

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 21ST DAY OF SEPTEMBER, 1988, AT 7:30 P.M.

PRESENT: GEORGE ROBERTSON, JR., CHAIRMAN ELECTION DISTRICT #2  
AUBREY S. CLAY, VICE-CHAIRMAN ELECTION DISTRICT #4  
HARRISON A. MOODY ELECTION DISTRICT #1  
CHARLES W. HARRISON ELECTION DISTRICT #2  
EDWARD A. BRACEY, JR. ELECTION DISTRICT #3  
CLAUDE TOWNSEND DEPUTY SHERIFF  
JAMES E. CORNWELL, JR. COUNTY ATTORNEY

IN RE: MINUTES

Upon motion of Mr. Harrison, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", the minutes of the September 7, 1988 Regular Meeting were approved as presented.

IN RE: CLAIMS

Upon motion of Mr. Moody, seconded by Mr. Harrison, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye",  
BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA that the following claims be approved and funds appropriated for same, using checks 1787 thru 1906, and totaling \$103,805.78: General Fund - \$97,160.17; E911 - \$5,914.65; Self-Insurance - \$588.31; Law Library - \$142.65.

IN RE: CITIZEN COMMENTS

The following citizens addressed the Board:

1. Mr. Ronnie Abernathy spoke regarding a package he had received in the mail that was disturbing to him as a citizen regarding the County Administrator. He stated that to enable the citizens of the County to reestablish their trust in County Government, he urged the Board of Supervisors to (1) make a responsible decision regarding the problem, and if they have to, to get new people in the County Administration Office to do so; and (2) to take a stand on the Landfill issue.
2. Mrs. Kay Winn also spoke about trust that the citizens no longer have for County Government due to the misleading information regarding the county deficit, the issue of the County Landfill being out of compliance, a public statement from County Officials that no contract exists with Mr. Melvin Davis, and the Solid Waste Management rules stating that if you do not make complaint within 30 days of a notice of intent filed with the County Government, that it is considered a waiver of complaint on the basis of your local ordinances. She asked the Board to go on record tonight as not being prepared to consider any type of private landfills in the County. She asked the Board to forward a copy of this to the Director, Department of Waste Management.
3. Mrs. Margaret Lewis spoke about the misleading publicity she had read regarding the deficit, the hiring freeze, travel cuts and the number of people who actually went to the LGOC in Charlottesville, and the Airport Expenses. She stated that she felt this was the time citizens needed leadership that they could rely on.

4. Mr. Jack Mayes appeared to make a public apology to Jim Cornwell and Joe Emerson regarding a statement he had made at the Planning Commission meeting on September 14, 1988, in which he stated during the public meeting that he had been purposely lied to by them in that Mel Davis was not going to appear at that meeting, when in fact he did appear and did speak. He stated that neither Mr. Cornwell nor Mr. Emerson spoke to him directly when he came into the office at 4:45 that day to inquire if anything was going to be brought before the Planning

Commission by Mr. Melvin Davis, and was advised no. However, he had talked with Mel Davis who advised him that he had informed the County Planner's Office at 4:00 that same day and spoke with him concerning making a proposal to the Planning Commission. Mr. Mayes made his public apology before the public, the Board of Supervisors, Mr. Cornwell and Mr. Emerson and said he hoped he would and the fellow citizens would receive an apology from those County Officials involved concerning the way that meeting took place.

Mr. George Robertson commended Mr. Mayes.

Mr. Jim Cornwell, County Attorney, admitted that the matter should have been handled better. He acknowledged that Mr. Mayes had not spoken directly to Mr. Emerson or Mr. Cornwell and that there was some misinformation given out, as there was a communications difficulty between staff. He was not involved in the fact Mr. Mayes was told that Mr. Davis was not going to appear and the Secretary was also told that he was not going to appear so it was not her fault either. He appreciated his comments and considered the matter closed with a handshake.

Mr. Emerson concurred Mr. Cornwell's comments and agreed there was some misinformation, but no one was knowingly mislead.

