

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 2<sup>ND</sup> DAY OF AUGUST, 2000, AT 7:30 P.M.

PRESENT: AUBREY S. CLAY, CHAIRMAN ELECTION DISTRICT #5  
HARRISON A. MOODY, VICE-CHAIR ELECTION DISTRICT #1  
DONALD L. HARAWAY ELECTION DISTRICT #2  
ROBERT L. BOWMAN, IV ELECTION DISTRICT #3  
EDWARD A. BRACEY, JR. ELECTION DISTRICT #4

OTHER: JACK CATLETT COUNTY ATTORNEY

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

Mr. Aubrey S. Clay, Chairman, called the regular meeting to order at 7:33 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

**IN RE: AMENDMENTS TO THE AGENDA**

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

Mr. R. Martin Long, County Administrator stated Agenda Item 8 – Commendation of John M. "March" Altman, Jr. and Agenda Item 11 – Public Hearing – Capital Improvement Program for Fiscal Year 2000/2001 – 2004/2005 need to be removed from the Agenda and Agenda Item 10 – Closed Session can be combined with Agenda Item 14 – Closed Session. Mr. Altman had telephoned Administration this afternoon stating he was sick and would be unable to attend. He was not only scheduled to receive a Commendation from the County but was also presenting the C.I.P. The Board would be discussing the Eastside Community Enhancement Center during Closed Session and the outcome could affect the C.I.P.; therefore, he would like to postpone this Public Hearing until September 6, 2000. Mr. Long stated if there were any citizens present wishing to speak on the C.I.P. he would request they speak under the Citizen Comment section of the meeting and continued by pointing out that draft copies of the C.I.P. were located on the table at the back of the Board Room for interested citizens to obtain and review prior to September 6<sup>th</sup>.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the July 19, 2000 Regular Meeting are approved in their entirety.

**IN RE: CLAIMS**

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay 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 1021480 through 1021692 (void check(s) numbered 1021482); for

**Accounts Payable FY 99/00:**

(101) General Fund	\$ 82,432.49
(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	\$ 501.18
(304) CDBG Grant Fund	\$ 5,545.60
(305) Capital Projects Fund	\$ 277.00
(401)County Debt Service	\$ .00
<b>TOTAL</b>	<b>\$ 88,756.27</b>

**PAYROLL (7-31-00):**

General Fund	\$354,080.31
CDBG Grant Fund	\$ 3,031.99
<b>TOTAL</b>	<b>\$357,112.30</b>

---

**Accounts Payable FY00-01:**

(101) General Fund	\$ 52,675.02
(103) Jail Commission	\$ 7.98
(104) Marketing Fund	\$ .00
(222) E911 Fund	\$ 1,809.48
(223) Self Insurance Fund	\$ .00
(225) Courthouse Maintenance	\$ .00
(226) Law Library	\$ 256.18
(228) Fire Programs & EMS	\$ .00
(229) Forfeited Asset Sharing	\$ 00
(304) CDBG Grant Fund	\$ .00
(305) Capital Projects Fund	\$ 32,757.33
(401)County Debt Service	\$ .00
<b>TOTAL</b>	<b>\$ 87,505.99</b>

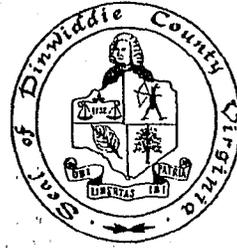
**IN RE: CITIZEN COMMENTS**

There were no citizens wishing to address the Board under Citizen Comments; therefore, Mr. Clay moved forward.

