

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 2ND DAY OF JUNE, 1993, AT 7:30 P.M.

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

IN RE: MINUTES

Action on the Minutes for the May 19, 1993 Regular Meeting were postponed until June 16, 1993.

IN RE: CLAIMS

Upon motion of Ms. Everett, seconded by Mr. Moody, Mr. Moody, Mr. Haraway, Mr. Bracey, Ms. Everett, Mr. Clay 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 #23993 thru #24235, (void checks #23992 and #24118); General Fund - \$322,235.68; E911 - \$7,607.62; Self Insurance - \$1,857.70; CDBG - \$2,763.14; Capital Projects - \$1,729.53; Law Library - \$26.41; Law Enforcement - \$503.83; for a total of \$336,723.91.

IN RE: AMENDMENTS TO THE AGENDA

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

Delete: 7. Southside Virginia Business & Education Commission
Add: 6. Amendments to the Agenda
Add: 14. Executive Session - 2. Acquisition of Property

IN RE: RESOLUTION OF APPRECIATION - BETTY A. WILLIAMS

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

WHEREAS, Mrs. Betty A. Williams has served the County of Dinwiddie with distinction for 24 years as a case manager and Eligibility Supervisor for the Dinwiddie County Department of Social Services; and

WHEREAS, the Board of Supervisors on the 2nd day of June, 1993 is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW THEREFORE BE IT RESOLVED THAT the Board of Supervisors of Dinwiddie County, Virginia hereby commends Mrs. Betty A. Williams for her many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that this resolution be delivered to Mrs. Betty A. Williams and a copy spread upon the minutes of this meeting.

IN RE: PUBLIC HEARING -- A-93-8 -- MOBILE HOME ORDINANCE

This being the time and place as advertised in the Monitor Newspaper on May 19, 1993, and May 26, 1993, for the Board of Supervisors to conduct a public hearing for the purpose of adopting an ordinance which would amend the Dinwiddie County Zoning Ordinance so as to accomplish the following:

1. Substitute generally in the ordinance wherever they now appear, the words "manufactured home" or "manufactured housing" for the

words "mobile home" and define mobile home as a transportable residence other than a manufactured home;

2. Change the names of the agricultural, conservative, A-3 and agricultural, rural residential, A-R districts to rural, residential, R-R and rural, residential, RR-1, respectively;

3. Revise the statement of the purposes and composition of districts R-R and RR-1 to reflect the other changes being made in the ordinance and to delete references therein to agriculture;

4. Provide that manufactured homes meeting certain statutory conditions are a permitted use in agricultural districts A-1 and A-2;

5. Provide that a manufactured home used as a residence in connection with a farm operation and meeting certain conditions is a permitted use with a conditional use permit in districts A-1 and A-2'

6. Provide that manufactured home parks meeting certain conditions are a permitted use with a conditional use permit in district A-2; and

7. Make such other changes to the Zoning Ordinance as are consistent with, or necessary because of, the foregoing changes.

Mr. Leonard Ponder, Director of Planning, reviewed the following proposed amendments:

Add:

Definitions Section 22-1

Farm operation manufactured home- A manufactured home, more or less than 19 feet in width, occupied as a residence by an employee of a farm, not the owner of the farm, and that employees immediate family.

Mobile home- A travel trailer or other structure designed as a transportable residence, other than a manufactured home, and manufactured homes that are less than nineteen feet in width.

Change:

Definitions Section 22-1

Dwelling, Single-family: A structure, other than a mobile home dwelling or travel trailer, arranged or designed to be occupied by one family, the structure having only one dwelling unit.

To:

Dwelling, single-family- A structure, other than a mobile home dwelling, travel trailer or manufactured housing, arranged or designed to be occupied by one family, the structure having only one dwelling unit.

Definition of mobile home park or subdivision to:

Manufactured home park or subdivision: Any area of ten (10) acres or more designed to accommodate fifty (50) or more manufactured homes or mobile homes intended for residential use where residence is in manufactured or mobile homes exclusively with travel trailers not allowed..

Change:

Section 22-6. Districts established and enumerated.

Agricultural, conservative, A-3.
Agricultural, rural residential, A-R.,

To:

Residential, conservative, R-R.

Residential, Rural, RR-1.

Change:

Section 22-59:

(27) Mobile home, with a conditional use permit

To:

(27) Manufactured home that is nineteen feet (19') or more in width having a permanent foundation on an individual lot.

Add:

(28) Farm operation manufactured home with a conditional use permit and subject to the conditions and provisions of Section 22-78 and 22-79.

(29) Mobile home, with a conditional use permit and subject to the conditions and provision of Section 22-78 and 22-79.

Change:

Section 22-71:

(26) Mobile home park in accordance with a conditional use permit and provisions contained herein.

(48) Mobile home, with a conditional use permit and submit to {requirements of} section 22-78 and section 22-79 of this Code.

To:

(26) Manufactured home park, with a conditional use permit and in accordance with the special conditions and provisions contained in Sections 22-78 and 22-79 and 22-238.

Add:

(48) (a) Manufactured home that is nineteen (19) feet or more in width having a permanent foundation on an individual lot.

(b) Farm operation manufactured home with a conditional use permit and subject to the conditions and provisions of Sections 22-78 and 22-79.

