

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 7 TH DAY OF NOVEMBER, 2001, AT 7:30 P.M.

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

OTHER: JACK CATLETT, JR. COUNTY ATTORNEY
WILL HAZEL COUNTY ATTORNEY

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 7:30 P.M. followed by 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.

Mrs. Ralph stated there is a need to add Item 11 – Closed Session: Consultation with Legal Counsel §2.2-3711 A. 7 of the Code of Virginia for Employment Issues.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", the above amendment (s) were approved.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the October 17, 2001 Continuation Meeting, October 17, 2001 Regular Meeting, and the October 31, 2001 Continuation Meeting, are hereby approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1027961 through 1028104 (void check(s) numbered 1027961 -1027960, 1027961,1027868 and 1027967) for:

Accounts Payable FY 2001- 2002:

(101) General Fund	\$ 164,894.85
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 1,288.47
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 5,298.75
(226) Law Library	\$ 831.58

(228) Fire Programs & EMS	\$ 5,656.00
(229) Forfeited Asset Sharing	\$ 1,032.91
(304) CDBG Grant Fund	\$ 203.47
(305) Capital Projects Fund	\$ 113,849.69
(401) County Debt Service	\$ <u>.00</u>

TOTAL \$ 293,055.72

PAYROLL – October 31, 2001

(101) General Fund	\$ 395,968.37
(304) CDBG Grant Fund	\$ <u>3,269.44</u>

TOTAL \$ 399,237.81

IN RE: CITIZEN COMMENTS

The following citizens signed up to comment.

1. Mr. Michael Bratchi, 23500 Cutbank Road, appeared before the Board with his concerns about the attitudes of personnel in the Courts division, and the phone system at the Courthouse. He asked the Board to remind personnel employed by the County that they are “public servants”. I have called and left messages on the answering machine and never got a reply, and sometimes they will call back very late in the afternoon or the next day. Please get someone to take a look at the phone system. Mr. Moody stated the phone system is on the county laundry list to check into.

IN RE: VDOT ADOPTION OF SIX-(6) YEAR SECONDARY ROAD CONSTRUCTION PLAN 2002 – 2008 AND FY 2002-2003 BUDGET

This being the time and place as advertised in the Dinwiddie Monitor on October 24, 2001 and October 31, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comments on and to propose for adoption the six (6) year road improvement plan for the 2002-2008 period and the FY 2003 Budget

Mr. Richard Caywood, Resident Engineer for the Virginia Department of Transportation came forward to present the proposed Six- (6) Year Secondary Road System Plan for FY 2002-2008 and the proposed budget for FY 2002-2003 for adoption.

He read the proposed plan for those citizens in attendance. Mr. Steve Hicks, Assistant Resident Engineer distributed copies of the proposed plan to those in attendance wishing a copy.

Upon his finishing the review with the Board and citizens, Mr. Caywood continued that he was recommending that we get the citizens and Board’s input and then he would bring the plan back for adoption on the 21st at the next Board meeting.

Mr. Moody called for Board comments on this case. There were no comments from the Board.

Mr. Moody opened the Public Hearing for the Virginia Department of Transportation Six-Year Plan.

The following citizens came forward to speak:

1. Mr. David Abby, 7901 Brills Road, McKenney, Virginia, came forward representing the citizens in his area and presenting the Board with a letter/petition asking that Brills Road (RT. 644) be included into the six-year plan for paving. There were 10 additional persons present in support of the request.

There being no other citizens wishing to speak on the Six-Year Secondary Road Construction Plan, Mr. Moody closed the Public Hearing at 7:59 P.M.

IN RE: PUBLIC HEARING – A-01-06 – REVENUE RECOVERY

This being the time and place as advertised in the Dinwiddie Monitor on October 24, 2001 and October 31, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comments regarding the imposition of fees for the delivery of emergency medical services and transportation to hospitals.

Mrs. Ralph, Assistant County Administrator, stated I would like to thank everyone for coming out for this hearing tonight. We are proposing this ordinance because you as citizens have requested an additional service—a second full-time paid ambulance to serve Dinwiddie County. As a local government, we only have a few revenue sources—local taxes being the main one. So, it is incumbent upon us to investigate every funding source available to try to minimize the fiscal impact of a new service on the citizens of the county. One of those revenue sources we found is 'revenue recovery' or billing for services—this is the money from the insurance premiums that you pay but up this point has gone back to the insurance company as a profit. We feel like it should be returned to your emergency medical service providers here in the county. We have a brief presentation we would like to make and then the chairman will open the floor for comments and questions. This program is new to us—we don't profess to have all the answers. So it is important that we receive your comments/suggestions and try to find the answers to your questions.

Mrs. Ralph commented Mr. David Jolly, Public Safety Officer, is going to do a brief presentation tonight on Revenue Recovery or Billing for Services.

Mrs. Ralph also announced we have with us tonight Ms. Diane Vick and Mr. Gary Matthews from Diversified Ambulance Billing who can answer any questions you may have about the billing for services.

Mr. David Jolly, Public Safety Officer, gave the following presentation:

Revenue Recovery

What is Revenue Recovery?

Billing health insurance to supplement operating expenses

The Need for Revenue Recovery

Continuous funding for second paid unit

Continue to maintain volunteer base which significantly reduces cost to local government – minimize requested increases to the county

Minimizes fiscal impact on the residents of the county

This will provide only supplemental funding to that already received from the local government, donations, and grants

A Brief History. . .

1990 Statistics

685 EMS calls run by DVRS

Supported by annual fund drives and memorial donations, and
State and local government support
Insurance costs were lower
Training classes were provided at no charge except for books
Cost of specialized equipment
Ambulance type III \$70,000 to \$80,000

1994 Statistics

2,081 EMS calls for service

DVRS staffing primarily on nights and weekends

Namozine staffing one ambulance primarily on nights and weekends

June 1994 - Addition of Daytime Career staff

November 1995 - Addition of 6 Full-time providers to provide 24 hour
coverage

2000 Statistics

2,800 EMS calls (400% increase since 1990)

Bingo, house to house fund drive, local government support

Cost of specialized equipment

Cardiac heart monitor \$25,000

Ambulance type III \$92,000 to \$115,000

Insurance \$ 48,500

Maintenance \$ 60,000

Training expense \$ 20,000

Uniforms \$ 5,000

EMS Calls by Location

Today's EMS Operation

Additional 24 hour crew planned for FY 2002 to augment the system.

