

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 6TH DAY OF MARCH, 1996, AT 7:30 P.M.

PRESENT:	AUBREY S. CLAY, CHAIRMAN	ELECTION DISTRICT #5
	HARRISON A. MOODY, VICE-CHAIR	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	MICHAEL H. TICKLE (ABSENT)	ELECTION DISTRICT #2
	LEENORA EVERETT	ELECTION DISTRICT #3
	BEN EMERSON	COUNTY ATTORNEY

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the February 21, 1996 Continuation Meeting, February 21, 1996 Regular Meeting and February 27, 1996 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 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 #37750-#37753 (void #37750-#37751) and using checks #1000001-#1000231 (void #1000001-#1000002) except for check #1000164 in the amount of \$463.97 and check #1000229 \$120.03; for Accounts Payable in the amount of \$113,577.92 and Payroll in the amount of \$255,317.07; General Fund \$107,189.98, E911 Fund \$368.00, Self Insurance Fund \$605.30, Law Library \$58.84, Fire Programs \$2,860.10, Law Enforcement \$444.70, CDEG Fund \$2,051.00, General Fund Payroll \$255,009.32 and E911 Fund Payroll \$307.75.

IN RE: CITIZEN COMMENTS

1. Robert Mengel, Ass't Chief, Dinwiddie Fire Dept. Co. #1, came before the Board and introduced Wayne Varga, Chief for EMS at Dinwiddie Fire Dept. Co. #1.

Mr. Wayne Varga came before the Board and stated that back in August of last year he came before the Board to advise them of the mechanical problems that they were having with their First Responder Vehicle. He stated that the problems had gotten more severe and it was no longer reliable for fire or EMS calls. He requested that the Board support them in obtaining a grant to replace their First Responder Vehicle.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, supports Dinwiddie Volunteer Fire Department Co. #1 in their efforts to submit a request for a state grant to purchase a new First Responder Vehicle; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia will make up 50% of what the grant will not cover, at an amount not to exceed \$15,000.

2. Wayne Varga, representing Dinwiddie County Volunteer Rescue Squad, came before the Board and stated that their ambulance Rescue 3 is having some problems and, because of its age, they are suggesting to replace it instead of putting money into it to be fixed. He stated in order to have it fixed it would cost a fortune and they wouldn't even have

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a very good warranty on it. So they went out seeking bids and the cheapest bid that they got on a new unit was \$67,000. They applied for a grant last year to help out with purchasing a new unit and they were turned down. They would like to try and apply for another grant this year but the deadline on the grant is coming up and they are not sure if they will have time to prepare it. They requested that the Board support them in their efforts to apply for the grant, which would include, if they were approved, the County contributing the portion the grant does not cover.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, support Dinwiddie Volunteer Fire Co. #1 in their efforts to submit a request for a state grant to purchase a new Ambulance; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia will make up 50% of what the grant will not cover, at an amount not to exceed \$33,500.

3. Anne Scarborough, Boydton Plank Road, Dinwiddie, VA. She came before the Board and stated that she was very excited about the Emergency Services that the County was providing and she hoped that the Board would support them.

