

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE COUNTY, VIRGINIA, ON THE 19TH DAY OF FEBRUARY, 1992, AT 2:00 P.M.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the February 5, 1992, Continuation Meeting, February 5, 1992, Regular Meeting, and February 12, 1992, Continuation Meeting, February 18, 1992, Continuation Meeting, are hereby approved, with an amendment on page 7 of the February 5, 1992 Regular meeting under Building Materials add, "contingent upon meeting procurement law".

IN RE: CLAIMS

Upon motion of Mr. Haraway, seconded by Mr. Moody, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey 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 #17419 thru #17562; (void checks #17418) General Fund - \$124,272.06; E911 - \$242.13; Self Insurance - \$29,611.09; CDBG - \$12,500.00; Capital Projects - \$4,633.29; Law Library - \$498.08; for a total of \$171,756.65.

IN RE: AMENDMENTS TO THE AGENDA

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", the following amendments were approved.

- Add: 7. - Procedures
- 8. K. 1. - Board of Assessors

IN RE: PROCEDURE FOR CONDUCTING MEETINGS

The County Administrator presented the following proposal for receiving citizen input during public meetings. There will be two (2) sign-up sheets to allow citizens to speak during Board meetings.

One sheet will be for the citizen comment period to allow citizens to speak on items which are not on the printed agenda. Only those signed up will be recognized and all comments will be limited to 3 minutes, subject to the Chairman's discretion.

The other sign-up sheet will be for citizens to speak on items on the printed agenda, when that item comes up for discussion by the Board. Only those citizens signed up will be allowed to speak on the subject and will only be recognized once. All comments will be limited to 3 minutes, subject to the Chairman's discretion. If the printed agenda is amended citizens wishing to speak will have an opportunity to sign up and be recognized under the same guidelines.

Mr. Moody said that items that have already had a public hearing and been continued; how are we going to handle that? He said he would recommend the Board vote without further citizen input and he could go along with it.

*Extract*



The following citizens were opposed to the Procedures because they felt it was stifling citizen input:

Ms. Gloria Bain, Mr. Thomas Van Pelt, Mr. J.S. Majors, Ms. Anne Scarborough, Ms. Ann Blazek, and Ms. Mary Ascue.

Ms. Scarborough said if the Board was going to put these restrictions on the citizens; then the Board should adopt Robert's Rules of Order for themselves.

Ms. Everett stated she felt the Board should consider adopting Robert's Rules of Order.

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", the proposed procedure for receiving citizen input at public meetings was adopted with the addition as stated by Mr. Moody: "If a public hearing is conducted but action is postponed until the next meeting, the Board may take action at the next meeting without further citizen input."

IN RE: REPORT -- VIRGINIA DEPARTMENT OF TRANSPORTATION

Ms. Penny Forrest, Resident Engineer, Virginia Department of Transportation, told the Board that the annual pre-allocation hearing was scheduled for April 8, 1992 at the district office in Colonial Heights.

1. The Chairman said that he had received a call from Mr. Christopher on Route 619 at Hargrave's Store. He said the water run-off from the bridge kept the gravel on his driveway washed out. He asked Ms. Forrest to take a look at it. Mr. Clay said he had received a call from Mr. Christopher also.

2. Ms. Everett asked when the Railroad was going to install the crossing arms at Carson. Ms. Forrest said she had tried to contact the RR but had no information.

IN RE: COMMISSIONER OF THE REVENUE

Mrs. Deborah Marston, Commissioner of the Revenue, had nothing to report for the month but stated she would be glad to answer any questions. She also informed the Board that the office was processing State income tax forms.

IN RE: TREASURER -- REPORT

Mr. William E. Jones submitted his report for the month of January to the Board. He told the Board he had received information from the collection agency, the Collection Connection, and would like to try it on a trial basis. He said one big factor was that they do not handle the money. The charge is \$3.24 per account. Mr. Jones stated it didn't make any difference to him whether the Board decided to use the agency or not but for 500 accounts, the cost would be \$1,600 and that was a nominal fee; based on past experience of the agency they stated you can expect payment of 30% to 75% of delinquent accounts and a return on investment ranging from \$10 to \$50 per \$1 invested. The services would include the following:

1. Two evening telephone attempts to reach the delinquent taxpayer.
2. All telephone toll charges.
3. Customized collection notice.
4. Return payment envelope.
5. Postage.
6. A results report.
7. Securing telephone numbers.
8. Hard copy data entry.

The Chairman replied that sometimes the agencies played hardball and he didn't think that was necessary with the citizen.

Mr. Haraway agreed that if the account was declared a bad debt already, then he would be in favor of getting a collection agency to collect.

Mr. Clay said he didn't have a problem with hiring an agency because he felt everyone should pay their taxes.

