

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 5TH DAY OF OCTOBER, 1988, AT 2:00 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  
  
BENNIE M. HEATH SHERIFF  
JAMES E. CORNWELL, JR. COUNTY ATTORNEY

IN RE: MINUTES

Upon motion of Mr. Moody, seconded by Mr. Harrison, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", the minutes of the September 21, 1988 Regular Meeting and the September 26, 1988 Continuation Meeting were approved as presented.

IN RE: CLAIMS

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 following claims be approved and funds appropriated for same: Payroll - \$160,653.09 (checks 1998-2107); Accounts Payable - \$13,325.65 (checks 2108-2139).

IN RE: PRESENTATIONS - RESOLUTIONS/COUNTY FLAG

Mrs. LeeNora Everett was presented a framed Resolution of Recognition upon her retirement from the Richmond Times Dispatch Newspaper. This resolution was adopted September 7, 1988.

Mr. James C. Maitland was presented a framed Resolution of Recognition for being chosen Outstanding Extension Agent in the State of Virginia by the National Agricultural County Agents Association. This resolution was adopted September 7, 1988.

Mr. William E. Bolte was presented a framed Resolution of Recognition upon his retirement as the Commissioner of the Revenue for Dinwiddie County from January 1, 1976 to December 31, 1987. This resolution was adopted December 30, 1987.

Mrs. Wendy W. Quesenberry was presented a framed Resolution of Recognition for being Interim County Administrator from January 1, 1988 to May 31, 1988. This resolution was adopted June 15, 1988.

Mr. Thomas Newsom was presented a reproduction of the County flag. Mr. Newsom donated the money towards reproduction of the County flag and erection of the flag poles in front of the Clerk's Office. He has agreed to place the original flag in the display cabinet in the Pamplin Administration Building, with the understanding it would be at his disposal. Mr. Newsom thanked the Board for approving the construction of the flag and stated he was very proud to have been a part of the project.

IN RE: CITIZEN COMMENTS

1. Ms. Lottie Williams addressed the Board regarding the new land allotment for new dwellings that requires three acres. She has a relative that wants two acres for a dwelling. She requested an explanation on the new ordinance. The Chairman requested Mrs. Williams to meet with the Mr. Joe Emerson, Director

of Planning, and the County Administrator so they could explain the new ordinance to her and answer her questions.

Ms. Williams also wanted to know when Rt. 636 was going to be hard surfaced. Rocky Branch Church, Sutherland, Virginia, has asked for a hard surface road for over 20 years. Mr. Mac Neblett, Resident Engineer, Department of Transportation, advised Rt. 636 is in the six year plan that was adopted in February 1988. Rt. 636 is currently scheduled during FY 1993-94 for funds to be allocated to this project. The traffic count on this road is 87 vehicles per day.

2. Mr. Tom VanPelt inquired as to where the \$2 million surplus has gone over the years. He was advised the County had not received the audit yet. Mr. VanPelt understood that some of the money had been loaned to the Dinwiddie County Water Authority and wanted to confirm this. Wendy Quesenberry, Assistant County Administrator, advised that non-interest bearing loans were given for projects for Industrial Development. These monies were to be repaid whenever the Water Authority was in a financial position to do so. Some money has been collected from connection fees from industry.

Mr. VanPelt also wanted to know who could speak during the Citizen Comments section on the Agenda. Mr. Robertson advised the Citizen Comments section was primarily for County residents but it is not restricted to them.

3. Mr. Ronnie Abernathy thanked the Board for trying to resolve some of the mistrust and misrepresentation that the Landfill issue and other issues have brought to the County. He asked to Amend the Agenda in reference to the Referral of the Landfill Issue to the Planning Commission, as the State Statute requires, and to set any conditions that they want to in their referral so that everything can be done by the book.

Mr. Jim Cornwell, County Attorney, advised he was not prepared to address this issue today. He understood CORD had legal counsel and they needed to get together. Mr. Robertson advised that the two attorneys should get together and determine if a meeting is necessary and whether it should be in open session or executive session. Once they meet, they are to advise the County Administrator whether to be placed on the Agenda.

4. Mrs. Kay Winn requested that the Board have their day meetings changed to night meetings. Mr. Robertson advised there was a resolution addressing this issue to be added to the agenda.

