of land within the county, and from and after the effective date of the ordinance from which this chapter derives, every owner or proprietor of any tract of land to which these regulations apply who subdivides such tract as provided in these regulations shall conform to the provisions of this chapter and cause a plat of such subdivision developed and prepared in accordance with these regulations,with reference to known or permanent monuments, to be made and recorded in the office of the clerk of the circuit court, wherein deeds conveying such land are

required by law to be recorded. Any determination concerning the applicability of this chapter to a division of a parcel of real property shall be made by the agent and no clerk of any court shall file or record a plat of any division of a parcel of real property until such plat has been reviewed and/or approved as required by this chapter; provided that, nothing herein contained shall be construed as preventing the recordation of the instrument by which such land is transferred or the passage of title as between the parties to the instrument.
(Ord. of 10-19083, Sec. 15-7; Ord of 12-2-87)

Sec. 18-7. Permit not to be issued for construction on lot created in violation of chapter.

No building permit shall be issued for the construction of any building or structure to be located on a lot created or established in violation of the provisions of this chapter.

Sec. 18-8. Penalty for violation of chapter.

Any owner of any tract of land who subdivides that tract of land and who violates any of the provisions of this chapter shall be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars ($500.00) for each lot or parcel of land so subdivided or transferred or sold and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies therein provided. Each day after the first during which violation shall continue shall constitute a separate violation.
(Ord. of 10-19-83, Sec. 15-14)

State law reference-Similar provisions, Code of Virginia, Sec. 15.1-473.

Sec. 18-9. Designation and general duties of agent.

(a) The director of planning shall act as agent of the board of supervisors in the administration of this chapter. The agent shall consult with the commission on matters contained herein.

(b) The agent shall perform his duties as regards subdivisions and subdividing in accordance with this chapter and the Virginia Land Subdivision and Development Act.

(c) In the performance of his duties, the agent shall call for opinions or decisions, either verbal or written, from other departments in considering details of any submitted plat. This authority by the agent shall have particular reference to the resident highway engineer, health officer and water authority agent.
(Ord. of 10-19-83, Secs. 15-4, 15-5)

Sec. 18-10. Exceptions from chapter.

(a) Where the subdivider can show that a provision of the standards set forth in this chapter would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, in the opinion of the Planning Commission, a departure may be made without destroying the intent of such provisions, the Planning Commission may authorize an exception.

(b) The Planning Commission shall not approve exceptions to this chapter unless it shall make findings based upon the evidence presented to it in each specific case, that:

(1) The granting of the exception will not be detrimental to the public safety, health or welfare or injurious to other property or improvements in the neighborhood in which the property is located.

(2) The conditions upon which the request for an exception is based are unique to the property for which the exception is sought and are not applicable, generally, to other properties.

(3) Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

(4) The purpose of the exception is not based exclusively upon a financial consideration.

(c) Applications for exception under this section shall be filed with the zoning administrator and shall be accompanied by a cashier's check or money order in the sum of forty dollars ($40.00) payable to the county treasurer. If actual expenses associated with the application exceeds forty dollars ($40.00), the subdivider shall be billed the difference. In the application, the subdivider shall state the reason for seeking an exception under this section and provide any other information necessary for consideration of the factors set forth in Sec. 18-10(b).

(d) Any decision to approve or deny an exception under this section shall be made only after a public hearing is held in accordance with Section 15.1-431 of the Code of Virginia. The filing fees paid by the subdivider under this section shall be used to pay actual expenses associated with the application, including without limitation, the costs of advertising. If the decision of the Planning Commission is appealed, all expenses associated with the appeal, including without limitation, the costs of advertising for the appeal, shall be paid by the person appealing such decision.

(e) Any person aggrieved by the decision of the Planning Commission under this section shall have fifteen (15) calendar days after the decision of the Planning Commission to file an appeal in writing to the Board of Supervisors. The notice of appeal shall be filed with the zoning Administrator, shall state briefly the reasons for appealing the decision of the Planning Commission, and shall be accompanied by a cashier's check or money order for one hundred dollars ($100.00) payable to the county treasurer. Failure to file a written appeal within such fifteen (15) day period shall be deemed a waiver of all rights of appeal, and the decision of the Planning Commission shall be deemed final.

(f) On appeal the Board of Supervisors shall hold a public hearing in accordance with Sec. 15.1-431 of the Code of Virginia and shall not approve exceptions to this chapter unless it finds that the requisite factors listed in Sec.18-10(b) are satisfied.

(Ord. of 10-19-83, Sec. 15-8)

State law reference--Subdivision ordinance may include provision for variances or exceptions, Code of Virginia, Sec 15.1-466B.

Sec. 18-11. Amendment of chapter.

This chapter may be amended, in whole or in part, by the board of supervisors; provided, that any such amendment may either originate with or be submitted to the commission for recommendation; and, further provided, that no such amendment shall be adopted without a public hearing having been held, of which notice of the date, time and place shall have been given as required by section 15.1-431 of the Code of Virginia.

(Ord. of 10-19-83, Sec. 15-12)

State law reference--Adoption of amendments to subdivision ordinance, Code of Virginia, Sec. 15.1-472.

Sec. 18-12. Mutual responsibility of county and subdivider.

(a) It shall be the mutual responsibility of the subdivider and the county to divide the land so as to improve the general use pattern of the land being subdivided.

(b) All proposed subdivisions for residential purposes must be zoned in an residential category, Residential, Limited (R-1), Residential, Rural (RR-1), Residential, Limited

(R-1A), Residential, General (R-2), and Residential, Planned Development (PRD) pursuant to the Zoning Ordinance of Dinwiddie County prior to final subdivision approval.

Sec. 18-13. Processing fees.

The fees for processing subdivisions or land developments by the county shall be payable upon submission of the plats to the county for preliminary or final review and shall be equal to the following:

(1) Preliminary review and Final review:

a. Subdivision plat containing two (2) or more lots - $10.00 per lot.

b. Subdivision plat containing two (2) or more lots and served by proposed private street - $125.00 plus $10.00 - per lot.

c. Subdivision plat containing two (2) or more lots and served by a proposed public street - $250.00 plus $10.00 per lot.

d. Land development, $250.00 plus $10.00 per acre.

(2) Final Review:

a. Subdivision plat containing two (2) or more lots - $10.00 per lot.

b. Subdivision plat containing two (2) or more lots and served by proposed private street - $125.00 plus $10.00 - per lot.

c. Subdivision plat containing two (2) or more lots and served by a proposed public street - $250.00 plus $10.00 per lot.

d. Land development, $250.00 plus $10.00 per acre.

An annual review of these fees shall be conducted by the Planning Department. Such indexes as the Consumer Price Index shall be used to determine if the fee schedule should be adjusted. A separate charge will be made for the review of public water and/or sewage plans. Such charge will be due upon submission of the plans for review and the amount shall be determined by the authority as established by ordinance and/or set forth by its rules and regulations.
(Ord. of 10-19-83, Sec. 15-13; Ord. of 6-15-88)

(State law reference--Authority for above fees, Code of Virginia, Sec. 15.1-466A(i).

Sec. (18-14)--(18-23). Reserved.

ARTICLE II. PLATS AND SKETCHES*

DIVISION 1. GENERALLY

Sec. 18-24. General plat requirements.

Any owner or developer of tract of land situated within the county who subdivides the same shall cause a plat of such subdivision, with reference to known or permanent monuments to be made and recorded in the office of the clerk of the circuit court of the county. No such plat of a subdivision shall be recorded unless and until it shall have been submitted and certified by the agent in accordance with the regulations set forth in this chapter. No lot shall be sold in any such subdivision before the plat shall have been recorded.
(Ord. of 10-19-83, Sec. 15-16)

State law reference--Similar provisions, Code of Virginia, Sec. 15.1-473.

Sec. 18-25. Preparation and content of plats generally.

Every subdivision plat which is intended for recording shall be prepared by a certified professional engineer or land surveyor, who shall endorse upon each such plat a certificate signed by him setting forth the source of title of owner of the land subdivided and the place of record of the last instrument in the chain of title. When the plat is of land acquired from more than one source of title, the outlines of the several tracts shall be indicated upon such plat. Provided, however, that nothing herein shall be deemed to prohibit the preparation of preliminary studies, plans or plats of a proposed subdivision by the owner of land, city planners, land planners, architects, landscape architects or others having training or experience in subdivision planning or design.
(Ord. of 10-19-83, Sec. 15-17)

State law reference--Similar provisions, Code of Virginia, Sec. 15.1-476.

Sec. 18-26. Changes in plats or data sheets after approval.

No change, erasure or revision shall be made on any preliminary or final plat, nor on accompanying data sheets, after approval of the agent has been endorsed in writing on the plat or sheets, unless authorization for such changes has been granted in writing by the agent.
(Ord. of 10-19-83, Sec. 15-18)

Sec. 18-27. Consideration of zoning matters in plat review.

In reviewing subdivision plats, the Planning Commission and subdivision agent shall consult and make specific references to any violations of Chapter 22 of this Code, the Dinwiddie County Zoning Ordinances. When the intended use of all or part of the plotted area, as indicated by the preliminary plat of a subdivision as shown on that plat, would put the land in a more restrictive category than now exists such shall be considered a petition for the rezoning of the platted area to the higher classification and no further review shall be conducted until the rezoning application is acted upon.
(Ord. of 10-19-83, Sec, 15-19)

Sec. 18-28. Resubdivision

A resubdivision of all or any part of a recorded subdivision may not be made or recorded until submitted and approved by the subdivision agent. The agent may, if deemed appropriate , consult with the Planning Commission prior to taking final action on the request for resubdivision.
(Ord. of 10-19-83, Sec. 15-21)

Sec. (18-29)--(18-33). Reserved.

DIVISION 2. PRELIMINARY SKETCH

Sec. 18-34. Submission; purpose.

The subdivider may, if he so chooses, submit to the agent a preliminary sketch of the proposed subdivision prior to his preparing engineered preliminary and final plats. The purpose of such a preliminary sketch is to permit the agent an opportunity for a cursory review to advise the subdivider whether his plans, in general, are in accordance with the requirements of this chapter. Three (3) copies of the sketch must be submitted and the sketch must contain those requirements found in this division.
(Ord. of 10-19-83, Sec. 15-22)

Sec. 18-35. Preparation and contents.

A preliminary sketch shall be drawn on a print of a topographic map showing the property and must be drawn to a scale of not less than two hundred (200') feet to the inch. The name, location and dimensions of all streets entering the property, adjacent to the property or terminating at the boundary of the property to be divided must be shown. All proposed streets, lots, parks, playgrounds, and other proposed uses of the land to be subdivided must be shown and shall include the approximate dimensions.
(Ord. of 10-19-83, Sec. 15-23)

Sec. 18-36. Action by agent after submission.

(a) The agent, upon submission of a preliminary sketch, shall study it and advise the subdivider wherein it appears that changes would be necessary. The agent may mark the preliminary sketch indicating necessary changes.

(b) Upon submission of a preliminary sketch, the agent shall respond to the subdivider as soon as possible regarding the acceptability of the subdivision but, in no case, shall the response time exceed thirty (30) days from the date of submission.
(Ord. of 10-19-83, Secs 15-22, 15-23)

Sec. (18-37)--(18-41) Reserved.

DIVISION 3. PRELIMINARY PLAT

Sec. 18-42. Required; purpose.

Every proposed subdivision shall be submitted to the agent for preliminary approval in accordance with the provisions of this division in the form of a preliminary plat prior to the submission of a final plat. The preliminary plat is not intended to be a final plat and shall be prepared in such form as not to be confused with a final plat. Its purpose is to show graphically all facts needed to enable the agent, Planning Commission and other public bodies to determine whether the proposed layout of the land in question is satisfactory from the standpoint of the public interest.
(Ord. of 10-19-83, Sec. 15-24)

State law reference-- Authority to require preliminary plat, Code of Virginia, Sec. 15.1-475.

Sec. 18-43. Contents generally.

(a) Each preliminary plat shall contain the following information:

(1) Name for file identification:

a. Name of the subdivision, if property is within an existing subdivision.

b. Proposed name, if not within a previously platted subdivision. The proposed name shall not duplicate the name of any existing or proposed subdivision in the county.

(2) Location and description of property: Location of property by parcel number(s) as designated on county tax maps.

(3) Basic facts and proposals pertaining to the property:

a. Size of tract in acres or of existing lots, if any, in square feet.

b. Existing zoning classification of subject property and adjacent property and any rezoning proposed to be requested.

c. Number of lots proposed in the subdivision.

d. Area of lots proposed: Minimum, average and maximum.

e. Proposed type of water and sewer facilities.

f. Any other proposals, such as parcels of land intended to be dedicated, conveyed or reserved for public use, and the conditions proposed for such disposal and use as specified in section 18-78.

(b) The graphic and descriptive items set out in this section

are required to be shown on the preliminary plat. The lack of information under any item specified herein, or improper information supplied by the subdivider, may be cause for disapproval of the preliminary plat.

(Ord. of 10-19083, Secs 15-24, 15-25)

Sec. 18-44. Scale; additional information required.

The preliminary plat shall be drawn at at scale of one (1) inch equalling one hundred (100) feet. Variation in scale may be made upon request, at the discretion of the subdivision agent. The plat shall show correctly on its face the following information:

(1) Date, scale and north point.

(2) The proposed subdivision name.

(3) The name, address and phone number of the owner, the subdivider and the surveyor or engineer preparing the plat.

(4) The length and bearing of the exterior boundaries of the subdivision. Dimensions shall be expressed in feet and decimals of a foot with accuracy to 0.5 percent.

(5) Location and names of adjacent subdivisions and the owners of adjoining parcels of unsubdivided land.

(6) Location, width and names of all existing and platted streets, alleys and other public ways and easements,railroad and utility rights-of-way, parks, cemeteries, watercourses, drainage ditches, permanent buildings, bridges and other pertinent data as determined by the Planning Commission or the agent.

(7) Layout, width and grades of all new streets and right-of-ways, alleys, highways, easements for sewers and water mains and other public utilities.

(8) Existing sewers, water mains, culverts and other underground structures within the tract or immediately adjacent thereto. The location and size of the nearest water main and sanitary and storm sewers are to be indicated in a general way upon the preliminary plat.

(9) Approximate dimensions and areas of lots.

(10) Proposed building setback lines on radial lots of cul-de-sacs.

(11) Approximate radii of all curves, lengths of tangents and angles on all streets.

(12) Approximate location and area of all property proposed to be dedicated for specific public use with the conditions, if any, of such dedication.

(13) Contours at vertical intervals of not more than five (5) feet or at more frequent intervals if required by the Planning Commission for land with unusual topography. Source of topography shall be stated on the plat.

(14) The limits of established flood plains.

(15) Location of necessary bench marks and source of topography.

(Ord of 10-19-83; Sec. 15-27)

Sec. 18-45. Submission; number of copies; etc.

The subdivider shall prepare and submit twelve (12) copies of the preliminary plat in accordance with the provisions of this division, including a proposal for the installation of improvements and intended dedication or reservation of public lands. The subdivider shall file a letter of transmittance of the preliminary plat with the subdivision agent, along with the preliminary plat and appropriate review fee(s). Written application, by the owner of his representative, for approval shall accompany each preliminary plat.
(Ord. of 10-29-83, Secs. 15-22, 15-25)

Sec. 18-46. Platting part of tract.

Whenever part of a tract is proposed for platting and it is intended to subdivide additional parts in the future, a sketch plan for the entire tract shall be submitted with the preliminary plat.
(Ord. of 10-19-83, Sec. 15-20)

Sec. 18-47. Scheduling of commission review; distribution of copies.

Upon receipt of preliminary plat, the agent shall schedule a public review of the plat by the Planning Commission. The agent shall submit three (3) copies to the Virginia Department of Transportation, two (2) copies to the Dinwiddie County Health Department and two (2) copies to the Dinwiddie County Water Authority for review and comment. One (1) copy shall be submitted to the Appomattox River Soil and Water Conservation District for review of the erosion and sedimentation control plan.
(Ord. of 10-19-83, Sec. 15-22)

Cross reference-Erosion and sediment control plan, Sec. 9-20 et seq.

Sec. 18-48. Approval or rejection.

After receipt of recommendations from the various reviewing authorities, the agent shall either:

(1) Approve the preliminary plat, if such plat is in conformity with the provisions of this chapter; or

(2) Approve the plat subject to modifications; or

(3) Reject the plat.

Written findings giving specific reasons for the action taken will be reported to the subdivider by the agent within ninety (90) days after receipt of the preliminary plat. Such reasons shall relate in general terms such modifications or corrections as will permit approval of the plat. Under no circumstances shall this time limit apply if the subdivider submits incomplete information which is necessary to adequately review the proposed preliminary plat.
(Ord. of 10-19-83, Sec. 15-22)

Sec. 18-49. Expiration and renewal of approval.

Preliminary plat approval shall expire twelve (12) months from the date of approval. Where there are no changes from a previously approved preliminary plat, the subdivision agent may administratively review and renew preliminary plat approvals for an additional twelve-month period subject to all previously imposed conditions. In the event it is deemed necessary to require additional conditions, the renewal request shall be considered by the agent after consulting the Planning Commission at is next appropriate meeting. Applications for renewal shall be submitted at least thirty (30) days prior to expiration.
(Ord. of 10-19-83, Sec. 15-22)

Sec. 18-50--18-54. Reserved.

DIVISION 4. FINAL PLAT

Sec. 18-55. Size; preparation; contents.

The final plat sheet(s) shall be sixteen (16") inches by twenty-four (24") inches and shall be prepared by a certified professional

engineer or land surveyor. The final plat of the subdivision shall conform to the approved layout of the preliminary plat and show on its face the following information:

(1) Owner's content and dedication statement:

Know all men by these presents, that the subdivision of land as shown on this plat, containing _____acres, more or less, and designated _____Subdivision, situated in the _____District, in the County of Dinwiddie, Virginia, is with the free consent and in accordance with the desires of the undersigned owners thereof; that all streets, utility easements and drainage easement shown on said plat are hereby dedicated to the public use, and that all lots within the subdivision are subject to certain restrictions, reservations, stipulations and covenants as contained in a writing executed by the undersigned, under date of _____,19___, and recorded in the Clerk's Office of Dinwiddie County, in deed book _ page_____. The said _____acres of land hereby subdivided having been conveyed to by_____by deed dated _____, 19____, and of record in the clerk's office of the circuit court of Dinwiddie County, Virginia, in deed book _____, at page _____. Given our hands this _____day of _____, 19____.

My commission will expire on_____
_____ day of _____, 19____.
Notary Public

(3) Surveyor's certificate statement:

I hereby certify that to the best of my knowledge and belief all of the requirements of the Board of Supervisors and ordinances of the County of Dinwiddie, Virginia, regarding the platting of subdivisions within the county, have been compiled with.

Given under my hand this _____day of _____19____.

(4) Certificate of approval statement:

This subdivision known as_____, is approved by the undersigned in accordance with existing subdivision regulations and may be committed to record.

_____ Date	_____ Highway Engineer
_____ Date	_____ Health Department
_____ Date	_____ Dinwiddie Water Authority
_____ Date	_____ Board of Supervisors, Chairman or Agent

*Approval is only with the understanding that where septic tanks are to be installed, each lot must be approved on an individual lot basis by the Health Department at the time that application is made for a septic tank permit.

(5) All notes as pertinent to the owner's or developer's intention as to plan for land use, water systems, sewage systems, area of lots, streets, widening and dedicated strips, easements, area left in acreage, building lines, curbs, gutters, ditches, reserved and recreation areas,

flood plains, etc.

(6) All street names.

(7) Property location as to corresponding county tax map sections and parcel numbers.

(8) Vicinity map.

(9) Zoning classification.

(10) Total area shown on the plat, including streets and total area dedicated to public use.

(11) Total number of lots included on the plat and area contained within each lot.

(12) Date, scale and north arrow.

(13) The exact length and bearing of all lot lines.

(14) Location and size of all street right-of-way and easements as well as all pertinent curve data.

(15) Location of all flood plains.

(16) Those areas to be dedicated for public use in accordance with Section 18-78.

(Ord. of 10-19-83, Sec. 15-30; Ord of 1-16-85)

Sec. 18-56. Area to which applicable.

A final plat may constitute all or only a portion of the area contained in an approved preliminary plat; provided, that the public improvements to be constructed in the area covered by the final plat are sufficient by and of themselves to accomplish a proper development and to provide adequately for the health, safety and convenience of the proposed residents therein and for adequate access to contiguous areas.

Sec. 18-57. Submission generally.

(a) The subdivider shall submit to the agent one (1) linen print, five (5) blue or black line prints and one (1) transparency (photographic positive polyester film) of the final plat, as well as submit an adequate performance bond, irrevocable letter of credit, cash or some other arrangement approved by the agent to cover the costs of necessary improvements.

(b) The subdivider shall submit with the final plat eight (8) blue or black line prints of the final plans and specifications for all required physical improvements to be installed, as well as the appropriate fee(s) for review. All final plans and specifications must be prepared by an engineer or certified land surveyor qualified to prepare such plans.

(c) The subdivider shall submit one (1) plat at a scale of 1" = 600'.

(Ord. of 10-19-83, Sec.15-22)

Sec. 18-58. Application for approval.

Written application by the owner or his agent for approval in accordance with this division shall accompany each final plat and contain the following information:

(1) Name of the subdivision and a description of blocks and lots included on the plat.

(2) Existing or proposed covenants, if any.

(3) Name and address, including telephone number, of the owner or his agent and the surveyor who prepared the plat.

(4) Whenever any pond, lake or similar body of water or open space area is proposed to be located within or adjacent to the subdivision, the developer or engineer shall present a plat outlining any construction to occur and a proposed plan for the perpetual maintenance of any such body of water or open space area.

(5) Itemized cost estimates for all required improvements, with special emphasis upon water lines, storage tanks, fire hydrants, sewer lines, pump stations, streets, curbs, gutters and erosion/sedimentation control measures.

(Ord. of 10-19-83, Sec. 15-29)

Sec. 18-59. Approval or disapproval generally.

(a) Upon receipt of the final plat, the agent shall have sixty (60) days to review the plat and return it to the subdivider indicating whether or not the plat is approved. The review time may be extended, if mutually agreed upon by the subdivider and the agent.

(b) The final plat shall not be approved until the subdivider has complied with the required modifications to the preliminary plat and the requirements contained in this division.

(Ord. of 10-19-82, Sec. 15-22)

Sec. 18-60. Appeal from inaction by agent or disapproval.

(a) If the agent fails to approve and disapprove the proposed final plat within sixty (60) days after it has been officially submitted for approval, after ten (10) days' written notice to the agent, may petition the circuit court of the county to decide whether the plat should or should not be approved. The county shall hear the matter and make and enter such order with respect thereto as it deems proper.

(b) If their agent disapproves a final plat and the subdivider contends that such disapproval was not properly based on this chapter, or was arbitrary or capricious, he may appeal to the circuit court and the court shall hear and determine the case as soon as may be.

(Ord of 10-19-83, Sec. 15-22)

State law reference -- Similar provisions, Code of Virginia, Sec. 15.1-475.

Sec. 18-61. Recordation.

After approval of a final subdivision plat, the agent shall obtain the property signatures and return to the subdivider the linen print to be recorded in the clerk's office of the circuit court of the county. Unless the final plat is filed for recordation within six (6) months after final approval thereof by the agent, such approval shall be withdrawn, and the plat shall be marked void. After recordation, the subdivider may then proceed to develop and sell lots in his subdivision.

(Ord. of 10-19-83, Sec. 15-22)

State law reference -- Recording required within six month after approval of plan, Code of Virginia, Sec. 15.1-466A(h).

Sec. 18-62 -- 18-71. Reserved.

ARTICLE III. REQUIRED IMPROVEMENTS AND DESIGN STANDARDS

DIVISION 1. GENERALLY

Sec. 18-72. Conformity to applicable laws, ordinances, rules and regulations.

In addition to the design standards established herein, all subdivision plats shall comply with the following laws, ordinances, rules and regulations as they may be applicable:

(1) The provisions of Title 15.1, Chapter 11, Article 7 (Sec.

15.1-465 et. seq.), of the Code of Virginia.

(2) Chapter 9, 17.5, 21 and 22 of this Code.

(3) Title 32.1 of the Code of Virginia and the rules of the state health department.

(4) The rules of the state transportation commission relating to construction of subdivision roads and the safe access of lots and roads to existing state maintained roads.

(5) Rules of such other departments or agencies as are required by federal or state law or deemed necessary by the subdivision agent.

(6) The comprehensive land use plan as adopted by the Board of Supervisors and amended from time to time.

Sec. 18-73. Preservation of natural, historical, etc. features.

Existing natural features which would add value to the subdivision and development or to the county as a whole, such as trees, watercourses, historic sites and similar amenities and assets, shall be protected whenever practicable in the design of the subdivision or development.
(Ord. of 10-19-83, Sec. 15-34)

Sec. 18-74. Improvements generally.

The subdivider or developer shall, at his expense, install street and utility improvements and other improvements indicated on the plat. The installation of adequate fire hydrants in a subdivision at locations approved by the agent after consultation with the Dinwiddie County Water Authority shall be required, provided the necessary public water is available. Where public water and/or sewer are available, the service shall be extended to all lots within the subdivision. The cost of engineering design, checking, drafting and field inspection is to be borne by the subdivider or developer. Additionally, the subdivider or developer shall submit to the county and the authority a set of as built drawing certified by an engineering firm acceptable to the county stating that all improvements have been installed as represented.
(Ord. of 10-19-83, Sec. 15-32)

Sec. 18-75. Waterworks and sewer systems.

(a) Any person proposing to construct a subdivision designed for more than fifteen (15) individual, single-family dwelling units or any other development whose consumption is the equivalent of that of more than twenty-five (25) individuals shall design and construct a waterworks system in accordance with the requirements of the authority and/or the state board of health and the state water control board.

(b) Any person proposing to construct a development designed for more that fifteen (15) individual, single-family dwelling units or any other development whose consumption is the equivalent of that of more than twenty-five (25) individuals shall design and construct a sewer system, including building sewer connections to the property line, in accordance with the requirements of the authority and/or appropriate state agency. The sewer system shall be connected to an existing sewage works system. In the event a sewage works system is not available, the subdivider or developer shall construct a central sewage disposal facility. Such sewage disposal facility shall conform to the requirements of the state agencies having jurisdiction and the authority.

(c) Any subdivision containing lots two (2) acres or greater and not located within the urban planning area boundary of the County shall be exempt from this section.
(Ord. of 10-19-83, Sec. 15-32)
Cross reference - Water and sewers generally, Chapter 21

Sec. 18-76. Payment of pro rata share of cost of water, sewerage and drainage facilities located outside subdivision.

The subdivider or developer of land shall pay or provide for the payment of his pro rata share of the cost of providing reasonable and necessary water, sewerage and drainage facilities, located outside the property limits of the land owned or controlled by him but necessitated or required, at least in part, by the construction or improvement of his subdivision or development in areas within the county where there has been established a general water, sewerage and drainage program having related and common water, sewer and drainage conditions, and within which the land owned or controlled by the subdivider or developer is located, and in which areas a total estimated cost of ultimate water, sewerage and drainage facilities required adequately to serve the related and common area has been established, when and if such area is fully developed in accord with the adopted general program. Such pro rata share shall be limited to the proportion of such total estimated cost which the increased water and/or sewage flow or increased volume and velocity of storm water runoff to be actually caused by his subdivision or development bears to total estimated volume and velocity of such water or sewage usage for storm water runoff from such area in its fully developed state. Each payment received shall be expended only for the construction of those facilities for which the payment was required, and until so extended shall be held in an interest-bearing account for the benefit of the subdivider or developer; provided, however, that in lieu of such payment, the County or Authority may provide for the posting of a bond with surety satisfactory to it conditioned on payment at commencement of such construction.
(Ord. of 10-19-83, Sec. 15-32)

State law reference--Subdivision ordinance to include provisions similar to above section, Code of Virginia, Sec. 15.1-466A(j).

Sec. 18-77. Monuments

(a) Property corners shall be installed in all subdivisions at all block corners, angle points, radial points of curves in streets or property lines where monuments cannot readily be seen one from the other.

(1) Steel rods five-eights inches (5/8") in diameter and twenty-four inches (24") long shall be required at all lot corners.

(2) Angle points and radial points of curve shall be marked by steel rods on inch (1") in diameter and twenty-four inches (24") long.

(b) The replacement of any monuments removed or destroyed during development of the subdivision shall be the responsibility of the subdivider. (Ord. of 10-19-83, Sec.15-35)

State law reference-Subdivision ordinance to provide for installation of monuments, Code of Virginia, Sec. 15.1-466A(g).

Sec. 18-78. Dedication of land for public use.

(a) When a final plat of a subdivision has been approved and all other required approvals are obtained and the plat is recorded, such recordation shall constitute acceptance for the purpose designated on the plat of all lands shown on the plat as dedicated to the public use, including any right-of-way located within any subdivision which has constructed therein, any street, curb, gutter, sidewalk, bicycle trail, drainage, water or sewerage system or other improvements, financed or to be financed in whole or in part by private funds only if the owner or developer furnishes to the agent and/or the authority a certified check, a bond with satisfactory surety, or an irrevocable letter of credit in a form designated by the agent and/or the authority in an amount sufficient for, and conditioned upon, the construction of such facilities, or a contract for the construction of such facilities and the contractor's bond, with like surety, in like amount and so conditioned. The amount of such certified check, cash escrow, bond or letter of credit shall not exceed the total of the estimated cost of construction based on unit prices for new public or private sector construction in the locality and a reasonable allowance for estimated

administrative costs, inflation and potential damage to existing roads or utilities. The subdivider/developer will have a maximum of two (2) years to complete all improvements and the following conditions shall apply:

1. Developers will maintain all streets under construction with a minimum of three inches (3") of gravel until streets have been paved.

2. No more than eighty percent (80%) of the building permits in any section of a residential subdivision shall be issued until the roads in that section have been hard surfaced. At completion of paving the remainder of building permits may be secured.

3. The County Planner acting as agent for the County can give a one (1) year extension to the developer to comply with a state requirement of a minimum of three (3) occupied dwellings per street. When this requirement is met, the developer has a maximum of one (1) year to have the street inspected and accepted into the state highway system.

4. The developer may work on only two (2) section at one time. When the developer goes to record the third section, section one will have to be inspected and accepted into the state highway system.

5. At the end of the two and one-half (2 1/2) year completion date, the agent and/or authority shall take necessary steps to proceed with the installation and completion of the improvements making use of the certified check, cash escrow, letter of credit or by calling on the surety of the bond. All streets must be inspected and accepted into the state highway system under their requirements for paving and weathering.

(b) In the event the county has accepted the dedication of a road for public use and such road, due to factors other than its quality of construction, is not acceptable into the state highway system, then the agent shall require the subdivider or developer to furnish the county with a maintenance and indemnifying bond, irrevocable letter of credit or other surety satisfactory in an amount sufficient for and conditioned upon the maintenance of such road until such time as it is accepted into the state highway system. In addition to the above, the owner or developer shall enter into an agreement with the county and/or the authority, said agreement provided to the owner or developer by the county and/or authority, in which the owner or developer shall commit himself to a period of time during which improvements shall be completed.

(c) The subdivision agent and/or authority shall be empowered to release, in whole or part, the bonding for required improvements when the proper reviewing agency has inspected and accepted that portion of the improvements over which it has responsibility. In no case shall the agent release more than ninety (90%) percent of the bond unless satisfactory arrangements have been made with the appropriate agency for a performance guarantee of the materials and workmanship of the required improvement. For the purpose of final release the term "acceptance" is deemed to mean: when said public facility is accepted by and taken over for operation and maintenance by the state agency, local government department or agency, or other public authority which is responsible for maintaining and for operating such facility upon acceptance.

(d) Whenever a preliminary plat includes a proposed dedication land to public use and the agent finds that such land is not required or not suitable for public use, after consultation with the Planning Commission, the agent may either refuse to approve such dedication or require the rearrangement of lots in the proposed subdivision to include such land.

(Ord. of 10-19-93, Sec 15-36; Ord. of 1-16-85)

Sec. 18-79. Flood and storm water control generally.

(a) No land shall be subdivided which is found by the agent not to adequately provide for storm or flood water runoff channels or basins.

(b) All subdivisions shall be reviewed by the Planning Commission and agent to assure that all such proposals are consistent with the need to minimize flood damage. All public and private utilities and facilities, such as sewer, gas, electrical and water systems, shall be located, elevated and constructed to minimize flood damage. All public and private utilities and facilities, such as sewer, gas, electrical and water systems, shall be located, elevated and constructed to minimize and eliminate flood damage, and drainage shall be provided so as to reduce exposure to flood hazards. For the purposes of review, the Planning Commission and agent shall rely on the flood hazard areas as indicated on maps supplied by the Federal Insurance Administrator of the Department of Housing and Urban Development and the one hundred-year flood plain determined and published in reports of the U. S. Corps of Engineers.

(c) All subdivisions constructed or designed after the adoption of this section shall contain a storm water management system which shall discharge to a natural outlet. All subdivisions and/or land developments located in R-1A*, R-2, B-1, B-2 and B-3 zoning districts shall provide for curbs, gutters, and storm drains along all public and/or paved streets within such subdivision for the collection of storm waters and the channeling of such to the storm sewers for disposal Prior to the installation of any storm water system, plans specifications therefore shall be submitted to the agent and to the Virginia Department of Transportation for review and approval. The developer shall construct such system in accordance with the advice, consent and approval of the Virginia Department of Transportation for review and approval. The developer shall construct such system in accordance with the advice, consent and approval of the Virginia Department of Transportation and agent, and the authority shall not approve extension of public water or sewer to the subdivision without an approved storm water system as herein required. All storm water and all other unpolluted drainage within such subdivision shall only discharge to a storm sewer approved and constructed pursuant to the provisions of this chapter. All drainage facilities installed in the subdivision shall be sized to accommodate runoff from all undeveloped land upstream in the same watershed. The County shall require the subdivider and/or developer to hire an engineer other than the original design engineer to field check the drainage system. The engineer hired shall be one acceptable to the county and shall certify to the county the following; (a) The drainage system was installed as designed or, if not, what deviations from the plans were made; (b) certify to the county that the system installed will provide proper drainage for the site or, if the site will not drain properly, what changes need to be made. It shall be the subdivider's and/or developers' responsibility to make any and all changes necessary to obtain proper site drainage prior to the county and/or the VDOT accepting the street(s) into the state secondary road system.
*NOTE: If the lot width in this district is one hundred (100') feet or greater, then this paragraph shall not apply.

Sec. 18-80. Preservation of flood plains.

The computation of flood plain areas (land subject to inundation by flood waters) is to be given consideration by engineers who are skilled in and familiar with the particular type of engineering problem. All flood plains shall be delineated based on a one hundred-year frequency and the balance of energy concept of computing water surface profiles. If the agent finds it necessary, the engineer may be required to submit complete documentation of all computations for flood plains which shall include:

(a) Topography of the contributing watershed; profiles of the

reach of the stream; cross sections of the stream; and data concerning any constrictions or control points which affect the flow.

(b) Runoff computations based on either the "rational formula" or other suitable method.

(c) Water surface profile computations. When computations are made by electronic computer, the engineer need not submit computations; however, the agent shall be informed of what program was used, and if not previously approved, a printout of the program should be provided. Flood plain computations shall be made whenever the contributing watershed is greater than one hundred (100) acres; however, certain instances may necessitate such computations for smaller areas. The computations shall reflect development trends in the upstream watershed twenty (20) years hence in selecting a design discharge. Computations required in this section shall be accomplished in accordance with "Open Channel Hydraulics" by V. T. Chow and "Hydrologic and Hydraulic Analyses" Engineering Manual 10-2-1409, Department of the Army Corps of Engineers.

(Ord. of 10-19-83, Sec. 15-37)
Cross reference--Flood plain districts, Sec. 11-12 et seq.

Sec. 18-81. Acquisition and Preservation of land for public use.

(a) The Planning Commission shall consider all preliminary plats and plans or studies related thereto, to determine the need for acquisition for public use of any of the land included in the preliminary plat. If such studies or plans do relate thereto, the Planning Commission may refer the plat to the public body concerned with acquisition for its consideration and report. The Planning Commission may propose alternate areas for such acquisition and shall allow the public body or agency thirty (30) days for reply. The agency's reply, if affirmative, shall include a map showing the boundaries and area of the parcel to be acquired and an estimate of the time required to complete the acquisition. Upon receipt of an affirmative reply, the Planning Commission shall designate on the preliminary plats the area proposed to be acquired by the public body.

(b) Whenever a tract to be subdivided includes a proposed site for a park, playground, open space or other public use for the residents of the subdivision, such space shall be suitably incorporated by the subdivider into his subdivision plat, and all supporting documentation addressing ownership, covenants, restrictions, Articles of Incorporation, by-laws, etc. shall be placed on file with the Planning Department.
(Ord. of 10-19-83, Sec. 15-38)

Sec. 18-82. Easements.

(a) Easements across lots or centered on rear or side lot lines shall be provided for utilities, such easements to be at lease sixteen (16) feet wide. Proper coordination shall be established between the subdivider and the applicable utility companies for the establishment of utility easements.

(b) Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse and of such width or construction or both as will be adequate for the purpose.
(Ord. of 10-19-83, Sec. 15-52)

Sec. 18-83. Streetlights.

Any street lights provided and installed by any subdivider and/or developer within a subdivision or development shall not become the responsibility of the County or State for maintenance, repair or any other associated cost. It shall be the responsibility of the subdivider and/or developer to incur all expenses associated with the maintenance and operation of said streetlights. The subdivision developer and/or

subdivider may assign a transfer liability for street line maintenance and monthly charges to a Homeowner's Association, Residents' Association or other like organizations. Such organization then shall be responsible for all maintenance and monthly electrical charges.

Sec. 18-84. Underground Utilities.

All utilities in a subdivision shall be installed underground except that subdivision with an average lot size in excess of one (1) acre shall not be required to abide by this section. Where distribution lines currently traverse the property proposed for subdivision, the developer will not be required to place such lines underground. All installation must be in accordance with standards of the local utility responsible for the maintenance thereof.

Sec. 18-85. Pedestrian Circulation.

Subdivisions should be designed to encourage the convenient movement of pedestrians throughout the subdivision and the Development without forcing pedestrians to walk along collector and arterial roads. All pedestrian circulation systems should be designed and constructed to facilitate the linkage of existing or proposed activity centers located within or adjacent to the subdivision.

Sec. 18-86. Buffering.

(a) Function and materials. Buffering shall provide a year-round visual screen in order to minimize adverse impacts. It may consist of fencing, evergreens, berms, rocks, boulders, mounds, or combinations thereof to achieve the same objectives.

(b) Required. Every development shall provide sufficient buffering when topographical or other barriers do not provide reasonable screening and when the planning commission determines that there is a need (1) to shield neighboring properties from any adverse external affects of a development; or (2) to shield the development from the negative impacts of adjacent uses such as streets or railroads. In high-density developments, when building design and siting do not provide privacy, the planning commission may require landscaping, fences, or walls to adequately screen dwelling units for privacy. Buffers shall be measured from side and rear property lines, excluding driveways.

(c) Amount. 1. Where more-intensive land uses abut less-intensive uses, a buffer strip twenty-five (25') feet in width shall be required. 2. Parking lots, garbage collection and utility areas, and loading and unloading areas should be screened around their perimeters by a buffer strip a minimum of five (5') feet wide. 3. Where residential developments abut collector or arterial streets, adjacent lots shall front on local streets, and a landscaped buffer area shall be provided along the property line abutting the road. The buffer strip shall be a minimum of twenty-five (25') feet or wider where necessary for the health and safety of the residents. It shall include both trees and shrubs.

(d) Design. Arrangement of plantings in buffers shall provide maximum protection to adjacent properties and avoid damage to existing plant material. Possible arrangements include planting in parallel, serpentine, or broken rows. If planted berms are used, the minimum top width shall be four (4') feet, and the maximum side slope shall be 2:1.

(e) Planting specifications. Plant materials shall be sufficient in size and planted in such a fashion that a year-round screen at least eight (8') feet in height shall be produced within three (3) growing seasons. All plantings uses shall conform to the standards of the most recent edition of the "American Standard for Nursery Stock," published by the American Association of Nurserymen.

(f) Maintenance. Plantings shall be watered regularly and in manner appropriate for the specific plant species through the first growing season, and dead and dying plants shall be replaced by the applicant during the next planting season. No buildings, structures, storage of materials, or parking shall be permitted within the buffer

area; buffer areas shall be maintained and kept free of all debris, rubbish, weeds, and tall grass.

Sec. 18-87. Reserved.

DIVISION 2. STREETS

Sec. 18-88. Names.

New street names shall not duplicate the names of existing streets, but streets that are continuations of other streets already in existence and named shall bear the name of the existing street. All proposed street names shall be approved by the appropriate regional review agency. When the final plat is submitted, a letter from the appropriate review agency indicating its approval of specific names shall accompany the plat.
(Ord. of 10-19-83, Sec. 15-49)

Sec. 18-89. General design and location requirements.

Streets shall be designed and located in relation to existing planned streets within the general area, to topographical conditions and natural terrain features, such as streams and existing tree growth, to public convenience and safety, and in appropriate relation to the proposed uses of land to be served by such streets.
(Ord. of 10-19-83, Sec. 15-40)

Sec. 18-90. Arrangement generally.

(a) All streets shall be properly integrated and coordinated with existing streets and the proposed system of streets within and contiguous to the subdivision.

(b) All thoroughfares shall be properly related to special traffic generators, such as industries, business districts, schools, churches and shopping centers; to population densities; and to the pattern of existing and proposed land uses.

(c) Local streets shall be laid out to conform as much as possible to the topography to discourage use by through traffic, to permit efficient drainage and utility systems and to require the minimum number of streets necessary to provide convenient and safe access to property.

(d) The use of curvilinear streets, cul-de-sacs or U-shaped streets shall be encouraged where such use will result in a more desirable layout.

(e) The arrangement, character, extent, width, grade and location of all streets shall conform to the comprehensive plan of the county and shall be designed in accordance with the specifications adopted by the Virginia Department of Transportation.
(Ord. of 10-19-83, Sec. 15-4 (a-d))

Sec. 18-91. Extension to boundary lines of tract.

Proposed streets shall be extended to the boundary lines of the tract to be subdivided unless prevented by topography or other physical conditions or unless, in the opinion of the Planning Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts. In the event a street(s) cannot be extended, consideration should be given to a pedestrian right-of-way to accommodate the movement of residents from one subdivision to another.

Sec. 18-92. Planning of streets in business and industrial developments.

In business and industrial developments, the streets and other accessways shall be planned in connection with the grouping of buildings, locations of rail facilities and the provision of alleys, truck loading and maneuvering areas and walks and parking areas, so as to minimize conflict of movement between the various types of traffic, including pedestrian.

(Ord. of 10-19-83, Sec. 15-41{f})

Sec. 18-93. Primary and secondary public street access.

(a) Any subdivision proposed for fifty (50) lots or more, whether it will be built in sections or at one time, shall provide a main entrance with a median divider separating the opposing traffic shall be provided to accommodate this facility.

(b) All subdivisions shall provide for a second public road access prior to the recordation of any subdivision plat, if the cumulative total of the lots in that subdivision is in excess of fifty-nine (59) lots. In addition, the county shall not issue more than fifty (50) building permits in any subdivision until the subdivider or developer completes construction of an approved second public road access.

(c) Left or right turn lanes shall be provided at intersections when the Virginia Department of Transportation projected turning movements warrant their installation. These facilities shall be designed in accordance with the appropriate provisions of the department's Minimum Entrance Standards. Where necessary, additional width of right-of-way shall be provided to accommodate these facilities.

Sec. 18-94. Stub roads.

(a) The necessary right-of-way for stub roads to provide adequate access to adjacent property or utility easements to provide utility service shall be dedicated at the time a subdivision plat is recorded. When the adjacent property is developed, the developer of such property shall connect and construct all stub roads to Virginia Department of Transportation standards and extend utility service to connect with the adjacent subdivision to county utility department standards.

(b) In any subdivision recorded or built in sections, all stub roads or utilities in a section designed to serve property in the subdivision, but to be developed in a later section, shall be constructed at the time other streets or utilities in the later section are constructed.
(Ord. of 10-19-83, Sec. 15-4{h. i})

Sec. 18-95. Location near railroads or limited access highways.

Subdivision of land adjacent to railroad right-of-ways and limited access highways shall be treated as follows:

(1) In districts zoned for commercial or industrial uses, the nearest street extending parallel or approximately parallel to the railroad shall, whenever practicable, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial sites.

(2) Streets parallel to the railroad or limited access highway, when intersecting a street which crosses the railroad or limited access highway at grade, shall be, to the extent practicable, at a distance of at least one hundred fifty (150') feet from the railroad or limited access highway right-of-way. Such distance shall be determined with due consideration of a minimum distance required for future separation of grades by means of appropriate approach gradients.
(Ord. of 10-19-83, Sec. 15-42)

Sec. 18-96. Access to arterial or collector streets.

Where a subdivision borders on or contains an existing or proposed arterial or collector streets, the planning Commission may require that access to such streets be limited by one (1) or more of the following means:

(1) The subdivision of lots so as to back onto the arterial or collector street and front onto a parallel local street. No access shall be provided from the arterial or collector street and screen planting shall be provided on a strip of land along the rear property line of such lots.

(2) A series of cul-de-sacs, U-shaped streets or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the arterial or collector streets.

(3) A marginal access or service road, separated from the arterial or collector street by a planing or grass strip and having access thereto at suitable points.

(4) Keeping the number of residential streets entering an arterial or collector streets to a minimum. Such residential streets shall be separated by a minimum of six hundred (600') feet.

Sec. 18-97. Right-of-way width.

(1) (a) Major arterial, not less than one hundred twenty (120') feet.
(b) Minor arterial, not less than one hundred (100') feet.

(2) (a) Major collector, not less than one hundred (100') feet.
(b) Minor collector, not less than sixty (60') feet.

(3) Other subdivision streets, not less than fifty (50') feet.

(4) Alleys, if permitted, not less than twenty (20') feet or more than twenty-eight (28') feet.

The Planning Commission or agent may require a greater width if, after consultation with the Virginia Department of Transportation, additional width is determined necessary for the public health, safety and welfare. (Ord. of 10-19083, Sec. 15-44)

Sec. 18-98. Construction requirements.

(a) In cases where the Virginia Department of Transportation specifications are lacking or are less restrictive than the requirements of this section, the requirements of this section shall prevail. Except as provided in section 18-101 of this Code, all streets or roads constructed in any subdivision in the county shall conform to the following requirements:

(1) The right-of-way for the roadway shall be fifty (50') feet in width and shall be graded to thirty (30') feet, exclusive of side ditches.

(2) The base for pavement shall be at least twenty-four (24') feet in width and six (6") inches in depth of stone, size 21-A or 21-B approved by the Virginia Department of Transportation.

(3) Pavement widths shall be a minimum of twenty-two (22') feet constructed of material passing the Virginia Department of Transportation specifications. The minimum pavement design for all streets in any subdivision shall include two (2") inches of SM-2A bituminous concrete (asphalt concrete).

(b) The subdivider and/or developer shall be responsible for notifying VDOT and the County when subgrade has been achieved, when the stone base has been placed and when the pavement is being installed. In lieu of the above, the subdivider and/or engineer can have the design engineer certify to the County that the sub-grade (grade) has been properly prepared and the base and pavement has been installed as required by the approved plans. (Ord. of 10-19083, Sec. 15-50; Ord. of 4-20-88)

Sec. 18-99. Diameter of cul-de-sac turn arounds and maximum length of cul-de-sacs.

(a) An adequate turnaround facility shall be provided at the end of each cul-de-sac street to permit the safe and convenient maneuvering by service vehicles. To afford the greatest flexibility in design, various types of turnaround designs may be approved. (For example, see the Policy of

Geometric Design of Highways and Streets, AASHTO.) Additional right-of-way shall be provided as required by the turnaround design. Any non-traveled way areas included within turnarounds, such as islands, shall be included in the dedicated right-of-way of the facility.

