

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING, DINWIDDIE COUNTY, VIRGINIA, ON THE 2ND DAY OF NOVEMBER, 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. Moody, seconded by Mr. Harrison, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", the minutes of the October 19, 1988 regular meeting were approved as presented.

IN RE: CLAIMS

Upon motion of Mr. Clay, 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 following claims be approved and funds appropriated for same: checks numbering 2248 thru 2403 amounting to \$163,063.02, General Fund, consisting of Payroll and \$16,273.11, Accounts Payable, total \$179,336.13.

IN RE: PRESENTATION OF 1987-88 AUDIT

Mr. Spencer Elmore, Robinson, Farmer, Cox Associates appeared before the Board to present the 1987-88 audit. He commented on the following areas:

Mr. Elmore again reviewed the Fund Equity of the County as of June, 1988, which shows a \$66,302 deficit. Although the audit shows a fund equity of \$188,698, he pointed out that a \$255,000 outstanding loan to the Water Authority is still carried on the books. He then briefly reviewed the change in funds for the year which again shows the deficit position of the County.

In reference to school operations, Mr. Elmore stated that the School Board broke even with General Fund expenditures with the appropriation of approximately \$158,000 in additional funds for the purchase of school buses during the year.

Total revenues showed a growth of 9.3%; however, expenditures showed a growth of 11.9%. Total property assessments were only up 1.1% which Mr. Elmore stated was not enough to keep up with continuing growing expenditures. He added that tax collections were the highest they have been for the last ten years.

Mr. Elmore again urged the Board to use maximum control over expenditures and recommended that no additional appropriations be given to any department during the budget year.

IN RE: AUTHORIZATION TO ADVERTISE STATEMENT OF TREASURER'S ACCOUNTABILITY

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", authorization was given to advertise the Statement of Treasurer's Accountability as required by state law.

IN RE: CITIZEN COMMENTS

1. Mr. Jack Mayes appeared before the Board to question the Board's authority to limit public comments and

challenged the Board to provide any Court rulings that allow them to limit public comments according to the criteria they set.

2. Mr. Richard Earl questioned the tape recording of meetings without public notice. He stated that all public figures are subject to questioning.

3. Mrs. Gloria Bain stated her concern for having faith in County government with what has gone behind the citizens' back, i.e. admission tax before they learned of the racetrack, hiring a Safety Director before the Landfill proposal, and buying the previous County Administrator's contract. She stated she did not understand why they were still holding workshops and discussing the Landfill. She quoted Mr. Mel Davis as stating there was no alternative to the Landfill but raising taxes or removing Land Use.

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Harrison, seconded by Mr. Moody, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", the following amendment was approved for addition to the agenda:

1. Boat Landing Contract

IN RE: COMMISSIONER OF REVENUE

Mrs. Deborah Marston presented a 1988 Tax Comparison report. She also expressed her appreciation to Mrs. Brenda Spain, Data Processing Coordinator, for the time and effort she spent in working with her office and the Treasurer on the Land Books, Personal Property Books and tax tickets.

IN RE: TREASURER

Mr. W.E. Jones stated he would have his monthly report ready for the November 16, 1988 meeting. He reported that the General Fund balance was \$832,000 in October; therefore, the County will not have to borrow money at this time.

IN RE: APPROVAL OF AGENTS TO SELL DOG LICENSES AND COUNTY VEHICLE LICENSES

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 the following individuals are hereby authorized to act as agents to sell Dog Licenses and County Vehicle Licenses for 1989 with a bond of \$5,000:

DOG LICENSES

Wallace's Supermarket - Robert Wallace
Baltimore Corner Grocery - Diane Bishop
Edgehill Supermarket - Louis Dowdy
Country Hardware - George Williams
B&J's Market - Calvin Ellington
Bolster's Store - Mike Barnes

AUTOMOBILE TAGS

Namozine VFD - William Queen
WHF Ruritan Building - Paul Walk
Flat Rock Grocery - Fred Rogers
B&J's Grocery - Calvin Ellington

IN RE: BUILDING INSPECTOR

Mr. Dwayne Abernathy presented his report for the month of October, 1988.

IN RE: ANIMAL WARDEN

Mr. L.A. Brooks, Jr. presented his report for the month of October, 1988.

THE CHAIRMAN PASSED THE GAVEL TO THE VICE-CHAIRMAN AND LEFT THE ROOM BRIEFLY.

IN RE: CITIZEN COMMENT

Mrs. Kay Winn questioned why the workshops on the Landfill held by the Planning Commission were not advertised. Mr. R.J. Emerson, Jr., Director of Planning, stated it was not required by law. He added if the Board wishes to advertise the workshops, he would.