**IN RE: RESOLUTION IN RECOGNITION OF ISAAC CLANTON**

Mr. Long stated that Mr. Isaac Clanton, also know as Scooter, was present tonight at the request of the Board to be recognized for his 20 plus years of service to the County of Dinwiddie. Prior to the meeting the Board held a reception for Mr. Clanton, honoring him during this special time and dedicated service. Mr. Long asked Mr. Clanton to come forward to receive the Resolution. Mr. Long read and presented the following Resolution of Recognition to Mr. Clanton:

# Resolution



of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

## **IN RECOGNITION OF** **ISAAC CLANTON**

**WHEREAS**, Isaac Clanton has served the County of Dinwiddie with distinction and integrity as a member of the Buildings and Grounds Department from April 1978 until June 2000; and

**WHEREAS**, Mr. Clanton's commitment to professionalism, effervescent personality and generous spirit warrants a special expression of the County's gratitude; and

**WHEREAS**, the entire staff of Dinwiddie County would like to thank Mr. Clanton for his support during the periods of challenging work loads and his willingness to go beyond the scope of his responsibility; and

**WHEREAS**, the Board of Supervisors on this 2<sup>ND</sup> day of August 2000 desires to acknowledge these qualities and to extend to him our warmest regards on this occasion and our very best wishes for many years of health and happiness as he enters a new phase of his life;

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Isaac Clanton for his many contributions and devoted service to the County of Dinwiddie; and

**BE IT FURTHER RESOLVED**, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Isaac Clanton, and a copy spread upon the minutes of this meeting.

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

**BE IT RESOLVED** by the Board of Supervisors of Dinwiddie County, Virginia that the above Resolution in Recognition of Isaac Clanton is hereby adopted.

### **IN RE: STATEMENT PRIOR TO PUBLIC HEARING**

Mr. William C. Scheid, Planning Director, came forward to make the following statement prior to the Public Hearings.

"As previously requested by the Board of Supervisors, Draft copies of the Planning Commission Meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting room. The purpose of doing so is to expedite the hearing process without compromising the publics' access to pertinent information. It is noted that the Board has been given various information on all of the hearing(s) to include, the application, zoning map, adjacent property owner list, locational map(s), proffers

(if applicable), soils data, comprehensive land use maps and references, etc. With this information noted, I will proceed with the case(s)."

**IN RE: PUBLIC HEARING – A-00-5 – AMENDMENTS TO THE  
SUBDIVISION ORDINANCE – CODE OF THE COUNTY OF  
DINWIDDIE, VIRGINIA**

This being the time and place as advertised in the Dinwiddie Monitor on July 19, 2000 and July 26, 2000, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on an amendment to the Subdivision Ordinance submitted by the Planning Department seeking to amend the following Sections to the Code of the County of Dinwiddie, Virginia: 18-3, definitions; 18-55, final plat content; 18-78, dedication of land to public use; 18-79, flood and storm water control; 18-80, preservation of floodplains; 18-101, private streets; and 18-128 minimum useable lot area.

Mr. Scheid stated the Dinwiddie County Planning Department, after consulting with County Administration, is seeking to amend the Code of the County of Dinwiddie, Virginia, Chapter 18 (Subdivisions) by amending and/or adding the following: Section 18-3, definitions; 18-55, final plat content; 18-78, dedication of land to public use; 18-79, floor and storm water control; 18-80, preservation of floodplains; 18-101, private streets; and 18-128, minimum usable lot area. The purpose of the amendments is to clarify sections of the ordinance and add protective measures to the subdivision of lands.

The Planning Commission heard this case at their April 12<sup>th</sup>, May 10<sup>th</sup> and June 14<sup>th</sup> public hearing and on a vote of 5-0 (Mrs. Lillian Stewart and Mr. Edward Titmus absent) at their June 14<sup>th</sup> meeting recommended approval.

This proposed amendment has been under review and discussion for several months. As a result of the April 12<sup>th</sup> meeting, a mailing list was developed by staff comprised of individuals or businesses that have recently been involved in subdividing land in Dinwiddie County. A copy of the proposed amendment was sent to each person on the mailing list. As a result of this mailing, there was a large turnout at the May 10<sup>th</sup> meeting. Many suggestions were made and as a result of these suggestions and comments from the Planning Commissioners, the amendment was revised. Copies of the revised amendment have been given to several citizens and it is expected that there will be some discussion by citizens at this meeting.