For circular turnarounds, a well-defined, identifiable street segment shall extend from the intersected street to the beginning of the radial portion of the turnaround. The length of this segment shall equal the normal lot width along the intersected street which serves the cul-de-sac. A minimum radius, measured to the edge of pavement or face of curb, of thirty (30') feet shall be used for circular turnarounds on all other residential cul-de-sac streets planned to serve twenty-five (25') or fewer dwelling units. For circular turnarounds on all other residential cul-de-sac streets, as well as any nonresidential cul-de-sac street, a minimum pavement radius of forty-five (45') feet shall be used.

The diameter of a circular turnaround (measured at the outside right-of-way) shall not be less than one hundred (100') feet.

(b) Cul-de-sac streets shall not be longer than twelve hundred (1200') feet.
(Ord. of 10-19-83, Sec.15-45)

Sec. 18-100. Half streets.

Street systems in new subdivisions shall be laid out so as to eliminate or avoid half-streets. Where a half-street is adjacent to a new subdivision, the other half of the street shall be dedicated by the subdivider. Where a new subdivision abuts an existing street of inadequate right-of-way width, additional right-of-way width may be required to be dedicated by the subdivider to meet the requirements of this section
(Ord. of 10-19-83, Sec. 15-46)

Sec. 18-101. Private streets.

(a) All private streets constructed in Dinwiddie County, Virginia shall conform to the following standards and requirements:

1. All streets shall have a minimum fifty foot (50') right-of-way for the street's construction and for utilities. The location of this right-of-way shall appear on all preliminary subdivision plats and all subsequent subdivision plats.

2. All streets shall have a minimum improved width of thirty (30') feet as measured perpendicular from side ditch to side ditch. This improved area shall be known as the "street bed";

3. Within the street bed, all topsoil and vegetative matter shall be removed to provide a cleared subgrade surface of material adequate to support the private street. Once the street bed is cleared and before proceeding further, the subdivider shall notify the Planning Department in writing of the completion of this stage if improvement. A duly licensed engineer acceptable to the County and employed by the subdivider shall certify to the County that the cleared subgrade surface shall provide adequate support for the street's traffic;

4. The street shall have a minimum improved width of thirty (30') feet (30') as measured perpendicular from side ditch to side ditch. This improved area shall be known as the "street bed";

5. All streets shall have a minimum street shoulder width of three feet (3').

6. The stone base and travel surface shall be as follows:

   a. A two inch (2") layer of number 3 stone as base*; and

b. A top layer of three inches (3") of number 21A stone as the travel surface;

c. Once the stone base and travel surface layers are in place and before proceeding further, the subdivider shall notify the Planning Department, in writing, of the completion of this stage of improvement. A duly licensed engineer acceptable to the County and employed by the subdivider shall certify to the County that the stone base and travel surface comply with these standards;

*NOTE: The requirement of 6(a) may be waived by the subdivision Agent if the new private road is built upon an existing private road of material with a depth equal to a two (2") inch layer of number 3 stone.

7. All streets shall have a maximum road grade of ten percent (10%), except that within one hundred (100') feet of an intersection with a public street, the private street shall have a grade of no more than two percent (2%);

8. At the end of all private streets, a turn around area (the "private street cul-de-sac") shall be provided with a minimum radius of fifty (50') feet and shall have a stone base and a travel surface radius of not less than twenty-five (25') feet;

9. All streets shall have a minimum street crown of three percent (3%);

10. The front and back slopes of all drainage ditches and all the embankment slopes shall have a maximum slope ratio of 2:1;

11. All streets shall have a maximum delta angle of forty-eight (48) degrees; and

12. All drainage structures located beneath the street shall consist of materials which meet the approved Virginia Department of Transportation standards for such a use.

B. In addition, all private streets shall be designed and constructed in accordance with the following requirements:

1. At the entrance to the private street, a sign shall be erected by the subdivider, which shall be constructed of a metal with a thickness of 0.125 inches or greater and which shall measure not less than 12" x 18" in size. The sign shall have lettering of no less than two (2") inches in size and shall state "PRIVATE STREET -- NOT MAINTAINED BY COUNTY OR STATE FUNDS". The subdivider shall maintain this sign until the initial conveyance of all lots shown on the subdivision plat has occurred, and the deeds for the lots have been recorded in the Clerk's Office of the Circuit Court;

2. In lieu of the payment to the County for costs associated with street sign, the subdivider shall erect at all intersections of private and public streets, a street pole and street sign of the type found throughout the County;

3. A private street shall not serve any lot or parcel with less than five (5) acres in area;

4. All private streets shall originate from a public street and shall not originate from any other private street;

5. All private streets shall not connect two public street and shall not originate from any other private street;

6. Private streets shall not serve more than six (6) lots and shall not serve more than six (6) residences. Lots, which are located at the intersection of a private street and

public street and which meet the Zoning District's requirements for frontage upon a public street, shall be permitted to have ingress and egress to either street, but not both streets, without affecting the number of lots permitted on a private street;

7. A private street entrance shall not be located within six hundred (600') feet of another private street entrance that is located on the same side of the public street. This distance shall be measured from the center line of each private street where the private street intersects with a public street;

8. Each driveway, or access point, for a lot served by the private street shall have at least a twenty (20') foot length of pipe beneath the driveway or access point to provide drainage. This pipe shall have a diameter that is adequate to carry the anticipated flow of water and shall consist of concrete or metal. Under no circumstances, however, shall the diameter of the pipe be less than twelve (12") inches;

9. The requirements in Section 18-99 regarding the maximum length of a cul-de-sac street shall not apply to private streets, but the length of the private street shall not exceed one thousand eight hundred feet (1800");

10. A restrictive covenant mandating that all lot owners, and their successors, obligate themselves to maintaining the streets in a subdivision through a "Street Maintenance Agreement" shall be recorded in the Clerk's Office of the Circuit Court contemporaneously with record of final subdivision plat on all lots served by private street. This restrictive covenant shall be set forth expressly in all deeds recorded subsequent to the approval of the subdivision plat. This restrictive covenant and its recording requirement also shall appear as a note on all subdivision plats; and

11. All subdivision plats, which contain any private streets, shall contain the following statement:

"THE PRIVATE STREET(S) IN THE SUBDIVISION WILL NOT BE PAVED OR MAINTAINED WITH FUNDS OF DINWIDDIE COUNTY OR FUNDS ADMINISTERED BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION. IN THE EVENT THE OWNERS OF LOTS IN THIS SUBDIVISION SUBSEQUENTLY DESIRE THE ADDITION OF SUCH PRIVATE STREET(S) TO THE SECONDARY SYSTEM OF STATE HIGHWAYS, THE COST TO UPGRADE THE STREET(S) TO THE PRESCRIBED STANDARDS SHALL BE PAID FROM FUNDS OTHER THAN THOSE ADMINISTERED BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION OR DINWIDDIE COUNTY. ALL PRIVATE STREETS IN THIS SUBDIVISION ARE NOT DEDICATED TO DINWIDDIE COUNTY."

Each deed conveying a lot in this subdivision also shall contain this statement.

C. Prior to final subdivision plat approval, the subdivider of a subdivision containing private streets shall, among other documents required by this Chapter, provide the following documents to the Planning Department:

1. A copy of the Street Maintenance Agreement that all lot owners served by the private street shall be required to sign. The Street Maintenance Agreement shall set forth the duties and obligations of the lot owners for maintaining the street to Dinwiddie standards and shall not be amended, modified or altered in any other manner without prior written notice to the County;

2. An Erosion and Sediment Control Plan containing the information and details necessary for compliance with Chapter 9 of the Code of the County of Dinwiddie, Virginia;

3. A statement by an engineer, licensed in the Commonwealth of Virginia acceptable to the County and employed by the subdivider that the subdivider has completed or has provided for completion of all required improvements at the subdivider's expense.

D. To provide for completion of all improvements in accordance with 18-101(C)(3), the subdivider shall provide the Director of Planning a certified check; cash escrow; surety bond; or bank or savings and loan association's irrevocable letter of credit, approved by the county attorney, in an amount sufficient to cover the estimated costs of all required improvements as follows:

1. The amount of the certified check, cash escrow, bond or irrevocable letter of credit shall not exceed the estimated cost of construction plus a reasonable allowance for estimated administrative costs, inflation and potential damage to existing roads or utilities. The cost estimate for the improvements shall be prepared at the subdivider's expense by an engineer licensed in the Commonwealth of Virginia to make this estimate a sworn certificate of being so qualified. The subdivider shall obtain the Director of Planning's approval of the subdivider's estimate of the time necessary to complete the improvements. If that time is exceeded and is not extended by the Director of Planning, the Director of Planning shall arrange for completion of the improvements using the certified check, cash escrow, or irrevocable letter of credit or by calling on the surety on the bond.

2. Upon the subdivider's written request, the Director of Planning shall make periodic partial releases of bonds, escrows, letters of credit or other performance guarantees in a cumulative amount equal to no more than ninety (90%) percent of the original amount for which the bond, escrow, letter of credit or other performance guarantee was taken, based upon the submission by the subdivider of a certificate, prepared and signed by qualified engineer licensed in the Commonwealth of Virginia, who is acceptable to the County, that the percentage of the completed improvements equals the percentage of funds to be released and that after the release of this percentage of funds, sufficient funds shall remain to cover the outstanding costs of completing the improvements.

3. Within thirty (30) days of receipt of written notice from the subdivider of completion of part or all of the improvements required to be constructed, the Director of Planning shall determine whether subdivider's request complies with the design plans approved by the Director of Planning. Written notice under this subsection shall consist of a letter from the subdivider to the Director of Planning requesting reduction or release of the performance guarantee along with a set of a-built plans and a certificate of completion by a duly licensed engineer. If no action is taken by the Director of Planning within the 30-day period, the request shall be deemed approved and a partial release granted to the subdivider. No final release shall be granted until after such 30-day period has expired, and there is an additional request in writing sent by certified mail, return receipt requested, to the County Administrator. The Director of Planning shall have ten working days to act after receipt of the second request for final release, and, if no action is taken, the request shall be deemed approved and final release granted to the subdivider.

E. Upon the completion of all improvements, the subdivider shall furnish a statement by an engineer, licensed in the Commonwealth of Virginia, who is acceptable to the County, that all construction is in substantial conformity to the regulations and requirements of this Chapter and the plans approved by the Director of Planning. This engineer's statement shall be addressed to the Director of Planning. The Director of Planning may release the subdivider from the obligation to complete all of the improvements in the subdivision, if the undeveloped portion of the subdivision has been vacated as provided by law and if the subdivider furnishes a statement by an engineer, licensed in the Commonwealth of Virginia, to the County that all construction which has been completed conforms to the regulations and requirements of this Chapter and the design plans approved by the Director of Planning.

Sec. 18-102. Intersections.

(a) Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new streets at an angle of less than seventy-five (75) degrees shall be prohibited. Not more than two (2) streets shall intersect at any one point.

(b) Proposed new intersections along one (1) side of an existing street shall, whenever practicable, coincide with an existing intersections on the opposite side of such street. Streets jogs with center line offsets of less than one hundred fifty (150') feet shall be prohibited. Where streets intersect major streets, their alignments shall be continuous or separated by a minimum distance of three hundred (300') feet between center lines.

(c) Alley intersections with streets and abrupt changes in street or alley alignment shall have the corners rounded off in accordance with standard engineering practice, to permit safe vehicular movement.

(d) Where the grade of any street at the approach of an intersection with an arterial or collector street exceeds the current VDOT standards a leveling area shall be provided having no more than a three (3) percent grade for a distance of fifty (50') feet, measured from the nearest right-of-way line of the intersecting street. If the current VDOT standards are more restrictive, their regulations shall apply.

(e) Intersections shall be designed with a flat grade wherever practical. In no case shall the vertical alignment within the intersection area exceed three (3) percent.

(f) Where any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer shall cut such ground or vegetation (including trees) in connection with the grading of the public right-of-way to the extent deemed necessary to provide a minimum sight distance of ten (10) times the posted speed limit in feet along each approach leg, measured from the nearest right-of-way line of the intersecting street.

(g) Minimum corner radius at street intersections shall be as specified by the Virginia Department of Transportation.
(Ord. 10-19-83, Sec. 15-47)

Sec. 18-103. Alleys.

(a) Dead-end alleys are prohibited except under very unusual circumstances, and crooked and "T" alleys shall be discouraged. Where dead-end alleys are unavoidable, they shall be provided with adequate turnaround facilities at the dead end.

(b) Alleys shall not be permitted in residential areas.

Sec. 18-104--18-108. Reserved.

DIVISION 3. BLOCK

Sec. 18-109. Size generally, shape.

(a) Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width may be permitted in blocks adjacent to schools, parks, major streets, railroads, shopping centers or waterways.

(b) The lengths, widths and shapes of blocks shall be appropriate for the locality and the type of development contemplated, but block length in residential areas shall not exceed one thousand eight hundred (1,800') feet. Wherever practicable, blocks along major arterials and collector streets shall not be less than one thousand (1,000') feet in length.
(Ord. of 10-19-83, Sec. 15-53)

Sec. 18-110. Size when designed for commercial or industrial uses.

Blocks designed for commercial or industrial uses shall be of such length and width as may be determined suitable by the agent or planning commission for the prospective use.
(Ord. of 10-19-83, Sec. 15-54)

Sec. 18-111 --18-115. Reserved.

DIVISION 4. LOTS

Sec. 18-116. Size, shape and orientation generally.

In general, the size, shape and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. Lot dimensions shall conform to the requirements of Chapter 22 of this Code.
(Ord. of 10-19-83, Sec. 15-55(a))

Sec. 18-117. Compliance with rules of state health department and Chapter 21 of this Code.

Residential lots to be served by private or individual septic tanks or sewage disposals facilities shall comply with the rules of the state health department and Chapter 21 of this Code.
(Ord. of 10-19-83, Sec. 15-55(b); Ord. of 12-2-87)

Sec. 18-118. Depth and width of commercial or industrial lots.

The depth and width of properties laid out for commercial or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, as establish, in Chapter 22 of this Code.
(Ord. of 10-19-83, Sec. 15-55(c))

Sec. 18-119. Peculiarly-shaped elongations to require necessary square footage.

Lots shall not contain peculiarly-shaped elongations solely to provide necessary square footage of area which would be unusable for normal purposes.
(Ord. of 10-19-893, Sec. 15-55(l))

Sec. 18-120. Drainage.

Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentration of the storm drainage water from one lot to adjacent lots.
(Ord. of 10-19-83, Sec. 15-55(f))

Sec. 18-121. Street frontage requirements.

Every lot except those permitted by Section 18-101 of this Code or the Zoning Ordinance, shall front on a public street. Where a subdivision adjoins a major road, the agent may require that the newly

created lots front on the subdivision road rather than the major thoroughfare, to avoid unnecessary ingress and egress from individual driveways.
(Ord. of 10-19-83, Secs.15-53, 15-55(e))

Sec. 18-122. Additional setback requirements for lots fronting on arterial and collector streets.

Where lots front on arterial or collector streets, the minimum building setback line,as measured from the street right-of-way line, shall be increased by an additional twenty-five (25') feet.

Sec.18-123. Additional width for corner lots.

Corner lots shall be of additional width so as to provide for the required setbacks from both streets.
(Ord. of 10-19-83, Sec. 15-55(k))

Sec. 18-124. Avoidance of right angle lots.

Lots at right angles to each other shall be avoided wherever possible.
(Ord of 10-19-83, Sec. 15-55(g))

Sec. 18-125. Avoidance of double and reversed frontage lots.

Double frontage and reversed frontage lots shall be avoided except where necessary to overcome specific disadvantages of topography and orientation or in conflict with Sec. 18-96 of this ordinance.
(Ord. of 10-19-83, Sec. 15-55(j))

Sec. 18-126. Location of side lines with respect to street lines.

Side lot lines shall be approximately at right angles or radial to street lines.
(Ord. 10-19-83, Sec.15-55(h))

Sec. 18-127. Lines to follow, rather than cross, county boundary lines.

Lot lines shall follow county boundary lines wherever practicable, rather than cross them.
(Ord. of 10-19-83, Sec. 15-55(i))

In all other respects the Dinwiddie County Code is hereby reordained.

IN RE: SELECTION OF AUDIT FIRM FOR 1997

Mrs. Wendy Weber Ralph, Assistant County Administrator, came before the Board stating that the present contract on auditing services has expired. We have gone forward with an RFP. The audit review committee, which consisted of Mr. William E. Jones, Treasurer, Mr. Ray Watson, Assistant Superintendent, Finance and Technology, School Board, Mrs. Glenice Townsend, Fiscal Officer, and myself, met Tuesday, March 25, 1997, to hold interviews with the firms who submitted proposals for the County's audit. We interviewed all the firms that submitted proposals. Those firms being: Robinson, Farmer Cox; Cherry, BeKaert & Holland (our present auditor); KPMG Peat Marwick; Saunders & White; and Goodman & Company. The firms were rated on the following factors: Qualifications to Perform Work - Qualifications and Depth of Staff; Understanding of the work to be performed; Local government auditing experience; Local government clients and number of years served; and additional services provided. After conducting the interviews and completing the ratings, the Committee came to a unanimous decision on their first priority one selection and they would like to recommend to the Board at this time that they be authorized to begin negotiations with Robinson, Farmer, Cox Associates. We feel that we can negotiate a satisfactory price for the County. If we can arrive at a satisfactory amount we would like also authorization to proceed with a contract. We are required by State Code to have an auditor on board by the first of April.

Mr. Clay questioned if the satisfactory amount would be satisfactory with the Board. Mrs. Ralph stated the cost would be communicated to the Board before any contract was confirmed.

Upon motion by 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 the committee has authorization to begin negotiations with Robinson, Farmer, Cox Associates for audit services and to proceed with a contract if a satisfactory price is reached.

IN RE: ADOPTION OF HIRING PRACTICES

The County Administrator, presented to the Board the following guidelines for hiring practices for 100% County funded positions.

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 the following guidelines be approved and adopted:

FOR MANY DEPARTMENTS, THE 1997-98 BUDGET INCLUDES POSITIONS BEING FUNDED 100% BY THE COUNTY. IT IS THE DESIRE OF THE BOARD OF SUPERVISORS THAT THE FOLLOWING GUIDELINES BE FOLLOWED IN THE PROCESS OF THE HIRING OF ANY POSITIONS FUNDED TOTALLY BY THE COUNTY.

1. FUNDS MUST BE IN THE APPROVED BUDGET OR A FORMAL REQUEST MADE TO THE BOARD TO APPROPRIATE FUNDS FOR ANY NEW POSITION;

2. JOB DESCRIPTIONS, STARTING SALARY AND A REQUEST TO ADVERTISE A POSITION MUST BE SUBMITTED TO THE BOARD PRIOR TO THE POSTING. THE ADVERTISEMENT SHOULD BE CONDENSED, CONTAINING ONLY INFORMATION REQUIRED BY LAW WITH INSTRUCTION THAT JOB DESCRIPTIONS AND APPLICATIONS WILL BE AVAILABLE IN THE RESPECTIVE OFFICE;

3. WHEN INTERVIEWS ARE DONE, THE FOLLOWING DOCUMENTATIONS MUST BE EXECUTED (COPIES AVAILABLE IN THE PAYROLL OFFICE):

   a. CRIMINAL HISTORY RECORD REQUEST
   b. AUTHORITY FOR RELEASE OF INFORMATION (INCLUDES DRIVING RECORD).

4. SELECTION AND RECOMMENDATION MUST BE MADE TO THE BOARD PRIOR TO HIRING. BOARD ACTION CONTAINING APPROVAL OF STARTING SALARY AND STARTING DATE MUST BE AVAILABLE TO THE PAYROLL DEPARTMENT BEFORE ANY INDIVIDUAL CAN BE ADDED TO PAYROLL RECORDS.

IF AN ESTABLISHED POSITION IS VACATED, THE SAME CRITERIA MUST BE FOLLOWED. NOT FOLLOWING THESE GUIDELINES CAN AND WILL RESULT IN THE BOARD NOT FUNDING THE POSITION/POSITIONS IN THE NEXT FISCAL YEAR.

IN RE: YMCA HEALTHY KID'S DAY

Upon motion of Mrs. Everett, 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 April 12, 1997 be designated YMCA Healthy Kid's Day in Dinwiddie County as stated below:

PROCLAMATION

Designating April 12, 1997
YMCA Healthy Kid's Day
in Dinwiddie County, Virginia

WHEREAS, the YMCA's vision is to be the nation's leader in prevention and development programs for children; and

WHEREAS, the YMCA nurtures the healthy development of children, strengthens families, builds character, and helps communities become healthier and safer; and

WHEREAS, the YMCA helps people of all ages, incomes, races, religions, and abilities lead healthier lives; and

WHEREAS, at the YMCA, there is a sense of belonging and everyone can succeed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, proclaim April 12, 1997 as YMCA Healthy Kids' Day and urge all citizens of our community to give full regard to the services of the Southside Virginia Family YMCA.

IN RE: AUTHORIZATION TO PROCEED WITH COMPLETION BONDS --COURTHOUSE AND SCHOOLS

Mrs. Wendy Weber Ralph, came forth stating that there was a need to proceed with the additional borrowing to complete the Courthouse and the School projects. We told you we would be meeting with the Industrial Authority, which we did last night, to review the needs and also to get directions from them as to how they felt about being the conduit for this additional bond issue. Based upon needing the funds by June of this year, the underwriter would like authorization to move forward with the financing at this time. The actual documents and preliminary offering statements would be presented to the Board on May 7, 1997, for final approval, and then would go to the IDA on May 8, 1997.

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 the underwriter has authorization to move forward on the financing for the completion bonds on the Courthouse and School projects.

IN RE: COMMONWEALTH ATTORNEY -- AUTHORIZATION TO PURCHASE PC

Mrs. Ralph stated that the State Compensation Board has provided 100% reimbursable funding for the Commonwealth Attorney's Office, after our budget was adopted, for equipment. This funding is for a PC which falls, well under what was allowed by the State. They would like to proceed with the purchase of this PC. The total cost being $1,967.00.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 Commonwealth Attorney's Office is authorized to proceed with the purchase of a new PC for the sum of $1,967.00 which will be 100% reimbursed by the State Compensation Board.

IN RE: COUNTY ADMINISTRATION COMMENTS

Mr. Burgess stated that one more time he would like to thank the Board for the opportunity that they afforded him to work with them and for them. I would like to thank the staff for all the support they have provided me in the three (3) plus years I have been here and wish each of you the best of luck and I am sure we will cross paths somewhere in the future. Thank you very much for the opportunity to have been of service to this County and Schools.

The Board members wished Mr. Burgess well in his new endeavor.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr,. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 1 - Discussion or consideration of employment, salaries, discipline of public officers, appointees, or employees of any public body - Administration; 2.1-344 (a) 3 - Discussion or consideration of the condition, acquisition or use of

real property for public purpose; and 2.1-344 (a) 7 - consultation with legal counsel - Airport litigation. The Board moved into Executive Session at 10:40 p.m. A vote having been made and approved, the meeting reconvened into Open session at 11:30 p.m.

IN RE: CERTIFICATION

Upon motion by Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: RESOLUTION TO PURCHASE PROPERTY

Upon motion of Mrs. Everett, 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 the following Resolution be adopted:

WHEREAS, the Board of Supervisors of the County of Dinwiddie, Virginia (the "Board") believes it to be in the best interests of the County to purchase a tract of land in the County consisting of approximately sixty (60) acres (the "Property") for the location of future educational facilities;

NOW, THEREFORE, BE IT RESOLVED that the Agreement for the Purchase and Sale of Real Estate previously presented to the Board (the "Agreement") is hereby approved and the Chairman of the Board, County Administrator and Assistant County Administrator are each authorized and directed to execute the Agreement on behalf of the Board with such amendments thereto as may be deemed necessary in their sole discretion (the approval of which shall be conclusively evidenced by their execution thereof), deliver the same to the sellers of the Property and take such actions as they deem necessary or expedient to fulfill the Board's obligations under the Agreement and to carry out the purposes and intents of this resolution, including without limitation, the purchase of the Property.

IN RE: REORGANIZATION OF COUNTY STAFF/INTERIM PERIOD

Upon motion of Mr. Clay, seconded by Mr. Tickle, 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 Mrs. Wendy Weber Ralph, assumes the position of Interim County Administrator, at a salary of $64,000, effective April 5, 1997, until such time as that position is filled on a permanent basis; and

Extract

BE IT FURTHER RESOLVED BY the Board of Supervisors of Dinwiddie County, Virginia, that Mrs. Glenice N. Townsend, Director of Fiscal Operations shall assume the job responsibilities of the Assistant County Administrator at a salary of $47,281, effective April 5, 1997, until such time as that position is reassumed or filled; and

BE IT FURTHER RESOLVED BY the Board of Supervisors of Dinwiddie County, Virginia, that Mrs. Cathy Carwile, Data Processing Manager, shall assume the job responsibilities of the Director of Fiscal Operations at a salary of $35,369 effective April 5, 1997 until such time as that position is reassumed or filled.

IN RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 11:45 P.M. to be continued until Wednesday, April 16, 1997 at 12:00 Noon for a Executive Session at the Pamplin Building.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST:
Charles W. Burgess, Jr.
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 16TH DAY OF APRIL, 1997 AT 12:00 NOON.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	DAN SIEGEL	COUNTY ATTORNEY

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mrs. Everett, Mr. Tickle, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 1 - Discussion or consideration of employment, salaries, discipline of public officers, appointees, or employees of any public body; Section 2.1-344 (a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made; Section 2.1-344 (a) 6 - The investing of public funds; and Section 2.1-344 (a) 7 - consultation with legal counsel. The meeting moved into Executive Session at 12:00 noon. The Board recessed at 1:45 P.M. to the Board Room, Pamplin Administration Building. A vote having been made and approved the meeting reconvened into Open Session at 2:00 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye" the agenda was amended to add the following:

13. Executive Session - pursuant to the Virginia Freedom of Information Act, Section 2.1 - 344 (a) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose; and Section 2.1 - 344 (a) 7 - consultation with legal counsel.

IN RE: MINUTES

Upon motion of Mr. Tickle, 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 the minutes of the March 26, 1997 Continuation Meeting and the April 2, 1997 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 #1005499 - # 1005648 (void checks 1005498 - 1005582 - 1005530); for Accounts Payable in the amount of $353,041.47; General Fund $280,185.79, Jail Commission $480.92, E911 Fund $1,615.55, Self Insurance Fund $16,418.25, Law Library $110.25, Fire Programs $578.80, County Debt Service $53,651.91. Also included is a Dinwiddie County Airport and Industrial Authority claim for legal expense in the amount of $1,489.12.

Mr. Bracey questioned as to when he would receive the information requested in the Board meeting on March 19, 1997. Mrs. Ralph apologized stating that she had not received information on which case as requested from Mr. Bracey at that meeting. Mrs. Ralph stated that if Mr. Bracey would see her, she would supply the information on any cases he had concerns about. Mr. Bracey stated his main concern was with the Sayre case.

IN RE: APPROVAL OF REQUISITION #21 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Interim County Administrator, stated that Requisition #21 for the Courthouse consists of payments to:

Hening-Vest-Covey	$ 9,171.87
Dunbar, Milby, Williams	$ 200.00
ECS, Inc.	$ 2,360.74
Total	$11,732.61

Upon motion of Ms. Everett, seconded by Mr. Bracey, 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 #21 in the amount of $11,732.61 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

The following persons addressed the Board:

1. Mr. Aubrey Conn, 5210 Chesdin Road, Petersburg, Virginia, came before the Board to express concerns regarding scholarship recipient selection. His concern was not only the selection process but the fact that he was unable to obtain a response from the Dinwiddie County School Board. Mr. Conn stated that he had appeared before the Dinwiddie County School Board on January 14, 1997. Twelve (12) weeks have passed and his questions have still not been answered. He requested the Board of Supervisors to intervene and help him obtain the answers.

Mr. Moody assured Mr. Conn that the question would be directed to the School Superintendent and get an answer to you within two (2) weeks.

Mr. Conn was given a form by Mrs. Pamla Mann, Administrative Secretary, and requested to complete the form and return to the Administration Office. Mr. Moody, Chairman, stated that upon receipt of a written request we would research the matter and report back to him within twelve (12) working days.

IN RE: DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Harold Dyson, Assistant Resident Engineer, came before the Board stating he had no report at this time, however he was available for questions.

Mr. Bracey stated he wished to comment on the morning dilemma. Mr. Bracey further stated that he had heard about the morning situation around 5:00 A.M., when he did come out about 6:00 A.M., people were going toward Petersburg to go to work. These are people who do not get up and

listen to the television. These people were being turned around and had to come all the way back to Dinwiddie to take I-85 to work. Then later, way after the school buses had run, you had put a sign up. I think your time was a little off this morning.

Mr. Dyson, stated that they were not informed by Emergency Operations of the situation until around 5:00 A.M. By the time we got crews out it was about 6:00 A.M., then we had to pull signs. It was about 8:00 A.M. before we could accumulate enough signs to do the job we needed to do.

Mr. Clay asked about Nash Road, stating that the road had been closed for over a year and four months. When will this be finished? Mr. Dyson replied that they are working on the grade work right now and hopefully within the next 30 days the road will be reopened.

Mr. Tickle stated that he had previously asked about some of the roads in his area, specifically his road, and also about Station Road. I feel that these roads are not up to par and were not actually built to par to start with. You come in and throw tar and gravel on them all the time but it never mends the problems of potholes, indentations, etc. I wanted a reply from you and I have not had that yet. To take it one step further, I would like a reply about what we are doing for the entire County. I don't even ride on Station Road because it is such a rattle trap, even if you have a fine car, because of the bumps and holes. I would like to know what we are doing about repairing the roads that are not up to standards. What happens if a road that has pavement, when you stand on the pavement and it goes up and down because for some reason there is a separation between the road and the ground? What are we doing to correct those for the entire County? Mr. Dyson stated that if you have a situation where you have pumping. Mr. Tickle stated is that what you call it, pumping? I have pumping. Mr. Dyson stated that if we know the specific location the only way to solve it is to go in, cut the pavement out and bring it back up to grade. Wheel tracks are another major problem but there is no where near enough money to correct all of these. Mr. Tickle stated that he hated having a road in the County that everyone hated to ride on. His area is taxed at a very high rate and he felt that this problem should be corrected.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present at this time. Mrs. Marston sent word that she will be available during and after the Executive Session. She will present her monthly report at that time.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, came before the Board stating that he had nothing further to report but was available for questions. He submitted his report for the month of March.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, was not present at this time.

Mr. Bracey requested that a memo be sent to Mr. Rainey asking him to call at his earliest convenience, in order to set up an appointment, for a County related matter, not personal.

IN RE: SHERIFF -- REPORT

Mr. Samuel H., Shands, Sheriff, came before the Board and stated that all he had was his policy and procedure for hiring, of which each Board member should have a copy.

Mrs. Everett asked if any ticketing had been done on Duncan Road for the speeding problem. Sheriff Shands stated that he had checked into that, per a letter that he had received. There have been some tickets written but he is unaware if the Judge gave the additional $200.00 fine, that he does not know. Mrs. Everett stated that complaints are still

coming in about the speeding on that road. She requested radar be used in that area. Sheriff Shands stated that as soon as he had the unit available he would see what he could do.

Mr. Bracey asked the Chairman which month the Board was to begin receiving the report from the Sheriff's Department which would give the population count. Mrs. Ralph stated that no date had been given for the beginning. She stated that a letter had been sent to Sheriff Shands asking about how the regional jail opening would affect his personnel. Sheriff Shands stated that the opening would have no affect on the jail because he would be able to obtain inmates from the state to fill any vacancies. Mr. Bracey asked Sheriff Shands to please put that in writing for him. Mr. Bracey stated his concern was the population it's self. Mr. Bracey again stated that in the monthly report he would like to know the following information:

1. The person
2. What jurisdiction they are from

This is by month. That was the original request. As for who told you that we could get state inmates, I would like to know the name of the person that told you that, in writing. Sheriff Shands stated ok to that request, however he wished to go back to the monthly report. He stated that the information may not be accurate because they trade inmates with other localities from time to time. Mr. Bracey stated that he understood that. He explained to Sheriff Shands that if that inmate was in his jail for five (5) minutes then that inmate would be counted as part of the population for that month.

Mrs. Blazek questioned Sheriff Shands about the upcoming Pennzoil Nationals that will be held at Virginia Motorsports Park the weekend of May 25, 26 and 27, 1997. She was concerned about the traffic congestion and the number of deputies that would be working the area. Her major concern was getting in and out of Picture Lake Campground. Sheriff Shands stated that the State Police would be working the area and that any deputies requested would be in the area. Sheriff Shands stated that he would not deprive the citizens of Dinwiddie County - his citizens come first. Mrs. Everett asked Sheriff Shands if there was any cooperation with VDOT with getting some electronic signs out like they do for other events. Sheriff Shands stated that they would be setting up cones.

IN RE: COMMONWEALTH ATTORNEY

Mr. T. O. Rainey, III, Commonwealth Attorney, came before the Board and apologized for not being present when he was initially called, stated that he was in Court at that time. Mr. Rainey stated he had no report but was available for questions.

Mr. Bracey stated to the Chairman that he needed an appointment with Mr. Rainey to consult with him about a County problem. I would like for Mr. Rainey to set the date. Mr. Rainey stated that Friday, April 18, 1997, at 8:00 A.M.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspection, came before the Board and gave his monthly report. He went over the figures that were presented to the Board in the packet. He stated he had no further report but was available to questions.

Mrs. Everett stated that she was wondering the number of dwellings increased from 12 to 16, with a value increase of over a million dollars. Are these bigger houses or what? Mr. Abernathy stated that the houses that are coming in are bigger, also construction costs have gone up. Mrs. Everett asked also about the commercial increase. Mr. Abernathy stated that this included the Middle School; they had already gotten their permit. Also the heating and air increase, some of that is the Middle School. Mrs. Everett questioned as to the location of the new homes. Mr. Abernathy stated that the bigger houses are staying scattered, medium size houses are definitely still up in your water, sewer area.

Mr. Moody stated that he had one question - the average value on those is $120,000.00. Do you have any idea how much that is off from the actual value? Mr. Abernathy replied that these figures are the actual figures that they, the contractor/owner, put on the building permits. I feel that this is in the eighty (80%) percent area.

Mr. Abernathy stated that he wanted to advise the Board that all three (3) Inspectors will be out of the office on the following days: May 7, May 14, June 4, June 11, 1997, which are Wednesdays. No inspections will be able to be done on these days. There are mandatory classes on State Code changes on these dates. There are new codes coming out. The new book cost $800.00. We are trying to inform the public of these dates and will try to work with them the best we can during this time.

IN RE: ANIMAL WARDEN -- REPORT/LIVESTOCK CLAIM

Mr. Steve Beville, Animal Warden, came before the Board with his monthly report. He asked if the Board had any questions regarding this report. There being no questions, Mr. Beville stated that he did have one claim. The claim is for one (1) goat for Mr. T. O. Cairns with a value of $65.00. Mr. Moody asked Mr. Beville if the value sounded like a fair value to him. Mr. Beville stated that he felt that it was fair.

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mrs. Everett voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the claim in the amount of Sixty-Five ($65.00) Dollars for one (1) goat be paid to T. O. Cairns.

Mr. Tickle stated that he wished to discuss the group of residents, from Sutherland Manor, who came before the Board some time ago. They came with legitimate concerns. I know that they are taking recourse with some type of court action. If I remember correctly, please correct me, but did we say that you, Mr. Beville, were going to investigate what possibilities we could have to address some of the concerns in subdivisions to make it fairer and work, across the board and to give citizens some ability to pick and choose. Were you going to report back to us and/or report finding to the Administration? Mr. Beville stated that he did not recall what was said in the past, however he does remember the individuals coming before the Board. In reference to the court case, I was advised this morning that it had been postponed again. As far as them getting a leash law, we told them the process that had to be followed. Mr. Tickle asked what was the past process? Mr. Beville stated that they have to get the subdivision together and get a petition. Upon getting a majority of citizens in the subdivision to sign, present the petition to the Board to consider a leash law. Mr. Tickle petitioned the Board to have Mr. Beville please contact Mr. Thibault so that the Board may erase this as a concern for them and maybe we can go forth and we do not want this to be an issue for us. I ask this because I am still having calls from these individuals and they are still concerned about it. I did not know if we had taken action on this or not. Mr. Beville asked Mr. Tickle if he had a specific name. Mr. Tickle stated the name you mentioned.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. Guy Scheid, Director of Planning, came before the Board to present his monthly report. He wished to add to his written report that Mr. George Hobbs, appeared before the Board at the April 2, 1997, meeting and the Chairman directed that the Planning Department get in touch with him about the possibility of changing the name of the road in his area. We have sent the material on to him, the forms and everything, so everything that was needed for him has been sent on. He apologized for not attending the last Board meeting but stated he was not feeling well at all. Mr. Bracey asked Mr. Scheid, if when the information was sent to Mr. Hobbs, did he document it? Mr. Scheid said yes sir. Mr. Bracey asked if there was any specific time that it was supposed to be back to your office? Mr. Scheid replied no sir, no specific time. Mr. Hobbs can file at any time, now until forever. April 7th was the soonest that he could file; anybody who now wishes to file may do so at any time. If he wishes to act on it next year at this time he may do so, unless the Board wishes

to amend the ordinance, and change the ordinance such that you close the date in which that you will not accept any more changes. At the current time it is open ended. Mr. Bracey asked if any response had been received from Mr. Hobbs. Mr. Scheid stated he had not had a response from Mr. Hobbs. Mr. Bracey requested that the information be remailed - certified and/or make a telephone call asking Mr. Hobbs to sign that he had received the information. Mr. Scheid stated that would be a good follow-up. Mr. Bracey stated that many times citizens state that they did not receive the material; I just want to be sure that everything is done right to the letter.

IN RE: DIRECTOR OF PLANNING -- REPORT ON PIEDMONT EXPLOSIVES MEETING

Mrs. Everett wished Mr. Scheid to elaborate on item 4 in his written report. Mr. Scheid stated as the Board will remember there was an application in front of them involving possible location of a second, for a lack of a better word, explosive site, which was requested to be located on a site adjacent to where the Piedmont Explosive site was. Piedmont Explosives came up quite often during that conversation. I have been in conversation with the Piedmont people and I requested that I have a special meeting with them in order to relate to them what had occurred at the Board meeting since they had no representation here and they were not aware that they were even being discussed at the meeting. I met with them on Friday, April 4th, 1997 at 7:00 A.M., at the Ford rail siding. At that time there were people in attendance, Mason Harrison, Dave Robbins and Ed Peppin, from Piedmont Explosives, Jeff Savage from Norfolk-Southern Railroad, Gilbert Wood from the Planning Commission, and myself. What we had hoped to accomplish at this meeting was, they do have an off loading facility at that siding. There was a question as to whose property this facility was on. It turned out that that facility was put on somebody else's property. It was private property; not the Schoenenberger property but another individual's property, a timber company's property. The timber company told Piedmont Explosive that they did not want that facility on their property, get it off. What is going to happen is indeed that facility, which is basically a pit in the ground, a concrete pit, will be moved from that siding. Mrs. Everett asked Mr. Scheid if there was a permit for that. Mr. Scheid stated there was no permit. I did check on that and am sorry to say that a permit was not obtained. What the people did mention to Mr. Scheid was that Mr. Dave Nichols, who was at that time the Safety Officer, had been at the site several times looking at the site. Mr. Nichols was aware that something was going in but apparently there was no communication between the Safety Director going back and seeing if a building permit has been issued or not. The Piedmont people stated at that time that they contracted with an individual to do the work, they assumed that that contractor had obtained the permit. This particular facility will be closed. They are going to locate to a new site. They have applied for proper permits and I will be working with them on several other issues that were brought up, their trucks, the site, and safety of what they are doing. I have a meeting to go out there this Friday, April 18, 1997, at 3:30 P.M., in which they have a new truck that carries this material. I am going to view this truck; they are going to show me how it is containerized, departmentalized, or whatnot. I have already viewed this site; I am going to view this site again; I am going to stay on top of what they are doing. I had known that this was going to come up I would have made copies of all the correspondence but since it was in Mr. Moody's district I gave him copies of the letter that they recently, hand delivered to me today, as well as my correspondence with our attorney and a lot of the on going process. I felt that since it was in Mr. Moody's district that he needed to be aware of everything that I am doing. This is the same procedure I use if something is going on in any Board member's district. Mrs. Everett stated that since this issue came up at the Public Hearing all Board members should receive this information. Mr. Scheid stated that he would research this matter and make copies of all information for each Board member. Mr. Scheid extended an invitation to each and every Board member to attend the meeting on Friday, April 18, 1997, 3:30 P.M. at the Piedmont Explosive site. Mrs. Everett asked if Mr. Scheid has addressed the speed of the trucks. Mr. Scheid stated that Piedmont stated that it was impossible for their trucks to go 75 mph because they have governors on the trucks that limit the truck to 63 mph. Piedmont has instructed their driver not to exceed 35 mph; if they are observed exceeding this limit they will essentially be fired. They even went so far as to say that they do not object to, but I

don't think that it can legally be enforceable, they do not object to even writing a letter to the Sheriff's Department saying that if the Sheriff's Department were to catch any of their drivers on a secondary road, mind you, going over 35 mph that they would want them to ticket them and would encourage them to ticket them. They told their drivers that and have put it in writing, which we have. There are several other issues that I did discuss with them that they were very much concerned about when I mentioned to them some of what went on that evening. They wished that they knew that something like this was going to happen; they had no idea that the citizens had this feeling toward them in the community. They wished that they had had an opportunity to present their case. For instance, when Mr. Cline mentioned that his father had to leave the house, the reason he left the house was not because of the threat of the spill which the truck just laid over on the side. It was because in order to get the boom truck out there, the boom truck had to swing over and they had to disconnect the electric lines in that area, so they had to have Virginia Power come out and take the lines down, which caused a dangerous situation. This was the only way the boom truck could swing around, get the truck and right the truck so the truck could go on the road. Then Virginia Power had to reattach the lines, it was a matter of four (4) hours that he was out of the home. As far as the spill material goes, I don't mean to sound humorous but this is what I have been told by more than one person, the material that was on the ground, ammonia nitrate, is of such concentrate that the farmers in the area had told them don't worry about cleaning it up we will be back shortly and we will take care of this for you. There were several farmers in the area that did use some of the ammonia nitrate, which is a very good fertilizer for crops and that. Some of the local residents used it on their lawns. I am not meaning this to be humorous or to negate what some people's concerns are about ground water contamination or it being a dangerous material or whatnot. Mr. Bracey stated to Mr. Scheid that his main concern was that the County did not receive a report, regardless of what was in the truck, there was a mishap. Somebody should have reported that, that way that night, those persons that claimed whatever, I guess they have that right, the problem could have been solved. From what you have just been saying, even in the future things like that could happen and nothing is said. Somewhere somebody needs to make a report when that happens. I am saying, I hope we are not being partial to some companies. I have seen oil trucks come down the street and have a little tie up down here at the intersection of 85 and all, the people from here start running like the world is on fire. Now that happens and it so happened that there was nothing in that truck that might cause a problem but it could have been. There should have a report made, all I am saying is that this county should make it mandatory that these things be reported. There was a reason why it was not reported. Mr. Shands has left but someone from his office was there doing an investigation, what happened to that report? Mr. Moody stated that he was not sure that the Sheriff's Department was even called. Mr. Bracey stated that that was what he understood that someone from the Sheriff's Department came out that night. To cover everybody, it is just not right. Mrs. Everett asked about EPA regulations. Don't these companies have to notify certain agencies or people that they have a spill and the circumstances. Mr. Scheid stated that he assumed there is, however he did not know for a fact, but on the spill one thing I came away with very confused, I wanted to check on this, because I noticed that the County Administrator was confused, in fact several people were confused. I got the impression that someone was implying that there was a spill last month, or within the past thirty (30) or forty-five (45) days. That is not the case. This incident occurred over three (3) years ago. The Safety Director, Dave Nichols, was on sight all night when that spill occurred. There has only been one (1) spill that has ever occurred in Dinwiddie County. It occurred, I remember Mr. Moody kept saying don't you mean before Mr. Burgess came to work for the County, or don't you mean several years ago. I got the distinct impression people kept saying no last month, last month. There was no spill last month. Mrs. Everett stated she thought there were two (2) spills. Mr. Bracey asked where is Dave Nichols report. Mr. Scheid stated that he did not really know where his would be, I know his reports have been boxed up. But my first, I was taken back at first because I thought it was last month that we were talking about. The only thing that I can tell you that I can determine that was referred to as a spill. It is the only thing that makes sense, and Commissioner Wood confirms it for me, is that they do have at the rail siding, where they off load some ammonia nitrate, there was some of that

on the ground at the rail siding. But that is entirely different then what I thought. But that is the only thing that has occurred, the Company has said there has been no other spill. Mr. Bracey asked Mr. Scheid if he could contact the person who alluded to the fact that there was a spill, that I was under the impression that it was March 17. I would call this gentleman or who ever it was and ask when was the spill. I was under the impression there were two (2) spills. Mr. Scheid stated that even the Sheriff was at first taken back, and then I think upon prodding he said well maybe I might recall something like that. I don't think at first even the Sheriff recalls anything about it. Mr. Bracey continued, I know this puts you on the spot, but suppose we find that the reports were not true, where does this put the County? Mr. Scheid stated that on emergency spills people are/ Mr. Bracey interrupted Mr. Scheid stating no - no - no- I am talking about the whole nine yards of this particular request - this Board voted on some things that were presented - lets call it evidence - we will call it that - and we voted, now what we are saying is we are going back and saying there was no such thing as a spill. Mr. Scheid stated that he felt the Board made their decision based on many things of which this might be one of the considerations, but there were many things that you based it on, one of them being the school bus issue which you will see was addressed in the issue and they consented on the hours to constrict their vehicles from being on the roads basically during school bus hours operation. I do not think the Board based their decision on any one particular thing so even if some erroneous information reached you on one item, there were multiple items that you based your decision on. Mr. Moody interjected the following statement, any time the public gets up and says something, it might not all be true. Mr. Bracey stated that it seems as if a lot of things were not handled or we were not aware of and then all of the sudden, I was thinking the spill was like a month ago. Mr. Tickle stated that was what he thought.

