

VIRGINIA: AT THE REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 20TH DAY OF JANUARY, 1999, AT 2:00 P.M.

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

OTHER: DANIEL SIEGEL COUNTY ATTORNEY
(arrived at 2:10 P.M.)

IN RE: INVOCATION – PLEDGE OF ALLEGIANCE – AND CALL TO ORDER

Mrs. LeeNora V. Everett, Chairman of the Board, called the regular meeting to order at 2:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Everett asked if there were any amendments to the agenda.

Mr. Long stated under Agenda Item Number 15 - Section 2.1-344 (a) 7 - Consultation with legal counsel he would like to add Property issue and also Section 21.-344 (a) 1 - Personnel needed to be stricken from the Agenda.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the above requested Amendments to the Agenda are hereby approved.

IN RE: MINUTES

Mr. Tickle stated on page 11 of the January 6, 1999 Regular Meeting minutes, under Appointments there was an error in names listed under roll call which needed correction, Mr. Tickle needs to be removed and Mr. Moody needs to be added.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the January 6, 1999 Regular Meeting and the January 6, 1999 Continuation Meeting are approved with corrections as noted above.

IN RE: CLAIMS

Mrs. Ralph stated there was a change in the amount of Debt Service listed in the claims. The two (2) payments to Crestar for the First Bond Issue and the Second Bond Issue on the Courthouse appear on one (1) check. The first Bond Issue on the Courthouse was refunded; therefore, we just got the final payment on that with the amount confirmed and were able to reduce that amount. Instead of \$328,448.75 it is \$305,473.00.

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mr. Moody, Mr. Bracey, Mr. Tickle, Mr. Clay, Mrs. Everett 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 numbered 1013646 through 1013784 (void check(s) numbered 1013647 and 1013679); for

Accounts Payable:

(101) General Fund	\$257,401.05
(103) Jail Commission	\$ 478.80
(104) Marketing Fund	\$ -
(222) E911 Fund	\$ -
(223) Self Insurance Fund	\$ -
(225) Courthouse Maintenance	\$ -
(226) Law Library	\$ 72.23
(228) Fire Programs & EMS	\$ -
(229) Forfeited Asset Sharing	\$ 1,392.72
(304) CDBG Grant Fund	\$ 600.00
(305) Capital Projects Fund	\$ 899.25
(401) County Debt Service	\$ 616,441.95
TOTAL	\$ 877,286.00

IN RE: APPROVAL OF REQUISITION #40 (IDA98A - #5 - SCHOOL CONSTRUCTION)

Mrs. Ralph stated the following invoices are included in this requisition:

KBS, INC.	\$45,074.63
JMJ CORPORATION	862.30
TRI-CITIES OFFICE PRODUCTS, INC.	13,077.10
ELECTROLUX	1,599.80
SAX ARTS & CRAFTS	500.00
WASHINGTON MUSIC SALES CENTER	2,432.00
CONSOLIDATED PLASTICS CO.	81.72
MID-ALTANTIC SCHOOL EQUIPMENT	1,675.44
SCHOOL SPECIALITY	<u>170.50</u>

TOTAL REQUISITION NUMBER 5 \$ 65,473.49

Mr. Bracey had concerns regarding these invoices and the original CIP.

Mrs. Troilen Seward, Superintendent of Schools, assured Mr. Bracey these expenses were included in the original CIP.

Mr. Bracey was not satisfied with Mrs. Seward's response and stated he would like further documentation.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 40 (IDA98A - #5) in the amount of \$65,473.49 be approved.

IN RE: CITIZEN COMMENTS

Mrs. Everett stated she would like to thank the Petersburg Fraternal Order of Eagles for their donation to the Namozine Fire Department for equipment.

Mrs. Everett also stated she had gotten word from the SPCA that they are going to be providing a computer, a washer and dryer for the Animal Control Center. She stated the County and Board appreciated the donation.

Mrs. Everett asked if there were any citizens who had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, stated she did have names signed up. The following citizens addressed the Board:

1. Anne Scarborough, Dinwiddie, Virginia, came forward speaking in favor of the County purchasing thermal imaging cameras for the Fire Departments.

She stated she had no problem with asking the major industries of the County to help with the cost of these expensive cameras. She also had concerns about bills not being presented monthly and questioned a Carolina Trailways bus ticket purchased in December 1998. Her last request was for a detailed agenda for the upcoming Retreat meeting.

