

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 2ND DAY OF AUGUST, 1995, AT 7:30 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

DANIEL M. SIEGEL COUNTY ATTORNEY

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the agenda was amended as follows:

- Add 12. Executive Session
- (a) Section 2.1-344(a) 1-Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body.
 - (b) Section 2.1-344(a) 7-Consultation with legal counsel.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the July 19, 1995 Regular Meeting and July 26, 1995 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 #34912 - 35170 (void #35013 & #35164) for Accounts Payable (FY 94-95)-General Fund \$8,301.54, Jail Commission \$632.32, Landfill Fund \$540.27, Courthouse Maintenance \$18,824.31 and CDBG Fund \$6,098.84 for a total of \$34,397.28; for Accounts Payable (FY 95-96)-General Fund \$418,607.18, Jail Commission \$214.90, Self Insurance Fund \$20,446.75, Law Library \$945.25, CDBG \$12,828.55 and E911 Fund \$389.77 for a total of \$453,432.40.

IN RE: REQUEST FOR TRANSFER OF FUNDS -- MEALS TAX FUND TO SCHOOL CONSTRUCTION FUND

Mr. Ray Watson, Assistant to the Superintendent for Finance and Technology, came before the Board and requested that the Board have the Treasurer, transfer \$118,225.76, retroactive to June 30, 1995, from the Meals Tax Fund to the School Construction Fund. It would reimburse them for payment to Ballou, Justice & Upton for professional services rendered through 30% completion of the Design Development Phase of the Capital Improvement Project.

Mr. Bracey wanted to know what the "CADD workstation including, Hardware, Software, Plotter and Training" for \$14,339.40

was, which was listed on the bill from Ballou, Justice & Upton.

Mr. Watson stated that it is a piece of equipment to match what the architects have that has been placed in their office so as the architects make changes in the plans the School Board will have the exact changes.

Mr. Bracey does not feel that it is needed. Why does the County have to pay for a piece of equipment that when the Project is over the equipment is no longer needed? Mr. Bracey requested that Ballou, Justice & Upton come to the Board and give an explanation for the use of the equipment. He was under the impression that the funds were going to be used for design, engineers and architects, not pieces of equipment to do design and engineering work. He does not mind paying the other money that is listed on the invoice for their services but he does not understand the need for the equipment.

Mr. Clay stated that he agrees with Mr. Bracey. He doesn't see the need to install the equipment in the School Board Office when the equipment is only going to be used for the Capital Improvements Project.

Mrs. Everett asked Mr. Watson was the equipment in the original bid package?

Mr. Watson stated that it was in the original package that the equipment would be placed in their office so that they would have the ability to rapidly communicate and transmit data back and forth.

Mr. Moody wanted to know what purpose the equipment will serve after the project is complete?

Mr. Watson stated that they currently teach drafting and their plans are that the piece of equipment will be used in their drafting program when the project is complete.

Mr. Bracey stated that that is fine but it should not be put on the architects bill. It should be purchased with instructional funds.

Mr. Moody stated that he is unclear about it and suggested that the Board hold that amount until they can talk about it later and pay the other portion.

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

Mr. Clay stated that he was not voting against the whole amount he is just voting against the \$14,000 for the equipment.

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Treasurer is authorized to transfer \$118,225.76 from the Meals Tax Fund to the School Construction Fund for Architectural Services retroactive to June 30, 1995.

Dr. Gaul, Superintendent of Schools, came before the Board and stated that there is nothing subversive that they are trying to do. Their Board has identified a position in house and are going to pay a person from year to year to guarantee that they have no cost over runs in the Capital Improvements Project. They are very concerned about neighboring districts that went \$8,000,000 over and didn't find out about it until later. One of the early suggestions from the Architectural Firm was to establish an on site system where they can monitor what is going on in any alternations in blueprints, schematics, etc.. The cost of this, in their estimation would be relatively low, they would have somebody trained who could monitor it, operate it and counsel their School

Board on it. The ultimate realization at the end of the twenty four or thirty months, the piece of equipment would be assumed back by the architects or they would use in their CAD program at the High School. Which is a program that is in desperate need of computerized technology, which is on their five year plan to put into place. They didn't see any problem with it, that is why they put it in their. He can guarantee if the Board has questions about it in the future they will be happy to talk about it before it gets up in front of everyone to try and work it out.