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Moody, seconded by Mr. Harrison, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", the following amendments were made to the agenda:

1. Resolution changing the time of the first meeting of each month - requested by George Robertson.

2. Resolution to add the County Administrator to the signature cards for signing checks.

3. Executive Session

IN RE: COMMISSIONER OF REVENUE

Mrs. Deborah M. Marston requested to be put on the October 19th Agenda to give a progress report. Her office is finalizing the Real Estate and Personal Property Books and advised they are running behind; however, they are to be printed next week.

IN RE: TREASURER

Mr. Bill Jones advised that State law requires bills are to be mailed out 14 days prior to the due date. He presented the Board with the new computer report and explained the Trial Balance, Fund Balance and Cash In Bank Reports. He advised the possibility of not borrowing at the end of October looks good right now. He has still not received the Literary Fund Loan which would help the General Fund because that money will be transferred back into the General Fund.

IN RE: BUILDING INSPECTOR

Mr. Dwayne Abernathy, Building Inspector, presented his report for the month of September 1988. Total new dwellings for the month was 22.

IN RE: ANIMAL WARDEN

Mr. Allie Brooks, Animal Warden, presented his reports for August and September, 1988.

IN RE: OFFICE ON YOUTH AND COMMUNITY SERVICES

*Extract*  
Mrs. Diane Galbreath, Director, Office on Youth and Community Services, advised the Christmas Parade was tentatively scheduled for December 10, 1988 and the theme this year is "Christmas from the Heart". Mrs. Galbreath asked assistance from the County to help pay the Liability Insurance, up to \$250. She advised the Department of Corrections has an insurance policy for the volunteers of the OYCS.

Mr. George Robertson stated it was his understanding that the \$250 would come out of the Recreation Department's budget.

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 Office on Youth and Community Services is authorized to hold the annual Christmas Parade on December 10, 1988; and,

BE IT FURTHER RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that up to \$250.00 be expended from the Recreation Department's Budget to help pay the Liability Insurance for the Office on Youth and Community Services; and

BE IT FURTHER RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that the County of Dinwiddie be named as an additional insured.

IN RE: RECREATION

Ms. Fran Hart presented her progress report for the month of September which included: another Hunter Safety Course had been concluded with 68 students enrolled; the first Arts and Crafts Fair will be held October 29, 1988 at the Dinwiddie County High School; she attended the Virginia Parks and Recreation Society Annual Professional Conference in Fairfax; she has been asked to serve as co-chairman of the 1989 Life Be In It/Statewide Slogan Promotion Committee by VRPS President Larry Zehnder; she has been selected to receive a sponsorship by the United States Tennis Association to attend the Recreational Tennis Leadership Workshop in Texas in November, and her office finalized the publishing of the upcoming fall and winter schedule of programs.

IN RE: EXECUTIVE SESSION

Mr. Jim Cornwell, County Attorney, requested an Executive Session under the Virginia Freedom of Information Act Requirement for consideration of acquisition of property.

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 2:55 p.m. to discuss legal matters. A motion having been made and approved, the meeting reconvened into Open Session at 3:07 p.m.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -  
WALLACE SUBDIVISION

Mr. Mac Neblett, Resident Engineer, advised Shadyside Drive in Wallace Subdivision had been recently completed and qualifies for acceptance into the State Secondary System.

*EXTRACT*  
Upon motion of Mr. Clay, 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, this fifth day of October 1988, that the Virginia Department of Transportation, be and is hereby, requested to add a section of road known as Shadyside Drive, beginning at a point on Route 1335, 0.11 miles south of Route 1334 and running in an easterly direction 0.20 miles to a dead end with a turn-around. This road has been constructed, drained, and surfaced in accordance with Virginia Department of Transportation Specifications and County Ordinances; and,

BE IT FURTHER RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that this road in Wallace Subdivision, if accepted, be added to the Secondary System of Dinwiddie County, effective on the date of approval of the Highway Commission with the maintenance bond and fee pursuant to Section 33.1-229 of the Code of Virginia (1950, as amended); and,

BE IT FURTHER RESOLVED THAT THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, does guarantee the Commonwealth of Virginia, a minimum unrestricted right-of-way of 50 feet with necessary easements for cuts, fills, and drainage, as recorded in Plat Book 12, Page 93, dated March 15, 1984 for Section One and Plat Book 13, Page 29, dated April 28, 1986, for Section Two.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Ms. Rosalyn Carr, who lives on Route 670, asked Mr. Mac Neblett if this road was in the six year plan for hardsurfacing. Mr. Neblett advised that it was not at this time. He advised that Rt. 670 will continue to be maintained, kept graded, and chemicals applied for dust control.

