

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 3RD DAY OF JULY, 2002, AT 7:30 P.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: INVOCATION – PLEDGE OF ALLEGIANCE – AND CALL TO ORDER

Mr. Edward A. Bracey, Jr., 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

Mrs. Wendy Weber Ralph, County Administrator, stated there is a need to add a Closed Session for – Personnel – Assistant County Administrator

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, 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. 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 minutes of the June 19, 2002 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

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 following claims are approved and funds appropriated for same using checks numbered 1030590 through 1031269 (void check(s) numbered 1030971, 1031073 – 1030190, 1030992 and 1031253) for:

**Accounts Payable:
June 30, 2002**

(101) General Fund	\$ 190,123.01
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 2,234.27
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 8,472.95
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$ 586.17
(304) CDBG Grant Fund	\$ 1,340.61

(305) Capital Projects Fund	\$ 3,195.04
(401) County Debt Service	\$ <u>.00</u>
TOTAL	\$ 205,952.05

PAYROLL 06/30/02

(101) General Fund	\$ 407,616.43
(222) E911 Fund	\$ 3,456.44
(304) CDBG Fund	\$ <u>3,373.95</u>
TOTAL	\$ 414,720.82

**Accounts Payable:
July 3, 2002**

(101) General Fund	\$ 129,166.26
(222) E911 Fund	\$ 368.00
(229) Forfeited Asset Sharing	\$ 586.17
(304) CDBG Grant Fund	\$ 2,200.00
(401) County Debt Service	\$ <u>62,416.33</u>
TOTAL	\$ 205,323.49

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting.

The following citizens came forward to address the Board:

1. Michael W. Bratschi, 23500 Cutbank Road, McKenney, Virginia, came before the Board with the following comment and questions:
 1. The flags in front of the government buildings are still being flown incorrectly.
 2. Department Heads hand out materials at Board meetings and the public is not privy to the material. State code requires, "all materials furnished to members of a public body for a meeting shall be made available for public inspection at the same time such documents are furnished to the members of the public body."
 3. The money for the new carpet, which has already been purchased, was in the CIP but the public had no input.
2. Anne Scarborough came forward and made the following statements:
 2. She is very disappointed that Dinwiddie County was not ready to accept wireless calls for 911 on July 1. It is wrong that the County is not abiding by the law; we had over two years to prepare. It should have been a priority for the Board to be prepared.
 3. She has not received a response from her request on March 6, 2002 for the Board to set a policy concerning the County paying for room service; taxpayers should not have to pay for room service for anyone.
 4. A new law went into effect July 1 to encourage preservation of open space particularly in rural Virginia by allowing localities to create special districts responsible for shielding land from development. Also, localities will have additional zoning authority to protect open spaces.

5. On July 1, a law went into effect to allow the Department of Motor Vehicles to block renewal of vehicle registration for persons who have not paid their local sticker fee or personal property tax. Is the county going to do this?
1. Angela Orrell, 16563 Cantrell Road, McKenney, came forward voicing her concern that the Board is not going to sponsor the DARE Program at the Elementary Schools. She commented that a petition is being circulated in the County, which will be presented to the Board within the next two weeks.

**IN RE: REQUEST FOR APPROVAL – NATIONAL BIKERS
ROUNDUP 25TH ANNIVERSARY – SPECIAL
ENTERTAINMENT PERMIT**

The County Administrator commented Mr. William Talley came before the Board a few months ago to let you know what was being planned for the roundup. He has been working with the Departments and Virginia Motorsports Park on the permit. At this time all of the Departments have signed off on the permit. So he is here tonight to give any additional information you might need or answer any questions you might have regarding the event.

Mr. William Talley stated they were on schedule and all of the requirements for the permit have been met. He requested that the Board approve the Special Entertainment Permit, for the event which will take place at the Virginia Motorsports Park on U.S. Route 1 from July 31, 2002 – August 4, 2002. He commented the expected number of attendees could be up to 25,000 over the 5- day period. There will be a food drive to help feed the hungry and the food will be distributed throughout Washington DC and Virginia by the Central Virginia Food Bank. This is a drug free event and no weapons are allowed. Mr. Talley stated he felt this would be profitable for the county and surrounding areas and he knew the event would benefit everyone involved.

