

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 6TH DAY OF NOVEMBER, 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: PHYLLIS KATZ 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

There were no amendments to the agenda.

IN RE: MINUTES

Upon Motion of Mr. Moody, Seconded by Mr. Clay, 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 October 30, 2002 Continuation Meeting and the October 16, 2002 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, 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 1032681 through 1032904 (void check(s) numbered 1022087, 1022348, 1026266, 1026320, 1026918, 1032465, 1032479, 1032682, 1031611, 1032764, 1032766 and 1032893) for:

**Accounts Payable:
FY 02-03**

| | |
|-------------------------------|---------------|
| (101) General Fund | \$ 179,735.40 |
| (103) Jail Commission | \$ 10.00 |
| (104) Marketing Fund | \$.00 |
| (209) Litter Control | \$.00 |
| (222) E911 Fund | \$ 931.75 |
| (223) Self Insurance Fund | \$.00 |
| (225) Courthouse Maintenance | \$.00 |
| (226) Law Library | \$.00 |
| (228) Fire Programs & EMS | \$ 1,592.00 |
| (229) Forfeited Asset Sharing | \$ 359.66 |
| (304) CDBG Grant Fund | \$ 158.90 |
| (305) Capital Projects Fund | \$ 573.80 |
| (401) County Debt Service | \$.00 |

TOTAL **\$ 183,361.79**

PAYROLL 10/31/02

(101) General Fund \$ 403,310.50
(222) E911 Fund \$ 3,420.91
(304) CDBG Fund \$ 3,753.42

TOTAL **\$ 410,484.83**

IN RE: RESOLUTION – HONORING DEPUTY TIMOTHY W. MARTIN

The County Administrator presented the following Resolution to the family of Deputy Timothy W. Martin.

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

**RECOGNIZING THE LATE OFFICER TIMOTHY WAYNE MARTIN AS A
"FRIEND OF DINWIDDIE COUNTY"**

WHEREAS, the late Dinwiddie County Deputy Timothy W. Martin joined the Sheriff's Office in 1994; and

WHEREAS, Deputy Martin served the residents of Dinwiddie County as a correctional officer; and later had the distinction of being promoted to serve as a road deputy; and

WHEREAS, Deputy Martin was a very caring person who often went beyond the call of duty. He was devoted to his job and was proud to serve his community; and

WHEREAS, Deputy Martin was killed in a tragic motor vehicle accident on October 17, 2002, on-duty while responding to a domestic violence call; and

WHEREAS, Deputy Martin was a devoted father who was very proud of his family, lived and gave his life on behalf of the people of Dinwiddie County;

NOW, THEREFORE BE IT RESOLVED, that the Dinwiddie County Board of Supervisors recognizes the late Deputy Timothy W. Martin as a "Friend of Dinwiddie County," and notes that the impact that he had on those around him will be felt for the remainder of their lives. His absolute devotion to his duties, his responsibility to his family, community and the Sheriff's Office will serve to guide those who knew him in the search for true humanity and the quality of life that eludes so many.

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.

1. Mr. Michael Bratschi – Cutbank Road, McKenney, Virginia, came forward stating the Resolution for the Martin family was a nice gesture. He admonished the Board to make certain that the Administrative Staff assist the Sheriff's Department with the paper work to assure that Mr. Martin's son received the benefits he is entitled to. He asked if the Assistant County Administrator position was advertised in the paper? The County Administrator replied yes.

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

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

"As previously requested by the Board of Supervisors, Draft copies of the Planning Commission Meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting room. The purpose of doing so is to expedite the hearing process without compromising the public's 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 – C-02-7 – VIRGINIA MOTORSPORTS PARK - REQUEST TO AMEND A PREVIOUSLY ISSUED CONDITIONAL USE PERMIT TO EXTEND HOURS FOR MOTORCROSS RACING

This being the time and place as advertised in the Dinwiddie Monitor on October 23, 2002 and October 30, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments regarding a request by Virginia Motorsports Park to amend a previously issued conditional use permit to extend their hours for motorcross racing.

Mr. William C. Scheid, Planning Director, came forward and read the following excerpt.

