

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 19TH DAY OF JULY, 2000, AT 2:00 P.M.

PRESENT: AUBREY S. CLAY, CHAIRMAN ELECTION DISTRICT #5
HARRISON A. MOODY, VICE-CHAIR ELECTION DISTRICT #1
DONALD L. HARAWAY ELECTION DISTRICT #2
EDWARD A. BRACEY, JR. ELECTION DISTRICT #4

ABSENT: ROBERT L. BOWMAN, IV ELECTION DISTRICT #3

OTHER: PHYLLIS KATZ (Left at 3:55 P.M.) COUNTY ATTORNEY
DANIEL M. SIEGEL (Arrived at 3:55 P.M.)

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

Mr. Harrison A. Moody, Vice-Chairman, called the regular meeting to order at 2:10 P.M. Mr. Moody welcomed Mr. Aubrey S. Clay, Chairman, back, prior to asking all in attendance to join in the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

Mr. R. Martin Long, County Administrator, stated he would like to add to Agenda Item 12-Closed Session under Section 2.1-344A.7 Consultation with Legal Counsel two- (2) items, they being: 1) Discussion of penalty and interest on property taxes and 2) an issue on the applicability of the Freedom of Information Act.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above-described amendments to the agenda are hereby approved.

IN RE: MINUTES

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", Mr. Clay "Abstaining",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the July 5, 2000 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Clay, 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 numbered 1021220 through 1021479 (void check(s) numbered 1021213, 1021221, 1021272 and 1021370 through 1021437) for

FY 99/00

Accounts Payable:

(101) General Fund

\$ 172,484.47

(103) Jail Commission	\$	.00
(104) Marketing Fund	\$	.00
(222) E911 Fund	\$	.00
(223) Self Insurance Fund	\$	.00
(225) Courthouse Maintenance	\$	.00
(226) Law Library	\$	.00
(228) Fire Programs & EMS	\$	.00
(229) Forfeited Asset Sharing	\$	.00
(304) CDBG Grant Fund	\$	1,176.73
(305) Capital Projects Fund	\$	305,153.01
(401) County Debt Service	\$	<u>775.00</u>
TOTAL		\$ 479,589.21

FY 00/01

Accounts Payable:

(101) General Fund	\$	52,260.40
(103) Jail Commission	\$	.00
(104) Marketing Fund	\$	.00
(222) E911 Fund	\$	.00
(223) Self Insurance Fund	\$	2,971.00
(225) Courthouse Maintenance	\$	.00
(226) Law Library	\$	.00
(228) Fire Programs & EMS	\$	.00
(229) Forfeited Asset Sharing	\$	.00
(304) CDBG Grant Fund	\$	.00
(305) Capital Projects Fund	\$	986.19
(401) County Debt Service	\$	<u>354,823.42</u>

TOTAL \$ 411,041.01

IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATION PROJECT - REQUISITION NUMBER 19 (IDA1999A-#11)

Mrs. Ralph stated the following invoices are included in Payment Request Number 19 (IDA1999A-#11):

SOUTHWOOD BUILDERS, INC.	\$ 475,631.00
TOTAL REQUISITION #19 (IDA1999A -#11)	\$ 475,631.00

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 19 (IDA1999A-#11) in the amount of \$475,631.00 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Renovation Project Fund.

IN RE: CITIZEN COMMENTS

The following citizen came forward to address the Board:

- 1) Mr. Meade Harrison, 7704 Quail Hollow Road, McKenney, Virginia came forward to ask the Board to consider honoring his livestock claim for stock killed by dogs. He presented the Board with the following information on the livestock killed:

Ms. Vassor provided the Board with an update on the past year's progress and a brief synopsis of their plans for this upcoming year.

Mr. William C. Scheid, Director of Planning came forward stating that Ms. Cheryl Stewart, Executive Secretary was to be present today for this presentation because she is the primary point person in the Planning Office that works with the IFR program. Mr. Scheid continued that Ms. Stewart became ill earlier in the day and had had to be taken home; therefore, he was present in her place. He introduced Ms. Gladys Vassor, Program Administrator for the Indoor Plumbing Program. He proceeded to distribute to the Board information on the participants in the program during the past year as Ms. Vassor took the podium.

