

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 3RD DAY OF SEPTEMBER, 1997 AT 7:30 P.M.

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

DANIEL M. SIEGEL

COUNTY ATTORNEY

IN RE: CALL TO ORDER - INVOCATION - PLEDGE OF ALLEGIANCE

Chairman Harrison A. Moody called the meeting to order at 7:35 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENT TO AGENDA

Mrs. Wendy Weber Ralph, Assistant County Administrator, requested that Courthouse contract be removed from Number 11, Executive Session and replaced with Virginia Bio-Fuel Litigation.

Upon motion of Mr. Tickle, 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 under Item 11, Executive Session, Section 2.1-344 (a) 7-consultation with legal counsel, that Courthouse contract be removed and replaced with Virginia Bio-Fuel Litigation.

IN RE: MINUTES

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 minutes of the August 20, 1997 regular meeting are hereby approved in their entirety.

IN RE: MINUTES - AMENDMENT TO AUGUST 6, 1997

Mrs. Ralph stated that there were two (2) corrections/additions to the minutes of August 6, 1997, they being in the sections pertaining to the hiring of Lee Dugger, Custodian/Grounds Worker and Wayne Trent, Waste Processor/Attendant. The Custodian/Grounds Worker's salary contained a typographic error, the salary should read \$15,135.00 not \$15,185.00. Also we need to add Grade 5, Step A1. The Waste Processor/ Attendant section needed a correction also in the salary figure. The correct salary is \$14,046.00. This also changed the Step to Step B2.

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 authorization is granted to amend the minutes of August 6, 1997. Said amendment will correct the salary in the Custodian/Grounds Worker salary to read \$15,135.00, Grade 5, Step A1 and correct the salary of the Waste Processor/Attendant to read \$14,046.00, Grade 3, Step B2.

IN RE: CLAIMS

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 #1007235 - 1007429 (void checks 1006101 - 1007019 - 1007344); for Accounts Payable in the amount of \$136,551.08; General Fund \$130,345.39; Jail Commission \$566.69; E911 Fund \$368.00; Self Insurance Fund \$5,271.00; Payroll General Fund \$288,169.81; and CDBG Grant Fund \$453.98.

IN RE: APPROVAL OF REQUISITION #3 --COURTHOUSE CONSTRUCTION

Mrs. Ralph stated that Requisition #3 for the Courthouse consists of payments to:

Gulf Seaboard General Contractors Inc.	\$ 559,420.80
Total	\$ 559,420.80

Upon motion of Mr. Everett, 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 Requisition #3 in the amount of \$599,420.80 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #1 - SCHOOL CONSTRUCTION

Mrs. Ralph stated that Requisition #1 for the School Construction consists of the following invoices:

KBS, INC.	\$ 3,079,866.75
Froehling & Robertson, Inc.	5,306.20
Stroud, Pence & Associates, LTD	4,420.00
Virginia Power	9,372.00
Southside Electric Cooperative	186.56
Ballou Justice Upton	26,548.34
Sands, Anderson, Marks, & Miller	20,913.65
Cadmus	7,818.53
TOTAL	\$ 3,154,432.03

Upon motion of Mr. 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 Requisition #1 in the amount of \$3,154,432.03 be approved and funds appropriated for CIP expenses for the School Construction Fund.

IN RE: CITIZEN COMMENTS

The following persons addressed the Board:

1. Mr. Paul B. Coleman, Manager of Virginia Motorsports Park, 8018 Boydton Plank Road, came before the Board to update them of the events being planned at Virginia Motorsports Park. A date has been set for the National Event in 1998. It will be the last week in April (24-25-26-27). Mr. Coleman also reported that the American Red Cross had contacted them with regard to using the Motorsports Park as a designated administrative headquarters in the event of a national disaster. They felt this would be beneficial to the County and have agreed. In ending Mr. Coleman thanked the County for allowing them to have Wednesday night racing. He stated that by racing on Wednesday night they have shortened the Friday and Saturday night racing times.