Planning Summary Report

File: C-02-7
Applicant: Virginia Motorsports Park
Address: 8018 Boydton Plank Road, Petersburg, VA 23803

The applicant is seeking an extension of operating hours for motocross racing located toward the rear of their property. The request is as follows:

The motocross hours of operation will be from 7:30 AM until 11:00 PM on Friday, Saturday, Sunday and Holidays with testing hours on Monday through Thursday from 8:00 AM until 6:00 PM.

An explanation for the request was submitted by Paul Coleman and is included in your material. It is noted that there is a slight variation between the paragraph #1 narrative of the application and the explanation letter regarding the hours of testing. The application requests 9:00 AM to 5:00 PM and the amendment letter seeks 8:00 AM to 6:00 PM.

The Planning Commission and the Board of Supervisors have reviewed several conditional use permits submitted by Virginia Motorsports Park since 1992. The cases are: C-92-2; C-94-4; C-94-9; C-97-1; C-97-5; and C-00-4. The most recent case addressed, primarily, the extended hours of operation for **drag racing**. The Planning Commission and the Board of Supervisors approved the following:

1. Drag racing on Thursday through Saturday and Statutory Holidays (except Sundays) from 8:00 AM until 11:00 PM. If an "Act of God" prevents an event from being completed, the next available day is permitted as a race day;
2. Drag racing on Sunday remains unchanged from previously issued use permits; and
3. Test and tune activities are permitted Monday through Friday from 9:00 AM until 5:00 PM.

Regular racing hours for Sunday are from 12:00 noon to 6:30 PM. If racing occurs on Sunday during a special event weekend, the hours of racing are from 10:00 AM through 11:00 PM.

The Planning Commission heard this case at their October 9, 2002 public meeting. Several citizens appeared at this meeting with some supporting the application and others opposing the application. Upon conclusion of the public hearing the Planning Commission voted to recommend approval of the request to the Board with the testing hours on Monday through Thursday being from 9:00 am to 5:00 pm. The applicant agreed to this change. The vote of the Commission was as follows: 3 in favor, 1 opposed and 1 abstaining (Mr. Moody was advised by the Commonwealth Attorney that a conflict of interest may be involved and he should abstain from voting). Two Commissioners (Mr. Wood and Mr. Perkinson) were absent.

Mr. Bracey opened the public hearing.

The following citizens spoke in opposition to extending the hours of Motorcross racing:

1. Thomas Kent Russell – 7209 Crystal Lane, Petersburg, Virginia
2. Russell Fail – 25801, Petersburg, Virginia
3. Rufus Killingsworth – 5907 Beville Drive, Sutherland, Virginia
4. Betty Ragsdale – 8511 Boydton Plank Road, Petersburg, Virginia
5. Robert Ragsdale - 8511 Boydton Plank Road, Petersburg, Virginia

The following citizens spoke in support of extending the hours of Motorcross racing:

1. Patsy Mears - 7203 Jack Drive, Petersburg, Virginia
2. Bryan C. Pierce – General Manager of Virginia Motorsports Park
3. Phil Dean
4. Darrell Whirley – 23707 Addison Street
5. Calvin Adkins
6. David Buyalos – 21475 Butterwood Road, Petersburg, Virginia
7. Curtis Wheeler – 7306 Spring Farm Drive, Petersburg, Virginia

Mr. Bracey closed the public hearing.

Mr. Paul Coleman the applicant came forward stating the reason for the request is that it takes between 10 and 11 hours to complete a race.

The MX track is not lighted and without daylight savings time we cannot complete a race during the spring and fall when it is too dark to race after 5:00 P.M. Therefore we need a 7:30 A.M. starting time to complete a race.

We plan to build a track in a two hundred by four hundred foot area (a little less than two acres) called a Super Cross track. This track will be lighted and will run on Saturday nights. This is the reason for an 11:00 P.M. finish. The same motorcycles that run on the 20-acre track run on the Super Cross Track.

The fact that the drag strip is noisy has never been denied. The Motorcross track accommodates engines that are 25 horsepower as opposed to 6,000 horsepower and the engines are muffled and generate less noise. The motorcycles do not produce the type of noise the drag strip cars produce.