The proposed amendment to Chapter 18, entitled Subdivision Ordinance of the County Code, as amended, if approved, would be further amended and reenacted to read as follows:

1. Add the following to **Section 18-3. Definitions.**

*Best Management Practices, Covenants and Restrictions.* Covenants and restrictions providing for the preservation of natural flora, fauna and wetlands and/or restricting the destruction and alteration of these areas through such activities as building construction, addition of fill material, cultivating, pruning or tree harvesting in areas designated as wetlands and/or natural areas and by providing for the construction, use and perpetual maintenance of sedimentary, filtration and other systems established for the control of stagnant or run-off water.

*Common Area.* All land within a subdivision excluding public streets or rights-of-way and private lots, either held by the owner/developer or a homeowners' association.

*Developer.* The individual, entity or corporation that is the owner/subdivider of the land within the subdivision.

*Homeowners' Association.* A corporation incorporated under the laws of Virginia whose members are landowners within the subdivision or within a geographically designated land area formed for the mutual good of its members.

*Public Land.* Land owned by the County, Commonwealth, U. S. Government or other governmental entity.

*Public Use.* Land to which the County, Commonwealth, U. S. Government, or other governmental entity, or the citizens thereof, have the right to enter and enjoy without trespassing but do not own.

*Wetlands.* Those areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adopted for life in saturated soil conditions. Wetlands may include swamps, marshes, bogs, and similar areas in which surface or ground water lingers for a period of time.

2. Amend a portion of the definition of Subdivision contained in **Section 18-3. Definitions.** By deleting the existing paragraph (4) and inserting the following:

- (4) A single division of land into parcels where such division is for the sale or gift to a member of the immediate family of the property owner provided the following conditions are met:
- (a) the property owner has owned the property for a minimum of **one (1) year** prior to the sale or gift of the land to the family member;
  - (b) only one such division shall be allowed per family member;
  - (c) conveyance of the property shall not be for the purpose of circumventing this chapter;
  - (d) the family member receiving the property must retain ownership of the property for a minimum of **two (2) years**;
  - (e) the member of the immediate family must be defined as a person who is a natural or legally defined offspring, spouse, sibling, grandchild, grandparent or parent of the owner;
  - (f) all lots resulting from such division shall have **exclusive** access of fifty feet (50') or more to a public street or thoroughfare. **As used herein, exclusive may be interpreted to include use by immediate family members, only,** and
  - (g) the lot area, to include the remaining land parcel shall comply with the minimum lot area criteria set forth in the zoning district within which the parcel(s) are located.

3. Amend **Section 18-55 (1) under Division 4, Final Plat**, by adding the language contained in bold print below:

- (1) Owner's consent and dedication statement:

Know all men by these presents, that the subdivision of land shown on this plat, containing \_\_\_\_\_ acres, more or less, and designated

\_\_\_\_\_ Subdivision, situated in the \_\_\_\_\_ District, in the County of Dinwiddie, Virginia, is with the free consent and in accordance with the desires of the undersigned owners thereof; that all streets, utility and drainage easements, and **common areas** shown on said plat are hereby dedicated to the public use **and unless formally accepted by act of the County or other governmental entity shall not be public lands**, and that all lots within the subdivision are subject to certain restrictions, reservations, stipulations and covenants are contained in a writing executed by the undersigned, under date of \_\_\_\_\_, 20\_\_\_\_, and recorded in the Clerk's Office of Dinwiddie County, in Deed Book/Page \_\_\_\_\_. The said \_\_\_\_\_ areas of land hereby subdivided having been conveyed to \_\_\_\_\_ by deed dated \_\_\_\_\_, 20\_\_\_\_, and of record with the Clerk of the Circuit Court of Dinwiddie County, Virginia, in Deed Book \_\_\_\_\_, at Page \_\_\_\_\_. Given our hands this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My commission will expire on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

4. Amend **Section 18-55 (14)** by deleting the existing language and inserting the following:

(14) Delineation of all flood plains, wetlands and natural waterways.

