

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 16TH DAY OF AUGUST, 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
	DAN SIEGEL	COUNTY ATTORNEY

IN RE: AMENDMENTS TO AGENDA

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

- Add 11. 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) 5-Discussion concerning a prospective business or industry where no previous announcement has been made.
  - (c) Section 2.1-344(a) 6-Investment of public funds.
  - (d) Section 2.1-344(a) 7-Consultation with legal counsel.

IN RE: MINUTES

Upon motion of Mr. Clay, 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 minutes for the August 2, 1995 Continuation Meeting and August 2, 1995 Regular Meeting are hereby approved with corrections to the August 2, 1995 Regular Meeting, IN RE: Board Member Comments — Mr. Haraway's comment. He stated that the he did not say that the Virginia Power office in Petersburg would be closing, he stated that they would no longer be receiving payments.

IN RE: CLAIMS

Mr. Bracey questioned a payment that was paid out of the Self Insurance Fund. The check was made out to Dr. Pinsky and Mr. Bracey stated that he thought that Dr. Pinsky was a Podiatrist (a foot Doctor). He wanted to know why they were paying a bill to a foot doctor. He requested that Administration investigate and come back to the Board with an explanation.

Mr. Bracey made the motion to pass all the claims except the one to Dr. Pinsky, 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 following claims are approved and funds appropriated for same using checks #35172 - #35306 (check #35307 was not approved pending an investigation) #35308 - #35370 (void #35171) for General Fund in the amount of \$162,447.53, Jail Commission \$529.19, E911 Fund \$2,003.41, Self-Insurance Fund \$13,809.55, Courthouse Maintenance \$11,959.67, Law Library \$96.01, CDBG Fund \$20,180.45 for a total of \$211,025.81.

IN RE: CITIZEN COMMENTS

1. Wayne Varga, Boydton Plank Road, Dinwiddie, VA. He came before the Board and presented a letter for the record. He then stated that he was representing the EMS Division for Dinwiddie Fire Co. #1. He

asked the Board for assistance in obtaining funding for a reliable response vehicle. The van currently used for emergency medical calls is thirteen years old and is spending more time in the shop for repairs. The systems on the van are wearing out and the vehicle is less than reliable. He stated that the EMS Division will be applying for a state grant from the Department of Emergency Medical Services. The grant, if approved, will provide one half of the funding to purchase and equip a new vehicle for emergency medical response. He also stated that they are allowed to purchase items from state contracts and the present contract has the type of vehicle that would be most appropriate for the first responders. The cost is \$21,773, however, the contract will expire prior to knowing whether the state grant is approved. The contract is being re-bid and it is expected that the purchase price of the vehicle will increase to the \$25,000 range. When the costs of the radios and the emergency lights are added, the total cost of the vehicle is expected to be approximately \$30,000. The grant will provide for one half of the funding and he respectfully asked the county to consider funding the other half of the cost. The grant request must be submitted by September of 1995 and notification of approval or denial being received the first part of 1996. He stated that he was not looking for an answer from the Board that day; he just wanted them to consider their options and let them know no later than December.

Mr. Bracey suggested that their organization talk to other dealerships about getting the type of vehicle they want, off of the state contract.

2. Robert Ragsdale, Boydton Plank Road, Petersburg, VA. He stated that he wanted to know how much the County has spent on surveying and soil testing the Hargrave Property?

Mr. Burgess, County Administrator, stated that he did not know right off of hand; he would have to check the records and let him know.

Mr. Bracey asked the County Administrator to provide Mr. Ragsdale with a letter addressing his questions and concerns within five days.

Mr. Ragsdale asked if the County has investigated to see if the material that will be put on the roof has been discontinued.

Mrs. Ralph, Ass't County Administrator, stated that the County is waiting for a twenty year guarantee from the Company that will be putting the new roof on.

Mr. Ragsdale stated that he has been to Court several times recently over the Motorsports Park. He has seen that Sands, Anderson, Marks & Miller has been there and he wanted to know who they were representing.

Dan Siegel, County Attorney, stated that their firm is representing an insurance carrier.

Mr. Ragsdale wanted to know what insurance carrier.

Mr. Siegel stated that he did not know right off the top of his head.

Mr. Ragsdale asked Mr. Siegel to get him that information. He stated that he felt that he had a right to know because it was his litigation.

Mr. Siegel stated that he would ask the firm, it depends on the client.