After a lengthy discussion regarding the number of security officials needed for the event Mr. Haraway made the motion to approve the request for the permit. The motion was Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Special Entertainment Permit request from the National Bikers Association was approved.

**IN RE: PUBLIC HEARING – CAPITAL IMPROVEMENT
PROGRAM**

This being the time and place as advertised in the Dinwiddie Monitor on June 19, 2002 and June 26, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on the Capital Improvement Program for FY 2002-2006.

PLANNING SUMMARY REPORT

Mr. David Thompson, Zoning Administrator/Senior Planner, came forward and read the following statement.

The Code of Virginia, Section 15.2-2239, provides for the preparation and adoption of a Capital Improvement Program (CIP) by the governing body after review and public hearing(s) by the Planning Commission. The CIP Advisory Committee presented the proposed Capital Improvement Program at a joint meeting of the Board of Supervisors and the Planning Commission on May 1, 2002. The Planning Commission held a workshop on the CIP on June 12th at 3:00 p.m. at which time the CIP Committee reviewed the projects with the Commissioners. A public hearing was held by the Planning Commission at 7:30 p.m. at which time a brief discussion of the CIP was conducted. The Chairman requested comments from the public. No one in attendance spoke on this matter.

CIP 5 YR RECOMMENDATION

PROJECT LIST	FY2001/02	FY2002/03	FY2003/04	FY2004/05	FY2005/06	
1 Communications Center Relocation	200,000	200,000	200,000	200,000	200,000	1,000,000
2 Northside Roof (\$283,500)	20,000					20,000
3 Carpet Replacement	38,500					38,500
4 Countywide GIS	165,867	146,142	198,615	183,615	-	694,239
5 Pickup truck for Waste Management	25,000					25,000
6 Namozine Station Impr.	164,120					164,120
7 Replace Responder 2-Ford	140,000	-	-	-	-	140,000
8 Old Hickory Generator	40,000	-				40,000
9 Breathing Apparatus	35,000	35,000	35,000	35,000	35,000	175,000
10 Structural Firefighting Gear	36,000	36,000	36,000	36,000	36,000	180,000
11 Convenience Center	66,000	66,000		66,000	-	198,000
12 Obstruction Removal		15,000				15,000
13 Animal Shelter Improvements		89,060				89,060
14 McKenney FD - Vehicle Extrac.(Grant)	16,000		-	-	-	16,000
15 New Middle School (River Road)		*720,000	*2,000,000	*19,380,000	-	0
16 Shelter Pavillion at Eastside	24,616		-	-	-	24,616
17 Playground at Eastside		24,125				24,125
18 Rec. 15 Passenger Van	-	20,487		-	-	20,487
19 Environmental Assessment			30,000	-	-	30,000
20 Rechassis Rescue 12(1997/97) Co. Ambulance		66,000	-	-	-	66,000
21 Master Plan Update			3,000	-	-	3,000
22 Replace Squad 5(1979) Old Hickory	-		160,000			160,000
23 Building Addition/Roof - Social Service		314,330	-	-	-	314,330
24 Ford FD Building Addition	-			366,500		366,500
25 Replace Rescue 81(1992/92) DVRS						0
26 Replace Responder 3 (1988) McKenney	35,000		-	-	-	35,000
27 Rehab Rotating Beacon	-		10,000			10,000
28 New Elementary School		*500,000	*1,000,000	*10,026,000		0
29 T-Hanger Sitework		*375000		-	-	0
30 Glideslope & MALSR Runway 5			*100,000			0
31 Relocation of School Board Office			*120,000	*160,000	*1,140,000	0
32 Replace Rescue 11(1999/94) Co. Ambulance	-			66,000	-	66,000
33 Replace Engine 22(1987) - Ford	-				255,000	255,000
34 Replace Engine 32(1985)-McKenney						0
35 Replace Rescue 82(1995/95) DVRS						0

Upon concluding the public hearing, the Planning Commission voted 7-0 to recommend approval of the CIP to the Board of Supervisors.

