

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 FEBRUARY, 1994, AT 2:00 P.M.

PRESENT:	LEENORA EVERETT, CHAIR	ELECTION DISTRICT #3
	DONALD L. HARAWAY, VICE-CHAIR	ELECTION DISTRICT #2
	HARRISON A. MOODY	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	DANIEL SIEGEL	COUNTY ATTORNEY
	PAUL JACOBSON	COUNTY ATTORNEY
	MITCHELL HARRIS	DEPUTY SHERIFF

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the January 19, 1994, Continuation Meeting, and January 19, 1994, Regular Meeting, are hereby approved in their entirety.

Ms. Kay Winn requested the Board to amend the January 5, 1994 Minutes regarding the County Attorney's statement under the Public Hearing, A-93-8 section.

IN RE: CLAIMS

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, 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 #27706 thru #27877, (void checks #27705); General Fund - \$208,548.31; E911 - \$2,072.45; Self Insurance - \$2,255.11; CDBG - \$15,719.30; Jail Phone Commission - \$1,036.18; Landfill Fund - \$2,163.22; Capital Projects - \$1,208.75; for a total of \$233,250.32.

IN RE: CITIZEN COMMENTS

1. Mr. Robert Belcher gave an update on the Golden Olympian's upcoming Golden Olympics. He invited the Seniors to participate in the activities this year.

2. Mr. Russell Garrison appeared before the Board to solicit its endorsement for the Fourth District seat on the Game and Inland Fisheries Commission.

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

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA that Mr. Russell Garrison is hereby endorsed for the Fourth District seat on the Game and Inland Fisheries Commission.

3. Mr. Thomas VanPelt appeared before the Board to express his concerns about the audit report dealing with the per capita debt projections for the county. Mr. VanPelt stated although there was some reserve monies left, the commitments were greater than the reserve. He requested that the Board keep a tight reign on the budget and to ask that everyone put their request for funds in the budget. Mr. VanPelt also commended the VDOT for their week-end work during the ice/snow storm.

Continuation Meeting  
February 16, 1994

IN RE: AMENDMENTS TO THE AGENDA

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

Add: #13 - Executive Session - Section 2.1-344(a) (1) Personnel - (a) Prospective Candidates - Employment; (b) Assignment of Duties;

IN RE: DINWIDDIE VOLUNTEER FIRE DEPARTMENT

Mr. Robert Mengel, representing Dinwiddie Volunteer Fire Department, asked the Board to help with the funding of the 12 new self contained breathing apparatus that the fire department had purchased at the cost of \$17,202.00.

The Board postponed action until assessments of the needs of the other fire departments can be obtained. The Board members felt all the requests should be handled together.

IN RE: DINWIDDIE VOLUNTEER FIRE DEPARTMENT -- REPAIRS OF VAN

Mr. Robert Mengel, representing Dinwiddie Volunteer Fire Department, requested assistance with the repairs of the 1983 E-350 Van in the amount of \$1,300.

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", \$1,300 was appropriated from the Capital Improvements Volunteer Fire Departments Budget for the repairs of the 1983 E-350 Van.

IN RE: REPORT -- VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Harold Dyson, Assistant Resident Engineer, Virginia Department of Transportation, gave the following report:

1. Norfolk and Western will begin work on the railroad crossing arms on Rt. 743 on February 22, 1994.

The Board had the following comments and requests:

1. Mr. Bracey stated at the intersections of Rt. 609 and Rt. 626 at Edward's Store the VDOT needs to install a four-way stop sign.

2. Mr. Bracey stated several citizens had called him regarding the drop-off on Rt. 609 one mile north of Rt. 622, at the bridge, there is no guard rail there. Mr. Clay stated he had received similar complaints also. Mr. Dyson stated he would check on the situation.

3. Ms. Everett asked Mr. Dyson who is responsible for anti-litter signs on the highways? Mr. Dyson stated that the VDOT is. Ms. Everett requested that the signs be erected on our roads in the county because of the excess littering. Mr. Dyson stated he would see what could be done.

IN RE: COMMISSIONER OF THE REVENUE

Mrs. Deborah Marston, Commissioner of the Revenue, stated that from December 1992 to January 31, 1994 \$254,719.17 has been collected for the Meals Tax. As of January 31, 1994 an additional \$5,928.16 was recorded for the tax.

Mr. Bracey requested a monthly report on the Meals Tax.

Ms. Marston told the Board she had been approached by Mr. Greg Meredith requesting an Ordinance for the Special Police such as the Fire and Rescue Volunteers have under State Code which allows an exemption of taxes on one vehicle. Ms. Marston asked that the existing ordinance be revised to include the special police with some accountability of responsibilities.

