

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD
IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION
BUILDING, DINWIDDIE, VIRGINIA, ON THE 21ST DAY OF MAY, 1997
AT 2:00 P.M.

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

IN RE: WELCOME TO SHADOW STUDENTS

Mr. Harrison Moody, Chairman of the Board, welcomed the shadow students from Dinwiddie High School Government classes.

IN RE: AMENDMENT TO AGENDA

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the agenda was amended to add the following:

15. Executive Session- 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 - Commissioner of the Revenue; and Section 2.1 - 344 (a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the May 7, 1997 continuation meeting, the May 7, 1997 regular meeting, and the May 13, 1997 continuation meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mrs. Wendy Weber Ralph, Interim County Administrator, stated that there was a claim included from the Airport Authority for legal services incurred in the amount of \$2,097.50 to be funded from the \$200,000.00 note.

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody 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 #1005848 - #1005989 (void check 1005847); for Accounts Payable in the amount of \$289,929.43; General Fund \$199,873.34, E911 Fund \$1,970.13, Self Insurance Fund \$141.51, Law Library \$123.50, Fire Programs/EMS Funds \$10,052.04, County Debt Service \$77,768.91. Also included is a Dinwiddie County Airport and Industrial Authority claim for legal expense in the amount of \$2,097.50.

Mr. Tickle requested that the Acting County Administrator add to the legislative agenda the issue of inmate medical bills being paid by the County. These medical expenses are reimbursed but it is still a taxpayer expense. The County expense of transporting this inmate, providing a driver, vehicle, and deputy, should also be reimbursed.

IN RE: APPROVAL OF REQUISITION #23 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Interim County Administrator, stated that Requisition #23 for the Courthouse consists of payments to:

Hening-Vest-Covey

\$ 5,224.25

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #23 in the amount of \$5,224.25 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #18 -- SCHOOL CONSTRUCTION

Mrs. Ralph, stated that this requisition consisted of the following invoices:

KBS, Inc	\$1,740,323.05
Froehling & Robertson, Inc.	1,698.70
Stroud, Pence & Associates, LTD	2,900.40
Work Environment Associates, Inc.	145.00
Virginia Power	2,076.30
Ballou Justice Upton	27,632.03
TOTAL	\$1,774,775.48

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Requisition #18 in the amount of \$1,774,775.48 be approved and funds appropriated for CIP for the School Construction Fund.

IN RE: CITIZEN COMMENTS

The following person addressed the Board:

1. Anne Campbell, 12210 Wilson Road, Wilson, Virginia, came before the Board to discuss a problem she is having with the Commissioner of the Revenue's Office. She stated that her problem was with the conversion of her mobile home from personal property to real estate.

Mr. Moody requested that she fill out a Request of Information Form and that we would provide her with an answer within a twelve (12) working day period.

IN RE: DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald Reekes, Resident Engineer, came before the Board stating that he wished to update them on a couple of things and then he would take questions.

1. He asked Mr. Clay if he noticed that Nash Road is now open! We are not quite finished yet - but it is open.

2. With regards to Route 692, he stated the Department is moving well on that one.

3. He stated some of the members may have noticed Route 1 and Route 460 - the signal light; expectations are that it should be operational within ten (10) days.

4. The contractor was expected to start on Route 613, White Oak Road, by now. After conversations with him, it was determined that it will be after the Memorial Day week, probably the first week of June. His first effort will be to take down the dwelling at Route 1.

5. We have our repaving schedule coming up and we are mowing grass, as fast as it grows.

6. We are also catching up on our new complaint system. Mrs. Everett asked Mr. Reekes to explain the new complaint system which he did. He stated that all calls now go through the Central Residency Office.

Mr. Harrison Moody requested a speed/safety study to be conducted on Wilsons Road, Route 639.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

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

Mr. Moody requested the Administration send out another letter to the Department Heads/Constitutional Officers requesting them to please attend the second meeting of the month to present their monthly reports. Mr. Bracey stated he felt that we did not have a problem with all departments and that only the departments in violation should be written.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, came before the Board stating he had no additions to his report and was available for questions. There being no questions he continued by stating the Board had before them, because of the unfortunate situation of receiving the tax assessments at a late date, he felt it was necessary that we extend the deadline. He had Paul Jacobson draft an emergency ordinance changing the due date from June 5th to June 12th. This was the latest date that he felt comfortable with in order that he be able to close his books on June 30th.