IN RE: INDOOR PLUMBING PROGRAM - UPDATE

There being no additional citizens wishing to speak, Mr. Moody closed the Citizen Comment portion of the meeting.

Mr. Long stated he hoped to have an answer available at next month's meeting.

Mr. Moody stated that they would be discussing this matter in Closed Session today.

Mr. Harrison was very informed on the Code of the County of Dinwiddie regarding Livestock Claims and read several sections to the Board.

Buck Harrison - Son
 Donald H. Bonner - Farm Worker
 Clayton Martin - Neighbor

Witnesses of June 30 Kill

4 Lambs - 1 week died
 4 Lambs - Born Immature

Date of Kill	Number	Total	Quantity	Type	Cost - Each	Extended Total
June 21, 2000	3		8	Ewes	\$ 125.00	\$1,000.00
June 30, 2000	17		9	Breed Ewes	125.00	1,125.00
July 1, 2000	3		7	Unbred Ewes	100.00	700.00
July 5, 2000	6		8	Slaughter Lambs	63.00@90¢ lb.	504.00
July 8, 2000	2		8	Injured Ewes & Slaughter Lambs	50.00	400.00
July 9, 2000	1	32		Total		\$3,729.00

Claim for Sheep Killed & Injured
 By dogs in June and July 2000
 By Meade Harrison

IN RE: COMMUNITY IMPROVEMENTS GRANT – SECTION 3 PLAN – ADOPTION

Mr. Scheid stated there was one- (1) action item included in the Board's packet. This action item was the adoption of the Section 3 Plan. Mr. Scheid noted that this document is something that the Board had seen in the past. This is a requirement for participation in the IPR program and is presented yearly.

**COUNTY OF DINWIDDIE
2000-2001
SECTION 3 PLAN**

1. The County of Dinwiddie, Virginia (the "County"), designated as its Section 3 covered project area the boundaries of the County.
2. The County, its contractors, and designated third parties shall in utilizing Community Improvement Grant funds utilize business and lower income residents of the Section 3 covered Project Area in carrying out all activities, to the greatest extent feasible.
3. In awarding contracts for work and for procurement of materials, equipment or services the County, its contractors and designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by a person residing in the Section 3 covered area:
 - a.) The County shall ascertain what work and procurements are likely to take place through the Community Improvement Grant funds.
 - b.) The County shall ascertain through various and appropriate sources including
 - The Dinwiddie Monitor
 - The Progress Index
 - The Virginia Employment CommissionThe business concerns covered by Section 3 which are likely to provide materials, equipment and services which will be utilized in the activities funded through Community Improvement Grant.
 - c.) The identified business concerns shall be apprised of opportunities to submit bids, quotes or proposals for work or procurement contracts which utilize CIG funds.
 - d.) To the greatest extent feasible the identified businesses and any other project area business concerns shall be utilized in activities which are funded with CIGs.
4. In the utilization of trainees or employees for activities funded through CIG's the County its contractors and designated third parties shall take the following steps to utilize lower income persons residing in the Section 3 covered project area.
 - a.) The County in consultation with its contractors (including design professionals) shall ascertain the types and number of positions for both trainees and employees, which are likely to be utilized during the project funded by CIGs.
 - b.) The County shall advertise through the following sources the availability of such positions.

- c.) The County, its contractors and designated third parties shall be required to maintain a record of inquiries and applications by project area of residents who respond to advertisements, and shall maintain a record of the status of such inquiries and applications.
- d.) To the greatest extent feasible, the County, its contractors, and designated third parties shall utilize lower income project area residents in filling training and employment positions necessary for implementing activities funded by CIGs.
5. In order to ascertain substantial compliance with the above affirmative actions and Section 3 of the Housing and Community Development Act of 1968, the County shall keep, and require to be kept by contractors and designated third parties, listing of all persons employed and all procurements made through the implementation of activities funded by CIGs. Such listing shall be complete and shall be verified by site visits and interviews, cross checking of payroll reports and invoices, and through audits if necessary.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Chairman of the Board of Supervisors and the County Administrator to execute the above described Section 3 Plan for the year 2000-2001.

