

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 22ND DAY OF DECEMBER, 1997, AT 5:00 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
	DANIEL M. SIEGEL	COUNTY ATTORNEY

IN RE: MOMENT OF SILENCE LOID HODNETT

Chairman Harrison Moody called for a moment of silence in memory of a past Board of Supervisors member Mr. Loid Hodnett. Mr. Hodnett was a Board member from November 1974 to December 1979 and he was also a member of the Dinwiddie County Industrial Authority from February 1993 to the present. He was a member of the Airport Authority also.

IN RE: INVOCATION PLEDGE OF ALLEGIANCE AND CALL TO ORDER

Mr. Moody called the meeting to order at 5:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: PUBLIC HEARING STATE DESIGNATED ENTERPRISE ZONE

Mr. Moody stated that we would begin the meeting with staff presenting information on the enterprise zone. Following this presentation would be the Public Hearing, with a three (3) minute time limit on each speaker. The Board of Supervisors will then take all the information under advisement and decide whether to vote tonight or table the matter for further consideration. Mr. Moody asked Mr. Guy Scheid, Director of Planning, to come forward for the presentation.

Mr. Scheid came forward to make the presentation. The enterprise zone discussion came up recently in context with the new steel site that has been located in Dinwiddie County. The Governor mentioned an enterprise zone at the formal announcement by TXI on Monday, December 15, 1997. The Governor has, at his discretion, the ability to designate a certain area as an enterprise zone. He so chose to designate, with a joint enterprise zone designation, the County of Dinwiddie and the City of Petersburg. The criteria that needed to be used and designated to become an enterprise zone was obviously the core area, the area where Chaparral Steel was to be located and those logical expansions outward from that area to be included in the enterprise zone. The enterprise zone is something of an economic benefit for both commercial, industrial, and residential development, as well as a benefit for fixing up properties that are already in existence. The program itself, you cannot just say the program is A-B & C, because the program can be what the community wants it to be. There is what is termed an incentive package which is part and parcel to not only designate the land mass but it also says what you as the locality will do within this area to assist in locating new businesses and encouraging those businesses and residential structures that are in this area to develop further. Mr. Scheid then stated the Board had been given a preliminary package as to what was designated in the package as your enterprise zone, that would be the narrative. He proceeded to review the map with the Board discussing the area that was being proposed as an enterprise zone. Maps were also made available for citizens in attendance. He stated that certain criteria had to be used when designating an enterprise zone area. The area must fit into one of three categories. The category we are looking to fit into is the category in which at least twenty-five (25%) percent of the families that are within the enterprise zone, or the census block tract data, are at least eighty (80%) or less of the medium income for the County. That is the criteria we would be able to come under. We have to be very careful about the area we select, to be sure we do come in under that criteria. If we do not qualify under that criteria then we can not be designated as an



enterprise zone. Also the criteria is we can not exceed six (6) square miles. The area that Dinwiddie County is looking at is roughly three (3) square miles.

There was discussion about Section II-B. Housing and Population Characteristics portion of the application for enterprise zone designation. Mr. Scheid explained that we must use the 1990 census information because that is the most current data available.

Mr. Moody opened the Public Hearing portion of the meeting. He instructed the citizens to address any questions they might have during this portion and the Board would try to answer them following the Public Hearing.

Mrs. Gloria Jones, who had not signed up to speak, asked who determines the incentives that are offered in an enterprise zone.

Mr. Scheid stated that on the local viewpoint that the locality made the determination as to what incentives are offered. The State makes the determinations as to what State incentives are offered. Mr. Scheid stated that he hated to be vague but it is the type of thing that is vague. That is what it is. It is what ever the community decides that they can live with.

There was some question regarding eminent domain. Mr. Moody, Mr. Long and Mr. Dan Siegel, the County Attorney stated there was no eminent domain. All rumors regarding eminent domain are false.