Mrs. Everett stated that she has had many calls on this and felt that some type of public explanation needed to be made on the late mailing of the tax bills.

Mr. Bracey stated that he felt that the person in charge of that book should make a public statement, a public apology, or something. I feel this way because this is not the first time that this has happened and I do not think that Mr. Jones should be harassed or hollered at because it is not under his control. He can only take what is sent to him and send it out in a timely fashion.

Mr. Moody asked Mr. Jones to give the Board an explanation from your point of view, how you are unable to get them out on time. The public might not know why, how the procedure goes. Mr. Jones stated that the Board was putting him on the spot - he stated that he would refuse to answer that. Mr. Moody asked Mr. Jones how many days he needed after receiving the information to get the bills out. Mr. Jones replied that he would like to allow thirty (30) days before they are to be mailed out. I have done it in four (4) days, getting the information in the envelopes and to the post office. We started Monday and will be mailing tomorrow (Thursday). Mr. Moody asked when did you receive the information this year? Mr. Jones stated personal property was received May 8th, real estate was received Friday night, May 16th at 9:00 P.M. Mrs. Everett asked if the target date set was April 1st. Mr. Jones stated that his personal request was April 15th. That would be satisfactory time for him to prepare and then without hastily throwing things in an envelope, getting it out to where the individual would have at least thirty (30) days to do his thing.

Mr. Bracey stated that he understood about the emergency this and that - but where is the end? I thought last year we said that there would not be another. Now here it is again and we got Mr. Jones standing here being the old bad guy and we are still sitting playing games too - there are some things we can do - I know the attorney says you can't do this and you can't do the other but there are things that this Board can do. I am saying that I understand that you want it by the 12th, whatever -the taxpayer, the two or three dollars that I owe I can pay, but look at the other people. They get a bill today and have to scramble with it tomorrow, sometimes people work on different schedules. I think in few years we are going to have a problem because all social security people will be getting checks on their birth dates, so do you see what I am saying. Even now, some checks come out on some funny days. I am saying that I feel that we should give the citizens of this County more time, more than the 12th, because they are supposed to be there the 5th and you stand there and say on the 12th it has to be done. I think there should be some more time; we are the ones responsible for not getting it done. I do not think the citizens should be punished for our inability to

do our job. I think the end of the month would be time or a couple of weeks. The citizens have been asking for these bills for over a month. Mr. Moody asked Mr. Jones to comment on having the due date June 30th. Mr. Jones stated you are looking a a week after the due date for my office staff to complete all the mail. If you make it a week later, the due date being June 19th, then that would make it the 26th before we could finish our mail. That makes it really close to June 30th, but I have given a recommendation, that I am comfortable with but if you see fit to extend it I will go by that. Mr. Tickle stated that he understood completely what Mr. Bracey is referring to because I had the same thought that we need to extend that but also moving the time frame later and later it puts pressure on other people, other constitutional officers, so even though I would like to give more time, in good conscience I have to go along with the recommendation of our Treasurer and stick with the 12th. To just stand up a little bit for Mrs. Marston, even though I am somewhat concerned, forget the somewhat - I am concerned - about the late date that these are going out, is that in actuality she has ninety (90) days after we set the rates; so my comment is even though she has ninety (90) days there are sometimes things that you have to do for the good of your citizens. Even though the legislative or the law will allow you to do that and that is an issue that we have to address later. So she is within her rights but I do not think certain people appreciate it and many people in this room don't appreciate it but she does have that right and Mr. Jones will probably agree. It is not something we appreciate. Mr. Jones stated that the ninety (90) days as you know was based on another set of dates.