2. Ms. Joanne M. Ortiz, 18729 Carson Road, Dinwiddie, Virginia, President of the Friends of the Library Dinwiddie, came before the Board to inform and invite, not only the Board but all the citizens of Dinwiddie County, to attend their celebration of their tenth anniversary at the Library on Carson Road September 21st through 26th. Also on September 25th at 7:00 P.M. the Dinwiddie Library Book Group will meet at the Dinwiddie Library.

IN RE: P-97-11 -- PUBLIC HEARING -- REZONING -- JOHNNY BAIN

This being the time and place as advertised in the Dinwiddie Monitor on August 20, 1997 and August 27, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering a request to change the district classification of a portion of Tax Map/Parcel 18-7 containing approximately 50 acres from Agricultural, General, A-2 to Rural, Residential, RR-1. Mr. Scheid came before the Board stating that this case was reviewed by the Planning Commission on August 13, 1997. On a 7-0 vote, the Planning Commission recommends approval of this request.

Mr. Guy Scheid, Director of Planning, presented the Planning staff report. He stated that the applicant, Johnny Bain, is seeking a rezoning of the property from Agricultural, General, A-2 District to Residential, Rural, RR-1 District. He added that Mr. Bain has made this request for the purpose of developing the property for single-family homes which will be served by Midway road (Rt. 739). He added that the property is located on the west side of Midway Road (Rt. 739) and is identified as Tax Parcel 18-7 (a portion thereof).

Mr. Scheid stated that the Dinwiddie County Comprehensive Plan designates this property for agricultural use and is located within the Rural Conservation Area. Mr. Scheid gave a brief outline of some of the applicable strategies for this planning area, they being:

Rural Conservation Area (approximately 290,000 acres; 90% of the County)

- * expected to accommodate 5% to 10% of future residential development;
- * all developments within the rural conservation areas are expected to help maintain the long-term viability of the rural characteristics, with a minimum of land use conflicts between residential and agricultural uses;
- * development in these areas will be of a very low density and thus very minimal increases in public services will be needed; and
- * prime agricultural land will be identified and preserved.

He also added that according to the corridor plan, which is a part of the Comprehensive Plan, does not identify Midway Road (Rt. 739) as an arterial or collector road. He said the subdivision ordinance does not restrict driveway access to secondary roads (section 18-96 applies to arterial and collector streets only). In Section 2, Policies, Goals and Objectives of the Comprehensive Land Use Plan, under Housing - Goal 2, objective (a) states, "allow limited residential development along the secondary highways, only."

Mr. Scheid added that there has been large lot development in this area. He said some lots front and access the State Roads and others are served by private roads. He said the Smithfield subdivision has recently been developed in a similar manner as the current proposal and is adjacent to the property being considered for rezoning.

The soils contained in this area are:

- * Helena (9B);
- * Herndon (10B); and
- * Mattaponi (12B)

The Herndon soil was found on the northern portion of the property and has characteristics which have moderate limitation for septic fields (percs slowly), and slight limitation on homesite construction. The Helena soil has a severe limitation on homesite construction (shrink-swell), and a severe limitation on septic fields (wetness and percs slowly). The Buildings Inspectors' office has been monitoring construction plans for those homes constructed within a shink-well soil area. The Health Department regulates septic field location and construction to insure that the system will function properly.

Mr. Scheid stated that the subdivision ordinance was amended and the definition of subdivision changed. Additionally, he added, Section 18-12 required the rezoning of A-2 property to a residential category if the property is intended to be subdivided into three (3) parcels or more. Therefore, the Planning Commission and the Board of Supervisors are reviewing proposed subdivisions in agricultural zoned areas which was previously an administrative function of the subdivision agent. There were several reasons for adopting this procedure to include the limitation of the number of uses located in this district as well as restrict the types of uses which could be accessed by a private road if such is constructed to serve a subdivision. Mr. Scheid stated that the property is in close proximity to Midway Elementary School which appears to be a positive factor. He added that there are collector and arterial roads located in the immediate vicinity which provide good access and large lot, residential development is compatible with the existing and developing neighborhoods. Mr. Scheid also noted that the applicant has proffered several conditions which will insure quality development on these lots. He stated the proffers as follows:

1. No lot shall be less than three (3) acres with three hundred (300) feet of frontage.
2. No lot shall be used except for the purpose of a single-family residence. Not more than one single-family residence, together with such outbuildings as may be appurtenant to such single-family residence, shall be erected on any Lot. The minimum area of any residence built on the Property shall be one thousand three hundred (1,300) square feet, exclusive of garages, porches, and any outbuildings. Up to one third of any such residence may be unfinished.
3. No mobile homes, manufactured housing, or house trailers, whether or not permanently attached to the Property, shall be allowed on any Lot. No structure of a temporary character including without limitation any trailer, tent, or shack, shall be allowed on any lot. However, construction trailers used in connection with the construction of any permitted building shall be permitted for the duration of such construction.
4. No inoperable or unlicensed motor vehicle shall be stored on any Lot except within a fully enclosed garage and must comply with applicable county or state regulations.
5. Fences located in the front yard, as defined in the Zoning Ordinance of Dinwiddie County, of any Lot shall be constructed only of split rail solid wood boards, or wooden pickets. Walls located in the front yard of any Lot shall be constructed of brick or stone. Fences and walls of other materials may be constructed in the side yards or rear yards, of any Lot, provided such fences or walls are screened from view from any public road adjoining such Lot.

Mr. Scheid ended his presentation by stating staff's recommendation APPROVAL of P-97-11 in changing the district classification of Section 18, Parcel 7 (a portion thereof), from Agricultural, General, A-2 to Residential, Rural, RR-1 with the proffers offered by the applicant.

Mr. Moody requested that the applicant, Johnny Bain, come forward to answer any questions or concerns that the Board might have. There was some discussion as to the setback yardage requirements, especially if the road is widened.

Mr. Moody opened the Public Hearing on P-97-11. There being no citizens wishing to speak on this issue Mr. Moody closed the Hearing.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the Zoning Map of the County of Dinwiddie be amended by

changing the district classification of Section 18, Parcel 7 (a portion thereof), containing approximately 50 acres, from Agricultural, General, A-2 to Residential, Rural, RR-1 District. This rezoning shall include proffers recommended by the Planning Commission. This ordinance shall become effective immediately and in all other respects, said zoning maps remain unchanged, and

BE IT 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 was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: P-97-12-- PUBLIC HEARING -- REZONING -- MIKE MAYES

This being the time and place as advertised in the Dinwiddie Monitor on August 20, 1997 and August 27, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering a request to change the district classification of a portion of Tax Map/Parcel 21 (4) 4 containing approximately 7.0 acres from Residential, Limited, R-1 and Agricultural General, A-2 to Residential, General R-2. Mr. Scheid came before the Board stating that this case was reviewed by the Planning Commission on August 13, 1997. On a 7-0 vote, the Planning Commission recommends approval of this request.

Mr. Scheid stated that the applicant, Mike Mayes, is seeking a rezoning of a 7.0 acre portion of 21-(4)-4 from Residential, Limited, District R-1 and Agricultural, General, District A-2 to Residential, General, R-2. He added that Mr. Mayes has made this request for the purpose of expanding the Rohoic Woods apartment complex. The property is located on the east side of Duncan Road (Rt.670) approximately 1/4 mile from U.S. Route 1 (Boydton Plank Road).

Mr. Scheid stated that the property is located adjacent to a tract of land zoned R-2 which is owned and developed by Mr. Mayes. He added that Rohoic Woods apartment complex was built several years ago and consist of two and three family bedroom units. In addition to the rental units, the facility consist of several amenities such as a tennis courts, swimming pool, playground, etc. Mr. Scheid said the applicant wished to expand the apartment complex onto some property already owned and, in part, on this property proposed for rezoning. This parcel is in the process of being timbered.

The Dinwiddie County Comprehensive Plan designates within the Urban Planning Area, as designated by the Dinwiddie County Comprehensive Plan. A brief outline of the applicable strategies for this planning area are as follow:

Urban Planning Area (approximately 11,300 acres; 4% of the County)

- * expected to accommodate 65% to 75% of future residential development
- * primary area for public facilities, water and sewer extensions and major transportation improvements; and
- * public water and sewer lines will be extended into this area.