IN RE: DIRECTOR OF PLANNING -- CRATER REGIONAL LOAN CONSORTIUM

Mr. Scheid continued his presentation to the Board by stating that there were two (2) letters in the packet, which are two separate items altogether. The first letter pertained to the Crater Regional Loan Consortium. The Consortium is a group of community jurisdictions that can be either cities or counties, that can be part of a consortium. What I was mentioning at the last meeting was the Crater Regional Loan Consortium. To be a member of this means that all you have to do is be a political jurisdiction, in the area which is being designated for the consortium. There is no money by the Board that goes to it. The service that is provided is, that if we are a member of the consortium, a person who wants to be a first time home buyer will come and fill out an application. My office will not fill out the application, there will be no burden on his office to do anything. I will send them right on to the Petersburg Redevelopment Housing Authority, who has been designated as the handler for the consortium. They will process the application to make sure that the person is low to low to moderate income. If they qualify then what they do is send them on to the local bank; the local bank will check their credit worthiness and will check various federal and state programs. These will be programs which have favorable low interest rates, for low to low to moderate income people and see if they can couple them up with a mortgage payment that will be within their limited financial means. Usually meaning that they cannot afford a house more than $60 to $65,000.00 maximum. At that point in time it becomes essentially a conventional loan. The people would then process their application, would develop their plans, get a contractor that who would build their home, obtain their lot, and then take over after their construction loan, get regular permanent financing, just like any of us would do on a home purchase. The County is not obligated to do anything with these people, the only thing we are obligated to do is to belong to the consortium in order to make anybody who is a resident of Dinwiddie County eligible to go to this service. If we are not a member of the consortium, then the consortium cannot process applications or do anything for these people. Mr. Bracey asked we will be responsible for applying for the grant, right? Mr. Scheid stated there is no grant involved. It is financing that is already in place through existing programs in which they are trying to pair up an individual with existing money that is out there. The money does not go to the redevelopment authority. Mr. Bracey stated then we will not have to be dealing like we did with the last thing we dealt with in West Petersburg. Mr. Scheid stated no sir, we see no money,

no money is ear marked to us, there is no responsibility or obligation on Dinwiddie County's part to do anything. As a matter of fact, we have no say so in who they contract with, what program, it is up to the individual working with the bank to find a state or federal program that fits their need. Mr. Bracey asked all we have to do is refer those persons to the particular agency. Mrs. Everett stated this just gives them the opportunity to pursue a low income loan. Mr. Scheid stated that the reason this matter came to light was that this consortium helped out a Dinwiddie lady. She got so far down the road before they realized they were not supposed to help her because Dinwiddie was not a part of the consortium. That is when I contacted them and asked for information, that is when I found out about this individual, but the consortium made through their Board, a special exception saying they had gone so far with this lady that they did not feel it was right to pull the rug out from under her; so they said they would make an exception for Dinwiddie this time, but we will not do it again. Mr. Tickle stated that this question he was about to ask had been brought up at the last meeting, this does not mean that if I am in the consortium by being a resident of Dinwiddie County that I can take a person from Sussex County or Petersburg and once I join this then they can come and say I would like $65 or $70,000.00, acquire the loan, then go purchase the land in Dinwiddie to build my house. This is just for Dinwiddie residents in Dinwiddie, how exactly does that work? The question I am asking you I am very clear on it, am I opening myself up , I being the County, to have people from the outside coming into our County with low interest housing, even though we are protecting my own, I am bringing other people in also. Mr. Bracey and I asked this question last time and we did not get a very clear answer. Before I go any further I would like to have a clear statement in that what are the rules and regulations on that. Mr. Scheid stated to his knowledge it is a Dinwiddie person goes to the consortium to seek assistance because they want to locate in Dinwiddie. I understand where your question is coming from, a Dinwiddie person goes to the consortium to get assistance to locate in Prince George. I think in reverse you are saying a Prince George person goes to the consortium to locate in Dinwiddie. Mr. Tickle stated that we need to help ourselves but we do not need to help other people outside to come in. Mr. Scheid stated that he could only give the example of the person I was told about, it was a Dinwiddie resident who went to the consortium so that they could build a home in Dinwiddie. I had not thought about the question could Petersburg or someone else go to the consortium to build in Dinwiddie. I do not know if it works that way or not. Mr. Bracey stated that he felt Mr. Scheid had answered his part of the question. Really it is not, this particular issue I don't have any money involved, right? Mr. Scheid stated that is correct. Mr. Bracey continued that this does not bother him, he will wait until the next issue comes. I want to help all the people in Dinwiddie, I would not want to put this in the hands of an agency, and people from other jurisdictions get the money and we don't get the money. Mr. Tickle would like an answer to his question before the Board goes further on this issue. Mr. Moody stated to Mr. Scheid that before the Board votes on this they would like to know if someone from Nottoway County could come in and build in Dinwiddie County or from some other county and get funds for indoor plumbing.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director of Social Services, came before the Board. She stated that she had nothing to report.

IN RE: ZONING ADMINISTRATOR -- REPORT

Mr. March Altman, Zoning Administrator, came before the Board to give his monthly report. He has broken the mobile home permits down into election districts. Mr. Moody asked where most of the mobile homes are going. Mr. Altman stated into District 5.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mr. Charles Taylor, Director of Human Resources, came before the Board, stating that Mrs. Seward could not attend but wished to supply the Board with an update on the Standards of Accreditation. At the February meeting the State Board of Education released proposed Standards of Accreditation and there will be public hearings in April for input.

Superintendent, Mrs. Seward, attended one of those hearings last night at Highland Springs High School and one of the issues that many of the school systems had concerns about was the handling of core credits with vocational and fine arts electives. Most schools have six periods days, they can get anywhere from 21 to 23 credits, the new proposed credits are falling anywhere from 23 to 27 credits. However with the Dinwiddie County 4 X 4 schedule that we now have in place make us ready for this change. If you have any questions I will be glad to take them and have the Superintendent address them and get back with you on them. Mr. Moody asked is what you are saying that these new accreditations will not affect the vocational or the agriculture classes as far as cutting them out. Mr. Taylor replied that in Dinwiddie County it would not affect us because of the number of credits they are calling for and with our programs of study that we have in place at the High School now that the vocational credits and fine arts credits are there. Mr. Moody stated that is due to the 4 X 4 schedule. Mr. Taylor stated yes sir. Mr. Moody stated that he would like this to become part of the minutes. I have had a lot of concern from agricultural people about that. Mr. Taylor stated that Mrs. Seward had mentioned that to him and to be sure he mentioned that to the Board, that the agricultural and vocational electives that are in the program for study they will cover the students. They will still have academics and still have a chance to have electives in vocational and fine arts. Mr. Moody stated that they will still have the opportunity to do that. Mrs. Everett stated that this will have an impact state wide because of the school systems that are not set up on a 4 X 4 plan. Mr. Taylor stated Mrs. Everett was right, those school systems that are like we used to be, that have six periods a day, and when you can only get 21 to 23 credits, they will be affected. The way we are set up, our students can have a minimum of 28 credits to a maximum of 32 credits; there will be ample opportunities to get these electives. Mr. Bracey stated he was a bit confused, I will just wait and get a whole report, because I think I understand what Mr. Taylor is saying, I understand about the 4 X 4 which you claim you have, it's a good part of it but you don't have many classes. As a student coming into your system that is vocational minded, when I leave your system and four (4) years or five (5) years, whatever it takes to leave your system, am I vocational competent as a person that walked into your system that as an academically inclined and he took the whole nine years, you know the courses. He will be going to the University to major - where the vocational person will be going to work - am I going to be competent? Does your curriculum allow for this, that is what I am saying or is it elective or am I only given an opportunity for an elective here and elective there in agriculture as Mr. Moody alluded to. Mr. Taylor answered by stating that you with the programs of study that Dinwiddie has, the academics are there as far as english, math, science, social studies, whatever, with Dinwiddie having vocational electives they will be able to get courses in vocation, we will not have a curriculum that you can come in and take all vocational. You will have academics plus vocational. Mr. Bracey again stated when I leave, am I vocational competent or do I tell my future employer that I had drafting I and Maintenance I? This will not work if this employer is advertising for a maintenance person. You are saying that I came through a vocational program but you have answered my question when you said electives. There is no program for me as a vocational student. Mr. Tickle asked do you have a standard test that those individuals will have to pass, just like you do GED? For example, lets say that I took classes in body mechanics, when I finish that can I do a paint dilution to give me the right dilution of pigment and solution to get the right concentration to apply that paint. The reason I bring this up and am jumping on Mr. Bracey's band wagon, is that when I drove by today I saw some people mowing grass out there in front of the Elementary School and they were not adults. It looked like to me they had blue shirts on and those blue shirts looked like to me they were in elementary school. My question is what were those kids doing out there mowing grass, are they in a program? I don't think grass cutting is a program I have heard of recently. It kind of disturbs me. When those kids graduate they need to know how to do a simple dilution and get a job and have some type of criteria, if we don't I think the Board of Supervisors and citizens of this County need to know that. I don't think I am asking too much to find out that information. I would hate to hear that we have certain groups of kids in our districts who are mowing grass, picking up trash, and doing things and are not getting the education in any particular field because even if they are problem children we have to do something for them. If it was my child I would be

hopping mad. I know that I have asked several questions - I would like Mr. Bracey's question about standardized test for a vocation addressed to me also. My second question is why do we have people cutting grass, is that a common thing in our County? Those kids deserve a job when they get out of school and I hope it is not cutting grass. Not everyone is as talented as everyone else but everyone can learn a trade of some type with enough information to pretend enough to do a good job. Mr. Taylor stated that he had made note to these questions and would get back to them.

Mrs. Everett stated that she wished to inquire as to Adult Education Class being held at Rowanty. Mr. Taylor stated at this time, all Adult Education Classes are being held across the street from Dinwiddie Elementary and at the High School. Mr. Bracey stated he felt Mrs. Everett was inquiring as to Adult Education that was being held at the Tech Center some time ago. Mrs. Everett stated she was asking about vocational, technical classes at Rowanty like in horticultural etc. Mr. Taylor stated he did not know.

IN RE: SURPLUS POLICE VEHICLES -- TRANSFER TO SCHOOL BOARD

Mrs. Wendy Weber Ralph stated to the Board that the Sheriff's Department had turned in six (6) cars and they were able to evaluate them Monday or Tuesday of this week. They want to write a letter, the School Board, requesting authorization to use four (4) of the cars and keep two (2) of them for parts, and they, the School Board, will provide a list of the cars that they will be taking off the road. The School Board wants to put on four (4) and take off four (4). They did not elaborate as to the use of each car was, I was kind of jumping out here for them because the next Board meeting is three (3) weeks from now.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody, all members voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie County School Board be authorized to remove four (4) cars from their fleet, add four (4) cars from the Dinwiddie County Sheriff's Department, and keep the additional two (2) cars from the Dinwiddie County Sheriff's Department for parts; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the titles to the following cars be transferred to the School Board:

YEAR	MAKE	BODY STYLE	VEHICLE IDENTIFICATION NUMBER
1992	FORD	4 DOOR SEDAN	2FACP72W6NX229333
1992	FORD	4 DOOR SEDAN	2FACP72W4NX229332
1992	FORD	4 DOOR SEDAN	2FACP72W3NX229340
1993	FORD	4 DOOR SEDAN	2FACP71W2PX179373
1991	FORD	4 DOOR SEDAN	2FACP72F4MX142769 FOR PARTS
1992	FORD	4 DOOR SEDAN	2FACP72W7NX229339 FOR PARTS

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Tony Rinaldi, Recreation Director, presented his report for the month of March, 1997. He had no additions to his written report but stated he was available for questions.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Waste Management, came before the Board to present his monthly report.

Mr. Bracey asked Mr. King about the Chesdin area. He stated that everything in that area was overrun, all up in the bushes. Mr. King stated that Chesdin was going nuts; not only did we put all the dumpsters back plus one that were out there before, now there is a roll off out there and that is being pulled twice a week and it is still getting full. Mr. King stated that he hoped it was just a spring surge if not then they will have to make some adjustment.

Mr. Clay asked what was done with the silo after it was disassembled? Mr. King stated that it was sold as junk.

Mr. Tickle asked Mr. King to see that the debris on Interstate 85 was cleaned up. Mr. King stated that he would see that the matter was taken care of.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Medical Services Coordinator, was not present.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel M. Siegel, County Attorney, came before the Board and stated that he had no report but was available for questions.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, came before the Board and presented his report for the month of March 1997. He stated he was available for questions.

Mr. Faison stated the schools were looking nice, that they had poured the second floor slab at Midway yesterday. Also they were putting the roof on at the High School. The courthouse work is beginning to progress a little bit better, which you can see as you drive into the parking lot.

Mr. Faison stated that permanent power was need to the new courthouse facility. He stated that he had an estimate from Virginia Power in the amount of $5,000.00 to do that work. The written underground agreement which had to be agreed to and signed by the County plus the easement is being prepared to dedicate the land for this, to put it from this building to that building. That has to be reviewed by the County Attorney. We need a resolution to move forward, to take care of this matter.

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 that Mrs. Wendy Weber Ralph has authorization to sign and move forward in the agreements, easements, and contract with Virginia Power to provide permanent power to the new courthouse facility.

IN RE: PROPERTY/CASUALTY INSURANCE PROPOSALS

Mrs. Wendy Weber Ralph, addressed the Board stated that each member had a memo showing the bids received on the property/casualty insurance for Dinwiddie County and Dinwiddie County School Board. We would like to ask Mr. Sam Rosenthal to come forward and handle this process.

Mr. Sam Rosenthal, came forth beginning with, we all know that the County is currently self-insured, other than some items that have been transferred. I have been retained, by the County, to review the proposals, put specifications together, to approach the insurance market place, which we did. The results were quite interesting in that by reviewing the premiums quotations that we received, we can see some insurance companies liked us better than they liked the school and other insurance companies liked the schools better than they liked the County. The response on behalf of the County and the Schools was excellent. We received eight (8) proposals for the County, six (6) of these being complete, we received ten (10) proposals on behalf of the School Board, nine (9) of which were complete. In speaking with Mrs. Ralph and the other members of the staff, the administration of the self-insurance program is becoming more and more time consuming. Also we are having more and more claims that we have to handle and address. Consequently that was one of the issues that concerned ourselves. Also being in a self-insured situation is a bunch of money that the County must encumber, and leave sitting somewhere. Technically this money should not be touched.

Basically that money would grow during the years and of course would be used for the self-insurance. The quotations we received on behalf of the School Board were very interesting. We had a high bid of $191,500.00 down to a low of $110,500.00. The School Board did vote to accept the $110,554.00 figure from Hartford. They would not do anything until the Board of Supervisors so approved. The County received a number of interesting offers the high was $150,000.00 from Cigna down to a very competitive low of $60,032.00 from Reliance Insurance Company. The committee that was created interviewed a number of carriers, and on behalf of the County we interviewed the agent who represents The Reliance Insurance Company. We also interviewed the Virginia Association of Counties. The reason being based on their services and on their proposals. A comparison was made regarding the companies. This comparison had been shared with the Board. The Board may either, if you all wish to vote, could go with an insured program, accept Reliance or Virginia Association of Counties program. There is a premium situation that if we, you all, did vote with VACorp that would have to be clarified. VACorp's original proposal was $74,467.00, then they came back and said Sam we used the state budget information on behalf of the County to get that quote, when we reviewed the County's budget information it was different so we may be able to reduce our quote $6 to 7,000.00. That is not a guarantee, that is something that they did promise, once again this morning, that they would look into. All in all Reliance was lowest with $60,000.00, St. Paul came in at $66,000.00, but there were some problems with their proposal, VACorp came in at $74,467.00. I am here to answer questions and get your guidance to find out what you would like to do. You may put this into effect whenever you wish, May 1st or July 1st. Mr. Bracey asked about the Virginia Association of Counties they were $74,000.00. Mr. Rosenthal stated that is correct. Mr. Bracey asked is that complete, I assume. There would be no other additions. Mr. Rosenthal stated that figure is a complete quote. Mr. Bracey asked what is the real difference between the VACorp $74,000.00 and Reliance $60,000.00 quote. Mr. Rosenthal replied that there are two (2) additional things that you get from Virginia Association of Counties they being: 1) there is no additional premiums for adding a vehicle 2) computerized valuation of all the properties, where they send an appraiser out, who will review all our properties over $75,000.00 in value. Then they will give us a book, also a disk, with this information. The new courthouse facility will have to be added to this. We structured this with thirteen million dollars, subject to thousand dollars deductible, replacement cost coverage, no co-insurance. If we have a loss we go in and get paid without any penalties. There is one other thing that needs clarification; Reliance said that they would give us a three (3) year rate guarantee, so therefore Reliance said we will stick with this $60,000.00 figure, except when we add the courthouse building, then there will be a charge for that. VACorp stated that their rates will basically stay the same. VACorp is also saying that hopefully their rates will decrease each year as the pool grows and they get more and more assets in the pool. There is no guarantee that every year. We have looked it over and made the comparison. Reliance is less expensive, good program; VACorp is more expensive, it is also a good program. Mr. Bracey stated that $60,000.00 if I add a car, I am at their mercy as to what they can charge. If I add that building over there, I am at their mercy of what they charge me because I am in some type of contractual agreement with them. I could not - do you follow what I am saying. This courthouse is going on line within a few months - that $60,000.00 could change to $120,000.00. Mr. Rosenthal stated no sir, that courthouse is going to have a rate published here in Virginia and everybody starts at those rates. Whatever the fire rates are. Everybody uses that figure. When that building goes on board, in fact, if you would like me to give you an example of what that cost might be - this is just an example - two million dollars for the value of the building would be $4,000.00. Mr. Moody stated that your recommendation is the low bid. The committee recommends the low bid. Mr. Clay stated that he was not always in favor of the lowest bid - this VACorp Mr. Rosenthal just said that there could be a deduction of $6 to 7,000.00. $6,000.00 would take their quote back to $68,000.00 and if the premiums could possibly come down and you don't have to add anything for cars. I am partial to VACorp. I don't like to spend any more money but I feel like we are getting a better deal. Mr. Bracey asked about Reliance, what other localities near that they insure, or what other places. Mr. Rosenthal replied that they do not insure anyone local around here, as far as municipalities they are just getting into the municipal business.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mr. Moody asked if there was any discussion. Mr. Moody stated that he would like to go with the low bid if it is just as good. Sometimes cheapest is not the best, but we don't know how low they are going to drop the premiums. Maybe we should wait to the May 7th meeting to find that out. Mr, Moody asked Mr. Rosenthal is he could find that out by May 7th? Mr. Rosenthal stated that he could go back and ask them once again to try to come up with a conclusion. VACorp said that they wanted to meet with the County to go over the differences in what the state says our budget lacks and what we say our budget lacks. Mr. Bracey stated that he had no problem with that, but that that was not the reason. Reliance is just getting into the municipality insurance business; I'm afraid that their bid is a little low because of the fact that they are just going into that area. Mr. Moody asked aren't they tied just as legally to pay as the others? Mr. Rosenthal stated that Reliance was an "A" company. Mr. Moody asked Mr. Bracey then what is the problem? Mr. Bracey stated that when a person is just, well like you getting a heart surgeon that has never done it before, and I am the first person. I got a problem with that. Mr. Moody stated they will be the one to get stuck. Mr. Bracey stated not necessarily. Mr. Clay stated that he had never heard of an insurance company getting stuck. Mr. Bracey stated that he would be willing to wait until the next meeting to get the answer. Mrs. Townsend asked the Board to please take action on the School Board in order that they can go ahead and negotiate with Hartford. Mr. Moody stated that first we had to withdraw the motion. Mr. Bracey stated that he withdrew his previous motion.

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 the Dinwiddie County School Board be authorized to proceed with negotiations with ITT Hartford for their property-casualty insurance and that authorization be given to transfer the funds from the Self-insurance fund to the School Fund to pay the premium.

Mr. Rosenthal thanked the Board and stated he would get back with Mrs. Ralph as soon as possible.

IN RE: APPROVAL OF AUDIT CONTRACT

Mrs. Wendy Weber Ralph, presented her report to the Board following the authorization given her at the previous Board of Supervisors meeting on the audit contract negotiations. She reported that they have successfully negotiated with Robinson, Farmer, Cox Associates. The consideration shall be as follows: County Audit $16,000.00; School Activity Funds Audit $3,900.00; and Industrial Development Authority Audit $1,100.00. The School Activity Funds Audit will be paid for by the School Board. Mrs. Everett asked what the total contract price was? Mrs. Ralph replied $21,000.00. Mr. Bracey asked for an explanation of what the School Activity Fund was? Mrs. Ralph asked Mr. Charles Taylor, from the School Board Office, to address that question. Mr. Taylor declined. Mrs. Ralph stated it was at each one of the schools; she assumes that they have fees that they collect for certain programs that they have, and they each one has to be deposited and accounted for. Each requires an individual audit at the schools. Mr. Bracey asked if the State also audits the school funds? Mrs. Glenice Townsend stated we submit an audit report to the State; the report goes from the audit firm to the State. Mr. Tickle asked do we pay for the Industrial Authority? Mrs. Ralph replied yes sir you are. Mr. Tickle stated his request about the IDA; I withdraw my concern on that issue at the moment.

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 execute a contract with Robinson, Farmer, Cox Associates for audit services as follows: County Audit $16,000.00, School Activity Funds Audit $3,900.00, and Industrial Development Authority Audit $1,100.00, for a total of $21,000.00.

IN RE: CRATER DISABILITY SERVICES BOARD -- APPOINTMENT

Extract

Mr. Moody stated that we have an application for the Crater Disability Services Board from Mrs. Sandra H. Mason.

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 Mrs. Sandra H. Mason be appointed to the Crater Disability Services Board for a term expiring January 31, 1999.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mrs. Ralph stated you have in your package an invitation from Smyrna Baptist Church; they are celebrating their 100th year of service on May 4, 1997. The have invited you to attend their celebration and asked that you recognize the Church for their 100th year service. Mrs. Ralph continued by stating that there is also an invitation - or announcement from the McKenney Town Council and Anniversary Committee, inviting everyone to attend their 75th anniversary of the Town of McKenney on May 10, 1997.

Mr. Denny King, Town of McKenney Council Member stated that this invitation was not only extended to Board of Supervisors but to all the citizens of Dinwiddie County. This is the Town of McKenney's 75th anniversary of their incorporation. There is an entire day of activities planned. The day will begin with an 8:00 A.M. Community Church Service at the Big Bethel Church. At lunch time there will be a picnic on the grounds of the Council Hall. The committee is planning a display and presentation of the town's history inside the Town Hall. In the evening there will be a benefit dinner, with all proceeds going to the McKenney Fire Department Building Fund. There will be entertainment by some of the local dance groups and at night there will be a family dance a the the McKenney Ruritan Center.

IN RE: SMYRNA BAPTIST CHURCH -- RESOLUTION OF RECOGNITION

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution of recognition was adopted:

WHEREAS, Smyrna Baptist Church has set aside May 4, 1997 to celebrate its 100th year of service in the Dinwiddie community, and

Extract

WHEREAS, the Board of Supervisors would like to participate in the celebration with this resolution of recognition for its many years of growth and prosperity.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie, Virginia, hereby commends Smyrna Baptist Church for 100 years of devoted service and for its many accomplishments in the community and in the County, and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a copy of this resolution be presented to Smyrna Baptist Church for its May 4, 1997 celebration and a copy spread upon the minutes of this meeting.

IN RE: TOWN OF MCKENNEY -- RESOLUTION OF RECOGNITION

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mrs. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution of appreciation was adopted:

WHEREAS, the Town of McKenney has set aside May 10, 1997 to celebrate its 75th year of incorporation, and

Extract

WHEREAS, the Board of Supervisors would like to participate in the celebration with this resolution of recognition for its many year of growth and prosperity.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie, Virginia, hereby commends the Town of McKenney for its 75 years of existence and for its many contributions to the citizens of the Town of McKenney and of Dinwiddie County, and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a copy of this resolution be presented to the Town of McKenney for its May 10, 1997 celebration and a copy spread upon the minutes of this meeting.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody asked the Board if anyone had comments.

1. Mrs. Everett asked about how many applications had been received for the County Administrator position. Mr. Bracey replied that thirty-two (32) applications had been received.

Mrs. Everett inquired as to if the Registrar had gotten her telephone line and what came out of her spacing requirements. Mrs. Ralph stated that they were working on her computer request as well as the telephone request. The space requirement is a little bit more difficult but we are addressing it. Mrs. Everett stated the telephone line, computer equipment, everything comes out of this year's budget, I understand. Mrs. Ralph stated yes.

2. Mr. Tickle stated that he would like to petition the Board to take issue on trying to set up a mechanism that we address the citizens needs and also Board Members needs, where there will be follow ups. These items are actually documented that on a day to day basis you can find out what activities you addressed, where you are, and we have some type of time frame that these things actually get returned back to you and/or to the citizens. The reason I am bringing this up is a lot of times we mention a lot of things that are going to take place and we fight fires and they keep getting up back and back and back, I would like to see his every week, every two (2) weeks I would like to see where we are on the status on all of our projects, we have either addressed them or we have or we have not addressed them. Sometimes I ask for something, I ask for four (4) or five (5) items, and it goes a month or two (2) months or three (3) months and I forget that I ask for it. A good case was yesterday when Miss Pam called me and asked about an item. I had to think a good ten (10) seconds before I could remember what she was trying to communicate to me. So I would not like that to happen again because I feel it was a pretty important issue. I would like for us to come up with a format that we can work with so that everybody is informed. Mrs. Pamla Mann, Administrative Secretary, addressed the Board and distributed the following form:

REQUEST FOR INFORMATION
DINWIDDIE COUNTY BOARD OF SUPERVISORS

PERSON/ORGANIZATION:_____
ADDRESS:_____
_____
TELEPHONE NUMBER:_____
DATE OF REQUEST:_____
INFORMATION REQUESTED (IN DETAIL):_____
_____
_____
****
ADMINISTRATION OFFICE USE ONLY:
PASSED TO:_____
ON_____

REPLY IS EXPECTED WITHIN TWELVE (12) WORKING DAYS OF THIS REQUEST. A COPY OF YOUR REPLY SHOULD BE ATTACHED TO THIS REQUEST AND PROVIDED TO THE ADMINISTRATION OFFICE. THANK YOU IN ADVANCE FOR YOUR COOPERATION IN THIS MATTER.

Mrs. Mann continued by stating that this form was originally designed for the citizens, if they had an issue that they had addressed the Board about and requested a response to it. If the citizen and/or Board will provide that request to me in writing, this form says when they gave it to me, where they would like the response delivered when we receive the information, who we have passed it to for that information, on what date and it also does state, as passed in Board meeting in March, that the answer is expected within twelve (12) working days. This is a form that we will keep on file to show that we have done and that way we will have a record. Mr. Tickle stated that he thought that was wonderful but can we have the follow up to let us know the status? If there are thirty (30) items in the kitchen that is going to be used to make something, someone is going to have to have a list of those items, so when they come on and off we will know that. Mrs. Mann responded by stating that she could do this in the Board packet each time, if I have these forms in my possession, I should know if they have come back to me or not. Mr. Tickle stated if someone could keep an eye on all the requests he would greatly appreciate it.

3. Mr. Bracey stated at the last budget meeting he had a slight problem with the Appomattox Regional Library system. He further stated that his problem was two fold. I am going to let one of those folds go but I would like a complete report on what they were alluding to or talking about or what when they said that they would be taking over the Library building here in Dinwiddie County. I think what I am saying is that persons of this County formed a Board or a Trust to raise funds for the Dinwiddie County Library with some property that Mr. Butterworth had given. They were going to build a building and make a Library. Since the courthouse became a reality I think that we discussed with them or whatever of using the Clerk's Office at the present courthouse building. At the budget hearing I understand from the Appomattox Regional Library that it is theirs, that we gave it to them. I would like the documentation of when did we give some County buildings away to some other jurisdiction or some other system. I know we do not have any control over a private foundations money; they can do what they want to do with their money. All they have to do is answer to the people that they raised this money from. As far as the County's property when did we give the Appomattox Regional Library System the building over here, and what did they mean by that would be added expense? I would like to know these things because I was not under that impression and I hope that I am not sitting here to give away citizens personal property, which I call that personal property of Dinwiddie County, to other agencies. I do not remember doing this, and if I did do it, I am sorry that I voted on something of that nature. I would like to know in detail about the library thing, it is getting a little touchie and I am not at all pleased with how it is being handled. I am not a person who likes to be brow beat, you don't try to beat me with something or questioning me why I voted the way I voted. I try to vote in the best citizens of Dinwiddie County. I would like to have that Mr. Chairman, as soon as possible, because I would like, I think we need to do something before things get out of hand. The Dinwiddie Foundation money they can do anything they want to do with it, they can give it away. I don't see us giving this Library system a building and who is going to take care of it? That was my basic concern.

4. Mr. Bracey continued by stating the other thing was I am a little disturbed with the gentleman coming, the first citizen that spoke, about not getting a response for his question from the Dinwiddie County School Board, who are elected just as we are. I think they have a responsibility to answer a person's question. Further there is the people in my community that is questioning the Pamplin/Abraham Scholarship thing. I always tell them I am on the Board of Supervisors, please see Mr. Walker who is your representative of the School Board. But not it seems as if this gentleman has come to us and dropped something in our laps, and I think Mr. Chairman you need to sit with Mrs. Seward or the Chairman of that Abraham Scholarship of how we treat citizens. We treat people like they are people. I try to answer, and I know that the Administration here not all the time answers, right then, but not to get an answer to me was an insult to that citizen. Some type of answer, not an answer on a piece of paper, from your teacher. I was very disturbed by that, Mr. Chairman. I remember the first year I came on this Board there was another Board member who always said we treat everybody good - all

citizens should be treated good. We may not be able to give them the answer that they want all the time, but they should be treated like men and women. I was real disturbed and I would hope that a letter be sent to the School Board Chairman of my concerns. Thank you Mr. Chairman, I am sorry I took so long. Mrs. Everett stated that it seems from that remark that the assumption was that that was a student that wrote that letter, when in fact it was an adult. Certainly a student should receive the same courtesy as adults. In reference to the Circuit Court Clerk's Office being used as a Library, of course the County provides the branch library facility, for the Regional Library, but Prince George has utilized their Circuit Court Clerk's Office for their branch library. It might be a good to contact them and see how that operation was determined. We know that they are part of the Regional Library and they provide the services within our facility. I think that maybe we ought to look at Prince George and see exactly what steps were taken there when they used the Circuit Court Clerk's Office for their Library branch. Mr. Moody stated that Mr. Bracey's comment was well taken. I think that that gentlemen should be addressed by the School Board and I think that as a Board we would like to get a letter to the Superintendent or the School Board themselves, their version of the situation. Mr. Tickle stated he wished to add something to what Mr. Bracey had said. A question he would like the School Board to answer, even is the child and/or parent was in error, how did a child that was number 8 in a class with great accolades behind their name be pushed in a system and not get a recourse of coming back and appealing for additional funds. Let's say they missed the dead line by one (1) day, and if you listened very closely to the gentlemen, what he is really trying to tell you is they lost his paper. If that is the case, or he did not turn it in on time, there should be someway to help a student who is qualified even if they miss a dead line or something. I know there are rules and regulations but mistakes happen. Mr. Clay stated that in reference to the Library, he does not think that we have given the building away. If we did, he was not present. I think that we just talked to the local people, I do not think we had any agreement with the Appomattox Regional Library. I think maybe we need to work out a lease or something with the local people. I don't see giving the Clerk's Office to the Appomattox Regional Library.

IN RE: SURPLUS CARS -- REQUIREMENT TO REPAINT

Mrs. Ralph asked to add one thing to the approval of the use of the cars earlier, there was a stipulation, or a request from the Sheriff that those cars that are used be painted white. Mr. Bracey stated they always do that, don't they. Mrs. Ralph stated no. Mr. Moody asked if they would put a seal on them also. Mrs. Ralph stated yes. Mr. Clay stated that some of them need a governor on them.

Upon motion of Mrs. Everett, seconded Mr. Bracey, 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 School Board be required to paint the cars from the Dinwiddie County Sheriff's Department white.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Commissioner of the Revenue - Recreation - Planning and County Administration; and Section 2.1 - 344 (a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made. The meeting moved into Executive Session at 4:30 P.M. A vote having been made and approved the meeting reconvened into Open Session at 5:15 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby, certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: COMMISSIONER OF THE REVENUE -- APPROVAL TO HIRE

Mrs. Deborah M. Marston, Commissioner of the Revenue, came before the Board stating that they had before them a request to authorize the hiring of a position to fill a vacancy slot in her office. I respectfully request that you give me the authorization to hire her effective tomorrow. Mrs. Wendy Ralph asked Mrs. Marston to give the name, position and salary for the record. Mrs. Marston stated the position, person will be Rebecca Blake Winn, the position title will be Secretary III, Business Licenses and Land Use, the salary is going to be $20,014.00, effective tomorrow, April 17th. Mr. Bracey asked where Ms. Winn resided? Mrs. Marston replied she was from McKenney, Virginia. Mr. Bracey made the comment, I assume this job was advertised properly, also I assume that more than one person was interviewed for this job. Is that right Mr. Chairman? Mrs. Marston stated that the Board had a copy of the advertisement. Mr. Moody asked did you have more than one (1) application? Mrs. Marston stated yes, twenty-one (21). Mr. Moody asked how many were interviewed? Mrs. Marston replied five (5). Mr. Moody asked was this the best qualified person? Mrs. Marston replied yes. Mr. Tickle asked Mrs. Marston how she selected the salary for person based on --Mrs. Marston interrupted by stating it was already in the budget, that was the budgeted salary for the position and the person doing the job warrants that salary because your business license person and your land use person -- it is a job that merits that salary. This is the bottom of the scale. Mr. Tickle stated he had a further question - I take it if you - this person is coming on the lowest, if Mrs. Mann was there she would obtain that salary or more. That is the lowest part, you can not go any lower, Secretary III? Mrs. Marston stated for that line, no sir, I think that that is the bottom figure, as well as I remember. Mr. Tickle asked what a Secretary II do different from a Secretary III? Mrs. Marston stated in the grading I used the grade that is set by the State Compensation Board to use this - I just set the title for this position at that grade at which the prior person was at. Mr. Tickle stated doesn't a person grow into that job. Mrs. Marston stated I am sorry, what? Mr. Tickle continued you are bringing someone new, you don't always bring them in at -- if you have ten (10) levels you don't always bring them in at the tenth level. But could this person have been brought in at Secretary II, I'm searching, could there have been a Secretary II? Mrs. Marston stated if there was a new position for that, the reason we were trying to establish this person with the personnel already in the office and the duties of this person as we set it, we set it for this grade. I do not have a Secretary II, well I do have a Secretary II, but she is the new position that we just hired, which is totally different thing. Mr. Clay made a motion for adoption with the stipulation that since she was hired before our policy went into effect that we allow it. Also if the County is paying the money we use the County scale instead of the State scale, if the County is going to pay the entire salary from here on in. Mr. Bracey seconded the motion. Mr. Moody called for discussion. Mrs. Everett stated she has a real problem with County salary scale. Mr. Clay stated that if the salary does not suit them then they do not have to take the job; a lot of jobs have been turned down because they are not making as much money as they would like to make. I can not see the difference if we are going to pay the money then why have we got to do what the State says if we are paying the money. Dinwiddie County is paying the money, I don't

Extract

see it. Mrs. Marston asked to address the Board - Mr. Bracey stated that there was a motion on the floor, there was a second, there was discussion - are we still in discussion Mr. Chairman? Mr. Moody replies yes sir, Mrs. Marston has the floor. Mrs. Marston just wanted to clarify one little point - because of her being a Constitutional Officer and the majority of her staff is on the State Scale, it was advised by your Administration that she use the same scale to keep her employees on the same level. Mr. Clay stated that he still sticks to his motion. Mrs. Marston stated she just wanted that for the record, that was all. Mr. Bracey stated one thing about it the staff is not elected, they work too. I would make this comment I am going to offer you a no vote Mr. Chairman - not because of Ms. Blake or Mrs. Blake I have nothing to do with that; but I am offering you a no vote due to the fact that some things in Mrs. Marston's office the attitude and how it was done, of this particular position, and I will have to offer you a no vote on this particular issue. Please let the record show, I don't know anything about the young lady, it is not against the young lady, it is about the whole process. We are being asked to hire somebody and put them on the payroll today, it seems like something went under the table, that someone was already hired before it ever got to us and the salary. Thank you Mr. Chairman. Mrs. Marston stated if you will also reflect please, that this was given to you two (2) weeks ago to authorize. It was brought to you, your attention two (2) weeks ago. It is not being brought to you the day before the person is being hired. Mr. Moody acknowledged that he had the information two (2) weeks ago. Mr. Bracey stated that he did not receive it. I don't have anything to do with the other thing, I'm just said what I said and I mean it. Mr. Moody stated that he thought the whole Board had received this information. Mr. Clay stated he thought he had gotten something on it. Mr. Bracey stated I don't see why we need a conversation, you have a vote on the floor now Mr. Chairman, we don't need conversation. Mr. Moody stated that it was still in discussion period. Mr. Moody said he wanted to be sure to clarify all the issues. Mrs. Everett stated she could not support the motion with that requirement in it that they must be hired at the County scale. I think it would jeopardize the Sheriff's Department for example. Mrs. Marston stated you said for the future but not for this time, correct? Mr. Bracey stated he had no problem with that, pay. But as soon as we finish with this I will offer you a motion that these young ladies and the young ladies that work in here be moved up to the State standards. I understand about being a Constitutional Officer; I was elected by the citizens of this County to do the best that we can do for them. I think that our people deserve the same amount of credit and raise and what have you to compliment. I just don't see how we can bring these people in, listening to all this old funny stuff about this that and the other. What about these people who work for us daily. I sit right here, you have your motion, I'll offer you another motion that we need to upgrade our people to meet these great standards. Mr. Moody as the Chairman repeated the motion, in order to make sure he understood it. The motion was to approve the position with the State scale and future scales would be County. Mr. Tickle stated he assumed it was County approved salary, so the Board could set that salary, it that right? Mrs. Everett stated it is not a County salary scale it is a County approved salary? Mr. Clay stated which ever way, he did not have a problem with it. Mr. Tickle stated he liked County approved salary. Mrs. Everett says it does make a difference in the since that maybe a County approved salary would be the same as what the State had set for that position. Mr. Clay stated let's go with the County scale.

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Moody voting "aye", Mr. Bracey voting "nay',

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mrs. Deborah M. Marston, Commissioner of the Revenue is authorized to proceed with the hiring of Ms. Rebecca Blake Winn in the Secretary III (Business License and Land Use) position effective April 17, 1997, at a salary of $20,014.00.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that future - County funded positions be placed on the County salary scale.

Mrs. Marston then respectfully ask if she could have an extract of this whole proceeding. She will need this. Mrs. Marston stated she would like an separate extract in order that the County Administrator could sign off on it.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 5:45 P.M. to be continued until 5:00 P.M., May 7, 1997 for an Executive Session at the Home Place Restaurant.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
Interim County Administrator

/pam

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 7TH DAY OF MAY, 1997, AT 7:30 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	DAN SIEGEL	COUNTY ATTORNEY

IN RE: MOMENT OF SILENCE IN MEMORY OF MRS. WELLS

Mr. Harrison Moody, Chairman, opened the meeting by requesting a moment of silence in memory of Mrs. Sylvia Wells, a resident of Dinwiddie, who lived to be 102 years old. She passed away this past weekend and in her memory we will observe a few minutes of silence and then have the Lord's Prayer.

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye" the agenda was amended to add the following:

15. Executive Session - pursuant to the Virginia Freedom of Information Act, Section 2.1 - 344 (a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body (EMS; Commissioner of the Revenue); Section 2.1 - 344 (a) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose; and Section 2.1 - 344 (a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made.

IN RE: MINUTES

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 the minutes of the April 16, 1997 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 #1005649 - # 1005846 (void checks 1005741 - 1005649 - 1005845); for Accounts Payable in the amount of $374,836.08; General Fund $86,846.33, Jail Commission $399.83, E911 Fund $496.20, Self Insurance Fund $3,822.08, Law Library $139.10, CDBG Grant Fund $1,712.33, Payroll General Fund $280,928.40 and CDBG Grant Fund $491.81.

IN RE: CLAIMS - FORD VOLUNTEER FIRE DEPARTMENT

Mrs. Wendy Weber Ralph, Interim County Administrator, stated that there was included in the claims a payment to Colonial Ford Truck Sales, Inc. in the amount of $4,173.82 for repairs, as discussed in a previous meeting. This payment is requested out of the capital projects funds for the fire department, therefore it needs the approval of the Board. This is for Ford Volunteer Fire Department's 1980 Ford Pumper #2. They were given permission to have the repairs completed by Mr. Burgess. Mr. Bracey asked if this was a new transmission or was it rebuilt? He requested that we obtain warranty information for the files in the Administration Office.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 claim is approved and funds appropriated for the same; Capital Project Funds for Ford Volunteer Fire Department's 1980 Ford Pumper #2 transmission repairs in the amount of $4,173.82, with warranty information being placed on file in the Administration Office.

IN RE: CLAIMS - DINWIDDIE VOLUNTEER FIRE DEPARTMENT

Mr. Moody stated that we have a claim for Powhatan Ford Mercury. Mrs. Ralph stated that it was for the First Responder Vehicle for Dinwiddie Fire Company #1. This is the vehicle that they obtained with State Grant monies. The check for this vehicle will be held until they are satisfied with vehicle. Mr. Clay asked how much the grant was for. Mrs. Ralph stated that the, County's portion of the grant was in the amount of $16,000.00. This was a 50/50 grant.

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 claim is approved and funds appropriated for the same using check number 1005846; Powhatan Ford Mercury $27,890.70, of which fifty (50%) percent will be reimbursed by State Grant monies, for a First Responder Unit Vehicle for Dinwiddie Volunteer Fire Department Company One.

IN RE: APPROVAL OF REQUISITION #22 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Interim County Administrator, stated that Requisition #22 for the Courthouse consists of payments to:

Gulf Seaboard General Contractors Inc	$435,655.75
ECS, Inc.	$ 2,027.49
Dunbar, Milby, Williams	$ 640.00
Total	$438,323.24

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 #22 in the amount of $438,323.24 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

The following persons addressed the Board:

1. Mr. Aubrey Conn, 5210 Chesdin Road, Petersburg, Virginia, came before the Board to express views, concerns and developments in his quest to obtain a scholarship for his daughter.

2. Mrs. Anne Scarborough, no address listed, came before the Board to express her appreciation to the person, the persons, the Board for the big change in the manner in which the minutes are being recorded.

3. Mr. Robert Ragsdale, no address listed, came before the Board to first to thank Wendy Ralph for her help in the opening of the new gas station by race weekend. Next he expressed his views and asked several questions regarding the spill, the traffic on the back roads, the lights from PEI, and the fact that the Board did not visit the proposed sight.

Mr. Bracey requested that the Chairman ask the Administration to write to the Sheriff and ask him to supply the Board with an answer to the question. The question being did his officers investigate a spill or not, that is all we need to know.

4. Bob Stuyck, 13318 Cattail Lane, came before the Board to discuss a problem he was having with Mrs. Deborah M. Marston, Commissioner of the Revenue. He requested help from the Board in clearing his problem. He wished to convert his mobile home from personal property to real estate. He has/had a sale for this property, with closing scheduled on the 30th. He also stated that he has been living on the property since 1995 and has not paid any taxes on this property, because he has not been assessed or billed by the Commissioner's Office. He stated that the people in the Commissioner's Office were very courteous, however Mrs. Marston will not return his calls or go forth; she keeps dragging her feet.

Mr. Moody, Chairman, told Mr. Stuyck, that Mrs. Marston is an elected position; all they could do to help him was to write a letter of his concerns; better still if he would write a letter with these concerns, on the form that we have, we will try to see that she gets back to you in a timely manner, or ask her to.

Mr. Tickle stated he was concerned over the fact that Mr. Stuyck had not paid taxes and that we should address this matter to Mrs. Marston, requesting an immediate response.

Mr. Bracey stated he agreed with Mr. Tickle, however this gentleman needs relief now and Tums won't do it. Mr. Bracey suggested to Mr. Stuyck that he go see the Circuit Court Judge. He should see Ms. Annie Lee Williams, Clerk of the Court, to make that appointment with the Circuit Court Judge.

Mr. Stuyck was requested to fill out one of our request forms by Mrs. Ralph.

5. Joy Marshall, 4725 Woodstream Drive, Petersburg, Virginia, came before the Board stating she was a Social Worker for the Petersburg Department of Social Services and licensed rehabilitation counselor. She expressed that she was interested in opening a therapeutic residential foster home for foster children here in the County. She has made a bid, which was accepted, on a home in Brickwood Subdivision. She has been working with Mr. Scheid and the Planning Commission to be sure everything they are doing is correct and above board. She provided the Board with some information about "Alpha House".

IN RE: RESOLUTION OF APPRECIATION - THOMAS HOOKER

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution of appreciation was adopted:

WHEREAS, Mr. Thomas Hooker has served, for 9 years, on the Dinwiddie County Airport Industrial Authority, with distinction and integrity from April, 1988, until January, 1997; and

WHEREAS, the Board of Supervisors on this 7th day of May in the year 1997 is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby commends Mr. Thomas Hooker for his contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Mr. Thomas Hooker, and a copy spread upon the minutes of this meeting.

Mr. Hooker thanked the Board and stated he had enjoyed the years he served on the Airport Authority.

IN RE: RESOLUTION OF RECOGNITION - MRS. SYLVIA GRISWOLD WELLS

EXTRACT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Ms. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution of recognition was adopted:

WHEREAS, Mrs. Sylvia G. Wells was born on November 29, 1894, and having resided in the Carson area of Dinwiddie County since 1903; and

WHEREAS, on November 29, 1996, Mrs. Wells celebrated her 102nd birthday; and

WHEREAS, during her 102 years, Mrs. Wells was married to the late Mr. George C. Wells and blessed with a wonderful family--seven children, eighteen grandchildren, twenty-six great grandchildren, two great great grandchildren, one sister; and

WHEREAS, Mrs. Wells, besides being a devoted mother and wife, has also dedicated her life to serving God as a member of Carson United Methodist Church; and

WHEREAS, the Board of Supervisors is desirous of acknowledging Mrs. Wells' 102nd birthday and joining with her family and friends in this celebration;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, acknowledges her 102nd birthday and wishes Mr. Sylvia G. Wells a very blessed and prosperous life.

IN RE: PUBLIC HEARING - C-97-1 - VIRGINIA MOTORSPORTS PARK

Mr. Moody asked Mr. Scheid, Director of Planning, to come before the Board to present the outline for the proposed changes in the applicant's, Picture Lake Associates L.P., conditional use permit and the Planning Commission's recommendations. He presented the following:

1. Picture Lake Associates, L.P., has requested their conditional use permit C-92-2, be amended by allowing twenty (20) special events in any calendar year rather than the ten (10) special events currently permitted and add the condition that Wednesday race events will be permitted from May 1st through October 31st from 5:00 p.m. until 11:00 p.m.

2. The Dinwiddie County Planning Commission modified these requested conditions to reflect the following allowing thirteen (13) special events in an calendar year rather that the ten (10) special events currently permitted and "Wednesday night race events will be permitted from June 1st through August 31st from 5:00 p.m. until 11:00 p.m. for the 1997 racing season."

The Planning Commission voted on April 9, 1997 with a vote of 5-1 to approve with the modified changes.

Mr. Scheid stated that the only items that could be addressed tonight are the additional special events and the Wednesday night racing.

Mr. Moody again stated, for clarification to the public and the Board, the only two issues we need to discuss tonight are about increasing the special events and Wednesday night racing. These are the only issues before us tonight. Mr. Scheid stated that was correct, you cannot take action on anything other than that.

Mr. Moody requested the applicant to come forward and present his case.

Mr. Paul Coleman, came before the Board stating he appreciated the opportunity to come before them tonight. He stated there was two parts to the application. The first part was to increase the number of special events. This year they needed thirteen (13) which the Planning Commission as offered to give us. The reason we are asking for twenty (20), as with any good business we hope to grow each year and would like to not have to come back before you every time we have that opportunity. Also we would like to have the wording changed from Monday as a rain date, to read the next available dry day. As far as our Wednesday night activity, we are requesting this because our Friday night lineup has become so large that we are fighting the time period. If we can split the classes on Friday night into two nights we will have no problem with finishing the racing by the curfew time. We have requested this from May

1st through October 31st because of the point system. If we could run on Wednesday's from June 1st thru September 31st, which is thirty (30) days more than the Planning Commission, we feel that we could have a much better field if that is a viable option or not. Mr. Coleman stated he would be glad to answer any questions the Board might have.

Mr. Moody stated that this is a public hearing for C-97-1 and opened the hearing. The following people came before the Board to express their opinion on this matter:

1. Ralph Mangum, 9013 Dabney Drive, which is approximately a mile to mile and a quarter from VMP. He spoke in favor of VMP's request. He stated the Park is a great value, a wonderful family outing, a safe place for the youth to race and have proven themselves to be good neighbors.

2. Dr. Louis Blazek, 7818 Boydton Plank Road, came forth to express his feelings on Virginia Motorsports Park. He stated he is definitely for the park, however with Wednesday being allowed, it would enable the Park to race six days a week. The noise would be too much for the campground and the mobile home park. He felt that the term "Special Event" needs to be defined. In closing Dr. Blazek thanked the Board and again stated that he is not against the Drag Strip, because it can be a tremendous asset to all of us, if it is done properly.

3. Pat McMahon, President and Chief Executive Officer of Virginia State Tourism Corporation, came before the Board to tell them that they have been monitoring the activities of the Virginia Motorsports Park and looking at it as part of the mix of attractions that the Commonwealth has to give the world. Motorsports is currently the number one spectator around the world. Virginia is becoming a premium race state. Virginia has a lot of history, but we need the excitement and Virginia Motorsports Park has the potential of playing a role in a new marketing region.

4. Robert Ragsdale, 8511 Boydton Plank Road, came before the Board to voice his opinion on the noise, and the was he and the citizens of Dinwiddie County were mislead. He also asked the Board to define "Special Events".