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

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

AN EMERGENCY ORDINANCE AMENDING AND REORDAINING THE CODE OF THE COUNTY OF DINWIDDIE, VIRGINIA SECTION 19-2 (DUE DATE FOR TAXES ON REAL ESTATE, TANGIBLE PERSONAL PROPERTY AND MACHINERY AND TOOLS; PENALTY AND INTEREST ON DELINQUENCIES) TO GRANT A ONE TIME ONLY PAYMENT DEADLINE EXTENSION FOR JUNE 1997 TAX PAYMENTS, ENACTED ON AN EMERGENCY BASIS TO PROTECT THE HEALTH, SAFETY AND WELFARE OF DINWIDDIE COUNTY RESIDENTS.

BE IT ORDAINED, by the Board of Supervisors that an emergency exists that would be detrimental to the health, safety and general welfare of the residents of Dinwiddie County unless Section 19-2 of the Code of the County of Dinwiddie, Virginia is amended and reordained as follows to be effective immediately:

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 of June of the taxable year except that for the 1997 tax year only this date shall be the 12th day of June, 1997, 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, and shall be effective for only sixty days from the time of adoption unless readopted after public hearing in accordance with Code of Virginia Section 15.1-504.

CROSS REFERENCE - Payment of Vehicle Personal Property Taxes Prerequisite to Licensing of Vehicle, Section 14-22.

STATE LAW REFERENCE - Authority for above section, Code of Virginia, Section 58.1-3916.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, came before the Board stating that he had one or two little matters to bring. Mr. Rainey invited Mr. Tickle and Mr. Bracey to his office to sit down with him, and he felt sure the Sheriff would and the Chief Sergeant in charge of the jail would also sit down with them, if they wanted additional information as to where/how some of the bills come about, to help them understand. They are all very much aware of the problem; we do every thing that we can; we try to be innovative and creative as we can, but we must also be mindful that there are certain legal obligations. If this will help with the understanding we will be glad to sit down with you. Mr. Tickle expressed concern as to the expense as a small County.

Mr. Rainey also stated that he wished to make them aware that each year the General Assembly passes a series of adoptions and changes to the Code. Dinwiddie County has under Section 14-3 adopted the State law, in particular to motor vehicles violations and offenses. That has to be readopted. I am letting you know that there will be an ordinance submitted to just readopt the current code section that we have.

Mr. Tickle would like for Mr. Rainey to assist the County in obtaining Legislative actions to write tickets on the parking issues. Mr. Rainey stated that that would need to be submitted by January, however the sooner we submit it the better.

IN RE: SHERIFF -- REPORT

Mr. Samuel H. Shands, Sheriff, was not present.

Mr. Bracey requested the Administration to write a letter to the Sheriff again requesting the monthly report on the jail population, which to date has not been received.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspection, was not present due to the mandatory classes on State Code changes.

Mrs. Ralph presented Mr. Abernathy's report, for the month of April 1997, in his absence.

IN RE: ANIMAL WARDEN -- REPORT

Ms. Mary Ellison, Deputy Warden, stated she had no additions to the monthly report but was available for questions.

IN RE: DIRECTOR OF PLANNING -- IPR PROGRAM

Mr. Guy Scheid, Director of Planning, came before the Board to present his monthly report. Mr. Scheid stated that there was one item in his monthly report that he would like to address. He requested the Board to participate in the IPR Program (Indoor Plumbing and Rehabilitation) on a "one time basis", for Mrs. Viola Perkins. Mr.

Scheid explained that he wishes to participate in the program on a "one time basis" because the home is in poor condition; Mrs. Perkins is in her eighties; she and her family are on a very limited income; and she is very much in need of this service. Mr. Scheid stated that he had consulted with the State and Mrs. Vassor regarding the County contracting on this "one time basis" for the completion of a project for Mrs. Perkins who lives at 10605 White Oak Road, Ford, Virginia, and they see no problem with our "one time" participation in this program for this case. Mrs. Perkins had applied for this program when the program was funded with grant money. Because she was unable to use this money in the time period allotted the money was lost. Mr. Scheid stated that he was still trying to pursue the program on a permanent basis.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County is authorized to participate in the Indoor Plumbing and Rehabilitation program, on a one time basis, for Mrs. Viola Perkins.