Cost of equipment, insurance, maintenance and training continues to rise

Apparently donations have decreased

Employee salaries have increased (necessary to maintain quality providers)

Volunteerism is down especially during the daytime – few businesses allow employees to leave; this is a fact of today's economy-it is not anyone's fault.

Challenges

Increase donations and bingo profits or seek alternative funding

Continue to provide a quality prehospital EMS system – Dinwiddie County provides assistance to our area as well as surrounding counties

Recruit and retain quality staff and volunteers

Continue to move EMS providers to the ALS status – necessary to provide the best possible emergency response to the community

Decrease responses times to outer areas of the County

Volunteer vs. Career EMS Providers

No differentiation between volunteer and paid providers for training requirements

■ *First Responder (40 hours – general, CPR, airway, and other basic life saving procedures)*

■ *Emergency Medical Technician (110 hours – initial care of medical and trauma situations, airway, patient assessment, OB, medication administration)*

Volunteer vs. Career EMS Providers

■ *Cardiac Technician (142 hours – advanced pharmacology, cardiovascular system, cardiac arrest treatment, chest decompression, pediatrics, intraosseous therapy)
\$590 plus books*

■ *Paramedic (444 hours – extensive clinical rotations in surgery, recovery, burn center, pediatrics, labor and delivery, psychiatric treatment, catheterization lab, needle and surgical cricoidthyrotomy) \$ 2,000 plus books*

Status of Emergency Vehicles

•6 Advanced Life Support Ambulances

- *1991 (226,306 miles) Namozine*
- *1992 (180,000 miles) DVRS*
- *1995 (50,000 miles) DVRS*
- *1995 (82,000 miles) DVRS*
- *1999 (72,066 miles) DEMS*
- *1997 (115,000 miles) DEMS*

Cost of Equipment

Why Should a Volunteer Organization Charge for Services?

•No differentiation in training

•No differentiation in required equipment

•No differentiation in personnel requirements

•No differentiation in costs to run organization with exception of salaries

Proposed Fee Schedule

- BLS transport \$350

- ALS \$385

- Mileage \$7.50 per loaded mile

How were these rates chosen?

•Administration and Public Safety looked at three items:

- rates of surrounding jurisdictions
- rates paid by other third party insurances
- proposed rate increases by Medicare

The Billing Process

THE LOCAL CHOICE
Dinwiddie County
Emergency Ambulance Coverage Fiscal Year 2001-02

Key Advantage

1. Pre-Authorization required
2. Services must be Medically Necessary
3. Subject to approval, reimbursed under major medical; After \$100 cal. yr. deductible; 80% AC paid; balance billing possible
4. If hospitalized, paid under basic at 100% AC if pre-certified at high tier

Cost Alliance

1. Pre-Authorization required
2. Services must be Medically Necessary
3. 100% AC, No co-payment or co-insurance is applied; balance billing possible

THE LOCAL CHOICE
Dinwiddie County
Emergency Ambulance Coverage Fiscal Year 2001-02

CIGNA

1. Must be as result of life threatening emergency with life support documented
2. Paid at 100%

How are the funds distributed?

- Assumption: Out of total call volume, approximately 80% are transported, and we hope to collect 60% of that amount.*
- Assumption: The billing company charges a 10% fee and Administration will collect a 10%* fee for other associated costs, 15% for First Responders, 65% Transporting agency.*
- * *After we have some experience with the program and if we find that administrative costs are less, then adjustments can be made.*

How Will Revenue Recovery Be Used?

Funding for additional 24 hour crew, for DEMS

Supplemental Funding for volunteer agencies in accordance with the number of calls run.

Dependent upon amount of funding, possible equipment upgrades
to ensure the most up to date and reliable equipment

Questions and Answers

- Why Revenue Recovery?
 - *Rising operational costs – maintenance and cost of vehicles, equipment, insurance, and increasing call volume*
 - *People deserve the best service they can get – this takes money*
 - *Paid staff to augment volunteers*
 - *Donations decreasing and rising costs*
 - *Replacement of outdated vehicles*

Questions and Answers

•What other EMS agencies are billing for services?

- *Richmond Ambulance Authority
City of Richmond*
- *Southside Virginia Emergency Crew
City of Petersburg*
- *Norfolk Fire & Paramedical Services
City of Norfolk*
- *Lynchburg Fire & EMS
City of Lynchburg*
- *Cape Charles Rescue Squad, Inc.
Cape Charles, Virginia*
- *Northampton Fire & Rescue, Inc.
Northampton County, Virginia*

Questions and Answers

What other EMS agencies are billing for services?

- *Marion Lifesaving crew, Inc.
Marion, Virginia Smyth County*
- *Southside South Hill Rescue Squad
Mecklenburg County*
- *Halifax County Rescue Squad, Inc.
Halifax County*
- *Pulaski County Rescue Squad, Inc.
Pulaski County*
- *Melfa Volunteer Fire & Rescue
Melfa, Virginia*
- *Dahlgren Rescue Squad
King George County*

Questions and Answers

Agencies In Virginia looking at billing for services

- *Colonial Heights Fire & EMS*
- *Chesterfield EMS Division*
- *Prince George County*

Summary of Revenue Recovery

- *Can utilize money from an untapped resource: Insurance companies*
- *Provide a supplement to funds received from the State and from grants*
- *Can provide increased funding needed to off-set the decrease in donations*
- *Can provide a financial base for increasing career staffing*

Mr. Moody opened the Public Hearing for the Revenue Recovery at 8:29 P.M.

The following citizens came forward to speak:

1. Richard Hawthorne, 10610 Reeves Ave., McKenney, Virginia, came before the Board and voiced his concern about residents who

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The following citizens came forward to speak:

1. Richard Hawthorne, 10610 Reeves Ave., McKenney, Virginia, came before the Board and voiced his concern about residents who

don't have insurance and it would be a burden for them to pay for the services. He presented petitions with 1,055 signatures that are opposed to the billing for services.