Mr. Bracey stated that he is not against the \$14,000 he is against what was said the funds would be spent on, not equipment but for drafting. He stated that Ballou, Justice & Upton should of had it and let the School use the equipment until after the project was finished. He also stated that guidelines need to be reestablished because he can see a problem coming; every time somebody thinks that they want something or some firm says you need this so you buy it. He was never under the impression that they would have to buy equipment, if the firm wants a piece of equipment then they should buy it.

Dr. Gaul stated that he agrees with his concern and he will personally scrutinize and make sure anything goes by Charlie and the Board before that happens. He will make sure that they are not coming after the fact.

Mr. Bracey stated that he thinks that someone from the Architectural Firm should come and explain the situation.

IN RE: CITIZEN COMMENTS

1. Clarence E. Roberts, 12512 Courthouse Road, Dinwiddie, VA. He came before the Board and stated that his church is having boundary difficulties with the County. He has tried to resolve the issue with no avail. The church is getting too big; they either need to expand or relocate, either which will require resolution to the boundary difficulties.

Mrs. Everett stated that this issue needs to be resolved.

Mr. Haraway requested that the issue be placed on the Board's next agenda as an Executive Session item to meet with Church Officials.

2. Robert Ragsdale, 8511 Boydton Plank Road, Petersburg, VA. He came before the Board and stated that he was worried about what the County has paid in Attorney's fees for Fiscal Year 1995. He also stated that he was concerned about the roof that will be put on the Administration Building. He also questioned where the specifications for the new roof came from.

IN RE: P-95-3 -- LAWRENCE AND LINDA ROLLEY -- PUBLIC HEARING

This being the time and place as advertised in the Progress Index on July 19, 1995 and July 26, 1995, for the Board of Supervisors to conduct a public hearing to consider rezoning a portion of tax parcel #57-93 from R-1, Residential Limited to A-2, Agricultural General for the purpose of operating a campground and a portion of tax parcel #57-93 from R-1, Residential Limited to R-1A, Residential Limited for the purpose of maintaining an existing apartment on the property. The property is located at 14517 Boydton Plank Road in the Rowanty Magisterial District.

Charles W. Burgess, Jr. stated that the applicants specifically seek the rezoning of three (3) acres to A-2 and two (2) acres to R-1A. The proposed uses of the property are a campground on the A-2 portion of the property and two (2) residences on the R-1A portion of the property. The proposed "campground" use is actually proposed to be used by "recreational

vehicles". "Campgrounds" are permitted in the A-2 District subject to the approval of a conditional use permit (per Section 22-71, line 50 of the Dinwiddie County Zoning Ordinance).

The property has three (3) existing structures. There has been no apparent use of the structures for the past several years. In that the previous uses of the property have been abandoned in excess of one (1) year, any non-conforming use status of the property has been lost (per Section 22-246 c. of the Dinwiddie County Zoning Ordinance). The applicant envisions the use of two (2) of the existing structures as residences available for rent. Apart from the existing structures, the property has a mature stand of mixed hardwoods and has no pronounced topographic features. According to available materials, there are no streams on the property. The property is bordered to the west of Boydton Plank Road, the east of Spring Creek Road, to the north and south by properties zoned R-1. The property to the west of Boydton Plank Road is zoned A-2 as is the property east of Spring Creek Road. The property is served by a private well and septic system.

The April, 1979 Land Use Map which is a part of the County's Comprehensive Plan indicates the property and the general vicinity being designated for residential purposes. There is no history of previous applications being submitted requesting the rezoning of this property.