5. Amend **Section 18-55 (15)** by deleting the existing language and inserting the following:

(15) Location of all easements, common areas and other areas dedicated for public use.

6. Amend **Section 18-78 (a)** by adding the language shown in bold and delete the language shown in italics:

(a) When a final plat.....and a reasonable allowance for estimated administrative costs, inflation and potential damage to existing roads or utilities. **In the event the developer shall fail to make required improvements with the prescribed completion time frame, the agent and/or authority shall take necessary steps to proceed with the installation and completion of the improvements making use of the certified check, cash escrow, letter of credit or by calling on the surety of the bond. Upon completion, all streets must be inspected and, as soon as practical thereafter, be requested to be accepted into the State highway system. The developer will have a maximum of two (2) – ~~one (1)~~ year(s) to complete all improvements and the developer shall note the completion date on a sign located at the entrance to the subdivision. The developer shall be responsible for the maintenance of this sign. Additionally,** the following conditions shall apply:

(1) [remains the same]

(2) change the *eighty (80)* percent to **sixty (60)** percent

(3) [remains the same]

(4) [remains the same]

(5) **delete this paragraph.**

The remaining verbiage of this section is unchanged.

7. Amend **Section 18-79** by adding verbiage to paragraph (a) and adding a new paragraph as follows:

- (a) No land shall be subdivided which is found by the agent not to adequately provide for storm or floodwater runoff channels or basins, **pursuant to a Best Management Plan;**
- (b) Remains the same;
- (c) Remains the same; and
- (d) **Whenever a tract of land contains easements, right-of-ways, or other common and/or public use areas established for the preservation of floodplains and wetlands, the developer must prepare for recording with the Clerk of the Circuit Court, the covenants and restrictions that shall apply to each lot regarding the construction, maintenance and repair of these common areas in perpetuity.**

8. Amend **Section 18-80** by adding the language shown in bold and delete the language shown in italics:

The computation of floodplain areas (land subject to inundation by flood waters) **and wetlands** is to be given consideration by engineers, a **3B licensed surveyor or other licensed professional** who is skilled in and familiar with the particular type of engineering problem. All floodplains shall be delineated based on a 100-year frequency and the balance of energy concept of computing water surface profiles. *Delete – [If the agent finds it necessary, the engineer may be required to submit complete documentation of all computations for floodplains which shall include.]* **The engineer or appropriately licensed professional must delineate all floodplains and wetlands on the plat and submit complete documentation of all computations for floodplains and wetlands which shall include:**

- (a) remains unchanged;
- (b) remains unchanged;
- (c) Water surface profile computations. When computations are made by electronic computer, the engineer **or other licensed professional referenced above** need not submit computations; however, the agent shall be informed of what program was used, and if not previously approved, a printout of the program should be provided. Floodplain computations shall be made whenever the contributing watershed is greater than one hundred (100) acres; however, certain instances may necessitate such computations for smaller areas. The computations shall reflect development trends in the upstream watershed twenty (20) years hence in selecting a design discharge. Computations required in this section shall be accomplished **in accordance with standard engineering treatises approved by the Director of Planning.** *Delete*

– [*“Open Channel Hydraulics” by V. T. Chow and  
“Hydrologic and Hydraulic Analyses” Engineering Manuel  
10-2-1409, Department of the Army Corps of Engineers.*]

(d) The delineation of wetlands that are disturbed.

All subdivision plats shall be submitted to the U. S. Army Corps of Engineers for its review and determination of the accuracy of the delineation of the floodplains and wetlands on the plat. **A thirty- (30) day response time shall be in effect.** Prior to the disturbance of any wetland or floodplain area, a permit must be obtained from the U. S. Army Corps of Engineers. A copy of such permit must accompany the submission of the final plat. For those wetlands or floodplains that the developer does not propose to disturb, the plat must note that the designated areas cannot be disturbed without a permit from the U. S. Army Corps of Engineers. A declaration of restriction similar to that issued by the U. S. Army Corps of Engineers shall be prepared by the developer and recorded with the Clerk of the Circuit Court identifying the subdivision lots affected. Reference to this document with the deed book and page number for each lot affected must be noted on the subdivision plat of record.