IN RE: GENERAL REASSESSMENT UPDATE - WINGATE AND ASSOCIATES

Mr. Harold Wingate, Wingate and Associates came forward presenting the Board with an update on the current Reassessment progress. He stated he had difficulty in finding office staff but felt that they had crossed that hurdle and things were moving along fine. They had currently completed approximately 10,000 properties, with an approximate total of 16,000 on the land books. He explained to the Board the process his firm used in order to determine property values in any given area. He stated to the Board that they hoped to be finished with the fieldwork around the first of November with the final report in mid-January, 2001.

Mr. Clay asked about the percentage that values would be increasing.

Mr. Wingate stated they did not have enough information to obtain that figure and as soon as it was available he would pass it on to the Board.

Mr. Clay further stated he had concerns about the value being placed on tobacco barns in the County.

Mr. Haraway asked about street lights and if that increased the value of a property.

Mr. Wingate responded that he was aware that the tobacco barns no longer in use do not have the value that they did years ago and further stated that a streetlight has different values depending on the person's opinion.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Richard Caywood, Resident Engineer for the Virginia Department of Transportation came forward beginning with a statement that portions of the new Route 1 paving project did not appear to be up to VDOT's standards and may have to be redone. He stated he wanted to get the best quality for the dollars paid. He reported that this section of Route 1 was being stripped as he talked but that did not mean that it could not be torn up and redone, the stripping was being done for safety purposes.

Mr. Caywood continued that he had some good news to share with the Board. He continued that the Dinwiddie Airport Aviation Access Project was included on the CTB agenda for their meeting on Thursday and was scheduled for approval. This would be \$300,000 in unmatched funds and \$60,500 in matched funds.

Mr. Caywood also reported on Route 651, Manson Church Road, where a new paving technique was used. He seemed very pleased with the cost and quality of the job stating that it may be something that the County might use for other areas.

Mr. Bracey asked about Ridley Road stating that the residents of that area had pulled together, gotten an old house torn down, and obtained the right of way requested by VDOT. He explained to Mr. Caywood that this was supposed to be a pave in place job. Mr. Bracey also complimented Mr. Caywood on the Route 1 job stating that citizens had voiced to him how nice it looked and thanked him for his efforts.

Mr. Caywood stated he would check into the Ridley Road project.

Mr. Clay asked if they would be doing another cut this summer.

Mr. Caywood stated yes, continuing that they try to cut 2 to 3 times depending on the need.

Mr. Moody stated he had had some calls about White Oak Church Road, which seemed to have some bad spots on the edge. He also remarked about the construction on Route 85 stating the backups have been really bad lately.

Mr. Caywood stated they may try working at night to avoid the backups, especially on Fridays.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

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

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward stating the Board had his report for the month of July.

Mr. Bracey stated when he makes a mistake he says so stating that he felt that about a year ago he made a mistake when he voted for the MasterCard with a 3% sur-charge above the actual charge.

Mr. Bracey further asked about going to a semi-monthly payroll and if Mr. Jones had any objections to this.

Mr. Jones explained that the credit card company charges us; therefore, we pass the cost on to the citizens because it cannot be built into overhead as large department stores do.

With regard to the semi-monthly payroll, Mr. Jones stated it would be up to Ms. Glencie Townsend, Fiscal Officer, because the extra burden would fall to her. He also stated he would have to check with Social Services and the School Board. Ms. Townsend asked Mr. Jones if he was still going to require a certain percentage for direct deposit.

Ms. Townsend was asked how many employees the County currently had on payroll. She responded that there were approximately 150 employees. Mr. Jones stated that he had made the comment many years, when Ms. Townsend went on direct deposit, that she could pay everyone once a day. Mr. Jones further stated that he thought there had been some discussion on semi-monthly payroll fifteen or twenty years ago but it never had resurfaced until now. He stated that some localities do offer semi-monthly payroll. He stated when the County went on direct-deposit that did help the situation because one of the arguing points, fifteen years ago, was the fact that the number of payroll checks to be reconciled would double.

After a short discussion Mr. Jones stated he would hold a meeting with the personnel involved to determine if it was feasible to change the pay from monthly to semi-monthly. Staff was also directed to investigate if it was legal to require direct deposit. A answer should be available by the next month's day meeting.