RECOMMENDATION

The staff cannot support the rezoning of a portion of the property to A-2. It is the opinion of the staff that three (3) acres is not a sufficient land area to support a campground. Therefore, if the recommendation is followed, the R-1A rezoning request is deemed as not being necessary as the applicant can meet the Zoning Ordinance density requirements for the two (2) dwelling units under the current R-1 zoning classification (per Section-22-115 1. of the Dinwiddie County Zoning Ordinance).

Mr. Burgess read the following letters from citizens into the record:

12824 Boydton Plank Road
Dinwiddie, VA 23841

July 21, 1995

Gentlemen:

Although I have been a resident of Dinwiddie for only 12 years, I have tried to show my appreciation for the fine qualities of its citizens and the unique historic legacy of the County.

It is disturbing that the petitioners wish to commercialize the beauty and historic significance of the courthouse area using the rationale that this would benefit the entire community. It seems to me that the real benefit would be to the Rolley's positive cash flow.

Please add my voice to those already recorded as opposed to granting this petition.

Very truly yours,

Lucy S. Smith

July 10, 1995

Mr. Gilbert Wood, Chairman
County of Dinwiddie
Planning Commission
P.O. Box 266
Dinwiddie, VA 23841

Dear Mr. Wood:

I am unable to attend the rezoning hearing being held on July 12, 1995 to consider the request of Lawrence and Linda Rolley in regard to tax parcel 57-93.

I am vigorously opposed to the request for change to A-2. I do not feel this area is at all appropriate for use in establishing a trailer park. I own over forty acres northeast of this area and seven acres across U.S. Route 1 just to the south. I feel that a change to A-2 would be unfit in relation to the residential development and potential residential development and business development in this general area.

I have no problem with the continuation of apartment or dwelling nor with a future restaurant use. These were the previous uses and the development that has occurred about this parcel has taken place with those uses existing.

Thank you for your consideration.

Yours truly,

M.I. Hargrave, Jr.

cc: William C. Scheid
Legert Hamilton
Patricia Hume
Daniel Lee
Harrison Moody
C. Floyd Perkinson

July 12, 1995

Dear Mr. Burgess & Mr. Wood:

I broke a bone in my foot and I'm in a cast so am unable to attend tonight's meeting.

We are so close to the area Mr. Rolley wants to rezone - not even a mile away - It would be very unwise I feel for this area to be permitted to have campers and trailers. I'm proud of our historical places like our county courthouse and the Winfield Scott home area near the "Homeplace" Restaurant - I worked hard as Chairman of the Replanting Committee to have trees and shrubs put back (or planted) at our courthouse -- Why ruin all of this with campers and trailers so near?

I wish I could be at this meeting - I am very much against the rezoning this area.

Polly Richardson Winfield

3980 Dogwood Drive
West Point, Virginia 23181

June 10, 1995

Mr. Charles W. Burgess, Jr.
Interim Director of Planning
P.O. Box 266
Dinwiddie, VA 23841

Dear Mr. Burgess:

I do not understand how a small portion of land (+/- five acres) could be rezoned to multiple tax parcels.

I, as an adjacent property owner, object to any rezoning.

I own property on three sides of the property referred to as Tax Parcel 57-93. This property has been used as a resident for many years. I have tried to keep the adjacent property so that above average residential homes could be built at some date in the future. I feel that a trailer park or camp ground would devalue all property in this area.

Arthur H. Richardson, Jr.

Mrs. Rolley came before the Board to present her case. She stated that she felt that the citizens have no reason to be in opposition. She stressed that it would not be a mobile home park, it is for RV's and campers only. The site is in the back of the property and would be very hard to see from the road. They have been in business herein the County for the last 2 & 1/2 years and previously 8 years and have never had any problems. They have approximately generated anywhere from \$25,000 to \$35,000 in meals taxes. If this were passed this would help generate more money for the County. She also stated that they have done alot of improvements to the lot already.

Mr. Rolley came before the Board and presented a site plan.