IN RE: DIRECTOR OF PLANNING -- CRATER REGIONAL LOAN PROGRAM

Mr. Scheid stated he had one more item - the Crater Regional Loan Program. He explained the program and addressed the concerns of the Board.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County is authorized to participate in the Crater Regional Loan Program.

Mr. Tickle addressed the Board in regard to proffers and requested that the Planning Department investigate what actions must be taken by Dinwiddie County in order to be considered for these proffers.

IN RE: ZONING ADMINISTRATOR -- REPORT

Mr. March Altman, Zoning Administrator, came before the Board to give his monthly report. Mr. Altman stated that at the last Planning Commission meeting there was some concern on the planning commissioners' part as to their role in the CIP process. On behalf of the Commission we are moving forward on this project and will get the CIP requests to you.

Mr. Altman addressed Mr. Tickle's question concerning proffers, asking if Mr. Tickle was thinking along the lines of cash. There are certain criteria that the County must meet before we are eligible. Mr. Tickle responded by stating that we must fight - and be a step ahead.

IN RE: DEPARTMENT OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director, came before the Board to present her report for the month. Mrs. McElveen reported that the state was replacing all their computer equipment and the old equipment will be used for teaching/training. Also that her Department had received, for the third year, an award for being 100% in compliance with regards to the food stamp program.

Mr. Tickle complimented Mrs. McElveen on her monthly reports and stated that he felt she does an excellent job in giving a summary of what is happening in her department. He expressed a desire for all department heads to emulate her style.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mrs. Troilen Seward, Superintendent of Schools, came before the Board. She stated she had several matters to bring before them.

IN RE: SUPERINTENDENT OF SCHOOLS -- SUMMER SCHOOL PROGRAM

Mrs. Troilen Seward stated the first item on her agenda was in regard to the remedial summer school program. Because the middle school will be unavailable this summer, we have located an alternate site to hold these classes. Lebanon United Methodist Church has granted permission to the School Board to use their old church building. The Dinwiddie County School System would like to check with the Board of Supervisors to be sure that their temporary use of the building for about four (4) weeks will not violate the intent of the action taken by the Board of Supervisors in granting the specific easements. Mr. Moody asked Mr. Emerson, County Attorney, if there was any problem with this. Mr. Emerson stated that he understood that the easement was given to the Church to use the parking area, as long as they were using it for Church purposes. This was done in order that they could not go out and rent the place out to someone else and use the parking lot for something that had nothing to do with what you all thought you were giving it to them for; but it does not effect the County in any way. It is the County's parking lot, the County can use it as much as it wants, for any purpose. It has nothing to do with it. It is really irrelevant, it cannot effect, it was a nonexclusive easement, it does not affect your rights to use the property. The Board stated that they had no objections with the Dinwiddie County School System using the Lebanon United Methodist Church for remedial summer school program and that this temporary use would not violate any easement agreements.

IN RE: SUPERINTENDENT OF SCHOOLS -- TRANSFER OF FUNDS -- INSURANCE

Mrs. Troilen Seward requested that funds, in the amount of \$28,601.00, be transferred from the Self-Insurance Fund to the School Fund to cover payment of the first quarter of the Commercial Package, Auto, Umbrella, and Crime policies with ITT Hartford.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is given to the Treasurer to transfer \$28,601.00 from the Self-Insurance Fund to the School Fund to cover the first quarter payment of the Commercial Package, Auto, Umbrella, and Crime policies with ITT Hartford.

IN RE: SUPERINTENDENT OF SCHOOLS -- SUPPLEMENTAL APPROPRIATIONS OF INCREASED REVENUES

Mrs. Troilen Seward continued with the supplemental appropriations. In March 1997, Mrs. Seward stated, she reported to the Board that the school membership had continued to increase and unbelievably so is still at 4,094 at the end of the year. From March 1995 to March 1997 we have had a nine (9%) percent school increase. We have learned that the sales tax receipts are being increased, ADM funding, and they have tacked money on to some of the other programs. The amounts and sources of these increases are: Technology \$70,000.00; Increased Sales Tax \$42,923.00; At-Risk Program \$6,889.00; Primary Class Size \$9,247.00; Additional ADM \$243,825; Additional National Forest Receipts \$5,905.00; for a Total of \$378,789.00. I respectfully request the approval of supplemental categorical appropriations of \$92,056.00 in Instruction, \$182,733.00 in Maintenance, and \$104,000.00 in Facilities.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie county, Virginia, that supplemental categorical appropriations of the increased revenues be approved in the amounts of \$92,056.00 in Instruction, \$182,733.00 in Maintenance, and \$104,000.00 in Facilities for the Dinwiddie County School Board for FY 96-97.