IN RE: TREASURER -- REPORT

Mr. William E. Jones provided his reports for the month of January, 1994.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, III, Commonwealth Attorney, told the Board he had checked on the litter cases and there were no cases in the last 60 days.

IN RE: SHERIFF -- PURCHASE OF VEHICLES

Mr. Mitchell Harris, Deputy Sheriff, asked the Board for authorization to purchase four new Crown Victoria's from Beach Ford of Virginia Beach at a cost of \$14,647.00 each. The price is less expensive than State contract but the purchase is dictated by the cut-off date for ordering new vehicles by February 28, 1994.

The Board requested that the Sheriff's Department contact some local dealers before ordering the vehicles.

Upon motion of Mr. Clay and seconded by Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", the Sheriff's Department was authorized to purchase four new Crown Victoria's from Beach Ford of Virginia Beach at a cost of \$14,647.00 each.

IN RE: SHERIFF -- REPORT

Ms. Everett asked Mr. Mitchell Harris if he was aware of any litter citations written in the county. Mr. Harris replied he had never written any citations for littering.

Ms. Everett appealed to the Sheriff's Department to help with the littering problem.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, provided his report for the month of January, 1994.

IN RE: ANIMAL WARDEN -- REPORT

Mr. John Mellick, Animal Warden, provided his reports for the month of January, 1994.

IN RE: LIVESTOCK AND HARE CLAIMS -- MARJORIE MICHAEL

Mr. Steve Beville presented to the Board a livestock and hare claim from Ms. Marjorie Michael, for three goats and one rabbit in the amount of \$110.00.

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", the livestock and hare claim from Ms. Marjorie Michael, for three goats and one rabbit in the amount of \$110.00.

After some discussion the Board decided to look into the payment of the claim next month.

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", the claim for Ms. Marjorie Michael for \$110.00 was rescinded.

IN RE: LIVESTOCK CLAIM -- ANNIE L. WILLIAMS

Mr. Steve Beville presented to the Board a livestock claim from Annie L. Williams, for one goat and one nanny in the amount of \$170.00.

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", the livestock claim from Annie L. Williams, for one goat and one nanny in the amount of \$170.00.

IN RE: RECESS

The Chairman declared a recess at 3:48 P.M. The meeting reconvened at 3:58 P.M.

IN RE: DIRECTOR OF PLANNING

Mr. Wayne P. Knox, Director of Planning, provided his report for the month of January, 1994.

1. Mr. Knox told the Board via telephone discussions with representatives of C&P (now Bell Atlantic) he was working on resolving the problems with the E911 system. He stated he did not know why Mr. David Majors was not present to discuss the issues with the Board.

2. Mr. Knox stated that due to the efforts of Ms. Cheryl Stewart, Planning Secretary, discussions have begun with Crater Planning District Commission to update the Comprehensive Plan.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director of Social Services, gave the Board a Disabilities Services Board report.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Dr. Thomas Gaul, School Board, Superintendent, thanked all the agencies for working together during the crises of the ice storm.

IN RE: REAPPROPRIATION OF FUNDS

Dr. Gaul requested a reappropriation of \$124,288 to the School Fund which represents a savings in the School Fund County Transfer for FY '93.

Upon motion of Mr. Haraway, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", \$124,288 was reappropriated to the School Fund for the purpose of buying additional buses during FY '94.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Tony Rinaldi, Recreation Director, submitted the progress report for the month of January, 1994.

IN RE: PUBLIC SAFETY DIRECTOR -- REPORT

Mr. David W. Nichols, Public Safety Officer, provided his reports for the month of January, 1994.

IN RE: PROCLAMATION -- INTERRUPTION OF ELECTRICAL POWER -- ICE STORM

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

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia does hereby find:

1. That due to the ice storm of February 11, 1994, the County of Dinwiddie is facing dangerous interruption of electrical power;

2. That the interruption of electrical power is a condition OF extreme peril to life and property necessitates the proclamation of the existence of an emergency;

NOW THEREFORE, IT IS HEREBY PROCLAIMED that an emergency now exists throughout said County; and

IT IS FURTHER PROCLAIMED AND ORDERED THAT during the existence of said emergency the powers, functions, and duties of the Director and Coordinator of Emergency Services and the Emergency Services organization of the County of Dinwiddie shall be those prescribed by state law and the

ordinances, resolutions, and approved plans of the County of Dinwiddie in order to mitigate the effect of said emergency.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Waste Management, stated he would like to look into removing the dumpsters at the Lake Chesdin Boat Landing due to abusive over usage. The Board requested Mr. King to locate some other location before he removed the dumpsters.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Paul Jacobson, County Attorney, stated he had nothing to report.