IN RE: COMMONWEALTH ATTORNEY - REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, came forward welcoming Mr. Clay back. He continued by stating that he had requested an amendment to the ordinance amending Sections 14-3 and 14-4 of the Dinwiddie County Code to incorporate provisions of State Law related to the control of traffic and to driving under the influence of alcohol or other intoxicants. This is a yearly revision to coincide with the action taken by the General Assembly amending certain sections. It was pointed out that the amendment had been drafted by the County Attorney and was enclosed in the Board's packet.

The Ordinance reads as follows:

WHEREAS, Section 46.2-1313 of the Code of Virginia, 1950, as amended, authorizes the incorporation of provisions of state law into local ordinances; and

WHEREAS, the Board of Supervisors of the County of Dinwiddie deems it in the best interest of the County to effectively incorporate such provisions of state law into Dinwiddie County Code Sections 14-3 and 14-4 to reflect the County's adoption of such statutes;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the County of Dinwiddie, Virginia, that Sections 14-3 and 14-4 of the Dinwiddie County Code should be amended as follows:

Sec. 14-3. Adoption of state law as to motor vehicles and traffic and driving under the influence of alcohol or drugs.

(a) Pursuant to the authority of Section of 46.2-1313 of the Code of Virginia, all of the provisions and requirements of the laws of the Commonwealth contained in Title 46.2 and in Article 2 (Section 18.2-266 et seq.) of Chapter 7, Title 18.2 of the Code of Virginia, as amended, except those provisions and requirements which, by their nature, can have no application to or within the County, and except those provisions of law which may not be adopted or incorporated, are hereby adopted and incorporated *mutatis mutandis* in this Ordinance by reference and made a part of this Chapter as fully as though set out herein and are herein and hereby applicable within Dinwiddie County.

Mr. Bracey stated he felt the Sheriff should be present when this item is discussed.

IN RE: BUILDING INSPECTOR - REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of June 2000.

IN RE: ANIMAL WARDEN - REPORT

Mr. Steven R. Beville, Animal Warden, came forward stating it was good to see Mr. Clay back and continued by presenting his report for the month of June 2000.

IN RE: DIRECTOR OF PLANNING/ZONING ADMINISTRATOR -

REPORT

Mr. William C. Scheid, Director of Planning and Interim Zoning Administrator, came forward apologizing for not acknowledging Mr. Clay's return when he was at the podium earlier and stated it was good to have him back. He continued by presenting an update for his Departments. Included in Mr. Scheid's report were the mobile home report and an update from David S. Thompson, Planner II/Code Enforcement Officer. Mr. Thompson was to be present; however he had scheduled this day off and was unavailable.

IN RE: SOCIAL SERVICES - REPORT

Ms. Peggy McElveen, Director of Social Services had informed Mr. Long that she would be unable to attend because she would be attending the Virginia League of Social Services Executives meeting in Harrisonburg on July 19-20, 2000.

IN RE: SUPERINTENDENT OF SCHOOLS - REPORT

Ms. Troilen Seward, Superintendent of Schools came forward presenting an update on the Schools. She stated that the \$3,000 salary increase had really helped in the hiring of new teachers and that she thought they were much better off this year then they were at this same time last year.

IN RE: SCHOOLS - RE-APPROPRIATION REQUEST #3 -

FY2000

Ms. Seward stated at the January 19, 2000 meeting of the Dinwiddie County Board of Supervisors, supplemental appropriations were made to adjust the beginning balances of various funds. The \$595,000 from State Lottery Proceeds had been appropriated into a capital fund in the previous year for the lease payment on the modular units for the Dinwiddie Elementary Project and for the acquisition of a multi-purpose building at Southside Elementary School. It was understood that most of these payments would take place during FY2000, but the beginning cash balance was not officially re-appropriated by the Board of Supervisors. The beginning cash balance amount was \$435,802.30 and was used exactly as designated. In order to comply with the auditor's suggestion, the School Board requested that the Board of Supervisors appropriate this beginning balance of \$435,802.30 in the School Construction Fund, Fund 301, for FY2000.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay 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 beginning cash balance in the amount of \$435,802.30 to the School Construction Fund, Fund 301 for FY2000.