The County Administrator stated the undesignated fund balance of \$1 million dollars was the funding basis for these projects. The department heads worked for several months prioritizing the projects and she felt it was a good plan.

The County Administrator and Department Heads gave a power-point presentation on the recommended FY 2001/02- 2005/06 Capital Improvement Program. Which included the first year's capital budget as follows:

CIP 5 YR RECOMMENDATION

PROJECT LIST		FY2001/02	FY2002/03	FY2003/04	FY2004/05	FY2005/06	
36	Replace Haz-Mat Trailer-Countywide Use	-	-				0
37	Replace Brush 1 - Dinwiddie	-	-		45,000	-	45,000
38	Eastside L.I.F.E. Enhancement Center		-	328,500	*600,250	*600,250	328,500
39	T-Hanger Construction		-	*400,000	-	-	0
40	Corporate Hanger Sitework			*80,000			0
41	Replace Tanker 4(1981) Namozine	-	-			466,000	466,000
42	Replace Brush 3(1988) - McKenney						0
43	Replace Brush 5(1982) Old Hickory						0
44	Eastside Recreational Complex	-			*331,800		0
45	Replace Brush 4(1985) - Namozine	-			-		0
46	New Fire Station					*2,310,000	0
47	Corporate Hanger Construction	-	-		*200,000		0
48	Design RW 14-32 Overlay				1,000		1,000
49	Construct RW 14-32 Overlay	-	-			11,000	11,000
		-	-			-	
	TOTAL	1,006,103	1,012,144	1,001,115	999,115	1,003,000	5,021,477
	Projects to be funded in additional years						
11	Convenience Center					**66,000	
25	Replace Rescue 81(1992/92) DVRS					**110,000	
34	Replace Engine 32(1985)-McKenney					**452,000	
35	Replace Rescue 82(1995/95) DVRS					**66,000	
36	Replace Haz-Mat Trailer-Countywide use					**20,000	
42	Replace Brush 3(1988) - McKenney					**45,000	
43	Replace Brush 5(1982) Old Hickory					**47,250	
45	Replace Brush 4(1985) - Namozine	-				**47,250	
	County Maintenance Facility						
	Public Safety Building (Already funded)						
	Replace Engine 33 -(1975)-McKenney (Already funded)						
	Route 1/460 Corridor Study(Included in present budget)						
	School Board Study (Other Funding)						
	Namozine Ladder Truck 1990 (Already funded)						

Mr. Bracey stated he felt the CIP is one sided, approximately 60% to 65% of the funds are earmarked for Public Safety.

Mr. Bracey opened the public hearing for Citizen comments.

Mrs. Anne Scarborough commented in the paper today it stated the State jobless rate is at a 5 year high; the Governor is asking agencies to cut their budgets 7% to 8%. But there has been no mention of our locally cutting anything in these tight times. She commented on the issues she had with the CIP: the

costs of the convenience centers, playground equipment and a van for Eastside, obstruction removal at the airport, and new schools.

Mrs. Angela Orrell spoke in support of the CIP stating having a healthy, safe, educated population is our best resource.

Mr. Bracey closed the public hearing.

The County Administrator stated the inclusion of a project does not constitute a commitment or obligation on the part of the Board of Supervisors of the County of Dinwiddie to appropriate any funds for that project. There is no designation or allocation of any Capital Improvement Program funds for any purpose until there has been an appropriation for that project by the Board of Supervisors.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Capital Improvement Plan for FY 2001/2002 - 2005/2006 is approved and funds appropriated for the Capital Improvement Budget for FY 2001/2002, as shown above.

IN RE: RECESS

Mr. Bracey called for a recess at 9:08 P.M. The meeting reconvened at 9:20 P.M.