Mr. Robertson hoped that as a result of this greater efforts will be made to make sure that information is properly given out.

Mr. Mayes stated that he was told today that when someone goes to the Administration Building requesting an answer to a question like the one he posed, that the Secretaries will no longer answer those questions; instead they will direct the person to the Department Head.

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Bracey, seconded by Mr. Clay, the following amendments were made to the agenda:

1. Health Insurance Consultant - Requested by Wendy Quesenberry.
2. Jail's Septic System - Requested by Richard Barton
3. Resolution to Rescind Action - Requested by George Robertson
4. Executive Session - Requested by George Robertson

IN RE: PUBLIC HEARING -- P-88-10 -- ROBERT E. MAREK

This being the time and place as advertised in the Progress-Index Newspaper on Wednesday, September 7 and Wednesday, September 14, 1988, for the Board of Supervisors to conduct a Public Hearing to consider an Application for Amendment to Zoning Ordinance, submitted by Robert E. Marek, to rezone land parcel 20-78 from Agricultural, General, District A-2 to Business, General, District B-2. Said property is located at the intersection of Routes 226 and 460 in the Rohoic District.

Mr. Joe Emerson, Director of Planning presented Mr. Robert E. Marek's request to rezone his property based on a potential sale for business use. The property is located at Rt. 460 and Rt. 226 across from the LoneStar Tarmac operation. Currently, there are large traffic volumes in the area and it appears that a business operation would not create a problem. The existing property is bounded in rear by a business piece of property and bounded on the other two sides by Routes 226 and 460. It would appear that this property does lend itself to a business, therefore there appears to be no reason to deny this request. The Highway Department will review the plan to determine whether or not a deceleration lane is needed on the property.

The Planning Commission unanimously recommended approval of this request at its August 3rd meeting.

No one spoke in favor of or opposition to this Amendment.

Upon motion Mr. Harrison, seconded by Mr. Moody, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye",

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that Land Parcel 20-78 of the Dinwiddie County Zoning Maps, be amended by changing the district classification from Agricultural, General, District A-2 to Business, General, District B-2. Said property is located at the intersections of Route 226 and Route 460, in the Roheic District. In all other respects, said zoning ordinance is hereby reordained.

IN RE: PUBLIC HEARING -- A-88-28 -- SUBDIVISIONS - 50% BUILDING PERMIT REQUIREMENT

This being the time and place as advertised in the Progress-Index Newspaper on Wednesday, September 7 and Wednesday, September 14, 1988, for the Board of Supervisors to conduct a Public Hearing to consider an amendment to Section 18-104, Division II, Article III of Chapter 18 of the Dinwiddie County Code.

Mr. Joe Emerson, Director of Planning, presented an amendment to the subdivision ordinance prohibiting the issuance of more than one-half (50%) of the building permits on any new street unless and until the new street has been fully constructed in compliance with all provisions of the ordinances of Dinwiddie County and requirements of the Virginia Department of Transportation.

The Planning Commission, at its August 3, 1988 meeting, recommended the following ordinance:

In order to ensure the prompt construction of streets within a subdivision, building permits for no more than fifty percent (50%) of buildings to be served by any new street, public or private, shall be issued by the Building Inspector of Dinwiddie County unless and until such new street has been constructed by completion of all base materials in place in said street and further that building permits for no more than eighty percent (80%) of buildings to be served by such new street shall be issued unless and until such new street has been fully and completely constructed in compliance with all provisions of the Dinwiddie County Code and, if a public street, constructed in compliance with the requirements of the Virginia Department of Transportation and officially accepted into the state system.

Mr. Emerson presented a letter from the Department of Transportation, Mr. H. J. Dyson, Assistant Resident Engineer, who supported the amendment.

The following spoke in opposition to the Amendment: Mr. Gilbert Henshaw, Mr. H. L. Henshaw, Mr. Donnie Henshaw and Mrs. Sue Henshaw.

