

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 15TH DAY OF MAY, 2002, AT 10:00 A.M.

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

OTHER: DANIEL SIEGEL COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 10:00 A.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the Agenda. Mrs. Wendy Weber Ralph, Interim County Administrator, stated there was a need to add an item under Closed Session – Personnel – Administrative Staff.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the May 1, 2002 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Clay, Seconded by Mr. Bowman, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, 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 1029728 through 1029898 (void check(s) numbered 1029727 and 1029865) for:

Accounts Payable FY 2001- 2002:

(101) General Fund	\$ 367,278.15
(103) Jail Commission	\$ 24.97
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 576.61
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 10,327.35
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$.00
(305) Capital Projects Fund	\$ 53.97

(401) County Debt Service	\$ 83,875.27
TOTAL	\$ 462,136.32

Payroll April 30, 2002

(101) General Fund	\$ 400,410.96
(222) E911 Fund	\$ 3,275.74
(304) CDBG Grant Fund	\$ 3,368.39
TOTAL	\$ 407,055.09

IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATION PROJECT – REQUISITION NUMBER 44 (IDA1997A- TRANSFERRED PROCEEDS –#4/09/02)

Mrs. Ralph stated the following invoices are included in Payment Request Number 44 (IDA1997A - #4/09/02):

Mrs. Ralph stated the invoice for Dempco in the amount of \$1,829.75, which is similar to the invoices that were submitted last month and the recommendation is that the School Board pay this vendor from the School Fund. If there are sufficient funds when the Dinwiddie Elementary project is completed the invoice may be resubmitted for consideration by the Board.

CDW-G	\$ 715.74
BALLOU, JUSTICE & UPTON	1,314.05
TENG & ASSOCIATES	850.00
DEMPCO	1,829.75
THE APPLICANCE PLACE	<u>20.00</u>
TOTAL REQUISITION #44	\$ 4,729.54

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 44 (IDA1997A - #4/09/02) in the amount of \$2,899.79 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Project Account.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the invoice from Dempco in amount of \$1,829.75 shall be paid from School funds until the Dinwiddie Elementary project is completed. If there are sufficient funds at that time the invoices may be resubmitted for consideration by the Board.

IN RE: DINWIDDIE ELEMENTARY SCHOOL PROJECT – REQUISITION NUMBER 1 (IDA1995A- 'REFUND' \$99,752.71)

Mrs. Ralph stated the following invoices are included in Payment Request Number 1 (IDA1995A – 'Refund' \$99,752.71):

BCHW	\$ 6,631.00
BCHW	<u>\$14,952.00</u>
TOTAL REQUISITION #1	\$21,583.00

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

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to pay Requisition Number 1 (IDA1995A - 'Refund' \$99,752.71) in the amount of \$21,583.00 for professional services to BCWH.

IN RE: CITIZEN COMMENTS

The following citizen(s) signed up to comment.

1. Michael W. Bratschi, 23500 Cutbank Road, McKenney, Virginia, came before the Board with the following concerns:
 - a. He was not clear about the response from the County Attorney regarding the State Code citing the Board's ability to usurp authority over elected officials in the County.
 - b. Littering on County roads and laws not being addressed by Sheriff's Department.
 - c. Being cut-off when addressing the School Board during public comment period.
2. Reverend Kelly Hepler, 10426 Cutbank Road, Mckenney, Virginia, came before the Board commenting on an article that appeared in the Dinwiddie Monitor and Dinwiddie County's youth is above the national average for drug and alcohol abuse. Reverend Kelly stated he would be glad to help in any way he could with the youth in the County. He requested that the Board move their meetings from Wednesdays to another day after 6:00 P.M. because most people have day jobs.

**INRE: SPECIAL ENTERTAINMENT PERMIT REQUEST –
NATIONAL BIKERS ROUNDUP 25TH ANNIVERSARY –
VIRGINIA MOTORSPORTS PARK**

Mrs. Ralph introduced Mr. Charles Talley, Chief Operating Officer for Commonwealth Motorcycle Consortium, Inc. and he is here to request a special entertainment permit for a new event to be held at the Virginia Motorsports Park.

Mr. Talley came forward and gave an overview of the organization. The National Bikers Roundup 25th Anniversary event is scheduled to be held the week of July 31, - August 4, 2002. Mr. Talley stated he had already met with Mrs. Ralph, Mr. Jolly and the Sheriff's Department to find out what the requirements were for the permit. The security will be tight and no weapons will be allowed in the park whatsoever. A call center will be set up at the park and no noise will be permitted after 11:00 P.M. for any reason. Mr. Talley stated he would be holding a meeting with the families who live in close proximity of the park and would be providing a phone number to call if they had any problems with anything during the event. He commented that he would be submitting the application for the permit by the end of the month.