Under section 2, page 8 of the Comprehensive Land Use Plan, Housing - Goal 1, states, "promote the construction of a variety of dwelling types within growth areas and corridors on the County. Objective (a) reads as follows:

- * "locate multi-family dwelling unit structures to areas served by public water and sewer facilities."

Objective (b) states:

- * "encourage diverse and innovative residential development in the County so that the changing needs of the community may be met in a better manner than

permitted under conventional regulations."

Section 2, Page 11, Open space, Recreation and Historic Preservation, Goal 1 states:

- * "Provide adequate recreational facilities for all residents of the County."

The soil group found in this area is Mattaponi (12A). There is a moderate limitations on residential structures and severe limitations on street construction.

There are several zoning classifications in this immediate area, to include A-2, R-1, R-2, B-2 and M-1. Property immediately adjacent to this site was zoned R-2 and developed as multi-family dwelling units. He brought to their attention, letters written by the Dinwiddie County School System, Sheriff's department, Dinwiddie County Water Authority (DCWA) and VDOT. He added that in all cases, the impact on the community from the apartment complex were not excessive. Mr. Scheid stated that the county is experiencing growth in the commercial and industrial sectors which, in turn, requires alternative housing for employees. Mr. Scheid also noted that the applicant has proffered several conditions which will insure quality development on these lots. He stated the proffers as follows:

1. Any future apartment construction shall be of compatible architectural style and quality as that of the existing units.
2. Access to the property shall be limited to the existing entrance with the possibility of an emergency access road provided as secondary access to the development if needed.
3. A minimum buffer strip of fifteen (15) feet shall be provided around the perimeter of this development with the exception of the property fronting on Duncan Road, which shall have a thirty (30) foot buffer strip which shall be properly landscaped.
4. Any tot lot displaced by future development shall be relocated in the same general vicinity. Additional recreational facilities shall be provided for the additional apartment unit created.

In concluding his report he stated that staff recommends APPROVAL of P-97-12 as submitted.

Mr. Moody requested that the applicant, Mike Mayes, come forward to answer any questions or concerns that the Board might have.

Mr. Moody opened the Public Hearing on P-97-12. There being no citizens wishing to speak on this issue Mr. Moody closed the Hearing.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the Zoning Map of the County of Dinwiddie be amended by changing the district classification of Section 21, Parcel (4)-4 (a portion thereof), containing approximately 7 acres, from Residential, Limited, District R-1 and Agricultural, General, District A-2 to Residential, General, R-2 District. This rezoning shall include proffers recommended by the Planning Commission. This ordinance shall become effective immediately and in all other respects, said zoning maps remain unchanged, and

BE IT 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 was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: PUBLIC HEARING -- APPOMATTOX SCENIC RIVER DESIGNATION

This being the time and place as advertised in the Dinwiddie Monitor on August 20, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of receiving public input on the addition of a segment of the Appomattox River to the Scenic River system. This section is the 1.2 mile reach of the Appomattox River between Lake Chesdin Dam and the VEPCO Abutment Dam. The Section from the abutment dam to the Route 36 bridge in the City of Petersburg was designated a Scenic river in 1977.

Mrs. Dama Rice, Chairman of the Appomattox State Scenic River Advisory Board, came before the Board to request that Dinwiddie County draft a resolution in support of this 1.2 mile extension of the Appomattox River for presentation to the General Assembly. Also present for questioning were Mr. R. G. Gibbons and Mr. Jim Guyton, from the Department of Conservation and Recreation.

Mr. Moody opened the Public Hearing. There were no citizens wishing to speak. Mr. Moody declared the Public Hearing closed.

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 authorization is granted to the Administration to draft a resolution in support of the addition of a segment of the Appomattox River to the Scenic River system. This section is the 1.2 mile reach of the Appomattox River between Lake Chesdin Dam and the VEPCO Abutment Dam.