- (b) Reference to "highways of the state" contained in such provisions and requirements adopted by this Section shall be deemed to refer to the streets, highways, and other public ways within the County.
- (c) The provisions and requirements referred to the subsection (a) of this Section are hereby adopted, mutates mutandis, and made a part of this Section as fully as though set forth at length herein, and it shall be unlawful for any person within the County to violate, or fail, neglect, or refuse to comply with, any such provision or requirement; provided, however, that, in no event shall the penalty imposed for the violation of any such provision or requirement exceed the penalty imposed for a similar offense under the state law hereby adopted.

Sec. 14-4. Adoption of state law as to the operation of motor vehicles.

Pursuant to the authority of Section 46.2-1313 of the Code of Virginia, the following provision and requirement of Title 46.2 of the Code of Virginia, as amended, are hereby adopted and made a part of this chapter as fully as though set out therein and are hereby applicable within Dinwiddie County: Sections 46.2-110, 46.2-103, 46.2-300, 46.2-302, 46.2-341.1 to 341.34 and 46.2-800 through 46.2-946.

This Ordinance shall become effective immediately.

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "Aye" ,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to advertise for a Public Hearing to update the Code of the County of Dinwiddie, Virginia Sections 14.3 and 14.4 to comply with the Virginia State Code.

Mr. Rainey also introduced Miss. Hawthorne, a shadow student from Dinwiddie County High School.

IN RE: GENERAL DISTRICT COURT – TELEPHONE SYSTEM

Mr. Bracey asked about the Courthouse, particularly the telephone system in the General District Court. He stated he had received several calls from citizens who could not get through to a person and wanted to know if anything could be done to correct this problem.

Mr. Rainey stated he was aware of the problem but was not the correct person to discuss this with; however, he would see if he could get with the appropriate authorities and work on this problem.

Mr. Long stated he had spoken with Ms. Donna Brockwell, Clerk of the General District Court on this matter and she had agreed to work on the matter. Mr. Long stated that Ms. Brockwell had assured him that all voice mail messages were being returned. Mr. Long assured the Board that he would continue to work on this issue.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel H. Shands was not present. Deputy Timothy Ogburn stated he had nothing to report to the Board.

Mr. Long stated he had one- (1) item that the Sheriff had submitted on the Master Deputy Program.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, came forward welcoming Mr. Clay back and presenting his report for the month of June 2000. Mr. Smith pointed out to the Board that he had placed the Architect's rendered drawing of the Eastside Community Enhancement Center on display for their viewing. He stated they did not have a bid opening last week because there were a few items that needed clarification before closing bidding. These items were addressed and bids will be opened tomorrow, July 20th at 2:00 P.M.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward to present his monthly report for June-July 2000. He stated they were continuing to interview applicants for the manned site at Rohoic.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward presenting his monthly report.

Mr. Jolly reported on a fuel spill that had taken place earlier in the day at Route 85 and Route 1.

He also reported that this was Safety Week at the Summer Play Camp and they had arranged to have the Life Safety House there for the children today.

Mr. Moody asked about street signs and who was responsible for having them kept up to date and in place.

Mr. Jolly stated they were behind on this matter and he had discussed this issue with Mr. Scheid earlier this week. He felt the biggest problem was being able to keep on top of which signs were down in a very large county. He stated he would prepare a report on this issue and have it for the next Board meeting.

IN RE: FIRE AND RESCUE ASSOCIATION – REPORT

Mr. Alvin Langley, Chairman of the Fire & Rescue Association was not present.

IN RE: COUNTY ATTORNEY – REPORT

Ms. Phyllis Katz, County Attorney stated she had nothing to report.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT REPORT

Mr. Donald W. Faison, Building and Grounds Superintendent came forward presenting his monthly update.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long welcomed Mr. Clay back.

IN RE: CHARLES CITY COUNTY – MUTUAL AID AGREEMENT

Mr. Long stated he had included in the Board's packet a letter from Mr. Kenneth L. Chandler, County Administrator for the County of Charles City. The letter was written on behalf of the Board of Supervisors of the County of Charles City and attached for the Board's review and consideration was a modified copy of the 1981 mutual aid agreement to include "Charles City County" between the

localities of Petersburg, Hopewell, Colonial Heights, Chesterfield, Prince George, and Dinwiddie for emergency services relative to fire police, rescue, communications, radio, chemical accidents, and administration of federal and state recovery assistance. Realizing the mutual aid services previously rendered by each of these Crater Planning District Commission localities to one another coupled with the close geographical location of Charles City County, they requested Dinwiddie's favorable consideration and approval to partner with us in this agreement.