Mrs. Scarborough stated that she was present at the meeting because of two articles in the paper. The first article deals with the Budget "County Administrator, Charles Burgess told the Board that the reduction (in Machinery & Tools Tax) was to bring Dinwiddie in line with other localities, "This is just to make us more competitive". In the second article it states that the Board is going to advertise the Machinery and Tools Tax at the current rate, but she is concerned that advertising the \$3.30 per 100 rate does not mean the Board can not reduce that rate after the public hearing. She does not feel that a reduction in the Machinery and Tools Tax will put money back in the pockets of the citizens. It is going to put money back in the pockets of strangers that want to come to this County and do business. She asked the Board if they could assure the citizens that they were not going to raise taxes next year if they reduce this tax. She feels that the County is competitive, she passed out a comparison between Dinwiddie and other surrounding localities. She compared Chesterfield on the sheet but she does not count them because Dinwiddie can not be compared to Chesterfield. She stated that Dinwiddie's tax rate for Machinery and Tools is \$3.30, they are taxed at 20% so the effective rate is \$0.66. She stated that Amelia County is \$1.00, Brunswick \$0.68, Greenville \$0.70. She stated that Nottoway has a sliding scale, you have to be in business for five years before you will be below Dinwiddie. Prince George also has a sliding scale, you have to be in business for three years before you will be cheaper than Dinwiddie. Surry is \$0.88, Sussex has a sliding scale and you have to be in the 26th year of doing business there before they would be cheaper than we are. She ruled Chesterfield out because she feels that Dinwiddie cannot be compared to Dinwiddie. It seems like to her that on the sheet four other localities are already above Dinwiddie and the other three you have to be in business for years before it would be lower than us. She doesn't feel that Dinwiddie is out of line and she knows that Mr. Burgess, the County Administrator, would argue with her on that. She stated that it appears to some of the County citizens, not just her, that that tax does not need to be reduced. She wanted to know why they are going to voluntarily say that we will not take in more revenues because we have got needs that she can not imagine how they will be paid off. She stated that she knows that the citizens are taxed heavily, Personal Property at \$4.90 per 100. There are 95 Counties in the State of Virginia, only 12 are higher than Dinwiddie. This tax is what is killing a lot of them. If they want to reduce taxes then she suggested that they reduce that one. The Real Estate Tax is at \$0.74 per 100, 70 Counties are lower than us. If you eat within the boundaries of the Counties, the Board says pay a 4.5% tax. If she wants to open a business in the County, the Board is telling her to buy a business license. She feels that the citizens are being taxed rather heavily, she stated that they should study the present tax structure and see if they could help the citizens before the Board helps some stranger in trying to bring in an industry.

4. Robert Ragsdale, Boydton Plank Road, Dinwiddie, VA. He came before the Board and stated that he was not happy with how things were being handled in the Commissioner of the Revenue's office and he feels that the Board could do something about it. He also stated that the County is losing a lot of money in uncollected taxes.

IN RE: C-95-4 -- A.M.E. ZION CHURCH -- NURSING HOME

This being the time and place as advertised in the Dinwiddie Monitor on February 21, 1996 and February 28, 1996, for the Board of Supervisors to conduct a public hearing for the purpose of considering a request for a conditional use permit submitted by A.M.E. Zion Church in order to establish a personal care facility (Rest Home) for the elderly.

Mr. William C. Scheid, Director of Planning, came before the Board and stated that the property is designated by the County Tax Map as Section 57, Parcel 83 and is located on the west side of Courthouse Road (Rt. 619) just south of 1-85. The property contains 59.7 acres and is currently accessed by Lundys Road.

Mr. Scheid also stated that the Planning Commission voted unanimously to recommend approval of the request to the Board with the seven conditions cited by Staff.

Mr. Leroy Reynolds, A.M.E. Zion Church, came before the Board and asked them for their support.

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the conditional use permit request submitted by A.M.E. Zion Church to establish a personal care facility (Rest Home) for the elderly be approved with the following conditions:

1. Before any construction can begin, a site plan prepared by an engineer, must be submitted to the Planning Department for approval. This site plan shall include all phases of the proposed development, i.e. adult/child daycare center, assembly building. This site plan shall show current and finished contours at two foot intervals.

2. An erosion and sediment control plan for all land disturbing activities must be submitted and approved by the Planning Department. This will include a stormwater management plan which will include controls during the construction phase as well as during field operation of the facility.

3. A copy of all applicable state and federal permits must be on file with the Planning Department before a Certificate of Occupancy will be issued.

4. Before any building permits will be issued, a complete set of building plans, prepared by a registered architect, must be submitted to the Building Department for approval.

5. Location, type, size and height of all exterior signs shall be subject to the review and approval of the Zoning Administrator per the Sign Ordinance.