(c) Mobile home, with a conditional use permit and subject to the conditions and provisions of Sections 22-78 and 22-79.

Change:

Section 22-78. Special conditions for mobile homes.
(see attached section)

To:

Section 22-78. Special conditions for manufactured homes and mobile homes subject to conditional use permits.

The following provisions and conditions apply to all manufactured homes and mobile homes which are subject to obtaining a conditional use permit.

1. For purposes of this section landowners and/or mobile home or manufactured housing owner, and/or mobile home or manufactured housing occupant shall be one and the same.
2. For purposes of this section landowner shall be defined as including the lawful owner or owners of the real estate, their spouse, and immediate family. Immediate family shall include children, parents, grandparents, and brothers and sisters of the landowner and his/her spouse.

3. Any conditional use permit for a manufactured or mobile home shall require a three hundred (\$300) dollar fee upon application for the permit.
4. Any conditional use permit shall be null and void after one (1) year of disuse.
5. Farm operation manufactured homes shall not exceed four (4) manufactured homes per farm according to the following table:

Number of Manufactured Homes Permitted	Minimum Acreage in Farm Operation
1	25
2	200
3	300
4	400

The location, placement and use of such manufactured homes shall be subject to the following conditions in addition to such other conditions as are set forth in this Section:

(a) Head of household. The head of the household who occupies each such manufactured home shall be gainfully employed full time on the farm operation.

(b) Reclassification. In the event the land upon which each such manufactured home is located shall be reclassified to a residential, business or industrial district, the affected manufactured home shall be removed from the land so reclassified within ninety (90) days following the effective date of the reclassification.

(c) Accounting. Any farm operation with manufactured homes for farm employees must give the County a sworn accounting of the status of these manufactured homes between January 1 and January 31 of every year. This accounting will include persons who have lived in these homes for the past twelve months and their employment status on this farm.

6. Each manufactured home shall be considered a conventional dwelling within the terms of this chapter, and the general regulations of the district in which each manufactured home is located shall apply to each such manufactured home.
7. Each manufactured home shall be connected to an approved septic system and to a satisfactory water supply.
8. No manufactured housing or mobile home less than nineteen (19) feet in width will be allowed to be placed in the County with the following exceptions:

(A) Manufactured homes less than nineteen (19) feet in width will be allowed for four (4) years with a one (1) year extension, in A-2, and A-1 zoning districts, but only until a conventional single-family dwelling is constructed or a manufactured home of 19 feet or more in width is placed on the property. The fee for this initial conditional use permit will be \$150.00. At the end of this four (4) year period the manufactured home will be removed from the property. A one year extension may be granted by the Zoning Administrator. The fee for this extension will be one hundred fifty (\$150) dollars. *AMENDED* No manufactured or mobile home over ten (10) years old at the time of placement for temporary usage shall be allowed.

(B) A three hundred (\$300) dollar fee will be required when any manufactured or mobile home is placed in such a park. No manufactured or mobile home over ten (10) years old at time of placement in the park will be allowed in any park.

9. No manufactured or mobile homes may be used for any purpose other than a residence, including without limitation, storage purposes.
10. All manufactured housing shall be of Hurricane and Windstorm Resistive Design.
11. Skirts shall be defined as the area between the bottom of the walls of the mobile unit and ground surface and must be neatly skirted with material fabricated from metal, wood, concrete, masonry, rigid vinyl or fiberglass; such skirts must be of one (1) color which harmonizes with the color of the mobile home; such skirts must be rattle-free and installed in a manner to accommodate frost heave.
12. No additions that will increase the living space or storage space of the manufactured home or mobile home will be allowed. Decks and porches will be allowed on manufactured homes, but they must meet all building codes.
13. All manufactured housing must have an "A" pitched roof.

Change:

Section 22-79. Issuance of permits for mobile homes.

All permits for {or} conditional use permits for mobile homes shall be issued by the zoning administrator.

To:

Section 22-79. Issuance of permits of manufactured homes

All permits for {or} conditional use permits for manufactured or mobile homes shall be issued by the Zoning Administrator or the Director of Planning.

Change:

Division 4. Agricultural, Conservative, District A-3

To:

Division 4. Residential, Conservative, District R-R

Change:

Section 22-83. Composition; purposes.

Generally, agricultural, conservative, district A-3 covers the territory immediately adjacent to public bodies of water which may be used for recreational purposes. This district is established for the purpose of:

To:

Generally, residential, conservative, district R-R covers the territory immediately adjacent to public bodies of water which may be used for recreational purposes. This district is established for the purpose of:

Change:

Section 22-84. Permitted uses.

In agricultural district A-3, structures to be erected or land to be used shall be for one or more of the following uses:

To:

In residential district R-R, structures to be erected or land to be used shall be for one or more of the following uses:

Change:

Section 22-85. Minimum lot area.

The minimum lot area for permitted uses in agricultural district A-3 shall be five (5) acres or more.

To:

The minimum lot area for permitted uses in residential district R-R shall be five (5) acres or more.

Change:

Section 22-86. Setback.

Structures in agricultural district A-3 shall be seventy-five (75) feet or more from any street right-of-way which is fifty (50) feet or greater in width or one hundred fifty (150) feet or more from the center line of any street right-of-way less than fifty (50) feet in width, except that signs advertising land or sale of the premises may be erected up to the property line.