The Board addressed her questions and concerns by stating they were looking into purchasing the thermal imaging cameras; the bus ticket was purchased for the Court system; and the detail agenda for the Retreat meeting would be provided by Mrs. Mann. They were unsure how to respond to the bills issue and Mrs. Scarborough stated she would provide them with specific information before an answer is given.

2. Ms. Lois Ferrell, North Drive, Petersburg, Virginia, came forward to speak on the North Drive road issue. She stated she was speaking for a group of citizens located on this road none of which were able to be present this date. She stated the State was not maintaining this portion of road and the citizens located on this road were tired of the trash, traffic, mechanics using the road to test drive cars, cars parked on the road for going fishing on the river, drug users, drug dealers, parking and sleeping in vehicles overnight, transfer trucks using this road, high speeds, and the theft that has occurred because of this road. She stated they wanted this road closed for the safety of their children.

Mrs. Everett asked if the road has been closed?

Ms. Ferrell stated the road had been closed.

Mrs. Everett asked who closed it?

Ms. Ferrell stated she did.

Mrs. Everett asked who gave her the authority to close this section of road.

Ms. Ferrell stated at first she tried to talk to Mr. William C. Scheid, Director of Planning, but was unable to meet with him. Then she called three nights before Thanksgiving because she was awoken about 1:30 A.M. and there were five (5) men in the road looking for drugs. They kept her up until about 4:00 A.M. By the time you call the Sheriff's Department and they arrive at the scene the men are gone. So she then called the Virginia Department of Highways and the Dinwiddie Water Authority because they were more or less the ones who set our house that way, facing that road. So after talking with them they told her that, Dinwiddie Highway Department told her, they were not going to maintain the road and they came down and put up a sign "End of State Maintenance". Dinwiddie Water Authority said that they were not going to keep up with the roads. So she stated she closed the road until

she was able to find out who owned the road. Between Mrs. Palmer, herself and Mr. Overby, Chris, and Mr. Brown she stated they have been maintaining the road. Mr. Brown goes back to 93, Mrs. Palmer goes to 54, she goes back to 80, Chris goes back to 95, Mr. Overby goes back to the 50's also maintaining this one road.

Mrs. Everett stated you have maintained it?

Ms. Ferrell stated yes. She stated the Highway Department, the last time she talked to Mr. Gill, he said well Ms. Ferrell I have been down there a few times scraping the road. She stated yes she knew that and wanted to say thanks. Since 93 the road has been scraped by the Highway Department approximately three (3) times.

Mrs. Everett stated to Ms. Ferrell she had mentioned several other people in talking. She asked Ms. Ferrell if she had a petition or letter or anything from them.

Ms. Ferrell stated no ma'am, she did not. They were supposed to come to the meeting and she had tried to locate them during her lunch time but none of them were available to attend.

Mrs. Everett asked if any of the Board members had questions to ask.

Mr. Bracey stated he was having a serious concern about this road. First he wanted to know who gave her, Mr. Overby, or Mr. Anybody else on that road the authority to close a road that you or any of the other persons involved do not own. He stated it is not on Ms. Ferrell's deed or any other person's deed, showing the road did not belong to them. With the crime that Ms. Ferrell has expressed happening, Mr. Bracey felt she should talk to Sheriff Shands. He did not see how a citizen could just close a road by chaining it off when this road is used by fire and rescue vehicles. Mr. Bracey stated from his investigation he had determined the Highway Department was taking care of the road real well. He stated he hoped that today before we leave that we can handle this situation. He wanted to see the chain come down because that would solve a lot of problems. He just did not feel any citizen has a right to close any road.

Ms. Ferrell stated she would like to make another comment. She stated the reason they had closed the road off – she continued that she had talked to the Highway Department and they refused to help on the road, to maintain it; she had talked with Mr. Gill and like she had stated previously it has been maintained three (3) times by them and they came down and put up the "End of State Maintenance" sign and told her that it was not going to be maintained by them.

Mrs. Everett asked if this happened recently.

Ms. Ferrell stated yes – then she stated well they already had the sign up. She stated she has lived at this location for nineteen (19) years and she could not come up in front of these people and say that the State Highway Department has maintained this road. She stated they have maybe four (4) times at the most. She continued that she had put out a lot of money and a lot of hard work on the road. She further stated to their knowledge included in the deed to each of their land is a clause stating that there is an easement across and this had not become clear until the week, before they took off this Friday, who owned the road. When she called Mr. Goodwyn he stated to her he did not know if he owned the road or not. He said the best thing to do was to get with a surveyor and let him check the entire subdivision. She stated her deed and title and dedications are reading the last five feet is an

... easement on this 200 and some acres of land. At this point we do not know if he owns it –

Mr. Bracey stated but you know that you do not own it.