5. Wert Smith, 1750 Westover Avenue, Petersburg, Virginia, came before the Board thanking them for the opportunity to speak to them tonight. He spoke on the Virginia Motorsports Park facility. He stated that the Park has been a good corporate citizen. Mr. Smith is a promoter of the Pignic and stated that VMP has been wonderful to work with on these events. Mr. Smith passed out some copies of newspaper clippings to the Board.

6. Wallace Rowland, 22256 Butterwood Road, came forth to state that he was very unhappy with the noise from the Virginia Motorsports Park. People need to have respect for their neighbors. I am against them having extended hours. I'll back you if you want to shut them down. The noise control we were promised has not taken place.

7. Patsy Mears, 7230 Jack Drive, Petersburg, Virginia, came forth stating that she wanted to thank the county for the support of the race track. She stated she was employed by Virginia Motorsports Park and if it wasn't there then she would have to be driving long distances. She stated she would very much appreciate the Board consider approving their request.

8. David Mears, 7230 Jack Drive, Petersburg, Virginia, came before the Board, who stated that he is a Dinwiddie County resident and a racer. He feels very fortunate to be able to race on a world class, top notch, probably the best track in the county. The race track is good clean fun for everybody.

9. Greg Davis, 25115 Smith Grove, Petersburg, Virginia, stating he would like to address one issue, Virginia Motorsports Park's good corporate nature. As an elected School Board member and parent, he has been privileged to work with VMP. VMP, for the past couple of years, had gotten a very ready, dependable labor force from the high school for their National Events. This is not all about revenues. I feel this is real life, on the job training for our youth.

10. Phil Dean, 11277 Air Park Road, Ashland, Virginia, addressed the Board stating that along with the Leadbetter family they bought the land in 1989. They have been really proud owners since that time. He has enjoyed an excellent relationship with the County and has invested substantially in the County. They have been very pleased with what has come out of it, at this stage, and hopes that the folks in Dinwiddie are. They think they have set a high standard and appreciate the Board's positive consideration because they have put more money into it than they intended to and need to get some type of return on that investment. They are proud of the facility that they have.

11. Ron McGugan, P. O. Box 2049, Petersburg, Virginia, came forth stating that he owned a beverage distribution company in Petersburg and that he was also a drag racer part-time. He continued by saying that from the business stand point, economic stand point, for Dinwiddie County, he wanted to say that this track has enabled him to hire an additional person. It has increased his route distribution by about four (4%) per cent, which is substantial for the tax base in this County. Because of the increased traffic in Dinwiddie County, store owners has begun to take more pride in the appearance of their stores. I am a firm supporter of the track and will do anything I can to help make it successful because it has helped make me successful. I have at least ten (10%) per cent of his employment based as residents of Dinwiddie County. I hope you will support the track by allowing them the extra hours, this will only mean more revenue in Dinwiddie County.

12. Marshall Campbell, 3464 Darston Court, came forth stating that it was not long ago that he did not even know where Dinwiddie County was. Now every Friday, Saturday, I cannot wait to get here. This is the finest quality track I have ever been to, as a racer I am speaking. I hope you will look favorably on supporting the request of the track. A lot of the racers on Friday night are young people just getting started and I worry that if they cannot race on this track then they will be racing on the street. I sincerely hope you will consider extending the hours.

13. Ryan B. Corrigan, 3909 Dfust Avenue, Prince George, Virginia, came representing the Robert E. Lee Council, and locally the Crater District, which encompasses the tri-cities, Dinwiddie as well as Prince George Counties. VMP as not only helped these young men earn money for summer camp but also taught them three (3) valuable lessons of life. These lessons being: 1-The lesson of hard work; 2-Recycling; and 3-Team work.

14. Churchhill Drake, Track Manager of Virginia Motorsports Park, came before the Board to explain the following. First by taking the test and tune away from Friday night, it will give Friday night a completely muffled program. On the Special Use Permit, I am the one that applies for them. I would just like to be able to use the next available dry day.

Mr. Moody then declared the public hearing closed.

Mr. Bracey stated due to the fact that he was employed by Virginia Motorsports Park, he stated that he was not able to vote or comment on this subject.

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Moody voting "aye", Mr. Bracey "abstaining",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that conditional use permit C-92-2, as amended, be further amended by conditional use permit C-97-1 as follows:

1. condition #2 shall permit twenty (20) special events in any calendar year rather than the ten (10) special events currently permitted with the rain date being the next dry day.

2. add condition #15 so that "Wednesday race events will be permitted from May 1st through September 30th, for the year 1997, from 5:00 p.m. until 11:00 p.m.".

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this

Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: PUBLIC HEARING - P-97-3 - NORMAN WYATT - DEWITT POST OFFICE

Mr. Moody asked Mr. Scheid to present the case.

Mr. Scheid came before the Board and stated that this is a rezoning request. The original request was for 2.34 acres of land to be rezoned, to Business 2 classification, current zoning is Agricultural, General A-2. At the meeting of the Planning Commission this request was asked to be reduced in scope and it is now one (1) acre parcel of land that is being asked to be rezoned from A-2 classification to B-2 classification. The property is located at the northeast corner of Route 650 which is First Street and Route 1, Boydton Plank Road. There is a country store and post office which share the same structure and a single family dwelling on the parcel. It is located in DeWitt and the property is relatively flat. The applicant's request is that he wishes to relocate the existing post office into a newer and larger building. Under the current zoning classification of agricultural A-2, each primary use must have a minimum of three (3) acres of land. This parcel could not meet this requirement under the A-2 zoning, however under B-2 classification the post office could be relocated on this parcel of land. DeWitt has a mixture of residential, commercial and agricultural classifications and uses. The post office occupies the south side of the existing country store and has outgrown the existing floor space in addition to the building being oil and having limited parking space. The proposed location for the post office is ideal and they wish to remain in the vicinity. The comprehensive land use plan encourages commercial uses to locate in central areas. DeWitt is considered a minor growth center and, as such, commercial uses/zoning is encouraged so that services can be provided to local residents. There are several businesses located in the area with business B-2 being found in this area. The road system adjacent to this parcel provided easy access for local citizens. By locating the post office to the north of the existing location, the potential for accidents should be reduced. The further removed from an intersection the better the side distance. The Comprehensive Land Use Plan, page 10, Transportation, Goal I, Objective 9a states that the County in cooperation with the Virginia Department of Transportation should identify and plan for the future highway needs of the County. This would proffer an additional building setback on Route 1 so that future widening of Route 1 could occur. The staff has recommended approval of the rezoning of this parcel of land, and as mentioned the applicant has reduced initial request to the one (1) acre parcel.

Mr. Moody invited the applicant, Mr. Norman Wyatt, to come forward and present his case. Mr. Wyatt stated that Mr. Scheid had presented the case properly for him.

Mr. Moody stated that this was a public hearing for P-97-3, and opened this portion of the proceeding for public comments:

1. Ann Robertson, 15116 First Street, DeWitt, Virginia, came before the Board and spoke in favor of the rezoning.

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, DINWIDDIE, VIRGINIA, that the Zoning Map be amended by changing a one (1) acre portion of a 2.34 acre parcel shown by a plat prepared by Ronald A. Gordon, dated September 6, 1984, for Norman and Joan F. Wyatt, Sr. for Agricultural, General A-2 to Business, General B-2. Said parcel is designated by the County Tax Maps as a portion of land parcel 69A (2) 4, 4A and 4B. The parcel is located approximately 233' north of the intersection of Route 650 and Route 1 as measured along Route 1, then proceeding N52-21-30E about 155' along Route 1 to a point, then S48-56-14 about 265" to a point, then S23-20-27W about 106' to a point, then in a NW direction about 235' to a point, then in a NW direction about 105' to the point of beginning.

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code

Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: APPROVAL OF BOND - COURTHOUSE AND SCHOOL FINANCING

Mr. Daniel Siegel, County Attorney, came before the Board, first stating that Mr. David Rose, who is representing the Underwriter, Wheat First is also present to answer any questions that may come up.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following Resolution was approved:

RESOLUTION OF THE BOARD OF SUPERVISORS
OF DINWIDDIE COUNTY, VIRGINIA

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia (**the "Board of Supervisors" or "Board"**) has previously requested the Industrial Development Authority of Dinwiddie County, Virginia (**the "Authority"**) to assist it in the financing of a County courts complex and related facilities (**the "Courts Complex Project"**) and improvements and renovations to County school facilities (Midway Elementary School, Dinwiddie County Middle School and Dinwiddie County High School) (together the **"School Project"**), and pursuant to these requests the Authority issued its $3,365,000 Interim School Funding Lease Revenue Notes (Dinwiddie County School Facilities Project) Series 1995A (the **"Notes"**) and its $5,500,000 Lease Revenue Bonds (Dinwiddie County Courts Facilities Project), Series 1995B (**the "1995 Bonds"**); and

WHEREAS, at the time of the issuance of the 1995 Bonds, the total costs of the Courts Complex Project was not known, and since that time Dinwiddie County, Virginia (**the "County"**) has, after public procurement, entered into contracts for construction of the Courts Complex Project and determined the approximate costs to complete the same; and

WHEREAS, at the time of the issuance of the Notes, the County had anticipated that the School Project would be funded from 2% loan monies from the State Literary Loan in an amount up to $13 million, and from other sources (such a county bonds, notes or leases) for a total construction and equipping cost now expected to be $24.5 million; and

WHEREAS, the County issued on November 16, 1996, its general obligation school bonds in the amount of $9,853,858 and obtained a grant from the State Literary Loan of $3,146,142 to partially finance a portion of the School Project, all pursuant to a Virginia Public School Authority Subsidy Bond sale; and

WHEREAS, in order to fund the costs of completion of the Courts Complex Project and to complete the costs of the School Project, the County will need to obtain additional monies therefore and has requested that the Authority assist it in the financing of such projects and in furtherance of such financing (a) to issue, offer and sell (i) its lease revenue bonds in an amount not to exceed $4,100,000 (**the "Courthouse Completion Bonds"**) to finance the completion of the costs of the acquisition, construction and equipping of the Courts Complex Project on real property owned by the County (**the "County Real Estate"**) and (ii) its lease revenue bonds in an amount not to exceed $5,900,000 (**the "School Bonds"**) to finance a portion of the costs to complete the acquisition, construction and equipping of the School Project on improved real property owned by the Dinwiddie County School Board (**the "School Real Estate"**) and (b) to lease the Courts Complex Project and the School Project (**together, the "Projects"**) to the County to accomplish certain purposes of the Virginia Industrial Development and Revenue Bond Act (**the "Act"**), and the Authority has agreed to do so; and

WHEREAS, there has been presented to the Board of Supervisors a plan for lease financing of a portion of the Costs to complete the acquisition, construction and equipping of the Projects involving issuance of Courthouse Completion Bonds and School Bonds by the Industrial Development Authority of Dinwiddie County, Virginia (**the "Authority"**)

which would not create debt of the County for purposes of the Virginia Constitution; and

WHEREAS, there has been presented to this meeting drafts of the following documents (**the "Documents"**), copies of which shall be filed with the records of the Board of Supervisors:

(a) an Amended Ground Lease amending the Ground Lease dated as of December 1, 1995 between the Authority, the County and the School Board conveying to the Authority a leasehold interest in the County Real Estate and the School Real Estate (**the "Amended Ground Lease"**).

(b) an Amendment to Financing Lease amending the Financing Lease dated as of December 1, 1995 between the Authority and the County conveying to the County a leasehold interest in the Projects (**the "Amendment to Financing Lease"**);

(c) a Supplemental Indenture of Trust supplementing and modifying the Indenture of Trust dated December 1, 1995 between the Authority and the Trustee, pursuant to which the Courthouse Completion Bonds and the School Bonds are to be issued including the form of the Courthouse Completion Bonds and the School Bonds, which is to be acknowledged and consented to by the County (**the "Supplemental Indenture"**);

(d) an Amended Assignment of Rents and Leases between the Authority and the Trustee amending the Assignment Agreement dated as of December 1, 1995, assigning to the Trustee certain of the Authority's rights under the Financing Lease as amended by the Amendment to Financing Lease, which is to be acknowledged and consented to by the County (**the "Amended Assignment Agreement"**);

(e) a Bond Purchase Agreement among the Authority, the County and Wheat First Butcher Singer, Inc. as Underwriter (**the Underwriter"**) for the purchase of the Courthouse Completion Bonds and the School Bonds (**the "Bond Purchase Agreement"**);

(f) a Continuing Disclosure Agreement between the County and the Underwriter for the purpose of assuring compliance with continuing disclosure obligations under Rule 15c2-12 (**the "Continuing Disclosure Agreement"**);

(g) an Official Statement for the offering and sale of the Courthouse Completion Bonds and the School Bonds.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA:

1. The following plan for financing a portion of the costs to complete the acquisition, construction and equipping of the Projects for the County as described in the preambles above is hereby approved. The Authority will be requested to issue the Courthouse Completion Bonds in the maximum amount of $4,100,000 and to use the proceeds therefrom to finance the completion of the acquisition, construction and equipping of the Courts Complex Project and to issue the School Bonds in the maximum amount of $5,900,000 and to use the proceeds therefrom to finance the acquisition, construction and equipping of the School Project. The Authority will acquire, construct and equip the Projects on the County Real Estate and the School Real Estate which will be leased to the Authority under the Amended Ground Lease, and the Authority will lease the Projects to the County pursuant to the Financing Lease as amended by the Amended Financing Lease. The Authority will also enter into the Supplemental Indenture with Crestar Bank, as trustee (**the**

"Trustee"), pursuant to which the Courthouse Completion Bonds and the School Bonds will be issued, which Supplemental Indenture is to be acknowledged and consented to by the Board of Supervisors. The Authority will also enter into the Amended Assignment Agreement whereby the Authority's rights under the Financing Lease as amended by the Amendment to Financing Lease will be assigned to the Trustee, which Amended Assignment Agreement is to be acknowledged and consented to by the Board Of Supervisors. The Authority will be requested to lease the Courts Complex Project to the County for the term of the Courthouse Completion Bonds and the School Project to the County for the term of the School Bonds, under a "triple net lease" at rents sufficient to pay interest and School Bonds, all pursuant to the Financing Lease. The obligation of the Authority to pay principal and interest on the Courthouse Completion Bonds and the School Bonds will be limited to rent payments received from the County. The obligation of the County to pay rent will be subject to the Board of Supervisors making annual appropriations for such purpose. The Courthouse Completion Bonds and the School Bonds will be secured by an assignment of the Financing Lease as amended by the Amendment to Financing Lease to the Trustee for the benefit of the bondholders. If the County exercises its right not to appropriate money for rent payments, the Trustee or the holder of the Bonds may terminate the Financing Lease as amended by the Amendment to Financing Lease or otherwise take possession of the Projects, subject to the terms of the Financing Lease as amended by the Amendment to Financing Lease, the Assignment Agreement as amended by the Amended Assignment Agreement, the Amended Ground Lease, and the Indenture as supplemented and modified by the Supplemental Indenture.

2. The Board has selected Wheat First Butcher Singer, Inc. as underwriter (**the "Underwriter"**) for the purchase of the Courthouse Completion Bonds and the School Bonds, and the Authority is hereby requested to designate it as such.

3. The Chairman or Vice Chairman of the Board of Supervisors, either of whom may act, is hereby authorized and directed to execute and deliver the Amended Ground Lease, the Amendment to Financing Lease and the Continuing Disclosure Agreement.

4. The Chairman or Vice-Chairman of the Board of Supervisors, either of whom may act, is hereby authorized and directed to acknowledge and consent to the provisions of the Supplemental Indenture, the Amended Assignment Agreement, the Bond Purchase Agreement and any other instruments executed by the Authority in connection with an assignment of the Financing Lease for the purpose of securing the Courthouse Completion Bonds and the School Bonds.

5. The Documents shall be in substantially the forms submitted to this meeting, which are hereby approved, with such completions, omissions, insertions and changes as may be approved by the officer executing them, his execution to constitute conclusive evidence of his approval of any such completions, omissions, insertions and changes.

6. The Courts Complex Project and the School Project are hereby declared to be essential to the efficient operation of the County, and the Board of Supervisors anticipates that the Projects will continue to be essential to the operation of the County during the term of the Financing Lease as amended by the Amendment to Financing Lease. The Board of Supervisors, while recognizing that it is not empowered to make any binding commitment to make appropriations beyond the current fiscal year, hereby states its intent to make annual appropriations in future fiscal years in amounts sufficient to make all payments under the Financing Lease as amended by the Amendment to Financing Lease and hereby

recommends that future Boards of Supervisors do likewise during the term of the Financing Lease.

7. The Chairman or Vice-Chairman of the Board, The Interim County Administrator, the County Treasurer and all other officers of the County are hereby authorized and directed to work with representatives of the Authority, the County Attorney, Bond Counsel, and the Underwriter to perform all services and prepare all documentation necessary to bring the Courthouse Completion Bonds and the School Bonds to market, including without limitation, final forms of the Documents.

8. The County covenants that it shall not take or omit to take any action the taking or omission of which will cause the Courthouse Completion Bonds or the School Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, including regulations issued pursuant thereto (the "Code"), or otherwise cause interest on the Courthouse Completion Bonds or the School Bonds to be includable in the gross income for Federal income tax purposes of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Courthouse Completion Bonds or the School Bonds.

9. The County covenants that it shall not permit the proceeds of the Courthouse Completion Bonds or the School Bonds to be used in any manner that would result in (a) 10% or more of the proceeds of either the Courthouse Completion Bonds or the School Bonds being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, provided that no more than 5% of such proceeds may be used in a trade or business unrelated to the County's use of the Projects, (b) 5% or more of such proceeds being used with respect to any "output facility" (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than as governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the County receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Courthouse Completion Bonds and the School Bonds from being includable in the gross income for Federal income tax purposes of the registered owners thereof under existing law, the County need not comply with such covenants.

10. The Board of Supervisors hereby consents to Sands, Anderson, Marks & Miller, P. C., Richmond, Virginia serving as special counsel to the Authority and as bond counsel and recommends that such firm be appointed by the Authority as Bond Counsel and as special counsel to the Authority.

11. All other acts of the Chairman or Vice-Chairman of the Board and other officers of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the plan of financing, the issuance and sale of the Courthouse Completion Bonds and the School Bonds and the acquisition, construction, and equipping of the Projects are hereby approved and ratified.

12. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.

13. The reimbursement resolutions adopted by the Board of Supervisors on October 6, 1993 relating to expenditures on

or after August 7, 1993 with respect to the Courts Complex Project and on May 18, 1994, relating to expenditures on or after March 20, 1994 with respect to the School Project, are hereby ratified, confirmed, approved and re-adopted in their entirety, with the amendments that the maximum principal amount of bonds expected to be issued for the Courts Complex Project is $9,600,000 and the maximum principal amount of bonds expected to be issued for the School Project is $24.5 million.

14. The Board of Supervisors on behalf of the County hereby designates the Courthouse Completion Bonds and the School Bonds as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code, allocates to the Authority $4,100,000 of its allocation of "qualified tax-exempt obligations" for the Courthouse Completion Bonds and $5,900,000 of its allocation of "qualified tax-exempt obligations for the School Bonds for purposes of such Section and represents and covenants that not more than $10,000,000 in bonds notes, leases and other obligations of the County (including any subordinate issuing entities), excluding private activity bonds, will be issued in calendar year 1997 and that neither the Board of Supervisors nor the County will designate more that $10,000,000 of qualified tax-exempt obligations pursuant to Section 265(b)(3) of the Code.

15. The County hereby agrees to indemnify, defend and save harmless the Authority, its offices, directors, employees and agents from and against all liabilities, obligations, claims, damages, penalties, fines, losses, costs and expenses in any way connected with the County, the issuance of the Courthouse Completion Bonds and the School Bonds or the acquisition, construction and equipping of the Projects.

16. Nothing in this Resolution, the Courthouse Completion Bonds, the School Bonds or the Documents shall constitute a debt or a pledge of the faith and credit of the County, and neither the County nor the Authority shall be obligated to make any payments under the Courthouse Completion Bonds, the School Bonds or the Documents except from payments made by or on behalf of the County under the Financing Lease as amended by the Amendment to Financing Lease pursuant to annual appropriation thereof in accordance with applicable law. The Underwriter shall acknowledge on behalf of the Bondholders that any purchase of Courthouse Completion Bonds and School Bonds pursuant to the Bond Purchase Agreement is made solely based on representations of the County and no representations of any kind as to the Projects or the ability to repay the Courthouse Completion Bonds or the School Bonds has been made by the Authority.

17. This resolution shall take effect immediately.

PASSED AND ADOPTED THIS _____DAY OF MAY, 1997.

Warren A. Moody
Chairman

ATTEST:

Wendy Weber Ralph
Clerk

IN RE: PRESENTATION - PROPOSED CAPITAL FUNDING STRATEGY

Mrs. Wendy W. Ralph stated that Mr. Daniel Siegel's presentation was kind of a lead in to Mr. David Rose's presentation, who is with Wheat First Butcher Singer.

Mr. David Rose came forth stating he would keep his remarks as brief as possible. He presented the Proposed Capital Financing Strategy to the Board and citizens in attendance. Mr. Rose also elaborated on the sources and uses of funds for the Courthouse Project. Mr. Rose presented to the Board the financing timetable for the Courthouse Completion & School Lease Revenue Bonds, Series A & B for the Spring/Summer 1997, stating that they hoped to close on the Bond Sale around June 11, 1997.

IN RE: PETERSBURG NATIONAL BATTLEFIELD PARK

Mr. Mike Hill, Superintendent of the Petersburg National Battlefield Park, came before the Board to present an option regarding the use of the current Courthouse. The proposal he was making was that the Petersburg National Battlefield in conjunction with Dinwiddie County and the Dinwiddie County Historical Society might be able to utilize the old Courthouse Building as a combination museum and visitor's center. There are a lot of benefits to Dinwiddie County, the Historical Society and the National Park Service. He continued by stating that his main purpose in being here was to see if we were interested in either individually or assigning someone on the staff to pursue what options may be out there and to follow up on this idea. He stated he was just here to plant the seed.

Mr. Moody, Chairman, with the Board's support, appointed Mrs. Everett to follow up on this avenue and report back to them.

IN RE: AWARD OF CONTRACT - PROPERTY/CASUALITY INSURANCE PROGRAM

Mr. Sam Rosenthal, Rosenthal Insurance Consulting, Inc., came before the Board to report on his finding on the premiums of VACorp and Reliance. Reliance proposed a complete quote of $60,032. and VACorp a complete quote of $66,976. Reliance has offered us a three (3) year rate guarantee whereas VACorp proposes to reduce the premium on renewal.

Mr. Bracey made a motion, it was seconded by Mrs. Everett, to use Reliance with a premium of $60,032. Mr. Tickle stated that he felt that VACorp was the company that he felt that the County should support. After some discussion among the Board the second of the motion was withdrawn. With the motion being on the floor roll call was taken: Mrs. Everett, Mr. Clay, Mr. Tickle voting "nay", Mr. Bracey, Mr. Moody voting "aye", the motion was not carried.

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Moody voting "aye", Mr. Bracey voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the contract for property/casualty insurance be awarded to VACorp for a yearly premium of $66,976.

IN RE: COUNTY ADMINISTRATOR COMMENTS - CAPITAL PROJECTS

Mrs. Wendy W. Ralph, Interim County Administrator, stated that one item that she had sent to the Board members earlier was an outline of some of the projects that they had been discussing, so far as the first year of the capital improvement program. We are going through the process now of the Planning Commission reviewing a plan, a five (5) year plan, and making a recommendation to you. There was a question on the first year, which will be next year, 1997-98; you have set aside a million dollars out of the reserve to deal with this. The Planning Commission is going to be discussing this again next Wednesday night and I did not know whether or not you had any comments or whether you would like to see this go on to them as it was presented.

Mr. Clay stated that he was not satisfied in spending all the money in Dinwiddie. McKenney is looking for a fire truck and a house and we are not doing anything for them. We are getting a fire and EMS building for $500,000.; we are buying a 3,000 gallon tanker for $200,000., which I think McKenney hasn't had a big tanker or a big fire truck, one of the new ones -- everybodys' got to have a Cadillac; I don't think either one of them needs a $200,000. vehicle. I think we can buy one a lot cheaper than that. I think that the volunteers are just pushing it over on us and are forcing us to buy these high priced machines; they are not

going to last any longer than the others. Both of them will pump water. I'm tired of buying these, then talking about raising the taxes to build these schools and courthouse, and we are buying $200,000.00 fire trucks. I disagree with it.

Mr. Moody asked the Board members to call Wendy before Wednesday regarding comments on the list, as Mr. Clay has done tonight.

Mr. Bracey commented on $100,000.00 for a roof on the Jail.

Mrs. Ralph asked the Board if anyone would be attending the dinner on Saturday night for the Town of McKenney 75th Anniversary. Mr. Clay agreed to present the Resolution to the Town of McKenney that evening.

IN RE: BOARD MEMBERS COMMENTS

Mrs. Everett, spoke in favor of the Park Service and asked if anyone was interested in serving on a committee to please call her. The next scheduled meeting will be held on May 31st.

Mr. Tickle expressed his concern over the comment made at the last Board Meeting regarding kids mowing grass. He was upset in the manner in which the School System and School Board has handled this matter. His two (2) main questions regarding the vocational program, did we have people in the vocational program cutting grass five (5) feet next to the road, unsupervised. He did not mean that statement in a rude or disrespectful comment. What I want to know was a specific answer to that question - I don't think I have received that yet. In the mean time someone has told me that we actually pay people during school hours, I did not know that. These are things that we do not know and I would like to know more about it. I am asking for someone to call me, not the acting principal, someone representing the County School Board from the County Administration and to talk to me about this. I prefer not to talk about it as an issue, in the paper that way, it would appear to be true. I asked for information from the School Board person, representative, and that is what I expect to receive. I am putting it to the School Chairman here that we go through that and that I get a reply. My two questions are: (1) Why do we have someone out there, do we have a vocational program, does that vocational program include cutting grass and (2) Is this a safety issue of those individuals. So it is a more encompassing so I would like to know what our vocational program details, because I was following up on, if you read the minutes very closely, you will know that I was piggy-backing on a statement that Mr. Bracey made. I was trying to understand what vocational was and I could understand why we had a program with children mowing grass on a continuous basis. What also disturbed me a little bit was a child being, I don't think I ever said anything about the child other than he appeared to be a student in the school system and he had a tee shirt on and was mowing grass. I want to know why he was so close to the road. Again Mr. Tickle stated (1) What is a vocational program and (2) why was the child so close to the road? I just need those addressed.

Mr. Clay stated he had no additional comments.

Mr. Bracey had some questions/remarks regarding the School Board issue. Mr. Taylor had come before the Board representing Mrs. Seward - I received a letter a few days later asking for an apology but I never received a letter from Mr. Taylor or the School Board Office concerning the question - the original question - about vocational education. I am very offended because I get a letter asking me for an apology on something - I don't even know apologizing for what? But now the question - the original thing came about the vocational education program. I never received it. Now I think I try to work with people but it seems like somebody in the School Board Office is playing games. Mr. Moody asked Mr. Bracey is the staff was directed to do that? Mr. Bracey replied yes, I asked Mr. Taylor to send me. Mrs. Seward stated that she could address it now - she had planned to address it at the next meeting - she would bring the program of study - the whole nine yards - would you prefer it that way or I can address it off the cuff now? Mr. Bracey stated that he wanted it addressed on paper, in the same way that I received the letter from your office asking for some type of public apology. I like things in writing, that way I can handle it. Mrs. Seward asked if she understood that when

you ask a question that pertains to something that I am doing that you would prefer that she submit the answer to you in writing rather than bringing it back to a Board meeting. Mr. Bracey stated that yes he would.

Mr. Moody stated that we should have gotten the information from the School Board before we attacked someone for not doing their job. Mr. Moody stated that he was sitting there that day and there were some attacks going on and I think we should get the information from both sides before we make a comment either way. That is the way I saw it. Mr. Bracey stated that he did not owe anybody an apology. Mr. Moody stated that that was up to him. Mr. Bracey said don't you apologize for Bracey either. Mr. Moody stated I'm not apologizing for you. Mr. Bracey stated thank you.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 1 - Discussion or consideration of employment, salaries, discipline of public officers, appointees, or employees of any public body ; 2.1-344 (a) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose; 2.1-344 (a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made; and 2.1-344 (a) 7 - consultation with legal counsel. The Board moved into Executive Session at 11:02 p.m. A vote having been made and approved, the meeting reconvened into Open session at 11:55 p.m.

IN RE: CERTIFICATION

Upon motion by Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: NOTE FOR AIRPORT AUTHORITY

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye", Mr. Tickle voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a promissory note in the amount of $110,000.00 be approved for the Airport Authority for a three (3) year renewable term, maturing May 7, 2000.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 11:56 P.M. to be continued until Tuesday, May 13, 1997 at 11:00 A.M. for a Executive Session at the Pamplin Building.

Harrison A. Moody
Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
Interim County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT THE HOME PLACE RESTAURANT IN DINWIDDIE COUNTY, VIRGINIA, ON THE 7TH DAY OF MAY, 1997, AT 5:00 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	DAN SIEGEL	COUNTY ATTORNEY

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Tickle, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 1 - Discussion or consideration of employment, salaries, discipline of public officers, appointees, or employees of any public body; Section 2.1-344 (a) 3 - Acquisition or use of real porperty for public use; Section 2.1-344 (a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made; and Section 2.1-344 (a) 7 - consultation with legal counsel. The meeting moved into Executive Session at 5:20 P.M. The Board recessed at 7:00 P.M. to the Board Room, Pamplin Administration Building. A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 7:33 P.M.

Harrison A. Moody
Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
Interim County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 13TH DAY OF MAY, 1997 AT 11:00 A.M.

PRESENT:		
	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2

IN RE: PURCHASE OF VCR

Mrs. Charity Taylor, Recreation Secretary, presented the following bids for the purchase of a dual deck VCR:

1. Highsmith $595.00
2. Circuit City $399.00

Mrs. Taylor was unable to obtain a third quote. Circuit City also offered a three (3) year and a five (5) year maintenance program. Mrs. Taylor recommended the five (5) year maintenance program for $159.99

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mrs. Everett, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to purchase a dual deck VCR from Circuit City for $399.00 without the maintenance program..

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; and Section 2.1 - 344 (a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made. The meeting moved into Executive Session at 11:20 A.M. A vote having been made and approved the meeting reconvened into Open Session at 1:40 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby, certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 1:41 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
Interim County Administrator

/pam

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 21ST DAY OF MAY, 1997 AT 2:00 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	BEN EMERSON	COUNTY ATTORNEY

IN RE: WELCOME TO SHADOW STUDENTS

Mr. Harrison Moody, Chairman of the Board, welcomed the shadow students from Dinwiddie High School Government classes.

IN RE: AMENDMENT TO AGENDA

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the agenda was amended to add the following:

15. Executive Session- pursuant to the Virginia Freedom of Information Act, Section 2.1 - 344 (a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Commissioner of the Revenue; and Section 2.1 - 344 (a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made.

IN RE: MINUTES

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 the minutes of the May 7, 1997 continuation meeting, the May 7, 1997 regular meeting, and the May 13, 1997 continuation meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mrs. Wendy Weber Ralph, Interim County Administrator, stated that there was an claim included from the Airport Authority for legal services incurred in the amount of $2,097.50 to be funded from the $200,000.00 note.

Upon motion of Mr. Clay, seconded by Mr. Tickle, 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 #1005848 - #1005989 (void check 1005847); for Accounts Payable in the amount of $289,929.43; General Fund $199,873.34, E911 Fund $1,970.13, Self Insurance Fund $141.51, Law Library $123.50, Fire Programs/EMS Funds $10,052.04, County Debt Service $77,768.91. Also included is a Dinwiddie County Airport and Industrial Authority claim for legal expense in the amount of $2,097.50.

Mr. Tickle requested that the Acting County Administrator add to the legislative agenda the issue of inmate medical bills being paid by the County. These medical expenses are reimbursed but it is still a taxpayer expense. The County expense of transporting this inmate, providing a driver, vehicle, and deputy, should also be reimbursed.

IN RE: APPROVAL OF REQUISITION #23 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Interim County Administrator, stated that Requisition #23 for the Courthouse consists of payments to:

Hening-Vest-Covey	$ 5,224.25

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 Requisition #23 in the amount of $5,224.25 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #18 -- SCHOOL CONSTRUCTION

Mrs. Ralph, stated that this requisition consisted of the following invoices:

KBS, Inc	$1,740,323.05
Froehling & Robertson, Inc.	1,698.70
Stroud, Pence & Associates, LTD	2,900.40
Work Environment Associates, Inc.	145.00
Virginia Power	2,076.30
Ballou Justice Upton	27,632.03
TOTAL	$1,774,775.48

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 Requisition #18 in the amount of $1,774,775.48 be approved and funds appropriated for CIP for the School Construction Fund.

IN RE: CITIZEN COMMENTS

The following person addressed the Board:

1. Anne Campbell, 12210 Wilson Road, Wilson, Virginia, came before the Board to discuss a problem she is having with the Commissioner of the Revenue's Office. She stated that her problem was with the conversion of her mobile home from personal property to real estate.

Mr. Moody requested that she fill out a Request of Information Form and that we would provide her with an answer within a twelve (12) working day period.

IN RE: DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald Reekes, Resident Engineer, came before the Board stating that he wished to update them on a couple of things and then he would take questions.

1. He asked Mr. Clay if he noticed that Nash Road is now open! We are not quite finished yet - but it is open.

2. With regards to Route 692, he stated the Department is moving well on that one.

3. He stated some of the members may have noticed Route 1 and Route 460 - the signal light; expectations are that it should be operational within ten (10) days.

4. The contractor was expected to start on Route 613, White Oak Road, by now. After conversations with him, it was determined that it will be after the Memorial Day week, probably the first week of June. His first effort will be to take down the dwelling at Route 1.

5. We have our repaving schedule coming up and we are mowing grass, as fast as it grows.

6. We are also catching up on our new complaint system. Mrs. Everett asked Mr. Reekes to explain the new complaint system which he did. He stated that all calls now go through the Central Residency Office.

Mr. Harrison Moody requested a speed/safety study to be conducted on Wilsons Road, Route 639.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

Mr. Moody requested the Administration send out another letter to the Department Heads/Constitutional Officers requesting them to please attend the second meeting of the month to present their monthly reports. Mr. Bracey stated he felt that we did not have a problem with all departments and that only the departments in violation should be written.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, came before the Board stating he had no additions to his report and was available for questions. There being no questions he continued by stating the Board had before them, because of the unfortunate situation of receiving the tax assessments at a late date, he felt it was necessary that we extend the deadline. He had Paul Jacobson draft an emergency ordinance changing the due date from June 5th to June 12th. This was the latest date that he felt comfortable with in order that he be able to close his books on June 30th.

Mrs. Everett stated that she has had many calls on this and felt that some type of public explanation needed to be made on the late mailing of the tax bills.

Mr. Bracey stated that he felt that the person in charge of that book should make a public statement, a public apology, or something. I feel this way because this is not the first time that this has happened and I do not think that Mr. Jones should be harassed or hollered at because it is not under his control. He can only take what is sent to him and send it out in a timely fashion.

Mr. Moody asked Mr. Jones to give the Board an explanation from your point of view, how you are unable to get them out on time. The public might not know why, how the procedure goes. Mr. Jones stated that the Board was putting him on the spot - he stated that he would refuse to answer that. Mr. Moody asked Mr. Jones how many days he needed after receiving the information to get the bills out. Mr. Jones replied that he would like to allow thirty (30) days before they are to be mailed out. I have done it in four (4) days, getting the information in the envelopes and to the post office. We started Monday and will be mailing tomorrow (Thursday). Mr. Moody asked when did you receive the information this year? Mr. Jones stated personal property was received May 8th, real estate was received Friday night, May 16th at 9:00 P.M. Mrs. Everett asked if the target date set was April 1st. Mr. Jones stated that his personal request was April 15th. That would be satisfactory time for him to prepare and then without hastily throwing things in an envelope, getting it out to where the individual would have at least thirty (30) days to do his thing.

Mr. Bracey stated that he understood about the emergency this and that - but where is the end? I thought last year we said that there would not be another. Now here it is again and we got Mr. Jones standing here being the old bad guy and we are still sitting playing games too - there are some things we can do - I know the attorney says you can't do this and you can't do the other but there are things that this Board can do. I am saying that I understand that you want it by the 12th, whatever -the taxpayer, the two or three dollars that I owe I can pay, but look at the other people. They get a bill today and have to scramble with it tomorrow, sometimes people work on different schedules. I think in few years we are going to have a problem because all social security people will be getting checks on their birth dates, so do you see what I am saying. Even now, some checks come out on some funny days. I am saying that I feel that we should give the citizens of this County more time, more than the 12th, because they are supposed to be there the 5th and you stand there and say on the 12th it has to be done. I think there should be some more time; we are the ones responsible for not getting it done. I do not think the citizens should be punished for our inability to

do our job. I think the end of the month would be time or a couple of weeks. The citizens have been asking for these bills for over a month. Mr. Moody asked Mr. Jones to comment on having the due date June 30th. Mr. Jones stated you are looking a a week after the due date for my office staff to complete all the mail. If you make it a week later, the due date being June 19th, then that would make it the 26th before we could finish our mail. That makes it really close to June 30th, but I have given a recommendation, that I am comfortable with but if you see fit to extend it I will go by that. Mr. Tickle stated that he understood completely what Mr. Bracey is referring to because I had the same thought that we need to extend that but also moving the time frame later and later it puts pressure on other people, other constitutional officers, so even though I would like to give more time, in good conscience I have to go along with the recommendation of our Treasurer and stick with the 12th. To just stand up a little bit for Mrs. Marston, even though I am somewhat concerned, forget the somewhat - I am concerned - about the late date that these are going out, is that in actuality she has ninety (90) days after we set the rates; so my comment is even though she has ninety (90) days there are sometimes things that you have to do for the good of your citizens. Even though the legislative or the law will allow you to do that and that is an issue that we have to address later. So she is within her rights but I do not think certain people appreciate it and many people in this room don't appreciate it but she does have that right and Mr. Jones will probably agree. It is not something we appreciate. Mr. Jones stated that the ninety (90) days as you know was based on another set of dates.

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Moody voting "aye", Mr. Bracey voting "nay",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the Code of the County of Dinwiddie, Virginia is amended and reordained as follows:

AN EMERGENCY ORDINANCE AMENDING AND REORDAINING THE CODE OF THE COUNTY OF DINWIDDIE, VIRGINIA SECTION 19-2 (DUE DATE FOR TAXES ON REAL ESTATE, TANGIBLE PERSONAL PROPERTY AND MACHINERY AND TOOLS; PENALTY AND INTEREST ON DELINQUENCIES) TO GRANT A ONE TIME ONLY PAYMENT DEADLINE EXTENSION FOR JUNE 1997 TAX PAYMENTS, ENACTED ON AN EMERGENCY BASIS TO PROTECT THE HEALTH, SAFETY AND WELFARE OF DINWIDDIE COUNTY RESIDENTS.

BE IT ORDAINED, by the Board of Supervisors that an emergency exists that would be detrimental to the health, safety and general welfare of the residents of Dinwiddie County unless Section 19-2 of 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. <u>Section 19-2; Due Date for Taxes on Real Estate, Tangible Personal Property and Machinery and Tools; Penalty and Interest on Delinquencies.</u>

(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 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, and shall be effective for only sixty days from the time of adoption unless readopted after public hearing in accordance with 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: COMMONWEALTH ATTORNEY -- REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, came before the Board stating that he had one or two little matters to bring. Mr. Rainey invited Mr. Tickle and Mr. Bracey to his office to sit down with him, and he felt sure the Sheriff would and the Chief Sergeant in charge of the jail would also sit down with them, if they wanted additional information as to where/how some of the bills come about, to help them understand. They are all very much aware of the problem; we do every thing that we can; we try to be innovative and creative as we can, but we must also be mindful that there are certain legal obligations. If this will help with the understanding we will be glad to sit down with you. Mr. Tickle expressed concern as to the expense as a small County.

Mr. Rainey also stated that he wished to make them aware that each year the General Assembly passes a series of adoptions and changes to the Code. Dinwiddie County has under Section 14-3 adopted the State law, in particular to motor vehicles violations and offenses. That has to be readopted. I am letting you know that there will be an ordinance submitted to just readopt the current code section that we have.

Mr. Tickle would like for Mr. Rainey to assist the County in obtaining legislative actions to write tickets on the parking issues. Mr. Rainey stated that that would need to be submitted by January, however the sooner we submit it the better.

IN RE: SHERIFF -- REPORT

Mr. Samuel H. Shands, Sheriff, was not present.

Mr. Bracey requested the Administration to write a letter to the Sheriff again requesting the monthly report on the jail population, which to date has not been received.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspection, was not present due to the mandatory classes on State Code changes.

Mrs. Ralph presented Mr. Abernathy's report, for the month of April 1997, in his absence.

IN RE: ANIMAL WARDEN -- REPORT

Ms. Mary Ellison, Deputy Warden, stated she had no additions to the monthly report but was available for questions.

IN RE: DIRECTOR OF PLANNING -- IPR PROGRAM

Mr. Guy Scheid, Director of Planning, came before the Board to present his monthly report. Mr. Scheid stated that there was one item in his monthly report that he would like to address. He requested the Board to participate in the IPR Program (Indoor Plumbing and Rehabilitation) on a "one time basis", for Mrs. Viola Perkins. Mr.

Scheid explained that he wishes to participate in the program on a "one time basis" because the home is in poor condition; Mrs. Perkins is in her eighties; she and her family are on a very limited income; and she is very much in need of this service. Mr. Scheid stated that he had consulted with the State and Mrs. Vassor regarding the County contracting on this "one time basis" for the completion of a project for Mrs. Perkins who lives at 10605 White Oak Road, Ford, Virginia, and they see no problem with our "one time" participation in this program for this case. Mrs. Perkins had applied for this program when the program was funded with grant money. Because she was unable to use this money in the time period allotted the money was lost. Mr. Scheid stated that he was still trying to pursue the program on a permanent basis.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 is authorized to participate in the Indoor Plumbing and Rehabilitation program, on a one time basis, for Mrs. Viola Perkins.

IN RE: DIRECTOR OF PLANNING -- CRATER REGIONAL LOAN PROGRAM

Mr. Scheid stated he had one more item - the Crater Regional Loan Program. He explained the program and addressed the concerns of the Board.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 County is authorized to participate in the Crater Regional Loan Program.

Mr. Tickle addressed the Board in regard to proffers and requested that the Planning Department investigate what actions must be taken by Dinwiddie County in order to be considered for these proffers.

IN RE: ZONING ADMINISTRATOR -- REPORT

Mr. March Altman, Zoning Administrator, came before the Board to give his monthly report. Mr. Altman stated that at the last Planning Commission meeting there was some concern on the planning commissioners' part as to their role in the CIP process. On behalf of the Commission we are moving forward on this project and will get the CIP requests to you.

Mr. Altman addressed Mr. Tickle's question concerning proffers, asking if Mr. Tickle was thinking along the lines of cash. There are certain criteria that the County must meet before we are eligible. Mr. Tickle responded by stating that we must fight - and be a step ahead.

IN RE: DEPARTMENT OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director, came before the Board to present her report for the month. Mrs. McElveen reported that the state was replacing all their computer equipment and the old equipment will be used for teaching/training. Also that her Department had received, for the third year, an award for being 100% in compliance with regards to the food stamp program.

Mr. Tickle complimented Mrs. McElveen on her monthly reports and stated that he felt she does an excellent job in giving a summary of what is happening in her department. He expressed a desire for all department heads to emulate her style.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mrs. Troilen Seward, Superintendent of Schools, came before the Board. She stated she had several matters to bring before them.

IN RE: SUPERINTENDENT OF SCHOOLS -- SUMMER SCHOOL PROGRAM

Mrs. Troilen Seward stated the first item on her agenda was in regard to the remedial summer school program. Because the middle school will be unavailable this summer, we have located an alternate site to hold these classes. Lebanon United Methodist Church has granted permission to the School Board to use their old church building. The Dinwiddie County School System would like to check with the Board of Supervisors to be sure that their temporary use of the building for about four (4) weeks will not violate the intent of the action taken by the Board of Supervisors in granting the specific easements. Mr. Moody asked Mr. Emerson, County Attorney, if there was any problem with this. Mr. Emerson stated that he understood that the easement was given to the Church to use the parking area, as long as they were using it for Church purposes. This was done in order that they could not go out and rent the place out to someone else and use the parking lot for something that had nothing to do with what you all thought you were giving it to them for; but it does not effect the County in any way. It is the County's parking lot, the County can use it as much as it wants, for any purpose. It has nothing to do with it. It is really irrelevant, it cannot effect, it was a nonexclusive easement, it does not affect your rights to use the property. The Board stated that they had no objections with the Dinwiddie County School System using the Lebanon United Methodist Church for remedial summer school program and that this temporary use would not violate any easement agreements.

IN RE: SUPERINTENDENT OF SCHOOLS -- TRANSFER OF FUNDS -- INSURANCE

Mrs. Troilen Seward requested that funds, in the amount of $28,601.00, be transferred from the Self-Insurance Fund to the School Fund to cover payment of the first quarter of the Commercial Package, Auto, Umbrella, and Crime policies with ITT Hartford.

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 authorization is given to the Treasurer to transfer $28,601.00 from the Self-Insurance Fund to the School Fund to cover the first quarter payment of the Commercial Package, Auto, Umbrella, and Crime policies with ITT Hartford.

IN RE: SUPERINTENDENT OF SCHOOLS -- SUPPLEMENTAL APPROPRIATIONS OF INCREASED REVENUES

Mrs. Troilen Seward continued with the supplemental appropriations. In March 1997, Mrs. Seward stated, she reported to the Board that the school membership had continued to increase and unbelievably so is still at 4,094 at the end of the year. From March 1995 to March 1997 we have had a nine (9%) percent school increase. We have learned that the sales tax receipts are being increased, ADM funding, and they have tacked money on to some of the other programs. The amounts and sources of these increases are: Technology $70,000.00; Increased Sales Tax $42,923.00; At-Risk Program $6,889.00; Primary Class Size $9,247.00; Additional ADM $243,825; Additional National Forest Receipts $5,905.00; for a Total of $378,789.00. I respectfully request the approval of supplemental categorical appropriations of $92,056.00 in Instruction, $182,733.00 in Maintenance, and $104,000.00 in Facilities.

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 supplemental categorical appropriations of the increased revenues be approved in the amounts of $92,056.00 in Instruction, $182,733.00 in Maintenance, and $104,000.00 in Facilities for the Dinwiddie County School Board for FY 96-97.

IN RE: SUPERINTENDENT OF SCHOOLS -- SUPPLEMENTAL APPROPRIATION -- TEXTBOOK FUND

Mrs. Troilen Seward's next item was supplemental appropriations of ending balances. The FY-96 Textbook Fund had an ending balance of $279,454.60 instead of the projected $50,000.00. This increase was created by the delivery of the new science textbooks after June 30, 1996. The minutes of the February 19, 1997 Board of Supervisors meeting do not reflect that the Board of Supervisors approved the reappropriation of the $229,454.60 to the Textbook Fund. She respectfully requests that a supplemental appropriation of the $229,454.60 to the Textbook Fund be approved.

Upon motion of Mr. Clay, seconded by Mr. Tickle, 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 a supplemental appropriation in the amount of $229,454.60 to the Textbook Fund is hereby approved for 1996-97.

