

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 20TH DAY OF NOVEMBER, 1996, AT 2:00 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
	DAN SIEGEL	COUNTY ATTORNEY

IN RE: MINUTES

Mr. Bracey stated that at the last meeting a position in the Commissioner of the Revenue's office was reclassified from a Deputy II to a Deputy IV and in the minutes the recipient of the reclassification was not identified by name and he asked that it be put into the minutes.

Upon motion of Mrs. Everett, 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 minutes for the November 6, 1996 Continuation Meeting and the minutes for the November 6, 1996 Regular Meeting are hereby approved with corrections to the November 6, 1996 Regular Meeting minutes under COMMISSIONER OF THE REVENUE OFFICE.

IN RE: CLAIMS

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 following claims are approved and funds appropriated for same using checks #1003648 - #1003882 for Accounts Payable in the amount of \$196,124.35; General Fund \$91,182.09; Jail Commission \$228.00, E911 Fund \$3,351.23, Self Insurance Fund \$35,336.97, Fire Programs/EMS Fund \$1,558.15, County Debt Service \$64,467.91.

IN RE: APPROVAL OF REQUISITION #11 -- COURTHOUSE PROJECT

Mrs. Wendy Ralph, Ass't County Administrator, stated that Requisition #11 for the Courthouse consists of Architectural services.

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 Requisition #11 in the amount of \$13,847.34 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: TRANSFER OF FUNDS

Mrs. Wendy Ralph, Ass't County Administrator, stated the following: With the adoption of the budget, \$159,000 was appropriated from the Meals Tax fund to make the interest payments on the \$3,365,000 School CIP notes for 1996-97. The first payment of \$95,341.67 was paid in August of this year. With the issuance of the VPSA Bonds, VPSA is requiring that we make the February interest payment from the note proceeds. Therefore, \$71,506.25 will be deducted from the available construction proceeds. To make up for the loss, we are recommending that this amount be transferred from Meals Tax to School Construction rather than Debt Service as was adopted in the budget. If this is agreeable with the Board, the following action would be needed: 1. Transfer \$95,341.67 from Meals Tax to School Debt Service to cover the interest payment made in August (as budgeted). 2. Transfer \$71,506.25 from Meals Tax to School Construction fund to cover the shortfall in note proceeds used for the second interest payment.

Extract

Mr. Bracey wanted to know if the School Board agreed with this transfer of funds.

Mrs. Ralph stated that they were aware of what was going on and had agreed to it.

Mr. Bracey stated that he would like to see it in writing.

Upon motion of Mr. Moody, 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 \$95,341.67 be transferred from Meals Tax to School Debt Service to cover the interest payment made in August; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that \$71,506.25 be transferred from Meals Tax to School Construction fund to cover the shortfall in note proceeds used for the second interest payment.

IN RE: DEPARTMENT OF TRANSPORTATION -- REPORT

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

IN RE: VDOT -- SIX YEAR PLAN -- WORKSHOP

Mr. Ronald Reekes reviewed how the projects on the current plan were coming along and stated that he had a couple of recommendations which were as follows: First, he stated that he would like to pay off the debt that is still owed on past projects which is in the amount of \$534,083. Second he stated that the County owes a portion of the fee for the traffic light on Route 226 and Ferndale and that he would also like to eliminate the steel rail bridges here in the County. The total cost for these two items would be approximately \$100,000. Third, he stated that he would like to add three unpaved roads under the plan to be paved which would cost approximately \$95,000.

Mrs. Everett stated that she would like to see some of the expenses recovered that were incurred while doing Archeological digs. She felt that they should talk to their Delegates and Senators about taking their concerns to the General Assembly since they are the ones that mandate that they perform these digs.

Mr. Moody stated that he would like to add more streets to the plan to be paved instead of paying off the debt. He stated that they have waited this long to pay it off why could they not wait a little longer.

Mr. Bracey stated that he would like for the Businesses that benefit from these traffic lights to contribute to help pay for them.

Mr. Reekes stated that there would be a public hearing on the six year plan at the December 4th Board meeting.

Mr. Bracey wanted to know what was the use in holding a public hearing if VDOT was not willing to make any changes to the plan that they were presenting with recommendations.

