

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 OCTOBER, 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

DANIEL SIEGEL COUNTY ATTORNEY

IN RE: MINUTES

Upon motion of Mr. Moody, 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 minutes for the October 4, 1995 Regular Meeting are hereby approved with corrections to IN RE: Board Member Comments. Mr. Bracey wanted it added that the Capital Improvement Project, that he was speaking of, was for the Schools.

IN RE: CLAIMS

Upon motion of Mr. Moody, 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 check #35946 for Self Insurance \$3,000 and check #35947 for Self Insurance \$8,000 for a total of \$11,000.00; and using checks (void #36024) #36025-36203 for General Fund \$247,612.90, E911 Fund \$3,935.86, Courthouse Maintenance \$5,159.24, Law Library \$434.25, CDBG Fund \$105,449.42 for a total of \$362,591.67.

IN RE: CITIZEN COMMENT

1. Paul W. Walk, Jr., Trinity Church Road, Dinwiddie, VA. He came before the Board and requested an Executive Session in reference to a Personnel issue and litigation involving the County.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, 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 at 2:25 P.M. A vote having been made and approved the meeting reconvened into Open Session at 2:30 P.M.

IN RE: CERTIFICATION

Upon motion 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 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: CITIZEN COMMENTS CONTINUED

2. Tucker Ramsey, Lewis Road, Dinwiddie, VA. He came before the Board and stated that he was concerned that the County has not received their portion of the meals tax or admissions tax from the weekend of Nationals at the Virginia Motorsports Park.

Mrs. Deborah M. Marston, Commissioner of the Revenue came before the Board and stated that she is working with the Racetrack and the auditors to get a full count.

3. Robert Ragsdale, Boydton Plank Road, Dinwiddie, VA. He came before the Board and stated that he wanted a response from Sands, Anderson, Marks, & Miller (County Attorney) to the question that he posed about a month prior. The question was why was Sands, Anderson, Marks & Miller at Mr. Ragsdale's trial if they were not representing the County; and if they were not representing the County then why did they submit a bill to the County for services rendered in his case.

Mr. Daniel Siegel answered Mr. Ragsdale with the same response that he gave prior; they were not at the trial representing the County; they were representing an insurance company and the reason they submitted a bill was because members of the Board of Supervisors were subpoenaed to testify in the trial and Sands, Anderson, Marks & Miller represented the County at a hearing in reference to those subpoenas.

Mr. Ragsdale also stated that he was also concerned over the fact that the County has spent so much money on trying to purchase the Hargrave Property for the new Courthouse and the County still does not even own it.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Harold Dyson, Assistant Resident Engineer, came before the Board and stated that he did not have anything to present but was available for questions.

The Board expressed their concerns about the bridge construction that was being done on Interstate 85 with the Olympics being next year because Mr. Dyson stated that the construction would not be complete by then.

IN RE: COMMISSIONER OF REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of Revenue, came before the Board and presented a Business License Report.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, was out of town but had submitted his report in writing to the Board prior to the meeting.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

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

Mrs. Everett stated that she had gotten several calls from citizens complaining about noise problems in their neighborhoods and she wanted to know if the County has a noise ordinance.

Mr. Rainey stated that noise is very hard to enforce but the people might be able to get some help under the nuisance ordinance.

IN RE: SHERIFF -- REPORT

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

IN RE: BUILDING INSPECTOR -- REPORT

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

IN RE: POSITION ANNOUNCEMENT -- PLANS REVIEWER/BUILDING INSPECTOR

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 David F. Hartsook, Jr. is appointed to the position of Plans Reviewer/Building Inspector, effective October 30, 1995, at Grade 12, Step F1, and salary of \$33,554.

IN RE: ANIMAL WARDEN -- REPORT

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

IN RE: DIRECTOR OF PLANNING -- REPORT

Mrs. Wendy Weber Ralph, Assistant County Administrator, came before the Board and requested their approval on some changes to the design of the Tot Lot that will be constructed in West Petersburg. She also stated that the changes will not create any additional costs.

Mr. Peter Jeffrey, representative of WPVA, came before the Board and stated that he had met with the appropriate people and they had approved the design changes. The changes came about because of some health, safety and drainage problems. He then went over the changes with the Board.

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 design changes to the Tot Lot to be constructed in West Petersburg are approved as presented.