6. All construction must be completed on phase one of this development, including parking and landscaping, before any permits will be let for additional construction.

7. This conditional use permit shall apply to the proposed sixty (60) bed personal care facility and related on-site accessory uses only. The A.M.E. Zion Church shall not operate a personal care facility for the aged in excess of 60 beds in Dinwiddie County without receiving an additional conditional use permit.

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BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491(g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: A-95-12 -- AMEND CRITERIA APPLICABLE TO ACCESSORY USES, A-2 DISTRICT

This being the time and place as advertised in the Dinwiddie Monitor on February 21, 1996 and February 28, 1996, for the Board of Supervisors to conduct a public hearing to consider adopting an ordinance to amend Section 22-76(4) of Chapter 22 (Zoning) of the Code of the County of Dinwiddie regulating height and setback restrictions for accessory structures in Agricultural, General, District 1-2.

Mr. William C. Scheid, Director of Planning, explained the purpose of this amendment was to remove an inconsistency regarding height and setback restrictions on accessory buildings within an Agricultural, General, A-2, District. The Planning Commission voted unanimously to recommend approval of this amendment to the Board of Supervisors.

He suggested that the Zoning Ordinance be amended as follows:

The following section of the County Code be deleted:

Section 22-76(4) No accessory structure which is within twenty (20) feet of any party line shall be more than one (1) story in height. All accessory buildings shall be less than the main building height.

In its stead the following shall be added:

Section 22-76(4) No accessory use or structure may be closer than fifteen (15) feet to any side or rear property line.

In all other respects, said Zoning Ordinance remains in full force and effect.

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

Mrs. Everett made the motion of accept Mr. Scheid's suggestion to the Zoning Ordinance. Mr. Moody seconded the motion.

After some discussion between the Board and the County Attorney they felt that deleting Sec. 22-76(4) of Chapter 22 (Zoning) of the Code of the County of Dinwiddie would be more understandable.

Mrs. Everett withdrew her motion and the Board agreed.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the following amendments to Chapter 22 (Zoning) of the Dinwiddie County Code are hereby adopted and the Dinwiddie County Code in all other respects be and hereby is reordained:

Section 22-76(4) of the Code of the County of Dinwiddie be deleted.

This Ordinance shall be effective immediately.

IN RE: A-95-14 -- AMEND SECTION 18-10 -- SUBDIVISION ORDINANCE

This being the time and place as advertised in the Dinwiddie Monitor on February 21, 1996 and February 28, 1996, for the Board of Supervisors to conduct a public hearing to consider adopting an ordinance to amend Section 18-10 of Chapter 18 (Subdivisions) of the Code of the County of Dinwiddie to allow for an aggrieved person to appeal the Planning Commission's decision under 18-10 (waiver of Subdivision standards) to the Board of Supervisors; to provide for a filing fee under

Sec. 18-10 of the Code of the County of Dinwiddie; and to establish application procedures for using Section 18-10 of the Code of the County of Dinwiddie.

Mr. W.C. Scheid stated that the amendment was prepared at the request of the Board of Supervisors. The Subdivision Ordinance does not have an appeals process from decisions rendered by the Planning Commission on subdivision matters. The Board felt that they should hear appeals from any aggrieved party on decisions rendered by the Planning Commission. The Planning Commission voted unanimously to recommend approval of this amendment to the Board of Supervisors.

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the Code of Dinwiddie be amended and reordained by adding the following provisions:

Section 18-10

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(c) Applications for exception under this section shall be filed with the zoning administrator and shall be accompanied by a cashier's check or money order in the sum of forty dollars (\$40.00) payable to the county treasurer. If actual expenses associated with the application exceed forty dollars (\$40.00), the subdivider shall be billed the difference. In the application, the subdivider shall state the reasons for seeking an exception under this section and provide any other information necessary for consideration of the factors set forth in Sec. 18-10(b).