Mr. Clay stated he had been on the Board for quite a number of years and had only seen one problem with this and felt that by holding the Bonds as in the past, things were running smoothly.

Mr. Bracey made the motion to deny the amendment, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", amendment A-88-28 to Section 18-104 of Division II, Article III of Chapter 18, was disapproved.

IN RE: PUBLIC HEARING -- C-88-7 -- CONDITIONAL USE PERMIT -- H. RANDALL WILLIAMS

This being the time and place as advertised in the Progress-Index Newspaper on Wednesday, September 7, 1988 and Wednesday, September 14, 1988, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to consider a Conditional Use Permit request submitted by Mr. H. Randall Williams to operate a campground on Land Parcel 33-38. The property is located in the Rowanty District off of State Route 613, and is 19.1 acres in size. The

property is zoned A-2, in which zone campgrounds with a conditional use permit is a permitted use.

Mr. Joe Emerson, Director of Planning, presented the Application for Conditional Use Permit submitted by H. Randall Williams to operate a campground on his property located off Route 613, Land Parcel 33-38. Mr. Williams feels his property's proximity to the proposed location of the motor sports complex makes his proposed campground a feasible business venture.

The Planning Commission unanimously recommended approval of his request at their August 10, 1988 public meeting with the following conditions:

1. Subject to all provisions, rules and regulations of the Board of Health of the Commonwealth of Virginia, including provisions of construction and maintenance.

2. Subject to all provision of State Law.

3. To be occupied only by persons in camping units as defined by State Law or Board of Health regulations and only by such persons when they are involved in recreation, vacation, leisure time or travel.

4. All permanent buildings and structures in campgrounds shall be constructed under the provisions of the Uniform Statewide Building Code and the regulations of 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. Construction and alterations shall remain in conformity with the law or code under which they are constructed.

5. All water sources and sewer or septic facilities shall comply with the regulations of the Board of Health, the State Water Control Board, and, if connected to public utilities, the Dinwiddie County Water Authority.

6. The campground operator shall maintain a register for each campground lot for at least the previous year which register shall be available to local law enforcement officers at the written request of the Sheriff or Captain of the State Police, and the Department of Health Commissioner, upon request, during his inspection of the campground. The register shall contain:

- a. The names and addresses of each camper, owner and occupant;
- b. The date of the campsite occupied;
- c. The number of each camper who has on the campground a vehicle requiring a license.

7. This conditional use permit shall expire and shall be deemed to be abandoned after a period of twenty-four (24) months continuous non-use and such abandonment of the use shall render this conditional use permit null and void.

No one spoke in favor of the permit.

Continental Land Sales, Inc. submitted a letter in opposition to the permit as they intend to conduct a mining operation on the land.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye",

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that H. Randall Williams be granted a Conditional Use Permit to operate a campground on his property located off Route 613, Land Parcel 33-38 in the Rowanty District with the conditions stated therein and recommended by the Planning Commission.

IN RE: CRATER HEALTH DISTRICT - ACTIVITY REPORT

Dr. D. W. Maccorquodale, Director of the Crater Health District, presented an activity report for the Health Department of Dinwiddie County and what it does. His main issue was their concern for the County's Infant Mortality rate. He reported the Health Department offers quality maternity care which includes an immunization program, maternity care, child health program, as well as family planning. He commended the staff for their outstanding Department and introduced them to the Board.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION - RT. 613

Mr. John Stewart read a letter he had submitted to the County Administrator about his concern for the unsafe road conditions of Route 613 (White Oak Road) between Route 1 and Route 661, which was enhanced by the Department of Transportation when they pulled the ditches early this summer. He advised the ditches are approximately 18" to 24" deep and there is no shoulder on the road. He also knew of six serious accidents that have occurred since the ditches were pulled along this strip of roadway and he was particularly concerned with the school bus traffic. He understood this roadway was due for upgrading in the six year plan in 1994, but he feels with the seriousness of the safety problem, it should be reconsidered.