2. Sheri Roberts, 17314 Old Cryors Road, McKenney, Virginia, stated it only cost a small amount in taxes for everyone in the county. But if the county started charging for ambulance services the cost of insurance would go up. It would also be a burden on folks who don't have insurance. We don't have enough information to act yet.
3. Norman Jefferson, McKenney, Virginia, came before the Board voicing opposition to the billing for services because elderly people will be the ones most affected. If they need an ambulance they won't call simply because they can't afford it. Also, a lot of people in this area only receive minimum wages and they certainly can't afford the cost of insurance or a ride in the ambulance.
4. Kim Kidwell, 23709 River Road, Petersburg, Virginia, stated she was opposed to the billing for services. She asked Mr. Jolly what would happen if a resident couldn't pay?
5. Junious Tucker, 20412 Depot Road, McKenney, Virginia, commented he was opposed for several reasons. He asked the Board to really consider the facts and figures before they took action on this issue.
6. Linda Ozmar, 7700 Duncan Road, Petersburg, Virginia, appeared before the Board and stated I am a citizen of the county and a member of DVRS. There has been a lot of contradictory information given out about billing for services. We at DVRS will go along with the county as far as billing but we will do it under our own license. The money we recapture will be used to offset the cost of ambulances and supplies only. The volunteers will not receive any compensation for our services.
7. Alma Smith, 19809 Manson Church Road, asked the Board if we have to pay \$350 to \$400 for ambulance services will our taxes decrease? Will it improve service for people located in the southwest, southeast, and southern end of the county? Ms. Smith commented that \$7.50 per mile was a lot of money for anyone to pay especially the elderly on a fixed income without insurance.
8. Anne Scarborough, Boydton Plank Road, Dinwiddie, Virginia, spoke in opposition of billing for services. I have encountered a lot of people and not one of them is in favor of this. The county spends too much money on other things including the Board going to the VACo Conference this weekend at The Homestead. Our tax rate is one of the highest in the state. There are only 22 other counties who have a higher tax rate. But don't try to charge me and not charge my neighbor she stated.
9. Mack Atkinson, 17406 Cox Road, Petersburg, Virginia, appeared before the Board stating as Chairman of DVRS we are confused and puzzled with the hearings that have been held. We agreed to get cohesion with all of the volunteers. He commented DVRS was against billing for services but if the county does then we will use our own company independent of the county unless the county pulls our license. The volunteers are not giving up; we are being made.

Mr. Moody closed the public hearing at 9:07 P.M.

Mr. Moody called for Board comments.

Mr. Haraway stated that according to information received at the hospital less than 1 out of 10 people do not have any insurance coverage. Continuing he stated 45% of the elderly have Medicare and pay \$50 per month for it. He said he feels that if a person could not pay the charges for services the county should send them a financial form and they should have to meet state standards to be exempted from paying the fees.

Mr. Bowman asked Mr. Jolly to explain what the estimated \$400,000 billing for services funds would be used for? Mr. Jolly responded the county intends to add a second full-time crew at the cost of \$300,000 to keep up with the demand for services. Some of the funds generated would be used to pay the operating costs for the crew and the equipment and supplies needed by the squads. Funds would also be used to pay for radio and dispatch upgrades which range between \$800,000 to 1 million dollars. Mr. Bowman commented that the \$400,000 revenue really would not cover the expected expenses. That is correct replied Mr. Jolly.

Mrs. Ralph asked Ms. Diane Vick to address the confusion about the billing. Ms. Vick explained under federal law every patient must be treated equally. Every patient must be billed 3 times for services rendered. Most localities which use a billing for services program do not use wage garnishments, liens, or legal action to collect money from the uninsured who are unable to pay for services. However, the county makes that decision, not the billing agency.

Mr. Bracey asked Mr. Haraway to explain again his earlier statement about insurance coverage. Mr. Haraway replied 93% of the people admitted to the hospital between January and October had some type of insurance. Out of those 45% had Medicare coverage and 90% of the patients paid something.

Mr. Moody thanked the citizens and volunteers who came to the meeting. He commented that any time something new is started people are fearful of the unknown. I as a Board member do not want to put any undue burden on the citizens of the county and we are going to be gathering more information before making a decision. We must wait at least 10 days before we can vote on this issue.

Mr. Clay stated the Board needed to take some more time to think about the issues brought forward tonight and work things out.

Mr. Moody stated the Board probably would not take any action until January.

IN RE: RECESS

Mr. Moody called for a recess at 9:11 P.M. The meeting reconvened at 9:28 P.M.

**IN RE: PUBLIC HEARING A-01-7 – ORDINANCE AMENDMENT
TO THE CODE OF THE COUNTY OF DINWIDDIE –
CHAPTER 19 – ENTERPRISE ZONE**

This being the time and place as advertised in the Dinwiddie Monitor on October 17, 2001 and October 24, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on and to propose for adoption of an Ordinance amending Section 19-168 and Section 19 - 169 of Article XIV of Chapter 19 of the Dinwiddie County Code to clarify the administration of the partial tax exemptions for certified pollution control equipment and facilities located in an enterprise zone and certified recycling equipment located in an enterprise zone.

Mrs. Ralph stated that the proposed changes in the ordinance were requested by the Commissioner of Revenue to assist her in administering the ordinance.

AN ORDINANCE OF THE COUNTY OF DINWIDDIE, VIRGINIA TO AMEND THE DINWIDDIE COUNTY CODE BY ADDING ARTICLE XIV TO CHAPTER 19 OF THE COUNTY CODE TO BE KNOWN AS THE ENTERPRISE ZONE ORDINANCE, SPECIFICALLY ENACTING SECTION 19-166 OF THE COUNTY CODE RELATING TO A FIVE YEAR, ONE HUNDRED PERCENT TAX EXEMPTION ON THE INCREASED ASSESSED REAL PROPERTY VALUE RESULTING FROM REHABILITATED COMMERCIAL AND INDUSTRIAL REAL ESTATE LOCATED WITHIN AN ENTERPRISE ZONE, ENACTING SECTION 19-167 OF THE COUNTY CODE RELATING TO A FIVE YEAR, ONE HUNDRED PERCENT EXEMPTION OF NEW BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE FEES FOR QUALIFIED BUSINESSES LOCATING IN A NEWLY CONSTRUCTED BUILDING IN AN ENTERPRISE ZONE AND TO QUALIFIED BUSINESSES LOCATED IN AN EXISTING BUILDING IN AN ENTERPRISE ZONE THAT MAKE IMPROVEMENTS TO THE STRUCTURE, IN ALL CASES IMPROVEMENTS RESULTING IN A TWENTY-FIVE PERCENT INCREASE IN REAL PROPERTY ASSESSED VALUE, REPEALING PRESENT COUNTY CODE SECTION 19-124 AND ENACTING SECTION 19-168 OF THE COUNTY CODE TO PROVIDE THAT CERTIFIED POLLUTION CONTROL EQUIPMENT AND FACILITIES LOCATED IN AN ENTERPRISE ZONE SHALL BE PARTIALLY EXEMPT FROM LOCAL TAXATION BY THE COUNTY AND ENACTING SECTION 19-169 OF THE COUNTY CODE TO PROVIDE THAT CERTIFIED RECYCLING EQUIPMENT LOCATED IN AN ENTERPRISE ZONE SHALL BE PARTIALLY EXEMPT FROM LOCAL TAXATION