To:

Structures in residential district R-R shall be seventy-five (75) feet or more from any street right-of-way which is fifty (50) feet or greater in width or one hundred fifty (150) feet or more from the center line of any street right-of-way less than fifty (50) feet in width, except that signs advertising land or sale of the premises may be erected up to the property line.

Change:

Section 22-87. Frontage.

The minimum frontage for permitted uses in agricultural, conservative, district A-3 shall be three hundred (300) feet.

To:

The minimum frontage for permitted uses in residential, conservative, district R-R shall be three hundred (300) feet.

Change:

Section 22-88. Yards.

In agricultural district A-3, the yard regulations shall be as follows:

To:

In residential district R-R, the yard regulations shall be as follows:

Change:

Section 22-89. Special provisions applicable to corner lots.

In agricultural district A-3, the following provisions shall apply to corner lots.

To:

In residential district R-R, the following provisions shall apply to corner lots.

Change:

Section 22-95. Purpose; applicability of other ordinances; etc.

The purpose of the agricultural, rural residential, A-R district is to encourage continued agricultural and forest uses, protect environmentally and ecologically sensitive areas and preserve the natural beauty of rural areas of the county where urban services (i.e., water and sewer mains, etc.) are not planned. At the same time, the district ...

To:

The purpose of the residential, rural, RR-1 district is to protect environmentally and ecologically sensitive areas and preserve the natural beauty of rural areas of the county where urban services (i.e., water and sewer mains, etc.) are not planned. At the same time, the district...

Change:

Section 22-96. Permitted uses.

In agricultural, rural residential, district A-R, structures to be erected or land to be used shall be for one (1) or more of the following.

To:

In residential rural district RR-1, structures to be erected or land to be used shall be for one (1) or more of the following.

Change:

Section 22-97. Minimum lot area.

The minimum lot area for permitted uses in the agricultural district A-R shall be two (2) acres.

To:

The minimum lot area for permitted uses in the residential, rural district RR-1 shall be two (2) acres.

Change:

Section 22-98. Setback.

In the agricultural district A-R, all structures shall be located fifty (50) feet or more from any street right-of-way which is fifty (50) feet or greater in width or seventy-five (75) feet or more from the center line of any street right-of-way less than fifty (50) feet in width.

To:

In the residential district RR-1, all structures shall be located fifty (50) feet or more from any street right-of-way which is fifty (50) feet or greater in width or seventy-five (75) feet or more from the center line of any street right-of-way less than fifty (50) feet in width.

Change:

Section 22-99. Frontage

The minimum frontage for permitted uses in the agricultural district A-R shall be two hundred (200) feet.

To:

The minimum frontage for permitted uses in the residential district RR-1 shall be two hundred (200) feet.

Change:

Section 22-100. Yards

In agricultural, rural residential, district A-R, the yard regulations shall be as follows:

To:

In rural residential, district RR-1, the yard regulations shall be as follows:

Change:

Section 22-101. Height of buildings.

Buildings and structures in agricultural district A-R may be erected up to thirty-five (35) feet in height, except that:

To:

Buildings and structures in residential district RR-1 may be erected up to thirty-five (35) feet in height, except that:

Change:

Section 22-102. Special provision applicable to corner lots.

In agricultural district A-R, the following provisions apply to corner lots:

To:

In residential district RR-1, the following provisions apply to corner lots:

Mr. Ponder stated that the Planning Commission and County Attorney were working to address the needs of the elderly and disabled. Any amendments would have to be brought back to the Planning Commission and the Board.

The following spoke in opposition to the amendment:

1. Cathy Sheffield
2. Howard Moore
3. Lucille Phares
4. Robert Ragsdale
5. Cheryl Price
6. Dewey Harrison
7. Jay DeBoer
8. Margie Ingram

A major concern of the citizens was provisions for the elderly and handicapped persons and their not being able to have affordable housing. The issues of taxation and rental of mobile homes were addressed also.

The Board was presented petitions with approximately 490 names that were in opposition to the ordinance.

Mr. Bracey stated that the terms elderly and handicapped needed to be defined.

Mr. Haraway stated he was concerned about the disproportionate share of mobile homes locating in Dinwiddie County in comparison to the surrounding counties. He also commented on the amount of taxes collected on mobile homes compared to real estate taxes collected. Mr. Haraway stated this ordinance is a start in the right direction and he felt it could be amended later.

Mr. Moody stated he felt it was a good idea to pursue the taxation issue with the General Assembly and the five-year allowance would provide time for the Board to do so.

Mr. Clay stated he would like to see an amendment for the elderly by the next meeting.

No one spoke for the amendment.

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

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that Sections of the Dinwiddie County Zoning Ordinance as listed above are hereby amended and in all other respects, said ordinance is hereby reordained.

IN RE: PUBLIC HEARING -- A-93-5 - PIEDMONT EXPLOSIVES

This being the time and place as advertised in the Monitor Newspaper on May 19, 1993, and May 26, 1993, for the Board of Supervisors to conduct a public hearing for the purpose of adopting an Ordinance to amend Section 22-71, Permitted Uses, of the Dinwiddie Code to add (50) "Storage of explosives, with a conditional use permit."

Mr. Leonard Ponder, Director of Planning, told the Board that Piedmont wants to develop a central storage facility for their operations in Virginia. Piedmont currently does the explosive work for the Jack plant at Rt. 460 and Rt. 226.