Mr. Ragsdale stated that he felt that it was a conflict of interest because they were representing the County and the insurance carrier on the same case.

Mr. Siegel stated that the County wasn't a party in that case.

Mr. Ragsdale stated that Sands & Anderson had some subpoenas quashed for depositions for the County and then was representing the

insurance carrier. Mr. Ragsdale stated that he wanted a written statement from the County Attorney explaining how they could represent the County and another party in the same lawsuit.

Mr. Bracey stated that Sands & Anderson was not on the County's payroll at the time they were in court; they were representing another business.

3. Anne Scarborough, Boydton Plank Road, Dinwiddie, VA. She stated that she did not want her exact house number in the minutes when she signs up to speak under citizen comments. She stated that the street name was fine but not the house number for safety precautions.

After some discussion among the Board they stated that there was no need to put the house numbers in the minutes.

She stated that Dr. Gaul was quoted in the Dinwiddie Monitor stating that there was a decrease in enrollment and in the next paragraph of the article in the newspaper she read the following quote "in the interest of diminishing enrollment" and then in another paragraph of the article she read the following quote "due to an eleventh hour jump in enrollment, Dinwiddie Schools has been able to hire back many teachers, enrollment jumped recently from 3,764 to 3,861". She stated that she doesn't believe that an increase of 67 students took place from Tuesday, when the school board had their meeting, until the material was sent down to the Monitor. If the state gives them \$3,000 for every student then that is an extra \$201,000. She stated that between the funds that were appropriated by the Board of Supervisors in the amount of \$280,000 from transportation and the windfall there should be \$490,000 extra in Instruction. After the extra teachers that are needed for the windfall are paid there should be enough money left over that the School could guarantee that one or two buses would be bought.

Mrs. Scarborough stated that she read the latest thing from Crater Planning and in it it stated that 34% of Dinwiddie County is 45 years of age and older. There is only 25% of the County that is school age, up to 19 years of age. She feels that there are too much funds going to the school system when there is a larger amount of older people in the County. There are other things that the elderly want; such as EMS. Take some of the funds and put it towards EMS.

Mr. Haraway stated that the enrollment in September does not mean anything; it is the enrollment in March that the State looks at.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

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

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

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

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, presented his report for the month of July, 1995.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T. O. Rainey, Commonwealth Attorney, was present but did not have anything to present to the Board.

Mrs. Everett asked if he had any violations that have come up in court about violations of solid waste, littering or scavengers?

Mr. Rainey, stated that he has not heard of any. It may be because the fines are paid before they get to him.

IN RE: SHERIFF -- REPORT

Deputy Thomas Gibbs, Sheriff's Department, was present and stated that in response to Mrs. Everett's question during the Commonwealth Attorney's report; they have written tickets for littering and scavengers. He stated that they are monitoring it on a regular basis. He also stated that he has seen a difference in it; it is not as bad, especially at the Rohoic Dump Site.

IN RE: BUILDING INSPECTOR -- REPORT

Dwayne H. Abernathy, Building Inspector, presented his report for the month of July, 1995.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, presented his report for the month of July, 1995.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W.C. Scheid, Director of Planning, presented his report for the month of July, 1995.

IN RE: DIRECTOR, SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director of Social Services, came before the Board and presented a status report on the "Dinwiddie Jobs Success Program". Ms. Evelyn Miles, Jobs Informate Services Worker was also present. Mrs. McElveen wanted to recognize Ms. Miles and Regina Patterson for all of their efforts towards making the Program a success.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mr. Ray Watson, Assistant to Superintendent for Finance and Technology, came before the Board and presented Dr. Gaul's report for the month of July, 1995.

Mr. Bracey stated that he has gotten some complaints from some local young men that work in the insurance field selling IRA's. The School Board office set some regulations and the young men feel that the regulations are not fair and that these regulations do not apply to all of the agents. Some are allowed to come in when they get ready and some are not. Mr. Bracey stated that all he wants is to see that everyone is treated fairly.

Mr. Clay stated that he has gotten the same complaint.

Mr. Watson asked Mr. Bracey to see that the young men contact him so that they can sit down and talk this over.

Mr. Bracey stated that at the last Board meeting they received a listing of all of the school employees salaries. He wanted to know if all of those salaries were correct.

Mr. Watson stated that he didn't think any of them had been adjusted. To the best of his knowledge he thought that they were correct.