Mr. Clay advised Mr. Neblett that Route 622 needed grading.

Mrs. Polly Thrower inquired about the concrete company problem she had asked about previously on Route 142. Mr. Neblett advised that one of the concrete companies is going to move their location.

IN RE: JAIL DRAINFIELD

Mr. Roger Hart, of R. Stuart Royer & Associates, reported on the drainfield problem at the jail. He presented three alternatives for a new sewage disposal system, with costs ranging from \$260,000 to \$975,000.

He stated the very first step is to obtain a National Pollutant Discharge Elimination System Permit (NPDES) from the State Water Control Board. He pointed out that this permit will provide the discharge limits and if the present limits are reduced, the price would go up. The County Administrator asked what affect the endangered species designation on Stony Creek would have on the permit. Mr. Hart stated it may require the County to go to zero discharge. He estimated the cost of obtaining the NPDES permit to be between \$2,500 and \$3,500. He reemphasized how important it was to proceed with obtaining this permit as it may take as long as six months.

Mr. Clay recommended that the County apply for the NPDES permit and could look for available land in the meantime for another drainfield.

Wendy W. Quesenberry, Assistant County Administrator, pointed out that the County is on record with the State Health Department to construct a sewage treatment plan within the next 18 to 24 months. The Health Department has granted a temporary pump and haul contract for the County until a system can be constructed.

Sheriff Heath advised that he had been meeting with the Regional Jail Committee and they are getting cost figures together for review.

No action was taken and further discussion was deferred until the October 19 meeting when the architect, Chenault & Associates, will be present to discuss the Jail Renovation.

IN RE: CLEARING OF AIRPORT PROPERTY CLAIM

Mr. Jim Cornwell, County Attorney, advised he had received a letter wherein Mr. Horace Davis had obtained counsel. Mr. Cornwell has written and called William D. Allen trying to set up a conference to discuss settlement of Mr. Davis' claim. He requested the Board defer this action until he and Mr. Rainey have met with Mr. Allen and bring their recommendation back to the Board.

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

Mr. Robertson advised this appointment had been postponed from the last meeting. The current members to the Board of Directors are Harrison A. Moody and Milton I. Hargrave, Jr., whose terms expired September 30, 1988. The floor was open for nominations. Mr. Harrison nominated Harrison Moody; Mr. Moody nominated Milton Hargrave, Jr.; Mr. Bracey nominated Charles W. Harrison.

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

Mr. Moody advised that to serve on the Board of Directors, one individual has to be a member of the Board of Supervisors and the other individual a businessman.

Upon motion of Mr. Bracey, seconded by Mr. Harrison, Mr. Bracey, Mr. Harrison, Mr. Robertson voting "aye", Mr. Clay, Mr. Moody voting "nay", the appointment was tabled until the next Board meeting.

Mr. Robertson asked for a ruling to see if two Board members can serve.

IN RE: VIRGINIA ASSOCIATION OF COUNTIES

Mr. Richard Barton, County Administrator, presented a letter from the Virginia Association of Counties stating they were negotiating new electrical rates for the present fiscal year. In the past, this has been a three year contract; however, Virginia Power is proposing a contract for only one year. The money saved from the rate decrease offsets the amount of levy they want to place on the County. He recommended the Board pay the \$283.00.

Upon motion of Mr. Harrison, 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 \$283.00 be appropriated to the Virginia Association of Counties for negotiating new electrical rates with Virginia Power for the present fiscal year.

IN RE: COUNTY AUCTION

Mr. Jim Rice, Public Safety Officer, advised the County Auction was scheduled for October 8, 1988 at 10:00 at the County Bus Garage located on Route 627, and had been properly advertised. He requested that the County Administrator be authorized to sign the titles for the vehicles to be sold that day before the auction.

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 County Administrator is authorized to sign the titles for the vehicles to be sold at the County Auction on October 8, 1988.

Mr. Rice requested a check in the amount of \$50.00 be approved to be used to make change for the auction. This \$50.00 will be redeposited out of the sales that day.

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

BE IT RESOLVE#D BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that a check in the amount of \$50.00 be issued to be used to make change for the auction and the \$50.00 redeposited out of the sales that day.

Mr. Jim Cornwell, County Attorney, wanted to point out to the Board that the terms of the auction are to sell the items to the highest bidder without consideration of value and without bringing the matter back to them for approval.