IN RE: PUBLIC HEARING -- DARVILLS COMMUNITY CENTER -- TAX EXEMPTION

This being the time and place as advertised in the Dinwiddie Monitor on August 20, 1997, for the Board of Supervisors of Dinwiddie County, Virginia, to conduct a public hearing for the purpose of considering a resolution in support of the request by the Darvills Community Center that such organization's real property in Dinwiddie County be exempt from taxation pursuant to Article X, Section 6 (a) (6) of the Constitution of Virginia.

Mr. Rennie W. Bridgman, Jr. and Mr. W. Franklin Townsend came before the Board as representatives of the Darvills Community Center. Mr. Bridgman stated that he was Treasurer of the organization and he could attest to the fact that they were broke. He further stated that they had no means of support. They do rent to the County twice a year for elections. This money is used for the electric bill and taxes. He ask the County to consider a tax exemption for the Community Center. There were some questions by the Board as to the upkeep of the building and also concern as to other organizations in the community that might also need this type of exemption.

Mr. Moody opened the Public Hearing. There were no citizens wishing to speak. Mr. Moody closed the Hearing.

There was discussion between the Board, Mr. Daniel Siegel, County Attorney, and the representatives of the Darvills Community Center. Mr. Siegel stated that tax exemption status requirements are very broad and addressed concerns the Board members seem to have about other organizations that may be eligible for a tax exemption.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted for the following resolution to be presented to the General Assembly on behalf of the Darvills Community Center in request of a tax exempt status for the organization:

WHEREAS, the Darvills Community Center ("Darvills") has requested the Board of Supervisors of Dinwiddie County, Virginia (the

"Board") to support a designation by the General Assembly of Virginia that Darvills' real property, which is commonly known as the Darvills Community Center, and personal property be exempt from taxation by the County of Dinwiddie, Virginia and the Commonwealth of Virginia; and

WHEREAS, Darvills has made certain representations to the Board on which the findings stated below are based;

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County that the Board recommends to the General Assembly that the Darvills Community Center's purpose be classified as (charitable, patriotic, historical, benevolent, cultural, public park and playground), and that the real and personal property of the Darvills Community Center be exempt from state and local property taxes pursuant to Article X, Section (6) (a) (6) of the Constitution of Virginia.

IT IS FURTHER RESOLVED that the Board has examined and considered the provisions set forth in Section 30-19.04.B of the Code of Virginia of 1950, as amended, and finds as follows:

1. Darvills is not exempt from taxation pursuant to Section 501 (c) of the Internal Revenue Code of 1954.
2. Darvills does not hold a current annual alcoholic beverage license for serving alcoholic beverages from the Virginia Alcoholic Beverage Control Board for use on any Darvills Community Center property.
3. No Director or Officer of Darvills is paid compensation by Darvills in excess of a reasonable allowance for salaries or other compensation for personal services which such director or officer actually renders.
4. No part of the net earnings of Darvills inures to the benefit of any individual and a significant portion of the service provided by Darvills is generated by funds received from donations, contributions or local, state or federal grants.
5. Darvills provides services for the common good of the public.
6. No substantial part of the activities of the organization involves carrying on propaganda or otherwise attempting to influence legislation, and Darvills does not participate, or intervene in, any political campaign on behalf of any candidate for public office.
7. no rule, regulation, policy or practice of Darvills discriminates on the basis of religious conviction, race, color, sex or national origin.
8. The assessed value of the real property in Dinwiddie County owned by Darvills for 1996 was \$23,000.00 and the real property taxes paid to Dinwiddie County in 1996 by Darvills were in the amount of \$170.20.

IT IS FURTHER RESOLVED that this Resolution shall be effective immediately.

The attached resolution was adopted at a meeting of the Board of Supervisors of Dinwiddie County on the 3rd day of September, 1997.

IN RE: ABIDCO -- APPOINTMENTS

Mrs. Pamla Mann, Administrative Secretary, stated that she had two (2) positions on the Appomattox Basin Industrial Development Corporation Board (ABIDCO). One (1) position being at large and one (1) position being a member of the Board of Supervisors. The applicant for the at large position being: Mr. Milton I. Hargrave, Jr. who has been serving on this Board since 1992 and is seeking reappointment. Mrs. Mann stated that she did not have an application for the position to be filled from the Board. Mr. Bracey presently fills that position.