Mr. Mac Neblett, Resident Engineer for the Virginia Department of Transportation, advised this road was comparable to other roads in the County that handle the same amount of traffic, including school bus traffic. He advised that when this particular road was surfaced, they widened the road by two feet, making it 18 feet wide, which eliminated the shoulders of the road. The Highway Department is looking at settling the ditches back which will require cooperation from landowners. As to the six year plan, it would still take two to three years to update the roadway, even if the project became first priority due to bidding the project out. He reemphasized that there are many other county roads just like this one.

Mr. Bracey requested Mr. Stewart work with Mr. Neblett and see if a solution could be reached.

IN RE: DEPARTMENT OF SOCIAL SERVICES

Mrs. King B. Talley, Director of Social Services, reported that her Department has received seven (7) grants since the 1988-89 budget was approved at a total of \$47,730, which the County will only have to match with \$3,000. She advised that the local match has already been approved within the 1988-89 Budget. She stated that some grants were 100% Federal funded and some State funded for training. Mrs. Talley requested that the Social Services Department be allowed to use the Funds within the 1988-89 budget.

Upon motion of Mr. Harrison, seconded by Mr. Bracey, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye",

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA that \$47,730 in Federal and State Grants is received and appropriated for expenditure within the 1988-89 Department of Social Services Budget.

IN RE: ENERGY ASSISTANCE PROGRAM

Mrs. King B. Talley, Director of Social Services, advised that the Department of Social Services administers the Energy Assistance Program (formerly the Fuel Assistance Program) in which they hire emergency and temporary help. She requested permission to fill these positions and advised that this will be 100% State reimbursed in the amount of \$14,882.

Upon motion of Mr. Clay, seconded by Mr. Harrison, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye",

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA that the Department of Social Services is authorized to fill the Energy Assistance Program positions as requested and fully reimbursed by the State.

IN RE: SET-OFF DEBT RENEWAL

~~XTRACT~~  
Mrs. King Talley, Director of Social Services requested a resolution and letter of intent for the Department of Taxation to be allowed to participate in the Set-Off Debt Collection Act. She advised they have approximately 35 clients who owe them money, and this is one way to get reimbursed if these people receive a tax refund.

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

WHEREAS, the 1983 General Assembly of Virginia amended and approved Section 58-19.8 of the Code of Virginia, relating to the Set-Off Debt Collection Act to include County, City and Town governments; and

WHEREAS, under the provisions of the Act, as amended, a Virginia individual incoming tax refund can be subject to County, City and Town government claims; and

WHEREAS, the Department of Social Services has been authorized to participate in the Set-Off Debt Collection program to collect delinquent debts owing to it as an agency;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that the Department of Taxation be advised that the Department of Social Services wishes to participate in the Set-Off Debt Collection program; and,

BE IT FURTHER RESOLVED THAT THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, designates Mrs. Judy H. Andrews, Fraud Investigator, Department of Social Services, as Set-Off Debt Coordinator.

IN RE: LANDFILL - APPLICATION OF SOIL AND SEEDING WORK

Mr. John Loftis, Director of Sanitation, presented an approved estimate to grade, seal, lime, fertilizer and seed 14 acres at the Dinwiddie County Landfill in the amount of \$4,663.00 which was approved as recommended on August 31, 1988. A bid received on the project from a contractor was \$10,000.

Mr. Loftis advised that another operator will be needed to perform the loading and grading at an additional cost of \$750.00, due to his tractor operator's injury. He advised the work will have to be done on weekends.

He advised that in-house equipment will be used; however, they will need to obtain bids to rent dump trucks. Mr. Cornwell advised telephone bids will be secured.

Upon motion of Mr. Bracey, seconded by Mr. Harrison, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye",

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that the Sanitation Department is authorized to grade, seal, lime, fertilizer and seed 14 acres at the Dinwiddie County Landfill at a cost not to exceed \$5,413.00.