The agreement reads as follows:

THIS AGREEMENT, made this _____ day of _____, 2000 by and between the CITY OF COLONIAL HEIGHTS, the CITY OF PETERSBURG, the CITY OF HOPEWELL, the COUNTY OF DINWIDDIE, the COUNTY OF PRINCE GEORGE, the COUNTY OF CHESTERFIELD and the COUNTY OF CHARLES CITY, VIRGINIA.

WITNESSETH:

WHEREAS, it has been determined that the provision of Emergency Services across jurisdictional lines in emergencies will increase the ability of the parties to preserve the health, safety and welfare of the citizens of the tri-cities area and adjoining counties; and,

WHEREAS, Section 44-146.20 of the Code of Virginia, 1950, as amended, authorizes local governments to establish and carry into effect a plan to provide mutual aid.

NOW, THEREFORE, in consideration of the mutual covenants and condition, herein contained, the parties hereto agree as follows:

1. That the parties hereto will endeavor to provide emergency services support to the jurisdictions which are parties to this agreement within the capabilities available at the time the request for such support is made. "Emergency services" in this Agreement is defined as fire-fighting service, police services, rescue services, communications, radiological and chemical accident services and the administration of approved state and federal disaster recovery and assistance programs.
2. That nothing contained in this agreement should in any manner be construed to compel any of the parties hereto to respond to a request for emergency services support when the apparatus of the jurisdiction to whom the request is made is, in the opinion of that jurisdiction, needed or is being used within the boundaries of that jurisdiction, nor shall any such request compel the requested jurisdiction to continue to offer emergency services support in another jurisdiction when its apparatus or equipment is, in the opinion of the requested jurisdiction, needed for any reason within the boundaries of its jurisdiction.
3. That no party to this agreement shall be liable to any other party hereto for any loss, damage, personal injury or death to emergency services support personnel or equipment resulting from the performance of any services under this agreement, whether such loss damage, injury or death shall occur within or without the jurisdictional boundaries of the respective parties hereto.
4. The services performed and expenditures made under this agreement shall be deemed for public and governmental purposes and all immunities from liability enjoyed by the local government within its boundaries shall extend to its participation in rendering emergency assistance outside its boundaries. It is understood that for the purposes of this agreement, the responding party is rendering aid once it has entered the jurisdictional boundaries of the party receiving assistance.

5. That there shall be no liability to any of the parties hereto for reimbursement for injuries to apparatus, equipment or personnel occasioned by a response, or for injuries to such apparatus, equipment or personnel incurred when going to or returning from another jurisdiction.
6. That each party requesting assistance under the terms of this agreement agrees to pay the actual cost of specialized agents such as foam, light water, etc., or other expended consumable supplies, which are used in providing emergency services within its jurisdiction.
7. That any party hereto desiring to request assistance pursuant to the terms and conditions of this agreement shall make such request to the ranking operational duty officer or to the chief executive officer of each party hereto.
8. The personnel of any party rendering assistance to a jurisdiction requesting assistance under this agreement shall render such assistance under the direction of the appropriate official designated by the requesting jurisdiction; provided, however, that the ultimate control of the personnel of any party rendering assistance shall be by the officers or supervisors of such personnel.
9. That the parties contracting hereby recognized that they are each fully capable of providing independent services to adequately serve their respective political subdivision.
10. The governing bodies of the County and the City each agree that this agreement shall not be used against the County in any future annexation proceedings nor shall any cooperative undertaking arising out of this agreement be used against the County in any future annexation proceedings. This cooperative agreement is entered into in furtherance of the policies set forth in Section 15.1-1041(6)(v) of the Code of Virginia, 1950, as amended, and shall be without prejudice to the County.
11. This agreement may be amended or modified by the mutual consent of all of the parties hereto and any party to this agreement may withdraw from this agreement at any time by giving thirty- (30) days written notice to that effect to the other parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date first written.