(d) Any decision to approve or deny an exception under this section shall be made only after a public hearing is held in accordance with Sec. 15.1-431 of the Code of Virginia. The filing fees paid by the subdivider under this section shall be used to pay actual expenses associated with the application, including without limitation, the costs of advertising. If the decision of the planning commission is appealed, all expenses associated with the appeal, including without limitation, the costs of advertising for the appeal, shall be paid by the person appealing such decision.

(e) Any person aggrieved by the decision of the planning commission under this section shall have fifteen (15) calendar days after the decision of the planning commission to file an appeal in writing to the board of supervisors. The notice of appeal shall be filed with the zoning administrator, shall state briefly the reasons for appealing the decision of the planning commission, and shall be accompanied by a cashier's check or money order for one hundred dollars (\$100.00) payable to the county treasurer. Failure to file a written appeal within such fifteen (15) day period shall be deemed a waiver of all rights of appeal, and the decision of the planning commission shall be deemed final.

(f) On appeal the board of supervisors shall hold a public hearing in accordance with Sec. 15.1-431 of the Code of Virginia and shall not approve exceptions to this chapter unless it finds that the requisite factors listed in Sec. 18-10(b) are satisfied.

This Ordinance shall be effective immediately.

IN RE: A-96-1 -- WRITTEN NOTICE -- TAX RELIEF FOR THE
ELDERLY/DISABLED -- REAL ESTATE

This being the time and place as advertised in the Dinwiddie Monitor on February 14, 1996 and February 21, 1996, for the Board of Supervisors to conduct a public hearing to consider an Ordinance to amend Section 19-38 of the Code to provide that the Treasurer of the County shall enclose written notice in each real estate tax bill of the terms and conditions for real estate tax exemption established for elderly and disabled persons pursuant to Section 19-36 et seq. of the Code.

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

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

BE IT ORDAINED, by the Board of Supervisors of Dinwiddie County, Virginia, that Section 19-38 of the Code of the County of Dinwiddie, Virginia, be amended and reordained by redesignating the current paragraph as subparagraph (A) and adding subparagraph (B) as follows:

Extract

SECTION 19-38 ADMINISTRATION.

- A. (Current Text).
- B. The Treasurer of the County shall enclose written notice, in each real estate tax bill, of the terms and conditions of the real estate tax exemption established in Article III (Real Estate Tax Exemption for Elderly and Disabled Persons) of Chapter 19 (Taxation), Section 19-36 et seq. The Treasurer shall also employ other reasonable means necessary to notify residents of the County about the terms and conditions of this real estate tax exemption program for the elderly and handicapped residents of the County.

This Ordinance shall be effective immediately.

IN RE: A-96-2 -- TAX RELIEF FOR THE ELDERLY/DISABLED -- FILING
DATE CHANGE -- REAL ESTATE

This being a public hearing as advertised in the Dinwiddie Monitor on February 14, 1996 and February 21, 1996, for the Board of Supervisors to conduct a public hearing to consider an Ordinance to amend Section 19-40 of the Code to provide that an Applicant's Affidavit and Certificate of Disability for real estate tax exemption pursuant to Section 19-36 et. seq. of the Code must be filed no later than March 1 and not before January 1 of the taxable year and to amend the certification necessary to qualify for real estate tax exemptions on the grounds of permanent and total disability.

Mrs. Deborah M. Marston, Commissioner of the Revenue, came before the Board and stated that this amendment would change the filing deadline for Tax Relief for the elderly/disabled - Real Estate to coincide with the upcoming twice a year taxation.

Extract

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

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

BE IT ORDAINED, by the Board of Supervisors of Dinwiddie County, Virginia, that Section 19-40 of the Code of the County of Dinwiddie, Virginia, be amended and reordained as follows:

SECTION 19-40 APPLICANT'S AFFIDAVIT AND CERTIFICATE OF DISABILITY.