IN RE: LANDFILL CLARIFICATION

Mr. Richard Barton, County Administrator, wanted to clear up a misunderstanding about the compliance of the Landfill Mrs. Kay Winn brought up and advised that it was his understanding that the Landfill had been open around the clock for approximately five years. He

inquired of Mr. Loftis how scavenging was prevented with it being open all the time. Mr. Loftis advised he has no one at the Landfill to prevent scavenging.

Mr. Barton read the following State Law, adopted April 1, 1971, Article II, Requirements for Sanitary Landfill Operations, Section C: "Solid waste shall be covered at the end of each day of operation with six inches of earth or approved material." Section G: "Scavenging, which is the uncontrolled removal of material from a Solid Waste Disposal site shall be prohibited." That is what he based his statement on.

IN RE: EXECUTIVE SESSION

Mr. Jim Cornwell, County Attorney, requested an Executive Session under the Freedom of Information Act Requirement that allows the discussion of matters of pending or potential litigation.

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", pursuant to Section 2.1-344(6) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 9:06 p.m. to discuss legal matters. A motion having been made and approved, the meeting reconvened into open Session at 9:24 p.m.

IN RE: LANDFILL

Mrs. Kay Winn asked permission to address the Board regarding Mr. Barton's comments directed to her. She advised that she had read on the reports made by the State Inspector where it asks "Is Salvage Controlled?", the response is Yes. She wanted to point out what the report actually says.

Mr. Barton pointed out that unless the inspector is told otherwise, there is a sign at the entrance to the Landfill that says it is closed everyday at 3:30. Mrs. Winn responded that it was her understanding that the Landfill is left open because of action by the Board.

IN RE: CLEARING OF AIRPORT PROPERTY

Mr. Jim Cornwell advised Mr. Horace A. Davis has submitted three bills regarding clearing of Airport Property. One bill is for work done in December 1986 for clearing and piling at end of runways at Dinwiddie Airport for 17 hours, at \$65.00 per hour for a total of \$1,105.00. The second bill is for burning debris of Selective Coatings and clearing additional land at Dinwiddie Airport beside Selective Coatings site during the period of June 16-22, 1987, for 42 hours, at \$70.00 per hour, for a total of \$2,940.00. The third bill is for clearing and burning land between the Water Authority Building and Selective Coatings during the period of July 8, 1987 to November 7, 1987 for 114 hours, at \$70.00 per hour, for a total of \$7,980.00. Along with the bills, Mr. Davis has submitted an Affidavit as required by the State Statute, stating that the work was done and that the bills are correct.

Mr. T. O. Rainey, III, the Commonwealth's Attorney, and Mr. Cornwell have some concerns with the bills, and it is their recommendation that this matter be tabled so they can discuss with Mr. Davis their concerns with the bill and possibly another bill that may be owed to him for some other work at the airport.

Mr. Robertson stated the Board is not trying to elude any payment to him; they are trying to make sure it is done properly.

Mrs. Margaret Lewis was concerned about Mr. Davis being paid for the work he had done. She felt that the previous County Administrator had the backing of the Board of Supervisors when he authorized the clearing of the property. She hoped the present Board felt they were morally obligated to pay Mr. Davis.

The Board requested the Commonwealth's Attorney and the County Attorney to work on a solution and bring a recommendation back to them at the next meeting.

IN RE: STREETNAMING AND HOUSE NUMBERING ORDINANCE -  
AUTHORIZATION TO ADVERTISE

Mrs. Wendy Quesenberry, Assistant County Administrator, presented a draft copy of an ordinance on the streetnaming and house numbering system which would require the proper display of house numbers by the citizens of the County. She advised the staff was working on this ordinance to ensure the system complies with the regulations and also urged input from the Board. She requested authorization to advertise the ordinance, if finalized, for a public hearing for the October 19, 1988 meeting.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye",

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that Mrs. Wendy Quesenberry is authorized to prepare and advertise for a Public Hearing an ordinance to establish the streetnaming and house numbering system to be held, if ready, October 19, 1988, and if not on November 16, 1988.