The Chairman requested that Mr. Haraway work with the Treasurer and to bring back their recommendation to the Board at the next meeting.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, was not present. The Assistant County Administrator stated that Mr. Rainey advised her he had contracted with Dozier and Associates for collection work.

IN RE: SHERIFF -- REPORT

Claude Townsend, Deputy Sheriff, stated he had nothing to report but would answer any questions the Board may have.

The Chairman relayed that he didn't remember the stun gun discussion at budget time and he would like someone from the Sheriff's office to explain the need for the purchase of 28 guns to him at the next meeting.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, submitted his report for the months of December and January. He stated the month of December was up due to Ingram & Associates' construction of the warehouse.

The Building Inspector requested authorization to draft and advertise an ordinance to address the shrink/swell soil situation in Dinwiddie County. He stated the magnitude is minimal but he felt that in order to address the areas in the county, that this was the best possible situation. He informed the Board that the swell soils were located in a horseshoe shape, from Mike's Marina to DeWitt to McKenney to Nottoway. Up to now there have been no complaints, he said.

Upon motion of Mr. Clay, seconded by Ms. Everett, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", the Building Inspector was authorized to draft and advertise a shrink/swell soil ordinance for the County.

IN RE: ANIMAL WARDEN -- REPORT

Mr. John Mellick, Animal Warden, submitted his annual report for the year ('91) and the monthly report for January.

1. Mr. Mellick informed the Board that Mr. John White was to undergo surgery for his shoulder and he anticipated him to be out until May. He asked the Board to authorize bringing Mr. Kevin Brown on full time until Mr. White recovers.

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", the Animal Control Officer was authorized to increase the hours of Mr. Brown to full time, temporarily until Mr. White returns to work.

2. Mr. Mellick told the Board that March 1, 1992 was the deadline for using his Comp time and he had not had the opportunity to delete his accumulated time due to the absence of his assistant deputy. He asked the Board to allow an extension for his 243 and one-half hours of comp time.

Mr. Haraway asked how the time was incurred? Mr. Mellick stated it had been accumulated in two to three hour increments picking up injured dogs, dog bites, rabies, and cleaning the pound.

Mr. Haraway stated he was unable to have any input due to the fact he was not versed on the County policy for management comp time. He requested a presentation on the policy.

Mr. Clay said he didn't want to see Mr. Mellick lose his comp time. No action was taken.

3. The Animal Control Officer told the Board he was trained now in the use a tranquilizer gun. He said the purchase of a gun was included

in the budget and he had done a lot of research and was convinced that Tel-inject was the best gun available for the cost. He asked the Board to approve the purchase of the gun at a cost of \$876.35.

Upon motion of Mr. Haraway, seconded by Ms. Everett, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", the Animal Control Officer was authorized to purchase the tranquilizer gun at the cost of \$876.35.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. Leonard Ponder, Director of Planning, was asked to give an update on E-911. He told the Board that his department had a meeting last week with the C&P representatives, and at this point, they were in the process of purifying the system. He had talked with Motorola and was looking at their equipment which he felt they would be acquiring. He said the County would be on-line in December.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director of Social Services, stated she had nothing to report, but would answer any questions they may have.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Dr. Richard Vaughn, Superintendent of Schools, gave the following report:

1. The School Board is involved in their budget preparation.
2. The State is sending a team to examine the schools in Mid-March to assess the overcrowding issue.
3. The schools are gearing up for the State testing program to begin March 16th for two weeks.
4. The pay phones the Board asked him to look into -- the county does not qualify, due to the 30-35 calls per day requirement. Also, if a phone was installed, there would be a monthly fee involved. He said they were considering running an extension to the gyms.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Benjamin Emerson, County Attorney, told the Board he had no report this evening but would answer any questions they may have.

IN RE: BOARD OF ASSESSORS -- RESOLUTION

The County Administrator stated that the County is required by State law to perform a general assessment prior to March 31, 1992, which is the maximum extension of time permitted under Section 58.1-3257 of the Virginia Code to perform a reassessment within the maximum period of six years pursuant to Section 58.1-3252. The Board of Assessors would not sign the reassessment book; therefore the County had to proceed with the process. In order to accomplish this, the County must take the next available step. At this time, the County has to hire a certified professional appraiser to finish the reassessment and sign off on the books for the County.

Mr. J.S. Majors told the Board that he had not received the result of the Board of Assessors. The Board told Mr. Majors he would receive his reassessment letter as soon as the books were signed off on. He was also informed that if he was not satisfied with the results, he could go to the Board of Equalization and after that, could appeal to the Circuit Court Judge.

Ms. Teresa Carson, Ms. Mary Ascue and Ms. Ann Blazek expressed concern about the reassessment process. The County Administrator advised them their questions should be directed to the Board of Assessors.