A use such as this would normally be considered for an agricultural or industrial area. It is currently not permitted in M-1, M-2, A-2, or A-1 districts. The advantages of an agricultural area are fairly obvious. There would be less density in respect to population and building. Buffering could be more easily accomplished. A less dense population base would mean less traffic in the area.

With the above considerations already in mind, and with the conditional use permit being required, staff recommends approval of A-93-5. The Planning Commission unanimously recommended at its May 12, 1993 meeting that A-93-5 be recommended for approval.

The public hearing was opened for comments on both the amendment and the conditional use permit.

The following spoke in support of the amendment:

1. Charles Phipps, representing Piedmont Explosives.

The following spoke in opposition to the amendment:

1. Willie R. Clarke requested a copy of the application for amendment and the accompanying conditional use permit.

The Board questioned the amount of explosives allowed to be stored and the transport of the materials on the highways. Mr. Ponder stated that both issues are governed by federal regulations not local codes.

The issue of notification of adjacent landowners at least 10 working days in advance was brought out again. Mr. Ragsdale stated it was not fair to the citizens when they were not appraised of the situation in enough time to prepare for the meetings. Mr. Haraway agreed and stated the notices should be mailed earlier. Mr. Ponder said there were no responses to this issue at the Planning Commission meeting but if there had been he would have sent the notices out sooner. Mr. Clay instructed the Planning Department, for future public hearings, to send the notices out 2 weeks prior to the public hearings.

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

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that Section 22-71, Permitted Uses, of the Dinwiddie Code be amended to add (50) "Storage of explosives, with a conditional use permit."

In all other respects said ordinance is hereby reordained.

IN RE: PUBLIC HEARING -- C-93-2 -- PIEDMONT EXPLOSIVES

This being the time and place as advertised in the Monitor Newspaper on May 19, 1993, and May 26, 1993, for the Board of Supervisors to conduct a public hearing for a request for a conditional use permit from Robert G. Ragsdale for a storage facility to store explosive materials on 54.45 acres ± of property situated on Baltimore Road and further identified as Tax Parcel 41-50.

Mr. Leonard Ponder, Director of Planning, told the Board that Piedmont plans to store approximately one hundred thousand (100,000) pounds of explosives at this site in three portable buildings and two portable storage bins. The construction of the bins will be 1/4 inch steel on the outside lined with four (4) inches of hardwood. There will be two hoods that cover the locks. The adjacent property to their parcel is undeveloped. All blasting agents will be stored in a storage bin.

As this is our first experience with a facility such as this we have relied heavily upon standards provided by the Bureau of Alcohol, Tobacco and Firearms to draw up conditions. Because of the remoteness of the facility, Staff recommends that C-93-2 be approved with the following conditions.:

1. All BATF guidelines be adhered to, specifically in respect to Table 55.218 (Table of distance for storage of explosive materials).
2. A site plan will be submitted showing distances from all structures on the site to inhabited buildings, public highways, and the separation of magazines.
3. An annual permit will be required from the Public Safety Officer for each magazine on site.
4. All regulations contained in F2600 of the Virginia Statewide Fire Prevention Code must be adhered to.
5. The facility will be constructed on a site roughly equidistant from all property lines and the line marked AB on the plat in your package.
6. The facility will be open wherever necessary for inspection by the Public Safety Officer.
7. The perimeter of the actual storage site will be secured with an eight (8) foot high fence topped with three strands of barbed wire. The gate to the facility will be locked at all times.
8. No vegetation will be disturbed for at least three hundred (300) feet around the fence protecting the magazines and storage bins, with the exception of that area needed to be cleared for the access road.

The public hearing was held with the amendment A-93-5.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the conditional use permit request of Robert G. Ragsdale for a storage facility to store explosive materials on 54.45 acres ± of property situated on Baltimore Road and further identified as Tax Parcel 41-50 is approved with the conditions recommended by the Planning Commission.

IN RE: PUBLIC HEARING -- SCHOOL BOARD MEMBER DISTRICT #4

This being the time and place as advertised in the Progress-Index Newspaper on May 31, 1992, and The Monitor Newspaper on June 3, 1992, for the Board of Supervisors to conduct a Public Hearing to receive public

input from interested citizens on the appointment of a school board member for election district #4.

It was advised that all names to be considered should be mentioned at this meeting. If any one was here that was interested in the appointment and wanted to speak, they could address the Board.

The following name was mentioned:

1. Harold Walker - 20608 Carson Road, Dinwiddie, VA 23841

The appointment of the School Board member will be on held June 16, 1993 at 2:00 P.M.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Moody, Ms. Everett, Mr. Clay voting "aye", nominations for the school board member for district #4 were closed.

IN RE: RECESS

The Chairman declared a recess at 8:50 P.M. The meeting reconvened at 9:05 P.M.

IN RE: ADOPTION OF 1993 - 1994 BUDGET AND TAX RATES

Mr. Gregory E. Davis, School Board Chairman, introduced Mr. Thomas Gaul, the new Superintendent of Schools.

Mr. Aubrey Clay, Chairman, Board of Supervisors, welcomed Mr. Gaul to the county.

