

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 16TH DAY OF SEPTEMBER, 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
SAMUEL SHANDS

COUNTY ATTORNEY
DEPUTY SHERIFF

IN RE: MINUTES

Upon motion of Mr. Haraway, seconded by Mr. Clay, 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 September 2, 1992, Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Moody, seconded by Ms. Everett, 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 #20508 thru #20704; (void check #20510) General Fund - \$129,451.30; E-911 Fund - \$53,721.37; Self Insurance - \$6,815.52; CDBG - \$574.88; Capital Projects - \$6,549.83; Law Library - \$708.68; Fire Programs Fund - \$750.00; for a total of \$198,571.58.

IN RE: CITIZEN COMMENTS

1. Robert Bowden, Athletic Director, Dinwiddie County High School, invited the Board to the first home game on October 2, 1992. He said dinner would be served at 6:00 P.M. for the Board of Supervisors and the School Board also and that they would be getting an invitation in the mail.

IN RE: AMENDMENTS TO THE AGENDA

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

Add: 7. Sheriff - 1. Appropriation of Grant

IN RE: REPORT -- VIRGINIA DEPARTMENT OF TRANSPORTATION

Ms. Penny Forrest, Resident Engineer, Virginia Department of Transportation, told the Board she had nothing to report but would answer any questions.

1. Ms. Everett said several people had called her in regard to the VDOT opening Blue Tartane road from US # 1 to Duncan Road.

Ms. Forrest replied that it was private property and there were no plans to extend the road at this time. The Board would have to make the request to the VDOT to have the road opened.

2. Mr. Moody said he was checking to see if anything had been decided about the RR crossing at Rt. 627. Ms. Forrest said something will be happening soon.

3. Mr. Clay told Ms. Forrest that Route 624 was in poor condition and inquired if tar and gravel could be applied. Ms. Forrest said they could hit the rough spots with plant mix.

4. The County Administrator said he received a letter from Mr. H. J. Dyson advising him of the following speed change from 55 MPH to 35 MPH on the following road.

Route F-081 From: Route 1 to 1.24 Miles South of Route 1.

IN RE: COMMISSIONER OF THE REVENUE

1. Mrs. Deborah Marston, Commissioner of the Revenue, presented the Board with a model ordinance for tax relief for the elderly and disabled for personal property taxes and asked the Board for authorization to advertise for a public hearing on November 4, 1992.

Mr. Haraway stated he would like the personal property relief values to parallel with the current real estate tax limits. He also felt there should be a tax relief cap of \$300.

After discussion, the rest of the Board agreed.

Upon motion of Mr. Moody, seconded by Mr. Haraway, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", the Commissioner of Revenue was authorized to advertise for a public hearing an amendment to provide tax relief for the elderly and disabled for personal property taxes to be held November 4, 1992.

Upon motion of Mr. Haraway, seconded by Ms. Everett, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", the ordinance to be advertised should include income limits parallel with the current real estate tax limits, and a tax relief cap of \$300.

2. Ms. Marston presented some Meals Tax information to the Board which will be mailed out to businesses in the County.

Ms. Marston was instructed to find out what percentage of the tax collected that the other localities in the area allow as a dealer discount on the taxes collected before the public hearing on October 7, 1992.

IN RE: TREASURER -- REPORT

Mr. William E. Jones submitted his report for the month of August to the Board.

The Board requested the variable rates on the Treasurer's investments.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

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

The Assistant County Administrator told the Board because of changes in the Virginia Code effective July 1, 1992, the Commonwealth Attorney said it is necessary for the County to make an amendment to County Code Section 14-3 re-enacting all of Virginia Code Section 46.2 and Article II of Chapter 7 of Title 18.2. Because of changes that are occurring annually in the code section, it is necessary that we update this code to allow our officers to write speeding and driving under the influence charges under a county code section. Ms. Weber asked the Board for authorization to advertise for a public hearing to amend the County Code accordingly.

Upon motion of Mr. Moody, seconded by Ms. Everett, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", the County Attorney was authorized to advertise for a public hearing to be held as soon as possible to amend the County Code, Sec. 14-3 as requested by the Commonwealth Attorney.

IN RE: SHERIFF -- REPORT

The Assistant County Administrator informed the Board that additional funds have been approved by the Compensation Board for the Sheriff's Office due to jail overcrowding/transportation needs. She asked the Board to appropriate the \$4,500 allocation so the funds could be expended by the Sheriff's Office.

Upon motion of Ms. Everett, seconded by Mr. Clay, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", \$4,500 is hereby appropriated to the Sheriff's Office FY '92-93 budget.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, submitted his report for the month of August.

IN RE: ANIMAL WARDEN -- REPORT

Mr. John Mellick, Animal Warden, submitted his report for the month of August.