This being a public hearing, the Chairman opened the floor for public comment:

The following people spoke in opposition of the rezoning:

1. William C. Adkins, 14604 Boydton Plank Road, Dinwiddie, VA.
2. John W. Scarborough, 13726 Boydton Plank Road, Dinwiddie, VA.
3. Milton Hargrave, 14506 Boydton Plank Road, Dinwiddie, VA.
4. Debra Waddell, 14506 Boydton Plank Road, Dinwiddie, VA.
5. Anne Scarborough, 13726 Boydton Plank Road, Dinwiddie, VA. She stated that L.L. Meredith asked her to state that he was also against the rezoning.

Mrs. Rolley gave the Board a signed statement from approximately 90 citizens that are in favor of their request.

Mrs. Everett stated that she is concerned about the amount of acreage.

Mr. Clay stated that he is not opposed to the restaurant but he is opposed to the RV park because it is not a proper place for it.

Mr. Moody stated that the Rolley's are doing a good job with their business but the site would not be a good place for a RV Park.

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 P-95-3 is denied.

THE CHAIRMAN RECESSED THE MEETING AT 8:52 P.M. AND RECONVENED AT 9:00 P.M.

IN RE: A-95-5 -- AMENDMENT TO PUBLIC PROCUREMENT
ORDINANCE -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on July 19, 1995 and July 26, 1995, for the Board of Supervisors to conduct a public hearing for the purpose of adopting "An Ordinance for Amending Code of Dinwiddie sections 2-66, 2-68, 2-70, 2-74, and 2-76" to amend these sections of Chapter 2, Article IV, of the Public Procurement Ordinance of the Code of the County of Dinwiddie, Virginia, to make these sections consistent with the Code of Virginia.

Wendy Weber Ralph, Ass't County Administrator, stated that the ordinance would bring certain sections of the Dinwiddie County Code that deal with the Public Procurement Act into compliance with the State Code.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, Article IV of Chapter 2 of the Code of Dinwiddie County, Virginia is hereby amended as follows:

Sec. 2-66. Definitions.

Competitive sealed bidding: A method of contractor selection which includes elements and procedures set out in section 11-37 of the Code of Virginia under the definition of "competitive sealed bidding."

Competitive negotiation: A method of contractor select selection which includes elements and procedures set out in section 11-37 of the Code of Virginia under the definitions of "competitive negotiation."

Sec. 2-68. Exemptions from competitive requirements of article - Sole source procurement.

Upon a determination in writing that there is only one (1) source practicably available for that which is to be procured, a contract may be negotiated and awarded to that source without competitive sealed bidding or competitive negotiation. The writing shall document the basis for this determination. The County shall issue a written notice stating that only one source was determined to be practicably available, and identifying that which is being procured, the contract selected, and the date on which the contract was or will be awarded. This notice shall be posted in a designated public area or published in a newspaper of general circulation on the day the county awards or announces its decision

to award the contract, whichever occurs first.
(ord. of 12-15-82, Section 2-12[h]).

State law reference - Similar provisions, Code of Virginia, Section 11-41D.

Sec. 2-70. Same - Purchases of less than \$30,000 for microcomputers and General Purchases of less than \$15,000.00.

The board of supervisors (the "board") shall have the right to establish purchase procedures, if adopted in writing, that do not require competitive sealed bids or competitive negotiation for (1) single-term contracts not expected to exceed fifteen thousand dollars (\$15,000.00) and/or (2) contracts for microcomputers and related peripheral equipment and services not expected to exceed thirty thousand dollars (\$30,000.00). Such procedures shall provide for competition wherever practicable. (Ord. of 12-15-82, Section 2-12; Ord. of 3-6-91).

State law reference - Similar provisions, Code of Virginia, Section 11-41F.

Sec. 2-74. Competitive negotiation generally.

(a) Upon a determination in writing that competitive sealed bidding is either not practicable or not advantageous to the public, goods, services, insurance or construction may be procured by competitive negotiation. The writing shall document the basis for this determination.