Upon motion of Mr. Clay, 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 Mr. Milton Hargrave, Jr. be appointed to the Appomattox Basin Industrial Development Corporation Board for a term expiring September 30, 1998.

Mr. Moody asked if there was a volunteer from the Board to serve on the ABIDCO Board. Mrs. Everett volunteered.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mrs. LeeNora Everett be appointed to the Appomattox Basin Industrial Development Corporation Board for a term expiring September 30, 1998.

Mr. Tickle requested that a representative from ABIDCO come to the Board meetings, at least once a quarter, to update them on what their Board is accomplishing. Mr. Long stated that he would look into this and hoped that a representative would be at the next meeting.

IN RE: COUNTY ADMINISTRATOR COMMENTS - MEMORANDUM OF UNDERSTANDING BETWEEN VIRGINIA COOPERATIVE EXTENSION AND THE COUNTY OF DINWIDDIE

Mr. Long stated that in the Board packet was a Memorandum of Understanding between Virginia Cooperative Extension and the County of Dinwiddie which needed to be executed.

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 authorization is granted to the County Administrator to execute the Memorandum of Understanding between Virginia Cooperative Extension and the County of Dinwiddie.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long also stated that in the Board packet was information, from the Office of the General Registrar Mrs. Betty Jeter, regarding the cost of the primary elections. The expense of these elections were quite steep with 510 registrants voting at a cost of \$13.35 each.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay -- He was concerned about the rapid growth in Dinwiddie County stating that he did not wish us to become another Chesterfield County. If there is any way that we can slow this down, we should.

Mr. Bracey -- He stated that he had calls from citizens voicing a complaint that when protection was needed the Sheriff's Department was not helping them much. When the Sheriff's Office is called many times they are saying "if we do or say anything to them it will just make it worse". Mr. Bracey wanted to know if citizens have another course or path to take, in order to have the protection they need and deserve. Mr. Daniel Siegel responded by stating that citizens could petition the court to obtain protection. There could be a police or special police department established. There are many avenues open in this area.

Mr. Tickle -- Mr. Tickle wanted to be sure that someone in Administration remind Mr. Shands that he is expecting a report, at the next Board Meeting, on the issue of charging inmates for Doctor visits. He also requested information regarding insurance premiums and the people that are trying to beat the system. He was interested in repeat offenders. Mrs. Ralph stated that she would check into what information she could legally pass to him.

Mrs. Everett -- Mrs. Everett stated that she had a few calls about concerns regarding old cars in yards. Also she had some calls regarding Old Stage Road. It seems it gets better then worse. It is has been a problem for six (6) years now.

Mr. Moody -- Mr. Moody stated that in their packets they had received information about fees for hunting and fishing on Fort Pickett. After discussion it was decided that Administration should write a letter stating that the proposed fees are excessive and not acceptable.

Mr. Moody also stated that someone had contacted him regarding repairs that need to be completed on the Health Department building. Mrs. Ralph stated that it was on the CIP list. Mr. Clay stated that he had been notified by a gentleman at Camp 27 that they had some expert painters. He stated that they would come and paint the building free of charge to the County. Mr. Long stated that Administration will look into this possibility.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating in the community; and Section 2.1-344 (a) 7 - consultation with legal counsel (Virginia Bio-Fuel and campground ordinance). The meeting moved into Executive Session at 9:25 P.M. A vote having been made and approved the meeting reconvened into Open Session at 10:45 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 SILOS -- AUTHORIZATION TO SOLICIT PROPOSALS TO DISASSEMBLE

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 Director of Waste Management was authorized to solicit proposals to disassemble the silos at the County Landfill.

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 10:47 P.M. to be continued until Thursday, September 11, 1997, at 6:00 A.M. at the Richmond International Airport for an Executive Session, Section 2.1-344 (a) 5 - Discussion concerning a prospective

business or industry where no previous announcement has been made of the business' or industry's interest in locating in the community.

Harrison A. Moody
Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