IN RE: RESOLUTION -- FEDERAL FAIR HOUSING ACT OF 1968

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

WHEREAS, the Congress has enacted the Federal Fair Housing Act of 1968 as Amended; and

WHEREAS, federal and state law provide equal housing opportunity for all citizens regardless of race, color, religion, national origin, sex, age, familial status, or handicap; and

WHEREAS, the County has provided programs to assist the development of decent, affordable housing for citizens of all incomes;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia does hereby endorse the concept of Fair Housing and call upon the citizens of Dinwiddie County and government officials along with those in the banking industries to join together in this observance and work together in this observance for free and equal housing treatment for all.

IN RE: RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION PLAN

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", the Residential Anti-Displacement and Relocation Assistance Plan for Dinwiddie County is hereby adopted as presented.

IN RE: DINWIDDIE COUNTY LOCAL BUSINESS AND EMPLOYMENT PLAN

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", the Dinwiddie County Local Business and Employment Plan is hereby adopted as presented.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director of Social Services, explained services provided for adults in the County through the Department of Social Services.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

1. Dr. Richard Vaughn, Superintendent of Schools, told the Board that the schools had a smooth opening with an enrollment of 3,725. He said the modulars have not arrived but they are expected within the next few weeks.

2. The Chairman stated he had a parent call him about two schools scheduling PTO Meetings on the same night and the parent had children in both schools and couldn't attend. He asked if there wasn't something that could be done to keep this from happening again.

Dr. Vaughn responded that a calendar had been set up and sent to each principal to keep this from reoccurring.

3. The County Administrator informed the Board that he and the School Board representative had met with the space needs assessment team

on Thursday. The County Attorney advised that the School facilities requirements need to be bid out and the best way to handle it is to rewrite the existing document to expedite the process.

IN RE: COUNTY ATTORNEY -- REPORT

Benjamin Emerson, County Attorney, told the Board he had nothing to report but would answer any questions.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Tony Rinaldi, Recreation Director, submitted the progress report for the month of August, 1992.

1. Mr. Rinaldi reported to the Board that the County had applied for and received two grants from USTA Tennis in the amount of \$1,500 in the past years.

The Board instructed Mr. Rinaldi to look into what grants the County was eligible to receive.

IN RE: PUBLIC SAFETY DIRECTOR

David W. Nichols, Public Safety Officer, submitted several reports including the Fire Department's and Rescue Unit's responses for the month of August.

1. Mr. Nichols informed the Board that under Chapter 10, Article IV of the Dinwiddie County Code that smoke detectors are required in certain structures. However, no provisions exist for the penalties for violations. He recommended the penalty for violation be a Class I misdemeanor as are violations of the Statewide Fire Prevention Code. He asked for authorization to advertise for public hearing. The Board advised him to discuss it with the County Attorney and bring it back at a later date.

2. The McKenney Volunteer Fire Department had requested \$850 at a previous Board meeting to put a First Responder Unit in service but at the present time they felt the funds would be put to better use by purchasing EMS equipment to be used on the brush fire truck.

3. The Ford Volunteer Fire Department requested the County to purchase tires for their First Responder Unit out of the capital outlay fund at the cost of \$400.

Extract
The Assistant County Administrator asked the Board how they wished to handle this type of expenditure when an extra \$5,000 had been appropriated for the 92-93 fire department budgets for maintenance issues. The Board stated they felt the tires should be funded from the joint capital outlay fund since it was a request for EMS services. Fire services maintenance items should be handled within the regular department budgets.

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey, voting "aye", the Ford Volunteer Fire Department was authorized to purchase four tires not to exceed \$400 for the first responder unit to be funded out of the Fire Department Capital Outlay fund.

4. Mr. Nichols requested authorization to purchase a pair of Bushnell 10X50 InstaVision binoculars and a Nikon Easy 105R camera. These items were included in his FY93 budget.

Upon motion of Mr. Haraway, seconded by Mr. Moody, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey, voting "aye", the Public Safety Officer was authorized to purchase the binoculars and camera not to exceed the estimated cost of \$419.00.

4. Mr. Nichols asked the Board to donate a vehicle from the Sheriff's surplus vehicles to the American Red Cross for the Dinwiddie Volunteer Teams use. The American Red Cross will insure and maintain the vehicle.

Upon motion of Mr. Haraway, seconded by Mr. Moody, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey, voting "aye", The County Administrator was authorized to transfer title of a surplus vehicle, selected by the American Red Cross Chapter, to be used by the Dinwiddie Disaster Volunteer Team.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

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

IN RE: RECESS

The Chairman declared a recess at 3:37 P.M. The meeting reconvened at 3:47 P.M.

IN RE: CONSTRUCTION CONTRACT AND OPERATIONS CONTRACT FOR MATERIALS RECOVERY FACILITY AND CO-COMPOSTING FACILITY

The County Administrator asked the Board for authorization to execute the co-composting contract with Virginia Bio-Fuels. He informed the Board that he had met with the Co-composting committee and they felt the contract needed only some minor clarifications and the County could move ahead with the contract. The County Attorney is in the process of making the changes recommended by the committee.

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey, voting "aye", the County Administrator was authorized to sign the Co-Composting contract with the recommended changes.