Mr. Moody again stated that all questions asked during the Public Hearing portion would be addressed after all citizens had spoken. Also he reminded citizens of the three (3) minute time limit.

The following citizens came before the Board at this time:

1. Mary Beth Stech, 27316 Flank Road, Petersburg, Virginia, came forward asking for answers to the following three (3) questions: 1) Will the enterprise zone provide a buffer?; 2) What will happen to the value of property in the area?; and 3) What provisions will be made for the wetlands?
2. Patsy Root, 27111 Flank Road, Petersburg, Virginia, came forward with questions regarding the enterprise zone - is it industry; will it be another Chaparral Steel? What type and when will people in the community know? Who will make that decision? There are high power transmission lines going across that property; we know that if a lot of industry comes in those lines will increase in voltage. Currently she is unable to touch her gutters without getting a sensation. What are the plans for a substation in the area? She was very concerned about the property value.
3. Charles Wagstaff, 7409 Vaughan Road, Petersburg, Virginia, came forth questioning why were the citizens not informed by the Board about the enterprise zone when they were talking about Chaparral? The area is changing week by week. Is the Board penalizing them for living out there? He understands that Chaparral always acquires extra companies. He wanted to know if the Board knew anything about this and who might be coming out there with them? He was concerned about the property values in the area. He is upset because nobody is telling them, the citizens whose lives will be changed, anything about what is going on or will be going on.
4. Robert Belcher, 27516 Flank Road, Petersburg, Virginia, came forward beginning with Merry Christmas. His questions are: What about the railroad spur line? What is the status on that? Will an enterprise zone turn into an industrial park? Would you like to buy a house? It is \$150,000.00 right now. The map that you are showing the citizens only includes Dinwiddie County but at the Public Hearing meeting said that it would give us all the Petersburg information on here too. Why didn't we just print this up for Dinwiddie County, why include Petersburg? Will there be another public hearing on environmental analysis? How much can the land take before it contaminates all the wells in the area? If this does contaminate his well, is the County willing to hook up his house for water? He feels that the County should spread some free perks down his way!

Mr. Long stated that he wished to interject something at this point, if possible. There seems to be some confusion regarding the joint application with the City of Petersburg for the enterprise zone. The City of Petersburg's Public Hearing on what zone they are preparing to submit is tomorrow night with their City Council. We do not have any say as to what Petersburg's zone looks like. He felt that this needed to be clarified.

5. Mike Moore, 26116 Plantation Road, came forward stating primarily his concern was about the development plan. He asked if there was a development plan to determine what industries will be in this enterprise zone, in addition to Chaparral? Is that long range plan for 1 - 2 - 3 - 4 - or 5 years? He would like to receive a copy of that plan if one is available.

6. Peter Jeffrey, WPVA, 25720 Greensville Avenue, came forward stating that under Section 59.1-274.1 - page 4 - of the Enterprise Zone Act, the Board, WPVA's Board of Directors, is requesting that the Board of Supervisors of Dinwiddie County set either as a part of the motion to bring an enterprise zone in; as an amendment; or as a separate motion, the intention to provide expansion of the enterprise zone as early as possible, possibly next spring, the spring of 1998. Their original resolution was to become a part of this application but having conversations and looking at the relevant material they realized that it was not feasible to try to be a part of this original application. However, they are strongly requesting that the motion, either as a part of the motion, or as a separate motion, that the community of West Petersburg be considered as a candidate for expansion in the spring of 1998. The second question he had was to request the Board of Supervisors of Dinwiddie County under Section 59.1-283 - page 16 - he continued by stating that he was not quite certain - what is stated he desired was to do the work that they are doing, currently involved in, in West Petersburg; and eventually Piney Beach. They are going to be asking the Board to include as a local incentive, he did not know if it should be a part of the original package, the adoption of a partial exemption of taxation of substantially rehabilitated real estate pursuant to 58.1-3221, as well as an adoption of a local enterprise zone development taxation program.