- A. Annually and not later than March 1 and not before January 1 of the taxable year, person or persons claiming an exemption under this Article must file an Affidavit with the

Commissioner of the Revenue. The Affidavit shall set forth, on a form to be furnished by the Commissioner of the Revenue, names of the related persons occupying the dwelling for which the exemption is claimed, their gross combined income, their combined net worth, including equitable interests, and that the general prerequisites established in Section 19-39 of the Code of the County of Dinwiddie are satisfied.

- B. If the applicant for exemption under this Article is under sixty-five (65) years of age, the Affidavit required by this Section shall have attached thereto a certification by the Social Security Administration, the Department of Veterans Affairs, or the Railroad Retirement Board, or if such Applicant is not eligible for certification by any of these agencies, a sworn Affidavit by two (2) medical doctors, who are either licensed to practice medicine in the Commonwealth of Virginia or military officers on active duty who practice medicine in the United State Armed Forces, to the effect that the applicant is permanently and totally disabled as defined in Section 19-36 of the Code of the County of Dinwiddie; however, a certification pursuant to 42 U.S.C. 423(d) by the Social Security Administration, so long as the Applicant remains eligible for such Social Security benefits, shall be deemed to satisfy the definition in Section 19-36 of the Code of the County of Dinwiddie. The Affidavit of at least one of the doctors shall be based upon a physical examination of the Applicant by such doctor. The Affidavit of one of the doctors may be based upon medical information contained in the records of the Civil Service Commission which are relevant to the standards for determining permanent and total disability as defined in Section 19-36 of the Code of the County of Dinwiddie.

This Ordinance shall be effective immediately.

IN RE: A-96-3 -- WRITTEN NOTICE -- TAX RELIEF FOR THE ELDERLY/DISABLED -- PERSONAL PROPERTY

This being the time and place as advertised in the Dinwiddie Monitor on February 14, 1996 and February 21, 1996, for the Board of Supervisors to conduct a public hearing to consider an Ordinance to amend Section 19-159 of the Code to provide that the Treasurer of the County shall enclose written notice in each tangible personal property tax bill of the terms and conditions for personal property tax exemption established for elderly and disabled persons pursuant to Section 19-151 et seq. of the Code.

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

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

BE IT ORDAINED, by the Board of Supervisors of Dinwiddie County, Virginia, that Section 19-159 of the Code of the County of Dinwiddie, Virginia, be amended and reordained by designating the current paragraph as subparagraph A and adding subparagraph B as follows:

SECTION 19-159 ADMINISTRATION.

- A. {Current Text}.
- B. The Treasurer of the County shall enclose written notice, in each tangible personal property tax bill, of the terms and conditions of the County's personal property tax exemption for elderly and disabled persons established pursuant to Chapter 19 (Taxation), Article XIII (Personal Property Tax Exemptions for Elderly and Disabled Persons) Section 19-151 et seq. of the Code of the County of Dinwiddie. The Treasurer also shall employ any other reasonable means necessary to notify residents of the County of the terms and conditions of the tangible personal property relief program

EXTRACT

for elderly and disabled residents of the County.

This Ordinance shall be effective immediately.

IN RE: A-96-4 -- TAX RELIEF FOR THE ELDERLY/DISABLED -- FILING
 DATE CHANGE -- PERSONAL PROPERTY

This being the time and place as advertised in the Dinwiddie Monitor on February 14, 1996 and February 21, 1996, for the Board of Supervisors to conduct a public hearing to consider an Ordinance to amend Section 19-161 of the Code to provide that an Applicant's Affidavit and Certificate of Disability for tangible personal property tax exemption pursuant to Section 19-160 et seq. of the Code must be filed no later than March 1 and not before January 1 of the taxable year and to amend the certification necessary to qualify for exemptions on the grounds of permanent and total disability.

Mrs. Deborah M. Marston, Commissioner of the Revenue, came before the Board and stated that this amendment would change the filing deadline for Tax Relief for the elderly/disabled - Personal Property to coincide with the upcoming twice a year taxation.