Ms. Everett thanked the Co-Composting Committee for their assistance.

IN RE: DISCLOSURE ORDINANCE

Benjamin Emerson, County Attorney, told the Board he had examined the detailed disclosure ordinance from Chesterfield and it would probably require a title examination.

The Board instructed the County Attorney to prepare a draft ordinance along the lines of the Chesterfield ordinance for their consideration.

Upon motion of Mr. Moody, seconded by Ms. Everett, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey, voting "aye", the County Attorney was authorized to draft the proposed disclosure ordinance for review.

IN RE: SPACE NEEDS ASSESSMENT CONTRACT

The County Administrator asked the Board for authorization to move ahead with the space needs project and sign the contract with Hayes, Seay, Mattern & Mattern to provide professional architectural and engineering services required to develop a Space Needs Assessment and Long Range Plan for Dinwiddie County Courts and Public Facilities without the Sheriff's addition.

Upon motion of Ms. Everett, seconded by Mr. Haraway, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey, voting "aye", the County Administrator was authorized to sign the Space Needs Contract with Hayes, Seay, Mattern & Mattern, excluding the addition of the Sheriff's Office, at the negotiated cost of \$18,490.

IN RE: APPOINTMENT -- DINWIDDIE COUNTY PLANNING COMMISSION

Mr. Moody made the motion to accept the resignation of James Martin from the Dinwiddie County Planning Commission. It was seconded by Mr. Haraway, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey, voting "aye", the resignation of Mr. James Martin from the Planning Commission was accepted effective 9/16/92.

Mr. Moody nominated Ms. Patricia Hume for appointment to the Dinwiddie Planning Commission; seconded by Ms. Everett. 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 Ms. Patricia Hume is hereby appointed to the Dinwiddie County Planning Commission to fill the unexpired term of Mr. James Martin, expiring December 31, 1994.

IN RE: APPOINTMENT -- APPOMATTOX BASIN INDUSTRIAL DEVELOPMENT CORPORATION

Mr. Clay nominated Mr. Milton Hargrave for appointment to the ABIDCO; seconded by Mr. Haraway. Ms. Everett nominated Mr. Donald Haraway for appointment to the ABIDCO; seconded by Mr. Moody.

Mr. Moody made the motion to close the nominations; seconded by Mr. Clay, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey, voting "aye", the nominations were closed.

Upon motion of Mr. Haraway, seconded by Ms. Everett, 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 Mr. Milton Hargrave and Mr. Donald Haraway are hereby appointed to the ABIDCO for a term of one year, expiring September 30, 1993.

IN RE: APPOMATTOX RIVER WATER AUTHORITY

Ms. Everett nominated Dr. Darrell Rice for reappointment to the Appomattox River Water Authority; seconded by Mr. Haraway. Ms. Everett nominated Mr. Leonard Ponder as an alternate appointment to the Appomattox River Water Authority; seconded by Mr. Clay. 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 Dr. Darrell Rice and Mr. Leonard Ponder, alternate, are hereby appointed to the Appomattox River Water Authority for a term of four years, expiring November 30, 1996.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator told the Board he had received information from Carter Kaplan about refinancing the 4 million dollar water and sewer bond issue. He said there is a possibility of saving the County some money in interest. This information will be provided to bond counsel.

2. The VACO Conference for all County Supervisors is being held November 8-10 at the Homestead in Bath County. The theme this year is "Riding the Waves of the Future."

IN RE: BOARD MEMBER COMMENTS

1. Mr. Haraway asked that a laundry list with projects and completion dates be prepared and updated at each meeting.

2. Mr. Moody said he felt the County needed to look at an ordinance to control trailers in the county.

3. Ms. Everett stated lighting needs to be added in the parking lot next to the Social Services building.

4. The Chairman asked that a total cost for the dog pound construction and the special election be provided to the Board at the next meeting.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Haraway, 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 4:20 P.M. A vote having been made and approved, the meeting reconvened into Open session at 5:18 P.M.

IN RE: CERTIFICATION OF EXECUTIVE MEETING

Upon motion of Mr. Clay, seconded by Mr. Moody, 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;

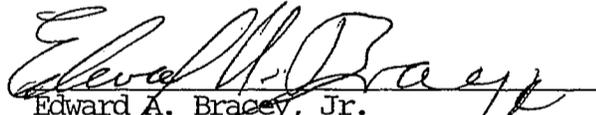
NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this 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: POSITION ANNOUNCEMENT -- ANIMAL SHELTER CUSTODIAN

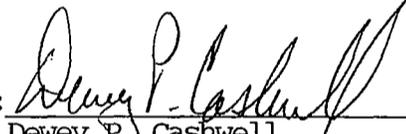
Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", Ms. Tina Hawkins was appointed Animal Shelter Custodian at a salary of \$5.77 per hour.

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 was continued until September 23, 1992 at 6:00 P.M. at the Home Place Restaurant for Executive Session for personnel matters.


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

ATTEST:


Dewey R. Cashwell
County Administrator