Mrs. Winn then asked if it was standard procedure to have a Deputy present at a workshop session. Mr. Emerson stated he understood Deputies should be present at all public meetings.

IN RE: DUMPSTER RENTAL FEES--OPINION FROM COUNTY ATTORNEY

As requested at the last meeting, Mr. James E. Cornwell, Jr., County Attorney, presented an opinion on the increase in dumpster rental fees. He stated the Director of Sanitation, by ordinance, has the power to set the rates and the Board of Supervisors has relieved itself of that authority. He pointed out, however, that the County Administrator and Director of Sanitation can be directed in the performance of their duties if the Board of Supervisors desires.

Mr. Bracey stated that he understood Mr. Cornwell's opinion, but he still holds the position not to grant an increase in the rental fees. Mr. Bracey moved that the increase in dumpster rental fees not be granted. There was no second.

Mr. Harrison stated that an increase was budgeted and he did not feel they could do without it. We are asking less than one-half of what others charge.

Mr. Moody stated they did discuss an increase during budget time. He did not agree with it being passed after being tabled. He stated he did not like the way it was handled.

Mr. Bracey, Mr. Clay voting "aye", Mr. Moody, Mr. Robertson voting "nay", Mr. Harrison "abstaining", the motion died. As a result, the increase in dumpster rental fees will be effective November 1, 1988 as outlined in the County Administrator's memo to the Board on September 14, 1988 as authorized by ordinance adopted September 7, 1988.

IN RE: DIRECTOR OF RECREATION

Ms. Fran Hart presented her report for the month of October, 1988. The Chairman commended her on an outstanding job.

IN RE: CITIZEN COMMENT

Ms. Gloria Bain questioned the Public Safety Officer about the No Parking signs at the Dinwiddie Senior High. Mr. Jim Rice, Director of Public Safety, stated the No Parking signs were for accessibility for fire protection.

Mrs. Bain stated they need a 10 minute parking area to allow parents to pick up students in the afternoon. Mr. Rice stated this would not provide for an 18-ft. fire lane.

IN RE: DIRECTOR OF SANITATION--TRUCK REPAIR

Mr. John M. Loftis, Director of Sanitation, appeared before the Board to discuss needed repairs to the 1972 and 1973 trash trucks.

He stated the 1973 truck ran hot the last day before it was delivered to Mr. Williams, M.A. Williams Truck Repair, for repairs authorized by the Board. Their assumption at the time was that a piston was the problem; however, they did not find that to be so and proceeded with the overhaul. Before they made the first load, the truck overheated and cracked the head. The problem was the radiator had stopped up. The company, therefore, will not replace the head and Mr. Loftis stated he did not feel like it was Mr. Williams' responsibility. The County Administrator stated he agreed with Mr. Loftis' recommendation.

Mr. Donald Andrews stated they should have checked the radiator to begin with. Mr. Loftis stated Mr. Williams considered pulling the radiator but that would have been an additional \$400 and they were trying to save money.

Upon motion of Mr. Harrison, seconded by Mr. Moody, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", Mr. Loftis was authorized to have Mr. Williams, Williams Truck Repair, replace the cracked head on the 1973 trash truck, at a cost or \$600 as recommended by the Director of Sanitation.

Mr. Loftis reported that the thermostat on the 1972 trash truck malfunctioned on Monday morning and caused the truck to overheat which cracked the head. The estimated cost to repair the truck is \$1300 to \$1500, which includes reconditioned head, radiator, and thermostat.

Mr. Bracey asked what they could do to keep the same thing from happening again. Mr. Loftis stated he recommended putting shut off systems on all the equipment at the Landfill. He did not know the cost but the same type of system costs \$150 on farm equipment.

After a brief discussion, Mr. Loftis was directed to investigate the cost of putting the shutoff system on the vehicles at the Landfill and report back to the Board at the next meeting.

IN RE: SHORT ARM GATES--CARSON RAILROAD CROSSING

Extract
The County Administrator stated the Board received a letter from the Prince George Board of Supervisors with an accompanying resolution, requesting CSX and the Va. Dept. of Transportation to install short arm gates at the railroad crossing of State Routes 623 and 703. He stated he supported the adoption of a similar resolution.

Mr. Moody asked if the resolution was adopted, would it affect the County's present priorities in the Six-Year Plan. Mr. Mac Neblett, Resident Engineer, Va. Dept. of Transportation, was present. He stated the short arm gates at this location were included in the Six-Year Plan with funding scheduled for 1990-91. To move this project up, would affect some of the earlier projects by delaying them three to four months for financing. The Board would have to reopen the Six-Year Plan. Since the crossing is in Dinwiddie County, it would only affect Dinwiddie County funding.