IN RE: SUPERINTENDENT OF SCHOOLS -- SUPPLEMENTAL APPROPRIATION -- TEXTBOOK FUND

Mrs. Troilen Seward's next item was supplemental appropriations of ending balances. The FY-96 Textbook Fund had an ending balance of \$279,454.60 instead of the projected \$50,000.00. This increase was created by the delivery of the new science textbooks after June 30, 1996. The minutes of the February 19, 1997 Board of Supervisors meeting do not reflect that the Board of Supervisors approved the reappropriation of the \$229,454.60 to the Textbook Fund. She respectfully requests that a supplemental appropriation of the \$229,454.60 to the Textbook Fund be approved.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a supplemental appropriation in the amount of \$229,454.60 to the Textbook Fund is hereby approved for 1996-97.

IN RE: SUPERINTENDENT OF SCHOOLS -- ESTABLISH TRUST FUNDS FOR TRIGON PROCEEDS

Mrs. Troilen Seward stated the last item is one that is a result of Legislative action. This is a result of Trigon becoming a stock company. The School Board had received a check in the amount of \$35,484.15. We have held this check for approximately six (6) months because we were not sure what we should do with this money. The guidelines established by the State Legislature require the County Treasurer to establish two (2) funds for this money. These funds are identified as "County of Dinwiddie Schools Health Insurance Premium Fund" and "County of Dinwiddie School Construction, Renovation, Maintenance, Capital Outlay, Debt Service Fund." The Health Insurance Premium Fund is to be used "solely to offset health insurance premium expenses incurred by or on behalf of present and future employees of the school division of the locality" and the Construction Fund is to be used "solely for the purposes of school construction, school renovation, major school maintenance, capital outlay, and debt service in the public schools of the locality." It was the intent of the Legislature to place 50% of the money in each of these accounts. I am here today, at the request of the School Board, to request that the Dinwiddie County Board of Supervisors authorize the Treasurer to establish two (2) expendable trust funds to be called the "County of Dinwiddie Schools Health Insurance Premium Fund" and the "County of Dinwiddie School Construction, Renovation, Maintenance, Capital Outlay and Debt Service Fund" and to invest the money in such a manner as to insure the earned interest is credited to these funds. It was clarified that the funds are not appropriated at this time.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Treasurer is authorized to establish two (2) expendable trust funds, with the money received due to the conversion of Trigon to a stock company, to be called the "County of Dinwiddie Schools Health Insurance Premium Fund" and the "County of Dinwiddie School Construction, Renovation, Maintenance, Capital Outlay and Debt Service Fund" and to invest the money in such a manner as to insure the earned interest is credited to these funds. The funds to be divided with 50% of the money, total being \$35,484.15, deposited in each of these accounts.

IN RE: SUPERINTENDENT OF SCHOOLS -- OTHER ISSUES

Mrs. Troilen Seward stated she would like to leave the Board on an up note - the Band won a multi-state competition at Busch Gardens. There were approximately 40 bands competing.

Mr. Tickle addressed the two (2) issues regarding the SOL (Standards of Learning) and the Abrahams Scholarship; I would like to say that it was very rewarding discussing these issues with you. I do not agree but did enjoy our discussion. Mrs. Seward stated her door was always open.

Mr. Bracey stated he had two (2) concerns - one an article in the newspaper, The Progress Index, regarding what is stated as a personal vendetta keeps paper out of school library, at the high school. His question to Mrs. Seward, as Superintendent of School was "Is this correct?" Mrs. Seward stated she did not know, but would check and let him know. Mr. Bracey stated that he would like the answer in writing, please. Second Mr. Bracey questioned a picture that was printed, also in The Progress Index. He was upset with the saying/gesture on the tee shirt that the student in the picture was wearing.