Signed by City of Colonial Heights, City of Petersburg, City of Hopewell, County of Dinwiddie, County of Prince George, County of Chesterfield and County of Charles City

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to execute the above referenced agreement.

IN RE: DISTRICT 19 COMMUNITY SERVICES BOARD – FY 2001 PERFORMANCE CONTRACT

Mr. Long stated he had also included a letter from Joseph E. Hubbard, Executive Director of the District 19 Community Services Board. The letter stated that in accordance with Section 37.1-198 of the Code of Virginia, it was requested that Mr. Long submit the FY 2001 performance contract to the Board, for their approval, on or before September 15, 2000. Mr. Hubbard indicated this contract did not reflect any significant changes from the language contained in the FY 2000 Contract and that the proposed contract was approved by the

District 19 Board of Directors on June 27, 2000. Mr. Long stated he had the complete contract in his office should any Board member wish to see it. He stated he would like to take time to review the contract because the letter they received last year stated the same thing and after execution of the contract it was found there were several changes. He stated he would bring a recommendation back to the Board at the next meeting.

IN RE: COUNTY ADMINISTRATOR COMMENTS - JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION

Mr. Long stated he had received a letter from the Commonwealth of Virginia, Joint Legislative Audit and Review Commission outlining the schedule for public input sessions to be held throughout the state. The purpose of these sessions is for staff to gain an understanding of the primary concerns of school division officials, local government officials, and other interested parties regarding k-12 education costs and the State's role in funding those costs. The information from these sessions will help shape the research plan needed to complete a study reviewing the funding of elementary and secondary education, with a focus on local expenditures that exceed the Standards of Quality.

IN RE: ADVISORY COMMITTEE APPLICATION AND FACT SHEET

Mr. Long presented the Board with an application and fact sheet for the Advisory Committee regarding the update of the Comprehensive Land Use Plan. He stated this would be the information that citizens would receive when they called in for information about these positions. He also stated that the Board would need to appoint two - (2) members to serve on this committee. He would be looking to appoint these members at the next Board meeting.

IN RE: CIRCUIT COURT OF DINWIDDIE COUNTY - REQUEST FOR BENEFITS FOR NEW POSITION - APPROVAL GRANTED

Mr. Long stated the final item was a letter from Annie L. Williams, Clerk of the Circuit Court and he was going to let Ms. Ralph present this item.

Ms. Ralph stated that the Compensation Board had approved a new position, Deputy Clerk #1 (Microfilm Technician) for the Circuit Court Clerk's Office, effective, July 1, 2000 at a beginning salary of \$19,380.00. In the letter from Ms. Williams she had respectfully requested the County's approval of insurance, retirement and FICA benefits to be rendered for this position. Ms. Ralph stated that she recommended approval of the position with the understanding that all benefits must come from this current years budget (FY200-2001) with no additional funds being provided by the County. This is in conjunction with the Board's stand on other department's request for additional funds.

Mr. Haraway stated he would like to go a step further and state that the funds needed would have to come from the current year's operational budget and not from the capital budget.

Upon Motion of Mr. Haraway, Seconded by Mr. Bracey, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the new position of Deputy Clerk 1 for the Circuit Court Clerk's Office, effective, July 1, 2000 at a beginning salary of \$19,380 approved by the Compensation Board is approved with the understanding that all funds for insurance, retirement and FICA benefits will be taken from the Clerk's Office current FY2000-2001 operational budget, with no additional funds being provided from the County for this position.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long pointed out to the Board that Ms. Ralph had drafted a memorandum to them, which was included in the front section of their Board member's packet, which contained a brief overview of the actions taken by the Compensation Board, which would affect the FY01 budget. Ms. Ralph would be keeping them up to date on any funds needed to meet these actions. Any funds needed would have to be brought before the Board for approval.