Ms. Ferrell stated she did know she did not own it but she did not feel it was right for – to get out there and do all of this and the people on West Street and the people on Lee Boulevard they are not up through the night with the problems and the picking up of the trash and whatever.

Mr. Long stated unfortunately Mr. Ronald Reekes from the Virginia Department of Transportation had contacted him yesterday and neither he nor a representative was able to make it today. That is unfortunate because, as he had indicated to Ms. Ferrell previously, he had gotten somewhat different information from the Department than she has. It would be good if they could clarify that but they are not present today. The issue of maintenance is not one that can be resolved today because all we would be able to do was go back and forth on what someone thought someone said.

Mrs. Everett stated the issue is that it is a public road.

Mr. Tickle stated he had one comment. He too was concerned about the blocking off of the road but his recommendation was we, the Board, intervene by interacting with the Sheriff's Department to help Ms. Ferrell with the root of her problem.

Mr. Daniel M. Siegel, County Attorney, asked to respond at this time. He stated he knew the Board would be discussing this issue in Executive Session but wanted to make a statement now.

Mrs. Everett stated there was one more citizen to speak on this issue and asked if Mr. Siegel would like to hear this comment before he makes his statement.

Mr. Siegel agreed.

3. Fletcher Mayton, 4001 West Drive, Petersburg, Virginia, came forward stating he lived about half way down West Drive. He stated he built his home in 1954. At that time it was just a dirt road. Mr. Kessler, his next door neighbor, built at the same time. Mr. Mayton stated between the two of them they had spent several thousand dollars keeping that road up but they did not go in there and chain it off to keep neighbors out. He stated they have a number of problems too. He stated he did not appreciate people traveling down his 25MPH zone road at 55MPH or the loud music rocking him out of his easy chair and all this kind of stuff but everybody has their share of problems. As far as closing the road that just borders on the threshold of ridiculous. He stated he felt the road belonged to everybody in Edgehill Park. This is a main thoroughfare that is cut off when this road is closed. He stated he is really sorry Ms. Ferrell is having problems down there but everybody has their share of problems. He thought the Sheriff's Department or law enforcement ought to take care of that. He stated there has been nobody killed or any drugs on his street, not as far as he knew of. He stated Ms. Ferrell had said something about Ms. Palmer. He stated he had talked to Ms. Palmer and she was very upset about her yard being torn up by people trying to get around the cable. He stated he hoped we could get this issue resolved and get the cable down so everybody can have access to the road.

Mr. Bracey asked if the cable was still up.

Mrs. Everett stated the cable was back up. She further stated it was down but it was back up.

Mr. Mayton stated he had a letter for the Board from the Chief of Namozine Fire Department regarding this issue. He gave the letter to Mrs. Everett.

Mrs. Everett read the letter for the record.

Members of the Dinwiddie Board of Supervisors this letter is in reference to possible closing of North Drive. This Drive is in close proximity of our fire station. The closing of this road will hamper both the fire and EMS protection. This Drive connects Lee Boulevard with West Drive and it is an obstruction to any type of fire that is in the area. The hydrant at West Drive north to North Drive will be used. Closing of this Drive the next closest hydrant is on Ferndale Road. The using of this hydrant on Ferndale will close a heavy traffic road. Please consider our request to keep this road open.

The letter was signed by Steven A. Jones, Chief of Namozine Fire Department.

Mrs. Everett thanked Mr. Mayton for his remarks and for delivery of the letter from the Fire Department.

Mr. Siegel stated he wanted to make sure that Ms. Ferrell understood that these are very serious issues and the Board would be talking about taking serious legal action which might be taken because while the concerns she has raised are real and should be solved in some way, trying to solve it individually by obstructing the road is not the proper way to do it and that is really going to cause serious problems and we will have to take serious legal action and we will talk about that later. He concluded by stated he would recommend that the cable be taken off immediately.

Mrs. Everett asked if the Board would need to adopt a resolution to that effect and order the cable taken down by the Sheriff's Department. She wanted to know if that was the way the Board should proceed.