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

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

BE IT ORDAINED, by the Board of Supervisors of Dinwiddie County, Virginia, that Section 19-161 of the Code of the County of Dinwiddie, Virginia, be amended and reordained by deleting the current text of this Ordinance and adopting in its place the following:

Extract

SECTION 19-161 APPLICANT'S AFFIDAVIT AND CERTIFICATE OF DISABILITY.

- A. Annually and not later than March 1 and not before January 1 of the taxable year, the person or persons claiming an exemption under this Article must file an Affidavit with the Commissioner of the Revenue. The Affidavit shall set forth, on a form to be furnished by the Commissioner of the Revenue, the names of the persons for which the exemption is claimed, his or her spouse, if any, their combined income and their net combined financial worth, including equitable interests, and that the Applicant satisfies the general prerequisites for exemption under this Article as established in Section 19-160 of the Code of the County of Dinwiddie.
- B. If the Applicant for exemption is under sixty-five (65) years of age, the Affidavit required by this Section shall have attached thereto a certification by the Social Security Administration, the Department of Veterans Affairs, or the Railroad Retirement Board, or if such person is not eligible for certification by any of these agencies, a sworn Affidavit by two (2) medical doctors, who are either licensed to practice medicine in the Commonwealth of Virginia or military officers on active duty who practice medicine with the United States Armed Forces, to the effect that the Applicant is permanently and totally disabled as defined in Section 19-157 of the Code of the County of Dinwiddie. The Affidavit of at least one of the doctors shall be based upon a physical examination of the person by the doctor. The Affidavit of one of the doctors may be based upon medical information contained in the records of the Civil Service Commission which are relevant to the standards for determining permanent total disability as defined in Section 19-157 of the Code of the County of Dinwiddie.

This Ordinance shall be effective immediately.

IN RE: A-96-5 -- CLARIFICATION OF DUE DATE ON ALL TAXES

This being a public hearing as advertised in the Dinwiddie Monitor on February 14, 1996 and February 21, 1996, for the Board of Supervisors to consider an Ordinance to amend Section 19-2 of the Dinwiddie County Code to clarify that the payment deadline extension granted in 1995 is no longer applicable and to clarify that for 1996 and subsequent years the County's tax on real estate, tangible personal property, and machinery and tools shall be collected semi-annually on June 5 and December 5 of each year as provided by Section 58.1-3916 of the Code of Virginia, 1950, as amended, and to provide for the recovery of reasonable attorney's or collection agency's fees incurred in collecting delinquent taxes.

This being a public hearing, the Chairman opened the Public Hearing. No one signed up to speak.

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

BE IT ORDAINED, by the Board of Supervisors of Dinwiddie County, Virginia, that the Code of the County is amended and reordained as follows:

By deleting the current text of Section 19-2 and adopting in its place the following:

I. SECTION 19-2.; DUE DATE FOR TAXES ON REAL ESTATE, TANGIBLE PERSONAL PROPERTY AND MACHINERY AND TOOLS; PENALTY AND INTEREST ON DELINQUENCIES.

(a) For each taxable year, County taxes on real estate, tangible personal property, and machinery and tools shall be paid, by or on behalf of persons owing such taxes, in two (2) equal installments. One installment shall be due and payable on or before the 5th day of June of the taxable year, and the second or remaining installment shall be due and payable on or before the 5th day of December of the taxable year. If any such date shall fall on a day when the County's administrative offices are closed, all such taxes due on such date shall be due and payable on the first business day thereafter.

(b) If taxes referred to in subsection (a) above are not paid on or before the due date prescribed in such subsection, there shall be added thereto a penalty in the amount of ten (10) percent of the taxes due. In addition to the penalty provided herein, any such taxes that remain unpaid on the first day of the next following month in which such taxes become due shall be delinquent and interest thereon of ten (10) percent per annum shall be added to the amount of taxes or levies due from such taxpayer, which when collected by the Treasurer, shall be accounted for in his settlement. Furthermore, the County may recover reasonable attorney's or collection agency's fees, which shall not exceed twenty percent of the delinquent tax bill upon nonpayment, incurred in collecting the taxes referred to in above subsection (a); provided however that attorney's fees shall be added only if such delinquency is collected by an action at law or suit in equity.