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

WHEREAS, the Board of Supervisors (the "Board") of Dinwiddie County (the "County"), Virginia had appointed a Board of Assessors to perform a general reassessment of all real estate in the County pursuant

to Section 58.1-3271(A) of the Code of Virginia of 1950, as amended (the "Virginia Code").

WHEREAS, the Board of Assessors is unable to perform such general reassessment and has informed the Board of the result; and

WHEREAS, the County is required by State law to perform a general assessment prior to March 31, 1992, which is the maximum extension of time permitted under Section 58.1-3257 of the Virginia Code to perform a reassessment within the maximum period of six years pursuant to Section 58.1-3252 of the Virginia Code; and

WHEREAS, David R. Hickey, a principal in the appraisal firm of the Blue Ridge Appraisal hired to assist the Board of Assessors is certified as a professional appraiser by the Virginia Department of Taxation and is qualified to serve in lieu of the Board of Assessors in accordance with Section 58.1-3271(B) of the Virginia Code.

NOW, THEREFORE, be it resolved by the Board of Supervisors of the County of Dinwiddie as follows:

1. Each member of the Board of Assessors is hereby superseded and the Board of Assessors is hereby terminated in accordance with Section 58.3276 of the Virginia Code.

2. David R. Hickey, a principal in the appraisal firm hired to assist the Board of Assessors, as a certified professional appraiser by the Virginia Department of Taxation, is hereby appointed as appraiser for the County to serve in lieu of the Board of Assessors and directed to perform the general reassessment for real estate in the County and to transfer such assessment along with the certification required by Section 58.1-3300 of the Virginia Code to the County's Commissioner of Revenue pursuant to Section 58.1-3271(B) of the Virginia Code no later than March 31, 1992.

3. The Chairman or Vice Chairman of the Board is hereby directed to enter into such Contracts, including the payment of an additional \$5,000 for such work, and take any and all other action deemed necessary or appropriate by such officer in order to effect this resolution.

This resolution shall be effective immediately.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Tony Rinaldi submitted the progress report for the month of January, 1992. Mr. Rinaldi told the Board he really didn't want to delete the funds in the Recreation's Capital Projects Fund. He told the Board he had submitted his proposal for repayment for the lights to them and left the rest to their discretion.

Ms. Kitty Vaughan, President of the Dinwiddie Golden Olympians, said she would like to speak on behalf of the Recreation Department's Capital Outlay Fund. She expressed concern that the fund had been completely depleted for the ball field lights, since it had been established several years ago for the use of the entire county population. She asked the Board to return the funds to the Capital Outlay Fund.

Ms. Gloria Bain stated the funds should not be taken from the General Fund.

Ms. Ginnie Chappell sent a letter to the Board requesting the funds be returned to the Capital Projects Fund.

Mr. Haraway expressed concern for the low morale in the Recreation Council because of the removal of the funds from the Capital Outlay Funds. He said he felt the funds should be restored. They are handicapped for future development if the fund is not replenished.

Mr. Clay said he had no problem in restoring the funds and using the Reserve with a payback plan.

Upon motion of Ms. Everett, seconded by Mr. Haraway, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody Mr. Bracey, voting "aye", the funds from the Recreation Department Capital Projects Fund estimated to be

\$14,000 will be restored and will not be used for funding the ball field lights at the Middle School.

Mr. Haraway instructed the Director of Recreation to coordinate and report on the completion of the fields at Rohoic also.

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey, voting "aye", funds in the amount of \$42,349 are appropriated from the Reserve to pay for the ball field lights at the Middle School to be repaid by the Recreation Department at a rate of \$4,000 a year from fees generated by use of the fields at the Middle School.

IN RE: PUBLIC SAFETY OFFICER

David W. Nichols, Public Safety Officer, submitted his responses report for the Fire Departments and Rescue Units for the month of January.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Waste Management, submitted a report for the month to the Board.

The Chairman asked Mr. King if he was going to have the extended hours for Springtime like he did last year? Mr. King responded yes, he would work up a plan for extended hours.

IN RE: RECESS

The Chairman declared a recess at 4:25 p.m. The meeting reconvened at 4:35 p.m.

IN RE: DINWIDDIE COUNTY WATER AUTHORITY INTERIM FINANCING PROPOSAL

The County Administrator received information from the Dinwiddie County Water authority stating that a request for Proposals for interim financing, was sent to a total of twelve banks, investment bankers and other potential lenders on January 16, 1992. From the twelve, two proposals were received. Carter Kaplan & Company offered to purchase 18 month notes of the Authority bearing interest at 5.18% per year (based on market conditions at January 31, 1992), to be sold to investors pursuant to a limited offering memorandum. The Bank of Southside Virginia's proposal is to extend to the Authority a 15 month line of credit, to be drawn, at a fixed rate of 5.95% per year or a variable rate of the Bank's prime less 1%, which would provide a current rate to the Authority of 5.5%.