IN RE: INDOOR PLUMBING/REHABILITATION -- DESIGNATION OF GREENSVILLE AS PROGRAM ADMINISTRATOR

Mr. W.C. Scheid, Director of Planning, came before the Board and stated that he had received the contract from Greensville County allowing them to be the Administrator of the Indoor Plumbing and Rehabilitation Loan Program. He asked the Board for approval of the resolution that would allow Greensville to administer the Program.

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

WHEREAS, the Commonwealth of Virginia, Dept. of Housing and Community Development has issued a Request for Proposals for Participation in the INDOOR PLUMBING/REHABILITATION PROGRAM; and

WHEREAS, assistance is needed to effectively and adequately address the rehabilitation of substandard homes of low-income persons to be served by Dinwiddie County on a County-wide basis; and

WHEREAS, Dinwiddie County has been awarded funds in the amount of \$110,000 for West Petersburg and \$35,108 for County-wide in FY 96 and \$60,000 for West Petersburg in FY 97; and

WHEREAS, Greensville County has agreed to provide the administration for the program to those in need in conformance with the regulations and guidelines of this State Program to include applicable

Federal requirements under the Home Program on behalf of Dinwiddie County; and

WHEREAS, Charles W. Burgess, Jr., County Administrator can act on behalf of Dinwiddie county and will sign all necessary documents required to complete the proposal process;

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby:

a. Appoints Greensville County as Program Administrator (Subrecipient) to administer and implement both the County-wide and the West Petersburg Indoor Plumbing Program; and

b. Authorizes Charles W. Burgess, Jr., County Administrator to act on behalf of Dinwiddie County to sign all necessary documents required to complete the proposal process; and

c. Authorizes Greensville County, on behalf of Dinwiddie County, to accept participation in and enter into agreement with the Virginia Department of Housing and Community Development and undertake any and all actions and responsibilities in relation to such agreement.

IN RE: APPROVAL OF ADDENDUM TO WEST PETERSBURG DEMOLITION CONTRACT

Mr. W.C. Scheid, Director of Planning, came before the Board and presented an Addendum to each of the West Petersburg Demolition Contracts with Herbert A. Phillingane.

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 following Addendum to the West Petersburg Demolition Contract with Herbert A. Phillingane is approved:

1. The clause in Paragraph No. 2 beginning with the words "dispose of all the materials" and to the end, shall be deleted, and the following inserted: "Herbert A. Phillingane & Son shall dispose of all of the material in the landfill located in Sussex County and operated by Atlantic Waste Disposal, Inc., 3474 Atlantic Lane, Waverly, Virginia 23890. Herbert A. Phillingane & Son shall be responsible for submitting mileage reports to the Director of Planning for the County for each load and for submitting to the Director of Planning of the County a copy of each ticket/invoice received from Atlantic Waste Disposal, Inc. for disposal of each load at the Sussex County landfill."

2. The following shall be inserted after the first sentence of Paragraph No. 8: Also, the County will reimburse Herbert A. Phillingane & Son at its standard rate of 10 cents (\$.10) per ton per loaded mile for hauling the material to the above Sussex County landfill but only so long as the above verified mileage reports are submitted. The County additionally agrees to be billed directly by Atlantic Waste Disposal, Inc. but only for each load of material, debris and the like taken from the above property as a result of this demolition contract and only if Herbert A. Phillingane & Son submits a ticket for each load. The County shall not be billed and will not pay for disposal of any material, debris or the like that does not result from this Contract."

3. Paragraph No. 3 shall be amended by deleting references to the "County's landfill" and inserting "Sussex County's landfill" in all places. In addition, the reports mentioned in this paragraph shall be made to the County's Director of Planning in the County Administrator's Office.

4. All of the terms not expressly modified or amended by this Addendum shall remain in full force and effect.

IN RE: DIRECTOR OF PLANNING -- REPORT

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

Mrs. Everett wanted to know when the Board and the Planning Commission were scheduled to meet with the Resident Engineer of the Virginia Department of Transportation to discuss the Comprehensive Plan and the waiver of curb and gutter requirements.

After some discussion between the Board they decided that the date would be November 15, 1995 at 7:00 P.M. Mr. Scheid stated that he would notify his Planning Commission members and let them know that they need to be in attendance. He also stated that he would contact Mr. Ronald Reekes, Resident Engineer, Virginia Department of Transportation.

IN RE: APPROPRIATION OF FUNDS RECEIVED BY SOCIAL SERVICES

Mrs. Peggy McElveen, Director of Social Services, asked the Board to appropriate the following funds to the Dinwiddie Social Services Department. No local match is needed.