IN RE: SUBDIVISION STREET ADDITION -- CHESTNUT GARDENS

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

WHEREAS, West Autumn Drive, Westbriar Lane, Woods Drive and Iris Circle described on SR-5(A), Proposed Additions to the Secondary System of the State Highways, fully incorporated herein by reference, are shown on plat date 9/20/89 recorded in Deed Book 14, page 16-18 in the Clerks Office of the Circuit Court of Dinwiddie County, and

WHEREAS, the Resident Engineer for the Department of Transportation has advised the Dinwiddie County Board of Supervisors that West Autumn Drive, Westbriar Lane, Woods Drive and Iris Circle described on the Form SR-5(A) to the Secondary System of State Highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills, and drainage, and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

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, came before the Board and stated that the Board had his report in front of them and he did not have anything further to present.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T.O. Rainey, III, Commonwealth Attorney, came before the Board and stated that he did not have anything to present but was available for questions.

IN RE: UPDATE OF FIREARMS ORDINANCE -- A-96-16

Mr. T.O. Rainey, stated that he felt that the Board should consider the proposed ordinance "as is", or in the alternative, may wish to consider adding an exception which permits the use of the enumerated weapons with the written consent of the effected landowners.

Mr. Bracey stated that he felt that the Board should leave it alone.

Mrs. Everett stated that she felt that the Board should hold another public hearing before they vote on the proposed ordinance.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that A-96-16 is removed from the table for discussion.

Mrs. Everett made a motion to adopt the proposed ordinance with an amendment to include the language "without the permission of the landowner or occupant of the dwelling". No one seconded the motion.

Mrs. Everett voting "aye", Mr. Bracey, Mr. Moody, Mr. Clay voting "nay", the motion was denied.

IN RE: SHERIFF -- REPORT

Deputy William Knott was present to represent Sheriff Shands.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, presented his report for the month of October, 1996.

EXTRACT

The Board asked the Mr. Abernathy to send a copy of the Certificate of Occupancy Report to the Commissioner of the Revenue.

IN RE: ANIMAL WARDEN -- REPORT

Mrs. Mary Ellison, Deputy Animal Warden, came before the Board and presented her report for the month of October, 1996.

IN RE: LIVESTOCK CLAIM -- C.W. HARRISON

Mrs. Ellison stated that on October 5, 1996 some stray dogs killed 2 goats. The total value of the animals that were killed was \$80.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the livestock claim for C.W. Harrison, for 2 goats in the amount of \$80.00 be approved.

IN RE: EXTRA HELP -- DOG POUND

Mrs. Ellison stated that since Steve Beville, Animal Warden, has been out sick, her daughter, Kelly Snow, has been coming in to help out at the Dog Pound.

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 Kelly Snow is authorized to work at the Dog Pound and be compensated for her time after a rate has been negotiated.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. W.C. Scheid, Director of Planning, presented his report for the month of October, 1996.

IN RE: DEED OF TRUST RELEASE -- WEST PETERSBURG -- HORACE BELOATE

Mr. Scheid stated that the County of Dinwiddie holds a Deed of Trust on a piece of property owned by Mr. Horace Beloate from where the County did some work under the IPR Program (Indoor Plumbing & Rehabilitation). Mr. Beloate passed away before any funds were paid back and there was a clause in the Deed of Trust that stated if the recipient were to die before the lien was satisfied it would be deemed as paid. Mr. Scheid requested the Board to release the Deed of Trust.

Upon motion of Mrs. Everett, 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 Deed of Trust in the amount of \$4,134.00, held by the County of Dinwiddie on a piece of property owned by Horace Beloate, be deemed satisfied due to his death.

IN RE: DIRECTOR OF SOCIAL SERVICES -- REPORT

Mrs. Peggy M. McElveen, Director of Social Services, notified the Board prior to the meeting that she would not be able to attend.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mrs. Troilen Seward, Superintendent of Schools, presented her report for the month of October, 1996.

IN RE: ESTABLISH HEAD START FUND

Extract

Mrs. Seward stated that she met with a consultant of Head Start and was strongly advised to separate Head Start record keeping into a separate fund. This is needed to make the monitoring of the Head Start funds for each program year more manageable. Since Head Start operates on a program year that begins on 1 December and ends on 30 November, the establishment of a separate fund will simplify the federal audit of this program. Since Federal Programs are included in the category of Instruction, this additional fund would not require a modification of the categorical budget approved by the Board of Supervisors. They would transfer the approved appropriations, revenues, and expenditures of this new fund. After discussing this with the Treasurer and the Fiscal Officer, the designated fund number would be Fund 203. Even though there are no local funds included in the proposed Fund 203, she requested that the Board approve the establishment of Fund 203.