IN RE: VDOT – REPORT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, came forward and presented the following update:

1. Rt. 623 – Signal Crossings completed
2. Rt. 226 intersection with Rt. 1 - Curb replacement work being done
3. Rt. 460 from Sutherland to Amelia line – Speed study completed - shows average speed is 61 MPH and some warning signs will be installed at Rt. 708

4. VDOT's annual meeting to prioritize items already in the plan - John Tyler Community College April 10, 2002 at 10:00 A.M. – Important that County have representation - Rt. 460 Corridor Study

IN RE: COMMISSIONER OF THE REVENUE – REPORT

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

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and stated he had nothing new to report to them. He presented his report for the month of March 2002.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, came forward stating he had nothing to report, but would answer any questions the Board may have.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward presenting his report for the month of March 2002.

1. Reported that the jail looks great. He thanked Mr. Donald Faison for the wonderful job. He invited the Board over to take a look at it.

IN RE: ADDITIONAL APPROPRIATION FOR HOUSING INMATES

Mrs. Ralph stated if you recall we had a discussion about the need for an additional appropriation to cover the expense for housing inmates at the Southside Regional Jail during the recent jail renovation. That amount is \$25,290. We also discussed the need to keep four (4) inmates at that facility for the remainder of the fiscal year while Staff investigates other alternatives. That cost would not exceed \$11,000, making a total additional appropriation of \$36,290 from the undesignated fund balance.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the additional appropriation to cover the expense for housing inmates at the Southside Regional Jail in the amount of \$36,290 is approved and funds appropriated from the undesignated fund balance.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of March 2002..

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward presenting his monthly update for March 2002.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and stated Mr. William C. Scheid, Director of Planning, is at the Tobacco Commission meeting, but the monthly report was provided in the packets. He commented if the Board had any questions he would be happy to get an answer and report back to them. He introduced Mr. Phillip Harris, the new Code Enforcement Officer.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his March 2002 monthly report.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen came forward stating she had nothing to report this month.

IN RE: RECESS

Mr. Bracey called for a recess at 3:34 P.M. The meeting reconvened at 3:40 P.M.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, stated he had provided the Board with his March 2002 monthly report.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward to present his report for March 2002.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward to present his report for March 2002.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Daniel Siegel, County Attorney, came before the Board stating he checked on the Titanium taxation issue raised by Mr. Bowman and the County can separate the taxes on minerals and land. However, the severance tax issue is limited to coal and gas. He stated he would be glad to update the Board on litigation in Closed Session.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and stated he provided his monthly update for came forward to present his report for March 2002 in the Board packages.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Ralph reported she contacted the cogeneration plant as a viable source of power for the County. They are not on line 24 hours a day and they presently are a supplier of power for an industry. However, a representative will be calling her back.
2. The redistricting plan was approved by the Justice Department. There is a sixty-day period in which they reserve the right to request additional information.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay No Comments
Mr. Haraway No Comments
Mr. Moody No Comments
Mr. Bowman No Comments
Mr. Bracey No Comments

IN RE: CLOSED SESSION

Mr. Moody stated I move to close this meeting in order to discuss matters exempt under section:

Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia
- Administration

Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia
- Procurement and Sale of Property

Mr. Bowman seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 5:14 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:16 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel - Administration and § 2.2-3711 A.7, Legal Counsel – Procurement and Sale of Property

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

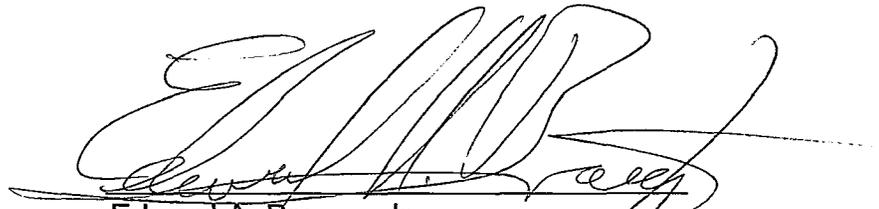
IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Appomattox Regional Library - Report
2. Letter from U.S. Department of Justice – Approving Redistricting of Dinwiddie County
3. Letter from Commonwealth of Virginia Department of Corrections – Regarding jail facility placed on Probationary Certification
4. Invitation to the Meet and Greet honoring Senator Henry Marsh, and Delegate Fenton Bland, Jr. to be held on Sunday, March 24, 2002.

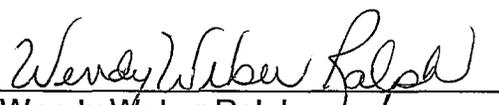
5. Letter from Probation Supervisor – Regarding number of juveniles in detention and estimated costs of detention in support of the VJCCCA program

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 12:29 P.M.



Edward A. Bracey, Jr.
Chairman



Wendy Weber Ralph
County Administrator

/abr