Mr. Siegel stated there were a number of different options and after the Board discusses those options in Executive Session they will come back into open session and be ready to proceed with a motion for action.

Mrs. Everett stated there would be a resolve made today.

Mrs. Everett asked if there were any other citizens present who had not signed up but wished to address the Board. There being none Mrs. Everett closed the Public Comments and moved forward.

IN RE: RESIGNATION – MICHAEL H. TICKLE

Mrs. Everett turned the floor over to Mr. Tickle.

Mr. Tickle stated this was an emotional time for him and he stated he would try to go as slow and easy as he could and hoped they would understand it was emotional. Effective today he stated he would be resigning his seat on the Dinwiddie County Board of Supervisors and did that with great sadness because he enjoys working with each member of his Board and he is approaching an endeavor that he has wanted to do his entire life. He stated he has always wanted to sell pharmaceuticals. He stated he had always been told he would do well selling pharmaceuticals and it is a great opportunity for him. There have been three (3) things in his life that have been real exciting and important to him. One was graduating from college, being the first Tickle to do that; two was being able to go and spend an entire day with the President of the United States, being

one of twenty individuals from the State of Virginia being selected; and probably the greatest accomplishment that he had, for a person of his background and from where he came from, being elected to the County Board of Supervisors of this County. He stated he was very proud of his accomplishments and as he had stated before he is very proud of the people he had to work with because they and myself made those accomplishments. But more importantly we set direction but the members of the staff that makes the difference. He continued that he sincerely believed that Dinwiddie County has a tremendous staff and they actually care about what they do and they actually care about their jobs. The last thing he wished to express was he would like to send thanks to his mother and father for instilling him with the integrity and responsibility in him which was probably the reason he ran for the Board of Supervisors. He stated as he had mentioned before he thought every member of the Board had integrity and responsibility and that was why they were there also. He stated he would like to thank the people who called and wished him good luck and the people who stopped by to see him. He stated his parents could not be there today due to the fact that one of his parents was not feeling well, he had a medical condition but his Aunt was present, Ms. Linda Lewis, and he wanted to acknowledge her presence. He stated his mother had asked her to attend to represent her today. He stated he was going to leave with fine memories and a personal enjoyment that he can never repay to the citizens of Dinwiddie County but he would like for us to remember him and his family, his family will be here for about two (2) more months and asked that we all help look after them.

Mrs. Everett stated the Board commended him for his service to Dinwiddie County and they wish him, Debbie and the boys very well in their new location and in his new undertaking. She continued that the Board now needed to accept this resignation.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the resignation of Mr. Michael H. Tickle from the Board of Supervisors is hereby accepted with regret.

Mrs. Everett then presented Mr. Tickle with a plaque, a Service Award for exceptional performance in service to Dinwiddie County, Virginia by serving as a member of the Board of Supervisors 1990-1991 and 1996-1999.

Mr. Tickle thanked Mrs. Everett and the Board.

IN RE: HISTORICAL SOCIETY PRESENTATION

Ms. Karen Oliver, President of the Dinwiddie County Historical Society and Ms. Betty Bowen came forward to present the Board with a tool box containing tools for preserving the history of our County. Ms. Oliver explained to the Board how she received this tool box and how she hoped the County would use these tools.

IN RE: SOUTHSIDE CENTER FOR VIOLENCE PREVENTION

Mr. Long stated he had received a letter from Linda Sue Lewis, President, of the Southside Center for Violence Prevention, Inc. requesting permission to address the Board.

Ms. Lewis came forward stating the Southside Center for Violence Prevention is an organization of individuals from the Counties of Amelia, Buckingham, Charlotte, Cumberland, Lunenburg, Nottoway and Prince Edward that have joined together to develop a sexual assault crisis center and a

domestic violence safe house. Brunswick, Mecklenburg, Dinwiddie, Halifax, and Powhatan will also be joining them to provide a safe haven for domestic violence victims. She stated there are more animal shelters than there are domestic violence shelters. Numerous discussions have taken place with the Land Reuse Authority at Fort Pickett to develop a safe house on their property. A proposal is being prepared for renovating an officer's quarters into a safe haven for domestic violence victims. Currently they are at the mercy of other areas to house their victims since they can not provide this service. Ms. Lewis stated she was not asking for anything from the Board at this time but would be back at a later date and would be asking for a one time financial donation.