The County Administrator asked if Prince George could share in one-half of the funding. Mr. Neblett stated they could, but the Board would still have to amend the plan.

Mr. Moody stated he had similar crossings in his area and did not want their priorities to be affected.

Mr. Neblett stated the Highway Department provides the funding and CSX installs the gates. The estimated cost is \$60,000.

Several people spoke in support of the short arm gates and related experiences they had at this location.

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

WHEREAS, an extremely dangerous railroad crossing exists in the Carson Community on State Route 623 (Prince George) and State Route 703 (Dinwiddie); and

WHEREAS, there have been numerous accidents and near-accidents that have threatened life and property; and

WHEREAS, Dinwiddie County and Prince George County citizens, as well as County fire and rescue personnel, use this crossing on a daily basis; and

WHEREAS, a life was lost in September, 1988, due to a train and truck collision; and

WHEREAS, only warning lights presently exist to warn motorists of approaching trains;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of the County of Dinwiddie, Virginia does hereby request that the Virginia Department of Transportation and CSX Transportation Corporation give immediate priority to the installation of a crossing gate at the railroad crossing of Virginia Routes 623 and 703; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that this project be constructed as soon as funding is secured so that this safety hazard can be eliminated; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, requests the Va. Dept. of Transportation consider participation by the County of Prince George in one-half of the cost of the project.

IN RE: VA. DEPT. OF TRANSPORTATION

Mr. Mac Neblett, Resident Engineer, was present to answer questions.

1. Mr. Neblett reported that in reference to Rt. 613, from U.S. #1 to Rt. 661, discussed at a previous meeting, warning signs and advisory speed limit signs have been installed. The present speed limit is 45 MPH. A recent speed study shows that 85% of the vehicles are travelling 59 MPH.

2. Mr. Leo Barrington stated he felt the stop signs placed at the intersection of Rt. 1310 and 1311 are on the wrong corners and have made a bad situation worse. He stated they now have a speeding problem and the road is still being used by independent trucks.

Mr. Neblett stated he would look at the signs again. The County Administrator stated he would advise the Sheriff of the speeding problem.

3. Mrs. Polly Thrower asked about the concrete plants on Route 142. Mr. Neblett stated permits have been issued to construct an entrance.

4. Mr. Bracey asked Mr. Neblett to look into getting signs that show Dinwiddie Courthouse.

5. Mr. Billy Bain asked about the State's procedure for determining where passing lanes are allowed. He questioned the removal of the passing lanes on U.S. #1. Mr. Neblett stated there is always a problem with the design of a 3-lane road.

IN RE: APPOINTMENT--HEALTH SYSTEMS AGENCY

Extract
Mr. Bracey nominated Ms. Doletha Bonner for appointment to the Health Systems Agency.

Mr. Clay moved that the nominations be closed. Mr. Harrison seconded the motion. Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", the nominations were closed.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", Ms. Doletha Bonner was appointed to the Health Systems Agency Board, term expiring June 30, 1991.

IN RE: BINGO & RAFFLE PERMIT AUDIT -- SELECTION OF AUDITING FIRM

Wendy Quesenberry, Ass't. County Administrator, appeared before the Board to present the bids received for auditing the financial statements of the organizations that hold raffles and/or conduct bingo games.

Two bids were received: Andrews & Company - \$600 for one day. Mr. Andrews could not submit a "not to exceed" figure. Mitchell, Wiggins & Company - "not to exceed" \$875. Because Mr. Andrews could not give a "not to exceed" figure, Mrs. Quesenberry recommended that the contract be awarded to Mitchell, Wiggins & Company. She added that this company had performed the audit in the past, and had worked real well with the County. She stated that a third firm, Erny & Mason, had been contacted but they declined to bid.

The County bills the organizations for the fee, so there is no cost to the County.

Upon motion of Mr. Moody, seconded by Mr. Harrison, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", the contract for auditing the financial statements of those organizations possessing Bingo & Raffle permits for the calendar year 1988 was awarded to Mitchell, Wiggins & Co., at a cost "not to exceed" \$875.00.

IN RE: TARGET RANGE PERMIT--LOUISE MOORE

Extract
Mr. R.J. Emerson, Jr., Director of Planning, presented an application for a Target Range Permit, submitted by Mrs. Louise Moore to hold a turkey shoot on her property located on State Route 642 on November 12, 1988, with a rain date of November 19, 1988. Mr. Emerson stated he had visited the site with the Public Safety Director, and had received no complaints on the turkey shoot Mrs. Moore held last year. He, therefore, recommended approval of the request.