Mrs. Francene Newman, Director for Office on Youth, came before the Board approval of recommendations from the existing Youth Commission for the new members.

IN RE: APPOINTMENTS -- OFFICE ON YOUTH AND COMMUNITY SERVICES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Barbara Thomason be appointed for a one year term (to finish out an unexpired term); Joe McDaniels, for a three year term; Mark Tucker, Amanda Clay, Crystal Anderson, Tyler Ragsdale, Allison Johnson, for a one year term (students), for the Youth Commission.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Tony Rinaldi, Recreation Director, presented his report for the month of April, 1997, stating he was available for questions. Mr. Rinaldi stated that he had a wonderful Senior Day.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Waste Management, came before the Board stating he had no additions to his report but was available for questions.

Mr. King thanked the Board for their support of the McKenney 75th Anniversary Celebration.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Medical Services Coordinator, was not present. She is out on leave.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Ben Emerson, County Attorney, came before the Board and stated that he had no report but was available for questions.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, came before the Board and presented his report for the month of April 1997.

IN RE: BIDS -- TELEPHONE AND COMPUTER WIRING -- COURTHOUSE PROJECT

Mr. Donald Faison stated his first item was that they had solicited bids for the telephone and computer wiring on the Courthouse Project. They were expecting four (4) bids total, only received three (3), one of them being a County electrical contractor. The bids were received from Communication Specialists, Inc. \$9,800.00, Hall Brothers Electrical \$12,950.00, and McCray Electrical \$ 26,000.00. Communication Specialists, Inc., had the low bid of \$9,800.00. Mr. Faison recommended that we be authorized to enter into a contract with Communication Specialists, Inc. for the telephone and computer wiring, for the low bid of \$9,800.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Administration be authorized to enter into a contact with Communication Specialists, Inc. for the telephone and computer wiring on the Courthouse Project for the low bid of \$9,800.00.

IN RE: COURTHOUSE PROJECT -- ELECTRICAL SERVICE

Mr. Donald Faison stated that the County needs to provide power to the Courthouse Building. He has a request and agreement for underground service by Virginia Power in the amount of \$121.00 to run new underground service.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Administration is authorized to enter into an agreement with Virginia Power to supply new underground service to the Courthouse Project for \$121.00.

IN RE: RESOLUTION SUPPORTING THE CRATER REGIONAL PARTINERSHIP UNDER THE 1996 VIRGINIA REGIONAL COMPETITIVENESS ACT APPLICATION

Mrs. Wendy Weber Ralph, stated that they had before them an application to participate in the Crater Regional Partnership. The Resolution you have before you today would authorize, basically two things; it would authorize the partnership to carry out the provisions of the program and then also to be eligible to receive, to become eligible for the Regional Competitiveness Fund. Several questions were raised concerning how the business community representatives were selected.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following resolution is adopted:

RESOLUTION SUPPORTING THE CRATER REGIONAL PARTINERSHIP UNDER THE 1996 VIRGINIA REGIONAL COMPETITIVENESS ACT

A RESOLUTION authorizing the Crater Regional Partnership to carry out the provisions of the Regional Competitiveness Program on behalf of the County of Dinwiddie and, in addition, authorizing the Crater Regional Partnership to receive 1997 incentive funds on behalf of the participating jurisdictions, if the region becomes eligible to receive Regional Competitiveness Program funding.

WHEREAS, Section 15.1-1227.1 through Section 15.1-1227.5, Code of Virginia, as amended, permits counties, cities, and towns within a planning district to establish a regional partnership for the purpose of encouraging local governments to exercise the options provided by law to work together for their mutual benefit and the benefit of the Commonwealth (known as the Regional Competitiveness Act); and

WHEREAS, ABIDCO, the Crater Planning District Commission, and the ten jurisdictions within the Crater District (cities of Colonial Heights, Emporia, Hopewell and Petersburg, and the counties of Chesterfield, Dinwiddie, Greensville, Prince George, Surry and Sussex) have formally taken action to establish the Crater Regional Partnership; and

WHEREAS, the Crater Regional Partnership shall be a regional partnership with a separate board under the umbrella of ABIDCO; and