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

Mr. David Thompson, Zoning Administrator/Senior Planner, 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-02-1 – TO AMEND CHAPTER 22 TO DEFINE KENNELS AND ESTABLISH A LIMIT TO THE NUMBER OF DOGS PERMITTED IN VARIOUS ZONING DISTRICTS

This being the time and place as advertised in the Dinwiddie Monitor on June 19, 2002 and June 26, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment to amend various sections of Chapter 22, Zoning as follows: by defining Kennel (private/commercial), providing for their use in various zoning districts and by limiting the number of dogs in various zoning districts depending upon lot size.

Mr. Thompson read excerpts from the following Summary Staff Report on A-02-1:

Planning Summary Report

File: A-02-1
Applicant: Planning Department
Subject: Limitation of number of dogs in various zoning districts

BACKGROUND

Early last summer the Planning Department was contacted by Mrs. Crumpler on a matter relating to a large number of dogs confined on a residential lot within Mansfield subdivision. Staff was advised that the Sheriff's Department and the Animal Control Department were contacted. They stated that they had no jurisdiction over the matter. As a result of Mrs. Crumpler's inquiry, staff visited the property and took pictures of the dogs. It was our opinion that health and safety issues were valid concerns and the County Administrator was informed of such. Additionally, the County Administrator was advised that there were no Planning ordinances in effect addressing this issue.

A letter dated November 2, 2001 from Mrs. Crumpler was received and is included in your material. Prior to receipt of this letter, a conversation was held on this matter with the Board of Supervisor member representing this area. Shortly thereafter the Board of Supervisors were involved in reviewing this situation. Portions of their meetings discussing this matter as well as those of the Planning Commission are included for your review.

As a result of citizen comments, a committee was appointed to write an ordinance addressing dogs within residential zoning districts and subdivisions. The committee consisted of three (3) Planning Commission members and two (2) interested citizens having different viewpoints. The committee met many times in March and April. Their final recommendation was completed in May and it proposed amendments to Chapter 22, Zoning Ordinance, and to Chapter 4, Animals and Fowls.

RECOMMENDATION

The Planning Commission reviewed the Zoning Ordinance amendment at their June 12, 2002 public meeting. The amendment was unanimously recommended for approval to the Board of Supervisors. Since this is a zoning matter, the Virginia Code Section statement must be read as a part of your motion.

Mr. Thompson stated under Sec. 22-1. Definitions – a correction is needed on the last sentence, take out - **are kept for (private use)** – correct it to read **are kept for (non-commercial purposes)**. Our Attorney reviewed the ordinance and this was their recommendation.

Mr. Haraway commented in 1960 and 1970 the requirement for a building lot was 20,000 S.F. Therefore the builders and developers made the lots 100 X 200. There are a multitude of subdivisions with lots, especially along River Road, which have exactly 20,000 S. F. Mr. Haraway stated it would be a lot better if the number were increased to 20,001. The lot requirements have since been changed and most of the lots are under 20,000 S.F. Mr. Edward Titmus, III, Chairman of the Dog Ordinance Committee, commented he didn't feel anyone would have a problem with changing Sec. 22-6 (a) two {2} dogs – lot size less than 20,001 square feet (S.F.) and (b) four (4) dogs - lot size between 20,001 S.F. and one (1) acre. He stated he thought that was what the Committee really intended anyway.

Mr. Moody stated that is a substantial change in what was advertised for the public hearing. Will we have to have another public hearing? The County

Attorney recommended adopting the present ordinance and then advertise for another hearing to make the amendments.

Mr. Bracey opened the Public Hearing.

The following citizens spoke in support of the ordinance:

1. Joseph Lamontogne, 4500 Wrenn Forest Drive, Petersburg, VA 23803
2. Michelle Duggan, 24023 Bancroft Drive, Petersburg, VA 23803

Mr. Bracey closed Public Hearing A-02-1.