Mr. Bracey stated this public hearing is about the MX track not about the drag racing.

Mr. Bowman asked Mr. Scheid if he had been to the track with a meter to test the noise level at the track. Mr. Scheid stated he did not go out to the track

with his decibel meter. It was Mr. Coleman's decibel meter. But he did attend two events on two different weekends; and he rode the track with Mr. Coleman and the decibel level was not offensive to him. Continuing he commented, what may not be offensive to one person may be offensive to someone else. Mr. Coleman commented on the A scale the decibel level was 65-67 which is about the ambient sound level in this room. The testing was done near Mr. Ragsdale's property, at the end of the track near Spring Farm Road, and at the ticket gate.

Mr. Bowman stated he went to the track on two different race days. The first time he stopped at the entrance of the track on Route 1, to see what the noise level was. He got out of the truck and listened but he did not hear any noise. A couple of weekends ago he said he went back to the track when they were running, he stopped at the entrance and he could not hear any noise. He drove back to the MX track while they were racing and he still did not hear any noise.

Mr. Moody stated he was abstaining, and he had no comment.

Mr. Clay commented he has not heard any one complain tonight about the noise on the MX track. The complaints tonight have been about the drag races. He said Mr. Coleman has invited him 2 or 3 times to the races but he has not been able to attend. But he felt the Board should do something about the drag racing noise.

Mr. Haraway commented the Board is voting tonight for both the MX track and the Stadium Cross Track. At this time he felt they were getting into some unknown territory because we don't know what the noise factor will be for the stadium. He said he could understand both sides here. The racetrack owners have made an investment here and are entitled to a return. Sundays are a big day for racing. On the other hand, he could certainly understand the church group that is here today. He stated there is a Bible verse in the Old Testament, *"The Lord is in His holy Temple, let all the earth keep silent before Him"*; he learned that verse when he was a kid and he still remembers it. We are talking about 52 weeks out of a year that the race track will be able to start on Sunday morning at 7:30 A.M. Continuing he commented he would not want anything to bother him 52 weeks a year, I could put up with it a few Sundays but not every one. He stated tonight he hoped the Board would think about the racetrack owners and the people that are here. Maybe we could have a compromise and let the track owner start at 7:30 A.M. 12 Sundays a year so these people will not be bothered every weekend. He said the Board should respect the citizens close to the track and a compromise here tonight could serve both parties.

Mr. Bracey asked Mr. Coleman how many weekends the motorcross events are held? Mr. Coleman replied next year we plan to race 30 weekends. Mr. Bracey commented he had no real comments. Mr. Bracey stated the Planning Commission recommended approval and upon this recommendation he called for a motion.

Mr. Bowman 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 conditional use permit C-02-7 be approved as amended by the Planning Commission.

The motion was seconded by Mr. Clay, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye", Mr. Haraway voting "Nay", Mr. Moody "Abstaining",

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of the County of Dinwiddie, Virginia, that conditional use permit C-02-7 is approved to allow the motocross hours of operation from 7:30 AM until 11:00 PM on Friday, Saturday, Sunday and Holidays with testing hours on Monday through Thursday from 8:00 AM until 6:00 PM.

**IN RE: PUBLIC HEARING – REGARDING PROPOSED USE OF
FY 2002 LOCAL LAW ENFORCEMENT BLOCK GRANTS
PROGRAM FUNDING**

This being the time and place as advertised in the Dinwiddie Monitor on October 23, 2002 and October 30, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments regarding the proposed use of FY 2002 Local Law Enforcement Block Grants Program funding.

Mrs. Wendy Ralph, County Administrator, commented the Sheriff is requesting authorization to accept grant funding in the amount of \$10,167 for a Local Law Enforcement Block Grant. The local match is \$1,130, which will have to come from the Sheriff's budget. The requirements of the grant called for a committee to be appointed which was done.

Investigator Mitchell Harris explained that the request is to fund a new computer network server. He stated the committee met prior to the Board meeting tonight and the committee agreed that the funds should be used to purchase the network server also. The server will hold the data from all of the departments in the Sheriff's Department.

Mr. Bracey opened the public hearing. No one spoke in support or in opposition to the Local Law Enforcement Block Grant. Mr. Bracey closed the public hearing.