WHEREAS, the guidelines for Virginia's Regional Competitiveness Program require that participating local governments within the region adopt a resolution authorizing a partnership to carry out the provisions of the Program on their behalf and to receive incentive funds on the participating jurisdictions' behalf;

THEREFORE BE IT RESOLVED, the the County of Dinwiddie agrees:

- (1) The Crater Regional Partnership is authorized to carry out the provisions of the Regional Competitiveness Program on behalf of the County of Dinwiddie
- (2) The Crater Regional Partnership is authorized to receive 1997 incentive funds on behalf of the County of Dinwiddie if the region becomes eligible to receive Regional Competitiveness Program funding.

IN RE: RESOLUTION TO ADOPT THE MEMBER AGREEMENT TO JOIN THE VIRGINIA ASSOCIATION OF COUNTIES GROUP SELF INSURANCE RISK POOL

Mrs. Ralph stated that at the last meeting of the Board you selected the insurance bid in the amount of \$66,976.00 for Property Casualty Insurance coverage with the Virginia Association of Counties. Because they are a pool, similar to what we did with Workman's Compensation and VML, there is a member agreement and resolution that needs to be adopted.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following resolution is adopted:

RESOLUTION TO ADOPT THE MEMBER AGREEMENT TO JOIN
THE VIRGINIA ASSOCIATION OF COUNTIES
GROUP SELF INSURANCE RISK POOL

WHEREAS, Dinwiddie County desires to protect against liability claims and property losses and to provide for payment of claims or losses for which the county may be liable; and

WHEREAS, the Virginia Association of Counties Group Self Insurance Risk Pool, aka VACoRP, has been established pursuant to Chapter 11.1 (Section 15.1-503.4:1 et seq.) and Title 15.1 of the Code of Virginia.

WHEREAS, it is desirable for Dinwiddie County to join the Virginia Association of Counties Group Self Insurance Risk Pool in order to provide a method of risk sharing for liability claims and property losses;

NOW, THEREFORE, BE IT RESOLVED that the governing body of Dinwiddie County hereby agrees to the member agreement entitled "Member Agreement for Virginia Association of Counties Group Self-Insurance Risk Pool" which creates a group fund to pay liability claims and property losses of the counties and other local agencies joining the Group, and we acknowledge we have received a copy of the pertinent Plan and supporting documents.

BE IT FURTHER RESOLVED that Harrison A. Moody, Chairman of the Board, is authorized to execute the member agreement to join the Virginia Association of Counties Group Self Insurance Risk Pool and to act on behalf of Dinwiddie County in any other matter relative to the Group.

This the 21st day of May, 1997.

IN RE: ADOPTION AGREEMENT -- LOCAL CHOICE HEALTH BENEFITS PROGRAM

Mrs. Glenice Townsend, Fiscal Officer, came before the Board and presented the Local Choice Health Benefits Program. She stated that considerable research on this year's renewal of the County's health insurance has been done. Because our experience rating has been so bad for the last two years, we ended up with a 21% increase in premiums if we were to stay with our present policy. She recommended that the Board adopt the resolution to participate in the State's Local Choice Program. By making this choice we would again be participating in a pool with many other localities and state agencies for the best possible renewal. This is also the only way to assure two (2) choices for our employees. These two (2) plans being: (1) Healthkeepers HMO and (2) Key Advantage. The County will continue to pay \$150.00 per employee per month toward the premium.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following resolution is adopted:

THE LOCAL CHOICE
ADOPTION AGREEMENT
HEALTH BENEFITS PROGRAM

WHEREAS, the Department of Personnel and Training of the Commonwealth of Virginia (hereinafter referred to as the "Department"), has established the Health Benefits Program (hereinafter referred to as the "Program") effective July 1, 1990, and

WHEREAS, the Governor has approved such Program; and

WHEREAS, pursuant to 2.1-20.1:02 of the Code of Virginia, local employers may, by making proper application and complying with the regulations governing the Program, participate in the Program; and

WHEREAS, Dinwiddie County (hereinafter called the "Employer") is eligible to participate in the Program and become a party to any agreements established to carry out the funding of the Program, and wishes to adopt said Program for the benefit of its eligible employees, and to become a party to said agreements;