IN RE: SUPERINTENDENT OF SCHOOLS -- ESTABLISH TRUST FUNDS FOR TRIGON PROCEEDS

Mrs. Troilen Seward stated the last item is one that is a result of Legislative action. This is a result of Trigon becoming a stock company. The School Board had received a check in the amount of $35,484.15. We have held this check for approximately six (6) months because we were not sure what we should do with this money. The guidelines established by the State Legislature require the County Treasurer to establish two (2) funds for this money. These funds are identified as "County of Dinwiddie Schools Health Insurance Premium Fund" and "County of Dinwiddie School Construction, Renovation, Maintenance, Capital Outlay, Debt Service Fund." The Health Insurance Premium Fund is to be used "solely to offset health insurance premium expenses incurred by or on behalf of present and future employees of the school division of the locality" and the Construction Fund is to be used "solely for the purposes of school construction, school renovation, major school maintenance, capital outlay, and debt service in the public schools of the locality." It was the intent of the Legislature to place 50% of the money in each of these accounts. I am here today, at the request of the School Board, to request that the Dinwiddie County Board of Supervisors authorize the Treasurer to establish two (2) expendable trust funds to be called the "County of Dinwiddie Schools Health Insurance Premium Fund" and the "County of Dinwiddie School Construction, Renovation, Maintenance, Capital Outlay and Debt Service Fund" and to invest the money in such a manner as to insure the earned interest is credited to these funds. It was clarified that the funds are not appropriated at this time.

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 the County Treasurer is authorized to establish two (2) expendable trust funds, with the money received due to the conversion of Trigon to a stock company, to be called the "County of Dinwiddie Schools Health Insurance Premium Fund" and the "County of Dinwiddie School Construction, Renovation, Maintenance, Capital Outlay and Debt Service Fund" and to invest the money in such a manner as to insure the earned interest is credited to these funds. The funds to be divided with 50% of the money, total being $35,484.15, deposited in each of these accounts.

IN RE: SUPERINTENDENT OF SCHOOLS -- OTHER ISSUES

Mrs. Troilen Seward stated she would like to leave the Board on an up note - the Band won a multi-state competition at Busch Gardens. There were approximately 40 bands competing.

Mr. Tickle addressed the two (2) issues regarding the SOL (Standards of Learning) and the Abrahams Scholarship; I would like to say that it was very rewarding discussing these issues with you. I do not agree but did enjoy our discussion. Mrs. Seward stated her door was always open.

Mr. Bracey stated he had two (2) concerns - one an article in the newspaper, The Progress Index, regarding what is stated as a personal vendetta keeps paper out of school library, at the high school. His question to Mrs. Seward, as Superintendent of School was "Is this correct?" Mrs. Seward stated she did not know, but would check and let him know. Mr. Bracey stated that he would like the answer in writing, please. Second Mr. Bracey questioned a picture that was printed, also in The Progress Index. He was upset with the saying/gesture on the tee shirt that the student in the picture was wearing.

Mrs. Francene Newman, Director for Office on Youth, came before the Board approval of recommendations from the existing Youth Commission for the new members.

IN RE: APPOINTMENTS -- OFFICE ON YOUTH AND COMMUNITY SERVICES

Extract

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Moody voting "aye", Mr. Bracey voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Barbara Thomason be appointed for a one year term (to finish out an unexpired term); Joe McDaniels, for a three year term; Mark Tucker, Amanda Clay, Crystal Anderson, Tyler Ragsdale, Allison Johnson, for a one year term (students), for the Youth Commission.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Tony Rinaldi, Recreation Director, presented his report for the month of April, 1997, stating he was available for questions. Mr. Rinaldi stated that he had a wonderful Senior Day.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Waste Management, came before the Board stating he had no additions to his report but was available for questions.

Mr. King thanked the Board for their support of the McKenney 75th Anniversary Celebration.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Medical Services Coordinator, was not present. She is out on leave.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Ben Emerson, County Attorney, came before the Board and stated that he had no report but was available for questions.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, came before the Board and presented his report for the month of April 1997.

IN RE: BIDS -- TELEPHONE AND COMPUTER WIRING -- COURTHOUSE PROJECT

Mr. Donald Faison stated his first item was that they had solicited bids for the telephone and computer wiring on the Courthouse Project. They were expecting four (4) bids total, only received three (3), one of them being a County electrical contractor. The bids were received from Communication Specialists, Inc. $9,800.00, Hall Brothers Electrical $12,950.00, and McCray Electrical $ 26,000.00. Communication Specialists, Inc., had the low bid of $9,800.00. Mr. Faison recommended that we be authorized to enter into a contract with Communication Specialists, Inc. for the telephone and computer wiring, for the low bid of $9,800.00.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 Administration be authorized to enter into a contact with Communication Specialists, Inc. for the telephone and computer wiring on the Courthouse Project for the low bid of $9,800.00.

IN RE: COURTHOUSE PROJECT -- ELECTRICAL SERVICE

Mr. Donald Faison stated that the County needs to provide power to the Courthouse Building. He has a request and agreement for underground service by Virginia Power in the amount of $121.00 to run new underground service.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 Administration is authorized to enter into an agreement with Virginia Power to supply new underground service to the Courthouse Project for $121.00.

IN RE: RESOLUTION SUPPORTING THE CRATER REGIONAL PARTNERSHIP UNDER THE 1996 VIRGINIA REGIONAL COMPETITIVENESS ACT APPLICATION

Mrs. Wendy Weber Ralph, stated that they had before them an application to participate in the Crater Regional Partnership. The Resolution you have before you today would authorize, basically two things; it would authorize the partnership to carry out the provisions of the program and then also to be eligible to receive, to become eligible for the Regional Competitiveness Fund. Several questions were raised concerning how the business community representatives were selected.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody voting "aye", Mr. Tickle voting "nay" and Mr. Clay abstaining,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following resolution is adopted:

RESOLUTION SUPPORTING THE CRATER REGIONAL PARTNERSHIP
UNDER THE 1996 VIRGINIA REGIONAL COMPETITIVENESS ACT

A RESOLUTION authorizing the Crater Regional Partnership to carry out the provisions of the Regional Competitiveness Program on behalf of the County of Dinwiddie and, in addition, authorizing the Crater Regional Partnership to receive 1997 incentive funds on behalf of the participating jurisdictions, if the region becomes eligible to receive Regional Competitiveness Program funding.

WHEREAS,Section 15.1-1227.1 through Section 15.1-1227.5, Code of Virginia, as amended, permits counties, cities, and towns within a planning district to establish a regional partnership for the purpose of encouraging local governments to exercise the options provided by law to work together for their mutual benefit and the benefit of the Commonwealth (known as the Regional Competitiveness Act); and

WHEREAS, ABIDCO, the Crater Planning District Commission, and the ten jurisdictions within the Crater District (cities of Colonial Heights, Emporia, Hopewell and Petersburg, and the counties of Chesterfield, Dinwiddie, Greensville, Prince George, Surry and Sussex) have formally taken action to establish the Crater Regional Partnership; and

WHEREAS, the Crater Regional Partnership shall be a regional partnership with a separate board under the umbrella of ABIDCO; and

WHEREAS, the guidelines for Virginia's Regional Competitiveness Program require that participating local governments within the region adopt a resolution authorizing a partnership to carry out the provisions of the Program on their behalf and to receive incentive funds on the participating jurisdictions' behalf;

THEREFORE BE IT RESOLVED, the the County of Dinwiddie agrees:

(1) The Crater Regional Partnership is authorized to carry out the provisions of the Regional Competitiveness Program on behalf of the County of Dinwiddie

(2) The Crater Regional Partnership is authorized to receive 1997 incentive funds on behalf of the County of Dinwiddie if the region becomes eligible to receive Regional Competitiveness Program funding.

IN RE: RESOLUTION TO ADOPT THE MEMBER AGREEMENT TO JOIN THE VIRGINIA ASSOCIATION OF COUNTIES GROUP SELF INSURANCE RISK POOL

Mrs. Ralph stated that at the last meeting of the Board you selected the insurance bid in the amount of $66,976.00 for Property Casualty Insurance coverage with the Virginia Association of Counties. Because they are a pool, similar to what we did with Workman's Compensation and VML, there is a member agreement and resolution that needs to be adopted.

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Moody voting "aye" and Mr. Bracey voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following resolution is adopted:

RESOLUTION TO ADOPT THE MEMBER AGREEMENT TO JOIN
THE VIRGINIA ASSOCIATION OF COUNTIES
GROUP SELF INSURANCE RISK POOL

WHEREAS, Dinwiddie County desires to protect against liability claims and property losses and to provide for payment of claims or losses for which the county may be liable; and

WHEREAS,the Virginia Association of Counties Group Self Insurance Risk Pool, aka VACoRP, has been established pursuant to Chapter 11.1 (Section 15.1-503.4:1 et seq.) and Title 15.1 of the Code of Virginia.

WHEREAS, it is desirable for Dinwiddie County to join the Virginia Association of Counties Group Self Insurance Risk Pool in order to provide a method of risk sharing for liability claims and property losses;

NOW, THEREFORE, BE IT RESOLVED that the governing body of Dinwiddie County hereby agrees to the member agreement entitled "Member Agreement for Virginia Association of Counties Group Self-Insurance Risk Pool" which creates a group fund to pay liability claims and property losses of the counties and other local agencies joining the Group, and we acknowledge we have received a copy of the pertinent Plan and supporting documents.

BE IT FURTHER RESOLVED that Harrison A. Moody, Chairman of the Board, is authorized to execute the member agreement to join the Virginia Association of Counties Group Self Insurance Risk Pool and to act on behalf of Dinwiddie County in any other matter relative to the Group.

This the 21st day of May, 1997.

IN RE: ADOPTION AGREEMENT -- LOCAL CHOICE HEALTH BENEFITS PROGRAM

Mrs. Glenice Townsend, Fiscal Officer, came before the Board and presented the Local Choice Health Benefits Program. She stated that considerable research on this years renewal of the County's health insurance has been done. Because our experience rating has been so bad for the last two years, we ended up with a 21% increase in premiums if we were to stay with our present policy. She recommended that the Board adopt the resolution to participate in the State's Local Choice Program. By making this choice we would again be participating in a pool with many other localities and state agencies for the best possible renewal. This is also the only way to assure two (2) choices for our employees. These two (2) plans being: (1) Healthkeepers HMO and (2) Key Advantage. The County will continue to pay $150.00 per employee per month toward the premium.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 resolution is adopted:

THE LOCAL CHOICE
ADOPTION AGREEMENT
HEALTH BENEFITS PROGRAM

WHEREAS, the Department of Personnel and Training of the Commonwealth of Virginia (hereinafter referred to as the "Department"), has established the Health Benefits Program (hereinafter referred to as the "Program") effective July 1, 1990, and

WHEREAS, the Governor has approved such Program; and

WHEREAS, pursuant to 2.1-20.1:02 of the Code of Virginia, local employers may, by making proper application and complying with the regulations governing the Program, participate in the Program; and

WHEREAS, Dinwiddie County (hereinafter called the "Employer") is eligible to participate in the Program and become a party to any agreements established to carry out the funding of the Program, and wishes to adopt said Program for the benefit of its eligible employees, and to become a party to said agreements;

NOW, THEREFORE, by this instrument of writing, effective as of May 21, 1997, the Employer, acting herein by and through its duly authorized representatives, hereby adopts the Program for all of its eligible employees and subscribes to the provisions of the regulations and all agreements related thereto by and between the Department and any third party, effective July 1, 1997, all in accordance with the following:

(1) The Employer agrees to comply with the regulations governing the Program and the duties of Employers set forth therein. The duties include but are not limited to the following:

* Complete an employer application and execute an adoption agreement;
* Remit employer and employee contributions to the Department or its designee as set forth in regulations;
* Provide employees with enrollment forms, process and certify the same;
* Serve as a channel of communication between the Department and employees;
* Otherwise assist in administration of the Program as requested by the Department

(2) The employer agrees to be bound by all of the terms, provisions, conditions and limitations of the Program and any agreements which are pertinent to any entity defined as an "Employer" therein, with respect to its employees eligible for participation in the Program.

(3) The Employer agrees that the Department of Personnel and Training shall act as Plan Administrator for the Employer and its employee-participants under the Program in the same manner in which the Department acts for state employee-participants.

(4) The Employer agrees to provide 90 days notice to the Department in the event it wishes to cease participation in the Program. The Employer shall be obligated to pay any and all contributions otherwise required through the date of termination and interest related thereto as well as any adverse experience adjustment which may apply with respect to the year the termination occurred.

IN RE: APPOINTMENTS

Mr. Moody pointed out that there are several appointments which will be coming up June 30, 1997. Advertisements will be in the paper in the next week.

IN RE: DINWIDDIE VOLUNTEER FIRE DEPARTMENT

Mrs. Ralph stated that she was going to try to present this matter to the Board, only because Mr. Charles Lewis, Fire Chief of Dinwiddie Volunteer Fire Department called and said he was unable to attend and asked her to do this. Mrs. Ralph stated that she is not an expert on this particular generator so I am only presenting a letter for him. The letter stated that the membership of the Dinwiddie Volunteer Fire Company requests the Board of Supervisors' assistance with repairs needed on the Onan Generator located on the 1993 Pierce Dash Pumper. The generator is not starting as it was designed to do. They have had the generator looked at and repaired with little or no success.

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, the the Dinwiddie Volunteer Fire Department is authorized to have repairs made to the Onan Generator located on the 1993 Pierce Dash Pumper not to exceed $1500.00, and that final approval be in the trusteeship of the Acting County Administrator.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mrs. Ralph stated she had no comments at this time.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay - no comments.

Mr. Bracey - no comments.

Mrs. Everett stated that she and Wendy had attended the dedication of the South Central Wastewater Authority Treatment Plant today. She passed along several messages to the Board from speakers and or participants in the dedication program.

Mr. Tickle - no comments.

Mr. Moody stated he had no comment.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Recreation; Planning; EMS; Commissioner of the Revenue; Section 2.1 - 344 (a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made; and Section 2.1 - 344 (a) 7 - consultation with legal counsel. The meeting moved into Executive Session at 4:50 P.M. A vote having been made and approved the meeting reconvened into Open Session at 6:30 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby, certifies that, to the best of each

member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: LANDFILL CLOSURE

Mrs. Ralph requested authorization for Draper Aden Associates to continue their work on the landfill closure by updating their findings on the closure and to test the recapped areas.

Upon motion of Mrs. Everett, 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 authorization be given to Draper Aden Associates to update their findings on the landfill closure and to test the recapped areas.

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 6:35 P.M. to be continued until 9:00 A.M., May 22, 1997 for an Executive Session to discuss Personnel and Industrial matters in the Conference Room of the Pamplin Building.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
Interim County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 22ND DAY OF MAY, 1997 AT 9:00 A.M.

PRESENT:		
	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Administration; and Section 2.1 - 344 (a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made. The meeting moved into Executive Session at 9:00 A.M. A vote having been made and approved the meeting reconvened into Open Session at 5:30 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby, certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 5:32 P.M. to be continued until 2:00 P.M. June 4, 1997.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
Interim County Administrator

/pam

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 4TH DAY OF JUNE, 1997, AT 7:30 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	BEN EMERSON	COUNTY ATTORNEY

IN RE: AMENDMENTS TO AGENDA

Mr. Harrison Moody, Chairman, asked if there were any amendments to the agenda from the Board or Staff. There were no amendments requested.

IN RE: MINUTES

Upon motion of Mrs. Everett, seconded by Mr. Tickle, 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 minutes of the May 21, 1997 Regular Meeting and the May 22, 1997 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mrs. Wendy Weber Ralph, Interim County Administrator, reported that the Airport Authority had a request against the May 22, 1996, promissory note included in the claims.

Mrs. Pamla A. Mann, Administrative Secretary, reported that there was a typographic error on the cover page, under Payroll E911 Fund should read Block (CDBG) Grant Fund.

Upon motion of Mr. Clay, seconded by Mr. Tickle, 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 #1005990 - #1006176 (void checks 1005990 - 1006086); for Accounts Payable in the amount of $435,697.93; General Fund $142,114.12, Jail Commission $658.80, E911 Fund $145.32, Payroll General Fund $292370.11 and CDBG Grant Fund $408.58.

IN RE: APPROVAL OF REQUISITION #24 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Interim County Administrator, stated that Requisition #24 for the Courthouse consists of payments to:

Gulf Seaboard General Contractors Inc	$299,120.80
ECS, Inc.	$ 2,242.15
Richmond Times Dispatch	$ 405.72
Total	$301,768.67

Upon motion of Mr. Clay, seconded by Mr. Tickle, 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 #24 in the amount of $301,768.67 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

The following persons addressed the Board:

1. Ms. Kitty Vaughan, 5106 Sterling Road, came before the Board to address the issue of senior citizens in Dinwiddie County. She stated

that the picnic which was sponsored by the Dinwiddie Parks and Recreation was very much enjoyed by the sixty (60) some seniors that attended, however there needs to be more activities for the seniors. She also requested a building or room for the seniors to meet and store their equipment in.

Mr. Bracey stated that at the last retreat the Board had discussed trying to obtain a grant in order to provide the space needed for the seniors.

2. Ms. Rose Stevens, 4519 Brickwood Meadow Court, Petersburg, Virginia, came before the Board to speak against a group home being placed in the Brickwood subdivision. She felt that a group home should not be placed in a residential area.

Mr. Moody, Chairman, requested that Mr. Guy Scheid, Director of Planning, come forth and give us a background as to why this is being allowed in a residential section.

Mr. Scheid stated that this matter had been in front of the Planning Commission for the past couple of months. What has occurred is that a zoning application was filed by an individual, Mrs. Marshall, where she was proposing to have a group home, for certain individuals locate in a residential R-1 area. R-1 is our most sensitive zoning district. In this particular case it was Brickwood Subdivision. It was our understanding that a group home was not permitted in this district because we do not have a group home defined per zoning code. In exploring this matter it was brought to our attention that there is a section of the State Code that deals with group homes. There is a specific statement that says certain groups of people are covered under this definition of state law and that state law supersedes any local ordinance. Any place where a single family home is permitted you must allow this group home. A group home is defined as follows - For the purpose of locally adopted zoning ordinance a residential facility in which no more than eight (8) mentally ill, mentally retarded or developmentally disabled persons reside with one or more resident counselors or other staff persons shall be considered for all purposes residential occupancy by a single family. We have discussed this matter with our attorney and had reviewed this matter when Mrs. Marshall came and applied for her zoning permit. She used the phase group care or group home for mentally handicapped adolescents which appears to come under the umbrella of the state definition of a group home. Since the State Code supersedes our zoning ordinance we had to issue the zoning permit. She has since applied for a building permit. I have told her we will comply with State Code but if it is determined that her proposed use is not covered under state definition we would most definitely be opposed to the facility being located in an R-1 area. I am going to follow up with a letter to the State Social Services Division of Licenses to that effect. Where we stand right now is that the zoning permit was issued. The County Attorney and I feel that it was issued in compliance with the State Code and we feel that the Board really has no recourse. But if citizens believe they are an aggrieved party, they do have the right to challenge the decision made by the zoning administrator. They can appeal to the Board of Zoning Appeals. The State Code also states that there is appeal time in which this appeal must be filed. It must be done within thirty (30) days of the official notification that such zoning permit has been issued. After talking with legal counsel we are setting this evening, June 4, 1997, as the official notification date. The reason that we are publicly setting this date stems from the fact that we can not identify any and/or all aggrieved parties. Normally a person appeals from the position of the zoning administrator, if they are the ones that have applied for the zoning permit. Therefore you can target a specific individual, give them written notice, and say that you have thirty (30) days to appeal. We discussed this earlier in the day and have decided that that thirty (30) day appeal period will start from today. Anybody who feels that they are aggrieved can pick up an application in the office, file, and go to the Board of Zoning Appeals who will then set a date, time, and place for a public hearing.

Mr. Moody stated that the Board of Supervisors is not crazy about allowing this in an R-1 district but State Law mandates that we have no choice. Unless the Law is changed by talking to the State

Representatives, there is not a lot that we can do by the interpretation that our lawyers have given us. This is where the Board of Supervisors stands at this point.

IN RE: COUNTY ADMINISTRATOR COMMENTS - TELEPHONE EASEMENT

Mrs. Wendy Weber Ralph, Interim County Administrator, stated that she had a request for an easement to bury a telephone cable to provide telecommunications service to the new Courthouse. Cable would be installed by boring under Edsel Lane from Utility Pole number three (3) to County property. From that point, the cable would be buried along Edsel Lane until it meets the conduit run that the County has provided from the new Courthouse.

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey and Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Chairman be authorized to sign the easement agreement with Bell Atlantic - Virginia, Inc. to supply new underground service to the Courthouse Project.

IN RE: COUNTY ADMINISTRATOR COMMENTS - WIND BENEATH MY WINGS PROGRAM

Mrs. Ralph stated that the Board had before them a request from an organization, called Wind Beneath My Wings Program, that is planning a JAZZ FEST June 14 - 15, 1997 for a proclamation from the Board.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following proclamation was was adopted:

Designating June 14 and 15, 1997
Wind Beneath My Wings Youth & Family Services Celebration
in Dinwiddie County, Virginia

WHEREAS, the Wind Beneath My Wings Productions Youth & Family Services Program's vision is to be a leader in prevention and development programs for children and adults; and

WHEREAS, the Wind Beneath My Wings Productions Youth & Family Services Program nurtures the healthy development of children, strengthens families, builds character, and helps communities become healthier and safer; and

WHEREAS, the Wind Beneath My Wings Productions Youth & Family Services Program helps people of all ages, incomes, races, religions, and abilities lead healthier lives; and

WHEREAS, at the Wind Beneath My Wings Productions Youth & Family Services Program, there is a sense of belonging and everyone can succeed.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, proclaim June 14 & 15, 1997 as Wind Beneath My Wings Youth & Family Services Programs' Celebration and urge all citizens of our community to acknowledge that our efforts can be a positive contribution in encouraging our youth and parents to develop their inner potentials and move toward excellence within their individual; family and community lives.

Mr. Edward Bracey stated that he would attend the opening ceremonies to represent the County of Dinwiddie.

IN RE: COUNTY ADMINISTRATOR COMMENTS - VIRGINIA MOTORSPORTS PARK - THANK YOU LETTER REQUEST

Mrs. Wendy Ralph stated that the Board had received a letter from Virginia Motorsports Park recognizing the importance of the Virginia State Police and Virginia Department of Transportation in making their National event, held in April, a success. They are asking that the Board agree to write a letter of appreciation to Colonel Wayne Huggins who is head of the

State Police and First Sergeant James Onley, as well as Mrs. Connie Sorrell and Mr. Ronald Reekes with the Virginia Department of Transportation.

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 letters of appreciation be sent to Colonel Wayne Huggins, First Sergeant James Onley, of the Virginia State Police and Mrs. Connie Sorrell and Mr. Ronald Reekes of the Virginia Department of Transportation for their Department's contributions to making Virginia Motorsports Park National event in April 1997 a success.

IN RE: COUNTY ADMINISTRATOR COMMENTS - FURNITURE PROPOSAL - JUVENILE DOMESTIC RELATIONS COURT

Mrs. Wendy Ralph stated that there was an item left off the original furniture proposal that went in for the desk units in the new Courthouse. It is for a Herman Miller Workstation for the Juvenile Domestic Relations Court Clerk and the Judge has requested that it be added into that furniture purchase. The Workstation will be $3,875.52. This includes all the electrical connections and everything that goes with it. They ask that this be added to the bid at this time.

Upon motion of Mrs. Everett, 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 an additional Herman Miller Workstation for the Juvenile Domestic Relations Court Clerk be added to the furniture bid at a cost of $3,875.52.

IN RE: COUNTY ADMINISTRATOR COMMENTS - LANDFILL - STEAM CLEANER

Mrs. Wendy Ralph stated one additional item that she had was that the Board had before them a request from the Landfill - Department of Waste Management. As they were all aware, they use a steam cleaner to clean the trucks. They try to clean them on a daily basis. The steam cleaner that they have been using - they have been trying to repair and keep running, and the cost now to get it back running will be somewhere around $750.00. They have checked on the price of a new piece of equipment. You have those bids in front of you, $2,743.00 is the low bid. This is a machine like they now have. They feel that they have had very good service from that machine. The bids received are as follows:

Cleaning Equipment & Repair	$2,743.00
Cleaning Systems Inc.	3,310.75
Power Clean Inc.	3,350.00

Mrs. Ralph stated that if they use the old machine for a trade-in, that the cost of $2,743.00 may come down. I am bringing this to you tonight because now they are using only cold water and it is not doing a very good job.

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 funds be appropriated to purchase a new steam cleaner for the Landfill - Department of Waste Management - using the low bid of $2,743.00 from Cleaning Equipment and Repair.

IN RE: COUNTY ADMINISTRATOR COMMENTS - FINGERPRINTING APPLICANTS FOR CONCEALED HANDGUN PERMITS

Mrs. Ralph stated that a piece of information had been mailed to them letting them know about the proposal of fingerprinting applicants for concealed handgun permits. I have passed this information along to the Commonwealth Attorney for his comments. Basically what this does is requires fingerprinting for applicants that want handgun permits. The Commonwealth Attorney stated that it would appear that we need an adoption

to get FBI checks after July 1, 1997. My question is would you like to have an ordinance drafted to have it in place by the deadline. This is not an acceptance of the ordinance; it is just a draft in order that you can hold a public hearing to have it ready to put in place if you so desire.

Upon motion of Mr. Clay, seconded by Mr. Tickle, 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 authorization is granted for the County Attorney to draft an ordinance to allow fingerprinting of applicants for concealed handgun permits.

IN RE: COUNTY ADMINISTRATOR COMMENTS - SELECTIVE COMPARATIVE INFORMATION REPORT FROM THE PREVIOUS AUDITOR

Mrs. Ralph stated that her last item was a selective comparative information report from the previous auditor. This is audited financial statements from various local governments for the year that ended June 30, 1996. What he did was take various categories and compare some localities around the state and I think that you will find this very helpful.

IN RE: BOARD COMMENTS - REIMBURSEMENT LRA FUNDS

Mr. Moody stated the County Board of Supervisors of Nottoway County has asked all the members of the other jurisdictions that were on the LRA (Local Reuse Authority) if they would like to be reimbursed for the funds that we donated during the past couple of years. He stated he has been on that committee and served on it; the Plan is about to be approved. The Planning LRA is about to be done away with and a new Implementing LRA will be formed from the Nottoway Board of Supervisors. He felt that it would be prudent to ask for the money back. He thought it was approximately $2,750.00 for the LRA contribution and $5,000.00 for the first contribution. He recommended that the Board ask for all contributions to be refunded.

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 a request be made to the Local Reuse Authority for the $2,750.00 LRA contribution and the $5,000.00 initial investment for the reimbursement of all money.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody then asked for Board member comments:

Mrs. LeeNora Everett, District # 3, stated that one month ago Mr. Mike Hill, Superintendent of Petersburg National Battlefield, came before the Board and asked us to explore a partnership agreement on use of the old Courthouse. She gave an informative preliminary report on the investigating and progress she is making on this project. The three main issues were preservation - education - economic benefits.

Mrs. Betty Bowen, President of the Dinwiddie County Historical Society came before the Board stating that there was no partnership between the County, Petersburg National Battlefield and the Historical Society. She was very upset about the implication that one existed. She stated that preservation and education are goals of the Historical Society and that they would very much like to be a part of the committee; however, she was not authorized to give any concrete comments at this time.

Mr. Michael Tickle, District # 2, was upset with the information in the Selective Audit Report - page 6 - 7 & 8. He noticed that the comparisons on School Contributions seemed out of line. He asked Mrs. Ralph to clarify those figures.

Mr. Edward Bracey, District # 4, asked that information request forms be given to Mrs. Dorothy Roney. These were passed out to her at that time.

Mr. Aubrey Clay, District # 5, stated he had no comments at this time.

Mr. Harrison Moody, District #1, also had no comments.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made. The Board moved into Executive Session at 8:40 P.M. A vote having been made and approved, the meeting reconvened into Open session at 10:07 P.M.

IN RE: CERTIFICATION

Upon motion by Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 10:09 P.M. to be continued until Friday, June 6, 1997 at 5:30 P.M. for an Executive Session to discuss Personnel matters at Kings Barbecue Restaurant #1.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
Interim County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT THE PAMPLIN ADMINISTRATION BUILDING AND THE HOME PLACE RESTAURANT IN DINWIDDIE COUNTY, VIRGINIA, ON THE 4TH DAY OF JUNE, 1997, AT 2:00 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	BEN EMERSON	COUNTY ATTORNEY

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Tickle, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 1 - Discussion or consideration of employment, salaries, discipline of public officers, appointees, or employees of any public body - Administration; Sheriff; and Section 2.1-344 (a) 7 - consultation with legal counsel, the Board moved into Executive Session at 2:00 P.M. The meeting reconvened at 5:15 P.M. at The Home Place Restaurant to continue the Executive Session. A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 7:34 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
Interim County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT KING'S BARBEQUE RESTAURANT NUMBER ONE IN DINWIDDIE COUNTY, VIRGINIA, ON THE 6TH DAY OF JUNE, 1997, AT 5:30 P.M.

PRESENT:		
	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Tickle, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 1 - Discussion or consideration of employment, salaries, discipline of public officers, appointees, or employees of any public body - Administration, the Board moved into Executive Session at 5:30 P.M. A vote having been made and approved the meeting reconvened into Open Session at 8:30 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 8:30 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
Interim County Administrator

/pam

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 18TH DAY OF JUNE, 1997 AT 2:00 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 (ABSENT)	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 2:04 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

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",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the June 4, 1997 continuation meeting and the June 4, 1997 regular meeting are hereby approved in their entirety.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the June 6, 1997 continuation meeting, with the amendment of the following Certification, are hereby approved in their entirety.

IN RE: CERTIFICATION

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby, certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: CLAIMS

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, 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 #1006177- #1006326 (void checks 1006177, 1006179, 1006288 & 1006289); for Accounts Payable in the amount of $250,779.22; General Fund $238,424.94; Landfill Fund $5,602.78; E911 Fund $1,964.93; Self Insurance Fund $3,074.24; and CDBG Grant Fund $1,712.33.

IN RE: APPROVAL OF REQUISITION #25 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Interim County Administrator, stated that Requisition #23 for the Courthouse consists of payments to:

Hening-Vest-Covey	$ 4,026.88
Dunbar, Milby, Williams, Pittman & Vaughan	160.00
Total	$ 4,186.88

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #25 in the amount of $4,186.88 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #19 -- SCHOOL CONSTRUCTION

Mrs. Wendy Weber Ralph, stated that this requisition consisted of the following invoices:

KBS, Inc	$1,456,102.05
Froehling & Robertson, Inc.	1,870.13
Stroud, Pence & Associates, LTD	2,900.40
Insulation Specialties, Inc.	5,000.00
Ballou Justice Upton	36,842.67
TOTAL	$1,502,715.25

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #19 in the amount of $1,502,715.25 be approved and funds appropriated for CIP for the School Construction Fund.

IN RE: LAW LIBRARY --ADDITIONAL FUNDS APPROPRIATION

Mrs. Wendy Weber Ralph stated that additional funds were needed for the Law Library. These funds were requested because the fees, collected by the Courts to maintain the Library, have been decreasing for the past few years and we are required to maintain a Law Library in the Commonwealth Attorney's Office along with the need to maintain our Law Library.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that additional funds in the amount of $2,000.00 be appropriated for the Law Library for the 1996-97 budget year.

IN RE: CITIZEN COMMENTS

The following persons addressed the Board:

1. John E. Gibb, 25208 Ritchie Avenue, Petersburg, Virginia, came before the Board to voice a complaint against a painting business owned by Paul & Joyce Holley. He stated that he had contacted the County Building Inspector several times about what he feels to be an illegal operation being conducted in a residential area. He and a neighbor both have asthma and feel that the paint fumes are aggravating their problems. He requested help in this matter. Mr. Gibb presented the Board member with a written statement about his problem. This is his written statement:

Paul and Joyce Holley have a paint business across the street from me on Ritchie Avenue. They received a Building Permit from Dinwiddie County on November 19, 1991. They did not use it to build until 1992. They got a permit to build a garage but the building has never been used as a garage. He has used it as a painting business. Where I live is not zoned for business but residential only, however he is operating this garage as

a painting business. He has gotten so now he gets on the outside of the garage and uses a spray gun to spray different materials to use on his job. This paint blows all over the neighborhood. This is a hazard to my health, as well as to others in the neighborhood. I have asthma, and so does the woman across the street. I have been to Dinwiddie several times attempting to get something done about this but no one had made any effort to move the business from the neighborhood. After I found out what the building was being used for I went to the Building Inspector and asked him why this permit was issued. The Building Inspector told me that Holley's permit was to build a garage and he didn't know it would be used for a business. I further told the Inspector that Mr. Holley had a sign in his yard advertising his business. A few days later this sign was removed, however, the business remains. On Friday, June 13, at about 12 noon, one of Mr. Holley's helpers spilled paint from the back of his pick-up truck all over the street near my drive way.

I am here to request that Board of Supervisors to have something done about his business operating in a neighborhood as this, and if it cannot be resolved I will take it further.

Mr. Moody request that Mr. March Altman come forward and address this issue at this time.

Mr. March Altman came before the Board stating that he was working on this problem. He stated that the Board had in their packet copies of correspondence between himself and the Commissioner of the Revenue, Deborah M. Marston, concerning the operation of this business on Ritchie Avenue. This property is zoned R-1. Within an R-1 area you are allowed to operate a home occupation and this is what the business is classified as under the Business License. When the Business License was issued the Zoning Director, Mr. Len Ponder, placed certain restrictions on the business as stated in our Zoning Ordinance. Some of these restrictions being no outside storage or evidence of occupation; no advertisement; and hours of operation. The definition of a home occupation is "no outside employees" - everyone who is employed must reside within the home. I am trying to obtain information, at this time, to establish who the employees are and where they reside. That is the key to addressing this issue. If we can prove that he is hiring people outside the home then we can take action and have the business moved to an appropriate area. Until I can receive that information it just hearsay. I must have proof or it is Mr. Gibb's word against Mr. Holley's. The objective is to be sure if and when we take this matter further that the case we have build is substantial to follow through to closing of the business.

Mr. Moody request that Mr. Altman report back to the Board at the next meeting as to his findings and the status of this case.

2. Paul B Coleman, 8019 Boydton Plank Road, Petersburg, Virginia, came before the Board to report the status of racing on Wednesday nights. He stated that Wednesday night racing has greatly reduced the pressure of Friday night racing. The number of people racing on Wednesday night has increased each week since starting.

3. Lucy S. Smith, 12824 Boydton Plank Road, came forward to endorse Betty Mayes for appointment to the Board of Appomattox Regional Library. She spoke of the support Ms. Mayes has given to the Friends of the Library in the past six (6) years. She presented to the Board a petition in support of Ms. Mayes signed by numerous interested parties.

4. Brian E. Iverson, 6604 Ruth Hill Drive, Church Road, Virginia, declined to speak at this time.

5. Anne Scarborough, came before the Board to endorse Betty Mayes for appointment to the Appomattox Regional Library Board. She spoke of the dedication she has shown in all aspects of life.

RE : DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald Reekes, Resident Engineer, came before the Board stating that he had nothing new to report since last month.

Mrs. Everett informed Mr. Reekes that there was a TransAmerica Corridor meeting on Friday, June 20, 1997.

Mr. Tickle made and voiced some observations about the paving on the major highways. Mr. Reekes stated that if poor pavement work is detected it is rejected and the contractor is required to tear up the bad pavement and replace it at the contractor's expense.

Mr. Moody asked about some concerns he had regarding the Route 460 project. Mr. Reekes addressed the matter further stating that the project will begin around labor day and finish next year.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

Mrs. Ralph stated that Mrs. Marston did not have a report and had stated to her that she was having a computer problem. Mrs. Marston told Mrs. Ralph she would come to the meeting later if she was able to correct the problem in time.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, was not present.

Mrs. Ralph stated that Mr. Jones was out of town but that the Board did have a copy of his monthly report.

Mr. Bracey asked Mrs. Ralph to relay a question to Mr. Jones. Mr Bracey stated he wanted to know how much money it cost the County by having to extend the tax deadline by one week.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, was not present.

Mrs. Ralph stated that the Board had a letter from Mr. Rainey stating he was on vacation.

IN RE: SHERIFF -- REPORT

Mr. Samuel H. Shands, Sheriff, came before the Board stating he had received a letter on April 23, 1997, regarding the jail population. Mr. Bracey stated all he needed was the statistical information. Mr. Bracey further stated that all he wanted to know was how many inmates and from what locality. Mr. Shands stated that today's population was 59 inmates, 2 from Charles City, 36 from Dinwiddie, 2 from Prince George, and 19 from Colonial Heights. I also have 8 weekenders. This makes a grand total of 67.

Mr. Tickle asked Mr. Shands about the State Inmates being brought into the County. What type of inmates would they be? Mr. Shands stated that he could pick and choose the inmates he wished. If they did not fit his criteria then he could send them back. However, when it came to Central State he had to take whomever they sent him. Mr. Tickle also requested information as to how it is determined if a prisoner needs to see a dentist or doctor. Mr. Shands explained that if they complain they have to be treated, he had no choice in the matter.

Mr. Shands stated that in the future he may be bringing to the Board the idea of a curfew in Dinwiddie County. This is due to the fact that certain groups are congregating in certain areas of the County. Also there has been problems with vandalism in certain areas. One of the problems seem to be the lack of deputies on duty during the 3rd shift.

The Sheriff had before the Board a request to hire two (2) dispatchers. Mr. Bracey requested that the Board discuss this matter in Executive Session. Mr. Shands was asked if he could stay. He stated he could.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspection, came before the Board stating he had nothing to add to his regular report.

Mr. Bracey thanked Mr. Abernathy for the certificate of occupancy report he was supplying each month.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, stated he had no additions to the monthly report but was available for questions. He did however have some good news - his new truck had arrived.

Mr. Bracey stated that he was concerned regarding the pricing/ purchase of the said truck. Mr. Beville stated that he had contacted several dealerships, as instructed by the Board, and the prices were reported to Mr. Charles Burgess, County Administrator, who informed him to place the order. Mr. Bracey stated that he would like Mrs. Ralph to be sure that items like this do not slip through the crack when the Mr. Martin Long comes on board. Mr. Bracey felt that the prices obtained by Mr. Beville should have been given to the Board before the order was placed. Mr. Bracey explained to Mr. Beville that he had no problem with him, he had acted as his superior had instructed him to do.

Mr. Tickle questions Mr. Beville as to what recourse a citizen had with regard to a neighbor who has a kennel or several dogs that are not being cleaned up after and are causing an odor. Mr. Beville stated that the Code of Dinwiddie County does not limit the number of animals a person can have in a subdivision. They can possibly be considered a health hazard through the Health Department or fall under a nuisance ordinance. Mr. Beville and Mr. Altman have had discussions regarding this matter.

Mr. Moody instructed Mrs. Ralph to meet with Mr. Scheid and Mr. Beville to work on an ordinance regarding this matter.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. William C. Scheid, Director of Planning, came before the Board stating that they had a copy of his monthly report. Mr. Scheid further stated that he had a few things that he wished to draw their attention to. One item was the TransAmerica Corridor Feasibility Study meeting scheduled for June 20, 1997 at 10:00 A.M., which has already been addressed. Mr. Scheid felt that at least one (1) of the Board member should attend this meeting. Another item he wished to bring up was the Fly-In which will be held at the Dinwiddie Airport the weekend of June 27-29, 1997. He was bringing this matter to their attention because he felt that the Board would be getting calls and he wanted them to be apprised of what the situation was. And the final item was the issue of cash proffers. Mr. Scheid stated, with the research he had conducted, he has concluded that Dinwiddie County had a zero percent opportunity to come in under this provision. He felt this way because of the following paragraph from the Code of Virginia - Section 15.1-491.2:1 - Same; conditions as a part of rezoning or zoning map amendment in certain localities. - A. Except for those localities to which Section 15.1-491(a) is applicable, this section shall apply to (i) any county, city, or town which has had population growth of ten percent or more from the next-to -latest to latest decennial census year, based on population reported by the United States Bureau of the Census, provided that until the 1990 census is reported, any county, city, or town instead may qualify only if it has had an estimated population growth of ten percent or more from 1980 to the most recent year for which population estimates are available from the Center for Public Service of the University of Virginia; (ii) any city adjoining such city or county; (iii) any towns located within such county; and (iv) any county contiguous with at least three such counties, and any town located in that county. He stated that he would like to bring to the Board's attention a bill that was introduced during the last meeting of the House committee on counties, cities and towns. It was House Bill number 2627, a copy of which was included in your Board packet. Just so that you will have a little background, on this so that when you read this bill, you will say basically it is the thing. There is a sentence that

was added to this and it comes in the first paragraph - In calculating the rate of population growth, a county may exclude any population housed on a federal military reservation. Now where this came from and how it was introduced was that - it was introduced on behalf of Prince George County - it was introduced by Riley Ingram, Delegate Riley Ingram - and it was done for the purpose that Prince George felt that if they could exclude the population of Fort Lee that they might then come in and qualify on the 10% growth. When it was found out that this was introduced this addition was killed in committee. There are some very powerful lobby groups that are not in favor of boarding the powers of this particular part of the State Code. Mr. Scheid stated that to answer the question directly how do we get included in this and how can we make provisions for Dinwiddie, well the obvious time would be in the fall when we meet with our legislators. Changes need to be made in the state laws.

Mr. Tickle stated that in reference to the cash proffers we need to act and act now because it will take time to change the State Codes. We want to be ready when the time is right.

Mr. Tickle also stated that he had seen a sign that Molly Hatchet was coming to Dinwiddie County. Mrs. Ralph stated that Mr. George Lewis, Jr., was the one that applied for the permit back in May. At that time he stated that he would be holding the event at the corner of Cox Road and Namozine Road, near Olger's Store. Mr. Lewis had signed letters from Mr. Vernon H. Sutherland and Mr. James C. Olgers, II, giving permission for the use of their properties. It was going to be quote "a type of music festival". They would be serving food, beverages and were having various bands, Molly Hatchet, Storm Rider, Bitter Creek, and Magnolia, which would be performing throughout the afternoon. At the time Mr. Lewis applied for the permit, the application stated the event would be held June 22, 1997 from 1:00 P.M. to 7:30 P.M., they were estimating 600 to 700 people, and that the festival proceeds would go to the Dinwiddie Volunteer Fire Departments. Mrs. Ralph further stated that she had learned on Friday, June 13, 1997, that the Fire Departments had decided not to participate. Their participation was that they would be manning the food booths. Mrs. Ralph had, this date, contacted Mr. Lewis and had contacted the Sheriff's Department to see what their concerns were. The Sheriff's Department's concern was if they had more people than expected then the parking may not be adequate. Security is being provided by a private security company, by two off duty County Deputies, and some other security people being furnished by Mr. Lewis. Mrs. Ralph further stated that Mr. Lewis has conveyed to her that the proceeds would now be going to the Hopewell Preservation, Inc. and Hopewell Jaycees for restoration of the Beacon House. Mrs. Ralph continued, Mr. Lewis stated to her that he had obtained the proper ABC license. There was some discussion about the group Molly Hatchet, the following that the band had, and the amount of security that would be provided.

Mr. Scheid stated that he wished to comment on the Sheriff's Department and the support that they had afforded him. He stated that each and every time he had called them for assistance they have responded in a timely manner. Mr. Scheid stated that he felt that they were providing excellent support.

Mr. Bracey stated that he was not prejudice however he felt that home should come first. He stated that if the County and the Sheriff's Department were under the impression, from the information provided on the permit, that this would be a Dinwiddie sponsored event and Dinwiddie would reap the benefits, he fully understood why they passed judgement and said ok. Mr. Bracey stated that he thought since the whole thing had changed that we need to look back at that permit. Why should Dinwiddie County sponsor something for Hopewell? He stated he knew localities need to work together. He does not know when he might have to go to Hopewell for something - but he stated that Dinwiddie County won't get a thing out of this. In the future we need to look at the permits closer and think twice. I am quite sure that we have several organizations that could use and need the money right here in Dinwiddie County.

IN RE: ZONING ADMINISTRATOR -- REPORT

Mr. John M. Altman, Jr., Zoning Administrator, came before the Board to give his monthly report. He stated he was available for questioning.

Mr. Bracey questioned if it was possible for Mr. Altman to find out how many children were to be located in the mobile homes being placed in the County. Mr. Altman stated that this information was not currently on the forms that residents fill out. This information could be used to predict how many children will be registering for school in the years to come. Mr. Altman stated that he would look into this to see what could be done. Mr. Tickle stated that the Board should discuss this and make recommendations at a further date.

Mr. Tickle stated that he would like to take a pro-active stance on the grass cutting problem. He knew that every Board member sitting there would be hearing about this problem. He had already been receiving calls and it is only going to get worse. Mr. Altman stated anytime there are calls they try to get out and look at the problem. Mr. Tickle stated that when it takes 45 days or longer to go through the channels the grass cutting season is over before it is solved. Mr. Bracey stated that the Code of Dinwiddie County needs to be amended to remedy this problem. Other localities have ordinances in their codes to prevent this type of problem. Mr. Bracey stated that Social Services may have someone that need the work. Mrs. Ralph stated that they had researched the question on asking the Health Department for participation, similar to what - and the way our Code is written we have taken that responsibility on ourselves. The individuals at the Health Department are most willing to work with what ever we have asked them to do, however it may be that if we were to rewrite it and the Health Department be responsible and they have one person then you would be in the same situation. Nobody would be available to get it done. Mr. Bracey stated that we need to get something in place within the next few days. This way the grass would get cut, one way or another. Mrs. Everett requested an emergency ordinance.

Mr. Moody requested that Mr. Altman work on this project. Mr. Altman stated that he was already working on a new ordinance. Mr. Tickle stated that he wanted to be sure that Mr. Altman addressed the agricultural and residential end of the matter. Please don't leave room for loop holes.

IN RE: DEPARTMENT OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director, came before the Board to present her report for the month. She stated that she wished to share a few items with the Board. First all of the programs in her office are mandated and supplied by certain Federal and State laws so they are the subject of significant oversights on a regular basis. Recently we had a group here from the Office of the Joint Legislative Audit Review Commission. They did a study of all the cases that we currently have on file. They obtained records from all departments. The end of audit review exit interview went well and we felt it was very favorable. Results from this audit will be forthcoming. Another item she wished to share with the Board was that the Social Services State Budget runs from June through May. This is one month different from most everybody else, therefore they are into their 1997-98 Budget. The State Budget that they received was very generous this year. She continued that they actually received more funds than she had anticipated in several departments. Several legislative changes will take place in July and they are currently preparing for that. Food stamp programs and foster care programs are two that will have significant changes.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mrs. Troilen G. Seward, Superintendent of Schools, came before the Board. She began by stating that Mrs. Peggy McElveen, Director of Social Services, was very modest about the way the Comprehensive Services Act Two has been run here. The reason Dinwiddie keeps getting selected for all these studies is because we actually cut costs. We have been used as an example everywhere. We have been presented at the state level

programming on how we run our team. The entire team needs to be complimented.

Mrs. Seward responded to Mr. Bracey's question about the number of children for the coming school term. Kindergarten registration is ahead of last year at this point by 14. Midway is up 6, Southside is up 23, Rohoic is under, and Sunnyside is about even. August is always our biggest influx.

Mrs. Seward updated the Board on the new standards of accreditation. She also enlightened the Board as to the fact that the Schools will be receiving a report card on their performances.

IN RE: SUPERINTENDENT OF SCHOOLS -- PROPERTY PURCHASE

Mrs. Troilen G. Seward, Superintendent of Schools, requested the Board to reappropriate funds in the amount of $123,448.57 from the FY 96-97 budget to the FY 97-98 budget for the purchase of a 62 acre site for future school construction. These funds are currently included in their Facilities Category.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that funds in the amount of $123,448.57 be reappropriated from the FY 96-97 budget to the FY 97-98 budget for the purchase of a 62 acres site for future school construction.

IN RE: OFFICE ON YOUTH AND COMMUNITY SERVICES -- APPROPRIATIONS

Mrs. Francene C. Newman, Director of the Office on Youth and Community Services, came before the Board to request approval of additional FY 97 appropriation in the amount of $4,013.00. These extra funds were received from the Department of Juvenile Justice and reflect a fourth quarter cost-of-living adjustment and an additional disbursement, due to other Offices on Youth closing down.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that approval is granted for additional FY 97 appropriations in the amount of $4,013.00 to be returned to the budget of the Office on Youth and Community Services.

Mrs. Ralph stated that included in the Board packet was a copy of the Youth Commission's Annual Report for 1996-97. Mrs. Newman stated she would entertain any questions today or any other day.

Mr. Bracey questioned when there is money to reappropriate do we ever save any of this money for a rainy day? It was explained that we all wish we could do that but it is not allowed. You must spend your money.