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF DINWIDDIE, VIRGINIA, AS AMENDED, BY AMENDING SECTION 22-1, DEFINITIONS, SECTIONS 22-71, 22-84, 22-96, 22-114 AND 22-185, PERMITTED USES AND ADDING SECTION 22-243, LIMITATION ON NUMBER OF DOGS PERMITTED IN RESIDENTIAL ZONING DISTRICTS, OF CHAPTER 22, ZONING.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of the County of Dinwiddie, Virginia, that Sections 22-1, 22-71, 22-84, 22-96, 22-114 and 22-185 of the Code of the County of Dinwiddie, Virginia, as amended, be amended and Section 22-243 be added as follows:

Sec. 22-1. Definitions.

Delete the existing definition of Kennel and in its stead insert the following

Kennel, commercial: A facility and/or parcel of land where dogs are kept for boarding, breeding, care, grooming, sale or other purposes for commercial gain.

Kennel, private: A facility and/or parcel of land where more than six (6) dogs, more than four months old, are kept for non-commercial purposes.

Sec. 22-71. Permitted Uses.

Delete use (36) Kennels, with conditional use permit and add the following

Kennel, private

Kennel, commercial with conditional use permit

Sec. 22-84. Permitted Uses.

Add the following use

Kennel, private with conditional use permit

Sec. 22-96. Permitted Uses.

Add the following use

Kennel, private with conditional use permit

Sec. 22-114. Permitted Uses.

Add the following use

Kennel, private with conditional use permit

Sec. 22-185. Permitted Uses.

Add the following use

Kennel, commercial with conditional use permit

Add the following section to Article V, Supplementary District Regulations

Sec. 22- 243. Limitation on number of dogs permitted in residential zoning districts and/or residential subdivisions.

Except as otherwise provided in this ordinance, it shall be unlawful to house, board, breed, handle or otherwise keep or care for dogs in excess of the numbers established herein per lot size in residential zoned districts established by section 22-6, or in any residential subdivision.

- (a) two {2} dogs – lot size less than 20,000 square feet (s.f.)**
- (b) four {4} dogs – lot size between 20,000 s.f. and one {1} acre**
- (c) five {5} dogs – lot size between 1.01 acre to 1.5 acres**
- (d) six {6} dogs – lot size greater than 1.5 acres**

Mr. Clay stated, be it resolved, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that zoning case A-02-1 be approved with the conditions recommended by the Planning Commission.

The motion was seconded by Mr. Haraway, 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 zoning amendment A-02-1, as stated above, is hereby approved, with the conditions recommended by the Planning Commission.

IN RE: PUBLIC HEARING – A-02-6 – TO AMEND VARIOUS SECTIONS OF CHAPTER 4 ENTITLED ANIMALS AND FOWLS

This being the time and place as advertised in the Dinwiddie Monitor on June 19, 2002 and June 26, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment to amend various sections of Chapter 4 entitled Animals and Fowls.

Mr. Thompson read excerpts from the following Summary Staff Report on A-02-6:

Planning Summary Report

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF DINWIDDIE, VIRGINIA, AS AMENDED, BY AMENDING SECTION 4-1, DEFINITIONS, AND SECTION 4-34, TAX IMPOSED, OF CHAPTER 4, ANIMALS AND FOWL.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of the County of Dinwiddie, Virginia, that Sections 4-1 and 4-34 of the Code of the County of Dinwiddie, Virginia, be amended as follows:

Section 4-1. Definitions

Delete the definition of kennel from this section.

Section 4-34. Tax imposed

Delete the word kennel from subsections (a)(1), (a)(2), and (a)(3) and in its stead insert multiple dog.

In subsections (a)(1), (a)(2) and (a)(3), increase the annual license tax as follows:

Subsection (a)(1), delete four dollars (\$4.00) and in its stead insert five dollars (\$5.00).

Subsection (a)(2), delete twenty-five dollars (\$25.00) and in its stead insert thirty dollars (\$30.00).

Subsection (a)(3), delete thirty-five dollars (\$35.00) and in its stead insert forty dollars (\$40.00).

Add subsection (a)(4) as follows:

Multiple dog license holders are subject to the restrictions contained in Chapter 22, Zoning Ordinance, relating to use and/or numbers of dogs permitted on lots in various zoning districts and/or residential subdivisions.

A copy of the above statement shall appear on all dog licenses issued within the County of Dinwiddie.

