

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 18TH DAY OF JANUARY, 1995, AT 2:00 P.M.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the January 4, 1995 Continuation Meeting, January 4, 1995 Regular Meeting, and January 11, 1995 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway 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 #32283 - #32482 (void #32283) for General Fund \$208,805.42, E911 Fund \$1,413.46, Self Insurance Fund \$23,493.64, CDBG Grant Fund \$126,152.47, Law Library Fund \$199.00, Fire Programs Fund \$2,473.16, Jail Phone Commission \$326.58, and Landfill Fund \$12,150.00 for a total of \$375,013.73.

IN RE: CITIZEN COMMENTS

1. Joanne Austin, 6608 Claiborne Road, Sutherland, VA, came before the Board and stated that she was the President of the Midway PTO and encouraged the Board to vote "Yes" for the total Capital Improvement Plan for all of Dinwiddie County Schools.

2. Benny Sheffield, 12933 Ruth Hill Road, Church Road, VA, came before the Board and stated that he was the Vice-President of the Midway PTO and he supports Dr. Gaul, School Superintendent, and the School Board on the Capital Improvement Program. He stated that he also encouraged the Board to vote "Yes" for the CIP Program.

3. Crystal Divers, 9114 Cox Road, Ford, VA, came before the Board and stated that she has three children that attend Dinwiddie County Schools and she is very concerned over the conditions of the schools her children attend. She would also like for the Board to vote "Yes" for the total Capital Improvement.

4. Gene Winfield, 20201 Harris Drive, Sutherland, VA, came before the Board and stated that he would also like for the Board to vote "Yes" for the total CIP Program.

Mr. Haraway stated that the Board is expecting a report next week from Wheat Financial Advisors and after the Board reviews the information he is hoping to make a decision by February 1, 1995.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald Reekes, Resident Engineer, was not present.

IN RE: COMMISSIONER OF REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of Revenue, was not present.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, presented his report for the month of December, 1994.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

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

IN RE: SHERIFF -- REPORT

Mr. Bennie M. Heath, Sheriff, was not present.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, presented his report for the month of December, 1994.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of December, 1994 and a report for the year 1994.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. Wayne Knox, Director of Planning, presented his report for the month of December, 1994.

IN RE: WEST PETERSBURG CDBG PROGRAM -- APPROVAL OF ESCROW FUNDS

Mr. Knox stated that a settlement date for the sixteen houses on Greenville Avenue has been set for Friday, January 20, 1995. He expects within the next week or two to start demolition on those properties.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that \$125,000.00 be appropriated from the CDBG Fund to purchase the Fenderson Property on Greenville Avenue.

IN RE: REVIEW OF STREETLIGHT POLICY -- WATERFORD LANDING

Ben Emerson, County Attorney stated that the County Code does not require the County to pay for subdivision streetlight electrical bills.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the policy the County adopted on October 6, 1993 pertaining to the payment of subdivision streetlight electrical bills will remain in effect and the County Attorney is instructed to prepare an amendment to the subdivision ordinance so that there will not be any other misinterpretations in the future.

IN RE: DISCUSSION OF NUTRIENT MANAGEMENT PLAN -- HARRY DAULTON, NUTRIENT MANAGEMENT SPECIALIST

Mr. Harry Daulton, Nutrient Management Specialist for Southeast Virginia, came before the Board and presented a brief overview of Nutrient Management Plans as such plans relate to Agricultural Operations.

The Board requested and Mr. Daulton agreed to return and provide more detail on February 15, 1995 for a joint work session pertaining to the zoning ordinance amendments for the Right to Farm between the Board and the Planning Commission.

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IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director of Social Services presented her report for the month of December, 1994.

IN RE: SCHOOL BOARD -- REAPPROPRIATION OF SURPLUS FUNDS FY94

Ray Watson, Assistant to the Superintendent for Finance and Technology, came before the Board. He stated that according to the auditors unexpended funds for the School Board for fiscal year 1994 in the amount of \$316,846.00 need to be reallocated. He also presented a listing of how the funds for the school board would be used:

1. Transfer to retirement fund
2. Playground and playground equipment repairs
3. Adequate track at High School
4. Lights on field at Dinwiddie Elementary
5. Technology improvements
6. Textbooks and resource materials
7. General supplies

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that unexpended funds for the School Board for fiscal year 1994 in the amount of \$316,846.00 be reallocated to the School Board Budget.