7. Richard Hotchkiss, 27518 Flank Road, came before the Board to state he was originally opposed to the steel mill. He was concerned about how much farther south and west they wished to go. The Board had stated Chaparral Steel would bring in a lot of tax dollars and it seems to him the Board would be satisfied with that alone. Now they are going farther south and farther west. He wanted to know where it would stop. He stated he bought a place in the country to raise his four (4) little girls. He was planning to build an addition to his home but now that is over with. There is no way he can do anything like that with the property values going down. He had two (2) things that he wished the Board to answer tonight. 1) All drainage runs south and west, what is that going to do to underground water supply? He proposes to the County, and would like an answer tonight, that they will provide, at no cost to all residents living in all adjoining areas, in the proposed enterprise zone, all the areas along Church Road, Squirrel Level Road, Flank Road, Vaughan Road, Weakly Road, Simpson Road, Defense Road, Wells Road, Boydton Plank Road, with free soil and water tests before they start and then again on an annual basis after they start operation. 2) Also he would like to see public water and sewer expand to this area and that the County will provide free of charge hookup to each and every adjoining landowner.

8. Deborah DeBiasi, 9012 Circlewood Drive, came forward with concerns regarding the water table and drainage. She felt that some base line sampling needed to be done now. Without this the County would have nothing to compare to in the future. She was also concerned about employment statistics on the existing industries that have come into Dinwiddie County. She stated there are needs to upgrade the roads and trash pickups. She wanted to know about the people in the enterprise zone. Is this all going to be brought up? What does this enterprise zone mean? Will residents be forced to make their lands available?

9. Jerome K. Rivers, 6922 Vaughan Road, came forward with concerns about being in the middle of the enterprise zone. How will this impact him?

Will he be forced to sell his land? Will the County buy the property and give it to the industry? How will this work?

10. John Cox, 445 Bridge Court, Hampton, Virginia, 10024 Vaughan Road, came forward stating that he had business interests on Vaughan Road. He stated that he believes that Petersburg is a depressed area. They need economic help. He also felt that Dinwiddie County was groping at straws. He stated when you court a business you are operating from a position of weakness. He accused the Board of being more in partnership with Chaparral Steel than with the citizens of their own community. He asked for an environmental impact study be made in the Chaparral site and in this zone in order that mistakes might not be made. He wished the Board a Merry Christmas and stated they would be the only ones having one because he felt the citizens in this area would not.

11. John Boswell, 7303 Church Road, Petersburg, Virginia, came forward stating that he had just a couple of questions. What impact zone - what will that land be rezoned to? Currently a lot of this land is A-1, A-2 etc now, what will the land in the enterprise zone be rezoned to? When they come around for the reassessment, will his property, which borders this zone, will he still be A-2 or how will this affect his reassessment?

Mr. Moody declared the public hearing closed. He stated he had listed the questions and felt Mr. Scheid had also been listing them, as they were being directed. He stated he was going to try to answer a couple of the ones relating to the enterprise zone and then Mr. Scheid would follow up on other technical ones.

With reference to a buffer zone, will one be provided, the land will be zoned the same as it is right now. Nothing will happen until an industry comes and applies for rezoning. The zoning will remain the same until an industry requests rezoning or the County rezones it. We do not expect this to happen anytime soon; it is just an area that is designated as an enterprise zone. It does not mean anything. If an industry comes in then they will have to qualify or have to rezone the property before they can occupy the property. At that point buffers and conditional use permits will come into play.

There was a question regarding options on property - the owner of the property will not change hands. The exterior properties, outside of Chaparral Steel, will remain the same unless another company comes and wishes to build. Then they will be talking to each land owner personally. The land owner will talk to them about options. Again nothing will happen with this designation we are discussing tonight, until these events happen.