This ordinance shall become effective upon the date of adoption by the Board of Supervisors. In all other respects said zoning ordinance shall remain unchanged and in full force and effect.

Mr. Bracey opened the Public Hearing.

No one spoke for or in opposition to the amendment.

Mr. Bracey closed the Public Hearing.

The County Administrator commented since fees are involved action would have to be taken at the next Board meeting.

IN RE: PUBLIC HEARING A-02-7 – ORDINANCE TO ESTABLISH AN INMATE WORKFORCE

This being the time and place as advertised in the Dinwiddie Monitor on June 19, 2002 and June 26, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments regarding the proposed establishment of an inmate workforce comprised of certain persons confined in the jail.

The County Administrator commented this is an ordinance to establish an Inmate workforce comprised of every person eighteen years or older who is convicted and confined in the jail for violating a local ordinance or for failing to pay a required fine. In the title for this ordinance it had regional jail however that should be removed because the county does not have a regional jail. This is a result of an earlier request to see if we could start using the inmates to pick up trash in the County at dumpster sites, and along roads. If the inmates pick up trash on the roads, which is State property, the Judges would have to include it as a part of the sentence. It would require a little more work with the Judges but the County would still have to adopt the ordinance. The Sheriff has agreed to supervise the workforce.

Mr. Bracey opened the Public Hearing.

No one spoke for or in opposition to the ordinance.

Mr. Bracey closed the Public Hearing.

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

BE IT ORDAINED, by the Board of Supervisors that there is hereby established an inmate work force in the County, and that every person who is eighteen years or older who is convicted and confined in the Dinwiddie County Jail for violating any ordinance of Dinwiddie County or for failing to pay a required fine, may be required to work in the work force.

AND BE IT FURTHER ORDAINED that the work force is authorized to work on public property or works owned, leased or operated by the County; on a privately operated national park on federal land; or on any property owned by a nonprofit organization which is exempt from taxation under 26 U.S.C. § 501(c)(3) or (c)(4) and which is organized and operated exclusively for charitable or social welfare purposes whether the same is located within the County or elsewhere.

AND BE IT FURTHER ORDAINED that every person eighteen years of age or older who is confined pending disposition of nonviolent criminal offense or an offense under Chapter 5 (§ 20-61 et seq.) of Title 20 of the Code of Virginia (related to failing to pay spousal or child support payments), may work in such work force on a voluntary basis with the approval of and under the supervision of the sheriff.

AND BE IT FURTHER ORDAINED that the Sheriff of the County of Dinwiddie shall supervise the work force herein established.

**IN RE: APPOINTMENT DONALD L. HARAWAY- CRATER
PLANNING DISTRICT COMMITTEE AND
METROPOLITIAN PLANNING ORGANIZATION**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Donald Haraway, is hereby reappointed to the Crater Planning District Committee and Metropolitan Planning Organization, for a one-year term expiring June 30, 2003.

**IN RE: RECOMMENDATION FOR APPOINTMENT - RONNIE
ABERNATHY - BOARD OF ZONING APPEALS**

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, 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 Mr. Ronnie Abernathy is hereby approved to be recommended to the Circuit Court Judge to be reappointed to serve on the Dinwiddie County Board of Zoning Appeals for a term ending December 31, 2006.

**IN RE: APPOINTMENT JAMES F. ANDREWS & WILLIAM C.
KNOTT- DINWIDDIE COUNTY AIRPORT INDUSTRIAL
AUTHORITY**

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, 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 Mr. James Andrews and Mr. William C. Knott, are hereby reappointed to the Dinwiddie County Airport Industrial Authority, retroactive to January 31, 2002, for a three-year term expiring January 31, 2005.

IN RE: APPOINTMENT - DANIEL D. LEE – DINWIDDIE COUNTY PLANNING COMMISSION

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, 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 Mr. Daniel D. Lee, is hereby reappointed to the Dinwiddie County Planning Commission, retroactive to December 31, 2001, for a four-year term expiring January 31, 2005.