Mr. Aubrey Clay read the following conflict of interest statement:

I, Aubrey S. Clay, "In accordance with Section 2.1-639-14, paragraph (g) of the Code of Virginia, wish to disclose that my wife (Ann Clay) is employed by the Dinwiddie County School system. Employment of my wife occurred several years prior to my election to the Board of Supervisors and the results of any decision by this Board will affect my wife to no greater or less extent than other teachers with similar credentials and experiences. Therefore, I feel that I am able to participate in the actions of the Board concerning the 1993-94 budget effectively, fairly and in the public interest.

Mr. Edward A. Bracey, Jr., read the following conflict of interest statement:

I, Edward A. Bracey, Jr., "In accordance with Section 2.1-639-14, paragraph (g) of the Code of Virginia, wish to disclose that my wife (Bernice Bracey) is employed by the Dinwiddie County School system. Employment of my wife occurred several years prior to my election to the Board of Supervisors and the results of any decision by this Board will affect my wife to no greater or less extent than other teachers with similar credentials and experiences. Therefore, I feel that I am able to participate in the actions of the Board concerning the 1993-94 budget effectively, fairly and in the public interest.

Mr. Gregory E. Davis, School Board Chairman, stated that the Board was sent a letter summarizing the School Board's FY 93-94 budget requests, and explaining specific object codes. The budget has been revised and further cuts have been made from the 1.1 million dollars, resulting in an "absolute need" of an additional \$216,444. Mr. Davis asked the Board to support the budget for the benefit of Dinwiddie County students and citizens. He stated the school board would still have to address the health care issue.

The following amendments were made to the proposed FY 1993-94 Budget:

1. Increase the School's Board's appropriation by \$200,000, for a total of \$5,764,410.

2. There is a need to increase the contribution to the Sheriff's Department by \$3,000, for a \$50/month salary supplement for Dispatchers.

3. Increase the County's budget \$35,000 to provide for a 5% increase in salaries for County employees effective December 1, 1993.

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

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA that the 1993-94 budget is adopted with the above listed amendments as follows:

INCOME ESTIMATES	Current Fiscal Year	Fiscal Year Commencing July 1, 1993
GENERAL FUND:		
Revenue from Local Sources:		
General Property Taxes	\$ 7,469,301	\$ 7,980,000
Other Local Taxes	1,969,500	1,894,500
Permits, Privilege & Regulatory Licenses	92,550	128,500
Fines and Forfeitures	65,000	70,000
Revenue from Use of Money & Property	248,000	178,000
Charges for Services	310,400	314,500
Miscellaneous Revenue	158,400	164,700
TOTAL	10,313,151	10,730,200
Revenue from the Commonwealth	1,805,389	1,840,938
Revenue from the Federal Government	9,800	9,100
Non-Revenue Receipts	370,000	- 0 -
TOTAL GENERAL FUND	\$12,498,340	12,580,238
LAW LIBRARY FUND	2,500	1,500
SCHOOL TEXTBOOK FUND	126,045	219,760
SCHOOL FUND:		
Revenue from Local Sources	54,525	75,005
Revenue from the Commonwealth	11,223,471	11,505,289
Revenue from the Federal Government	927,994	832,765
Transfers from Other Funds	5,039,606	5,764,410
TOTAL SCHOOL FUND	17,245,596	18,177,469
VA PUBLIC ASSISTANCE FUND	1,672,049	1,694,344
E911 FUND	114,522	51,800
SELF-INSURANCE FUND	168,500	262,525
GENERAL CAPITAL PROJECTS FUND	74,900	109,400
OYCS FUND	75,092	82,344
CDBG CAPITAL PROJECTS FUND	750,000	1,206,000
FIRE PROGRAMS FUND	20,000	20,000
FORFEITED ASSET SHARING	- 0 -	4,000
MEALS TAX	- 0 -	200,000
VRS - EARLY RETIREMENT	- 0 -	323,220
GRAND TOTAL -- ALL FUNDS	\$32,747,544	\$34,932,600
LESS INTERFUND TRANSFERS	5,649,998	6,895,158
TOTAL INCOME	\$27,097,546	\$28,037,442
FUND BALANCES, JULY 1	4,943,698	4,596,574
CASH RESOURCES	\$32,041,244	\$32,634,016

CONTEMPLATED EXPENDITURES

GENERAL FUND:		
Board of Supervisors	\$ 75,905	53,705
County Administrator	166,299	167,896
County Attorney	38,510	40,150