IN RE: REQUEST TO ADOPT RESOLUTION IN FAVOR OF SCHOOL CIP PROGRAM

Carol Fisher, School Board Member, came before the Board and stated the following:

I stand before you today to present a Resolution passed unanimously, by The School Board of Dinwiddie County, which asks to take action to help our children and citizens.

As you know, the School Board and the Board of Supervisors have worked together over the past seven years to identify the capital improvement needs of our school district. Last year, the School Board contracted for the design phase of such a project. The project was completed and shared with you in October, 1994. The School Board has been complimented by members of your Board on the good job that the school system has been doing financially, as well as other ways, and on the overall administration of the education system. You showed your confidence in us, as a Board, when you appointed us to these positions. Now, we are ready to move forward together.

The problems have been well defined and debated. Waiting will not make anything better, cheaper, or make any of these problems disappear. Truly the CIP needs are well documented and obvious to all. Our school children's parents or their representatives talk to us daily about their growing frustration. We need to take action now.

This Resolution is for your consideration. If passed by you, it will give hope to the hundreds of children and thousands of tax payers who are directly affected every day as they send their children and grand children to our less than adequate schools. Your passage of this Resolution will let us know that positive action is taking place - action that will be in the best interest of our children and for the economic growth of our community.

The School Board's resolution is as follows:

**RESOLUTION**

**OF THE**

**DINWIDDIE COUNTY SCHOOL BOARD**

WHEREAS, the capital needs of the Dinwiddie County School System are great; and,

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WHEREAS, the Dinwiddie County School Board ("the Board") has studied and planned for several years to determine capital improvement priorities and to provide for present and future school system growth; and,

WHEREAS, the Board has involved the community, parents, County, Administration, and school staff in the development of capital plans to update and improve the entire school system; and,

WHEREAS, the immediate capital needs of the school system and the associated costs thereof, are increasing daily; and,

WHEREAS, further delay and study only allows for more decay of the present facilities and adds to the overall costs which ultimately increases the burden of the taxpayers of Dinwiddie County,

NOW, THEREFORE, BE IT RESOLVED, that the School Board of the County of Dinwiddie Submits their plan of capital improvements for the School System to the Dinwiddie County Board of Supervisors; and that said plans include projects necessary for the students of Dinwiddie County to receive a quality education; and,

BE IT RESOLVED, that said projects be identified in two funding phases with the first phase (PHASE I) to commence upon the approval of and validation of this resolution; that said projects in PHASE I include the following:

- #1 New construction and renovation of Dinwiddie County High School at an estimated cost of eight and a half million dollars;
- #2 New construction and renovation of Dinwiddie County Middle School at an estimated cost of nine million dollars;
- #3 New construction and renovation of Midway Elementary at an estimated cost of three-and-a-half million dollars;
- #4 Renovation and Code upgrades at Dinwiddie Elementary, Rohoic, Southside, and Sunnyside; and,

(NOTE: Total cost for projects #1 through #4 listed above (PHASE I) is not to exceed twenty-two (22) million dollars.)

BE IT RESOLVED, that projects not completed in PHASE I shall be identified and scheduled as PHASE II projects to be completed as determined by the Board of Supervisors, and that said PHASE II projects may include, but not be limited to the following:

- #1 New construction and renovation of Rohoic Elementary School;
- #2 New construction and renovation of Dinwiddie Elementary School;
- #3 New construction and renovation at Southside Elementary; and,

BE IT RESOLVED, that said projects in PHASE I be funded by authority of the Board of Supervisors to commence with the adoption of this resolution; and that said adoption include funding by way of, but not be limited to the following:

Three million dollar transfer from Local Funding Source (Reserve) effective upon adoption of this resolution;

Nine million dollar loan from Virginia Public School Authority effective February 1, 1995;

Thirteen million dollar loan from Literary Loan Fund effective when available; and,

BE IT FURTHER RESOLVED, that said funds, not to exceed twenty-two million dollars (PHASE I), be paid by the County of Dinwiddie to said funding sources based on, but not limited to, debt service payment schedules on which we will be glad to work with you.