As far as us, the Board, knowing or not knowing about the designation, the Governor gave us the designation last Monday, he gave us the opportunity to apply. We knew he might but it was not known for sure until Monday. We also did not know how big the enterprise zone area could be.

All companies wishing to locate within the enterprise zone will have to go through the same process as Chaparral to have the land rezoned. The land is not rezoned for industry except for where Chaparral Steel has their site. Petersburg has their own map, and he is unaware of where the lines will be.

The last person who spoke asked what the land would be rezoned to. An application for rezoning would have to be filed in order for any rezoning to occur; therefore, he did not know what rezoning might occur in the future.

Mr. Moody asked Mr. Scheid to come forward to address other questions.

Mr. Scheid stated that he would attempt to answer additional questions that have been put before the Board. Some of the questions citizens have posed he does not have answers for.

- Buffer requirements within this enterprise zone - there is not any discussion right now of rezoning property. The properties will retain

the current zoning they have on them. The properties that are within this zone may be chosen at some future date to be removed, where some may be added to it. If a person wishes to use their property, for a particular use, in its current zone, they will be bound by the zoning ordinance. This zone does encourage the utilization of the property, not to have it laying hollow for a long time. It does encourage the property to be used. The answer to will a buffer be required - this matter will be addressed at the time an application for rezoning is submitted and a conditional use permit filed.

- Property values within the area of the enterprise zone - Mr. Scheid stated he was not qualified to put property values on people's property with industry coming. There are many things to be considered and he could only assume the information people have conveyed to him to be true. He stated some residents have had their properties evaluated and they say their property values have decreased. He had no official information one way or the other.

- Wet Lands - As far as wet lands boarding the property, certainly the wet lands, as most people are familiar and as he knows the Board is very familiar, wet lands are controlled by the Federal Government. The Army Corps of Engineers is very strong on the wet lands issue. Any time more than one third (1/3) of an acre is affected then there is considerable discussion; it goes on with litigation, and even the concluding of any development on the property. Wet lands is a very big, important factor that is taken care of at the Federal level and the State also chimes in on that.

- Other industry in new enterprise zone - Is the enterprise zone being developed for another industry? Mr. Scheid stated to his knowledge there is no other industry being considered at this point and time. The enterprise zone, by state law, is not allowed to be site specific by that account. It has to be a zone that will enhance more than just the property that is being considered and a logical expansion of that which was considered. When this zone was being anticipated it was not with anybody else or any other industry in mind.

- Power Lines - The power line in the area, he did not know what to say about the power lines, the static electricity or whatever other types or problems that are associated with it. He thought that would be something that power companies would have to deal with.

- Additional Companies - Was Chaparral Steel acquiring more companies? Again he-----

Mr. Tickle interrupted Mr. Scheid asking him to return to the power lines issue. A very specific question was asked about these lines and he, Mr. Tickle, thought that the citizen really asked was current related. The citizen has a feeling that by Chaparral coming there will be more current running through the lines. Therefore, can you, Mr. Scheid, address the issue, when a line is coming across the County, of which the County has a couple currently, with a standard amount of current going through them, it is going to change, increase or decrease. The current is coming through, they Chaparral, are just going to pull off some of the current. Now is that probably an accurate assessment of what they are going to do?

Mr. Scheid stated that it is. He felt what the citizen was getting at, as the County is aware, several years back, the transmission lines were greatly beefed up and what he felt the citizen was ultimately getting at was, is this going to happen again? It might happen again but it does not necessarily have to happen because it is Dinwiddie creating the demand. A great deal of that power line beefing up was because of Chesterfield County and communities north of us, of which we have received no benefit whatsoever. We found out that we had no say so in the matter as far as them beefing those lines up. But as far as controlling substations and that, there is limited control the County has over somebody like Virginia Power or Southside Electric.

Mr. Tickle asked about the substation and the location of such, would it be on their site, as they, the Board, had seen in Dallas?