This being a Public Hearing Mr. Moody opened the floor for citizen comments. There being none, Mr. Moody closed the Public Hearing on A-01-7.

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

BE IT ORDAINED by the Board of Supervisors of the County of Dinwiddie, Virginia that the Code of the County is amended by enacting Sections 19-166, 19-167, 19-168 and 19-169 as Article XIV of Chapter 19 of the Code of the County as set forth below:

Sec. 19-166 Partial tax exemption for certain rehabilitated commercial and industrial real estate located within an Enterprise Zone

A. Real estate located within an area designated as an Enterprise Zone by the Commonwealth of Virginia which has been substantially rehabilitated shall be partially exempt from taxation subject to the conditions and limitations contained in this section.

1. Any real estate upon which there is an existing commercial or industrial structure shall be deemed to have been substantially rehabilitated when such a structure 15 years or older has been improved so as to increase the assessed value of the structure by 25 percent or more.
2. The base value of the commercial or industrial structure (**the "Base Value"**) shall be the assessed value of the structure prior to the commencement of rehabilitation as determined by the Commissioner of the Revenue upon receipt of an application for the Rehabilitation Exemption (defined below).
3. The tax exemption provided in subsection A. 1. shall apply when the rehabilitation is completed and the amount exempt from tax (**the "Rehabilitation Exemption"**) shall be equal to the increase in assessed value over the Base Value, if any, resulting from the rehabilitation of the

assessed commercial or industrial structure, as determined by the Commissioner of the Revenue. The Rehabilitation Exemption shall commence on January 1 of the year following completion of the rehabilitation.

4. The Rehabilitation Exemption shall run with the real estate for five years.
5. Nothing in this section shall be construed to allow the Commissioner of the Revenue to list upon the land book any reduced value or any reduced taxes due to the Rehabilitation Exemption provided herein.
6. No improvements made upon vacant land nor total replacement of structures shall be eligible for the Rehabilitation Exemption. New detached structures shall not qualify for the Rehabilitation Exemption.
7. No property rehabilitated utilizing any public grant funds shall be eligible for the Rehabilitation Exemption under this section.

B. Prior to beginning the rehabilitation, the owner of any real estate meeting the criteria stated in this section shall apply to the Commissioner of the Revenue for the Rehabilitation Exemption on a form provided by the County. Such an application shall be submitted no later than the time that an application for a building permit for such rehabilitation is submitted, and shall be accompanied by a payment of a non-refundable fee of fifty dollars (\$50.00) which fee shall be applied to offset the cost of processing the application and making the determinations required hereunder. Upon receiving the application, the Commissioner of the Revenue shall determine the base value of the structure. This base value determination shall be effective for three years from the date of determination, and if by such expiration date the rehabilitation has not progressed to such a point that the assessed value of the structure is at least said minimum percentage greater than the base value of such structure, the approved application shall become null and void and no Rehabilitation Exemption shall be allowed hereunder.

C. Upon completion of the rehabilitation, the Commissioner of the Revenue shall be notified in writing and shall inspect the property to determine the assessed value of the structure and the amount, if any, of the Rehabilitation Exemption for that structure. No property shall be eligible for Rehabilitation Exemption unless the appropriate building permits have been acquired, and the Commissioner of the Revenue has verified that the rehabilitation indicated on the application has been completed and meets the requirements of this section. In determining the base value and the increased value resulting from the substantial rehabilitation, the Commissioner of the Revenue shall employ usual and customary methods of assessing real estate. The owner of property qualifying for the Rehabilitation Exemption under this section shall be issued a tax bill in the amount of the actual taxes based on assessed value reduced by the Rehabilitation Exemption allowed.

D. Whenever the owner of real property which has qualified for Rehabilitation Exemption under this section shall fail to timely pay the non-exempted amount of real estate taxes on the property for any tax year, the Rehabilitation Exemption from real property taxation shall be forfeited for the remainder of the five year Rehabilitation Exemption period. However, if the failure to pay the real estate tax was not in any way the fault of the taxpayer, the Commissioner of the Revenue may reinstate the Rehabilitation Exemption.

[State law reference: Va. Code Sections 58.1-3221 and 59.1-283]

Sec. 19-167 Reduction of business, professional and occupational license tax for qualified businesses located in an Enterprise Zone

A. Any business required to obtain a license based on gross receipts or purchases pursuant to Chapter 13 of the County Code which is located in a

newly constructed building or makes improvements to an existing building so as to increase the assessed value of the structure by 25 percent or more (as further set forth below) which building is within an area designated as an Enterprise Zone by the Commonwealth of Virginia, on or after the date on which the Enterprise Zone was established, may receive relief during the tax and fee relief period, of those taxes and fees which are calculated on the increase in gross receipts or purchases over the business' gross receipts or purchases during the Base Year. The Base Year under this section shall be the calendar year immediately preceding the year that the business initially qualifies for the tax and fee relief under this section. For a newly established business, a new branch or a business relocating from outside Dinwiddie County, the Base Year amount shall be zero and the tax and fee relief period shall begin in the tax year that the business qualifies for tax and fee relief and shall last for four additional tax years, or for as long as the business remains within any Enterprise Zone in Dinwiddie County, whichever period is shorter. For existing businesses which are already located in Dinwiddie County, the tax and fee relief period shall begin in the tax year after the business qualifies for the relief and shall last for four additional tax years, or for so long as the business remains within any Enterprise Zone in Dinwiddie County, whichever period is shorter.