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 the Treasurer is authorized to establish Fund 203 for Head Start.

Mr. Bracey wanted to know if children that lived in travel trailers were allowed to attend public schools?

Mrs. Seward stated that they could not discriminate as to how the children lived; they had to allow them to attend school.

Mr. Bracey stated that he had noticed that construction has started at the High School and he wanted to know if there was a signed contract yet?

Mrs. Seward stated that there was not one yet because they are still waiting on the final drawings.

Mr. Bracey wanted to know if this was good business not to have a signed contract with the work already under way.

Mrs. Seward stated that the contractor will not be going much further until there is a signed contract. Their attorneys advised them not to sign a contract until they have the final drawings.

Mr. Bracey asked the County Attorney if it was good business for a County to have 24.5 million dollars out there hanging with no written contract.

Dan Siegel, County Attorney, stated that they have talked with them but Allen Heyward, has really done all of the dealings with the School Board. He stated that he thought what they were waiting for is the Architects to put together the basic contract. From the School Boards standpoint the original bid that was awarded was awarded with the exact form of contracts in the bid. So they are bound by that. The only risk at this stage is the \$400,000 difference that was made as opposed to the full 24.5 million.

Mrs. Seward stated that in the letter of intent that Allen Heyward drafted, the \$400,000 was listed.

Mr. Bracey wanted to know when something was going to be done about Dinwiddie Elementary. There was some work being done on it a few years ago and the people were pulled off to do work on other schools.

Mrs. Seward stated that in the past maintenance funds were not allocated properly within the budget. She has devised a new way to see that each school gets exactly what they need.

Mr. Bracey stated that he just wanted it to be fair because he feels that Dinwiddie Elementary needs to have as much consideration as the other schools in the County.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Anthony S. Rinaldi, Recreation Director, presented his report for the month of October, 1996.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Dennis E. King, Director of Waste Management, presented his report for the month of October, 1996.

THE CHAIRMAN CALLED FOR A TEN MINUTE RECESS AT 3:40 P.M.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Services Coordinator, was not present.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Daniel M. Siegel, County Attorney, came before the Board and stated that he did not have anything to present but was available for questions.

IN RE: AUTHORIZATION TO ADVERTISE -- NEW BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE TAX ORDINANCE

Upon motion of Mrs. Everett, 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 Administration is authorized to advertise an ordinance for a public hearing for the purpose of amending portion of Chapter 13 of the Dinwiddie County Code, specifically to comply with the requirements of the Code of Virginia governing the County's business, professional and occupational license tax and to impose additional license tax filing requirements.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, Construction Inspector, presented his report for the month of October, 1996.

IN RE: SATELLITE DISH -- EXTENSION OFFICE

Mr. Faison stated that he received three bids for installing the pole and empty conduit for the new satellite dish that the Extension Office needs from where they had to relocate their office. The bids were as follows:

M.D. McCray Electric Co.	\$1,500.00
Hall Brothers Electrical	\$1,520.00
Rudy L. Hawkins Elec. Cont.	\$1,800.00

Mr. Faison recommended that the Board accept the low bid from M.D. McCray Electrical Co.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the low bid from M.D. McCray Electric Co. in the amount of \$1,500.00 be accepted to install the pole and empty conduit for the new satellite dish that the Extension Office needs from where they had to relocate their office.

IN RE: AIRPORT MANAGER -- REPORT

Mr. Gordon Winn, Airport Manager, presented his report for the month of October, 1996.

Mr. Bracey asked Mr. Winn for a report on how the County has been impacted because of the lowering of the personal property tax rate on Aircrafts.

Mr. Winn stated that he would have to gather that information together.

Mr. Bracey asked the County Administrator to see that this information was available for the Board to review at budget time.

IN RE: PROBATION OFFICE -- RESOLUTION AUTHORITY APPLICATION FOR VIRGINIA JUVENILE COMMUNITY CRIME ACT GRANT FUNDS

Mr. Howard L. Parrish, Probation Officer, came before the Board and stated that the Board adopted a resolution a couple months ago in reference to applying for Virginia Juvenile Community Crime Act Grant Funds. He stated that the County was approved for the Funds but they requested that the County adopt a more detailed resolution.