IN RE: GAS & FUEL OIL BIDS - AWARD OF CONTRACT

Mrs. Wendy W. Quesenberry, Assistant County Administrator, presented bids for the Gas and Fuel Oil Contract for the County and the School Board needs. She stated 11 vendors responded. The bids were evaluated on a grand total basis with the following preferences:

1. Bidder who can supply all gasoline requirements.
2. Bidder who can supply all diesel and fuel oil requirements.

Out of the 11 vendors, there was a low bid in each category. From those low bids, the following alternatives were presented:

1. Take Mansfield Oil (gas & diesel) and Primary Oil (#2 & #4) - deal with two difference companies \$264,865.55
2. Take Primary Oil - all services \$268,754.55
3. Take Cargo Fuels - all services \$269,095.86

The figures given are based on quotes per gallon, multiplied by estimated usage for the year in the various categories.

Mrs. Quesenberry stated that Primary Oil had one exception to the bid -- #4 fuel oil would be "on call" rather than "automatic". The Middle School uses #4 fuel oil and the School Board indicated that the "on call" exception was not acceptable to them.

Mrs. Quesenberry recommended awarding one contract to a single vendor. Her recommendation to the Board was Cargo Fuels for the following reasons:

1. The County and School School Board's first preference was to award the contract to one bidder who can supply all requirements.
2. Our past three years experience has been very good with Cargo Fuels.
3. There is little difference between the bid of Cargo Fuels and Primary Oil.
4. Primary Oil has one exception to the bid which the School Board considered unacceptable.

The County Administrator mentioned the combination of Mansfield for gasoline and #2 fuel oil, and Woodfin for #4 fuel oil. However, this would have been contradictory to the bid evaluation criteria and only a cost difference of \$1,700. He and Mrs. Quesenberry both agreed the past experience with Cargo Fuels was worth the difference.

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye",

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that the contract for gas and fuel oil requirements for 1988-89 with a renewal option for two additional years for the County of Dinwiddie and School Board be awarded to Cargo Fuels.

IN RE: COUNTY AUCTION - SURPLUS PROPERTY FOR COUNTY  
AND SCHOOL BOARD

Mr. Jim Rice, Public Safety Director, advised the Board there was a need for the County to have an auction of surplus property for the County and School Board. He presented a list and requested the Board to declare all of the items as surplus. The auction is planned for Saturday, October 8, 1988 at 10:00 a.m. to be held at the School Bus Garage on Route 627.

Ms. Fran Hart, Recreation Director, requested one surplus bus be given to the Recreation Department to be used by that Department for Community and Recreation Transportation. Mr. Clay opposed this request due to insurance costs and the gas and maintenance involved. Mr. Tom VanDelt also spoke in opposition as he felt if the bus wasn't safe enough for children, it wasn't safe enough for recreation. There was no motion from the floor.

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Clay, Mr. Bracey, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye",

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that all items listed and presented by the Public Safety Director are declared surplus property of the county and are approved for the County Auction to be held Saturday, October 8, 1988 at 10:00 a.m. at the School Bus Garage on Route 627.

IN RE: EXECUTIVE SESSION

Mr. Jim Cornwell, County Attorney, requested an Executive Session under the Freedom of Information Act Requirement for consideration of acquisition of real estate, with discussion effecting the purchase and price thereof.

Upon motion of Mr. Moody, seconded by Mr. Harrison, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", pursuant to Section 2.1-344(2) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 9:55 p.m. to discuss legal matters. A motion having been made and approved, the meeting reconvened into Open Session at 10:03 p.m.