B. A business shall qualify for the tax and fee relief provided for in subsection A as follows:

1. If the business builds a new building within an Enterprise Zone in Dinwiddie County which building receives its certificate of occupancy after the date on which the Enterprise Zone is established, it shall qualify for the tax and fee relief immediately upon occupying the building.
2. If the business makes improvements to an existing building within an Enterprise Zone so as to increase the assessed value of the structure by 25 percent or more, as determined by the Commissioner of the Revenue, it shall qualify for the tax and fee relief immediately upon the completion of the improvements.

[State law reference: Va. Code Section 59.1-283]

Sec. 19-168. Certified pollution control equipment and facilities located within an Enterprise Zone.

Section 19-124 of the County Code is hereby repealed and replaced by the following:

- A. Pursuant to Section 58.1-3660 of the Code of Virginia of 1950, as amended, certified pollution control equipment and facilities, as defined therein, and concerning which the Commissioner of the Revenue of the County has received written verification of certification as such by the Virginia Department of Environmental Quality or other authorized state certifying authority ("**Certified Pollution Control Equipment and Facilities**"), are hereby declared to be a separate class of property for local taxation, separate from other classification of real or personal property, and such Certified Pollution Control Equipment and Facilities located within an area designated as an Enterprise Zone by the Commonwealth of Virginia shall hereafter be partially exempt from local taxation by the County as set forth herein.
- B. The tax rate for Certified Pollution Control Equipment and Facilities located within an area designated as an Enterprise Zone by the Commonwealth of Virginia shall be \$.03 per \$100 value for the first \$15,000,000 of value, and thereafter, the remaining value shall be taxed at rates generally applicable to those type of real property, personal property and machinery and tools, as applicable within the County. Certified Pollution Control Equipment and Facilities not located within an area designated as an Enterprise Zone by the Commonwealth of Virginia shall be

taxed at rates generally applicable to those type of real property, personal property and machinery and tools, as applicable, within the County.

[State law reference: Va. Code Section 58.1-3660]

Sec. 19-169. Certified recycling equipment, facilities or devices located within an Enterprise Zone.

A. Pursuant to Section 58.1-3661 of the Code of Virginia of 1950, as amended, certified recycling equipment, facilities or devices, as defined therein and concerning which the Commissioner of the Revenue of the County has received written verification of certification as such by the Virginia Department of Environmental Quality or other authorized state certifying authority ("**Certified Recycling Equipment**"), are hereby declared to be a separate class of property for local taxation, separate from other classification of real or personal property, and such Certified Recycling Equipment located within an area designated as an Enterprise Zone by the Commonwealth of Virginia shall hereafter be partially exempt from local taxation by the County, subject to offset and to the limitations, as set forth herein.

B. Upon receipt of Commissioner of the Revenue of the County of the certification described in Section A, the Commissioner of the Revenue shall determine or redetermine the value of such Certified Recycling Equipment.

C. The partial tax exemption set forth herein shall be effective beginning in the tax year next succeeding the receipt of such certification by the Commissioner of the Revenue for a term of seven years if owned by a business which was not located in an Enterprise Zone in the County in one or more new buildings on or before December 31, 1997. The exemption for the first four years that such partial exemption is applied concerning any particular Certified Recycling Equipment shall be determined by applying the County's machinery and tools tax rate to the value of such Certified Recycling Equipment and subtracting 65% of such amount either (i) from the total real property tax due on the real property to which such Certified Recycling Equipment is attached or (ii) if such Certified Recycling Equipment is taxable as machinery and tools under Section 58.1-3507 of the Code of Virginia of 1950, as amended, from the total machinery and tools tax due on such Certified Recycling Equipment, at the election of the taxpayer, subject to the limitation that this partial exemption shall only be effective as to the first \$280,000,000 of value and thereafter, shall be taxed at rates generally applicable to those type of real property, personal and machinery and tools, as applicable within the County. The exemption for the fifth through seventh years that such partial exemption is applied concerning any particular Certified Recycling Equipment shall be determined as set forth above for the first four- years, except that the partial exemption shall be at the rate of 50% rather than 65%, subject to the limitation that this partial exemption shall only be effective as to the first \$280,000,000 of value and thereafter, shall be taxed at rates generally applicable to those type of real property, personal and machinery and tools, as applicable within the County.

D. The partial tax exemption set forth herein shall be offset by the costs of the County or the County Water Authority providing significant governmental services or facilities to the business applying for the exemption. Significant governmental services or facilities shall include, but not be limited to, the costs of providing water and wastewater facilities and services, road improvements and similar such services and facilities. Such costs to be offset shall be determined by the County Administrator and provided to the Commissioner of Revenue.

E. In order to qualify for the partial exemption provided herein, such business must be a manufacturing business located in a newly constructed building, and make a minimum investment of \$5 million and provide for 50 jobs at such location or if located in an existing building additionally such investment must

resulting in minimally a 25% increase in the assessed value of such existing building. This partial exemption will be in the form of a grant.

[State law reference: Va. Code Section 58.1-3661]

This Ordinance shall become effective immediately.

**IN RE: PUBLIC HEARING – A-01-8 – TRAFFIC LAW -
RECODIFICATION**

This being the time and place as advertised in the Dinwiddie Monitor on October 17, 2001 and October 24, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on an 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.

Mrs. Ralph stated this is 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.

This being a Public Hearing Mr. Moody opened the floor for citizen comments. There being none, Mr. Moody closed the Public Hearing on A-01-8 at 9:30 P.M.

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

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 Dinwiddie County, Virginia 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 Dinwiddie County, 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 mutates 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.
- (b) References 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 of 46.2-1313 of the Code of Virginia, the following provisions and requirements 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 46.2-100, 46.2-103, 46.2-300 to 46.2-302, 46.2-341.1 to 46.2-341.34, and 46.2-800 through 46.2-946.

This Ordinance shall become effective immediately.

IN RE: APPOINTMENT – RC & D COUNCIL

Mr. Moody asked if any of the Board members had contacted any of the persons who had been recommended for the appointment. No one had been contacted therefore the appointment was postponed.

IN RE: APPOINTMENTS – ABIDCO – MILTON HARGRAVE, JR., DONALD HARAWAY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Donald L. Haraway and Mr. Milton Hargrave, Jr., are hereby reappointed to the ABIDCO Board, retroactive to September 30, 2001, for a one-year term expiring on September 30, 2002.