UNITED WAY	\$2,465.00
AGENCY ON AGING	\$ 616.25
	\$3,081.25

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", \$3,081.25 was appropriated to the Social Services Department for FY 1995-96.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy M. McElveen, Director of Social Services, presented her annual report for 1994-1995.

IN RE: DINWIDDIE COUNTY POLICY AND MANAGEMENT PLAN -- REPORT

Mrs. Peggy McElveen, Co-Chair, County Policy and Management Team, stated that she wanted to update the Board about their Team. She also stated that Sharon Snow, Co-Chair, County Policy and Management Team was present to update the Board also.

Mrs. Sharon Snow came before the Board and presented the report from their October 18th meeting.

IN RE: SCHOOL BOARD -- AMEND REVENUE AND EXPENDITURE BUDGETS

Mr. Ray Watson, Assistant to the Superintendent for Finance & Technology, came before the Board and apologized for Dr. Gaul not being available for the meeting but he was in Lynchburg for the Superintendent's meeting working on some Legislative matters.

Mr. Watson stated that Dr. Gaul sent the Board a letter requesting that they amend the School Board's Revenue & Expenditure Budgets. He attached a spreadsheet explaining the sources and the two categories in which he wishes to add. The total amount of change is \$361,566. Most of this comes from the State; adjustments to their average daily membership. They are now projecting 3,830. Mr. Watson stated that he is confident that it will be that number or higher. They also will receive an additional \$79,000 for remedial summer school. That money has already been spent on summer school for this year so it will cover what their expenditures were. The other funds, in the amount of \$98,000, came from federal funds. The other piece came from an anti-drug and violence grant. He also stated that there are no increases in local funds requested at this time.

Mr. Bracey requested that the letter that Dr. Gaul sent to Mr. Burgess be put into the minutes, along with the figures that Mr. Watson went over.

12 October 1995

Mr. Charles Burgess
Dinwiddie County Administrator
P.O. Box 70
Dinwiddie, VA 23841

Dear Mr. Burgess:

Attached to this letter you will find a copy of a spreadsheet showing \$361,566 in increased state and federal revenue for schools in Dinwiddie County. Most of the increase in state revenue, \$166,860, comes from our revised estimated Average Daily Membership. Using our Fall Membership of 3900 students, we are confident that the 30 March ADM will be at least 3830. This is the number upon which we are basing the revisions to the FY-96 budget. The balance of the state increase is due to increased summer school enrollment and state support for our alternative education program for suspended and expelled special education students.

The increase in federal funds over the budgeted amounts is the results of one new Anti-Drug and Violence competitive grant and the rescission of proposed federal cuts. When we built the FY-96 budget, we had been informed that there would be severe reductions in several federal programs. The President's rescission of the these cuts will result in federal revenues exceeding the original FY-96 school budget by the indicated amounts.

Please inform the Dinwiddie County Board of Supervisors that we respectfully request to amend our FY-96 Revenue Budget By \$361,566. The corresponding increases in the FY-96 Expenditure Budget would be \$36,000 for transportation and \$325,566 for instruction for a total of \$361,566.

As soon as the auditors complete the FY-95 audit, we will need to return to the Board of Supervisors to request the re-appropriation of unexpended funds for the acquisition of buses. A small amount of the unexpended funds, \$3478.24 is state money from the Regional Technology Center, but the remaining funds are designated for the purchase of buses. At this time, it appears that we will be able to purchase four (4) buses if the Dinwiddie County Board of Supervisors approves the re-appropriation of the FY-95 unexpended funds.

Sincerely,

Thomas H. Gaul, Ed.D.
Superintendent

Enclosure

Increased Revenue and Expenditures for FY-96 School Budget

Source of Additional Funds		
State Revenue related to ADM		\$166,860
State Revenue for Remedial Summer School		\$79,420
State Revenue for Alt Ed for Susp. and Exp.		\$17,115
Federal Grant for Anti-Drug and Violence		
Federal Eisenhower Funds		\$47,949
Federal Title VI-B		\$13,867
Federal Pre-School		\$22,876
Federal Chapter II		\$2,552
		\$10,927
TOTAL		\$361,566

Proposed Revisions for Expenditure Budget

Category		
Instruction	Increased ADM funding	\$131,860
Transportation	Increased ADM funding	\$35,000
Instruction	Rem. Summer School	\$79,420
Instruction	Alt. Ed. for Susp. & Exp.	\$16,115

Transportation	Alt. Ed. for Susp. & Exp.	\$1,000
Instruction	Federal Programs	\$98,171
TOTAL		\$361,566
Instruction total		\$325,566
Transportation total		\$36,000

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 the Dinwiddie County School Board's FY-96 Revenue Budget be amended by \$361,566.00;

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie County School Board's FY-96 Expenditure Budget be amended and funds appropriated by category as follows: \$36,000 to Transportation and \$325,566 to Instruction.