Mr. Scheid stated that was correct. As far as their current needs right now, he stated he had been advised their current needs will be met with what is already there, there will not need to be any additional lines constructed. A substation will need to be constructed and it would be on their site.

- Mr. Scheid continued to address the issue of additional companies. This was something that he is not aware of.

Again Mr. Tickle interrupted Mr. Scheid stating the specific direction that this question was going on is there a subsidiary company, or additional companies that will follow with them and wish to carry out the same type of actions as Chaparral. For example if there are five or six companies that do business with Chaparral will they also be coming to Dinwiddie.

Mr. Scheid stated the only thing he could relate to the Board was that they, as well as himself, went to Texas and he did not see any other industries located on the premises. He stated he was aware there was a concrete plant that already existed on a tract of land adjacent to the steel plant. They had acquired this plant because there were some mutual benefits that could be obtained, but he did not see any other industries located on the premises. He did not know if that would be the same scenario on this property. He stated he was not privy to that information.

Mr. Tickle stated there may be other companies that come and join in, is that possible?

Mr. Bracey stated that we were getting confused now.

Mr. Moody stated he felt what the Board was saying was other companies might possibly come but if they do they will still have to come through the rezoning process. The enterprise zone just allows them to get incentives similar to Chaparral Steel. Mr. Moody stated he was not going to sit there and say the enterprise zone is not going to make the property more valuable for the people that are located in the enterprise zone because it is going to attract other industries. They might not move here they might move to Petersburg.

Mr. Bracey stated he would like to ask Mr. Scheid to make sure, that he heard right, that Mr. Scheid said Chaparral Steel's property. There will be nothing on that four, five, two, whatever it is acres but Chaparral Steel. Now if Bracey wants to open up a concrete plant then he will have to come to Mr. Rivers and all these other persons to purchase some land, if he wants his concrete plant in that enterprise zone. Chaparral is there, all the rest is just proposed. Mr. Bracey wanted to make sure that everyone understands that. Nothing will be on Chaparral's property. Chaparral has a conditional use permit to do thus and so, not to build many industries.

Mr. Long stated he thought this might be a good time to try to clarify that issue a little bit. He further stated he felt like he heard questions regarding this a couple of times during the hearing. One gentleman or lady asked the question have people agreed to sell. It led him to believe some folks may think this thing is drawn up as something, that the County or some entity, will be going out and acquire all the property. He stated he could somewhat understand that coming right behind the Public Hearings they had with TXI, Chaparral. There may be that conception, which is not correct. This creates a zone where certain things can occur for business or industry which may be interested in locating in that area. Everything within that boundary, shown on the map, is not something that will constitute someone coming out and knocking on your door any time in the immediate future that they are aware of. As Mr. Bracey said any and everyone in the future, just as they have to date, will have to make application, go through zoning processes, have Public Hearings, just like the company that just located here did. He thought possibly the two have gotten intermingled somehow and there may be some confusion on that point. As far as the question on spin off industry, his feeling was the best way to answer right now is, certainly with a company the size of the one locating here in Dinwiddie, there is always a possibility, there is no denying that. Today, as we sit here, there are

none that have approached the Board. If they do approach the County they will have to go through the same process as this company did.

- Railroad Spur Line - Mr. Scheid stated he could not address any more than being given some encouragement that there is some movement on the CSX and Norfolk-Southern discussions but aside from that he is not privy to any information above and beyond that. He stated he did not feel he could address that.

Mr. Long stated the two railroads and the company are still talking. There is no question they are trying to get that issue resolved. It is correct, as we sit here this evening, has not been completely settled but as soon as it is it will be made public knowledge.

- Industrial Park - Mr. Scheid stated there was concern the enterprise zone would turn the area into an industrial park. This certainly is indicating a willingness to look into all different kinds of uses for the property, above and beyond just agricultural or residential.