Mr. Bracey asked who the contact person would be in Dinwiddie County.

Ms. Lewis stated the County had a new victim witness person and Mr. Rainey, Commonwealth Attorney would be introducing her shortly.

Mrs. Everett asked Mrs. Peggy McElveen, Director of Social Services if Dinwiddie County had a need for this type of service.

Mrs. McElveen stated there is a need for this service. She stated she spent numerous hours trying to find places for victims of domestic violence.

IN RE: RECESS

Mrs. Everett called for a five (5) minute recess at 4:05 P.M.

Mrs. Everett called the meeting back to order at 4:15 P.M.

IN RE: DEPARTMENT OF TRANSPORTATION – REPORT

As previously reported there was not representative present from the Virginia Department of Transportation.

Mr. Tickle, as a citizen, stated he noticed there was problems with the newly paved highway in the Sutherland Manor area of Route 460. He wanted the Board to look into who would pay for the repairs because he did not think that Dinwiddie County should have to take additional money from its road funds to correct this problem.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, came forward wishing the Board a Happy New Year and stating she had no report but was available for questions. She told Mr. Tickle she was going to miss him.

Mr. Bracey asked Mrs. Marston if she understood the letter she had received from legal counsel regarding twice a year billing.

Mrs. Marston acknowledged she did.

IN RE: TREASURER – REPORT

Mr. William E. Jones, Treasurer, came forward beginning by thanking Mr. Tickle for his support and wished him luck in his future endeavors. Mr. Jones presented his monthly report and a report of collection rates for 1995 through 1998.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, Commonwealth Attorney, came forward thanking Mr. Tickle for his service and stating it had been a pleasure working with him. He continued by introducing the County's new Victim Assistance Coordinator, Ms. Mindy Stell and his new secretary Ms. Stephanie Durham.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Samuel Shands, Sheriff, came forward wishing Mr. Tickle God's speed. He stated the Board had his report and he was available for questions.

Mr. Bracey asked Sheriff Shands about the marking of the vehicles per the Code of Virginia.

Sheriff Shands stated the Code reads the cars can be marked; however, he had not included in his budget the cost for marking of the vehicles which would be approximately \$400.00 to \$800.00 per vehicle. The Sheriff agreed to meet with the County Administrator and the County Attorney to discuss this issue at a later date.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector, came forward presenting his monthly and yearly reports. He wished Mr. Tickle luck in his new endeavor.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steve Beville, Animal Warden, came forward and presented his report for the month of December 1998 and his annual report for 1998. He wished, from himself and his staff, good luck to Mr. Tickle and his family.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came forward and presented his monthly report. He stated he wanted to bring to the attention of the Board one item which was a site inspection on the property owned by Ms. Kavonne Y. Harville, 3718 Susie Drive, Petersburg, Virginia, 23803. A copy of the letter sent to her was included in their packet. The problem Ms. Harville is experiencing is related to storm water runoff. Problems similar to her complaint have been mentioned to the Board in the past. He wanted the Board to be aware of this problem because he knew it would arise again. Mr. Scheid concluded by wishing Mr. Tickle luck and stating the Planning Department would really miss him.

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. John M. Altman, Jr., Zoning Administrator, came forward and presented his Department's monthly report and yearly report. Also included in the Board's packets was the Code Compliance Officer's monthly and yearly report. He asked if the Board had any questions on these reports. He stated he had included copies of the minutes of the December 11, 1998 Petersburg Regional Film Office, Inc. for their review. He then passed out copies of the Petersburg Regional Film Office, Inc. Business Plan. He expanded on the tool box presented to the Board by the Historical Society stating they had an intern coming in from Longwood College who will work with them to help identify the historical structures within Dinwiddie County. He again asked if the Board had any questions for him.

IN RE: SOCIAL SERVICES – REPORT

Mrs. Peggy McElveen, Director of Social Services, came forward giving an update on her Department. She thanked Mr. Tickle and wished him good luck.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Mrs. Troilen Seward, Superintendent of Schools, came forward giving a brief update on school issues. She stated she had seen Mr. and Mrs. Tickle earlier wishing them the best.