9. Delete **Section 18-101** in its entirety and insert **“Reserved”**.

10. Add a new **Section 18-128 Minimum Usable Lot Area** as follows:

**Every residential lot within a subdivision shall have a minimum buildable lot area equal to or greater than fifty percent (50%) of the square footage requirement of the zoning district in which the development is located and shall provide ingress and egress to the home site in all weather conditions. To meet the square footage requirement noted above, the buildable lot area must be contiguous land area.**

This ordinance shall become effective upon the date of adoption by the Board of Supervisors **with the following exception: those plats (preliminary sketch, preliminary plat and final plat) currently under review by the Planning Department shall not be bound by this amendment.** In all other respects said subdivision ordinance shall remain unchanged and be in full force and effect.

Legal counsel has been in contact with County Administration and it is suggested that a few additions be made to the proposed amendment as stated above. The additions are made in order to clarify a few sections of the text and, by no means, change the intent of the Planning Commissioners' recommendation to the Board. It is suggested that Section 18-128 read as follows:

**“Every residential lot within the subdivision zoned residential limited R-1, residential limited R-1A, residential general R-2, and residential planned development PRD shall have a minimum buildable lot area equal to or greater than fifty percent (50%) of the square footage requirement of the zoning district in which the development is located and shall provide ingress and egress to the home site in an all weather conditions. To meet the square footage requirement noted above, the buildable lot area must be contiguous land area. As used herein, buildable lot area shall mean any land not delineated as a wetland or within a 100 year floodplain.”**

The other suggestion addresses a time limitation in the last paragraph of the proposed ordinance. It is recommended that it should read as follows:

This ordinance shall become effective upon the date of adoption by the Board of Supervisors with the following exception: **those plans (preliminary sketch and/or preliminary plat) currently under review by the Planning Department shall have one (1) year to receive preliminary plat approval** without being bound by this amendment. In all other respects said subdivision ordinance shall remain unchanged and be in full force and effect.

With the above in mind, the following changes were made to the original amendment as the result of public comment;

1. under section 18-3, family division, the term exclusive access was clarified;
2. under section 18-78(a), a requirement was placed upon the developer to place and maintain a sign to the entrance to the subdivision noting the date for completion of the subdivision road(s);
3. in section 18-79(a), the phrase **pursuant to a Best Management Plan** was added at the meeting upon advice of legal counsel;
4. in section 18-80, the addition of **3B Virginia licensed surveyor or other appropriately licensed professional** was added upon written request of a citizen and approved by legal counsel; and
5. under section 18-80(d), the sentence **"A 30 day response time shall be in effect"**.

Although this is a subdivision ordinance amendment, since reference is made to the zoning ordinance and the amendment is intended for the public's well being, the statement read during adoption of a zoning ordinance amendment should be read.

Mr. Clay stated this was a Public Hearing and asked if there were any citizens present who wished to speak for or against A-00-5.

The following citizens addressed the Board:

1. James F. Andrews, 4506 Fairway Road, Petersburg, Virginia came forward to address the Board on his concerns regarding the above proposed amendment to the subdivision ordinance. He stated that he had come forward to address certain aspects of the ordinance that deal basically with legal and drafting matters. He further stated that he felt that any ordinance should be able to be understood by any reasonably intelligent person and that maybe he did not fall into that category but he did not understand much of this proposed ordinance. He proceeded to read to the Board portions of the State Code, proposed ordinance and portions of the ordinance as it now stands making comments and remarks as to how he felt they should have been written. He suggested that the Board take another look at these proposed changes prior to acting on them because he felt there were numerous legal matters contained in them.

Mr. Long stated it was his recommendation, and was his recommendation and opinion prior to Mr. Andrews speaking, that the Board not take any action on this proposed ordinance amendment because of the questions and concerns that have already been raised tonight and those presented prior to the meeting. He recommended postponement until this proposed ordinance amendment could be reviewed with and by legal counsel.