IN RE: McKENNEY FIRE STATION – CHANGE ORDER NUMBER SIX- (6)

Mr. Long stated his final item was Change Order Number Six (6) for the McKenney Fire Station in the amount of \$5,143.60. This Change Order, from Ballou Justice Upton Architects, is issued to correct the Date of Substantial Completion for the McKenney Fire-EMS Building, which was incorrectly noted on previously authorized Change Orders. Additionally, this Change Order adds \$5,143.60 to the contract amount for the following extra work:

ITEM #1

To move the emergency generator thirty- (30) feet per Owner's request: ADD \$3,115.20

ITEM #2

To provide labor and material to add a PDI series D water hammer Arrestor per RFI#11: ADD 179.30

ITEM #3

To relocate oil water separator and add floor drain. To provide Water and trap primers for two- (2) P-20 floor drains per RFI#6: ADD 1,849.10

TOTAL CHANGE ORDER NUMBER SIX (6) ADD \$5,143.60

Mr. Long stated that Mr. Donald W. Faison, Superintendent of Buildings and Grounds recommended approval of this request in order to correct these situations.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted for acceptance of Change Order Number Six- (6) for changes to the original contract for the McKenney Fire Station in the amount of \$5,143.60 as described above.

IN RE: ADDITIONAL AMENDMENTS TO THE AGENDA

Mr. Long stated he had an additional change to the agenda. He continued that under Agenda Item 12-Closed Session – Section 2.1-344A-7 Consultation with Legal Counsel – he wanted to add Crater Criminal Justice Academy litigation.

The Board was in agreement with this addition.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay - He stated he was glad to be back.

Mr. Haraway - no comments

Mr. Bracey- He stated he would like to make sure that each month the

Board received a copy of the laundry list of ongoing projects and he would like to see it kept up to date.

Mr. Moody- He agreed with Mr. Bracey stating he had not seen a laundry list in a long time and would like to get it back.

IN RE: CLOSED SESSION

Mr. Bracey moved that the Board now move into a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

The purpose of the closed meeting is to discuss subject matters identified as Personnel and Consultation with Legal Counsel. Matters to include County Administration, Discussion of penalty and interest on property taxes, an issue on the applicability of the Freedom of Information Act, Livestock Claim and the Crater Criminal Justice Academy.

■ **Personnel Matters, § 2.1-344 A-1 of the Code of Virginia,**

(candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees)

■ **Consultation with legal counsel, § 2.1-344 A. 7 of the Code of Virginia,**

(consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice)

Mr. Clay seconded the motion. Mr. Haraway, Mr. Clay, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 3:55 P.M. Mr. Bracey had left the room prior to the vote.

A vote having been made and approved the meeting reconvened into Open Session at 5:50 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon Motion of Mr. Clay, Seconded by Mr. Bracey, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "Aye". This Certification Resolution was adopted.

IN RE: CLOSED SESSION

Mr. Haraway moved that the Board now move into a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

The purpose of the closed meeting is to discuss subject matters identified as Consultation with Legal Counsel. Matters to include Virginia Bio-Fuel Litigation.

■ **Consultation with legal counsel, § 2.1-344 A. 7 of the Code of Virginia,**

(consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice)

Mr. Clay seconded the motion. Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 5:56 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:15 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "Aye". This Certification Resolution was adopted.

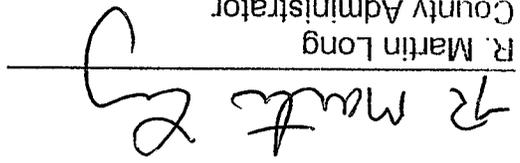
IN RE: COUNTY ADMINISTRATOR – SALARY INCREASE

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

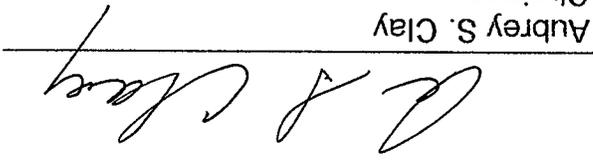
BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator will receive a salary increase to \$67,000.00 and a \$3,600.00 yearly vehicle allowance, effective July 1, 2000.

/pam

R. Martin Long
County Administrator



Aubrey S. Clay
Chairman



Upon Motion of Mr. Bracey, Seconded by Mr. Clay, all Board Members signifying approval by voicing "Aye", the meeting adjourned at 6:20 P.M.

IN RE: ADJOURNMENT

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to move forward on obtaining bids for a vehicle for County Administration.

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody voting "Aye",

IN RE: COUNTY VEHICLE - AUTHORIZATION TO OBTAIN BIDS