**IN RE: SUPERINTENDENT OF SCHOOLS – LITERARY FUND
LOAN APPLICATION**

Mrs. Seward continued stating she had included in the Board packets pages one (1) through three (3) of the Literary Fund Loan Application for Dinwiddie Elementary School. Page three (3) contains the wording of a resolution that they needed for the Board to adopt at this meeting. They plan to submit the original document with all of the requisite signatures by the end of January 1999. The State Department of Education has been notified of their intent to apply for this Literary Fund Loan. They will need to submit the final plans for the renovation and construction prior to being placed on the approved list by the State School Board. They prefer to submit this application at this time in order to avoid any delay which might cause them to move up to the 3% interest rate. The resolution on page three reads as follows:

AT A MEETING of the Board of Supervisors for the County of Dinwiddie, Virginia, held in the said County on the 20th day of January 1999:

WHEREAS, The School Board for the County of Dinwiddie, on the 20th day of January, 1999, presented to this Board, an application addressed to the State Board of Education of Virginia for the purpose of borrowing from the Literary Fund \$5,500,000 for the new school building (or for adding to or improving the present school building) at 13811 Boydton Plank Road, to be paid in 20 annual installments, and the interest thereon at 2 per cent paid annually.

RESOLVED, That the application of the County School Board to the State Board of Education of Virginia for a loan of \$5,500,000 from the Literary Fund is hereby approved, and authority is hereby granted the said County School Board to borrow the said amount for the purpose set out in said application.

THE BOARD OF SUPERVISORS for said County will each year during the life of this loan, at the time they fix the regular levies, fix a rate of levy for schools or make a cash appropriation sufficient for operation expenses and to pay this loan in annual installment and the interest thereon, as required by law regulating loans from the Literary Fund.

I hereby certify that the foregoing is a true copy as taken from the minutes of the Board of Supervisors for the County of Dinwiddie.

_____, Clerk

(SEAL)

BOARD OF SUPERVISORS FOR THE
COUNTY OF DINWIDDIE, VIRGINIA

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the foregoing resolution is hereby adopted.

**IN RE: SUPERINTENDENT OF SCHOOLS – REAPPROPRIATION
#2-FY99**

Mrs. Seward stated the Board had in their packets a letter for re-appropriation request #2 -FY99. She stated in November 1998, they had requested the Board approve the re-appropriation of \$127,177.00 from their unexpended FY98 funds. This amount was needed to pay for the purchase of the land at Midway and for the repairs to the fueling stations at Transportation and Sunnyside. This request was approved on November 18, 1998. They have received the Audit Report for FY98 which confirmed their unexpended balance was \$375,997.45. This is exactly the amount they projected. Since \$127,177.00 of this amount has already been re-appropriated to the school system, \$248,820.45 remains. At the School Board meeting on January 12, 1999, She was authorized to request the Board of Supervisors to re-appropriate the \$248,820.45 for the purchase of school buses. The appropriate category for this is Transportation.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the re-appropriation of funds from the Unexpended Balance of FY98 in the amount of \$248,820.45 to the Transportation category for the purchase of school buses.

Following the vote there was discussion regarding the salary of bus drivers in Dinwiddie County.

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward to present his monthly report. He stated he had nothing to add and asked if the Board members had any questions. He wished Mr. Tickle well and stated he enjoyed working with him and appreciated all his support.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management, came before the Board and presented his report for the months of December 1998/January 1999. He thanked Mr. Tickle for his support and wished him good luck.

Mrs. Everett stated to Mr. King that he and his department had done an excellent job during this time of crisis and gave thanks for all their hard work.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward to present his monthly report. He extended thanks to Mr. Tickle for all his support and wished him well.

IN RE: PUBLIC SAFETY OFFICER – PUMP MAINTENANCE

Mr. Jolly stated that he had the pump maintenance performed on all the front line units and he was now requesting the Board approve the payment of this invoice in the amount of \$3,000.00 from line item 032200-3310.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to pay the above referenced invoice from budget line item 032200-3310.

IN RE: FIRE AND RESCUE ASSOCIATION – REPORT

Mr. Jolly stated Mr. Charles Lewis was unable to attend so he was also the Fire and Rescue Association representative at this meeting. He asked if the Board had any questions.

Mrs. Everett asked about the open burning violations and if any legal action was taken on these violations.

Mr. Jolly stated legal action was taken and fines imposed.

Mrs. Everett commended Mr. Jolly on all his efforts during the ice storm.

Mr. Jolly stated he had a great staff of volunteers.