This Ordinance shall be effective immediately.

IN RE: JOHN TYLER BOARD OF DIRECTORS -- APPOINTMENT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that John Roy Hodges is hereby reappointed to the John Tyler Board of Directors for a term retroactive to June 30, 1995 and expiring June 30, 1999.

IN RE: CRATER DISABILITY SERVICES BOARD -- DISCUSSION OF APPOINTMENT

Staff advised the Board that Donna Saunders on February 5, 1996 informed them that she could no longer serve on the Crater Disabilities

Services Board and they had solicited an ad for interested individuals and to date staff has not gotten a response.

The Board advised staff that they would look within their districts for an interested individual and report back with their findings at the next Board meeting.

Mrs. Everett stated that she would like for staff to see that a letter is sent to Mrs. Saunders, thanking her for her contribution of service and letting her know what a good job she did.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Charles W. Burgess, Jr., County Administrator, stated that the Crimesolvers Media Appreciation Banquet is on Thursday, February 14th and he wanted to know what Board members would like to attend.

The Board stated that they would check their schedules and let Mr. Burgess know in the next few days.

2. Mr. Burgess stated that Mr. Richard L. Jordan, Jr., Emergency Services Department, had completed his training for EMT-Advanced. He requested that he be reclassified from a grade 8A to a grade of 10A

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Richard L. Jordan, Jr. be reclassified from a grade 8A, \$17,966 to a grade 10A, \$20,956.

3. Mrs. Wendy Weber Ralph, Ass't County Administrator, stated that the sidewalk at the Rohoic District office of the Appomattox Regional Library is in really bad shape. It is filled large stones which make it very uneven and staff is suggesting that the sidewalk can be leveled with concrete installed by County Employees. The Library has agreed to provide the materials and the County provide the labor.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that County Employees are authorized to assist the Rohoic District Station of the Appomattox Regional Library in improving their sidewalk.

IN RE: BOARD MEMBER COMMENTS

1. Mrs. Everett stated that Sandelin Stewart from the County will help carry the torch for upcoming Olympic games. She stated that the individual will be coming through the County and she thought that it would be a good idea for the County to get involved and show their support.

She wanted to commend Kevin Critenden, a Dinwiddie High School student, who made an outstanding showing in Track at Regionals and State. She also stated that she wanted to commend the whole Track team and their coach who did an excellent job representing the County.

She also wanted to Thank Jamie Brown from the Dinwiddie Monitor, for all the attention he has shown to the Five Forks Reenactment.

2. Mr. Moody stated that he would like to see the Sheriff's Department and the Planning Department get together and discuss the Zoning Ordinance where it talks about junk yards and such. He felt that the Sheriff's Department, if made aware of the Code, could enforce the junk yard complaints and such.

3. Mr. Bracey stated that he felt that County Administrator and Ass't County Administrator did a good job putting together the budget and he wanted to commend them. He stated that he felt that staff should send letters to individual departments and tell them a time and place where

they could bring their budget requests to the Board and if they choose not to come they should hold their requests until next year.

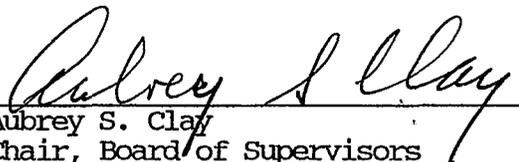
4. Mr. Moody stated that he had a citizen in his district that just turned 102 and he requested that the Board adopt a resolution recognizing her.

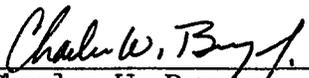
Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a resolution be drawn up to recognize Mrs. Fairy Lee Prosis for turning 102 years old.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 9:42 P.M. to be continued to March 12, 1996 at 1:00 P.M. for an Executive Session.


Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: 
Charles W. Burgess, Jr.
County Administrator

/rlm