- City of Petersburg - Mr. Scheid continued there were questions about the City of Petersburg and what were they doing. They are indeed running an enterprise zone which they advertised separately in the newspaper, separate and distinct from our meeting tonight. That might be where some citizens read the advertisement. Our advertisement in the newspaper did not deal with any of the properties in Petersburg. By law we do not control anything in Petersburg. By the same token, their advertisement deals strictly with the City of Petersburg property and does not deal with the County of Dinwiddie, as they have nothing to say about our property.

- Environmental Analysis - Mr. Scheid stated as far as an environmental analysis or impact on neighborhoods regarding well contamination. He did not feel he was qualified to address this issue. This is beyond what he has authority to deal with.

- Development Plan - Mr. Scheid stated again questions arose regarding what other industries might be coming to the area along with Chaparral and a request for a copy of the overall development plan. The only overall development plan he had seen was with Chaparral Steel itself and would be for its primary steel facility with its warehousing and things like that. He certainly does not see a problem with giving a development concept plan for Chaparral Steel. He stated he assumed that poses no problem for that to be seen. He has seen nothing else that would indicate to him that there is anything going on other than their operation.

Mr. Tickle asked Mr. Scheid in order to do that man justice who asked about the environmental impact, in your past history with the County and businesses you have seen, has anything like that happened before or just try to give some feed back on that.

Mr. Scheid stated the only thing he had ever been familiar with is when the County is doing it, it is like monitoring wells around the landfill site. Colonial Heights has put monitoring wells by Southpark Mall and the Charles Dimmock Parkway. You can see those. This is very expensive to do and you can put those wells in and periodically pull out water samples. It is an on going process.

Mr. Tickle asked if there was anything that had lead Mr. Scheid to believe this should be necessary on this site.

Mr. Scheid stated he has not seen anything that was being proposed. The State has been told in their hearings on this matter and they are very much charged with the responsibility of surface and subsurface contamination. They have not indicated they feel a need for any test wells to be put in the area or to do any surface testing.

Mr. Tickle asked if it is possible that we can request the information that relates to this.

Mr. Scheid stated we can ask indeed. They would by courtesy forward this on to us.

Mr. Tickle stated he was trying to expedite that in the event any citizen would like to see something like that.

Mr. Moody stated he felt the citizen was asking about the County's long range plan. If you could provide him with a copy of the comp plan. Mr. Moody asked Mr. Scheid to see this was delivered. Mr. Moody also requested he, the citizen, receive a copy of the zoning that was just done on that property.

Mr. Scheid stated he felt it was safe to say the current comp plan, frankly, for this area is no longer a valid plan. Once you have such a large impact in this, when the plan was originally done, which it was in the planning for approximately a year and a half, and was adopted by the Board in May of last year, when you have a major impact come into your community, obviously this is a major impact, which nobody could have foreseen. He certainly would make the plan available but he would say obviously if we were to sit down and revise the comp plan tomorrow it would show major changes in this area because we were not aware of this a year and half ago.

- West Petersburg - Mr. Scheid stated regarding wanting West Petersburg to be included in the enterprise zone, he did not have a problem sitting down and reviewing the information. It would not be just West Petersburg, there are several other property owners that had shown an interest in wanting to be included in this area. When these citizens found out they are not in the zone they obviously wanted to discuss being included in this zone with him. On the other side there are some residents that do not wish to be included in this enterprise zone.

- Soil and Water Testing - Mr. Scheid stated there was concern about the drainage of water going from south and west. There was a question regarding pre-soil analysis to properties adjacent to Chaparral. Mr. Scheid again stated he can not speak for the County regarding what they would be willing to do as far as the soil analysis of the entire area. Also as far as the water and sewage tap fees waived for all properties adjacent to Chaparral, he would assume the only thing the Board could even possibly consider, with where the lines are going, if anybody is told it is mandatory they hook up, the Board might want to consider waiving the fees. He did not see the water lines going down Flank, he did not see the line going to Squirrel Level Road, or to Vaughan Road or anything like that; therefore, we feel confident the water and sewer lines obviously are not going there, so it would be impossible to hook them up.