Independent Auditor	21,300	23,300
Commissioner of the Revenue	158,349	164,699
Business License	19,136	19,010
General Reassessment	38,699	100,000
Land Use	18,345	19,076
Treasurer	174,484	193,060
Data Processing	73,664	64,634
Electoral Board and Officials	68,539	68,288
Circuit Court	13,950	13,950
County Court	7,470	7,885
Special Magistrates	135	185
Clerk of the Circuit Court	59,978	56,437
Commonwealth's Attorney	101,180	100,972
Sheriff-Law Enforcement	1,692,402	1,590,930
Fire & Rescue Service	18,600	18,600
Volunteer Fire Departments	151,500	137,500
Ambulance & Rescue Service	26,600	56,600
Forestry Service	11,541	11,720
Sheriff-Correction & Detention	273,422	275,892
Probation Office	2,630	2,630
Other Correction & Detention	41,366	51,564
Building Inspection	111,391	106,047
Animal Control	81,605	87,707
Medical Examiner	750	500
Public Safety/Civil Defense	58,153	59,105
Road Administration	250	250
Street Lights	42,000	42,000
Refuse Disposal	382,375	677,520
Public Nuisance	5,000	5,000
Public Utilities	100,600	140,656
Maintenance of Buildings & Grounds	186,971	180,058
Water Service	136,000	144,000
Health	130,000	134,564
Mental Health	37,265	37,410
Welfare Administration	4,500	3,117
Other Social Services	17,458	15,040
Community College	1,254	4,706
Recreation	162,420	157,880
Lake Chesdin	4,500	1,300
Regional Library	116,792	121,464
Planning	101,642	110,649
Economic Development	36,257	36,845
Other Planning & Community Development	104,520	104,464
Regional Planning Commission	12,275	12,275
Soil and Water Conservation	7,260	7,500
Johnson Grass Control	500	500
Advancement of Agric & Home Economics	50,709	52,300
Internal Services	81,250	99,450
Debt Service	1,173,307	1,058,000
Subtotal	6,401,008	6,638,990
Transfers to Other Funds	5,622,363	6,448,438
TOTAL - GENERAL FUND	\$12,023,371	\$13,087,428
LAW LIBRARY FUND	2,500	2,500
SCHOOL TEXTBOOK FUND	126,045	219,760
SCHOOL FUND:	\$17,660,711	\$18,177,469
VA PUBLIC ASSISTANCE FUND	\$1,672,049	1,694,344
E911 FUND	153,179	63,100
SELF INSURANCE FUND	253,225	262,525
OYCS FUND	75,092	82,344
GENERAL CAPITAL PROJECTS	702,832	202,125
SCHOOL CAPITAL PROJECTS	-0-	
CDBG FUND	750,000	1,206,000
FIRE PROGRAMS FUND	20,000	20,000
FORFEITED ASSET SHARING		4,000
MEALS TAX FUND	- 0 -	
VRS-EARLY RETIREMENT FUND		257,740

GRAND TOTALS - ALL FUNDS	\$33,439,004	\$35,279,335
LESS INTERFUND TRANSFERS	5,649,998	6,895,158
TOTAL EXPENDITURES	\$27,789,006	\$28,384,177
FUND BALANCES - JUNE 30	4,252,238	4,249,839
TOTAL REQUIREMENTS	\$32,041,244	\$32,634,016

IN RE: ADOPTION -- 1993 TAX RATES

The Assistant County Administrator reviewed the proposed tax rates for 1993.

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

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA that the following tax rates are adopted for 1993 to support the 1993-94 budget:

Unit Levy--All Districts--\$100 Assessed Valuations	
Real Estate	.74
Mobile Homes	.74
Mineral Lands	.74
Public Services	.74
Personal Property	4.90
Personal Property - Volunteer Vehicles	.25
Machinery & Tools	3.30
Heavy Construction Machinery	3.30

IN RE: AWARD OF CONTRACT -- HEALTH INSURANCE PROGRAM

The Assistant County Administrator stated the following six proposals had been received for the County's health insurance program:

<u>Blue Cross KeyCare IV</u>	<u>Premium</u>
Employee	\$153.81
Employee/SP	307.63
Employee/Child	307.63
Family	430.67

<u>Sam Winn (John Alden)</u>	<u>Premium</u>
Employee	\$160.76
Employee/SP	276.38
Employee/Child	276.38
Family	407.41

<u>Manry-Rawls (Travelers)</u>	<u>Premium</u>
Employee	\$215.72
Employee/SP	437.89
Employee/Child	383.46
Family	605.63

<u>CIGNA (PPO)</u>	<u>Premium</u>
Employee	\$213.60
Employee/SP	483.58
Employee/Child	483.58
Family	558.56

<u>G.C. Wright (Travelers)</u>	<u>Premium</u>
Employee	\$214.89
Employee/SP	426.39
Employee/Child	376.06
Family	587.56

<u>Thomas & Assoc. (Gold 15)</u>	<u>Premium</u>
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Employee	\$144.52
Employee/SP	288.37
Employee/Child	254.30
Family	395.85

Ms. Weber stated the recommendation is that the County enter into a contract with Blue Cross/Blue Shield for the KeyCare IV program for FY 93-94, beginning July 1. This plan is a good transition for the KeyCare Subscriber now to introduce them to some of the cost control methods that we have to work into our program in order to be able to afford health insurance in the future. In order to insure continuous coverage for the employees on July, 1993 action to execute a contract is necessary at this meeting.

Upon motion of Mr. Haraway, seconded by Mr. Bracey, Mr. Bracey, Mr. Haraway, Mr. Moody, Ms. Everett, Mr. Clay, voting "aye", the health insurance contract was awarded to Blue Cross/Blue Shield of Virginia for the KeyCare IV program for FY 93-94, beginning July 1.

IN RE: COUNTY EMPLOYEE DRUG & ALCOHOL ABUSE POLICY

The Assistant County Administrator presented a proposed drug abuse policy for the Board's consideration. The policy meets federal requirements for a drug-free workplace and allows random testing on specified positions concerning public safety.

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

IT IS THE POLICY OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS TO PROVIDE A DRUG FREE WORKPLACE.