*Extract*  
Based on a variety of factors, including the simplicity of a direct loan from the Bank as opposed to the sale of notes to investors, which would require preparation of an offering memorandum, the greater flexibility of dealing with a single investor should there be a need to extend the loan pending consummation of bond financing, the expectation actually borrowed rather than receive the full note proceeds and invest unexpended amounts at lower investment yields, and after consultation with the Water Authority's accountants, it was felt that the Bank's proposal would be easier to implement and would result in a similar, or less, cost of funds to the Authority. Therefore, it was recommended that the Water Authority accept the Bank's proposal.

Mr. Boston Lackey, III, Accountant, calculated the probable overall cost of financing by the two proposals and that considering all the facts, it was his opinion that the Bank offered the better proposal.

The action taken by the Water Authority was to accept the prime less 1% proposal from The Bank of Southside Virginia and directed the Authority's officers to proceed with the financing subject to receipt of written consent of the Board of Supervisors.

The consensus of the Board was that they agreed with the Water Authority's decision to deal with the Bank of Southside at prime less 1%.

Mr. Thomas VanPelt told the Board that he felt the County should consider a utility department; that way the citizens would have more

contact and input with the department. He reminded the Board of the \$255,000 note still outstanding from the 1976 interim financing.

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody Mr. Bracey, voting "aye", the Water Authority was authorized to accept the Bank of Southside Virginia's proposal to extend to the Dinwiddie County Water Authority a construction line of credit in the amount of one million dollars (\$1,000,000), with interest payable only on amounts drawn, for a period of 15 months from closing and there will be no prepayment penalty, with extensions available upon request, at the rate of prime less 1%, which would provide a current rate to the Authority of 5.5%.

Ms. Everett said the Board needed to work with the Water Authority to resolve this \$255,000 loan; to write it off or whatever, but there was no sense in beating a dead horse.

The Chairman said to set a time to meet with the Water Authority to discuss the issue. The County Administrator stated he would get together the background information on the loan.

Ms. Anne Scarborough told the Board she felt the County should get something back.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator told the Board that the regular report for ABIDCO was included in their materials.

2. The County Administrator informed the Board that Mr. John Mellick had successfully completed the mandated animal wardens training at Crater Criminal Justice Academy with a score of 98%.

3. The Assistant County Administrator was instructed to present a request from the School Board office and the Department of Social Services for the installation of bottled water dispensers. No action was taken pending discussion of placing water in all the buildings at budget time.

4. The Assistant County Administrator informed the Board that Petersburg Builders Supply and Moores had made clerical errors in totalling the unit prices in their bids for the materials for the animal shelter. The results of the recalculations are as follows:

Ragsdale Building Supply	\$7,755.53
Petersburg Builders Supply	7,844.69
Moores 202	7,882.43

Based on these results Ragsdale Building Supply's bid of \$7,755.53 is the lowest at this point. The Assistant County Administrator recommended rescinding the Board's motion of February 5, 1992 and accepting the low bid of Ragsdale Building Supply.

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey, voting "aye", action taken by the Board at it's February 5, 1992 meeting to accept the low bid from Petersburg Builders Supply for materials for the animal shelter was rescinded and the low bid of \$7,755 from Ragsdale Building Supply is accepted.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey, voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) (1) personnel; the Board moved into Executive Session at 5:03 P.M. A vote having been made and approved, the meeting reconvened into Open session at 5:24 P.M.

IN RE: CERTIFICATION OF EXECUTIVE MEETING

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

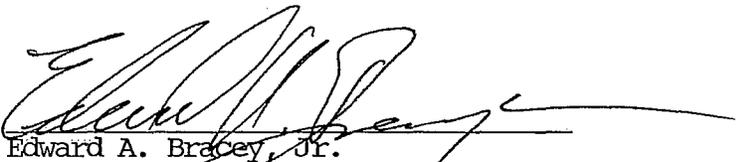
WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

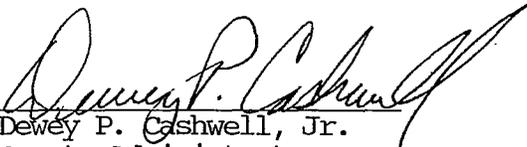
WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

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. Haraway, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", the meeting adjourned at 5:30 P.M.

  
Edward A. Bracey, Jr.  
Chairman, Board of Supervisors

ATTEST:   
Dewey P. Cashwell, Jr.  
County Administrator