IN RE: RECREATION DIRECTOR -- REPORT --SUMMER PLAY CAMP SCHOLARSHIP PROGRAM

Mr. Tony Rinaldi, Recreation Director, came before the Board stating that they had his monthly report before them. He further stated that he wished to go over a couple of items with them. In your packet there is a letter from Mrs. Peggy McElveen's Office. Mr. Rinaldi stated he had been to Mrs. Ralph and spoke with her about his concerns regarding the youngsters in our County that simply do not have the funds to attend our summer play camp. We are talking about youngsters between the ages of 5 and 12. This camp that we have could have a positive affect on these youngsters. Mrs. Ralph gave me some positive feedback on the things that we should do. The first thing needed was criteria. The second thing Mr. Rinaldi did was to talk with Mrs. McElveen. What he was seeking from the Board was permission to go forward with this program. He wanted to implement this scholarship program for the 1998 year.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that beginning in the summer of 1998 that the Parks and Recreation Department implement a scholarship program for the summer camp program. The Parks and Recreation Department will work with the Department of Social Services to determine eligibility criteria.

IN RE; RECREATION DEPARTMENT -- VEHICLE REQUEST

Mr. Tony Rinaldi, Director of Parks and Recreation, stated that he did not have time to put this request into the Board packet but would like to discuss this matter today. He further stated that a decision was not necessary today. Social Services has a vehicle that has been turned in, a 1987 light blue Chevrolet Station Wagon, vehicle ID # 1G113L81Y4HA156835, license plate # 90-566L. Mr. Rinaldi would like to request that this vehicle be transferred to the Recreation Department on a permanent basis. Mr. Rinaldi stated that the Recreation Department does have a vehicle, a working van, however during the summer months more than one vehicle is needed.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the 1987 light blue Chevrolet Station Wagon, vehicle ID # 1G113L81Y4HA156835, be transferred from the Department of Social Services to the Parks and Recreation Department.

IN RE: RECREATION DEPARTMENT -- REPORT

Mr. Tony Rinaldi, Director of Parks and Recreation, stated he had two short items. This Saturday, June 21, 1997, they would be hosting 1,500 cyclists, from the 10th Anniversary Tour of Bike Virginia Odyssey II; Lee's Retreat, who will officially rest stop at this building and at the Courthouse. The services of a remote radio station WZOD in Colonial Heights will be broadcasting for three (3) hours. We will have re-enactors that will be stationed at the Courthouse. We have the Tri-City Golden Olympians who have baked and baked and baked, and donated goods to be given to the bikes at no charge as they move on to their next rest stop. We will be selling various items, with proceeds going to Dinwiddie County.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Waste Management, came before the Board stating he had no additions to his report, however he had a couple of items to discuss. You will note in his report that the County is now without extra dumpsters. The other item he needed to discuss was the fact that we did not have an attendant at Rohoic the first couple of weeks this month. The gentleman who works there has some health problems but is back to work now. Mrs. Ralph and Mr. King would like to have the Board's feelings on beginning to look for a back up person or additional coverage. Mr. Bracey again stated that Social Services may have someone that needs a job.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Medical Services Coordinator, came before the Board and presented her report for March, April and May 1997.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- EMS POSITIONS

Mrs. Dawn M. Titmus, Deputy Emergency Services Coordinator, came before the Board stating that last week Mrs. Wendy Ralph, Mrs. Linda Sayles, and herself conducted interviews for full time and part-time EMS positions. There were a total of eleven (11) applicants, six (6) of those applicants were interviewed. Mrs. Titmus recommended Charles Christian Lawrence be selected for the position of full-time Advanced Emergency

Medical Technician at a salary of $21,375.00 and Keith Hunder Meek be selected for the part-time pool at the rate of $9.00 per hour.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Charles Christian Lawrence be employed for the position of full-time Advanced Emergency Medical Technician at a salary of $21,375.00 and Keith Hunder Meek be employed for the part-time pool at the rate of $9.00 per hour.

Mr. Tickle requested that when new people are employed by Dinwiddie County that they be present at the Board meeting in order that they may be introduced.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Paul Jacobson, County Attorney, came before the Board and stated that he had no report but was available for questions.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, came before the Board and apologized for the lateness of his report but explained it was because of illness. He presented his report for the month of May 1997.

Mr. Bracey requested to accompany Mr. Faison on a tour of the construction projects.

Mr. Faison reminded the Board that they need to be thinking about what will be going into the box/time capsule for the new Courthouse. Mr. Moody instructed the Staff to work on that project and report back to them.

IN RE: 1997-98 BUDGET AMENDMENTS/APPROPRIATIONS RESOLUTION

Mrs. Wendy Ralph explained that she had received a letter from Mrs. Seward, who had to leave because of a previous engagement, requesting approval of budget changes. The letter stated at the Dinwiddie County School Board meeting on June 10, 1997, the board adopted a revised FY 98 School Board Budget. The Changes in this budget were the result of the $75,000.00 reduction in local funds requested by the Board of Supervisors and revisions to the state and federal revenues that were not available in January when the budget was first presented to the Board of Supervisors. In order to better reflect anticipated expenditures, the personnel lines in each category were matched to actual contracts whenever possible. The local transfers are the amount approved by the Board of Supervisors on April 2, 1997. The Debt Service, Facilities, and School Food Service categories were not modified. Administration, Attendance and Health was adjusted $27.00, and Pupil Transportation was adjusted $1,599.00. They restored the funding for maintenance projects that had been removed due to the reduction in local funding and adjusted the personnel line items. A significant part of the increase from the state was for teacher salary supplements. Using this funding, they were able to revise their teachers' salary scale to remove the inequities introduced into the scale during the three-year salary freeze. The increase, the adjustments in federal programs and the necessary delay in purchasing Social Science textbooks until next year resulted in an increase in the Instructional category of $360,187.00.

Mrs. Ralph stated before a vote is taken she would like to do their amendment and then we can do one motion. The only amendment that we had were the usual ones. These were General Fund. They were Compensation Board and the result of that was as follows:

1997-98 Budget Amendments

General Fund - Revenue

Compensation Board Amendments:	Existing	Amended	Change
Commonwealth's Attorney	$ 95,406	99,806	+4,400
Sheriff	1,304,584	1,316,573	+11,989
Commissioner of the Revenue	74,651	80,741	+6,090
Treasurer	76,927	81,150	+4,223
Clerk, Shared Fringes	5,000	6,253	+1,253
Net Increase			$27,955

General Fund - Expenditures

Sheriff	2,163,375	2,162,755	(620)
Commissioner of the Revenue	224,746	224,718	(28)
Treasurer	232,981	232,953	(28)
Net Decrease			(676)

Designated Funds - $10,000.00 from the General Fund - Donations toward EMS ambulance.

Mrs. Ralph stated that there was one other thing that they would like to ask the Board to do and they can do this separately if they like. There have been two (2) separate donations made to the General Fund from private sources towards the purchase of a new vehicle for the EMS department. We feel they should be designated in order to carry it over to another year.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the above 1997-1998 Budget Amendments are approved.

Mrs. Ralph continued stating that the next item is to appropriate the funds for the budget amendments. This resolution appropriates the General Fund on a monthly basis, you will receive your claims and approve the claims, and that appropriates the funds payment.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following 1997-98 Appropriations Resolution is approved.

1997-98 Appropriations Resolutions

Whereas, the final 1997-98 budget has been adopted by the Board of Supervisors; and

Whereas, in order for the various departments and agencies to make expenditures within this budget, an appropriation of funds must be authorized by the Board of Supervisors;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the total General Fund budget in the amount of $16,505,622 will be appropriated on a monthly basis as claims are approved; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Law Library Fund in the amount of $5,000; Va. Public Assistance Fund in the amount of $1,849,389; E911 Fund in the amount of $45,960; Forfeited Asset Sharing Fund in the amount of $7,600; Self Insurance Fund in the amount of $347,711,; OYCS Fund in the amount of $52,807; Fire Programs Fund in the amount of $37,000; CSA Fund in the amount of $596,500; CDBG Capital Projects Fund in the amount of $38,308; Debt Service Fund in the amount of $1,323,306; SVRIC Fund in the amount of 135,000; and Head Start Fund in the amount of $123,819 beginning July 1, 1997; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Construction Fund in the amount of $4,000,000 and the School Construction Fund in the amount of $13,447,002 be appropriated on a monthly basis as requisitions are presented; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board budget be appropriated by category as follows, beginning July 1, 1997:

Instruction	$16,572.345
(includes School Textbook Fund in the amount of $351,585)	
Administration, Attendance & Health	$ 648,012
Pupil Transportation	$ 1,447,764
Operation & Maintenance	$ 2,180,268
School Food Service (Cafeteria Fund)	$ 985,610
Facilities	$ 253,509
*Debt Service	$ 2,001,319

*(Includes $440,000 transfer from Meals Tax for bond payments)

IN RE: APPOINTMENTS

Mr. Bracey requested to the Chairman and Board that he would like to table the appointments until the July 2, 1997 meeting. He recommended that they proceed with the Appomattox Regional Library Board Appointment.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mrs. Betty H. Mayes be appointed to the Appomattox Regional Library Board for a term expiring June 30, 2001.

IN RE: ANNOUNCEMENT OF POSITIONS

Mrs. Ralph stated she was delighted to announce to the Board that they do need to take action on Ronald Martin Long from Colonial Beach who has accepted the offer for the position of County Administrator effective July 14, 1997 at a salary of $54,000.00.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Ronald Martin Long was appointed to the position of County Administration at a salary of $54,000.00 effective July 14, 1997.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- FIREWORKS DISPLAY -- VIRGINIA MOTORSPORTS PARK

Mrs. Ralph stated that Mr. Coleman had been patiently waiting to request a fire works display on July 4th. Mrs. Ralph further stated that they had a copy of the application in their packet and all requirements have been met.

Mr. Coleman came before the Board stating that they would be having the normal Friday racing beginning at 5:00 P.M. They are also planning a jet car show and fire works display. He stated that he felt that it would be interesting activity for the family to spend at the track. The fire works display will be at dark, they estimate 9:00 P.M.

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Tickle, Mr. Moody voting "aye" and Mr. Bracey "abstaining",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Virginia Motorsports Park is approved to have a fire works display, to be contracted by Dominion Fireworks, Inc., on July 4, 1997.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- BUILDING FOR SENIORS

Mr. Paul Coleman stated to the Board that he felt that Virginia Motorsports Park may have a building that the senior citizens could use

to meet. He stated that the building would not be available on race days however most weekdays it is available.

Mr. Moody instructed the Administration Staff to relay the message on to the appropriate parties.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- PURCHASE OF LAWN MOWER

Mrs. Wendy Ralph stated that it was her understanding that we were going to take back over the maintenance/lawn duties around the administration building and courthouse area. If we are going to be responsible for these items then we will need a piece of equipment to do so. We are talking about a 42" cut riding mower. There are three (3) bids in your packet. These bids are as follows:

1. Dinwiddie Lawn Equipment - John Deere STX38 Hydro - $1919.20 - 13HP 38" cut

2. Dinwiddie Tractor & Equipment Co., Inc. - Kubota - T1460 - $2102.00 - 12.5HP - 42"cut
   Yard Pro - $1600.00 - 14.5HP - 42" cut

3. Southern States - Statesman - $1079.95 (concern about not having grease fittings) - 14.5HP - 42" cut

After discussion it was decided to continue to investigate the possibilities available and to allow Administration to move forward when all avenues have been explored.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mrs. Wendy Ralph, Interim County Administrator, is hereby authorized to move forward on the purchase of a lawn mower.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- VIRGINIA POWER CONTRACT -- NEGOTIATION ASSESSMENTS

Mrs. Wendy Ralph stated that the next item she had was a regular procedure that we do every three (3) years. The Virginia Association of Counties has a Steering Committee that negotiate the Virginia Power rate for localities. We have always gotten a very good deal by doing it that way. They asked for you to contribute your share of the cost which is $860.00.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, 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 to contribute its share of the negotiation costs for the Virginia Association of Counties for the Virginia Power Steering Committee in the amount of $860.00.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- 1996 FIRE PROGRAMS FUND

Mrs. Wendy Ralph stated that we had received a letter from the Virginia Fire Services Board about the 1996 Fire Programs Fund Disbursement Agreement. We signed one last year and she did not feel that there were any changes in this year's agreement. It basically says that we would receive the funds if we comply with the guidelines. These funds will be distributed in 1997. We need to sign this agreement and return it before June 20, 1997.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mrs. Wendy Ralph, Interim County Administrator, is hereby authorized to sign the 1996 Fire Programs Fund Disbursement Agreement and return to them by June 20, 1997.

IN RE: BOARD MEMBER COMMENTS

Mr. Bracey - He stated that several persons have consulted him regarding yard sales. He was concerned about the number of sales that were being conducted on Route 1 (Boydton Plank Road). He was also concerned about the definition of "yard sale" and about the persons that seem to be in the business of buying and reselling. He would like to know if the County requires a permit for a yard sale, does the County have a permitting system, how does this work in our County. He requested that the staff look into this matter - it was requested that a letter be sent to the Commissioner of the Revenue, Deborah M. Marston, addressing the County's yard sale policy.

Mr. Bracey stated one other item was that he had been through the Industrial Park. Most businesses looked fairly well, however there are some businesses and things he noticed that we cannot tolerate. If we are trying to market the properties in this area to new businesses/industries then we need to clean up the area. If there is any way that we can require these people to clean up, then we need to advise them.

Mrs. Everett - She stated that her big thing during the past couple of weeks is the group home issue. Her telephone has now stopped ringing and she feels that Mr. Scheid is handling the situation quite well.

Mr. Tickle - no comments.

IN RE: BOARD MEMBER COMMENTS -- DARVILLS COMMUNITY CENTER

Mr. Moody stated he had two or three comments. His first item was the Darvills Community Center. This building is for the Community and is at a point that they are having to hold events to pay the real estate taxes. They are having difficulties making ends meet. Right now they are asking for relief from the real estate taxes for 1997. We have in the past made appropriations for other organizations and Mr. Moody stated that he would like to see the Board help this organization. This is a non-profit organization, the building is used for civic groups. The functions that are held there, for a fee, help to keep the center open by providing funds to pay monthly expenses. We are talking about approximately $175.00 per year in real estate taxes. After much discussion it was decided to look into the matter closer before rendering a decision.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Bracey voting "aye", Mr. Moody voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the issue of Darvills Community Center be tabled until a the next Board meeting on July 2, 1997, at which time a representative of the Darvills Community Center can be present to present their story and also give the County Attorney additional time to explore the possibility of tax exempt status for the Center and look into the legal aspects surrounding this matter.

IN RE: BOARD MEMBER COMMENTS -- FORD VOLUNTEER FIRE DEPARTMENT -- BRUSH TRUCK

Mr. Harrison Moody stated that he had another matter from his district. It was Ford Volunteer Fire Department's brush truck that has been out of commission for over a year. This brush truck is on the CIP Program for the first year. They had anticipated that this program would have moved along faster than it has. The western end of the County is without a brush truck and if a fire occurs then they have to call in another department to help out.

Mrs. Ralph stated that what happened was when they were going to present it at budget time they were advised that it would probably be an item that was better for the CIP Program. Because no action have been taken on the CIP Program to date they are caught in the time frame of waiting till that comes forward.

Mr. Brian Iverson, Ford Volunteer Fire Department volunteer, came before the Board to present his views on the purchase of a brush

truck. He discussed services that would be provided by this vehicle; the type of vehicle needed to meet these requirements; the equipment needed; and the costs that would be incurred.

Mr. Bracey suggested that Mrs. Ralph, Mr. Iverson or a representative from the Ford Volunteer Fire Department, and the representatives from the companies that sell these truck meet to discuss the cost and report back to the Board. Mrs. Ralph suggested to Mr. Iverson that he check to see if this truck is on state contract. Mr. Iverson stated that he was in agreement with Mr. Bracey that the best decision is an informed decision.

Mr. Bob Mengel and Mrs. Anne Scarborough stated that a truck was greatly needed in that portion of the County.

IN RE: BOARD MEMBER COMMENTS -- RESOLUTION VPI LAND TRANSFER

Mr. Moody stated he had a couple of quick items. The first being a resolution from Mecklenburg County Board of Supervisors asking for our support of their resolution to support Virginia Tech in their efforts to acquire the 1130 acres of Fort Pickett property that they are currently leasing. They can only do it one (1) way to obtain legal title. This would be by educational conveyance. They are asking for our support in this matter.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following resolution is adopted in support of Virginia Tech.

RESOLUTION
DINWIDDIE COUNTY BOARD OF SUPERVISORS
RE: TRANSFER OF 1,130 ACRES TO VIRGINIA TECH

WHEREAS, the Virginia Tech Southern Piedmont Agricultural and Extension Center (hereafter the "Center") has provided high quality agricultural research and extension services to the agricultural community in Southern Virginia since 1972; and

WHEREAS, during that time the property for the Center has been leased from the U. S. Department of the Army at its Fort Pickett facility; and

WHEREAS, Virginia Tech has an opportunity to acquire title to the land it currently occupies, through the U. S. Department of Education, if the Center continues operations for thirty (30) years; and

WHEREAS, Virginia Tech has invested more than TWO MILLION & NO/100 ($2,000,000.00) DOLLARS in the property for improvements in support of agricultural research for the region; and

WHEREAS, continued research both in tobacco and alternative crops, as well as initiation of a livestock forage and management program, is vital to the economic health of Southern Virginia; and

WHEREAS, Virginia Tech has expressed its intent to apply for a transfer of title to it of the ONE THOUSAND ONE HUNDRED THIRTY (1,130) ACRES it currently leases, plus four (4) acres on which a house is located which could be used for graduate student housing, through the Department of Education public benefit allowance program;

WHEREAS, the Board has determined that the conveyance of the property to Virginia Tech would benefit agri-business throughout Southern Virginia and therefore would have a more widespread benefit to Southern Virginia, and to the entire Commonwealth of Virginia, than would any other transfer of the property;

NOW, THEREFORE, BE IT RESOLVED: The Board of Supervisors, mindful of the importance of the agricultural industry to the County, does

hereby express its encouragement to Virginia Tech in its pursuit of this public benefit conveyance.

FURTHER RESOLVED: That a certified copy of this resolution shall be provided to representatives, officials and employees of every department or agency which will be involved in deciding whether such conveyance should be made to Virginia Tech, including, although not exclusively, the U. S. Department of the Army, the U. S. Department of Education, and the Governor of Virginia, as evidence of the Board's formal request that the property sought by Virginia Tech be conveyed unto it.

ADOPTED, this 18th day of June, 1997.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody continued by stating that the Crater Regional Consortium Strategic Plan will be presented at John Tyler Community College on Monday, June 23, 1997, at 4:00 P.M. This is a very important meeting at which a presentation will be made to HUD and hopefully we will be receiving some funds from that.

Mr. Bracey stated that he had attended the Wind Beneath My Wings program on Saturday, June 14, 1997. It was a well organized and well done program.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - EMS and Sheriff's Department; Section 2.1 - 344 (a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made; and Section 2.1 - 344 (a) 7 - consultation with legal counsel. The meeting moved into Executive Session at 5:56 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:10 P.M.

IN RE: CERTIFICATION

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby, certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: SHERIFF'S DEPARTMENT -- APPROVAL OF HIRING OF TWO (2) DISPATCHERS

Mrs. Wendy Ralph stated that the Board recommended the hiring of two (2) dispatchers for the Dinwiddie County Sheriff's Office. These employees to be Ms. Shirley Ann Pegram and Ms. Margie L. Andrews at a salary of $17,783.00 effective July 1, 1997.

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie County Sheriff's Office is authorized to hire two (2) dispatchers, Ms. Shirley Ann Pegram and Ms. Margie L. Andrews, at a starting salary of $17.783.00 effective July 1, 1997.

IN RE: ADJOURNMENT

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 7:12 to be continued until 12:00 Noon, June 26, 1997 for an Executive Session to discuss Industrial matters at King's Barbecue Restaurant No. 1.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
Interim County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT KING'S BARBECUE RESTAURANT NUMBER ONE IN DINWIDDIE COUNTY, VIRGINIA, ON THE 26TH DAY OF JUNE, 1997, AT 12:00 NOON.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE (ABSENT)	ELECTION DISTRICT #2
	BEN EMERSON	COUNTY ATTORNEY

*LeeNora Everett arrived at 12:10 P.M.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made. The Board moved into Executive Session at 12:05 P.M. A vote having been made and approved the meeting reconvened into Open Session at 1:45 P.M.

IN RE: CERTIFICATION

Upon motion by Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 1:50 P.M.to be continued until 5:00 P.M., July 2, 1997, for an Executive Session at the Home Place Restaurant.

Harrison A. Moody
Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
Interim County Administrator

/pam

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	2,382.74
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 being 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 my 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. Pamla 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 then 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 with out 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
Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
Interim County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT THE HOME PLACE RESTAURANT IN DINWIDDIE COUNTY, VIRGINIA, ON THE 2ND DAY OF JULY, 1997, AT 5:00 P.M..

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	PAUL JACOBSON	COUNTY ATTORNEY

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 1 - Discussion or consideration of employment, salaries, discipline of public officers, appointees, or employees of any public body; Section 2.1-344 (a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made; and Section 2.1-344 (a) 7 - consultation with legal counsel. The Board moved into Executive Session at 5:20 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

Upon motion by Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 7:37 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
Interim County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, VIRGINIA, ON THE 16TH DAY OF JULY, 1997 AT 1:00 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE (ABSENT)	ELECTION DISTRICT #2

RE: CALL TO ORDER

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the continuation meeting be called to order at 1:00 P.M.

RE: ROCK EXCAVATION -- CHANGE ORDER COURTHOUSE PROJECT

Mr. Donald Faison, Construction Inspector, came before the Board stating that he had supplied them with a revised proposal request log, please note item 23A on the first page. The last time I gave you this log it showed an increase to the contract bid of $5955.00. As I told you in the executive session, that would be the maximum cost. What this deals with is the loose rock that we encountered that was in excess of one cubic yard. At one time the contractor wanted it right at $12,000.00 for this item; for every rock that exceeded one-half cubic yard. We balked; we would not accept it; we went back to the engineers and architects and even had the county attorney review the specs and we said at that time that we really should not pay you any money. The subcontractor came back through the general contractor and made a counter proposal to split it in half. That was the fee of $5955.00, that I have shown on the log before, which would be the maximum. Since that time I went back and proved - talking with Wendy Ralph and Charles Bugress and reading the specs and I have given the opinion that had some of the items in the specs agreed that we would be paying for all the rock that exceeded one cubic yard and not one-half cubic yard. I came up with the counter offer to the $5955.00 at $3828.00. We have discussed it numerous times to accept that counter offer. They did not want to accept it. We met last month at our regular PF meeting, sat down and talked about that and a couple of other items with it, and I essentially told them the most you are going to get out of this without us saying zero dollars is the $3828.00; take it or leave it. They have come back to us since then, through the general contractor, and agreed to accept the $3828.00. We would like to know your feelings on this to be sure we are headed in the right direction and that you have no problems with this. Mr. Moody stated we are headed in the right direction. Mr. Faison stated yes we are; it has come down from almost $12,000.00 to $3828.00. There are feelings among the county attorney and Mr. Hening that we should not pay them anything because of the way the specs are written, when you really read it. However, we will have a court battle on our hands if we so choose to take that standing. My contention was had everything been written the same we would only be dealing with the rocks in excess of one cubic yard. They have come back and agreed to accept that. I would like to know your pleasure so we can deal with it.

Mrs. Ralph stated that she felt Mr. Faison deserved a lot of credit for working on this and bringing it down to an agreeable figure that we can work with.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted to R. Martin Long, County Administrator to sign the change order allowing an additional $3828.00 for the removal of rocks in excess of one cubic yard on the Courthouse Project.

RE: FLAG POLES WITH LIGHTS -- CHANGE ORDER COURTHOUSE PROJECT

Mr. Faison stated that he would like to address Items 45 and 46 on the second page. Item 45 is an item he would like to see added back. During the negotiations to lower the contract we eliminated all the flag poles and the lights. As you can see that figure would be $9838.00 to add those three flag poles with lights. This figure has been reviewed by the architect and he finds it to be acceptable. I know from my previous bidding experience that you would pay easily $3,000.00 for a 30 to 40 foot flag pole and then we have the lights on them too, so I figure the price was in range. I do not know how you feel, but I felt that we are spending eight million dollars on a courthouse we certainly ought to put the flags in front of it.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted to add the three (3) flag poles with lights to the Courthouse Project for a cost of $9838.00 and the County Administrator is authorized to sign this change order.

RE: SECURITY CAMERA -- CHANGE ORDER COURTHOUSE PROJECT

Mr. Faison continued with Item 46. This item was for security camera upgrade. During the negotiations we also changed all cameras from color to black and white. It has been a request, through the Sheriff's Department, that we upgrade at least one camera. That camera would be the one that is in the lobby area, as everyone comes in and everybody leaves by this route. This way they can have good color photos and film and be able to give proper identification of people coming in and out in case there is a problem. To upgrade all of them I had Item 46A that ended up being $16,000.00 plus - I thought that was out of line and I talked with Captain Booth about it and he agreed that if you would please give him at least one color camera, in the lobby for an additional $1265.00.

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Moody voting "aye" and Mr. Bracey voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authority is given to the County Administrator to sign the change order to upgrade the security camera in the lobby area of the Courthouse Project to a color camera at an additional cost of $1265.00.

RE: FURNITURE BIDS -- APPROVAL

Mr. Donald Faison stated that the furniture bids have come in under the original budget estimate. The bid, including the additional Herman-Miller station for the General District Court, is $264,088.73. He stated that he felt that the reason they were meeting, this date, was to allow the Board to address any questions they may have to Ms. Molly Leal and/or Mr. Jim Hening, of Hening - Vest - Covey.

Mr. Hening asked if the Board had any questions regarding colors, manufacturer, styles, and if the Board wished to see the boards with pictures and samples. The Board requested to see the boards with samples of materials and colors. There was some discussion between the Board, Ms. Leal and Mr. Hening.

Mrs. Everett stated that we needed to make a request for a United States Flag from a senator or congressman. We will also need a State of Virginia flag. Mr. Long stated that he would handle that. We would like to get one from the White House/Capital and one from the State Capital.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization was granted to accept the amended base bid totaling $264,088.73 plus additional items as needed to fulfill the contract and approved by the Construction Inspector, Mr. Donald Faison.

RE: CARPET -- COURTHOUSE PROJECT

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Donald Faison is authorized to negotiate and purchase the carpet as needed, off state contract, for the new Courthouse within the limits of the contract price.

RE: TIME CAPSULE -- COURTHOUSE PROJECT

Mrs. Everett asked if there was anything else on the time capsule. Mr. Faison stated that he had had a good suggestion on how to make the capsule and he felt it was a good one. It was suggested that we take a piece of PVC pipe with end caps - we could place as many as four capsules, (4) 3 1/2 inch by 24 inches long within the allotted space. Mrs. Mann made this suggestion.

RE: JUDGE SOUTHALL CHAIR -- COURTHOUSE PROJECT

There was some discussion as to the purchase of a chair for the Juvenile and Domestic Relations Court for Judge Southall. Judge Southall currently does not have a chair because his broke. Because he is a large man his chair must be special ordered. Ms. Leal has put forth great effort to obtain loaner chairs for the Judge to use, however we need to move on ordering a chair now before our good fortune runs out. This will be the chair the Judge will use in the new Courthouse. The cost of said chair will be $1286.66 and will take five to six weeks to deliver after ordering. No motion is needed because it is already in the bid, we are just asking for authorization to place the order now. Authorization was given by the Board to place the order for this chair now.

RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye", the meeting was adjourned at 1:50 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST:
R. Martin Long
County Administrator

/pam

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 16TH DAY OF JULY, 1997 AT 2:00 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE (ABSENT)	ELECTION DISTRICT #2
	DAN SIEGEL	COUNTY ATTORNEY

IN RE: CALL TO ORDER - INVOCATION - PLEDGE OF ALLEGIANCE

Mr. Harrison Moody, Chairman of the Board, called the meeting to order at 2:05 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENT TO AGENDA

Mrs. Everett requested that Items 8 and 9 be moved up on the agenda to come before the constitutional officers and department heads reports.

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Item 8 - Appomattox Scenic River Designation and Item 9 - Virginia Power - Area Manager - Community & Government Affairs - Central Region be moved up on the agenda to come before Item 7 - Constitutional Officers and Department Heads.

IN RE: MINUTES

Upon Motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the July 2, 1997 continuation meeting, and the July 2, 1997 regular meeting, with corrections regarding Mr. Tickle's comments about the VACo Convention at the Homestead, are hereby approved in their entirety.

IN RE: CLAIMS

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that there was an claim included from the Airport Authority for legal services incurred in the amount of $428.75 to be funded from the $200,000.00 note.

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, 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 #1006682 - #1006837 (void checks 1006685; 1006794; 1006841; and 1006693); for Accounts Payable in the amount of $338,304.69; General Fund FY 96-97 $171,947.30 FY 97-98 $69,667.22, E911 Fund FY 97-98 $1,601.23, Self Insurance Fund FY 96-97 $226.50 FY 97-98 $14,846.00, Law Library FY 96-97 $653.74, Fire Programs/EMS Funds FY 96-97 $2,892.00, County Debt Service FY 97-98 $76,126.24, Forfeited Asset Sharing FY 96-97 $344.46, and also included is the Dinwiddie Airport and Industrial Authority $428.75.

RE: SUPPLEMENT CLAIMS

Mrs. Ralph stated that this bill came in after the board packets had been delivered. It is for the payment on the Bond Issue for the Courthouse which is due August 1, 1997, in the amount of $161,848.75.

Also is a check to cover the cost of the handbook for the Erosion and Sediment Seminar for Donald Faison in the amount of $28.00.

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following supplement claims are approved and funds appropriated for same using checks # 1006838 and 1006839.

IN RE: APPROVAL OF REQUISITION #27 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Interim County Administrator, stated that Requisition #27 for the Courthouse consists of payments to:

Hening-Vest-Covey	$ 5,175.09
Dunbar, Milby, Williams, Pittman & Vaughan	120.00
Total of this Requisition	$ 5,295.09

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #27 in the amount of $5,295.09 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #20 -- SCHOOL CONSTRUCTION

Mrs. Ralph, stated that this requisition consisted of the following invoices:

KBS, Inc	$1,763,501.15
Froehling & Robertson, Inc.	915.40
Stroud, Pence & Associates, LTD	4,420.00
Work Environment Associates, Inc.	1,016.25
Sands Anderson Marks & Miller	146.50
G L Clements Company, Inc.	3,240.00
Southside Electric Cooperative	183.96
Ballou Justice Upton	27,090.16
TOTAL	$1,800,513.42

There was some discussion regarding the painting of the High School Auditorium.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Moody voting "aye", Mr. Bracey voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #20 in the amount of $1,800,513.42 be approved and funds appropriated for CIP for the School Construction Fund.

Mr. Bracey stated that he felt that the painting should not have come under the CIP Program. He felt it should be a maintenance item.

IN RE: CITIZEN COMMENTS

The following persons addressed the Board:

1. Ms. Bettie Guthrie, Petersburg Dinwiddie Airport Authority, came before the Board to announce that the search for a new Manager for the Airport had been successful. There were fifty-nine (59) resumes/ fifty eight (58) resumes were received timely, one (1) was received late. There were eleven (11) telephone interviews and three (3) face to face interviews. The search committee made their recommendation at the Authority Meeting last night. Mr. David C. Ploeger was unanimously approved. A copy of the manager search committee report and resume have been provided for your review. The Authority appreciates your patience and funding and we look forward to working with the Board and our new manager. He will begin on August 4th.

Mr. Bracey requested information on Mr. Ploeger regarding where he plans to reside and information on mileage expenses.

2. Raymond Foster, Namozine Fire Department, came before the Board to request funds to repair the clutch in the 1985 Toyota Brush Truck in the amount of $512.59.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Namozine Fire Department is authorized to have repairs completed on the 1985 Toyota Brush Truck in the amount of $512.59. Said funds to come from the Capital Items Funds - under the Fire Department budget.

RE: APPOMATTOX SCENIC RIVER DESIGNATION

Mr. R. G. Gibbons, Environmental Program Manager from the Department of Conservation and Recreation came before the Board and presented a overview of the Appomattox Scenic River Project. Also attending the meeting was Ms. Dama Rice, Chairman of the Appomattox State Scenic River Advisory Board. The committee is in the process of making plans to extend the designation upstream. They would like to have a resolution that would support the 1.2 mile extension of the scenic river from an abutment dam in southern Chesterfield County upriver to the George F. Brasfield Dam at Lake Chesdin. Mr. Gibbons distributed information on the project along with a roster of the Advisory Board.

After much discussion it was decided to set a Public Hearing on September 3, 1997.

RE: VIRGINIA POWER -- AREA MANAGER -- COMMUNITY & GOVERNMENT AFFAIRS -- CENTRAL REGION

Ms. Iris E. Holliday, Area Manager - Community & Government Affairs - Central Region - Virginia Power, came before the Board to formally introduce herself. She stated that she hoped that Dinwiddie County and Virginia Power could become a partnership and work for the benefit of all. She further stated that she was available to help with community affairs and provide positive initiative. She spoke regarding deregulation.

IN RE: DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald Reekes, Resident Engineer, came before the Board first and foremost to extend a welcome to the new County Administrator, Mr. Marty Long.

He continued by presenting his monthly report. He stated he had a couple of updates: Route 692 - they are moving well on that project; Route 613 - they got started a little late but have had a lot of progress in a short period of time and Mr. Reekes feels that by the first of September that project will be completed; and I-85 - they are working on a goal of having it open before labor day. Mr. Bracey stated when? Mr. Reekes replied by labor day. Mr. Bracey stated make that a part of the minutes.

Mrs. Everett asked about Wheaton Road? Mr. Reekes stated that they have put it out for contract.

Chairman Moody asked if they had completed the safety study on Wilsons Road? Mr. Reekes stated that they have - they are waiting for information from bus drivers as to the problems they are having on Wilsons Road.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, came before the Board stating that she did not have anything to report however she understood that Mr. Bracey had some questions regarding yard sales. She stated she would like to address that, however she was not sure that she

understood his question. Mr. Bracey stated he would like to know what constitutes a yard sale and do you need a license or permit. This question came about because of the fact that some other business persons, along Boydton Plank Road, complained that persons were purchasing items bringing them out on Saturdays, to a so called yard sale, and reselling them. They were concerned that if this constitutes resale, do they need a business license. It was also discussed that in some localities you can only have X-number per year of yard sales without obtaining a license. There are some people on Boydton Plank Road every week on Saturday morning. Mrs. Marston responded by stating she would begin with what constitutes a yard sale - she thinks that would come under Guy Scheid - it is the Planning Department part of it. Under the business license end of it - which she can answer very accommodating to him - as a land owner, dweller, holder, occupant, you, myself, and others can have a yard sale on your own property, your own yard, we allow up to three (3) a year without a license. On your own property! Now if she wanted to go to Mr. Clay's property up in DeWitt and set up a Saturday yard sale, with Mr. Bracey and Mrs. Everett, that is constituting "quote" a license. The license is required because we are doing more than just cleaning out our attic or our garage or basement, that type of entity. What, as the Commissioner of the Revenue, the Business License Department requires is that the land owner, where we plan to hold this yard sale, they give written permission for this person to be there, on that day, to do this business. They come in and secure a business license from the County. Now in the past, and she knows Sam has his men working very diligently out there doing other things too, but in the past she has received calls on the weekends from the Sheriff's Department from Deputies on patrol stopping by and questioning people for a license. When they can not show one they have called her, she has come down and found that either they do have a license or they did not. She is going to solicit with Sam to re-advise his Deputies again on this and see if on weekends and after hours, because she has noticed on after hours during the weekdays that these little pop-up shops, as she calls them, that just pop-up on the side of the road and start selling things, they can do spot checks for licensing. She stated that she does not have an enforcement officer but she is trying to do the best she can. She has learned in the past that if she calls the Sheriff's Department and asks for a Deputy to meet me on site she then has someone there that is of the enforcement entity that can have arresting powers if that is necessary. With regards to that part of it, she hopes she has answered the questions put before her. Mr. Bracey asked how we can get that type of vendor? Since it has been called to his attention he has really been paying attention to it. Every Saturday it is the same people. Mr. Bracey stated that he felt that maybe we should print something about what is a yard sale, what is not a yard sale and what you need to do to sell along the highway because most of people that he sees are not on their own property. They are on someone else's property. Mr. Moody agreed with Mr. Bracey regarding the fact that something needs to be done. Mr. Moody stated that there were a couple of places on Route 460 that looked like a tractor trailer turned over and scattered stuff everywhere. We need to put restrictions on those, to put them behind cover or make them park off the side of the road or something. Mr. Moody questioned who was responsible, was it Planning Department, responsible for regulations? These are not just garage sales; they are businesses. Mrs. Marston confirmed that both businesses on Route 460 have business licenses. Mrs. Marston further stated they were both approved by the Planning Department. Mrs. Marston continued by stating that when Mr. Tim Davis was here, her office and his office worked very closely together to develop a questionnaire that the applicant for businesses come in and apply for. This questionnaire details it enough and that has been sent to the Planning Department for approval before a license is issued. This form is a mutual agreement between the Planning Department and her office that this business is ok to be established where it is at before any license is issued by her department.

Mrs. Everett suggested that the Planning Department look into the difference between a Flea Market and a Yard Sale. Mrs. Marston stated that maybe the Planning Department and Business License Ordinance to coordinate the two.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, came before the Board to present his monthly report. He stated he would like to welcome Marty and stated he was looking forward to working with him. He also thanked Mr. Long for his time yesterday.

Mr. Jones gave a brief overview of the collection ratio's for the past two years on the twice a year collections. He will have more information at the next meeting and hopes to have a written report for the Board at that time. He suggested that we may wish to consider farming out the collections for previous years. He will continue to investigate this venture and report back to the Board at a later date.

Mr. Jones continued by stating that we, the County, had obtained some Trigon Stock which will be eligible for sale as of August 5, 1997. He went over the material that he presented to the Board. After some discussion it was decided that this matter will be on the August 6, 1997, agenda for further discussion.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, came before the Board stating he had no report but was available for questions. The Board had no questions at this time.

IN RE: SHERIFF -- REPORT

Mr. Samuel H. Shands, Sheriff, came before the Board to present his report. He began by welcoming the new County Administrator to the County on behalf of the Sheriff's Department. His first order of business was to introduce to the Board a new dispatcher with the Sheriff's Department, Mrs. Margie Andrews.

Sheriff Shands stated he had received a letter stating a complaint on June 10, 1997. He stated he had been to Mrs. Virginia Newbill's home to discuss the matter with her. He stated that he assured her he would take care of the problem. Mr. Bracey asked what the complaint was. The complaint was speeding up and down Route 226 and in the mid-night hour late she described it as boom boom boom - which is the vehicles with loud bass.

Mrs. Everett again asked Sheriff Shands about the illegal dumping into the dumpsters. She explained that this is happening around dusk and a number of Petersburg licenses are seen in the dumpster areas. There was some discussion regarding this problem and several suggestions about how this problem may be solved. Sheriff Shands stated that if they see a patrol car they tend to not dump, however an unmarked vehicle might do the trick. There was some discussion regarding securing the dump sites except during certain hours. Sheriff Shands will try to watch these areas more closely. Mr. Denny King, Waste Management, stated that the problem with securing the dump sites is that people will just find another area to dump, so you trade one problem for another. Also it was stated that we have too many sites. Because of the number of sites we can not afford to have attendants at all the current sites.

IN RE: SHERIFF'S DEPARTMENT -- REAPPROPRIATION OF FUNDS

Chairman Moody stated that the Board had a request from Sheriff Shands that funding from the 1996-97 budget to be carried over to the 1997-98 budget year in the amount of $5,000.00 to secure the back porch area of the Dinwiddie County Jail. After some discussion on why the project was not completed in the 1996-97 budget year a motion was made to approve the carry over.

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the finds to secure the back porch area of the Dinwiddie County Jail in the amount of $5,000.00 be reappropriated and carried over to the 1997-98 budget year.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspection, came before the Board to present his monthly report. He welcomed Mr. Long to the County.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, came before the Board stating that they had his monthly report and he was available for questioning.

Mr. Bracey asked if his truck was doing alright. Mr. Beville stated it was doing fine. Mr. Beville was also asked about the Bassett Hounds. He stated that he was taking care of that.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. Guy Scheid, Director of Planning, came before the Board to present his monthly report. He stated that there was one item that he wished to discuss with them. The only item that he wished to discuss in addition to what he had put in the report is the IPR contract. They are not willing to negotiate on a one contract basis. What we have decided to do is we are going to advertise and see if we can secure somebody for administrative services and someone for a rehabilitation specialist on an annual basis. We will advertise that in the newspaper. In addition he has secured from the State at list of some people that are qualified to do this. We will send out specific requests for proposals to them. Hopefully we will be able to attract somebody. What the whole thing boiled down to was the additional insured aspect of it.

Mr. Scheid was questioned on the group home. He stated that through a conference call between Mayes, Valentine, Chip Dix, our Attorney, Ben Emerson, and himself, which was held last Wednesday, Mr. Dix said that he would provide the proper legal information to our attorneys. They will then review the material to see if indeed they are now convinced that they are now covered under the State and/or Federal fair housing laws.

IN RE: ZONING ADMINISTRATOR -- REPORT

Mr. March Altman, Zoning Administrator, came before the Board to pass out and present his monthly report. He apologized for not having his report in the packet but explained that he was on vacation last week. One item that did not make his monthly report, occurred this morning, regarding one of their violation cases. This is a violation case we have been working on for quite a while. Mr. Morgan, who lives up on Hazel Avenue in Piney Beach, was issued a warrant to bring him into court. He has approximately ten (10) inoperative vehicles in his yard and in an area zoned R-1, county code allows a maximum of two (2). We have tried working with him for quite a awhile and we were not having any results; therefore we felt that it was necessary to move forward with court action.

Mrs. Everett stated that Dr. Grenoble had some chickens that have been digging up flower beds. These are over on River Road. Dr. Grenoble lives in Ag area and where his chickens are going is over into a R-1 area. Mr. Altman stated he would look into this matter. The chickens seem to be unaware that they are crossing a zoning line. Mr. Altman stated he would paint a line for them.

Mrs. Ralph stated that the Board had a copy of the excessive weeds/grass ordinance draft. This will be up for public hearing on August 6, 1997.

Mr. Moody asked that the Planning Department to check into the restrictions regarding yard sales. Mr. Altman stated that he did not think that the County Code actually addresses yard sales. Some people don't actually express what they will be doing in the same light that it actually happens. Mr. Bracey suggested that we contact Petersburg and obtain a copy of their ordinance on yard sales.

Mr. Clay asked some questions about what is allowed in an R-R area. Mr. Altman answered Mr. Clay's questions on this subject.

IN RE: DEPARTMENT OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director, came before the Board to present her report for the month. She gave the Board an update on the Welfare Reform and how it was working in Dinwiddie County. The synopsis was that it has been very successful.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mr. Ray Watson, Assistant Superintendent for Finance and Technology, came before the Board to present the monthly report. He stated that Mrs. Margaret Meade was also in attendance today because one of the items he wished to present pertained to her department. She did have a solution to the chickens if someone wished to catch them. Mrs. Seward is not present this afternoon due to the fact they are having the Principal's Academy this week and she is conducting the sessions this afternoon. He will be holding the sessions tomorrow morning and he got to come and visit with us. They are working on the new standards of accreditation. These are, if you have been reading the paper, some controversial pieces in them but the State Board of Education is going to pass them somewhat in the form they are in now. We are working very hard to get ready for them. Matter of fact, we feel pretty good, that because of the 4 X 4, and because of a lot of things that we have been doing over the few years, we are almost ready. For some other localities, that we are hearing from, they have a lot of work to do. We are very proud that we are almost ready for the changes. We would also like to let you know that the State funded summer school has 700 students in it.

IN RE: SUPERINTENDENT OF SCHOOLS -- TRANSFER OF FUNDS FOR INSURANCE PREMIUM

Mr. Watson continued by stating that he hoped that they had his information in the same order that he did. His first order of business was a request to transfer funds from the Self-Insurance Fund to the Operation and Maintenance Category in the School Fund in order that they make the quarterly insurance payments. The total of these invoices in $44,046.25. This allows the County to receive credit in the school's annual report.

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to transfer funds from the Self-Insurance Fund to the Operation and Maintenance Category in the School Fund in order to make the quarterly insurance payments in the amount of $44,046.25.

IN RE: SUPERINTENDENT OF SCHOOLS -- TRANSFER OF FUNDS -- INSTRUCTIONAL CATEGORY TO MAINTENANCE AND OPERATION CATEGORY

Mr. Watson continued with the next item which has to do with the FY 97 budget; we have some expenditures that we would like to make and rather wait for all of the reappropriations. We do need to spend it on these maintenance items now. This transfer would be from the Instructional category to the Maintenance and Operation category of the School Board Budget. This transfer is to cover the remaining costs of the Rohoic roof replacement, replacement of two failed air conditioner compressors in the old part of the High School, storage facilities for use during the CIP, and new postage meters that are needed to meet new Post Office regulations. The total of these accrued expenditures will be $96.600.00

Mr. Bracey stated number one - this is coming out of the FY 97 budget - right? Mr. Watson stated it is a budget transfer not dollars - no additional. Mr. Bracey stated what he thought Mr. Watson was saying was in the school budget they had $96.600.00 alloted in the instructional budget line item. What Mr. Watson is now requesting is to remove that amount from the instructional budget and move it to maintenance. That seems very unusual, very unusual. You know Ray, thirty years in that class room, instructional category, is one that we are all about. We are talking about $96,000.00. What is going to happen when that money gets

short, or what happens, where is this $96,000.00 pop up. Mr. Watson that is FY 97, last years budget. Mr. Bracey stated so this means that you inflated that budget $96,000.00. Now you want to buy air conditioners. Mr. Watson stated we want to replace air conditioners that were not included into the CIP; they should be a maintenance item. We need to cover the remaining cost of the Rohoic roof, originally it bid at a hundred ten, we put thirty five more at the end of the year, making one hundred eighty four, which was the low bid. The two postage meters that we have were condemned by the post office; they will not let anyone put postage on mechanical meters anymore. They had to get the electronic ones. They are the three items that make up the ninety six six. This money was in the, remember we have a line item in our budget for unassigned position. We were able to not assign this position. This position was not assigned partially because of the classroom study. But this was, through all the extra ADM and everything we were able to keep this money, protected to the end. Mr. Moody asked if these were new repair items that were in your budget last year or are they new items this year. Mr. Watson stated that the Rohoic roof we had the hundred ten that you reappropriated from the prior year, then we put in thirty five more but when we got the final bid it was more, so the rest of it was included, that part was not. The air conditioner costs were not. They failed on us. We do not want to open schools with everything else air conditioned except for this one wing. Mr. Bracey stated that this was some poor management. You stated that the roof cost this, then it cost that, we appropriated, and then it cost again. How many times did you rebid that roof? Mr. Watson stated we bid it and then we had to rebid it. Mr. Bracey stated then the second time was higher. Mr. Watson said the first bids came in and we could not deal with them. Then we got into the school year and we did not want to rip off the roof with children in the building. Mr. Bracey stated so now you need additional money to fix the roof. Mr. Watson stated we need to transfer money from one category to another, no additional local appropriation. We are not asking for money; we are only asking for permission to move it from one category to another. Mr. Bracey stated it was money, as far as he was concerned. Mr. Bracey stated that he just hated to see that fund, that money, be put into maintenance. Then you come back and say well I need this, this time, for new positions. Each time Troilen comes she telling us - hey I'm popping out at seams with students. When you tell me that, you are telling me that this is additional professional help, this is additional whole nine yards, when you get a hundred more students you need something to make that a cushion. So now, if that is the case we need to keep the ninety six thousand. Mr. Watson stated that they have operated under the premise that any reappropriation of funds would not go to personnel because it becomes reoccurring costs. This has been standard practice ever since he has been here. We have never asked for reappropriated funds to go into personnel; we have always put reappropriated funds into maintenance, land acquisition and buses. If we do not do this now, this way, then we will have to ask the auditors to move these expenditures to this year and out of the reappropriation of the unexpended funds. Instead of taking the whole thing and going to buses we will need to ask you to do this at that time. Mr. Bracey stated I tell you Mr. Chairman he hates to ever see this. He further stated that he would have to vote no on this and he would like for this conservation to be a part of the minutes. The whole text. Also he would like to see the paper work from square one to justify the removal of these funds.