- County Employment - Mr. Scheid continued by stating there had been questions concerning how many Dinwiddie County people will be employed. Several other industries in the area had been mentioned and he felt if you will call up Ingram or you called up any of the other people in the area, they probably would not tell you how many were actually based in Dinwiddie when they came to work for them or how many moved to Dinwiddie as a result of employment. They might be willing to share with you some statistics as to we employed X number of local people and we had to send in from out of state so many.

- Enterprise Zone Property - Mr. Scheid stated with regard to the people within the enterprise zone, have they agreed to sell their property question. This enterprise zone is like an overlay zone. It does not mean that the people need to sell; want to sell; or have any desire to sell whatsoever. That is an individual part of the property owners right, to make a decision.

- Property Assessment - Mr. Scheid stated if the property values in this area have indeed decreased he is sure that the assessor will pick this up at the next reassessment and adjustments will be made.

Mr. Scheid stated he had addressed all the questions and or concerns he had and asked if the Board had any further questions for him.

Mr. Bracey stated that Petersburg already has one enterprise zone, is this correct?

Mr. Scheid stated that was correct, they not only have an enterprise zone but also a subzone. Now they are applying for a second enterprise zone, which they very much want.

Mr. Bracey asked if this would be it for them, as far as the State is concerned?

Mr. Scheid stated at this point and time, it depends on the size, as to whether they could apply for a third enterprise zone. He thought Petersburg might be maxed out.

Mr. Moody asked about a noncontiguous area that is available in this enterprise zone. He stated he has been concerned about it every since it was mentioned. It is possible tonight to add that non-contiguous zone in - it is up for grabs between Petersburg and Dinwiddie and he was wondering if it could be done tonight.

Mr. Scheid stated he could only give him his thoughts on this. He did not know if they were legal or not, he felt his thoughts were pretty much paralleling what he believes the State people are thinking at this point and time. He has great reservations about doing that for two reasons. The first reason being when we advertised this hearing about an enterprise zone we quite clearly drew a circle and said this is what we are considering. It seems to him it would not be fair to include another area that is not contiguous to this, and designate them as an enterprise zone without giving proper notice in the paper and giving the people in that area opportunity to call his office to ask questions and to attend a meeting like tonight. The second issue raised is if there is one subzone that can be created in a joint enterprise zone and he believes we are addressing it in a resolution that is being proposed in that we are reserving it for Dinwiddie. He felt it was pretty much being discussed at the State level and Petersburg also has knowledge that indeed we are reserving that right. The other concern he had, although most of what he was thinking about, was as far as being in the enterprise zone, maybe be in the same block tract data that we talking about right now, some of it may spill over into another block tract, which means all of the calculations we have done will have to be redone. We would have to go back to the census data and reuse it, if it goes outside of where he was thinking. What he is thinking may not be the same as what the Board was thinking. We are very much pressed for time on this issue, so what he was saying is, he would prefer not to consider actively designating a subzone area as noncontiguous to what we are doing right now. But in the verbiage in the resolution that is passed and with the knowledge of what we are saying here in public would serve as due notice that Dinwiddie County is indeed reserving that right to themselves.

Mr. Daniel Siegel, County Attorney, stated the Board may want to, just as Mr. Scheid said, suggest an amendment, go through an amendment process quickly for the coming new year, with the subzone, with a separate Public Hearing for the subzone, and take care of that through citizen comments. He felt that would work out fine and then you are giving notice on the application that you are having a separate Public Hearing for the subzone and to expect that in an amendment within a few weeks.

Mr. Moody asked if there were any other questions from the Board members.