2. Donald Henshaw, 12526 Siding Road, Church Road, Virginia came forward and spoke in opposition to the proposed ordinance amendment. He stated the contractors had enough rules and regulations to follow. He asked that the Board and Planning Commission take another look at this proposed ordinance amendment before taking action.
3. H. L. Henshaw, 64505 Trinity Church Road, Church Road, Virginia came forward speaking in opposition to this proposed ordinance amendment. He stated he felt that projects in progress should be grand fathered and that they should not have to change horses in mid-stream.
4. Daniel D. Lee, 15104 Scotts Road, DeWitt, Virginia and Chairman of the Planning Commission came forward speaking in favor of the proposed ordinance amendment. He stated that he felt Mr. Long was jumping the gun on one man's views of this proposed ordinance amendment. He further stated he knew legal counsel had already reviewed the proposed ordinance amendment. Mr. Scheid, the Planning Commission members, and legal counsel all felt this was a good ordinance amendment and one that would be beneficial to the County.

Mr. Long stated he understood Mr. Lee's position; however, due to the questions and concerns that had been brought to light tonight and prior to tonight he felt a delay in action was warranted.

Mr. Moody stated he would like to have the Planner address the comments made by the citizens this evening.

Mr. Scheid came forward to address the comments made earlier this evening. He stated that he could not address the legal issues because he was not a lawyer; however, he did state that legal counsel had reviewed the proposed ordinance amendment.

Mr. Haraway stated he had concerns regarding definitions and why if the state and federal government had a definition for wetlands, why the County felt they needed to reinvent the wheel and write a new definition. He stated there were some valid points presented this evening and he agreed with Mr. Long to review this matter before action was taken.

Mr. Bowman stated he would feel more comfortable going back and being sure that all the bases were covered before moving forward.

Mr. Bracey stated he would also have to go along with the recommendation coming from Administration.

It was decided to defer action until a later date at which time advertisement for another Public Hearing would be made.

Mr. Clay stated he agreed with Mr. Henshaw that no one should be required to change horse in mid-stream and he was pleased the Board was going to review this proposed ordinance amendment again prior to taking any action.

Mr. Scheid requested that any citizens wishing to be informed of meetings on this issue please leave their name and address with him and he would take it upon himself to see that they were informed of upcoming meetings.

**IN RE: ANNOUNCEMENT OF JOINT MEETING WITH SCHOOL BOARD – AUGUST 3, 2000**

Mr. Long stated that the Board would be continuing this meeting until 7:00 P.M. tomorrow night for a joint meeting with the School Board for general discussion at the offices of Sands, Anderson, Marks & Miller in Richmond.

**IN RE: UPCOMING APPOINTMENTS**

Mr. Long also stated that under the information tab was a memorandum of upcoming appointments. He asked the Board to review this and to be prepared to discuss them at the next meeting, with voting taking place September 6, 2000.

**IN RE: PROJECTS IN PROGRESS AND CONSTRUCTION  
PROJECTS IN PROGRESS – UPDATED LIST**

Mr. Long stated that the "Laundry List" the Board requested had been completed and included in their packets. He stated his plan was to include this list in the night meeting packet each month, if this was agreeable with the Board. He thanked Ms. Pamla Mann, Administrative Secretary for preparing this list. The Board members voiced that they were pleased with the list and thanked staff for providing it.

**IN RE: ADMINISTRATION VEHICLE – BID RESULTS**

Mr. Long stated, per the Board's request, he had obtained bids from eight (8) dealerships for the purchase of a new mini-van or 12-passenger van for use by County Administration and the Board. He presented the Board with the following bid results:

**ADMINISTRATION VEHICLE BID RESULTS**

<b>COMPANY</b>	<b>MINI-VAN</b>	<b>12 PASSENGER</b>
1. TRIANGLE DODGE	\$ 22,215.00	\$ 23,747.00
2. STROSNIDER CHEVROLET	\$ 22,815.53	\$ 25,271.38
3. BROYHILL FORD	\$ 24,319.00	\$ 24,610.00
4. PETERSBURG MOTOR	\$ 19,178.00	\$ 22,817.00
5. HERITAGE CHEVROLET	\$ 22,800.00	\$ 26,200.00
6. OWEN FORD	\$ 21,200.00	\$ 24,200.00
7. HALEY TOYOTA	\$ 23,202.00	
8. DOMINION SOUTHPARK	\$ 23,296.69	

Mr. Long recommended that the Board accept the bid from Petersburg Motor for the 12-passenger vehicle at a cost not to exceed \$22,817.00. He further explained that it will take 10 to 12 weeks for the vehicle to arrive but it will be a 2001 model.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to enter into a contract with Petersburg Motor for the purchase of a 2001 12-passenger vehicle at a cost not to exceed \$22,817.00.

**IN RE: BOARD MEMBER COMMENTS**

Mr. Moody He stated it was good to see Mr. Clay back in the middle seat.

Mr. Haraway            He stated he was sorry that Mr. Scheid had left the room but that he felt that the document prepared by the Planning Commission regarding subdivisions was a good one. He wanted Mr. Scheid to understand that all the criticism was not geared at him. He stated the County had asked him to prepare an ordinance amendment to upgrade the quality of subdivisions in the County. He further stated that he felt that Mr. Scheid and the Planning Commission had done a good job and it was just some language that needed changing.

Mr. Bowman            No comments

Mr. Bracey            No comments

Mr. Clay                No comments

**IN RE:                    CLOSED SESSION**

Mr. Moody 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:

---

1. The purpose of the closed meeting is to discuss subject matters identified as Consultation with Legal Counsel. Matters to include Zoning Violation and Eastside Community Enhancement Center – Contract Negotiations.

■ **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. Bowman seconded the motion. Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye" the Board moved into the Closed Meeting at 8:52 P.M.

Mr. Bracey left the meeting at 9:57 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 9:58 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. Moody, Mr. Haraway, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye". This Certification Resolution was adopted.

**IN RE: EASTSIDE COMMUNITY ENHANCEMENT CENTER –  
AUTHORIZATION TO NEGOTIATE WITH LOW BIDDER**

Mr. Long stated there was one item he would like to ask for Board action on and that was authorization to begin negotiations with the low bidder on the Eastside Community Enhancement Center with some possible reductions and a couple of funding scenarios.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization if granted to Administration Staff to begin negotiations with the low bidder on the Eastside Community Enhancement Center.

**IN RE: CHAIRMAN COMMENTS**

Mr. Clay stated he still had it in his craw that we did not have anybody on that committee but workers. He stated he still felt that we should have had some citizens on the committee. He stated it had bothered him considerably. He continued that everybody down here is working, you're getting paid, getting paid to do whatever the County Administrator says do. He stated it just bothers him that there were no citizens on that committee.

Mr. Bowman asked on the Capital Improvement Committee?

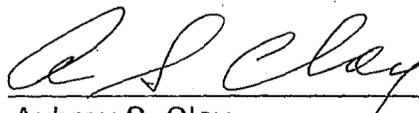
Mr. Clay replied yes.

Mr. Haraway stated well we can still change – If something is in there that the Board of Supervisors does not want in there then we can change it, right?

Ms. Ralph and Mr. Long both answered stating that certainly. They also stated there would be a Public Hearing on the issue in order for citizens input. This is a recommendation and the Board does have the option to add, delete and/ or change items.

**IN RE: ADJOURNMENT**

Upon Motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Bowman, Mr. Haraway, Mr. Moody, Mr. Clay voting "Aye", the meeting adjourned at 10:05 P.M. to be continued on August 3, 2000 at 7:00 P.M. at Sands, Anderson, Marks and Miller, Richmond, Virginia for a joint meeting with the Dinwiddie County School Board for the purpose of general discussion.

  
\_\_\_\_\_  
Aubrey S. Clay  
Chairman

  
\_\_\_\_\_  
R. Martin Long  
County Administrator

/pam