NOW, THEREFORE, by this instrument of writing, effective as of May 21, 1997, the Employer, acting herein by and through its duly authorized representatives, hereby adopts the Program for all of its eligible employees and subscribes to the provisions of the regulations and all agreements related thereto by and between the Department and any third party, effective July 1, 1997, all in accordance with the following:

- (1) The Employer agrees to comply with the regulations governing the Program and the duties of Employers set forth therein. The duties include but are not limited to the following:
 - * Complete an employer application and execute an adoption agreement;
 - * Remit employer and employee contributions to the Department or its designee as set forth in regulations;
 - * Provide employees with enrollment forms, process and certify the same;
 - * Serve as a channel of communication between the Department and employees;
 - * Otherwise assist in administration of the Program as requested by the Department
- (2) The employer agrees to be bound by all of the terms, provisions, conditions and limitations of the Program and any agreements which are pertinent to any entity defined as an "Employer" therein, with respect to its employees eligible for participation in the Program.
- (3) The Employer agrees that the Department of Personnel and Training shall act as Plan Administrator for the Employer and its employee-participants under the Program in the same manner in which the Department acts for state employee-participants.
- (4) The Employer agrees to provide 90 days notice to the Department in the event it wishes to cease participation in the Program. The Employer shall be obligated to pay any and all contributions otherwise required through the date of termination and interest related thereto as well as any adverse experience adjustment which may apply with respect to the year the termination occurred.

IN RE: APPOINTMENTS

Mr. Moody pointed out that there are several appointments which will be coming up June 30, 1997. Advertisements will be in the paper in the next week.

IN RE: DINWIDDIE VOLUNTEER FIRE DEPARTMENT

Mrs. Ralph stated that she was going to try to present this matter to the Board, only because Mr. Charles Lewis, Fire Chief of Dinwiddie Volunteer Fire Department called and said he was unable to attend and asked her to do this. Mrs. Ralph stated that she is not an expert on this particular generator so I am only presenting a letter for him. The letter stated that the membership of the Dinwiddie Volunteer Fire Company requests the Board of Supervisors' assistance with repairs needed on the Onan Generator located on the 1993 Pierce Dash Pumper. The generator is not starting as it was designed to do. They have had the generator looked at and repaired with little or no success.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, the the Dinwiddie Volunteer Fire Department is authorized to have repairs made to the Onan Generator located on the 1993 Pierce Dash Pumper not to exceed \$1500.00, and that final approval be in the trusteeship of the Acting County Administrator.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mrs. Ralph stated she had no comments at this time.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay - no comments.

Mr. Bracey - no comments.

Mrs. Everett stated that she and Wendy had attended the dedication of the South Central Wastewater Authority Treatment Plant today. She passed along several messages to the Board from speakers and or participants in the dedication program.

Mr. Tickle - no comments.

Mr. Moody stated he had no comment.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody 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 - Recreation; Planning; EMS; Commissioner of the Revenue; Section 2.1 - 344 (a) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made; and Section 2.1 - 344 (a) 7 - consultation with legal counsel. The meeting moved into Executive Session at 4:50 P.M. A vote having been made and approved the meeting reconvened into Open Session at 6:30 P.M.

IN RE: CERTIFICATION

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

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

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

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby, certifies that, to the best of each

member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: LANDFILL CLOSURE

Mrs. Ralph requested authorization for Draper Aden Associates to continue their work on the landfill closure by updating their findings on the closure and to test the recapped areas.

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

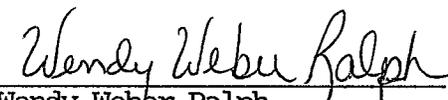
BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization be given to Draper Aden Associates to update their findings on the landfill closure and to test the recapped areas.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 6:35 P.M. to be continued until 9:00 A.M., May 22, 1997 for an Executive Session to discuss Personnel and Industrial matters in the Conference Room of the Pamplin Building.



Harrison A. Moody
Chair, Board of Supervisors

ATTEST: 
Wendy Weber Ralph
Interim County Administrator

/pam