20.1 GENERAL OVERVIEW

"The unlawful manufacture distribution, dispensing, possession or use of a controlled substance is prohibited in any County workplace." Employees of the County shall not be involved with the unlawful application, possession, market, or transfer of drugs in any manner. County employees shall not possess any types of alcohol on county premises, or ingest alcohol in association with their job or during work schedules. Off the job, prohibited drug activities or alcohol abuse that could adversely affect an employee's job performance, or that could pose a hazard to the safety of other county employees, the general public, county machinery, or the county's relation with the public, will not be permitted.

20.2 THERAPY FOR DRUG OR ALCOHOL USE

The County regards alcoholism and other drug addictions to be treatable disorders. Thus, employees who suffer from alcohol or drug abuse, shall be required to participate in appropriate treatment programs.

20.3 CONSEQUENCES OF ALCOHOL OR DRUG ABUSE

(A) The use, marketing, or personal possession of illegal drugs while on the job, during rest periods, meal periods, or on county property, will be considered a dischargeable offense and may result in criminal prosecution. Any narcotics discovered will be turned over to the proper law enforcement agencies.

(B) The consumption or personal possession of alcohol during scheduled work times or on county property is a dischargeable violation. For all county employees, alcohol consumption is prohibited during the work day, including during rest periods and meal periods. Any employee who is reasonably suspected to be under the influence of alcohol will be immediately removed from service and administered an alcohol test.

(C) County Administration will take subsequent action, as defined by this policy, in those cases which demonstrate alcohol or drug abuse. Such action shall include: referral to a drug or alcohol treatment program, disciplinary action, or administrative counseling. Any action will be on the basis of medical information, past history, and/or other pertinent factors.

(D) Off the job selling, distributing or manufacturing of illegal drugs by an employee shall be viewed as a dischargeable offense. Likewise, illegal selling, distributing, or manufacturing of alcohol is a dischargeable offense.

20.4 DRUG AND ALCOHOL SCREENING

The County may require a blood test, urinalysis, or other drug/alcohol screening of those employees reasonably suspected of using or being under the influence of a drug or alcohol. An employee's consent to submit to such a test, under these circumstances, is required as a condition of employment and the employee's refusal to consent to be tested is grounds for, and may result in, disciplinary action, including termination, for a first refusal or any subsequent refusal.

Some examples of reasonable suspicion for testing are:

- a. the employee exhibits inappropriate behavior or performance problems on the job that might be caused by substance abuse;
- b. on-the-job accident or serious incident where the cause is unknown and the supervisor has reason to question the physical and emotional condition of the employees involved.
- c. monitoring employees who have had previous positive test results or who have been in a substance abuse treatment program and have returned to work.

The foregoing examples are not meant to be all-inclusive but are intended only as illustrations of reasonable suspicion.

20.5 CURRENT EMPLOYEE TESTING

The County may require a current employee to undergo drug and alcohol testing if there is reasonable suspicion that the employee is under the influence of drugs or alcohol during work hours. The organization who contracts with the County to collect specimens will be responsible for the total administration of the program from obtaining all Request and Consent Forms to delivering the test results to the authorized representative of the Board. Breathalyzer testing may be administered by the Sheriff's Department.

20.6 RANDOM TESTING

The County Administration (Personnel Office) will maintain a list of positions, involving hazardous duties or where public safety is involved, to be included for random testing as approved by the Board of Supervisors. Random tests are imposed without individualized suspicion and will normally be conducted periodically using a scientifically valid random sampling method and a 25% annual sampling. Sampling will be conducted by a contracted firm who will have sole responsibility for administering the collection program and delivering all results to the Board's authorized representative.

20.7 RETURN TO DUTY TESTING

An employee who has failed a drug test and has been given the opportunity to return to duty after treatment must pass a return to duty test.

20.8 CONSEQUENCES OF POSITIVE DRUG OR ALCOHOL TEST

When a drug screen is positive for the first time, but no evidence of prior drug use on the job exists, a county employee will be suspended without pay and may be terminated. The employee shall be required to participate satisfactorily in an alcohol or other drug rehabilitation program. Refusal to do so will be viewed as uncooperative and the employee will then be subject to discharge. Satisfactory participation shall be determined by an employee's supervisor after: 1. presentation of adequate documentation by the employee; and/or 2. consultation with the rehabilitative program (provided that consultation is to be with a program which treated the employee, the prior consent of the employee must be obtained). At the end of six weeks, the screen test will be administered again, and if negative, the county employee may be allowed to return to

work. However, in those situations where the employee cannot return to work because he or she is involved in participation in a treatment program, the suspension period may be extended.

20.9 REPEATED DRUG OR ALCOHOL ABUSE

In those cases where county employees continue to engage in drug or alcohol use, distribution, or manufacturing, the County may immediately terminate the employee.

20.10 EMPLOYEES' REPORTING REQUIREMENTS

For certain job positions, an employee's use of a legal drug can pose a significant risk to the safety of the employee or others. Employees who feel or have been informed that the use of a legal drug may present a safety risk are to report such drug use to the County Administrator to determine job related consequences. Supervisors who are aware of such a situation are to inform the County Administrator.

20.11 IMPLEMENTATION

This Policy shall be implemented and administered by the County Administrator and his designees under the guidance and direction of the Board of Supervisors. The Board of Supervisors shall have final decision-making authority over all aspects of this Policy, including those of interpretation, implementation and enforcement.