IN RE: AMENDMENTS TO THE FY 2002 - BUDGET

Mrs. Ralph presented the following FY 2001 – 2002 budget amendments:

General Fund

1. Transfer an additional \$200,000 to School Fund
2. Transfer \$110,000 to Capital Projects Fund for Historic Courthouse renovation
3. Increase the Crater Detention Home allocation from \$100,000 to \$150,000

Designations from Undesignated Fund Balance

1. Planning- \$50,000 for Corridor Study
2. Transfers to Capital Projects Fund
 - a. \$25,000 - Mobile Command Unit
 - b. \$130,200 - (2) Ambulances
 - c. \$223,000 – Dinwiddie Fire Truck
 - d. \$130,000 – Trash Truck
 - e. \$165,000 – Balance for Historic Courthouse

- f. \$110,000 – Public Safety Building*
- g. \$148,392 – GIS – 1st year*
- h. \$66,000 – Convenience Center* *Represent 1st year of CIP

School Fund – Changes from County Budget

- 1. Instruction - \$304,851 Decrease
- 2. Administration, Attendance, Health - \$181,859 Increase
- 3. Pupil Transportation - \$68,607 Increase
- 4. Operation & Maintenance - \$216,676 Increase
- 5. Facilities - \$267 Increase
- 6. Special Projects - \$2,542 Decrease
- 7. School Debt Service – No change
- 8. Textbooks – No change
- 9. Cafeteria – No change
- 10. OYCS - \$11,458 Increase
- 11. School Capital – No change
- 12. Head Start – No change

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the amendments, as outlined above, to the FY 2001 – 2002 Budget are approved as presented.

IN RE: APPROPRIATIONS RESOLUTION – FY 2001-2002

Mrs. Ralph presented the Appropriations Resolution for FY 2002.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the following resolution is adopted.

APPROPRIATIONS RESOLUTION

WHEREAS, the final 2001-2002 budget has been adopted by the Board of Supervisors; and

WHEREAS, in order for the various departments and agencies to make expenditures within this budget, an appropriation of funds must be authorized by the Board of Supervisors;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the total General Fund budget in the amount of \$22,354,723 will be appropriated on a monthly basis, beginning July 1, 2001, as claims are approved; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following funds are appropriated beginning July 1, 2001:

Law Library	\$ 6,500
Fire Programs Fund	\$ 42,262
Virginia Public Assistance Fund	\$2,557,216
CSA Fund	\$ 685,423
E911 Fund	\$ 429,849
Courthouse Maintenance Fees	\$ 110,000
Forfeited Asset Fund	\$ 6,000
OYCS Fund	\$ 109,806
Meals Tax Fund	\$ 400,000
VJCCCA	\$ 55,570
Jail Phone Commission	\$ 3864

County Debt Service	\$2,003,660
Head Start Fund	\$ 146,018
School Cafeteria Fund	\$1,269,807
School Capital Projects Fund	\$ 100,000
School Textbook Fund	\$ 275,925 and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the CDBG Fund, as State funds become available, be appropriated on a monthly basis as claims are presented; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board budget be appropriated by category as follows, beginning July 1, 2001:

Instruction	\$20,335,845
Administration, Attendance & Health	\$ 929,842
Pupil Transportation	\$ 1,943,928
Operation & Maintenance	\$ 3,104,154
Facilities	\$ 101,202
Special Projects (Federal Programs)	\$ 987,902
School Debt Service	\$ 2,990,150
(includes \$400,000 transfer from Meals Tax); and	

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following reappropriations to the FY02 budget be approved effective July 1, 2001: \$50,000 in remaining funds in the Planning Dept. Budget; \$25,000 in FY01 undesignated fund balance for Mobile Command Unit; \$834,000 present balance in the Capital Projects Fund; \$110,000 transfer from General Fund to Capital Projects Fund for Historic Courthouse; and \$972,592 from the FY 01 Undesignated Fund Balance be reappropriated to the Capital Projects Fund for projects committed to in FY01 as follows:

Public Safety Building	\$110,000
GIS	\$148,392
Convenience Center	\$ 66,000
Dinwiddie VFD Fire Truck	\$223,000
2 Ambulances (County Share)	\$130,200
Trash Truck	\$130,000
Historic Courthouse	\$165,000

IN RE: YEAR 2002 LEGISLATIVE ISSUES FOR DINWIDDIE COUNTY

Mrs. Ralph stated she had enclosed a synopsis of information regarding the legislative issues, which had been identified by the Board over the past year. She requested the Board review these items and advise her of additions or deletions before contacting the legislators to introduce legislation. She stated they were attending the VACo Conference this weekend and stated they might want to wait on taking action until after they had an opportunity to hear what was adopted there.

Year 2002 Legislative Issues for Dinwiddie County

The following information represents significant issues identified by the Dinwiddie County Board of Supervisors over the past year. The Dinwiddie Board of Supervisors respectfully requests any assistance you may provide on the following items:

1. Dinwiddie County and the Richmond District of VDOT do not receive a proportionate share of the six-year improvement plan for secondary roads

or the unpaved road allocation. The Richmond District ranks sixth out of nine VDOT districts in the allocation of unpaved road funds.

2. The County supports the continued funding by the state for school infrastructure needs, as well as any initiative to assist localities in the funding of school construction and school renovation projects.
3. Dinwiddie County supports any legislation that will establish the right of the County to require cash proffers.
4. Dinwiddie County supports a reduction in the ratio of state funded deputies to population from 1 deputy per 1,500 population to 1 deputy per 1,200 population in Counties with a population of less than 35,000.
5. Dinwiddie County supports the concept of the Commonwealth reimbursing localities for providing assistance with completing and mailing state income tax forms.
6. Dinwiddie County opposes the closure of any portion of Central State Hospital.
7. Dinwiddie County supports the current definition of "mandated services" under the comprehensive Services Act. If the definition is expanded, the County requests the Commonwealth cover 100% of the cost of services which were formerly "non-mandated."
8. Dinwiddie County supports the concept of any assistance from the Department of Mental Health, Retardation and Substance Abuse for the implementation of CSA Services.
9. Dinwiddie County opposes any change in the County's authority to collect Meals Tax.
10. Dinwiddie County opposes any change in the County's authority to impose the E-911 Tax.
11. Dinwiddie County requests funding support/reimbursement for EMS/Fire Service provided to State Agencies/Facilities located within the County.
12. Dinwiddie County opposes any unfunded mandates from the Commonwealth. This item is more specifically in reference to any mandates required of the local school divisions.
13. Dinwiddie County requests additional funding support for localities for the centerline striping of secondary roads. It is the County's position that the addition of centerline markings will enhance traffic safety on many narrow secondary routes.