Mr. Clay stated that he did not feel like he could pass the resolution without the information that they are waiting for from the Financial Advisor. When he finds out exactly what it is going to cost the taxpayers he will then be ready to make a decision.

Mr. Moody stated that he has advised everyone that he has spoken to already that he will probably be ready to make a decision by February 1, 1995 after he reviews the financial information.

Mr. Bracey stated that he felt like he was being pushed into something. He feels that the citizens of the County need to know exactly what it is going to cost them in the upcoming years. He knows that he can not adopt this resolution without knowing what it is going to cost the County citizens.

Mrs. Everett stated that she wanted to see a decision on this issue no later than February 1, 1995. She feels that everyone has done their research and she wants to see this passed. Once they get their financial reports she will be ready to make a decision and she hopes that the rest of the Board will too.

Mr. Haraway urged the Board members once they receive their financial information to read it and research any avenues that they may need in order to make a decision so that hopefully they will be ready by February 1, 1995.

IN RE:            RESOLUTION IN SUPPORT OF OFFICE ON  
YOUTH AND COMMUNITY SERVICES

Diane Galbreath, Director of Youth and Community Services, came before the Board and stated that the Offices on Youth were deleted from the budget submitted to Governor Allen in December and she is requesting the Board's support in reinstating the funds by passing a resolution.

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

**RESOLUTION**

**OF THE**

**DINWIDDIE COUNTY BOARD OF SUPERVISORS**

**WHEREAS**, the Board of Supervisors of Dinwiddie County is committed to delivering to youth such services in this community that will foster wholesome youth development and the prevention of juvenile delinquency; and

**WHEREAS**, the Dinwiddie Youth Commission and the Office on Youth Services assesses and plans for youth needs in the County and provides services to meet these identified needs; and

**WHEREAS**, the children and youth of Dinwiddie County have been the recipient of prevention and intervention services authorized under the Virginia Delinquency Prevention and Youth Development Act and administered by the Department of Youth and Family Services for the above-mentioned purposes; and

**WHEREAS**, it has become apparent that Delinquency Prevention and Youth Development Act funds are not included in the FY 95-96 budget of the Commonwealth of Virginia;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Dinwiddie County support the continuation of Delinquency Prevention and Youth Development Act funds in the budget of the Commonwealth of Virginia; and

**BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to Dinwiddie's delegation to the General Assembly.

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THE CHAIRMAN RECESSED THE MEETING AT 3:20 P.M. AND RECONVENED AT 3:40 P.M.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Tony S. Rinaldi, Recreation Director, presented his report for the month of December, 1994.

IN RE: AWARD OF BID -- FENCING OF DINWIDDIE COUNTY  
ELEMENTARY SCHOOL BALL FIELD

Mr. Rinaldi presented the following proposals that were submitted for the lighting at Dinwiddie Elementary School and asked the Board for their opinion:

David Lucas Electrical Contractor, Inc.	\$27,529.00
Frazier Electrical Contracting, Inc.	\$37,952.00
E. H. Saunders and Son's, Inc.	\$39,936.00
Rudy L. Hawkins Electrical Contractors, Inc.	\$46,789.00

Mr. Haraway stated that there was a big difference between the lowest bid and the next to the lowest bid. It is such a large difference that he is leary to accept it because maybe their bid is based on materials that are not what is needed.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from David Lucas Electrical Contractor, Inc. be accepted for the lighting at Dinwiddie Elementary School Ball Field contingent upon approval of Mr. Charlie Chambers, Maintenance Director, Dinwiddie County Schools, if not approved, then the bid from Frazier Electrical Contracting, Inc., the next lowest bid, is accepted.

IN RE: AWARD OF BID -- LIGHTING OF DINWIDDIE COUNTY  
ELEMENTARY SCHOOL BALL FIELD

Mr. Rinaldi presented the following proposals that were submitted for the fencing at Dinwiddie Elementary School and asked the Board for their opinion:

Russell Fence Co., Inc.	\$7,270.00
Wallace Fence, Inc.	\$8,427.00

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid from Russell Fence Co., Inc. be accepted for the fencing at Dinwiddie Elementary School Ball Field.