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Moody voting "aye" and Mr. Bracey voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to transfer funds from the Instructional category to the Maintenance and Operation category of the School Board FY 97 Budget to cover the remaining costs of the Rohoic roof replacement, replacement of two failed air conditioner compressors in the old part of the High School, storage facilities for use during the CIP, and new postage meters that are needed to meet new Post Office regulations. The total of these accrued expenditures will be $96.600.00

IN RE: SUPERINTENDENT OF SCHOOLS -- REAPPROPRIATION OF CAFETERIA FUNDS

Mr. Watson continued with the last item that he had he would like to ask Mrs. Meade to come forward. Again this is not a cash matter, it is not a money transfer, it is a budget adjustment. Mrs. Margaret Meade came before the Board stating that the Board had before them the letter that had been written to Mrs. Ralph. We need an appropriation because she over spent her budget. She stated that she went over in her expenditures. Mrs. Meade stated she just needed reappropriation, she did not need any money, she had her money. Mr. Moody stated your expenditures were more however your revenues were also more. This revenue took care of the overage. Mr. Bracey stated so you went over. Mrs. Meade replied yes. Mr. Bracey stated so you are straight now. Mrs. Meade replied oh yes. Mrs. Ralph stated you have additional revenues to cover this. Mr. Bracey asked if they had an accountant in the School Board, a CPA or somebody.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that $134,253.00 additional funds from additional revenues be appropriated to the Cafeteria Fund for 96-97 to cover the over expenditure.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Tony Rinaldi, Recreation Director, presented his report for the month of June, 1997, stating he was available for questions. The cyclists, all 1500 of them, had an enjoyable visit here in the Dinwiddie County area. We received several favorable comments on the day. The volunteers were wonderful and well received by all.

Mrs. Everett asked Mr. Rinaldi about how the new tractor was performing. Mr. Rinaldi stated that he had not gotten a new tractor; it was Scooter; however, he asked Mrs. Everett to hold that thought because he would love to have a new tractor. He hoped to put before the Board a application for a tractor, but this is for a special tractor to cut turf for the ball fields. Mr. Rinaldi further stated not now, the tractor they have is working fine.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Waste Management, came before the Board. He discussed the dumpster sites stating that it is a situation that we could not win.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Medical Services Coordinator, came before the Board to present her report for the month of June 1997. She discussed with the Board the reason for the ambulance running outside of the Administration Building, per Mr. Clay's request, which mainly had to do with the radio system of the County. Mrs. Titmus also discussed the repairs that were being done on the EMS building, stating that they are moving very slowly. Mrs. Ralph stated that Mr. James Lewis would be doing the repairs and she was led to believe that they would be beginning by the end of the week. Mr. Bracey stated that after a reasonable time he hoped that the Administration would just hold that rent check until the repairs were completed.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- COMPUTER

Mrs. Titmus continued that in their packet she had included three (3) quotes for a computer. She would like approval for the funds, that were already included in their budget. The bids were from Dell $2,759.42; Micron $2,967.90; and Gateway 2000 $2,845.00. Their recommendation was the Dell system for $2,759.42, which is the low bid. Mr. Jay Rupkey came forward and explained to the Board why he chose this system.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to purchase a Dell Computer System, which includes the printer, for the EMS Services at a price of $2,759.42.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- AMBULANCE GRANT

Mrs. Titmus stated that the last item she had was that in March, maybe February, she had discussed with Mr. Burgess the prospect of a second ambulance for EMS. Because of the severe use that the first ambulance gets she knew that a second one was emanate. Mr. Burgess stated to her that they could submit a grant to the State requesting 100% of the funds for this unit. In July she received a letter from the State stating that they would award money for 80% of the funds vs. 100% of the funds. This would cover the cost of the ambulance, radio, stretcher, monitor defibrillator, and incubation equipment. She recommended to the Board that we take advantage of this opportunity. It would cost roughly, without a grant, $114,000.00; with the grant, with this 80% grant, it would cost approximately $28,626.00 for the truck and with the additional supplies to equip the ambulance an additional $15,000.00 (approximately); making the total of $43,626.00 (approximately). We have a donation fund that has $10,000.00 in it. That fund could be used to help defray the costs of the supplies. The remaining supplies could be purchased with the $5,000.00 that is already budgeted. Basically the County would need to provide funds for the truck.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the EMS Services is authorized to proceed with the purchase of an ambulance with the Rescue Squad Assistance Fund Program Grant of 80%, with the County's 20% share to be funded from the Undesignated Funds Balance not to exceed $28,626.00.

Mr. Bracey requested that Mrs. Titmus begin work on another grant at soon as possible because the way things look she will need another ambulance about the time this one gets here. Mrs. Titmus stated that she would. Mrs. Titmus stated that the grant cycles are twice a year, March and September. She will be applying for a grant to re-chassis their current ambulance. She asked if that was the Board's desire. Mr. Bracey stated that he felt that they should. Mrs. Titmus stated that she would apply for this in the next cycle, which is September.

IN RE: COUNTY ATTORNEY -- REPORT -- RESOLUTION/BOND PRICING

Mr. Daniel M. Siegel, County Attorney, came before the Board stating that the Board had already approved everything that had to do with this Bond Issue. The Bond Issue is set for closing on July 24, 1997. The pricing was done on Thursday, July 10, 1997, and approved by the County on Friday, July 11, 1997. The bonds, the rates on the bonds, are attached as exhibit "A". You can see the first page is the school portion of the issue, the second page is the courthouse completion bonds. The true interest cost, under the underwriter's calculation, for the courthouse bonds is 5.807% approximately and on the school bonds is 5.8438%. The reason for the difference is the school bonds go out one more year than the courthouse bonds. This just basically states that the Board of Supervisors approves and authorizes these rates and terms.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following Resolution regarding the Bond Issuance is approved:

RESOLUTION OF THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia **(the "Board of Supervisors")** adopted a resolution on May 7, 1997 **(the "Approving Resolution")** relating to the issuance by the Industrial Development Authority of Dinwiddie County, Virginia **(the**

"Authority") of (i) lease revenue bonds in an amount not to exceed $4,100,000, Series 1997 B **(the "Courthouse Completion Bonds")** to finance the cost to complete the acquisition, construction and equipping of a courts complex and related facilities **(the "Courts Complex Project")** and (ii) lease revenue bonds in an amount not to exceed $5,900,000, Series 1997 A **(the "School Bonds")** to finance the second phase of the acquisition, construction and equipping of certain improvements and renovations to the County's schools and related facilities **(the "School Project")** and the Authority, by its resolution adopted May 19, 1997 has agreed to do so; and

WHEREAS, Wheat, First Securities, Inc. **(the "Underwriter")** has offered and sold the Courthouse Completion Bonds and the School Bonds pursuant to a Preliminary Official Statement, dated July 1, 1997 and has sold the Courthouse Completion Bonds at a true interest costs of 5.8072254% and has sold the School Bonds at a true interest costs of 5.8438070% and has requested authorization and direction to complete the financing based on such expectations;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA:

A. The issuance of the Courthouse Completion Bonds, in serial and term forms with a final maturity of February 1, 2017, and in the amounts and bearing interest at the rates set forth on the attached Exhibit A, with a true interest costs of 5.8072254% is hereby approved and the issuance of the School Bonds in serial and term forms with a final maturity of February 1, 2018, at the rates set forth on the attached Exhibit A, with true interest costs of 5.8438070% is hereby approved. The Chairman or Vice Chairman of the Board of Supervisors, the County Administrator, the Clerk of the Board of Supervisors, the County Treasurer and all other County officers are hereby authorized and directed to execute and deliver all documents and instruments related to or appropriate in connection with the issuance of the Courthouse Completion Bonds and the School Bonds, including but not limited to the Courthouse Completion Bonds and the School Bonds with such completions, omissions, insertions and changes as may be approved by the officer executing them, his or her execution to constitute conclusive evidence of his or her approval of any such completions, omission, insertions and changes.

B. All other acts of the Chairman or Vice-Chairman of the Board and other officers of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the plan of financing the issuance and sale of the Courthouse Completion Bonds and the School Bonds and the acquisition, construction, and equipping of the Projects (as referred to in the Approving Resolution) are hereby approved and ratified.

C. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.

D. The County hereby agrees to indemnify, defend and save harmless the Authority, its officers, directors, employees and agents from and against all liabilities, obligations, claims, damages, penalties, fines, losses, costs and expenses in any way connected with the Authority, the issuance of the Courthouse Completion Bonds and the School Bonds or the acquisition, construction and equipping of the Projects.

E. This resolution shall take effect immediately.

PASSED AND ADOPTED this 16th day of July, 1997.

_____
Chairman

ATTEST:

_____
Clerk

EXHIBIT A
PURCHASE PRICE OF 1997 BONDS
PURCHASE PRICE OF 1997A BONDS

Principal amount of 1997A Bonds	$5,900,000.00
Less Underwriter's Discount	88,500.00
Purchase Price	$54,811,500.00
Plus Accrued Interest (assuming delivery on July 24,1997)	20,722.52
Total	$5,832,222.52

MATURITIES, AMOUNTS, INTEREST RATES AND PRICES OF 1997A BONDS

YEAR OF MATURITY	PRINCIPAL AMOUNT	INTEREST RATE	PRICE
1999	$ 175,000	4.40%	100%
2000	185,000	4.60%	100%
2001	195,000	4.70%	100%
2002	205,000	4.80%	100%
2003	210,000	4.90%	100%
2004	220,000	5.00%	100%
2005	235,000	5.10%	100%
2006	245,000	5.15%	100%
2007	260,000	5.20%	100%
2008	270,000	5.30%	100%
2009	285,000	5.35%	100%
2010	300,000	5.45%	100%
2011	315,000	5.50%	100%
2012	335,000	5.55%	100%
2018	2,465,000	6.00%	100%

PURCHASE PRICE OF 1997B BONDS

Principal amount of 1997B Bonds	$4,100,000.00
Less Underwriter's Discount	61,500.00
Purchase Price	$4,038,500.00
Plus Accrued Interest (assuming delivery on July 24,1997)	14,282.36
Total	$4,052,782.36

MATURITIES, AMOUNTS, INTEREST RATES AND PRICES OF 1997B BONDS

YEAR OF MATURITY	PRINCIPAL AMOUNT	INTEREST RATE	PRICE
1999	$ 135,000	4.40%	100%
2000	140,000	4.60%	100%
2001	145,000	4.70%	100%
2002	155,000	4.80%	100%
2003	160,000	4.90%	100%
2004	170,000	5.00%	100%
2005	175,000	5.10%	100%
2006	185,000	5.15%	100%
2007	195,000	5.20%	100%
2008	205,000	5.30%	100%
2009	215,000	5.35%	100%
2010	225,000	5.45%	100%
2011	240,000	5.50%	100%
2012	255,000	5.55%	100%
2017	1,500,000	6.00%	100%

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, came before the Board and presented his report for the month of June/July 1997. He stated he was available for questions.

Mrs. Ralph stated that while Mr. Faison was here she wished to bring up one item. She did not intend to bring up any prices but wanted to know the Board's pleasure. They are pricing or trying to secure

someone to do the plans for the building enclosure. They have tried, through Mr. Faison's good efforts, to secure someone that is an individual, not a big architectural engineering firm, just somebody that does this on a consultant basis. We have been able to do that and we do have those bids that we can bring to you and share with you. We wanted to find out first if that is the direction that you wanted us to go in. We are going to have somebody to draw up the plans for this project. We are saving money now by having Mr. Faison do the contract and construction administration so we do not go through a general contractor, but we do have to have an engineer to draw up the plans and we have to have specs to give out. She stated that she had them copied and was ready to move on this is the Board wished. Mr. Faison passed out the copies for the Board to review. Mr. Faison stated that what they were trying to do is enclose the outer area of the building and convert it into office space instead of idle space. We need to have someone who has a minimum of a PE to help design it. He further stated that he had solicited prices from three (3) individuals. Mr. Bracey asked when she wished a decision on this project. Mrs. Ralph stated that she felt that these prices would hold until the next Board meeting; it was really up to the Board as to how fast they wished to move on the project. Mr. Faison stated that he personally would like for the Board to review the information and bring their decision back to the next meeting.

IN RE: APPOINTMENTS

Mrs. Pamla Mann, Administrative Secretary, stated that we had one (1) appointment that needed to be made to the Social Services Board. Mr. Bracey stated that the appointment would be ready for the first meeting in August. It was the Board's decision to handle this at the August 6, 1997 meeting.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated that he wanted to thank the Board for their vote of confidence in having him here. He further stated that it feels like he already discussed at least a couple of hundred issues. Mrs. Ralph was not at all shy about bringing him right in there. He is very pleased to be here and everyone has welcomed him so far. He feels quite welcome and he appreciates that. The staff is excellent and he is looking forward to working with all of them. Because this package was put together before his arrival he opted to let Mrs. Ralph handle the comments this evening. As of the first meeting in August he will be ready to handle them himself.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- DARVILLS COMMUNITY CENTER

Mrs. Ralph stated that the Board had in their package the additional information from the Darvills Community Center. After some discussion the Board decided to set a Public Hearing on September 3, 1997. Mrs. Ralph was instructed to contact Rennie Bridgeman, a representative of the Center, to let him know about the hearing.

Mr. Bracey asked about the cost of advertisement and the filing of tax exempt status for the Center. After much discussion a motion was made to pay for the advertisement.

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Moody voting "aye" and Mr. Bracey voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Dinwiddie County absorb the cost of advertisement for the Public Hearing for the tax exempt status for Darvills Community Center.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- DINWIDDIE BRANCH LIBRARY

Mrs. Ralph continued that she had been working on an agreement for the use of the Clerk's Office, once it is vacated, for a Branch Library. She had now received from the Foundation the things that they would like to ask for, what they have planned to, or what they would expect in the form of an agreement. She stated that she had just gotten it and would like to have time for the County Attorney to take a look at it. As soon as that is done we will bring it to the Board to review and see if there are any changes that they deem necessary. From there we

could in turn start working on the agreement with the Appomattox Regional Library, as we would treat that like we do the other Branches within that system. Just to provide the service, not to operate the building or own the building, but just to provide the service. The way the school was doing on the trailer was that they were charging a fee so that at least the utilities were being covered. Mrs. Ralph elaborated on the items that the Foundation stated they would use their money toward and what we might be responsible for. Mr. Bracey stated that we need a cost printout- what will this Library cost the County. Mrs. Ralph stated that it should not cost the County any more than it is costing it now for the Library to operate.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay - He asked if the County was going to have a problem when the year become 2000. There was no answer to that question at this time.

Mr. Bracey - In the Virginia Business magazine that he had in front of him, he thought that someone today alluded to a place, the building that has all - it is at Chesapeake Conference Center where the VACo can have their meeting and they have 650 rooms. This will open in September 1997.

Mrs. Everett - She stated that the Board had requested her to attend a meeting in Petersburg on July 7, 1997, with regard to the relocation of the WAC Museum from Alabama. She presented a report of the items discussed at the meeting and the course of action the committee plans to take.

Mrs. Everett also stated that she was very proud of the Board members that attended the Millennium Saturday night. They were all dressed in tuxes and they looked really great. Mrs. Pamela Moody, our Chairman's wife, was probably one of the most beautiful women at the party.

Mr. Moody - He stated that speaking of dinners the Planning Commission is getting a pretty full plate on it's table and they were wondering if they could have a couple of meetings where they could have a working dinner along with the Planning Commission meeting. This was to help them catch up on some of the items.

After some discussion the Board agreed to allow them to have the requested meetings.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - EMS; Landfill; Section 2.1 - 344 (a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made; and Section 2.1 - 344 (a) 7 - consultation with legal counsel - Update on the Virginia Bio-Fuel Litigation. The meeting moved into Executive Session at 5:17 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:35 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby, certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: PROPOSED CAPITAL FUNDING STRATEGY

The Board of Supervisors met in joint session with the School Board to review a presentation by Mr. Darrell Hill from Wheat First Butcher Singer on the County's Proposed Capital Funding Strategy.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 8:30 P.M. to be continued until 5:00 P.M., August 6, 1997 in the Pamplin Administration Building.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST:
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 6TH DAY OF AUGUST, 1997, AT 5:00 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	BEN EMERSON	COUNTY ATTORNEY

*Michael H. Tickle arrived at 5:05 P.M.
*Ben Emerson arrived at 5:22 P.M.

IN RE: CALL TO ORDER

Chairman Harrison Moody called the meeting to order at 5:02 P.M., stating this meeting was to review a commemorative map being produced under the guidance of the Planning Department. At this point Mr. Moody turned the meeting over to the Planning Department.

IN RE: REVIEW OF COMMEMORATIVE MAP

Ms. Cheryl Stewart, Secretary for the Planning Department, came before the Board and made a presentation of a commemorative map that is being produced for the County by Kaleidoscope Designs. The funding for this map is made available from businesses in the County through advertisement in the map. The map will be printed on a tri-fold with information and photographs; highlighting points of interest in the County along with the major corridors. The map will also have fire stations, schools, and utility locations designated thereon. Ms. Stewart showed the Board several photographs that were being considered for use in the tri-fold. These photographs were courtesy of Mr. Tom VanPelt. There will be 5,000 maps produced, with 2,500 going to the businesses and 2,500 to the County.

After much discussion it was decided to place the project into the hands of Ms. Stewart, with a draft being presented to the Board before final printing.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body; Section 2.1-344(a) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose; Section 2.1-344(a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating in the community; and Section 2.1-344(a) 7-Consultation with legal counsel - VBF litigation; the Board moved into Executive Session at 5:26 P.M. The Board recessed to the Administration Building at 5:50 P.M. to continue in Executive Session at The Homeplace Restaurant. A vote having been made and approved the meeting reconvened into Open Session at 7:35 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 7:38 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST:
R. Martin Long
County Administrator

/pam

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 6TH DAY OF AUGUST, 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
	BEN EMERSON	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: AMENDMENT TO AGENDA

Chairman Moody stated that a letter had been received from Thelma Bass, requesting that her special exception request be withdrawn. The SA-97-3 Public Hearing scheduled for tonight which is Agenda Item 8, Section 8, will not be heard because of this request.

Upon motion of Mrs. Everett, 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 Item 8, Section 8, SA-97-3 - Thelma Bass - Special Exception, be deleted from the agenda per request from the applicant.

IN RE: MINUTES

Mr. Bracey stated that at the previous Board of Supervisors meeting he had requested information from the School Board. To date he has not received this information. He stated that requested information is expected within twelve (12) days and he would like Administration to check into why he had not received this information.

Upon Motion of Mrs. Everett, seconded by Mr. Bracey, 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 minutes of the July 16, 1997 regular meeting and the July 16, 1997 continuation meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mrs. Pamla Mann, Administrative Secretary, stated that the claims included an invoice from the Airport and Industrial Authority in the amount of $544.94 to be drawn against the new Dinwiddie County promissory note dated May 7, 1997. There is also a supplemental claim in the amount of $1,493.00 for the construction of the office for the Registrar. The money for this construction will come from the Physical Plant Maintenance Fund.

Upon motion of Mr. Tickle, 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 the following claims are approved and funds appropriated for same using checks #1006840 - #1007086 (void checks 1006596, 1006935, 1007044 and 1006978); for Accounts Payable in the amount of $72,470.39; General Fund FY 96-97 $9,940.59, FY 97-98 $48,748.79; Jail Commission FY 96-97 $644.02; Landfill Fund FY 96-97 $1,233.91; E911 Fund FY 97-98 $2,330.98; Self Insurance Fund FY 96-97 $187.50; CDBG Grant Fund FY 96-97 $3,793.29; Payroll General Fund $290,030.59; and CDBG Grant Fund

$457.76. The supplement claim for Accounts Payable in the amount of $1,493.00 from the General Fund and the invoice from the Dinwiddie County Airport and Industrial Authority in the amount of $544.94 were also included and approved.

IN RE: APPROVAL OF REQUISITION #26 AND REQUISITION #1 -- COURTHOUSE CONSTRUCTION

Mrs. Mann stated that Requisition #28 and Requisition #1 for the Courthouse consists of payments to:

Dunbar, Milby, Williams, Pittmann & Vaughan	$ 160.00
Gulf Seaboard General Contractors Inc.	$ 585,057.50
ECS, LTD	1,332.12
Total	$ 586,549.62

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 #28 in the amount of $586,549.62 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that she wanted the Board to be aware that this Requisition will be split between the last $5.5 Million Bond Issue and the new $4.1 Million Bond Issue.

IN RE: DISPOSITION OF TRIGON STOCK

Mr. R. Martin Long, County Administrator, stated that Mr. William E. Jones, Treasurer, was here to address this issue with the Board.

Mr. Jones came before the Board to present his recommendations for the disposition of the Trigon Stock. He again went over what options the Board had with regard to the Stock. Mr. Jones recommended that we place the stock with Mentor Investments, at a cost to the County of $.05 per share, and allow them to place it in a block trading pool.

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Moody voting "aye", Mr. Tickle, Mr. Bracey voting "nay",

BE IT RESOLVED BY the Board of Supervisors of Dinwiddie County, Virginia, that the Trigon Stock be placed with Mentor Investments, at a cost to the County of $.05 per share, allowing them to sell the shares in a block trading.

IN RE: CITIZEN COMMENTS

The following person addressed the Board:

1. Paul B. Coleman, 8018 Boydton Plank Road, representing Virginia Motorsports Park, came before the Board to request permission from them to have a fireworks display on August 23, 1997.

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Moody voting "aye", Mr. Bracey "abstaining",

BE IT RESOLVED BY the Board of Supervisors of Dinwiddie County, Virginia, that the Virginia Motorsports Park is authorized to have a fireworks display at the Park on August 23, 1997. Said display will be contracted and conducted by Dominion Fireworks. This authorization is subject to the Building Inspection Office final inspection of the property and approval of same.

IN RE: P-97-6 -- PUBLIC HEARING -- REZONING -- JOHNNY BAIN AGENT FOR CHARLES R. STONE
P-97-7 -- PUBLIC HEARING -- REZONING -- JOHNNY BAIN AGENT FOR BEAR ISLAND TIMBERLAND
P-97-8 -- PUBLIC HEARING -- REZONING -- JOHNNY BAIN AGENT

FOR BEAR ISLAND TIMBERLAND

Chairman Moody requested that Mr. W. C. "Guy" Scheid, Director of Planning, come forward to present these requests. Mr. Moody further stated that the first three Public Hearings were very similar in nature and it was requested that they be presented together. Public comments will be taken after Mr. Scheid's presentation for all three cases.

P-97-6 --REZONING -- JOHNNY BAIN AGENT FOR CHARLES R. STONE

This being the time and place as advertised in the Dinwiddie Monitor on June 25, 1997 and July 2, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering a the request to change the district classification of Tax Map Parcel 6-21 containing approximately 100 acres from Agricultural, General, A-2 to Residential, Conservation, R-R. Mr. Scheid stated that the Board had before them P-97-6; P-97-7; and P-97-8. He would begin with P-97-6. The Planning Commission reviewed this rezoning request on July 9, 1997. On a 7-0 vote, the Planning Commission recommends approval of the request with proffers.

BACKGROUND INFORMATION

The subject property is located on the south side of Namozine Road (Rt. 708) approximately at the intersection with Midway Road (Rt. 739).

The property is cut over timber and consists of rolling terrain, but does not have severe slopes. There are a few drainage channels which flank the property. The two (2) main soil groups contained within the property are: Cecil (4B); and Herndon (10B). Generally, there is a slight limitation for dwellings with or without basements; moderate limitation on road construction; and moderate limitation for on-site septic systems.

The Dinwiddie County Comprehensive Plan designates this property for agricultural use. The property is located within the **Rural Conservation Area,** as designated by the Dinwiddie County Comprehensive Plan. A brief outline of the applicable strategies for this planning area follow:

Rural Conservation Area (approximately 290,000 acres; 90% of the County)

* expected to accommodate 5% to 10% of future residential development;
* all developments within the rural conservation areas are expected to help maintain the long-term viability of the rural characteristics, with a minimum of land use conflicts between residential and agricultural uses;
* development in these areas will be of a very low density and thus very minimal increases in public services will be needed;
* average overall residential density will be one (1) dwelling unit per five (5) acres, with no individual lot less than two (2) acres; and
* prime agricultural land will be identified and preserved.

ANALYSIS

Recently, the subdivision ordinance was amended, and the definition of subdivision changed. Additionally, Section 18-12 required the rezoning of A-2 property to a residential category if the property is intended to be subdivided into three (3) parcels or more. There is large lot development immediately adjacent to this property (on the east and south side). Property immediately across Route 708 is zoned R-R. It appears this request is consistent with development found in this area. It is further mentioned that the number of use contained in R-R is significantly less than those in A-2.

PROFFERS

1. No lot shall be used except for the purpose of a single-family residence. Not more than one single-family residence, together with such outbuildings as may be appurtenant to such single-family residence, shall be erected on any Lot. The minimum area of any residence built on the Property shall be one thousand three hundred (1,300) square feet, exclusive of garages, porches, and any outbuildings. Up to one third of any such residence may be unfinished.

2. No mobile homes, manufactured housing, or house trailers, whether or not permanently attached to the Property, shall be allowed on any Lot. No structure of a temporary character including without limitation any trailer, tent, or shack, shall be allowed on any Lot. However, construction trailers used in connection with the construction of any permitted building shall be permitted for the duration of such construction. In addition, no garage, barn, or other outbuilding shall be used on any Lot as a residence temporarily or permanently at any time.

3. No Lot shall, at any time, be used or maintained as a dumping ground for rubbish, hazardous waste, or toxic substances of any nature.

4. No inoperable or unlicensed motor vehicle shall be stored on any Lot except within a fully enclosed garage or must comply with applicable county or state regulations.

5. Fences located in the front yard, as defined in the Zoning Ordinance of Dinwiddie County of any Lot shall be constructed only of split rails solid wood boards, or wooden pickets. Walls located in the front yard of any Lot shall be constructed of brick or stone. Fences and walls of other materials may be constructed in the side yards or rear yards, of any Lot, provided such fences or walls are screened from the view from any public road adjoining such Lot.

P-97-7 --REZONING -- JOHNNY BAIN AGENT FOR BEAR ISLAND TIMBERLANDS

This being the time and place as advertised in the Dinwiddie Monitor on June 25, 1997 and July 2, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering the request to change the district classification of Tax Map Parcel 81-34 and 81-35 containing approximately 51.0 acres from Agricultural, General, A-2 to Residential Conservation, R-R. Mr. Scheid stated that this was case P-97-7. The Planning Commission reviewed this rezoning request on July 9, 1997. On a 7-0 vote, the Planning Commission recommends approval of the request with proffers.

BACKGROUND INFORMATION

The subject property is located on the south side of Sapony Church Road (Rt. 692) approximately at the intersection with McKenney Highway (Rt. 40).

The property is cut over timber which had been filled, in part, with material from the road construction on Route 692. The land is slightly sloping and appears to drain well. The main soil type contained within the property is: Georgeville which contains the following characteristics: slight limitations on homesites; moderate limitation on road construction; and moderate limitation for on-site septic systems.

The Dinwiddie County Comprehensive Plan designates this property for agricultural use. The property is located within the **Rural Conservation Area,** as designated by the Dinwiddie County Comprehensive Plan. A brief outline of the applicable strategies for this planning area follow:

Rural Conservation Area (approximately 290,000 acres; 90% of the County)

* expected to accommodate 5% to 10% of future residential development;

* all developments within the rural conservation areas are expected to help maintain the long-term viability of the rural characteristics, with a minimum of land use conflicts between residential and agricultural uses;

* development in these areas will be of a very low density and thus very minimal increases in public services will be needed;

* average overall residential density will be one (1) dwelling unit per five (5) acres, with no individual lot less than two (2) acres; and

* prime agricultural land will be identified and preserved.

ANALYSIS

Recently, the subdivision ordinance was amended, and the definition of subdivision changed. Additionally, section 18-12 required the rezoning of A-2 property to a residential category if the property is intended to be subdivided into three (3) parcels or more. The VDOT is in the process of upgrading Route 692. They will tar and gravel the road. The property is in close proximity to the Town of McKenney and I-85. Route 40 provides good access east and west. It is worth noting that the number of use contained in R-R is significantly less than those in A-2.

PROFFERS

1. No lot shall be used except for the purpose of a single-family residence. Not more than one single-family residence, together with such outbuildings as may be appurtenant to such single-family residence, shall be erected on any Lot. The minimum area of any residence built on the Property shall be one thousand two hundred (1,200) square feet, exclusive of garages, porches, and any outbuildings.

2. No mobile homes, manufactured housing, or house trailers, whether or not permanently attached to the Property, shall be allowed on any Lot. No structure of a temporary character including without limitation any trailer, tent, or shack, shall be allowed on any Lot. However, construction trailers used in connection with the construction of any permitted building shall be permitted for the duration of such construction. In addition, no garage, barn, or other outbuilding shall be used on any Lot as a residence temporarily or permanently at any time.

3. No Lot shall, at any time, be used or maintained as a dumping ground for rubbish, hazardous waste, or toxic substances of any nature.

4. No inoperable or unlicensed motor vehicle shall be stored on any Lot except within a fully enclosed garage or must comply with applicable county or state regulations.

P-97-8 -- REZONING -- JOHNNY BAIN AGENT FOR BEAR ISLAND TIMBERLANDS

This being the time and place as advertised in the Dinwiddie Monitor on June 25, 1997 and July 2, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering the request to change the district classification of a portion of Tax Map 32-10 and 32-11 containing approximately 100 acres from Agricultural, General, A-2 to Residential, Conservation, R-R. Mr. Scheid stated that this was case P-07-8. The Planning Commission reviewed this rezoning request on July 9, 1997. On a 7-0 vote, the Planning Commission recommends approval of the request with proffers.

BACKGROUND INFORMATION

The subject property is located on the west and east side of Route 631 (Claiborne Road) adjacent to Hatchers Run. The western tract was timbered several years ago and the eastern tract is being selective cut at present. The slope is slight to severe. The major soil group is Cecil (4B & 4C) with the following characteristics: moderate limitation on septic system; slight to moderate limitations on homesites; and moderate limitation on streets. The property is well drained and flows into Hatcher's Run.

The Dinwiddie County Comprehensive Plan designates this property for agricultural use. The property is located within the **Rural Conservation**

Area, as designated by the Dinwiddie County Comprehensive Plan. A brief outline of the applicable strategies for this planning area follow:

Rural Conservation Area (approximately 290,000 acres; 90% of the County)

* expected to accommodate 5% to 10% of future residential development;

* all developments within the rural conservation areas are expected to help maintain the long-term viability of the rural characteristics, with a minimum of land use conflicts between residential and agricultural uses;

* development in these areas will be of a very low density and thus very minimal increases in public services will be needed;

* average overall residential density will be one (1) dwelling unit per five (5) acres, with no individual lot less than two (2) acres; and

* prime agricultural land will be identified and preserved.

ANALYSIS

Recently, the subdivision ordinance was amended, and the definition of subdivision changed. Additionally, section 18-12 required the rezoning of A-2 property to a residential category if the property is intended to be subdivided into three (3) parcels or more. There are several large lot subdivisions in the area, such as: Dabney Estates, Trench Drive, Trench Road, Edwin Drive and Frances Drive. There has been considerable roadside development along White Oak Road, Claiborne Road, and Butterwood Road. It appears that this request is consistent with development in the Sutherland area. It is further mentioned that the number of uses contained in R-R are significantly less than those in A-2.

PROFFERS

1. No lot shall be used except for the purpose of a single-family residence. Not more than one single-family residence, together with such outbuildings as may be appurtenant to such single-family residence, shall be erected on any Lot. The minimum area of any residence built on the Property shall be one thousand three hundred (1,300) square feet, exclusive of garages, porches, and any outbuildings. Up to one third of any such residence may be unfinished.

2. No mobile homes, manufactured housing, or house trailers, whether or not permanently attached to the Property, shall be allowed on any Lot. No structure of a temporary character including without limitation any trailer, tent, or shack, shall be allowed on any Lot. However, construction trailers used in connection with the construction of any permitted building shall be permitted for the duration of such construction. In addition, no garage, barn, or other outbuilding shall be used on any Lot as a residence temporarily or permanently at any time.

3. No Lot shall, at any time, be used or maintained as a dumping ground for rubbish, hazardous waste, or toxic substances of any nature.

4. No inoperable or unlicensed motor vehicle shall be stored on any Lot except within a fully enclosed garage or must comply with applicable county or state regulations.

5. Fences located in the front yard, as defined in the Zoning Ordinance of Dinwiddie County of any Lot shall be constructed only of split rails solid wood boards, or wooden pickets. Walls located in the front yard of any Lot shall be constructed of brick or stone. Fences and walls of other materials may be constructed in the side yards or rear yards, of any Lot, provided such fences or walls are screened from the view from any public road adjoining such Lot.

Mr. Scheid stated that the applicants representative Mr. Bain was present. The first application was submitted by Stone Container, the other two were submitted by Bear Island Timberland. Mr. Scheid stated he was now available for questions on these cases. Mr. Scheid addressed the issues of mobile homes; double wides; earthworks; roads; and the acreage requirements. It was suggested that Mr. Bain add the additional proffer to P-97-8 to cover the Civil War earthworks.

Mr. Bain came before the Board and also addressed the questions regarding the roads and earthworks issues. He assured the Board that any earthworks found would be preserved. Mr. Bain agreed to the addition of proffer number six (6) to case P-97-8. He further stated that if the persons he represented had a problem with the wording of this proffer he would bring the matter back before the Board.

ADDITIONAL PROFFER P-97-8 -- REZONING -- JOHNNY BAIN AGENT FOR BEAR ISLAND TIMBERLANDS

6. If any Civil War earthworks are found on the property, Bear Island will speak with the County Planner on ways to preserve, as much as possible, these historical breakworks.

PUBLIC HEARINGS

Chairman Moody opened the Public Hearings for P-97-6; P-97-7; & P-97-8. There being no citizens signed up to speak, Mr. Moody asked if there was anybody present wishing to speak.

1. Mr. Tom Green, 19312 Namozine Road, adjacent property owner to P-97-6, came before the Board. He was concerned about mobile homes or double wides being allowed on this property. Mr. Moody stated that if this property is rezoned mobile homes and double wides will not be allowed.

2. Mr. B. Z. Clarke, an adjacent property owner to Claiborne Road, understood that they were allowing mobile homes and double wides on Claiborne Road. Mr. Moody stated that if the rezoning is approved they will not allow mobile homes and double wides. Mr. Clarke stated that this is a historical area and he would like see it preserved as much as possible.

There being no other person desiring to speak on P-97-6; P-97-7; and P-97-8, Mr. Moody declared the Public Hearings closed.

P-97-6 -- REZONING --JOHNNY BAIN AGENT FOR CHARLES R. STONE

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 Zoning Map of the County of Dinwiddie be amended by changing the district classification of Section 6, Parcel 21, containing approximately 100 acres, from Agricultural, General, A-2 to Residential, Conservation, R-R. Said property is generally bounded as follows: to the north by State Route 708 (Namozine Road); to the south by the lands of Marvin Joyner, Larry Williams, Terry Allen, Emmett Reese Elmer Jeter, Marvin Gilliam, and Michael Newcomb; and to the west by State Route 739 (Midway Road) and the lands of Barbara Potts and Jeffery Canter. This rezoning shall include proffers recommended by the Planning Commission. This ordinance shall become effective immediately and in all other respects, said zoning maps remain unchanged, and

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

P-97-7 -- REZONING --JOHNNY BAIN AGENT FOR BEAR ISLAND TIMBERLANDS

Upon motion of Mr. Tickle, 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 Zoning Map of the County of Dinwiddie be amended by changing the district classification of Section 81, Parcels 34 & 35, containing approximately 51 acres, from Agricultural, General, A-2 to Residential, Conservation, R-R. Said property is generally bounded as follows: to the north by State Route 692 (Sapony Church Road); to the east and south by the lands of Vannie Drumgoole and the Green family (c/o Phillip Johnson); and to the west by the McKenney Highway and the lands of Fontasia Fitzgerald. This rezoning shall include proffers recommended by the Planning Commission. This ordinance shall become effective immediately and in all other respects, said zoning maps remain unchanged, and

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

P-97-8 -- REZONING --JOHNNY BAIN AGENT FOR BEAR ISLAND TIMBERLANDS

Upon motion of Mr. Tickle, seconded by Mrs. Everett, 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 Zoning Map of the County of Dinwiddie be amended by changing a 50 acre portion of Section 32, Parcel 10 and a 50 acre portion of Section 32, Parcel 11, from Agricultural, General,. A-2 to Residential, Conservation, R-R. Said portions of the above referenced parcels are generally bounded as follows:

1. Section 32, Parcel 10 - to the north by Hatchers Run; to the east by Claiborne Road (State Route 613) as measured approximately 1500 feet in a southerly direction from Hatchers Run; to the south by the lands of Bear Island Timberlands to a creek; and to the west by a creek measuring at its furthest point a distance of 1460 feet from Claiborne Road; and

2. Section 21, Parcel 11 - to the north by Hatchers Run; to the west by Claiborne Road (State Route 613) as measured approximately 1200 feet in a southerly direction from Hatchers Run; to the south by the lands of Bear Island Timberlands approximately 1600 feet from Claiborne Road along an existing logging road; and to the east by the lands of Bear Island Timberlands, said line being roughly parallel to Claiborne Road and connecting the logging road with Hatchers Run. This rezoning shall include proffers as recommended by the Planning Commission. This ordinance shall become effective immediately and in all other respects, said zoning maps remain unchanged, and

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: P-97-9 -- PUBLIC HEARING -- REZONING -- HERBERT PHILLINGANE

This being the time and place as advertised in the Dinwiddie Monitor on June 25, 1997 and July 2, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering a request to change the district classification of a portion of Tax Map/Parcel 75-2 containing approximately 38 acres from Agricultural, General, A-2 to Rural, Residential, RR-1. Mr. Scheid came before the Board stating that this case was reviewed by the Planning Commission on July 9, 1997. On a 7-0 vote, the Planning Commission recommends approval of this request.

BACKGROUND INFORMATION

The subject property is located on the east side of Carson Road (Rt. 703) approximately 1 mile west of Carson. The property has young pine trees growing on it and consists of slight to moderate rolling terrain.

Drainage on this property does not appear to be a problem but there are areas in the vicinity in which the water does not flow well. The main soil group in this area is Emporia. Generally, there are moderate limitations on roads, slight limitation on home site construction and severe limitations for on-site septic systems. It must be stated that the soil survey is a general document which should be used in conjunction with field analysis for site specific projects. It is Mr. Scheid's understanding that Larry Madison, a soil scientist, has been on this site and believes the property can be developed as proposed.

The Dinwiddie County Comprehensive Plan designates this property for agricultural use. The property is located within the **Rural Conservation Area,** as designated by the Dinwiddie County Comprehensive Plan. A brief outline of the applicable strategies for this planning area follow:

Rural Conservation Area (approximately 290,000 acres; 90% of the County)

* expected to accommodate 5% to 10% of future residential development;

* all developments within the rural conservation areas are expected to help maintain the long-term viability of the rural characteristics, with a minimum of land use conflicts between residential and agricultural uses;

* development in these areas will be of a very low density and thus very minimal increases in public services will be needed;

* average overall residential density will be one (1) dwelling unit per five (5) acres, with no individual lot less than two (2) acres; and

* prime agricultural land will be identified and preserved.

ANALYSIS

Recently, the subdivision ordinance was amended, and the definition of subdivision changed. Additionally, Section 18-12 required the rezoning of A-2 property to a residential category if the property is intended to be subdivided into three (3) parcels or more. While there has not been a lot of development in this area, it is worth noting that the property has good access to Route 703 which has been identified as a minor arterial by our comprehensive land use plan and is close to I-95 and the Carson community. It is further mentioned that the number of uses contained in RR-1 is significantly less than those in A-2.

Mr. Scheid asked the Board for questions regarding this case. There was some discussion on soil analysis and drainage in the area.

Mr. Ronald Gordon. Certified Land Surveyor, came before the Board as a representative on the applicant, Mr. Herbert Phillingane. He discussed with the Board drain fields and size and number of lots. Also discussed was the entrance to the lots, where they would be located. All lots will face the new road, not Rt. 703.

PUBLIC HEARING

Mr. Moody opened the public hearing on P-97-9. There was no one present wishing to speak. The Public Hearing was declared closed.

P-97-9 -- REZONING -- HERBERT PHILLINGANE

Upon motion of Mr. Clay, seconded by Mr. Tickle, 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 a portion of section 75, parcel 2, of the Dinwiddie County Tax Maps containing approximately 38 acres be amended by changing the district classification from Agricultural, General, A-2 to Residential, Rural, RR-1. Said parcel is more specifically defined by a preliminary

sketch prepared by Ronald Gordon, surveyor, dated April 30, 1997 for Herbert A. and Nancy B. Phillingane. Said land is generally bounded to the north by the lands of John Clements, to the west by Carson Road (Route 703), to the south by the lands of Alice Raines and Catherine Decker, and to the east by the balance of lands owned by Herbert and Nancy Phillingane. This ordinance shall be in full force and effective immediately, and

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: C-97-3 -- PUBLIC HEARING -- CONDITIONAL USE PERMIT -- KATHERINE MOORE

This being the time and place as advertised in the Dinwiddie Monitor on June 25, 1997 and July 2, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering approval of the conditional use permit submitted by Kathryn Dodge-Moore to establish a dog kennel on Tax Parcel #45 (18) 16 containing approximately 37.6 acres. This parcel is zoned Agricultural, General A-2. Mr. Scheid stated that the Planning Commission reviewed this rezoning request, on July 9, 1997. The property is owned by Ms. Moore and is located at the end of Eastside Lane (a private road) which is located near the intersection of Hunnicut Road and Boydton Plank Road (across from the Middle School). On a 7-0 vote, the Planning Commission voted to recommend approval of the conditional use permit by the Board of Supervisors with the ten (10) conditions noted in the Staff report.

BACKGROUND INFORMATION

The Planning Commission and Board of Supervisors have reviewed similar requests in the past for kennels. The most recent case being C-96-1, submitted by Eva Bratschi. The land under review was purchased from Mr. Harrison who subdivided several tracts into large parcels. There are very few homes located in this area at this time. The property is zoned Agricultural. General, A-2; and kennels are permitted in this district with a conditional use permit.

ANALYSIS

There is little guidance staff can give to the Planning Commission on this matter. Each request must stand on its on merits. Examples can be given in support of, and opposition to, this type of use in sparsely developing areas.

CONDITIONS

1. Before any construction can begin a site plan, prepared by an engineer or certified land surveyor, must be approved by the Planning Department. This site plan shall also include a grading plan showing the current topography at two foot contours.

2. An erosion and sediment control plan for any land disturbing activities must be submitted to and approved by the Planning Department. This will include a storm water management plan which will include controls during the construction and field operation phases of the facility.

3. The entire kennel shall be enclosed with wire-mesh type fencing of a design and height subject to approval of the Planning Department. Kennel facilities or runs shall not be located closer than 100 feet to any property line and no closer than 100 feet to any well, watercourse or drainageway, natural or man-made.

4. A complete set of structural plans as determined by the Building Official shall be submitted to and approved by the Building Official prior to the commencing of any construction.

5. All signs erected on or in conjunction with the facility are subject to approval of the Zoning Administrator.

6. Copies of any local and state permits or licenses must be on file with the Planning Department prior to the issuance of a Certificate of Occupancy.

7. All canine feces shall be disposed of by combination above ground and under ground disposal system and pursuant to County and Health Department guidelines.

8. No more than twenty-five (25) dogs shall be permitted at the facility an any one time. This shall include dogs that are over six (6) months of age or dogs that have been boarded for more than fourteen (14) consecutive days.

9. All canines dying on premises shall be disposed of pursuant to applicable County and Health Department guidelines.

10. The applicant or future land owners shall maintain their permanent residence on-site. Failure to do so shall render this conditional use permit null and void.

Mr. Scheid asked the Board if they had any questions on this case. There was some discussion of the inspection of the kennels on a periodic basis.

PUBLIC HEARING

Mr. Moody opened the public hearing on C-97-3. There was no one present wishing to speak. The Public Hearing was declared closed.

Mr. Bracey asked if there could be a fee attached to these kennels for an annual inspection. Mr. Scheid stated he would check with other localities on how they handle this matter. Mrs. Everett asked why the applicant was not present for this Public Hearing. Mr. Scheid stated he did not know why she was not present, she was notified of the time and date of the meeting. Mr. Scheid further stated that at the Planning Commission meeting her case was quite late, 11:15 or so. No one spoke in opposition at that time.

C-97-3 -- CONDITIONAL USE PERMIT -- KATHERINE MOORE

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 conditional use permit be approved on Tax Map Parcel 45-(18)-16 allowing a kennel to be established with the following conditions:

1. Before any construction can begin a site plan, prepared by an engineer or certified land surveyor, must be approved by the Planning Department. This site plan shall also include a grading plan showing the current topography at two foot contours.

2. An erosion and sediment control plan for any land disturbing activities must be submitted to and approved by the Planning Department. This will include a storm water management plan which will include controls during the construction and field operation phases of the facility.

3. The entire kennel shall be enclosed with wire-mesh type fencing of a design and height subject to approval of the Planning Department. Kennel facilities or runs shall not be located closer than 100 feet to any property line and no closer than 100 feet to any well, watercourse or drainageway, natural or man-made.

4. A complete set of structural plans as determined by the Building Official shall be submitted to and approved by the Building Official prior to the commencing of any construction.

5. All signs erected on or in conjunction with the facility are subject to approval of the Zoning Administrator.

6. Copies of any local and state permits or licenses must be on file with the Planning Department prior to the issuance of a Certificate of Occupancy.

7. All canine feces shall be disposed of by combination above ground and under ground disposal system and pursuant to County and Health Department guidelines.

8. No more than twenty-five (25) dogs shall be permitted at the facility an any one time. This shall include dogs that are over six (6) months of age or dogs that have been boarded for more than fourteen (14) consecutive days.

9. All canines dying on premises shall be disposed of pursuant to applicable County and Health Department guidelines.

10. The applicant or future land owners shall maintain their permanent residence on-site. Failure to do so shall render this conditional use permit null and void, and

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: P-97-10 -- REZONING -- J. K. TIMMONS -- TIMMONS AND ASSOCIATES, AGENT FOR THE JMC CORP.

This being the time and place as advertised in the Dinwiddie Monitor on June 25, 1997 and July 2, 1997, for the Board of Supervisors of Dinwiddie County, Virginia, to conduct a public hearing for the purpose of considering the request to change the district classification of a portion of Tax Map/Parcel 21-130B containing approximately 4.83 acres from Residential, General, R-2 to Business, General, B-2. Mr. Scheid came before the Board stating that the Planning Commission reviewed this rezoning request on July 9, 1997. On a 7-0 vote, the Planning Commission recommends approval of the request.

BACKGROUND INFORMATION

The Comprehensive land use plan designates this area as an Urban Planing Area which, in part, stated the following:

* expected to accommodate 80% of future industrial and commercial development

* the primary area for public facilities, water and sewer extensions and major transportation improvements, thus limiting the increase in costs for building and maintaining new facilities.

* cluster commercial developments are encouraged

* basis facilities such as roads, utilities, recreation and drainage facilities are to be provided by the developer.

The proposed land use for this area as shown on page 109 of the Comprehensive Land Use Plan is commercial. Policy statement #3 (page 8) says "maintain and enhance the County's ability to coordinate a balanced land use program among various types of residential, commercial and industrial interest by encouraging development within areas defined as growth centers and/or growth corridors. Attention is directed to the Public Facilities and Services, Goals and the Economic Development Goals contained on page 10 and 12 as reinforcing the policy Statement Quoted above.