IN RE: DEWITT SCHOOL PROPERTY

Mr. Jim Cornwell, County Attorney, advised the Board of a controversy that exists as to the ownership of the old Dewitt School Property. There has been a claim made by a third party as far as the ownership. Three previous County Attorney's have failed to establish a deed to the County for that property and Mr. Cornwell's purpose in coming to the Board is to ask the Board if they were interested in pursuing ownership of the property, and to give him authorization to see if he can resolve the problem and bring his findings back to them.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye",

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA that the County Attorney is authorized to work out some

arrangement on acquiring the Dewitt School Property and bring his recommendations back to the Board.

IN RE: NATIONAL FLOOD INSURANCE PROGRAM

Mr. Jim Cornwell, County Attorney, advised that according to the Federal Emergency Management Agency which oversees the National Flood Insurance Program, the County's ordinance is out-of-date. They have requested that we proceed to bring our ordinance up-to-date. Mr. Cornwell requested authorization to amend the County's flood plan ordinance and advertise the amendment for a Public Hearing.

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye",

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that the County Attorney is authorized to amend the County's ordinance for the National Flood Insurance Program and advertise it for a Public Hearing.

IN RE: APPOINTMENT - APPOMATTOX BASIN INDUSTRIAL DEVELOPMENT CORPORATION (ABIDCO)

In a letter from Dennis K. Morris, Executive Director of ABIDCO, next year's appointment to the Board of Directors needs to be done prior to October 1. The current members to the Board of Directors are Harrison A. Moody and Milton I. Hargrave, Jr. Mr. Bracey advised he was not ready to make an appointment and requested to postpone the appointment until the next meeting.

IN RE: APPOINTMENT - APPOMATTOX RIVER WATER AUTHORITY

Mr. George Robertson advised that Mr. Darrell Rice is presently Chairman of the Appomattox River Water Authority.

Upon motion of Mr. Harrison, seconded by Mr. Moody, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Robertson voting "aye",

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE, VIRGINIA that Mr. Darrell Rice be reappointed to the Appomattox River Water Authority as Dinwiddie's representative on their Board for a four year term, expiring November 30, 1992.

IN RE: TINDALL CONCRETE

Mr. Richard Barton, County Administrator, advised the Board had received a letter from the State Air Pollution Control Board stating they are in receipt of an application from Tindall Concrete to operate a concrete batching plant on Route 632 just north of Route 460. He recommended that a public hearing not be called due to the fact that all of the equipment Tindall Concrete is installing has to comply with Federal and State Regulations as far as air pollution is concerned. This notification is required by law; however, a public hearing is up to the Board of Supervisors. There is no action needed by the Board.

IN RE: DINWIDDIE COUNTY EMERGENCY OPERATIONS PLAN/RESOLUTION TO AMEND

Mr. Jim Rice, Public Safety Director, advised that in January of 1986, the Board adopted the Dinwiddie County Emergency Operation Plan by resolution. FEMA has reviewed the plan and requested the word "basic" in the last paragraph be deleted.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye",

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA that the Dinwiddie County Emergency Operation Plan Resolution be amended as follows:

WHEREAS, there exist many potential situations which could threaten the lives, property, and economic well-being of the people of Dinwiddie County; and,

WHEREAS, the safety and protection of the people of Dinwiddie County is of foremost concern to the Board of Supervisors; and,

WHEREAS, the Board of Supervisors desires and the Commonwealth of Virginia statutes require the adoption of appropriate planned protective measures;

NOW THEREFORE BE IT RESOLVED THAT THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, hereby adopts the Dinwiddie County Emergency Operations Plan.

IN RE: HEALTH INSURANCE CONSULTANT

Mrs. Wendy Quesenberry, Assistant County Administrator, stated that Blue Cross/Blue Shield advised last week that the health insurance rates for the County were going up 62%. The County can renew with the present company and accept the new rates, or look at some new deductibles and try to decrease the County's cost; or bid it out to see if there is anything better on the market. The evaluation of the bids requires special expertise needed from an insurance consultant. We have had an insurance consultant on contract in the past, but bidding is an additional cost. Mrs. Quesenberry obtained three telephone quotes for someone to review the insurance bid before it goes out, help to analyze the bids, and make a recommendation to the Board. We will reduce that cost by sending the bid package out ourself. The following quotes were received:

Industrial Insurance Management - \$1,000  
Alexander & Alexander - \$1,500 to \$5,000  
Commercial Risk - \$2,500

Industrial Insurance Management did our last bidding, and has all of the County's records. They already know the County's programs and what needs to be done. She asked authorization to contract with Industrial Insurance Management for \$1,000 to help with the health insurance bidding. The Consultant fee is a budgeted item.