IN RE: PUBLIC SAFETY DIRECTOR -- REPORT

Mr. David Nichols, Public Safety Director, presented his report for the month of December, 1994.

IN RE: ACCEPTANCE OF GRANT -- NEW AMBULANCE

Mr. Nichols stated that Dinwiddie County is the recipient of a Rescue Squad Assistance Fund Grant. There were actually two grants that were approved totaling \$46,470.00. He also stated that each is a 50% grant that requires Dinwiddie County to provide a 50% match.

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

Extract  
BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Rescue Squad Assistance Fund Grants are accepted in the amount of \$46,470.00.

IN RE: DIRECTOR OF WASTE MANAGEMENT - REPORT

Mr. Denny King, Director of Waste Management, presented his report for the month of December, 1994.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Ben Emerson, County Attorney, stated that an ordinance needs to be considered for the election of School Boards. In order for the ordinance to be in effect by election time this year the ordinance has to be approved by the Justice Department. Before the Justice Department can approve it, there has to be a public hearing. Because it is a change to the ordinance it is being advertised for a public hearing and will be heard at the February 1, 1995 Board Meeting.

IN RE: APPOINTMENT -- INDUSTRIAL DEVELOPMENT AUTHORITY

Upon motion of Mr. Moody, Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye",

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BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that William Dudley Allen, Jr., be reappointed to the Dinwiddie County Industrial Development Authority for a four year term, expiring January 31, 1999.

IN RE: APPOINTMENT -- INDUSTRIAL DEVELOPMENT AUTHORITY

Action was postponed till February 1, 1995 for the reappointment of Louis C. Blazek.

IN RE: APPOINTMENT -- DISTRICT 19 COMMUNITY SERVICES BOARD

Action was postponed till February 1, 1995 for a replacement for Ken Wright.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator stated that he would like to know what procedure the Board would like to establish for taking a stand on issues such as a Senate Bill. He also wanted to know under what authority would the County write a letter to Legislators in support or in opposition of any issue.

Mr. Haraway suggested that Mr. Burgess fax a copy of the issue to the Board members that have fax machines or mail copies to the Board members that do not have a fax machine of any legislation requiring an immediate response.

2. Mr. Burgess reminded the Board that the Financial Advisor will have the information pertaining to the CIP Program available by January 25, 1995. He stated that he will have the information delivered to the Board members as soon as he gets it.

3. Wendy Weber Ralph, Assistant County Administrator, stated that January 17, 1995 marks twenty years of service for her with the County. She thanked the Board and staff for their support.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Haraway stated that in order to meet with the Financial Advisors on February 1, 1995, they would need to meet at 3:00 P.M.

2. Mrs. Everett read some letters that were forwarded to her in reference to the truck traffic on 226. She is very concerned about the dangers the truck traffic presents and would still like to see what could be done about it.

3. Mr. Bracey stated that he wanted Mr. Reekes, Resident Engineer, Virginia Department of Transportation, to look into the intersection of Route 226 and Route 1. He stated that it is a very dangerous intersection.

Mr. Wayne Knox, Planning Director approached the Board and stated that he would be meeting with Mr. Reekes in the morning and he would discuss the Board's concern over that intersection.

4. Mr. Haraway questioned whether or not the Board could have a referendum on a issue such as the CIP Program.

Ben Emerson, County Attorney, stated that he thought that the only kind of referendum they could hold would be on how the County would pay for a project once it was passed. He stated that he would look into it and give the Board an answer at their next meeting.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body, Section 2.1-344(a) 5-Discussion of industrial prospects, Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session at 4:22 P.M. A vote having been made and approved the meeting reconvened into Open Session at 5:30 P.M.

IN RE: CERTIFICATION

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

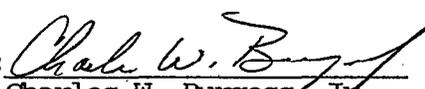
WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

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 excepted from open meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 5:35 P.M. to be continued until February 1, 1995 at 3:00 P.M. for an Executive Session to discuss investment of public funds.

  
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Donald L. Haraway  
Chair, Board of Supervisors

ATTEST:   
Charles W. Burgess, Jr.  
County Administrator

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