Additional Legislative Items to Consider:

1. Dinwiddie County opposes any further dilution of the zoning and land use authority of local governments as it pertains to manufactured housing.
2. Dinwiddie County supports amendments to Sec. 56-484.16 of the Code of Virginia to extend the deadline for wireless E-911 implementation for localities operating a wireline E-911 system as of July 1, 2000, from July 1, 2002 to July 1, 2003.
3. Dinwiddie County supports greater flexibility and additional funding to ensure success of the pave-in-place program and requests that VDOT

work cooperatively with local governments to ensure the success of this program.

4. The General Assembly should require the Virginia Department of Corrections to remove "state-responsible" inmates from local and regional jails in a timely manner and should seek ways to reduce the escalating burden of inmate medical care on such jails.
5. Dinwiddie County supports legislation that would require the Virginia Department of Transportation to maintain and make all repairs to drainage easements both on and off highway right-of-way for any permanent drainage easement acquired by the Department in connection with or as a precondition to the construction or reconstruction of any highway until such time as each easement shall have been terminated.

Mrs. Ralph also stated there is a letter from Francene Green, Director, Office on Youth Community Services, requesting your support for funding for the Office on Youth be included as a line item in the state budget this year.

The Board concurred that they would like to delay action until after the conference.

IN RE: RESOLUTION – SUPPORT OF FOUNDERS OF AMERICA COMMUNITIES

Upon Motion of Mr. Bracey, Seconded by Mr. Bowman, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", the following resolution is adopted.

WHEREAS, Dinwiddie County is an exceptional tourism destination, and

WHEREAS, many of the persons and events that founded the United States are associated with Dinwiddie County, and

WHEREAS, the Founding of the United States is a story deserving greater recognition and would provide the basis for additional tourism opportunities in the Commonwealth, and

WHEREAS, communities have an opportunity to share in the Commonwealth's 2007 Rediscovery through the Founders program,

BE IT HEREBY RESOLVED that the Dinwiddie County Board of Supervisors supports the Founders of American Communities in Virginia program in order to foster recognition of the Commonwealth's unique role in the creation of the American Republic, and

BE IT FURTHER RESOLVED that the Legislature be encouraged to pass such resolutions as necessary to create and fund such a program.

IN RE: AUTHORIZATION TO BID - PUBLIC SAFETY BUILDING

Mr. Donald Faison stated we enclosed copies of the floor plans for the renovation of the Public Safety Building in your packets. To keep on schedule, we are asking for authorization to bid the project for presentation to the Board at the December 19, 2001 meeting. He presented the plans and reviewed the changes with the Board.

Mr. Bracey questioned the placement of the bathroom and shower opening out into the kitchen area. Mr. Faison showed him the proposed change in the plans.

Mr. Haraway asked Mr. Faison to take a look at what the cost would be to add the center to the existing Dinwiddie Volunteer Fire Station and bring the estimates back before proceeding any further. Mr. Faison stated he would.

**IN RE: PUBLIC COMMENT SESSION – SOUTHEAST HIGH
SPEED RAIL**

Mrs. Ralph presented the following information to the Board regarding the potential Southeast high-speed rail S-Line proposed location. She commented that Staff wanted to hear from the Board before taking a position. There is a meeting scheduled at the Governor's School in Petersburg on November 8th at 5:00 p.m. As previously discussed, there is a possible location of a high-speed rail line through Dinwiddie County along the abandoned CSX line. This matter has been discussed with staff during the past 1-1/2 years by such organizations as the Crater Planning District, the Virginia Rails staff, the Virginia Department of Transportation and the North Carolina Rails Division. There have been public hearings held on the Tier I study as well as group meetings endorsing this project.

The following memo was sent to you from Mr. Guy Scheid. While there is general support for alternative transportation modes on a regional basis, the Dinwiddie planning staff is concerned with this proposal for several reasons:

1. Portions of this line have been studied as a East Coast Greenway trail and have received State and National recognition as such;
2. The State Comprehensive Outdoor Recreation Plan has shown portions of this abandoned track as serving recreational needs for County residents and connecting historically significant sites;
3. Several County citizens have purchased portions of this railroad property to access their property and/or have built structures within the abandoned rail line;
4. The line traverses some major Civil War Battlefields identified as such by the National Park Service. The Board of Supervisors has endorsed the Park Service's Battlefield Epicenter Plan (October 2001) and is in the process of reflecting this action in the update of the County's Comprehensive Land Use Plan;
5. The line is located in close proximity to properties which have been developed since the line was abandoned and will adversely impact many of these properties;
6. There are considerable at grade rail crossings with the County's secondary roads. There are safety concerns with this situation. It is understood that grade separation is expensive to construct and, generally, considered as a "last resort". Obviously, road closures will occur which will cause inconveniences to the citizens of Dinwiddie County;
7. There are environmental considerations which will impact on adjacent properties;
8. The County will not receive any long-term benefit from the rail line and will lose any option for alternative uses of the line in the future. As explained by representatives from the North Carolina and Virginia Rail Divisions, ownership of the line will be vested with the State and tax revenue will not be derived by the County. During initial discussions there were statements made that clearly established this as a passenger service line and not for industrial purposes. Recent discussions have softened on this matter to the point there is confusion. Also, some comments have been offered regarding train stop(s) and/or station(s) as enticements for support of the line;

Mr. Haraway asked Mr. Faison to take a look at what the cost would be to add the center to the existing Dinwiddie Volunteer Fire Station and bring the estimates back before proceeding any further. Mr. Faison stated he would.

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9. There is an active rail line located to the east. A parallel line, alternate "A", could be built with much less impact on adjacent property owners and the community; and

10. There is considerable concern with the line location in the northern portion of the County as it relates to Chaparral Steel and the County's Enterprise Zone. Clearly, this matter must be addressed before the County considers endorsement of this project.