IN RE: RESOLUTION -- VIRGINIA PESTICIDE CONTAINER RECYCLING PROGRAM

Mr. James C. Maitland, Dinwiddie Unit of Virginia Cooperative Extension Director, asked the Board for authorization to participate in the 1994 Plastic Pesticide container Recycling Program. He stated his office would be responsible for manning the collection sites and the Department of Agriculture and Consumer Services would provide \$500 of funding a year.

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

The County of Dinwiddie and the Virginia Cooperative Extension of Dinwiddie will administer the plastic container recycling program for agricultural producers in Dinwiddie County for 1994.

Recycling sites have been secured. Dinwiddie County will administer the local program with its designated representative, Virginia Cooperative Extension Dinwiddie County Unit.

Dinwiddie County or its representative, VCE Dinwiddie Unit, will transfer ownership of the container to the recycling contractor.

IN RE: RESOLUTION -- DINWIDDIE COUNTY WATER AUTHORITY ISSUANCE AND SALE OF REVENUE BONDS TO VIRGINIA RESOURCES AUTHORITY

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

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia (the "Board"), entered into a Support Agreement dated as of March 1, 1990 (the "Prior Support Agreement"), with Dinwiddie County Water Authority (the "Authority"), and Crestar Bank, as trustee (the "Trustee") under an agreement of Trust dated as of March 1, 1990, between the Authority and the Trustee, securing the Authority's Water and Sewer Revenue bonds, Series of 1990A and 1990B, in the original principal amount of \$4,000,000 (the "1990 Bonds"),

WHEREAS, the Board of Supervisors adopted on January 5, 1994, a resolution (1) authorizing the Authority to make application to the Virginia Resources Authority ("VRA") for a loan of approximately \$4,580,000 to finance costs of refunding the 1990 Bonds and to acquire, construct and equip improvements and extensions to its water and system (the "Project"), (2) agreeing to continue its financial support of the Authority subject to the terms and conditions of the Prior Support Agreement, and (3) agreeing to consider such modifications of the Prior Support Agreement as may be requested by the Authority and VRA;

WHEREAS, the Support Agreement will terminate at the time the 1990 Bonds are refunded and the Authority has requested that the Board of Supervisors, on behalf of the County, enter into a new Support Agreement with respect to a new series of water and sewer system revenue and refunding bonds of the Authority (the "1994 Bonds"), the proceeds of which will be used to finance the Project;

WHEREAS, the loan from VRA to the Authority is conditioned upon the Authority's entering into a new Support Agreement with the County; and

WHEREAS, the Board of Supervisors desires to enter into a new Support Agreement with the Authority, providing for the Board of Supervisors to consider certain appropriations to the Authority, to improve the marketability of the 1994 Bonds and reduce the Authority's cost of financing;

WHEREAS, drafts of the following documents have been presented to the Board of Supervisors at this meeting:

(1) the Financing Agreement dated as of February 15, 1994, between VRA and the Authority (the "Financing Agreement");

(2) the Support Agreement dated as of February 15, 1994, between the Board of Supervisors, acting on behalf of the County, and the Authority (the "Support Agreement");

WHEREAS, the Authority has applied to VRA to purchase the 1994 Bonds and VRA has agreed to do so from the proceeds of its Water and Sewer System Revenue Bonds (Local Infrastructure Loan Program) Series 1994 B (Dinwiddie County Water Authority - New Money/Refunding), in accordance with the terms of the Financing Agreement;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA:

1. It is determined to be in the best interests of the County and its citizens for the Board of Supervisors to enter into the Support Agreement.

2. In consideration of the Authority's undertakings with respect to financing the Project, the Chairman or Vice Chairman, either of whom may act, is hereby authorized and directed to execute and deliver the Support Agreement. The Support Agreement shall be in substantially the form presented to this meeting, which is hereby approved, with such completions, omissions, insertions or changes not inconsistent with this resolution as may be approved by the Chairman or Vice Chairman, the execution thereof by the Chairman or Vice Chairman to constitute conclusive evidence of his approval of such completions, omissions, insertions or changes.

3. The County Administrator is hereby authorized and directed to carry out the obligations imposed by the Support Agreement on the County Administrator.

4. As provided by the Support Agreement, the Board of Supervisors hereby undertakes a non-binding obligation to appropriate to the Authority such amounts as may be requested from time to time pursuant to the Support Agreement, to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia. The Board of Supervisors, while recognizing that it is not empowered to make any binding commitment to make such appropriations in future fiscal years, hereby state its intent to make such appropriations in future fiscal years, and hereby recommends that future Boards of Supervisors do likewise during the term of the Support Agreement.