IN RE: PUBLIC SAFETY OFFICER – GRANT FUNDS

Mr. Jolly stated back in October 1998 he had reported to the Board his intent to put in, through the State Department of Fire Programs, for computer grants. We had asked all Departments to put in their paper work if they needed computers. Two (2) volunteer fire companies and himself put in and all three (3) have received State Grants which totals the amount of \$6,000.00. This is for the fire reporting programs. We will have to purchase software which will amount to approximately \$800.00.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Daniel M. Siegel, County Attorney, stated he had no report but was available for questioning. He stated he would like to join the crowd and wish Mr. Tickle good luck in his new career.

**IN RE: BUILDING AND GROUNDS SUPERINTENDENT –
REPORT**

Mr. Donald W. Faison, Building and Grounds Superintendent, came forward to present his monthly report. He stated to Mr. Tickle that he would miss him and wished him the best.

There was discussion regarding the lights at the Courthouse and the cost to burn the outside bulbs per month. The estimated cost is \$75.00 per month.

Mrs. Scarborough spoke up and asked about the \$4,000.00 per month bill and what was running the cost up so high.

Mr. Faison listed several items at the Courthouse that he felt tended to run a high bill.

IN RE: APPOINTMENTS

Mrs. Everett stated included in their packets was information on appointments which were due by January 31, 1999. She further explained that advertisement on these appointments was made late due to Mrs. Mann being out for surgery and they would be ready for action on February 3rd.

**IN RE: RESIGNATION – AMENDMENT TO PREVIOUS
ANNOUNCEMENT**



Mrs. Everett stated upon accepting the resignation of Mr. Tickle the Board needed to fill the vacancy left in District 2.

Mr. Siegel interrupted Mrs. Everett stating Mr. Tickle had stated at the end of this meeting and requested Mr. Tickle amend his resignation to take effect now. Mr. Tickle can continue to sit on the Board as a non voting member until the end of the meeting.

Mr. Tickle stated he would like the Board to accept his resignation as of this moment.

IN RE: APPOINTMENT TO FILL BOARD VACANCY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Donald L. Haraway is hereby appointed to fill the unexpired term of Mr. Michael H. Tickle, representative of District 2.

IN RE: ADMINISTRATION OF OATH -- DONALD L. HARAWAY

Mrs. Annie Lee Williams, Clerk of the Court, came forward administering the oath to Mr. Haraway. Upon completion Mr. Haraway took his place on the platform.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- CIVIL RIGHTS IN EDUCATION HERITAGE TRAIL

Mr. Long began by wishing Mr. Tickle good luck in his new endeavors. He continued by welcoming Mr. Haraway to the Board stating he looked forward to working with him.

Mr. Long stated included in their packets was a memorandum from Rodney Lewis, Resource Conservation & Development Coordinator for the Old Dominion Resource Conservation & Development, Inc. in reference to the Civil Rights in Education Heritage Trail. They are requesting from the Board a letter of support for a Transportation Enhancement Project grant application. The application is due February 1, 1999. They have stated they need this letter of support no later than January 25, 1999. If funded, the money will become available October 1999. Longwood College has agreed to partner with RC&D and serve as the fiscal agent. The funds are intended to provide professional guidance to the development committee and for product development such as the trail interpretive displays and brochures. A six-month report to be released mid January will detail the progress made on the trail. The report will be mailed to you as soon as it is available. The project application is an 80% federal fund matched with 20% local funds. The RC&D Council voted at their December meeting to provide the 20% match. They further stated that sometime in the future they may request funds to assist in project development or management, but they are not requesting any assistance regarding this grant application. This grant application is requesting approximately \$300,000. In closing of this memorandum Mr. Lewis stated conservatively speaking, estimates of the economic impact of the Civil Rights in Education Heritage Trail are between \$65 and \$80 million annually. This translates into over 1100 jobs spread through 13 jurisdictions.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to draft a letter of support for the Civil Rights in Education Heritage Trail grant application.

IN RE: COUNTY ADMINISTRATOR COMMENTS – APPLICATION FOR SPECIAL ENTERTAINMENT PERMIT – BUDDY SMALL – BEACH BLAST 1999

Mr. Long continued that also included in their packet was an application for a Special Entertainment Permit from Mr. Buddy Small to hold Beach Blast 99 at Virginia Motorsports Park on Sunday, May 23, 1999.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to approve the Special Entertainment Permit from Mr. Buddy Small to hold Beach Blast 99 at Virginia Motorsports Park on Sunday, May 23, 1999.