Mr. Bracey questioned the purpose of the turkey shoot. Mr. Emerson stated it was to raise money for a church. Mr. Bracey requested that the purpose of the event be placed on future applications.

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", a Target Range Permit was approved for Mrs. Louise Moore to hold a turkey shoot on her property located on State Route 642, on November 12, 1988 with a rain date of November 19, 1988, with all the conditions stated therein.

IN RE: ELECTION DAY -- CHANGE IN HOLIDAY TO NOVEMBER 25, 1988

Upon motion of Mr. Clay, seconded by Mr. Harrison, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", approval was given for County Administration

personnel to work November 8, 1988, Election Day and take November 25, 1988, the day after Thanksgiving as a holiday.

IN RE: CITIZEN COMMENT

1. Mrs. Kay Winn asked if she was going to get the apology she requested at the last meeting concerning an inquiry into her absence from School. Mr. Robertson stated the County Administrator has a contract with the Board and he is doing his duty when he receives a request from a citizen or a Supervisor. Mr. Robertson stated it was his right and duty to see where the County's money is spent. Therefore, there will be no apology.

Mrs. Winn again questioned deputies being present at the Planning Commission meeting. Mr. Emerson stated that had been present before on an issue when the crowd was emotional or out of control.

2. Mrs. Francis Hardy stated that a School employee's leave record was part of the individual's personnel file and, therefore, not public information. The County Attorney stated he would have to check into it.

The County Administrator stated he had received numerous calls on employees and where they are at certain times. He agreed personnel records are private, but he requested a policy from the Board if they did not want him to investigate these questions when they arise.

Mrs. Ann Robertson stated she did not understand if Board meetings are public and the County employees are citizens, why they would be questioned about attending meetings.

3. Mr. Donald Andrews questioned the hiring freeze and the advertisement for a Secretary. He was advised the Secretary II position was a replacement. He also questioned the status of replacing the dugouts on the baseball field. The Chairman advised him to check with the School Board. Mr. Andrews asked since the tax bills were being mailed out late, would the citizens be given an extension. The Treasurer stated by law, he is required to mail them out 2 weeks ahead of the due date. Mr. Andrews stated he had heard there might be a tax increase and felt the Land Use Tax is a burden. He also mentioned the lights being on all night at all the County buildings had to be costly. Mr. Andrews stated his concern about underground tanks. Mr. Jim Rice, Public Safety Director, stated he was working on having some of those tanks removed now.

As a followup on the earlier statement concerning a School employee's leave record, Mr. Bracey asked Dr. Vaughn to clarify the School's leave policy. Dr. Richard Vaughn, Superintendent of Schools, then described the sick and personal leave policy for school employees.

Mrs. Linda Clarke, a teacher in the school system, explained the process she followed to take a day of personal leave.

IN RE: BOAT LANDING OPERATION -- TERMINATION OF CONTRACT

Wendy Quesenberry, Ass't. County Administrator, presented a report on the Boat Landing operation through October 31, 1988. She pointed out that attendance has really fallen off and the Operator has requested that the contract be terminated. The original termination date was December 31, 1988.

Upon motion of Mr. Harrison, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", the County Attorney was authorized to prepare a termination agreement for the Boat Landing Operator and the County Administrator to sign on behalf of the County, terminating the Boat Landing Operation and collection of fees as of October 31, 1988.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", pursuant to Sec. 2.1-344 (1) and (6) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 10:00 P.M. to discuss legal and personnel matters. A vote having been made and approved, the meeting reconvened into Open Session at 10:50 P.M.

IN RE: EXCEPTION TO COMPENSATORY LEAVE POLICY

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

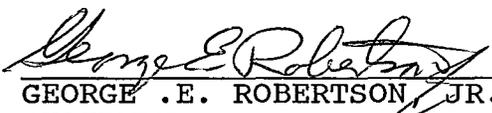
WHEREAS, the employees under the direct supervision of the Board of Supervisors and covered by the County Personnel Policy lose any compensatory leave they have earned if not used by the end of the calendar year; and

WHEREAS, due to the nature of the work, employees in departments, i.e. the Landfill, have accumulated a considerable amount of compensatory time and annual leave which makes it quite difficult for them to use up before the end of the year;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that an exception be made to the compensatory leave policy for calendar year 1988, allowing those employees covered by the County personnel policy to carry over their compensatory leave until 1989.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Harrison, Mr. Bracey, Clay, Mr. Harrison, Mr. Moody, Mr. Robertson voting "aye", the meeting was adjourned at 10:56 P.M.



GEORGE .E. ROBERTSON, JR.,
CHAIRMAN



RICHARD BARTON
COUNTY ADMINISTRATOR