Dinwiddie County must provide a copy of this Policy on Alcohol and Drug Abuse to all employees employed as of the date the Policy is promulgated and to all employees hired thereafter.

1. Employees shall be required to sign a form indicating receipt of the Policy.
2. A copy of the Policy shall be posted in a conspicuous place(s) in the workplace.

The County is dedicated to assuring fair and equitable application of this Policy. Therefore, supervisors are encouraged to use and apply all aspects of this Policy in an unbiased and impartial manner. Any supervisor who knowingly disregards the requirements of this Policy, or who is found to have deliberately misused this Policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

Dinwiddie County will provide instruction to supervisors how to implement this Policy, including how to recognize behaviors which may indicate impairment from alcohol and other drug use; appropriate referral techniques; and resources for alcohol and other drug rehabilitation.

The County shall inform, on an ongoing basis, all employees of:

1. The dangers of alcohol and other drug use or abuse in the workplace;
2. available alcohol and drug counseling;
3. available approved rehabilitation and employee assistance programs; and
4. the penalties that may be imposed upon employees for the commission of prohibited acts under this policy.

"As a condition of employment, employees of the County will (1) abide by the terms of this policy and (2) notify the County Administrator in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction. The County shall, within 30 calendar days of receiving such notice from an employee, either (1) take appropriate personnel action against such employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended or (2) require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency."

"The County shall inform any federal contracting or granting agency from which the County has received a grant or award of financial

assistance within ten (10) calendar days after receiving actual notice that an employee covered under the federal Drug-Free Workplace Act ("Act"), has been convicted of a criminal drug law violation occurring in the workplace."

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator told the Board that he had a letter from an interested party to purchase Northside Elementary School for a Bible School. The Board stated it was up to the School Board to decide whether to declare it surplus property.

IN RE: SURPLUS VEHICLES FOR SCHOOLS

The Dinwiddie County Public Schools Transportation Department request that the Dinwiddie County Board of Supervisors make available to the Dinwiddie County Public School System the following surplus vehicles.

1974 Chevrolet Van VIN #CGQ254U160025
1988 Ford 4 Dr. Sdn. VIN 2FABP72G3JX131083

It is our belief that the 1974 Chevrolet Van (ex-fire department) can provide some relief to our maintenance department. The maintenance department fleet is old. We do not have a spare vehicle to use when one of the fleet is down for a day or two for repairs.

It is our belief that the 1988 Ford 4 Dr. Sdn is better than several that we are currently using for student transportation. It is our intent to use it as a replacement vehicle. However, exactly which vehicle will be replaced and taken off the road cannot be determined until school is out and we go through all of our vehicles; but before school starts this fall a vehicle will be taken off the road.

The sheriff's department recently experienced a minor accident and the county saved money by using a fender and grill from one of the old surplus vehicles. It is our recommendation that the following surplus vehicles not be included in the upcoming auction and be kept at the bus garage to be used for spare parts for both school department and county vehicles. We still have a number of vehicles on the road that parts from the below listed vehicles will fit.

1988 Ford 4 Dr Sdn - 2FABP72G5JX131084
1988 Ford 4 Dr Sdn - 2FABP72G1JX131082
1988 Ford 4 Dr Sdn - 2FABP72F2JX212504

Upon motion of Ms. Everett, seconded by Mr. Haraway, Mr. Bracey, Mr. Haraway, Mr. Moody, Ms. Everett, Mr. Clay voting "aye", the request from the Dinwiddie County Maintenance and Transportation Department for six surplus vehicles was approved.

IN RE: TIMBER SALE

The Assistant County Administrator told the Board the timber sale on the property behind Rohoic Elementary will be held June 15, 1993 at 2:00 P.M. at the Pamplin Administration Building.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay read a letter of commendation for Mr. Alvin Booth, Lieutenant for his attendance at a polygraph school.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mr. Haraway, Mr. Bracey, Mr. Haraway, Mr. Moody, Ms. Everett, Mr. Clay voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) (1) Personnel; Section 2.1-344(a) and (3) Acquisition of Property; the Board moved into Executive Session at 10:07 P.M. A vote having been made and approved, the meeting reconvened into Open session at 11:12 P.M.

IN RE: CERTIFICATION OF EXECUTIVE MEETING

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Moody, Ms. Everett, Mr. Clay 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;

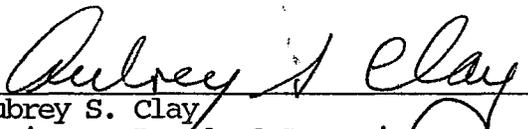
NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this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

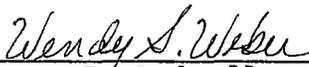
IN RE: COURTHOUSE SITE ASSESSMENT

Upon motion of Mr. Bracey, seconded by Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey, Ms. Everett, Mr. Clay, voting "aye", the County administrator was authorized to proceed with a site selection study of two proposed sites for the development of a new courthouse facility.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Haraway, Mr. Moody, Mr. Bracey, Ms. Everett, Mr. Clay, voting "aye", the meeting adjourned at 11:13 P.M.


Aubrey S. Clay
Chairman, Board of Supervisors

ATTEST: 
Dewey P. Cashwell
County Administrator