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

WHEREAS, the Virginia Juvenile Community Crime Act provides grants to counties desiring to expand juvenile crime services, and

WHEREAS, the 11th Judicial District Court Service Unit of the Virginia Department of Juvenile Justice and Dinwiddie County have identified programs as grant--eligible services for which there is a need in Dinwiddie.

NOW, THEREFORE, BE IT RESOLVED, that the Dinwiddie County Board of Supervisors hereby authorizes a grant application for Virginia Juvenile Community Crime Act funds under the following guidelines:

- Extract
- A. Dinwiddie County will not contribute less funding for the implementation of this local plan than was expended for block grant funding programs or services either operated or utilized in FY 1995 in compliance with 16.1-309.6 of the Code of Virginia;
 - B. Dinwiddie County will not utilize funds provided by this Act to supplant funds established as the state pool of funds under 2.1-757 in compliance with 16.1-309.3 of the Code of Virginia;
 - C. Dinwiddie County will comply with all provisions of 16.1-309.9 of the Code of Virginia which gives the Board of Juvenile Justice the authority to establish and enforce standards and to review the expenditures and services established by the local plan;
 - D. Dinwiddie County consulted with the Judge of the Juvenile and Domestic Relations District Court and the Director of Court Services;
 - E. Dinwiddie County will submit routine reports and any other information to the Director of the Department of Juvenile Justice for each program or service funded by the Act in compliance with 16.1-309.3E and 16.1-309.10 of the Code of Virginia and all applicable Departmental procedures;
 - F. Dinwiddie County will not use the grant funds to reduce or offset its present level of spending on secure detention.

IN RE: MCKENNEY VOLUNTEER FIRE DEPARTMENT -- TRUCK REPAIR

Mr. Alan Paige, Cheif of McKenney VFD, came before the Board and stated that they had to have some work done on the power steering box of their 1985 Chevrolet Fire Truck. He stated that they already had it repaired by M.A. Williams Truck Repair for a total cost of \$943.11.

Upon motion of Mr. Moody, 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 bill in the amount of \$943.11 from M.A. Williams Truck Repair be paid from the Volunteer Fire Departments Capital Improvements Fund line.

Mr. Paige then asked what percentage was the County willing to pay toward building their Company a new Fire Station.

Mr. Burgess stated that the County was in the process of putting together a Capital Improvements Program and that Mr. Paige would need to submit his needs to Planning staff so that he could be included in the Plan.

Mr. Paige stated that he has talked to Planning Staff but wanted to know if the Board could give him any further information on what percentage they would be willing to help with.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Charles W. Burgess, Jr., County Administrator, stated that he would like to thank the Board and staff for all of their consideration and help while he was out for surgery.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody stated that he would like for Wheat First Securities to come before the Board and make a public presentation of the County's financial forecast.

Mr. Moody also stated that he felt that the Board needed to put together a list of issues that needed to be taken before the General Assembly.

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay 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 - Maintenance/Janitorial Staff; Section 2.1-344(a) 5-Discussion concerning a prospective business or industry; Section 2.1-344(a) 7-Consultation with legal counsel - Building Use Policy; the Board moved into Executive Session at 4:40 P.M. A vote having been made and approved the meeting reconvened into Open Session at 5:52 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay 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: BOARD MEMBER COMMENT

Mr. Bracey requested that the pallet in the hallway of the Administration Building be removed. He stated that it is an eye soar and it does not look professional.

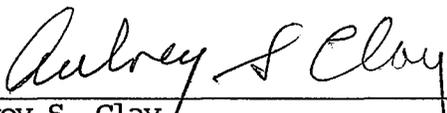
IN RE: ADDITIONAL HOLIDAYS -- THANKSGIVING & CHRISTMAS 1996

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

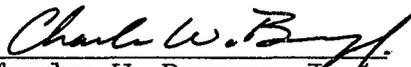
Extract
BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that all local government offices will close at noon on Wednesday, November 27, 1996, and December 24, 1996 in addition to what has already been given.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mrs. Everett, Mr. Bracey, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 5:56 P.M.



Aubrey S. Clay
Chair, Board of Supervisors

ATTEST: 
Charles W. Burgess, Jr.
County Administrator

/rlm