(b) Upon making the determination in 2-74(a), the board of supervisors may enter into a construction contract for the alteration, repair, renovation or demolition of buildings when the contract is not expected to cost more than five hundred thousand dollars (\$500,000.00).

(c) Upon making the determination in 2-74(a), the board of supervisors may enter into a construction contract for the construction of highways and any draining, dredging, excavation, grading or similar work upon real property.

(d) Competitive negotiation may be used as other wise provided in section 11-41.2:1 of the Code of Virginia.

State law reference - Similar provisions, Code of Virginia, Section 11-41C.

Sec. 2-76. Procurement of professional services.

(a) Competitive sealed bidding shall not be required for procurement of professional services.

(b) The board of supervisors (the "board") shall have the right to establish procedures, if adopted in writing, that do not require competitive negotiations for procuring professional services for single-term contracts not expected to exceed twenty thousand dollars (\$20,000.00).

(c) Any professional service the cost of which is expected to exceed twenty thousand dollars (\$20,000.00) shall be procured by competitive negotiation.

State law reference - Similar provisions, Code of Virginia, Section 11-35E and Section 11-41B.

In all other respects the Dinwiddie County Code is hereby reordained.

IN RE: A-95-6 -- REPEAL OF SECTION 2-33 RELATING TO
BOARD COMPENSATION -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on July 19, 1995 and July 26, 1995, for the Board of Supervisors to conduct a public hearing for the purpose of adopting "An Ordinance to Repeal Code of Dinwiddie Section 2-46, which was reclassified as Code of Dinwiddie Section 2-33" repealing Chapter 2, Article III, Section 2-46, which was reclassified as Section 2-33 of the Code of the County of Dinwiddie, Virginia, relating to the compensation for members of the Board of Supervisors.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Article III of Chapter 2 of the Code of Dinwiddie County, Virginia is hereby amended to repeal Section 2-46, which was reclassified and is now known as Section 2-33 of the Code of the County of Dinwiddie, Virginia.

This Ordinance shall become effective January 1, 1996.

In all other respects the Dinwiddie County Code is hereby reordained.

IN RE: A-95-7 -- JR. FIREFIGHTER ORDINANCE -- PUBLIC
HEARING

This being the time and place as advertised in the Dinwiddie Monitor Newspaper on July 19, 1995 and July 26, 1995 for the Board of Supervisors to conduct a public hearing for the purpose of adopting a "Proposed Ordinance Concerning Junior Firefighter Programs" to add Section 10-5 to Chapter 10, Article I of the Code of the County of Dinwiddie, Virginia to establish a junior firefighter program.

David Nichols, Public Safety Director, came before the Board and reviewed the proposed Ordinance. He stated that he has not gotten any response from the Volunteer Fire Companies in the County.

Mr. Bracey asked how many people were participating in the program now?

Mr. Nichols stated that the most they have had is 25 people participating at one time but it is now only about 15 County wide.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 10-5 to Chapter 10, Article I of the Code of Dinwiddie County, Virginia is hereby adopted to read as follows:

Volunteer Junior Firefighter Programs.

(a) The Volunteer Fire Companies of Dinwiddie County are authorized to establish to junior firefighter program for minor persons 16 or 17 years of age who are residents of Dinwiddie County in accordance with this ordinance and all other applicable law.

(b) Prior to participating in the junior firefighter program, any such minor person shall have filed with the County Administrator's Office, the Public Safety Officer, and the Clerk of the Circuit Court of Dinwiddie County, a notarized consent statement signed by all parents and/or legal guardians of that minor person stating that the minor person has permission to participate in Dinwiddie County Fire Company activities. The consent statement shall be in a form acceptable to the County Administrator and shall state that the parents and guardians signing the form recognize that the junior firefighter program may involve risks to the personal safety of participating minor persons.

(c) No junior firefighter program shall be established or conducted unless the volunteer fire company or governing body of Dinwiddie County has purchased and maintains insurance which provides coverage for injuries to or the death of any such minor in the performance of activities in the junior firefighter program in accordance with State law.