Upon motion of Mr. Clay, seconded by Mr. Woody, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye,"

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that authorization be given to bid the County's health insurance program; and,

BE IT FURTHER RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that Industrial Insurance Management be contracted as the County's consultant on the health insurance bidding at a cost of \$1,000.

IN RE: SEPTIC SYSTEM - JAIL

Mr. Richard Barton, County Administrator, advised that for several years there has been a problem with the jail's septic system. In the spring, a firm was hired to come and pump out the septic tank on a weekly basis at a cost of \$200 per week in an effort to clear the septic tank and open up the field lines. When Mr. Barton came here, he stopped this until the problem became obvious again. For the past three months, the tank has not been pumped out. Now the problem exists again. He advised the Board had authorized R. Stuart Royer to make a study of that area to see what could be done. He advised there was a pending bill of \$2,475 for engineering, of which Mr. Barton has not seen his analysis, his drawings or recommendations. In talking with Mr. Royer, to correct the situation will cost between \$15,000 and \$25,000. Mr. Barton requested authorization to get Edmunds Waste Removal to again pump the septic tank on a regular basis to try and clear up the ground. He advised that \$100,000 of the budgeted jail money will have to be used towards a permanent correction of the problem.

Mr. Jim Cornwell, County Attorney, pointed out that in order to do the temporary pump and haul work, the County did have to enter into a contract with the Health Department stating we would pump and haul as needed. Mr. Cornwell advised we have been pushing back the "as needed" to the point where the service is needed again.

Upon motion of Mr. Harrison, seconded by Mr. Bracey, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye",

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that the County Administrator is authorized to continue with the pump and haul contract with Edmunds Waste Removal, if necessary, on an emergency basis and review the alternatives and present the recommendations to the Board.

Mr. Clay pointed out that the budgeted jail money was to install a fire escape onto the jail and to provide a recreation area. There is only one entrance into the jail. If there is a fire and something happens, Dinwiddie will have a greater problem than a septic system. He reminded the Board has been working on this problem for five years and nothing has been done.

IN RE: RESOLUTION TO RESCIND ACTION

Mr. George Robertson advised that at the May 4, 1988 meeting a resolution was passed to allow his company, P & R Business Machines, to do business with the county. As it is legal in all categories, it does seem to give the appearance of impropriety, and he requested that the resolution be rescinded as he would refrain from doing business with the County.

Upon motion of Mr. Harrison, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye":

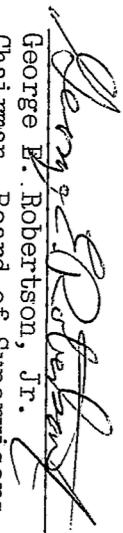
BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that the resolution adopted May 4, 1988 allowing P&R Business Machines to bid on the purchase and maintenance of County and School Board office equipment be rescinded.

IN RE: EXECUTIVE SESSION

Mr. George Robertson said there is a need for the Board to discuss personnel items and industrial development in the county; however, he recommended a recess until an agreed upon meeting date.

Upon motion of Mr. Robertson, seconded by Mr. Moody, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye",

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA that this meeting be recessed until 7:00 p.m., Monday, September 26, 1988, to be held in the Pamplin Administration Building, at which time the Board will reconvene and go into Executive Session. No action will be taken upon returning to open session that night.

  
George E. Robertson, Jr.  
Chairman, Board of Supervisors

ATTEST:   
Wendy W. Quesenberry  
Assistant County Administrator