IN RE: OFFICE ON YOUTH AND COMMUNITY SERVICES -- AMEND BUDGET

Mrs. Francene Newman, Director of Office on Youth and Community Services, came before the Board and asked the Board to amend the Office on Youth and Community Services budget by \$29,263 in increased revenue. She stated that the increase comes from three different sources: the Department of Youth and Family Services (Virginia Delinquency Prevention and Youth Development Act grant); the Department of Environmental Quality (Litter Prevention and Recycling Funds); and Governor George Allen (U.S. Drug Free Schools and Communities Act).

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 the FY-96 Revenue & Expenditures Budget for the Office on Youth and Family Services be amended and funds appropriated in the amount of \$29,263.

IN RE: RECREATION -- REPORT

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

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Dennis E. King, Director of Waste Management, presented his report for the month of September, 1995.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel Siegel, County Attorney, was present and asked the Board to authorize the County Administrator to execute the contract that would allow the County to participate in the Appomatox River Regional Compact for Local Motor Vehicle License Enforcement.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby authorizes and directs the County Administrator, or his designee, to draft and execute a contract to participate with the officers of Chesterfield County, Prince George County, the City of Colonial Heights, the City of Petersburg, and the City of Hopewell, to establish a Regional Compact for enforcement of local motor vehicle license requirements.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Charles W. Burgess, Jr., County Administrator, presented the following Tentative 1996-97 Budget Calendar:

November 15th	Discussion with Board of Supervisors on FY 97 Budget Goals
November 20th	Budget materials distributed to Agencies and Departments
December 22nd	Agencies/Departments submit Budget requests
Week of January 8th	1996 value estimates submitted by the Commissioner of the Revenue
Week of January 29th	Proposed Budget submitted to the Board of Supervisors
Month of February	Board of Supervisors Budget Work Sessions
March 6th	Budget Public Hearing

IN RE: BOARD MEMBER COMMENTS

1. Mrs. Everett stated that she received a Thank You note from Central State Hospital for the Resolution that the Board passed for their 125th Anniversary Celebration.

Mrs. Everett also stated that the Five Forks Reenactment are now selling T-Shirts with their logo on it to raise money for the Reenactment coming up in March of 1996.

2. Mr. Bracey wanted to know about the status of the lights that are to be put on the front of the building.

Wendy Weber Ralph, Ass't County Administrator, stated that the lights had been ordered.

3. Mr. Haraway stated that the Board had just completed their annual evaluation of the County Administrator and based upon a position evaluation of Mr. Burgess, Mr. Haraway entertained a motion to increase the County Administrator's salary from the current amount of \$57,783 to \$60,000 to be effective on his anniversary date of December 1, 1995. The County Administrator shall not be included in any across the board increases as are all County employees.

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 County Administrator's salary, based upon a successful evaluation, is increased from the current amount of \$57,783 to \$60,000 to be effective on his anniversary date of December 1, 1995;

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator shall not be included in any across the board increases as are all County employees.

Mr. Bracey stated that he understood that Mr. Burgess, on his anniversary date, would be evaluated and if that was successful he would be given an increase but if not he would not get an increase.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Moody, 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; the Board moved into Executive Session at 4:05 P.M. after a five minute recess. A vote having been made and approved the meeting reconvened into Open Session at 6:17 P.M.

Extract

IN RE: CERTIFICATION

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

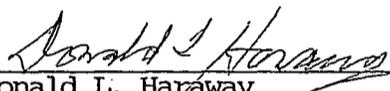
WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

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;

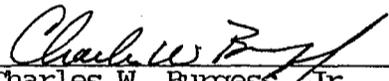
NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting to which this certification resolution applies; and (2) only such public business 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. Bracey, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway voting "aye", the meeting adjourned at 6:19 P.M.



Donald L. Haraway
Chair, Board of Supervisors

ATTEST: 

Charles W. Burgess, Jr.
County Administrator

/rle