(d) Minors qualified to participate in the junior firefighter program may engage in fire training activities under the direct supervision of a State Certified Fire Instructor I or above. Such training shall be conducted in strict accordance with guidelines established by the Virginia Department of Fire Programs. Junior firefighters shall not enter a burning structure, enter a structure that contains burning materials, or enter an area that contains toxic products of combustion.

(e) Minors qualified to participate in the junior firefighter program may engage in activities at a fire scene as follows:

- (1) They shall participate in firefighting support functions at the fire scene.
- (2) They shall not enter the fire area.
- (3) They shall not enter a burning structure, enter a structure that contains harmful products of combustion.
- (4) They shall not participate in fighting wildland fires.
- (5) They shall not respond to an incident involving actual or suspected hazardous materials or chemicals.
- (6) They shall not respond to mutual aid calls outside the jurisdictional boundaries of Dinwiddie County.
- (7) They shall not drive any piece of fire or rescue apparatus.
- (f) If any such minor is a student, he or she must maintain passing grades in all subjects as a condition of participation in the junior firefighter program.

This ordinance shall become effective immediately.

In all other respects the Dinwiddie County Code is hereby reordained.

IN RE: CONDEMNATION OF PROPERTY FOR COURTHOUSE & ADMINISTRATION FACILITY -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on July 26, 1995 for the Board of Supervisors to conduct a public hearing for the purpose of determining that public necessity or essential public convenience requires the condemnation by Dinwiddie County pursuant to the Virginia General Condemnation Act for the purpose of building a courthouse and administration facility, of certain real property known as the Hargrave Tract, which property consists of approximately 12.794 acres located at 18310 Edsel Lane, Dinwiddie, Virginia, adjacent to the County's

existing administration building.

This being a public hearing, the Chairman opened the floor for public comment: No one signed up to speak.

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, Dinwiddie County is obligated, pursuant to Virginia Code Section 15.1-257 (Code 1950, as amended) to provide a courthouse and other related facilities, for the courts and the officials thereof serving Dinwiddie County and is permitted, pursuant to Virginia Code Section 15.1-258 to provide offices for judges and other county officials and officers, and

WHEREAS, the current courthouse facilities are in need of modifications, alterations and expansion to meet the needs of the courts, county officials and officers and the citizens of the County, and

WHEREAS, the cost and extent of modifications, alterations and expansion needed to render the existing facilities adequate for the needs of the court are such as to make renovation of the existing facility economically and practically infeasible, and

WHEREAS, existing county property is inadequate to accommodate the new courthouse and administration facility and attempts to locate a site for a new courthouse and administration facility have been undertaken and evaluated with regard to suitability, convenience and feasibility, and

WHEREAS, the necessity of and location for a new courthouse facility have been duly considered in light of the analysis, advice and evaluations provided by court and county officials, consultants hired by the County and by the public at public hearing,

NOW THEREFORE BE IT RESOLVED that, the construction of a new courthouse and administration facility for the courts and officials thereof serving Dinwiddie County is declared necessary, and that the most suitable, convenient and feasible location for said facility is that parcel of land sometimes known as the Virginia Beck Hargrave property, consisting of 12.79 acres, more or less, located in Rowanty District, adjoining the site of the present county administration building to the North and fronting, in part, on Courthouse Road, State Route 627 (hereafter the Hargrave property),

BE IT FURTHER RESOLVED that it is necessary to condemn property for construction of the new courthouse and administration facility and, it appearing that attempts to acquire the Hargrave property have been unavailing, the County Attorney is directed to proceed forthwith to initiate and prosecute to conclusion condemnation proceedings to acquire, for use in constructing a courthouse and administration facility, the aforementioned Hargrave property.

IN RE: AGREEMENT ON FORMATION OF REGIONAL AUTHORITY TO
CONSIDER REUSE OF SURPLUS PROPERTY -- FT. PICKETT

Upon motion of Mr. Bracey, seconded by 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 County Administrator is authorized to sign an agreement that would create the Fort Pickett Local Reuse Authority (FPLRA).