I believe there are sufficient concerns for Dinwiddie County that warrant us voicing an objection to the project until some "concessions" are made. Rails and trails are not incompatible. Grade separations must be guaranteed at certain "key" locations. Continuous (annual) funding increases must be provided for the increased number of at grade railroad crossings. The above are offered as some suggestions to issues the County should demand as reasonable "trade offs" for the abandoned rail line being activated. It is not staff's intention to appear unreasonable on this regional issue but it is our evaluation that Dinwiddie County will be subjected to shouldering an unreasonable burden while other jurisdiction will be deriving significant benefits from this rail line.

Mr. Haraway asked if there was any advantage to Dinwiddie County if the high-speed rail is permitted to come through the county? Mrs. Ralph replied no.

The Board agreed with the responses Mr. Scheid prepared for the public comment session on the Southeast High Speed Rail.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Wendy Ralph told the Board that Martha Burton sent a memo concerning proposed legislation that would allow manufactured housing in every zoning district. At this point we are attempting to gather information on the financial impact this legislation would have and work together with surrounding localities to have a unified front on the issue.
2. Mrs. Ralph stated the VACo Agenda was enclosed in your packets and she has highlighted some sessions that might be very beneficial if any of you have an opportunity to attend them.
3. At the last meeting Mr. Kenneth Thomson came before the Board with his concerns about the Dinwiddie Medical Center. You asked Staff to look into the situation. Mrs. Ralph said she spoke with Carolyn Bagley of the Lunenburg Medical Center and she said they are going to be opening for business in the basement of the Dinwiddie Office Building off Courthouse Road the first of November. It is being renovated to accommodate them and they plan to have an open house in December.
4. Mrs. Ralph reported that a copy of the deficiencies on the jail inspection from the Department of Corrections was enclosed in your packets. Mr. Bracey commented that a deadline needed to be set on getting the deficiencies corrected because the county is responsible if something happens. The next inspection has been set for November 13, 2001.

IN RE: SHERIFF'S OFFICE – NEW APPOINTMENTS – 3 STATE – RESOURCE OFFICER – COUNTY DEPUTY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Sheriff's Department to employ the following: Kenneth C. Powell effective October 2, 2001, Joseph Hartley Jones effective October 9, 2001, and Whalen A. Whitmore to be hired November 8, 2001, in State Positions at an annual salary of \$23,329, Grade EC7, Step 1; Timothy M. Seitz as a County Deputy effective Tuesday, October 9, 2001 at an annual salary of \$23,329, Grade C07, Step 1; and Jeffrey Rhodes, County Deputy as the Resource Officer effective September 1, 2001 at an annual salary of \$28,501 Grade C08, Step 6.

IN RE: MCKENNEY FIRE ENGINE – AUTHORIZATION TO NEGOTIATE WITH LOW BIDDER

Mr. Jolly stated the bids for the fire engine for the McKenney Volunteer Fire Department were received and have been reviewed. He reported that he received two bids and one was rejected because there was no bid bond included. He requested permission from the Board to negotiate with the low bidder. The bids received are as follows:

Bid Tabulation Form

2002 Rescue Engine

Vendor	Bid Bond	Insurance Certificate	Bid Amount
Keplinger Repair	No Response		
4 Guys Inc.	No Response		
Slagle Fire Equip.	Letter of No Bid		
Performance Specialty Vehicle	No Bid Bond	Yes	428,844.00
Singer Fire Equipment	Yes	Yes	429,848.00

The Board requested that Mr. Jolly contact the bidders who did not respond to see why they did not bid.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that acceptance of the bid is postponed 2 weeks to investigate why the other bidders did not respond to the request.

IN RE: PUMP REPAIRS – FORD VFD – ENGINE 22

Mr. Jolly stated he received the estimate for the parts and labor required to re-build the pump and transfer case to the Ford VFD, 1987 Engine 22. To install new bearings, seals, gaskets, pump shaft, impeller, shifter fork and shaft and other parts required to return it to like new condition the estimated cost is \$12,462.05. The work will require an estimated 3 to 4 weeks to complete. He asked for authorization to proceed with Singer Associates Fire Equipment, Inc. for the repairs to Engine 22 to be paid out of the Capital Volunteer Fire Fund.

Mr. Bracey stated in the future he wanted to see proof that the Volunteers don't have the money to pay for these repairs.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above stated repairs to the Ford VFD, Engine 22 are approved and funds appropriated for same from the Volunteer Fire Departments Capital Improvements Fund.

IN RE: BOARD MEMBER COMMENTS

- Mr. Bowman He stated he received a call from Mr. Robert Ragsdale regarding the letter sent to his daughter about the Special Entertainment Permit for the function she held at Lake Jordan. He asked if there were other letters of warning sent to violators? Mrs. Ralph responded yes and she would fax him a copy tomorrow. Mr. Bowman commented he had met with representatives from West Petersburg who wanted to do whatever needs to be done to apply for another grant. Mrs. Ralph stated we are still obligated to another grant and until the 5 houses are built and the grant is finished we can't apply for another one. He also stated he had requested to be apprised of all meetings which are directly related to anything happening in his District and he reiterated again that he wanted to know in advance when meetings are scheduled.
- Mr. Haraway He stated he received several calls about the cars starting before the scheduled time at the racetrack on the weekends. He asked staff to please notify Virginia Motorsports and ask for adherence to the conditional use permit.
- Mr. Clay He stated people go the racetrack to race and it didn't matter what time it was.
- Mr. Moody No comments

Mr. Bracey stated I move to close this meeting in order to discuss matters exempt under section 2.2-3711 A. 7:

- Consultation with Legal Counsel - §2.2-3711 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 for Employment Issues.

Mr. Haraway seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 11:11 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 11:34 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.7, for the purpose of Consultation with Legal Counsel; Employment Issues.

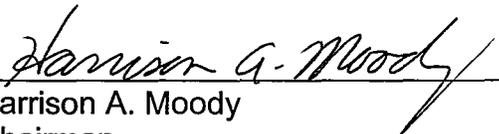
And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

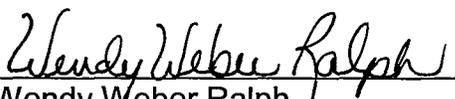
Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 11:34 P.M. to be continued until 11:00 A.M., November 21, 2001, for a Work Session.


Harrison A. Moody
Chairman


Wendy Weber Ralph
Assistant County Administrator

/abr