IN RE: BOARD MEMBER COMMENTS

Mr. Haraway – He stated after serving on the School Board for eight (8) years and then serving with this Board for four (4) years he felt honored that they had invited him back on the Board. In looking over the material for the meeting for the next two (2) days, some things don't change. The schools want funds, the fire department, fire engines, so he did not feel he had been away for three (3) years. He continued that they were addressing these same things when he left three (3) years ago. He stated he was looking forward to renewing some old friendships with the staff and Board members. He stated he was looking forward to working with all of us during the next year.

Mr. Moody – He stated he wanted to wish Mr. Tickle well and stated he enjoyed working with him both of his terms. He also welcomed Mr. Haraway back on the Board agreeing with him that things haven't changed too much but the numbers are a lot bigger.

Mr. Tickle – He stated once again he appreciated the opportunity to work with a fine group of people, not only the Board of Supervisors but the staff. He took this opportunity to bid adieu to Mrs. Ann Scarborough and Mrs. Ann Blazak.

Mr. Clay – He wished Mr. Tickle the best and welcomed Mr. Haraway back to the Board.

Mr. Bracey – He stated 1999 will be good! He welcomed Mr. Haraway and wished Mr. Tickle good luck reminding him not to forget us.

Mrs. Everett – She stated she wanted to say again they were happy to have Mr. Haraway and again wished Mr. Tickle the best.

IN RE: RECESS

Mrs. Everett called for a five minute recess prior to going into Executive Session at 4:38 P.M.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 7 - Consultation with legal

counsel (Litigation; Inducement Agreement Amendment; Property Issue) - the Board moved into Executive Session at 4:45 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:14 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 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: DECLARATION OF LEGAL ACTION

Mr. Long stated the first issue was over the issue of North Drive being blocked off, it has been agreed upon that it is a threat to the public safety. The Board needs to take action to direct the County Attorney to take whatever legal action is necessary to have the cable removed.

Mr. Bracey asked what action that would be.

Mr. Siegel stated he would make a declaration that it is a public nuisance and direct the County Attorney to take such action, legal action, to obtain a court order to remove any obstacles related to North Drive.

Mr. Haraway stated the Board was also asking Mr. Siegel to recover the costs also.

Mr. Siegel stated that was correct.

Mrs. Everett asked if there was to be an injunction of any further effort to block it off.

Mr. Siegel stated that would be part of the Court action that they take. Given all that he thought the motion was to do that.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Attorney to move forward with legal action to remove any obstacles related to North Drive and to recover all costs related to this action.

**IN RE: CHAPARRAL STEEL – INDUCEMENT AGREEMENT –
AMENDMENT**

Mr. Long continued there was one other matter and he asked the County Attorney to explain exactly what action is necessary regarding the inducement agreement amendment.

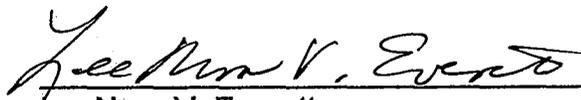
Mr. Siegel stated first the Board needed to authorize the Chairman and the County Administrator to enter into a support agreement with the Dinwiddie County Water Authority to support debt service on a Church Road water system that has been planned and bids are in. Secondly the Board needs to authorize the Chairman and County Administrator to enter into an agreement amending the inducement agreement with Chaparral Steel, Texas Industries, relating to reimbursements on that system and there is also some road issues that are dealing with that amendment as well. So to summarize to authorize a support agreement and to authorize an amendment to the inducement agreement.

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

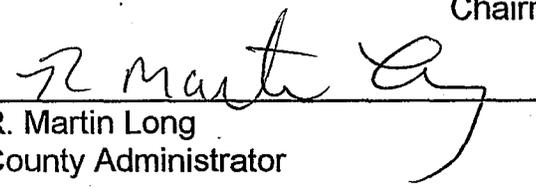
BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Chairman and the County Administrator to enter into a support agreement with the Dinwiddie County Water Authority to support debt service on a Church Road water system and to authorize the Chairman and County Administrator to enter into an agreement amending the inducement agreement with Chaparral Steel, Texas Industries, relating to reimbursements on that system and road issues in the original agreement.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Haraway, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 5:20 P.M. to be continued at 7:30 A.M. on Thursday, January 21, 1999 at the Pamplin Administration Building.



LeeNora V. Everett
Chairman, Board of Supervisors

ATTEST: 

R. Martin Long
County Administrator

/pam