5. The Board of Supervisors, on behalf of the County, consents to the provisions and terms of the Financing Agreement as such Agreement relates to the County's obligation pursuant to the Support Agreement.

6. The Board of Supervisors, on behalf of the County, hereby agrees to the issuance of the 1994 Bonds, provided that such 1994 Bonds not exceed an original aggregate principal amount of \$5,200,000.

7. All resolutions or parts thereof in conflict herewith are hereby repealed.

8. All approvals and actions taken pursuant to this resolution shall be subject to final review and approval by the County Administrator and County Attorney of the 1994 Bonds, the Financing Agreement, the Support Agreement and related documents thereto.

9. This resolution shall take effect immediately.

Mr. Bracey and Mr. Moody requested that the Board be appraised of any modifications or changes to be made by the County Attorney or County Administrator before any agreement is made.

IN RE: COUNTY ADMINISTRATOR COMMENTS

The County Administrator informed the Board of the following:

1. The Board had been provided the preliminary estimates for the major sources of local revenue for FY '95.

2. The County Administrator stated he had sent excerpts of a Debt Management Analysis which was prepared by Wheat First Securities, Inc., for Spotsylvania County to them. He said he believed a similar study would be highly beneficial to the Board and Staff to determine the capabilities for the construction projects that are currently being discussed. A management plan such as this would cost approximately \$9,000 to \$10,000.

Mr. Haraway stated he felt the County will need a Debt Management Analysis and Wheat First Securities did good work.

Mr. Clay disagreed and stated he felt we already paid Robinson, Farmer, Cox Associates to do a study and the County could also check with Mr. Don Lacy at VPI.

IN RE: SALE OF CARREFOUR OF THE COMMONWEALTH -- PAMPLIN PARK

The Association for the Preservation of Civil War Sites, Inc. which is managing Pamplin Park Civil War Site requested authorization to purchase copies of Dinwiddie County, Carrefour of the Commonwealth at \$9.41 each, for resale at the Interpretive Center for \$15.68 each.

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", Pamplin Park Civil War Site Foundation was authorized to purchase the Dinwiddie County History Book "Carrefour of the Commonwealth", at \$9.41 each for resale at \$15.68 each.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Haraway stated he was concerned about the audit report the County received and he felt the County should issue an RFP for the 1993-94 Audit.

Upon motion of Mr. Haraway, seconded by Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", the County Administrator was authorized to advertise for an RFP for the County's 1993-94 Audit.

2. Mr. Bracey stated he has a problem with receiving information on-the-spot which the Board needs to take action on. He stated in the future he will not vote on an issue unless he receives the information in advance.

3. Mr. Moody stated he knew that the "Welcome to Dinwiddie County" sign project was being worked on by the Dinwiddie County Future Farmers and the Ruritan Club but the letters on the sign really needed to be removed. He stated the sign was an eyesore.

IN RE: RESIGNATION -- DINWIDDE COUNTY AIRPORT AUTHORITY

Ms. Martha Burton resigned from the Dinwiddie County Airport Authority effective immediately due to her work schedule interfering with the meetings.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", the resignation of Ms. Martha Burton from the Airport Authority is hereby accepted with regret.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) (1) Personnel - 1. Prospective Candidates - Employment; Section 2.1-344(a) and (3) Acquisition of Real Property - 1. Farm Credit Building; the Board moved into Executive Session at 5:36 p.m. A vote having been made and approved, the meeting reconvened into Open session at p.m.

IN RE: CERTIFICATION OF EXECUTIVE MEETING

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, 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 -- DIRECTOR OF PLANNING

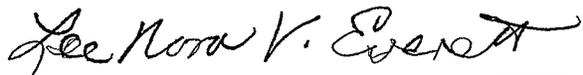
Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Moody, Ms. Everett, Mr. Clay voting "aye", Mr. Wayne D. P. Knox was appointed Director of Planning, at an annual salary of \$28,229, effective September 1, 1993, at Grade 14 Step A1, with a six month re-evaluation from February 1994.

IN RE: AUTHORIZATION TO ADVERTISE -- ZONING ADMINISTRATOR

Upon motion of Mr. Haraway, seconded by Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", the County Administrator was authorized to advertise for the position of Zoning Administrator for the Planning Department.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Ms. Everett, voting "aye", the meeting adjourned at 8:05 P.M., to be continued to February 23, 1994 at 7:00 P.M. for a joint workshop session with the School Board at the Pamplin Administration Building.



Lee Nora Everett  
Chair, Board of Supervisors

ATTEST:

  
Charles W. Burgess, Jr.  
County Administrator