Mr. Tickle wished to make a comment regarding the water and soil testing stating that a citizen had asked a very specific question and he did not think that Mr. Scheid could answer it and he did not think that the Board members could answer it immediately. He felt at this time an answer was deserved; however, he did not feel comfortable making any promises when he did not know the ramifications of that. Just as the citizen does not know the ramifications of what the Board is doing, the Board does not know the ramifications of making any type of comment on that and we really just jumped over that issue. Mr. Tickle recommended, in the near future, some of your designations as to when we will get an answer back to him.

Mr. Moody stated he would like to say that an Executive Session was needed for some legal matters and discussing the incentives, if that

is proper. What we might can do is address some of those incentive questions come back and possibly take a vote after Executive Session.

Mr. Bracey asked that someone please answer a citizen's question. There was a lady who had been raising her hand for the past ten (10) minutes.

The citizen wished to address or answer some of their comments. As far as subsidiaries of Chaparral there is indeed one in site of the Midlothian, Texas. There is a slag and scrap processor of TXI, not Chaparral. You can also expect one here because they will have to do something with that stuff. Also the tire plant out there, that is a subsidiary as well. As far as wells go - as required by the State, all the State permits are still in progress, none have been issued at this point and are not going to be issued anytime real soon. The wetland permit for the State is open to public comment until the 30th of December and the Federal one for the Army Corp of Engineers is open until the 26th of December. The address to both of those is available for citizen comments on environmental impact and so on. There was some mention of wells in the application for Chaparral. The wells are mentioned a lot in the comments that are coming in. The citizen speaking stated that she felt we will see more monitoring of wells. Also on the wetlands, the site proposed by Chaparral may or may not work, depending on how the public comment goes and how the rest of their application goes. They are considering that land as an enterprise zone, some of it is actually for mediation purposes. If that goes in, then your impacted area, with the water table, is not nearly as bad as when an industry has a discharge. But at the very least if you put in anything that has any kind of emissions, whether it is water or air, you really ought to consider doing some base line testing because if you do not know what you are starting with, anytime the citizens wants to say, you screwed up my water, it is up to you to prove that you did not. It is my recommendation this needs to be done if you are planning to bring in that type of industry.

It was reported to the Board that Mr. Jerry Cook had been out trying to buy property in this area. The gentleman who made this statement stated he lived at 7409 Vaughan Road and he said Mr. Cook had been to his home twice.

Mr. Long stated he was not an agent of the County.

The gentleman wanted the Board to know this is why they, the citizens, are so excited. They keep being told things by people like Mr. Cook.

Again Mr. Long stated it is not related to the County.

Mr. Moody stated any citizens should feel free to call the County offices and inquire as to new zoning. He also told the citizens to watch the newspapers.

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) 7-Consultation with legal counsel; the Board moved into Executive Session at 6:35 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:17 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: INCENTIVES -- ENTERPRISE ZONE

Mr. Moody stated the Board had discussed some of the incentives that the County, at the local level, might provide and he asked the Board if they wished to discuss this in open session tonight or what was the Board's pleasure.

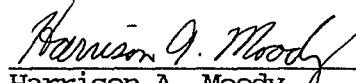
Mrs. Everett stated she felt this matter needed additional studies.

Mr. Clay stated he agreed with Mrs. Everett.

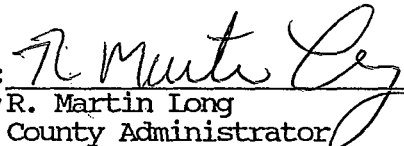
Mr. Moody stated we have a feeling from two (2) members that we do a little more studying on the local incentives, we have a couple of possible dates of Monday and Tuesday of next week. Would Tuesday, December 30, 1997, at 5:30 P.M. be agreeable with the Board?

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 7:30 P.M. to be continued until December 30, 1997 at 5:30 P.M. at the Pamplin Administration Building



Harrison A. Moody
Chair, Board of Supervisors

ATTEST: 
R. Martin Long
County Administrator

/pam