IN RE: APPOINTMENT- JOYCE R. WELLS – APPOMATTOX REGIONAL LIBRARY BOARD

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, 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 Mrs. Joyce R. Wells is appointed to serve on the Appomattox Regional Library Board for a four-year term ending June 30, 2006.

IN RE: CRATER CRIMINAL JUSTICE TRAINING ACADEMY – RE-ESTABLISHMENT OF AGREEMENT

The County Administrator stated an agreement is enclosed to re-establish the Academy under the revised Section 15.1-1300 of the Code of Virginia. Basically, it establishes the academy as a separate entity and grants it the power to sue and be sued in its own name rather than involve the individual localities. The County Attorney has reviewed it and action is needed to authorize the Chairman to sign.

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the Chairman is authorized to sign the agreement as described above.

IN RE: ANIMAL CONTROL OFFICER - REQUEST TO ATTEND CHEMICAL CAPTURE CLASS

Mr. Steve Beville, Animal Control Officer, stated Ms. Mary Ellison needed to register to attend a one-day class for the chemical capture class. The class is for certification to use a tranquilizer gun. It will be held in Amelia, Virginia on July 27 2002, at a cost not to exceed \$125.00.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorization is granted to issue a check in the amount of \$125.00 for the Animal Control Officer to attend the chemical capture class in Amelia, Virginia on July 27 2002.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The Board will need to continue the meeting tonight until 12:30 P.M. on July 10, 2002 to hear the School Redistricting Plan and at

2:00 P.M. to go on a tour of the County with the Planning Commission.

2. The date for the workshop on the Comprehensive Land Use Plan, for the additional time and public information session, is August 1, 2002 at 7:00 P.M. The Board has agreed to have one joint session in this building. This date will be published in the newspaper.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman He stated he had two items. He received a call Sunday morning about the Motorsports Park starting engines too early. He requested the Deputy on duty to be given the start times and not allow people to start their engines until the posted times. Mr. Shelly Newton, a volunteer for the Namozine Volunteer Fire Department, suggested the high schools offer classes as an elective for EMS training. This would prepare them to go into the volunteer departments. Mr. Bowman suggested contacting the School Superintendent to see if the classes could be offered in the Fall.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from Adelpia regarding Company filing Chapter 11
2. Letter from Adelpia reassuring County of continued commitment of service and the investigation of the Securities and Exchange Commission of the Rigas family
3. Report from Davenport & Company regarding Adelpia Corporation's financial condition
4. Memorandum to the County Administrator from the Senior Planner/Zoning Administrator regarding code Compliance Violation Guidelines
5. U.S. Department of Commerce, Bureau of the Census - Income Data - 2000
6. Letter from Adelpia regarding the establishment of trust accounts to pay franchise fees

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 –Assistant County Administrator

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 10:16 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:39 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel - Assistant County Administrator

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.

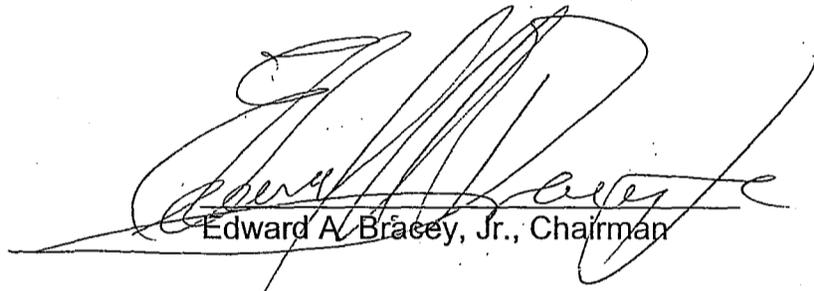
Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 10:46 P.M. to be continued until July 10, 2002 at 12:30 P.M. to hear the School Redistricting Plan and at 2:00 P.M. to go on the tour of the County with the Planning Commission.

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Certification Resolution for the continuation meeting was read and approved and the meeting was adjourned at 10:48 P.M.


Edward A. Bracey, Jr., Chairman

ATTEST:


Wendy Weber Ralph
County Administrator

/abr