ANALYSIS

Existing zoning adjacent to this property indicated a B-2 classification should be given serious consideration. The Comprehensive Land Use Plan identifies this area for commercial purposes. East Coast has build upon this property recently and constructed an interior road system. Public water and sewage are available.

Mr. Scheid asked the Board if they had any questions on this case. There was some discussion regarding this rezoning.

Mr. David Smith, representative of the Thalhimer Group, came before the Board to answer any questions they might have. Mr. Tickle asked Mr. Smith about what their intentions were aesthetically and what type of details can you tell us about the use of the property without divulging any information that is confidential. Mr. Tickle asked Mr. Smith to also explain to the citizens how they will benefit from this rezoning. Mr. Smith responded by stating that it was their intention to develop a highway business park which will primarily contain hotels, restaurants, and possibly some fast foods. The companies we are dealing with are national corporations. The have an interest in being a nice looking park. It is primarily a highway business but they do receive business from local citizens. In order to insure an aesthetically pleasing project it is our intentions to record a set of restrictive covenants that will insure that the developer will have enforcement rights to make sure the grounds are well maintained, continue to be maintained. During the construction phase they will continue to have the right to approve architectural designs.

PUBLIC HEARING

Mr. Moody opened the public hearing on P-97-10. There was no citizen signed up to speak. Mr. Moody asked if there was anyone present wishing to speak.

1. Mr. Robert Belcher, 27516 Plank Road, came forward stating that this property is located directly across from the Westend Baptist Church and he was wondering if anyone had contacted them regarding this Hearing. Mr. Scheid stated that they were notified of this action by letter.

There being no other citizens wishing to speak Mr. Moody declared the Public Hearing closed.

Mr. Moody asked the Board if there was any further discussion on this case. There being none Mr. Moody stated he would entertain a motion.

P-97-10 --REZONING -- J. K. TIMMONS -- TIMMONS AND ASSOCIATES, AGENT FOR THE JMC CORP.

Upon motion of Mrs. Everett, 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 Dinwiddie County, Virginia that Section 21, Parcel 130B, of the Dinwiddie County Tax Maps be amended by changing the district classification from Residential, General R-2 to Business, General B-2. Said parcel contains approximately 4.83 acres and is generally bound as follows: to the west by the I-85 entrance ramp; to the north by the lands of James A. Musgrove; to the east by the lands of George H. Wall; and to the south by the lands of the JMC Corporation. This ordinance shall be in full force and effective immediately, and

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: A-97-9 -- AMENDMENT TO ZONING ORDINANCES --CAMPGROUNDS

This being the time and place as advertised in the Dinwiddie on June 25, 1997 and July 2, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering an ordinance to amend Section 22-1, definitions, by adding

the definition of campground and adding a new Section 22-241, entitled Requirements for Campgrounds. Mr. Scheid came before the Board stating that the Planning Commission staff has been involved in the discussion of campgrounds for over a year. In recent months, it was proposed that an amendment to the zoning ordinances be made regarding campgrounds. In view of the many discussions held, the staff drafted a proposed ordinance. The Planning Commission discussed the ordinance at their June 1997 public meeting. As a result of the many citizen comments, the Planning Commission held a public hearing on July 9, 1997. On a 7-0 vote, the Planning Commission voted to send the amendment to the Board of Supervisors for adoption.

AN ORDINANCE TO AMEND SECTION 22-1, DEFINITIONS, BY ADDING THE DEFINITION OF CAMPGROUND AND ADDING A NEW SECTION 22-241 ENTITLED REQUIREMENTS FOR CAMPGROUNDS

1. Add the following under Section 22-1 Definitions:

Campground: Shall mean and include, but not be limited to tourist camps, travel trailer camps, recreation camps family campgrounds, camping resorts, camping communities or any other area, place, parcel or tract of land, by whatever name called, on which three or more campsites are occupied or intended for occupancy, or facilities are established or maintained, wholly or in part, for the accommodation of camping units for periods of overnight or longer, whether the use of the campsites and/or facilities is granted gratuitously, by a rental fee, by lease, by conditional sale or by covenants, restrictions and easements. This definition is not intended to include summer camps, and migrant labor camps as defined in Sections 35-43 and 32-415, Code of Virginia, construction camps, permanent mobile home parks, or storage areas for unoccupied camping units.

2. Add a new section as follows:

Section 22-241. Requirements for campgrounds.

This section is intended to provide guidance to campground operators on land requirements which are in addition to those rules and regulations stipulated by the Commonwealth of Virginia governing campgrounds.

(1) Each campground shall contain a minimum of ten (10) acres, a minimum of fifty (50) campsites, and shall not exceed an average of twenty (20) campsites per acre inclusive of service roads, toilet buildings, recreational areas, etc.

(2) All campgrounds shall have a landscaped or wooded setback line of fifty (50) feet from any highway or public road right-of-way or 75-foot setback from the centerline of any highway or public road, whichever distance is greater.

(3) Each campground shall have at least twenty-five (25) feet of open space abutting all adjoining property and shall be contained within a board fence, evergreen hedge or screen which shall be a minimum of eight (8) feet in height or of sufficient density to screen the site from adjacent properties. All boarders shall be maintained properly in compliance with the intent of this requirement. No fence, hedge or screen need be constructed abutting any highway or public road provided paragraph (2) of this section is compiled with.

(4) All ingress and egress shall be to the required standard of the Virginia Department of Transportation.

(5) Streets within the campground shall be constructed with stone of sufficient width and depth to facilitate vehicular movement within the campground. Proper drainage of the site shall be provided.

(6) A minimum of ten (10) percent of the gross land area of the campground shall be reserved for recreational uses.

(7) Campground owners/operators must create a set of rules and regulations of his/her park. Such rules and regulations shall be enforced by the owner/operator. A copy of these rules and regulations shall be filed in the office of the county department of planning and community development.

(8) Before an application for a permit for the construction of a campground shall be approved by the Board of Supervisors, or its agent, the applicant shall, in lieu of construction, furnish cash escrow or a performance bond in an amount calculated by the Board of Supervisors, or it agent, to secure the required improvements in a workmanlike manner and in accordance with established or approved specifications and construction schedules, which bond shall be payable to and held by the county. In lieu of bond, development may be presented for inspection in completed form.

(9) Campground site plan development shall follow procedure and approval as set forth for subdivisions in chapter 18 of this Code.

(10) No existing campground shall be enlarged or extended unless the addition to the campground is made to conform to all requirements contained herein.

(11) No camping unit shall be placed in a campground until development standards are met, either by completion of plan or by bond.

(12) Each camping unit space shall be directly accessible from an approved internal street. No direct access to camping units spaces from public streets shall be permitted.

(13) Individual camping units shall be situated so that there is a minimum of twenty-five (25) feet between camping units.

(14) Each campsite (including parking space) shall provide a minimum of 1600 square feet of space and shall not be less than 25 feet at its narrowest point;

(15) All permanent buildings and structures shall be constructed under the provisions of the Uniform Statewide Building Code and the Board of Health. Any reconstruction, alteration, conversion or repairs required by the application of the Virginia Code and the regulations of the Board of Health shall be carried out in accordance with the provisions of the Uniform Statewide Building Code; and

(16) Permanent structures may be constructed on individual campsite lots but may not be permanently attached to the camping unit. The structure(s) are limited to an A-frame roof supported by posts and/or a porch/deck. The length of the A-frame structure and porch/deck shall not exceed the length of the camping unit by more than 12 inches. The opening under which the camping unit sits shall not exceed the width of the unit by more than 12 inches or the height of the unit by more than 12 inches (sitting level). The maximum width of the porch/deck shall be 8 feet. The maximum overhang at the eaves of the roof or deck/porch is not to exceed 12 inches. Porches may have wainscoting to a height not exceeding 3 feet and must be of the same material as the gable ends, if applicable. The porches may be screened. Two (2) weather proof outlets may be provided and a ceiling fan outlet to serve the deck/porch but such outlet shall be limited to one-120 volt, 20 amp circuit.

Mr. Scheid stated there was some discussion on some items after the Planning Commission meeting. In regard to Paragraph 13 and 14, it might be imprudent that these not be included. Item 14 is already

included in the State Code and item 13 refers to distance between camping units and that is something that could be self imposed by the camp-site people themselves. State Code does not allow anything less than 25 feet in width. In light of some of the concerns that were raised Mr. Scheid stated that he felt that it would be in the best interest, in considering this ordinance, that items 13 and 14 be deleted.

Mr. Scheid then asked the Board if there were any questions. There was some discussion regard the deletion of items 13 and 14. There was also discussion as to the taxation of improvements to campground sites such as porches, decks, or A-frames. All improvements are taxable.

PUBLIC HEARING

Mr. Moody opened the public hearing on A-97-9. The following persons came before the Board:

1. Edward Titmus, 5704 Rocky Branch Road, Sutherland, came forth stating in order to save time, as the Board could see there were a lot of citizens present for this Hearing, he would speak for the group in attendance supporting this. He also passed out to the Board copies of petitions from other community members, who were not present, but are also in support of this ordinance change. He urged the Board to approve this ordinance change.

2. David & Teresa Fuller, 6201 Allerton Avenue, Richmond, agreed with the statements made by Mr. Titmus.

3. Diane Harris, 7409 Loadsworth Avenue, Richmond, agreed with the statements made by Mr. Titmus. She further stated that Mr. and Mrs. Williams are wonderful people that run a campground where she does not have to be afraid to allow her three (3) girls to play. She stated that they, the Williams, are very honest and friendly people.

4. Donnie Hardenburgh, 1717 Gross Avenue, Richmond, agreed with the statements made by Mr. Titmus.

5. Jim Brown, 3808 Trojo Lane, Chester, stated he agreed with the statements made by Mr. Titmus.

6. W. E. Westmoreland, 909 Darylann Court, stated he agreed with the statements made by Mr. Titmus.

7. William Tatum, 702 Elko Avenue, Colonial Heights, stated he agreed with the statements made by Mr. Titmus.

Mr. Moody asked if there was anyone else in attendance that wished to speak.

8. Mr. Paul Coleman, Manager of the Virginia Motorsports Park, came forth to speak. Mr. Coleman stated that there was one part in the State Statute that does not appear in this ordinance change. This section gives the governing body the authority to grant waivers from time to time. He stated that he would like to see that authority granted here. This would mean to obtain a waiver a person would have to come back before the Board of Supervisors. The way the ordinance is written here it does not allow that. Mr. Moody asked Mr. Coleman to further explain his concern. He continued by stating that as this ordinance is currently written any time three (3) or more vehicles are parked overnight, it is considered a campground. That is not always the situation, as enforced by the State. Cases like the Highland Games, The University of Virginia, Virginia Tech football games, craft shows, race tracks and certain other activities are excluded, they are excluded both by practice and by written waiver. We have been granted, at the race track, a partial waiver. Not all our activities are included but a part of them are. That part is the number of vehicles that you can park for less than a specific period of time, for instance, a set number of days. That would be an advantage to our facility. Mr. Coleman continued to explain his problem with the definition of a campground under the proposed ordinance. There are on occasion more than three (3) vehicles parked at the race track overnight during major races. He would like to see the option of a waiver for this type of special event.

There being no other citizen present wishing to speak, Mr. Moody declared the Public Hearing closed.

Mr. Scheid stated that Mr. Coleman had stated at the last Planning Commission meeting his concern. The concern was forwarded to our attorney for them to research. Partly because of his concern there was a meeting held, at this facility, in which Mr. Titmus, who spoke here this evening was a participant. That is how we arrived at some of what has been discussed here this evening. He stated that it is unfortunate that when you draft an ordinance that not every situation can be determined and he felt that this is something that might cause a problem in the County later on. Counsel has been asked to assist us in trying to work out some sort of situation in which there would be some people that maybe should be, if the proper term is waived. It is unfortunate that we have not been able give you one precise direction to go in. We have several directions that we are looking at, be it an amendment to the definition, be it an addition to the actual body of the ordinance and that would be to the section 22-241 as either a paragraph or statement or a lead in another paragraph. He stated he had suggested at the Planning Commission meeting, and it was not very popular, about delaying the Public Hearing because he was concerned about a document going forward in which there was something that needed to be worked out. He had suggested at the Planning Commission that the ordinance be reviewed for a period of time and be brought back up by the Planning Commission. The Planning Commission felt, that at that point in time, that they had spent enough time on it and that the issue did not appear like what it has surfaced to be. That suggestion was made to the Planning Commission. Mr. Moody asked Mr. Scheid what his recommendation was for tonight. Mr. Scheid stated that he realized that people are very much anxious to have the ordinance adopted, he could only say his feeling was that the vast majority of the ordinance could be adopted but he did think it would be a mistake for the Board of Supervisors to adopt an ordinance if it turns out that thirty (30) days from now we find that there was indeed an error in our judgement by not including such a waiver. His suggestion to the Board was that legal counsel be given enough time so that we can explore that one problem area that we still have. He further stated that we have been discussing this matter for over a year and he felt that thirty (30) days longer is not going to injure anybody.

There was much discussion in regard to the tabling of this matter. Mr. Titmus spoke again for the group stating that it was very disheartening to see this come about, that we are going to put this off for another two (2) months. He stated he understood why, however he did conduct a meeting with Mr. Coleman and Mr. Scheid and he thought that when they came away from that meeting we had already gotten everything straight. We had agreed to strike number 13 and 14 out of this proposed ordinance and that Mr. Coleman would come before the Board and obtain a campground permit. If he did this then there would be no problem; he would need no waivers or anything. He stated he did not understand why we could not move forward and have him obtain a campground permit. He should comply with the same thing that Mrs. Williams, Mrs.Blazek and everybody else has to go through. He has the area and the disposal systems needed to comply with a campground. All he needs is the campground permit. He stated that he could not see putting this off for another two (2) months over this issue. Mr. Coleman came forth requesting that Mr. Titmus join him at the podium. Mr. Coleman stated as far as the Motorsports Park's RV campground, which they have and which they meet all State regulations, we have no problem with this new ordinance. It have been pointed out to me subsequently that our pit area can be determined as a campground simply because we park four to six hundred race cars out there. Those spaces are basically 12 X 60 feet which does not meet the County requirement. The State has waived that for the Park. A simple addition to the ordinance would be that the pit working area would not be considered a campground would seem to suffice. Mr. Titmus stated that he thought striking 13 and 14, since the State was not going to enforce that on your pit area, that that's what we were getting at. The County would no longer have to enforce it and if the State wasn't and the County wasn't then the pit was not going to be a problem. Mr. Coleman stated that it had been pointed out to him that under Section 122-1 that the County then could enforce that as a campground which requires an area of 25 X whatever, for a total of 1600 square feet. Mr. Titmus stated that if the Board of Supervisors wanted to grant a waiver on the pit area, he felt that everybody here

would be in agreement. He further stated that he just wanted to get something done this evening. These people have waited a year for this. Mr. Bracey stated he understood what both were saying, they must also understand that we, the Board, also have a job to do. Mr. Moody asked if there was any further discussion from the Board members. After much discussion it was decided that the Board would move as expeditiously as possible to solve this matter, however they did not feel that they were in a position to set a date or act on this matter this evening. Mrs. Everett asked for the County Attorney and County Administrator's comments. Mr. Ben Emerson, County Attorney, stated that he could not answer whether they were comfortable with the way the ordinance reads; he would write some sort of exemption for the Motorsports Park. We could exempt the pit area or we could exempt the entire Motorsports Park from the entire ordinance. There are several ways that we can do it. He was not sure how long it would take to write this because he is not sure what issues Mr. Tickle wishes for him to address. Mr. Long stated based on the comments that he had heard this evening he certainly agrees with what the County Attorney has said. His major concern is to make sure that it is informed and that it is good and legal when we put it into law. It has also been suggested by some Board members to speak with a representative from the State on this matter. Mr. Moody stated that the campground people have been waiting for quite some time and he felt that we did need to move on this as expeditiously as possible.

A-97-9 -- AMENDMENT TO ZONING ORDINANCES -- CAMPGROUNDS

Upon motion of Mrs. Tickle, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, voting "aye", Mr. Moody voting "nay", Mr. Bracey "abstaining",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the A-97-9, Amendments to Zoning Ordinance, be tabled until a later date. This issue is to be brought back to the Board as expeditiously as possible.

Mr. Scheid stated that he would take it upon himself to send letters out to the people he knew to be interested in this matter such as the campground owners. There was a sheet placed in the back for interested citizens to sign up for a copy of this letter.

IN RE: A-97-10 -- AMENDMENTS TO THE CODE OF DINWIDDIE COUNTY -- EXCESSIVE GRASS, WEEDS, BRUSH OR OTHER UNCONTROLLED VEGETATION

This being the time and place as advertised in the Dinwiddie Monitor on July 16, 1997 and July 23, 1997 for the Board of Supervisors of Dinwiddie County, Virginia, to conduct a public hearing for the purpose of considering an amendment to the Code of Dinwiddie County by adding to Chapter 20 and Article III entitled "Excessive grass, weeds, brush, trees and uncontrolled vegetation". Mr. March Altman, Zoning Administrator/Senior Planner, came before the Board to present the proposed ordinance. Mr. Altman gave an overview of the ordinance stating that it was to help in the control of excessive weeds, grass, trees and other uncontrolled vegetation. He read paragraph (a) Section 20-30 and explained this to the Board and citizens in attendance. Mr. Tickle was concerned that there might be a loop hole or two in the ordinance, such as people planting gardens in their yards in order to avoid having to cut grass and requested that they be sure the creativity loop holes are out of this ordinance. Mr. Altman stated that if we went with the strict interpretation of the Residential Zoning District no garden would be allowed in any yard, front or back. There was some discussion regarding the fines and charges. Our legal counsel has suggested that we might want to place a dollar amount, like a fine, which would be above the cost of cutting and court costs in this ordinance. Mr. Moody asked if we would need another public hearing to add this. Mr. Emerson stated he did not think so.

PUBLIC HEARING

Chairman Moody opened the Public Hearing on A-97-10. There were no citizens signed up to speak. Mr. Moody asked if there was anyone present wishing to speak.

1. Ms. Corelean Walker came before the Board stating that if you are not going to cover the whole nine yards you should leave it alone. She proposed that a fine be imposed.

There being no other citizens wishing to speak Mr. Moody closed the Public Hearing.

A-97-10 -- AMENDMENTS TO THE CODE OF DINWIDDIE COUNTY -- EXCESSIVE GRASS, WEEDS, BRUSH OR OTHER UNCONTROLLED VEGETATION

Mr. Moody asked what the pleasure of the Board was.

Mr. Bracey stated he moved for approval, along with the fine, if that was the Board's wishes. Mr. Ben Emerson stated that they would have to amend it if they wished to add the misdemeanor. He stated that this was not currently included. Mr. Bracey stated that he felt that we should take care of this now rather than have to go back later.

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 of Dinwiddie County, Virginia:

I. That the Code of the County of Dinwiddie, Virginia is hereby amended and reordained by adding to Chapter 20 and Article III entitled "Excessive grass, weeds, brush, trees and uncontrolled vegetation" and by adding the following section:

Section 20-30. Excessive weeds, grass, trees and other foreign growth generally.

(a) The owner of any vacant developed or undeveloped property, including such property upon which buildings or other improvements are located, within the boundaries of platted subdivision or any other area zoned for residential, commercial or industrial use in the county shall not permit to remain thereon, excessive grass, weeds, brush and other uncontrolled vegetation in excess of twelve (12) inches in height.

(b) An owner of any lot or parcel of land shall not permit to grow or remain thereon any hedge, shrub, tree or other vegetation, the limbs, branches or other parts of which overhang, extend or protrude into any street, sidewalk or public alley in a manner which obstructs or impedes the safe and orderly movement of persons or vehicles thereon, or in the case of trees, when the dead limbs or branches thereof are likely to fall into or across such street or sidewalk, thereby endangering such persons and vehicles.

(c) An owner of property shall within ten (10) days after written notice is given by the County, remove from the property identified in the notice any excessive grass, weeds, brush or other uncontrolled vegetation that is in violation of this ordinance.

(d) Written notice shall be deemed given if it is mailed by certified or registered mail to the last known address of the landowner or if it is personally delivered. The last known address shall be based upon the real estate tax records of the Commissioner of the Revenue.

(e) The County Administrator or his agent shall be responsible for the administration of this ordinance in accordance with all procedures available under the law of the Commonwealth of Virginia.

(f) In the event an owner of the property fails to comply with a notice given pursuant to subsection (d) above, the County, through its own agents or employees, may remove and dispose of, any excessive grass, weeds, brush or other uncontrolled vegetation.

(g) Any landowner who disagrees with the written notice of the County Administrator or his agent shall have ten (10) days after the written notice is given in which to file an appeal in writing to the Board of Supervisors, in care of the County Administrator. Said appeal shall briefly set forth the reasons for disagreeing with the notice.

Failure to note such appeal shall be deemed a waiver of all right of appeal, and the decision and notice of the County Administrator or his agent shall be deemed final.

(h) The cost of any removal and disposal by the County s\pursuant to this Ordinance shall be chargeable to the owner and lien holder of such property and may be collected by the County as taxes and levies are collected. Any cost with which the owner and lien holder of such property shall have been assessed, and which remains unpaid, shall constitute a lien against such property ranking on parity with liens for unpaid local taxes and enforceable in the same manner as provided in Article 3 (Section 58.1-3940 et seq.) and 4 (Section 58.1-3956 et seq.) of Chapter 39 of Title 58.1 of the Code of Virginia.

(i) Any person violating the provisions of this section shall be guilty of a Class 4 misdemeanor. Such person shall be deemed to be guilty of a separate offense for each day the violation is continued, and

State law reference- Code of Virginia, Section 15.1-11 and Section 15.1-11.2, 1950, as amended.

This ordinance shall become effective immediately, and

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: SOCIAL SERVICES BOARD -- APPOINTMENT

Mrs. Pamla Mann, Administrative Secretary, stated that she had one (1) position on the Social Services Board. The applicants being: Mr. Earl Weaver, Sr. who had been serving since 1996 and is seeking reappointment and Mr. Franklin A. Stewart.

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 Mr. Franklin A. Stewart be appointed to the Social Services Board for a term expiring June 30, 2001.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- CUSTODIAN/GROUNDS WORKER

Mr. Long stated first on his list was approval of Mr. Lee Andrew Dugger, Custodian/Grounds Worker, who began on July 25, 1997.

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 authorization was given to appoint Lee Dugger to the position of Custodian/Grounds Worker, at a salary of $15,135.00 per year, Grade 5, Step A1, effective July 25, 1997.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- WASTE PROCESSOR/ATTENDANT

Mr. Long further stated that approval of Mr. Wayne Trent, Waste Processor/Attendant, was also needed. This would move him from part-time to full-time with benefits.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 authorization was given to appoint Wayne Trent to the position of Waste Processor/Attendant, at a salary of $14,046.00 per year Grade 3, Step B2.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- FLAG FOR NEW COURTHOUSE

Mr. Long reported to the Board that he had contacted Senator Richard Holland regarding a State Flag for the new Courthouse Complex. Senator Hollard stated that he would obtain a flag, with a certificate stating that it had been flown over the State Capital Building, and would also like to attend the dedication of the Courthouse and present the flag himself, if the schedule of the General Assembly session does not prevent him from doing so.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- EXTENSION SERVICE -- HOME HAZARDOUS WASTE DISPOSAL PROGRAM

Mr. Long stated that Mr. Michael J. Parrish, Virginia Cooperative Extension Agent, had a meeting with Mrs. Ralph and himself earlier this week, to inform them of a proposed Home Hazardous Waste disposal program for Dinwiddie County and the City of Petersburg. The program is for private citizens to use to properly dispose of household pesticides, solvents, fertilizer, and paints. Care Environmental is offering a price of $1.10 per pound at this date for such a program. Mr. Parrish will be present on the August 20th meeting to present the Board details about this program. No date has been set at this time for the start-up of this program.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long informed the Board that on Friday, August 1, 1997 he was invited and privileged to fly to Oshkosh, Wisconsin, as a guest of the Airport Authority. He attended the largest "fly-in" in the nation. There was no cost to the County for him attending this event. Mr. Long stated that he was most impressed with the "fly-in" and felt that the Airport Authority members, as well as himself, learned some valuable information that will help to improve the Dinwiddie County fly-in next year.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- ENCLOSURE OF BUILDING

Mrs. Wendy Weber Ralph, stated that they were in the process of obtaining bids to enclose a part of this building to provide additional, much needed office space. We are trying to procure someone to draw up plans and specifications for this construction. The Construction Inspector has obtained three (3) bids, they being:

1.	C. Temple Wilkinson, Jr., A.I.A., N.C.A.R.B.	$ 6,500.00
2.	Jeff B. Robinson, P.E., Inc.	3,800.00
3.	Raymond D. Birdsong	1,500.00

Mrs. Ralph stated that they needed the Board's authorization to move forward with the contracting of these services.

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 authorization is granted to Administration to negotiate a contract with the low bidder, with a limit of $3,000.00, for Architect/Engineering services to enclose the northeast corner of the existing building for new office space.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay -- He asked if anyone had any information on the Park Service and the obtaining of a grant for the old courthouse. He had noticed that the building was in need of some repairs and did not wish to wait too long to have them done.

Mrs. Everett stated that representatives from the Park Service were suppose to come down and assess the structure. These people did not keep their appointment. Mrs. Ralph stated that they did not come that day and had not rescheduled.

Mr. Bracey -- none

Mr. Tickle -- Just to follow up on the Administrator's comment, I was in New York last week and a person below me started talking about the

"fly-in". He had an experimental airplane and he was showing off a picture of it. The next statement was that he had just come out of Petersburg. He felt it was very positive to be that far away from home and have someone talking about something that was in his home County or Jurisdiction.

His second item was the kennels. We have a lot of hunt clubs in Dinwiddie County. Some of these clubs have a numerous number of dogs. These kennels are omitting odor. He would like to have this issue addressed to the Board. He would like to know when this matter will come back to the Board.

Mrs. Everett -- She stated that she had attended a meeting at Steven Kent Conference Center with the Secretary of National Resources. This meeting was to discuss ways to protect our natural resources and urged us to keep a watchful eye on our environment and rivers.

Mr. Moody -- He stated that there was a meeting Thursday, August 7, 1997 on the Fort Pickett Reuse Plan. He had a copy of the IRA-Reuse Plan and stated that they may be voting on this. Mainly what it says is that Virginia Tech will receive their property on the north side of Rt. 40 on an educational conveyance. The remainder of the property will be used for economic development. The timber will become the property of Virginia Tech and will only be allowed to be cut for the use at the research center.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 10:42 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

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 20TH DAY OF AUGUST, 1997 AT 2:00 P.M.

PRESENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	PAUL JACOBSON	COUNTY ATTORNEY

IN RE: CALL TO ORDER - INVOCATION - PLEDGE OF ALLEGIANCE

Mr. Harrison Moody, Chairman of the Board, called the meeting to order at 2:03 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENT TO AGENDA

Mr. Clay requested that Deputy Emergency Services Coordinator currently listed under Item 10-N be moved to Item 10-A. because we have an ambulance sitting outside running and it upsets the citizens.

Upon motion of Mr. Tickle, 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 Deputy Emergency Services Coordinator currently listed under Item 10-N be moved to Item 10-A.

IN RE: MINUTES

Mr. Tickle requested that in the August 6, 1997 continuation meeting that the word "pamphlet" be removed from the records and replaced with the word "map".

Mr. Moody requested that in the August 6, 1997 regular meeting minutes that the reference made to the Fort Pickett Airport be removed from the records.

Upon Motion of Mr. Tickle, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the August 6, 1997 continuation meeting, and the August 6, 1997 regular meeting are hereby approved with corrections.

IN RE: CLAIMS

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that there was a claim included from the Airport Authority for legal services incurred in the amount of $1,000.00 to be funded from the new promissory note.

Upon motion of Mrs. Everett, 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 the following claims are approved and funds appropriated for same using checks # 1007087 - # 1007234 (void check # 1007087); for Accounts Payable in the amount of $174,070.71; General Fund $94,057.36; Jail Commission Fund $59.50; E911 Fund $2,043.64; Law Library $557.89; Fire Programs/EMS Funds $1,226.08; County Debt Service $76,126.24; and also included is the Dinwiddie Airport and Industrial Authority $1,000.00.

IN RE: APPROVAL OF REQUISITION #2 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, stated that Requisition #2 for the Courthouse consists of payments to:

Hening-Vest-Covey	$ 4,007.57
ECS, Ltd.	627.23
Cadmus	5,433.22
Bond Counsel - Sands, Anderson, Marks & Miller	14,533.22
Total of this Requisition	$24,601.24

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 #2 in the amount of $24,601.24 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #21 -- SCHOOL CONSTRUCTION

Mrs. Ralph, stated that this requisition consisted of the following invoices:

KBS, Inc	$2,434,685.65
Froehling & Robertson, Inc.	612.50
Stroud, Pence & Associates, LTD	4,420.00
Work Environment Associates, Inc.	4,700.00
Ballou Justice Upton	24,381.17
TOTAL	$2,468,799.32

Upon motion of Mrs. Everett, seconded by Mr. Tickle, 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 #21 in the amount of $2,468,799.32 be approved and funds appropriated for CIP for the School Construction Fund.

IN RE: CITIZEN COMMENTS

The following person addressed the Board:

1. Ann Scarborough came before the Board requesting that all conversation regarding the Homestead be deleted from the minutes.

RE: HOME HAZARD WASTE DISPOSAL PROGRAM -- CLEAN UP DAY

Mr. Michael J. Parrish, Extension Agent, ANR, came before the Board and presented background information on the proposed home hazardous waste disposal program. Mr. Parrish explained that start up money was needed from both Dinwiddie County and the City of Petersburg. The amount requested from each locality was $5,000.00. The Appomattox River Soil and Water Conservation District is providing $2,000.00. Mr. Denny King also commented on the program and the advantage of having a clean up day in our locality. Mrs. Ralph stated that she wished to point out that there would be an actual agreement between the Soil and Water Conservation District and the company, Care Environmental Corporation. The County is not involved in the agreement, however, if they chose to use a County site, such as the land fill, then we would want some language put in the agreement to protect the County from anything that might happen on their property.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 authorization is granted to expend $5,000.00 from the Waste Management budget toward the Home Hazardous Waste Disposal Program.

IN RE: THE APPOMATTOX REGIONAL LIBRARY SYSTEM -- FINANCIAL PLANS FOR FY98

Mr. Chuck Koutnik, Library Director, came before the Board to outline the changes in service and financial plans of The Appomattox Regional Library System for FY98. He began by introducing Mrs. Cornelia Roberts who will be serving as Chairperson for the Board this year. He also introduced Mrs. Lorraine Carmichel, a representative of the Friends of the Library. Mr. Koutnik continued stating that he wished to report on new developments of the Regional Library. The first stage of the recent computer project is nearing completion. Public access to the internet at the headquarters library should be started within the next month. By as early as next week new personal computers will in each of the branch libraries, including the three (3) libraries here in Dinwiddie County. All branches should have access to the internet as early as next summer. This entire project is made possible by a grant from the John Randolph Foundation. The Library may be getting a new building in Hopewell for the headquarters library. They are equally excited about the possibility of operating a library in the old Clerk's Office of Dinwiddie County. He understands that the Friends of the Library Foundation of Dinwiddie County are working on the details of the proposed move. In terms of library services to Dinwiddie County, Mr. Koutnik continued by stating that in their budget they requested a 10% increase for each of the jurisdictions that they serve. Dinwiddie County was the only jurisdiction that did not approve this request; they gave them a 3% increase. Some services currently offered or services that had hoped to be implemented in Dinwiddie County will have to be revamped. Some hours or services will be cut. Hopewell and Prince George Libraries will receive new books before Dinwiddie County. The Bookmobile visits to Dinwiddie County will be less frequent.

Mr. Tickle questioned where Dinwiddie County ranked in use of the Library System. He also stated that he felt that Hopewell had an advantage because that was the locality that would receive the tax advantage. He urged the Foundation to look beyond the cities into the counties when changes would be made. He asked about what incentives Hopewell had offered for them to stay in that locality. Mr. Koutnik answered Mr. Tickle's concerns.

Mr. Bracey asked for more information regarding the new building and where the funding for this new facility would come from. Mr. Koutnik stated that Hopewell was providing the building. There would be no cost to the localities served. Mr. Bracey stated that he would like a written document regarding costs, if they would be looking to them for any funding. Mr. Bracey asked what it was going to cost to get the Library into the old Clerk's Office. Mr. Koutnik stated that the funds were coming from the Friends of the Library Foundation.

Mrs. Everett stated that the Board will remember that she supported the Library and was in favor of the 10% increase for the Library budget and she would like for the Board to reconsider and add the additional funding needed to make up the difference in the 3% v. 10% increase.

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle voting "aye", Mr. Clay, Mr. Bracey, Mr. Moody voting "nay", the motion was denied.

Mr. Koutnik thanked the Board and stated he looked forward to working with everybody during the coming year.

RE: RESOLUTION -- CONSTITUTION WEEK

Mr. Moody read the following resolution declaring the week of September 17-23, 1997 as Constitution Week:

RESOLUTION
OF THE
DINWIDDIE COUNTY BOARD OF SUPERVISORS
AUGUST 20, 1997
IN RECOGNITION OF CONSTITUTION WEEK
SEPTEMBER 17, 1997 THROUGH SEPTEMBER 23, 1997

WHEREAS, Our founding Fathers, in order to secure the blessings of liberty for themselves and their posterity, did ordain an d establish a Constitution for the United States of America; and

WHEREAS, The Frances Bland Randolph Chapter, National Society Daughters of the American Revolution considers it of the greatest importance that all citizens fully understand the provisions and principles contained in the Constitution in order to support, preserve, and defend it against all encroachment; and

WHEREAS, The two hundred tenth anniversary of the signing of the Constitution provides an historic opportunity for all Americans to realize the achievements of the Framers of the Constitution and the rights, privileges, and responsibilities it affords; and

WHEREAS, The independence guaranteed to American citizens, whether by birth or naturalization, should be celebrated by appropriate ceremonies and activities during Constitution Week, September 17 through 23, as designated by proclamation of the President of the United States of America in accordance with Public Law 915; and

WHEREAS, Whenever possible Church and other bells should be rung for approximately three minutes at 4:00 P.M. on Wednesday 17 September, the time the signing was completed,

NOW THEREFORE, BE IT RESOLVED that We, the Board of Supervisors of Dinwiddie County, Virginia by virtue of the authority vested in us as representatives of the citizens of the County of Dinwiddie do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

in the County of Dinwiddie, State of Virginia and urge all our citizens to reflect during that week on the many benefits of our Federal Constitution and American citizenship.

In Witness Whereof, We have hereunto set our hand and caused the Seal of Dinwiddie to be affixed at Dinwiddie, Virginia, this 20th day of August in the year of our Lord one thousand nine hundred ninety seven and the Independence of the United States of America, the two hundred twenty-first.

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 the foregoing Resolution declaring September 17-23, 1997 as Constitution Week is approved and a copy spread upon the minutes of this meeting.

Mrs. Wynonah Thomas, representative from the Frances Bland Randolph Chapter of the National Society Daughters of the American Revolution, accepted the Resolution and thanked the Board.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Medical Services Coordinator, came before the Board to present her report for the month of July 1997. She began by introducing a new employee, Mr. Chris Lawrence who is a national registered paramedic. The Board welcomed him to the County.

Mr. Tickle questioned Mrs. Titmus about the mileage on the current ambulance stating that a new one would be needed before too long. Mrs. Titmus told Mr. Tickle that she was in the process of applying for a grant to re-chassis this ambulance.

Mrs. Titmus presented to the Board a proposed information flyer that she wished to have printed, for distribution to citizens, outlining the services that the County provided in reference to emergency medical services. She wished to have 1500 printed on a 3 X 5 card. The cost for this printing would run approximately $60.00. The Board agreed that this was a good idea and told her to proceed.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- NEW AMBULANCE SUPPLIES

Mrs. Titmus continued by stating that three quotes had been received for the supplies for the new ambulance. The companies used are Moore Medical, Medic Master, and Parr Medical. Some companies supply items that others do not therefore the low bid for each item was taken into consideration. The total amount needed is $9,508.02 with the breakdown to companies being Moore Medical $4750.52, Medic Master $1291.00, and Parr Medical $3466.50. These quotes do not include the price of a new defibrillator, radio or safety equipment. Also the price of the incubation equipment is on a State EMS grant at a reimbursement of 80%. This will be a savings of $255.42. The price of the Thermo-scan Pro-1 has a $75.00 rebate until October 1st. We request the Board approval of the funds in order to purchase these items as soon as possible to guarantee the lowest price available. It was her recommendation to accept these low bids and proceed with the purchase.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 authorization is granted to purchase the medical supplies for the new ambulance at a total cost of $9,508.02 from Moore Medical $4750.52, Medic Master $1291.00, and Parr Medical $3466.50 using the $10,000.00 in the donation fund and the balance to be funded from the EMS budget.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- PAGERS

Mrs. Titmus continued that the last item she had to bring before them was the quotes on the pagers that was discussed at the previous Board meeting. The three (3) bids received were Motorola $388.00, Telpage, Inc. $345.00, and Commtronics of Virginia, Inc. $364.00. These pagers would prevent the unit from having to run when the EMS staff was in the Administration Building. She recommended that we accept the low bid from Telpage, Inc. $345.00.

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 authorization is granted to purchase a Motorola Minitor II Pager, Lowband, Sel Cal, One Frequency from Telpage, Inc. at at cost of $345.00.

IN RE: DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald Reekes, Resident Engineer, came before the Board to present his monthly report. He acknowledged receipt of the petition from the residents of Pearson Hardy Road requesting pavement. He will review this and report back to the Board next month.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, came before the Board to present his monthly report. He further stated that he wished to thank the Board for the hiring of the extra custodian. Mr. Dugger is doing a wonderful job.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, came before the Board stating he had no report but was available for questions. The Board had no questions at this time.

IN RE: SHERIFF -- REPORT

Mr. Samuel H. Shands, Sheriff, came before the Board stating he had nothing to report but was available for questioning.

Mr. Bracey stated that several months ago he had asked for a census report on the jail population. As of today we have not received one. Mr. Shands stated he was sorry he had forgotten and would provide that information. The current jail population is thirty (30).

Mr. Tickle stated that he attended the Virginia Association of Counties meeting in July and had found that many counties are charging the inmates for doctor visits. It is legal to charge up to $10.00 for this service. He would like for the Sheriff and Commonwealth Attorney to explore this further. Sheriff Shands stated he was concerned about liability.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspection, came before the Board to present his monthly report for the month of July 1997.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, came before the Board stating that they had his monthly report and he was available for questioning.

There was some discussion as to rabid animals and the proper procedure to follow if one is spotted. Mr. Beville stated that he would come if he was called.

Mr. Beville stated that this had nothing to do with animal control but no one had mentioned about the 11 and 12 year old boys that are playing in Georgia in the World Series for the Dixie Youth. The Dinwiddie team is representing the State of Virginia.

IN RE: ANIMAL WARDEN -- BID FOR NEW TRUCK

Mr. Beville stated that he had received four (4) bids for the purchase of a new truck, three (3) were of like kind and one (1) was different. The bids were Capital Pontiac-GMC Trucks -- 1997 Sierra -- $18,545.00, Petersburg Ford -- 1997 F-150 -- $16,299.00, Owen Ford, Inc. -- 1997 F-150 -- $15,614.00, and Heritage Chevrolet -- 1997 Fleetside -- $16,550.00. Mr. Beville recommended that we accept the bid from Owen Ford, Inc. Funds are included in the FY98 budget.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 authorization is granted to accept the bid from Owen Ford, Inc. for the purchase of a 1997 F-150 Pickup at a price of $15,614.00.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. Guy Scheid, Director of Planning, came before the Board stating that they had his report before them. He stated they will note that you have some cases that will be heard at the next evening Board meeting. He stated he would like to go over a couple of items with them quickly.

IN RE: DIRECTOR OF PLANNING -- IPR PROGRAM/ADMINISTRATOR AND INSPECTOR

The first item Mr. Scheid wished to discuss with the Board was the IPR Program. He had two (2) applications for the Administrator and Inspector for this program. This contract would be on an annual basis and these positions would be paid for by the program. The applicants were Mrs. Gladys A. Vassor for the Administrator and Mr. Thurman R. Hill for the Rehab Specialist/Inspector. He recommended to the Board that the County Administrator and himself contact legal counsel, we have already contacted the Department of Housing and Community Development; to make sure everything appears to be in order, and that we move forward to see if

we can contract with these people on an annual basis to administer the IPR Program.

Upon motion of Mrs. Everett, seconded by Mr. Tickle, 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 authorization is granted to the County Administrator and Director of Planning to proceed with contracting with Mrs. Gladys A. Vassor for Administrator and Mr. Thurman R. Hill for the Rehab Specialist/ Inspector for the Indoor Plumbing and Rehabilitation program which is funded through the Virginia Department of Housing and Community Development.

IN RE: DIRECTOR OF PLANNING -- COMMUNICATION TOWERS

Mr. Scheid continued with the last item he wished to discuss with the Board. The Planning Commission had taken action at their last meeting in response to some material presented to them. It involved communication towers. The Planning Commission is planning a dinner forum at their next meeting. He recommended, in talking with legal counsel, to the Board that no action be taken as recommended by the Planning Commission at this time. He felt that it was something that they needed to talk about if you are going into executive session. He again said he recommended that they not act on the motion that was made by the Planning Commission at their last meeting.

IN RE: ZONING ADMINISTRATOR -- REPORT

Mr. March Altman, Zoning Administrator, came before the Board to present his monthly report.

Mr. Altman reported that at the July 13th meeting of the Planning Commission they voted 6-0 for approval of the recommended Capital Improvement Program. The recommended CIP consists of twelve (12) projects for the Board's consideration.

Mr. Altman continued by stating that at the July 16th meeting Mr. Bracey requested the Planning staff look into "flea market" and "yard sales". He stated he had contacted some adjacent localities to find out how they deal with these situations. Chesterfield County addresses both of these issues, but they address flea markets by two (2) classifications - indoor flea markets and outdoor flea markets - which require a conditional use permit be issued for such operations. Petersburg does not address this issue. If it is the Board's desire he will continue to look into this matter in order to make a recommendation as to how Dinwiddie County may handle this issue.

Mr. Altman's final statement was that the cars at Willie Cone's have been -- have all been removed to Mr. Scheid's credit. He hopes that they can continue to clean up the County by eliminating auto grave yards that are not legal.

IN RE: DEPARTMENT OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director, was not present due to illness.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mrs. Troilen Seward, Superintendent of Schools, came before the Board. She shared with the Board a book that the 6-7-8th grade students have made on the Architecture of Dinwiddie County. She stated that one copy would be placed in the Dinwiddie County Library and one would be presented to the Dinwiddie County Historical Society. Mrs. Seward continued by stating that along with the Treasurer she also wished to express to the Board her thanks for the cleaning; the gentleman is doing a wonderful job. She gave a special thanks to Donnie Faison, Construction Inspector, and Dwayne Abernathy and Dave Hartsook, from the Building Inspector Office, for all their hard work in trying to help get the schools open on time. She invited any Board member or Administration employee to attend the county wide school meeting to be held at

Dinwiddie County High School August 21, 1997 at 9:00 A.M. Mrs. Seward reported that on the Literacy Passport Scores Dinwiddie County came in number 32 out of 133 Districts. She was very pleased and proud. She updated the Board on the enrollment figures for the up coming school year. At this point enrollment is up.

Mr. Tickle requested that Mrs. Seward send him some information on how to interpret the numbers listed in the newspaper for the scores. Mrs. Seward stated that they are not norm tests; there is not a comparison.

Mr. Bracey asked Mrs. Seward about the library hours at the schools. Mrs. Seward stated the accreditation standards require that the libraries be open before and after school for student use.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Tony Rinaldi, Recreation Director, presented his report for the month of July 1997, stating he was available for questions. He stated there are a couple of items that he wished to discuss. One he just wanted to bring to their attention, the pamphlet which was located in the Board packet on The Battle of White Oak Road. This is a good job and was printed by a Dinwiddie printer, the money stayed in the County. He also informed the Board that the signs that go up at different stations at the site have arrived.

IN RE: RECREATION DIRECTOR -- SPECTATOR BLEACHERS

Mr. Rinaldi continued by stating that spectator bleachers are needed for the soccer fields at Eastside. He provided prices from three (3) companies. He requested permission to purchase three (3) of the 3 row, 15' long bleachers at the low price of $497.00 which includes shipping from Monumental. He also had prices from BSN Sports $829.00 and Belson Manufacturing Co., Inc. $696.00. After much discussion it was decided that the 5 row, 15' long at a price of $865.00 was a better buy. This price was also from Monumental. Prices on the 5 row from BSN Sports $1450.00 and Belson Manufacturing Co., Inc. $1209.00.

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 authorization is granted to the Recreation Department to order three (3) - five (5) row, 15' spectator bleachers from Monumental at a price of $865.00 each, including shipping. The total cost of the bleachers being $2595.00.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Waste Management, came before the Board and presented his report for July/August 1997. It was suggested to Mr. King by the Board that putting a new truck in on the CIP Program might be a good idea. Mr. King was commended for keeping the trucks in such good repair and running longer than ever before.

Mr. King gave a special thanks to Mr. Clay for making a visit to the fire folks in McKenney.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Paul Jacobson, County Attorney, came before the Board stating he had no report but was available for questioning.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, came before the Board and presented his report for the month of July/August 1997. He stated he was available for questions. He reported to the Board that the proposed date to finish the courthouse is now January 21, 1998. Mr. Faison shared some good news with the Board that additional money was saved on the signage for courthouse. Mr. Faison was commended on his

hard work and the fact that he has saved the County in excess of $50,000.00 on the construction.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated he had indicated to the Board recently that he had an appointment with a gentleman from the State Agency Virginia Department of Business Assistance which was very interesting because he was not aware that this department existed. A few years ago the Virginia Department of Economic Development split off into two (2) agencies. The Economic Development Partnership helps new businesses, whereas the Virginia Department of Business Assistance provides assistance to existing businesses. He hoped to get more information on this Department and spread the word on their services.

Also Mr. Long reported that Senator Holland has ordered the flag for the new Courthouse Complex.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay -- no comments

Mr. Bracey -- He stated that he hoped the Administration would set some type of criteria where the agency or person that needs a new vehicle would go through the Administration to order these vehicles. He wanted the bids to be sent out from the Administration Office. He would like better records kept on the mileage and maintenance of each Company vehicle in the Administration Office. Mr. Long stated that he would put together an implementation program on the things just said and get it back to them for review.

Mr. Tickle -- He stated that he had attended the Virginia Association of Counties meeting and he took note that some counties have their legislative packets in order. He would like to see Dinwiddie County make some documentation of the items that we would like to petition the legislature for.

Mrs. Everett -- She stated that James B. McNeer will be inaugurated as President of Richard Bland College on Friday, October 3rd, and she would like to see the Board attend as a group. She would also like to see everyone attend the luncheon together.

Mrs. Everett also stated that the Dinwiddie Nationals were in South Carolina representing the State of Virginia in the Dixie Youth World Series. She felt that the Board should prepare a resolution to be presented to them upon their return. The discussion on the subject was that if we do this for one group then we should do it for all groups. If we start we will have to continue for all.

Mr. Moody directed the County Administrator to poll the Board members and see if they could get together and attend the inauguration for President McNeer and luncheon as a group.

Mr. Moody -- He wanted to announce that one of the Board members, Mr. Michael Tickle had been appointed by the Governor to the Southside Virginia Business and Education Commission. He wanted to congratulate him on this achievement.

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - Commissioner of the Revenue; Section 2.1 - 344 (a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating in the community; and Section 2.1 - 344 (a) 7 - consultation with legal counsel. The meeting moved into Executive Session at 5:00 P.M. A vote having been made and approved the meeting reconvened into Open Session at 6:40 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby, certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: CORRECTION OF MINUTES

Upon motion of Mr. Clay, seconded by Mr. Tickle, 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 all references by Mr. Tickle and Mrs. Anne Scarborough to The Homestead be removed from the July 16th and August 6th, 1997 minutes.

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 6:45 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST:
R. Martin Long
County Administrator

/pam