IN RE: RESOLUTION IN OPPOSITION TO LAKE GASTON/VIRGINIA
BEACH WATER PIPELINE

Mrs. Everett stated that she does not believe that the County needs to get involved in opposing the Lake Gaston/Virginia Beach water pipeline.

Mr. Clay stated that he agrees with Mrs. Everett.

Mr. Moody feels that it is an issue that is right in our back yard. He feels that the County needs to be in support of the opposition.

Mr. Bracey stated that he agrees with Mr. Moody; the County needs to be concerned about the issue.

Mrs. Everett made the motion to deny the resolution in opposition to the Lake Gaston/Virginia Beach Water Pipeline, seconded by Mr. Clay, Mrs. Everett, Mr. Clay voting "aye", Mr. Bracey, Mr. Moody, Mr. Haraway voting "nay";

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, opposes the proposed Lake Gaston/Virginia Beach water pipeline.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that the Asbestos Survey and Sampling needs to be done for the County's upcoming re-roofing project. She presented the following proposals:

Marine Chemist Service, Inc.

VA Licensed Inspector.....\$32.00/hr.
PLM bulk sample analysis.....\$20.00/each
Mileage.....\$.25/mile

Hankins/Anderson, Inc.

Engineer.....\$60.00/hr.
Samples.....\$20.00/each
Travel.....\$.30/mile

She stated that there is one more bid that is still out and if it comes in time and is lower than Marine Chemist Service she would like to be able to accept that one, but in the meantime she would like authorization to accept the low bid from Marine Chemist Service, Inc.

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 low bid to do the Asbestos Survey and Sampling from Marine Chemist Service, Inc. on the upcoming re-roofing project be accepted.

2. Mrs. Wendy Weber Ralph stated that the School Board is bidding out for their propane gas service and they have approached us and asked if we would like to join them on their bid. We only have three locations. We are not a real big user, but by going with the School, we might get a better deal. It will not bind us to their bid because if individually we were to get a

better price for our location it will be broken out and we could choose that. They are going to do it anyway and if we put our requirements in with them, we might get a better bid.

Upon motion of Mr. Clay, seconded by Mrs. Everett, 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 County is authorized to participate with the School Board when they request bids for their propane gas service.

IN RE: BOARD MEMBER COMMENTS

Mr. Bracey stated that there is a lot of questions surfacing about closing the VDOT/Dinwiddie Station down. He asked Mr. Burgess to look into it because there is a lot of opposition in closing it. He suggested closing another station, such as the one at Int. 85 & Int. 95.

Mr. Clay stated that he did not want to see the station in McKenney closed either.

Mrs. Everett suggested getting the Resident Engineer from VDOT to come before the Board and give them an explanation as to which station will closed.

The Board discussed the need for an enforcement officer for all of the public nuisance complaints that come into the office. Mr. Haraway suggested that the Board wait and make a decision about hiring additional staff until after the office is fully staffed.

Mr. Haraway stated that he received a letter stating that the Virginia Power office in Petersburg will no receive payments. He was told that there will be various sites in the community for people to pay their bills.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mrs. Everett, 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) 7- Consultation with legal counsel; the Board moved into Executive Session after a five minute recess at 10:02 P.M. A vote having been made and approved the meeting reconvened into Open Session at 10:43 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Bracey, seconded by Mr. Moody, 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

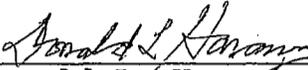
WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

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 exempted from open meeting requirements by

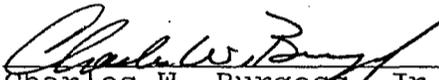
Virginia law were discussed in the executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: ADJOURN

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 10:49 P.M. to be continued until August 16, 1995 at 12:30 P.M. for an Executive Session at the Pamplin Administration Building.



Donald L. Haraway
Chair, Board of Supervisors

ATTEST: 

Charles W. Burgess, Jr.
County Administrator

/rle