IN RE: HEALTH INSURANCE PROGRAM

Mrs. Wendy Quesenberry, Assistant County Administrator, advised that at the last meeting, the Board authorized putting our health insurance program out on bid. The bids are due back October 31, 1988. Because we must deduct premiums a month in advance, coverage for the month of November will be deducted from the October payroll, prior to receiving the bids. To continue coverage for employees, she requested authorization to renew with Blue Cross/Blue Shield of Virginia for one month until the bids are analyzed and a decision is made. The results of the survey to the employees indicated the majority wished to keep the same coverage and deductibles and have the additional funds withheld from their pay.

Mrs. Quesenberry stated she had been asked by the County employees to request that the County pay the additional premium cost on the individual. She stated the additional cost for nine months would be \$12,000. No action was taken on the request.

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 health insurance coverage for County employees be renewed for one month with Blue Cross/Blue Shield of Virginia.

IN RE: RESOLUTION CHANGING THE TIME OF THE FIRST MEETING OF EACH MONTH

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

WHEREAS, the Board of Supervisors of Dinwiddie County in its annual meeting in January of 1988 established a meeting schedule for its regular meetings during the year; and,

WHEREAS, such schedule provided that the first monthly regular meeting of the Board would be at 2:00 p.m. except for the first meeting of each month during the months of June through September which meeting time would be at 7:30 p.m.; and,

WHEREAS, the Board has determined that in order to promote more citizen participation in County government that all regular meetings shall occur at 7:30 p.m.;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that the regular meeting schedule of the Board of Supervisors of Dinwiddie County be changed for the first meeting of each month to be a new time of 7:30 p.m., commencing with the meeting on November 2, 1988, and that the second meeting time be continued as scheduled at 7:30 p.m. on the third Wednesday of each month; and,

BE IT FURTHER RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that a copy of this resolution shall be posted at the front door of the Dinwiddie County Courthouse and advertised in the Progress Index, The Monitor, and The Blackstone-Courier newspapers having general circulation in Dinwiddie County, once a week for two weeks prior to the first November meeting of the Board as provided by Section 15.1-5436 of the Code of Virginia.

IN RE: RESOLUTION ADDING COUNTY ADMINISTRATOR TO BANK SIGNATURE CARD

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

WHEREAS, by resolution adopted January 6, 1988, Wendy W. Quesenberry was appointed Interim County Administrator, and Glenice N. Townsend was appointed Interim Executive Assistant; and,

WHEREAS, by appointment to these positions, Wendy W. Quesenberry and Glenice N. Townsend were authorized to sign checks; and

WHEREAS, by resolution adopted May 4, 1988, Richard Barton was employed as County Administrator, effective June 1, 1988;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that Mr. Richard Barton, County Administrator; and Mrs. Wendy W. Quesenberry, Assistant County Administrator, are hereby authorized to sign checks for the County of Dinwiddie.

IN RE: EXECUTIVE SESSION

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 4:19 p.m. to discuss legal matters. A motion having been made and approved, the meeting reconvened into Open Session at 5:03 p.m.

IN RE: RESOLUTION AUTHORIZING COUNTY ATTORNEY TO DEFEND

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 Jim Cornwell, County Attorney, is authorized to defend all defendants in the pending suit on redistricting brought by the American Civil Liberties Union.

IN RE: RESOLUTION AUTHORIZING OUTSIDE COUNCIL

Upon motion of Mr. Harrison, 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 Jim Cornwell, County Attorney, is authorized to hire Mr. Harvey Chappell, with the firm of Christian and Barton, to assist in litigation of the pending suit on redistricting brought by the American Civil Liberties Union.

IN RE: LITIGATION FUND

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

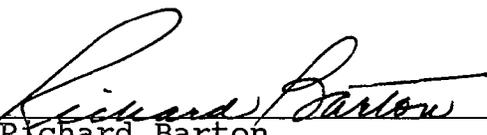
BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA that \$50,000 be placed in a Litigation Fund to be transferred from the \$492,000 loan from the Self-Insurance Fund to pay for computer software, reference material, outside legal counsel and other costs and expenses for defending the pending suit involving the County and the American Civil Liberties Union; and,

BE IT FURTHER RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA that a monthly statement be presented to the Board of Supervisors by the County Attorney to document these expenditures.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", the meeting was adjourned at 5:21 p.m.

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

ATTEST:   
Richard Barton  
County Administrator