Mr. Watson came back later in the meeting and stated that that there was only one salary on the list that was incorrect and has been adjusted.

Mr. Bracey stated that an adendum needed to be put out because it was very misleading.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of July, 1995.

Mr. Bracey commended Mr. Rinaldi on a job well done with the concession stand at the middle school.

Mrs. Everett stated that she felt that the people from the Home Builders Association of Southside Virginia who contributed either money, materials or labor for the Dinwiddie Concession Stand should be recognized. She suggested that an article be put in the paper recognizing their contribution and listing their names.

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 an article be put in the paper recognizing the Home Builders Association of Southside Virginia who contributed either money, materials or labor for the Dinwiddie Concession Stand.

IN RE: PUBLIC SAFETY DIRECTOR -- REPORT

Mr. David W. Nichols, Public Safety Director, submitted his report for the month of July, 1995 prior to the meeting. He was unable to be there because he was attending a fuel spill on the Interstate.

IN RE: DIRECTOR OF SANITATION -- REPORT

Mr. Dennis E. King, Director of Sanitation, presented his report for the month of July, 1995.

IN RE: AUTHORIZATION FOR COUNTY ADMINISTRATOR TO SIGN THE AGREEMENT TO PLACE THE DUMPSTERS

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 County Administrator is authorized to sign an agreement with the Department of Game and Inland Fisheries to locate the dumpsters at the Lake Chesdin Boat Landing on property owned by the Department of Game and Inland Fisheries.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel M. Siegel, County Attorney, was present but did not have anything to present.

IN RE: APPOINTMENT -- PLANNING COMMISSION

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 Dr. Mark Moore be nominated to the Planning Commission to replace W.C. Scheid for his unexpired term ending December 31, 1995.

Upon motion of Mr. Clay, 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 Dr. Mark Moore be appointed to the Planning Commission to replace W.C. Scheid for his unexpired term ending December 31, 1995.

IN RE: ABIDCO -- APPOINTMENTS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Milton Hargrave, Jr. is hereby reappointed to ABIDCO for a term expiring September 30, 1996,

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Donald L. Haraway is also hereby reappointed to ABIDCO for a term expiring December 31, 1995.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Charles W. Burgess, County Administrator, asked the Board for their permission to prepare a request for proposals to do a productivity analysis on certain County offices. This has been discussed with different agency/department heads and they are in agreement.

After some discussion between the Board they gave Mr. Burgess permission to get an RFP together for a productivity analysis on certain County offices.

2. Mr. Burgess presented to the Board a draft of the restrictive covenants for the County owned property which is known as the Virginia Power Site. He stated that he would be having discussions with the subcommittee of the Industrial Development Authority the next day and he invited any Board member that was interested to join in the discussion.

IN RE: BOARD MEMBER COMMENTS

1. Mrs. Everett stated that she appreciated all of the efforts that are being made to try and get plenty of enforcement on some of the trouble sites in the County. She was asked to say something about the location of a deplorable home on Lew Jones Road.

2. Mr. Bracey stated that he had some concerns over how the minutes for the meetings were being done. He also stated that they are not in detail enough and too many things are left out so when he tries to research something it is hard to do.

After some discussion between the Board they decided that the minutes continue to be done in the present form.

3. Mr. Haraway stated that the Historic Petersburg Foundation sent him an invitation to the ninth annual Battersea Ball and he would be unable to attend and wanted to invite the other Board members to attend if they could.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 concerning a prospective business or industry where no previous announcement has been made; Section 2.1-344(a) 6-Investment of public funds; Section 2.1-344(a) 7-Consultation with legal counsel; the Board moved into Executive Session after a five minute recess at 4:00 P.M. A vote having been made and approved the meeting reconvened into Open Session at 6:05 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Moody, seconded by Mrs. Everett, 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

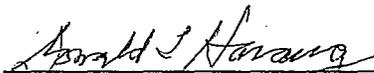
WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

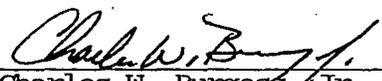
NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted

from open meeting 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. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Bracey, Mrs. Everett, Mr. Haraway voting "aye", the meeting adjourned at 6:06 P.M. to be continued to September 6, 1995 at 12:00 Noon for an Executive Session.

  
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Donald L. Haraway  
Chair, Board of Supervisors

ATTEST:   
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Charles W. Burgess, Jr.  
County Administrator

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