Upon Motion of Mr. Moody, 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 authorizes the Sheriff's Department to accept grant funding in the amount of \$10,167 for a Local Law Enforcement Block Grant with a local match of \$1,130, which will come from the Sheriff's budget to be used for the purchase of a network server.

**IN RE: PUBLIC HEARING – A-02-10 – AMENDMENT TO IMPOSE
FEES TO COVER THE COSTS IN COLLECTION OF
DELINQUENT TAXES**

This being the time and place as advertised in the Dinwiddie Monitor on October 23, 2002 and October 30, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments on and to propose an amendment to impose fees to cover the administrative costs in collection of delinquent taxes.

The County Administrator stated Mr. William E. Jones, Treasurer, requested this ordinance amendment to impose a fee to cover the administrative costs associated with the collection of delinquent taxes and other charges, including reasonable attorney's fees and collection agency fees.

Mr. Bracey opened the public hearing. No one spoke in support or in opposition to the amendment.

No action was taken since this is a fee. Action will be taken at the November 20, 2002 meeting.

IN RE: ADOPTION – A-02-11 - REVENUE RECOVERY

The County Administrator commented the public hearing was held on October 30, 2002 but no action could be taken because fees are involved; therefore, this is an action item for tonight. A question was raised at the public hearing regarding Grandparents and their grand children visiting along with the concerns of divorced parents, and children who don't reside with them all the

time but visit on a regular basis. The billing company representative recommends any one having some legal obligation such as joint custody, would want to include these children in the subscription plan when it is established because they are responsible for them. Grandchildren aren't as much of an issue; if they are with you at your home on a regular basis then you would want to include them on the subscription plan.

The other question involved the \$7.50 cost per mile fee. Again what we found out was that the ambulance charge is a standard set by Medicare for us to follow. In the majority of the cases the insurance companies pay 80% of that charge. While the Board can certainly reduce the charge it is not the recommendation of those people who are involved in the business. The rates may be raised in the future by Medicare and the county would not want to lose out on the money we might be able to collect. Any fees not covered by private insurance would be covered by the subscription plan.

Mr. David Jolly, Public Safety Director, explained the subscription plan. The cost is \$59 per calendar year January 1 – December 31, 2003. Open enrollment will begin December 1, 2002 through January 31, 2003. If a citizen wishes to pay for the subscription plan anytime during the year they will be allowed to. However, the cost will be \$59 even if there is only one month left in the calendar year.

The County Administrator stated the effective date for the Revenue Recovery Ordinance will be February 1, 2003.

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

AN ORDINANCE AMENDING THE CODE OF DINWIDDIE COUNTY TO IMPOSE A FEE FOR EMERGENCY MEDICAL SERVICES AND TO AUTHORIZE FOR THE COLLECTION OF SUCH FEES

WHEREAS, the Board of Supervisors has appropriated tax revenues for the provision of Emergency Medical Services to the residents of Dinwiddie County;

AND WHEREAS, many of such residents have health plans or insurance that covers the cost of such services;

AND WHEREAS, the Board of Supervisors believes that the revenue recovery of the cost of such emergency medical services is in the best interests of all taxpayers of the County.

BE IT ORDAINED, by the Board of Supervisors under the authority granted to it under §32.1-111.14 of the Code of Virginia that as of February 1, 2003, the following fees will be imposed for emergency medical services:

| | |
|--|------------------------------|
| Basic and Advanced Life Support | \$385.00 |
| EMS Transport | \$ 7.50 per mile from |
| patient pick-up to hospital | |
| Annual Subscription Fee | \$ 59.00 |

AND BE IT FURTHER ORDAINED, that the County Administrator is authorized to enter into a contract with Diversified Ambulance Billing, Inc. for the billing of such fees on behalf of the County.

Mr. Bracey admonished everyone to pay the subscription fee and to encourage everyone else they knew to join it also. He commented there are some individuals who do not have the ability to pay the fee but a lot of churches in the County might be willing to help them.

IN RE: REQUEST AUTHORIZATION TO CONSTRUCT METAL BUILDING - DVFD

The County Administrator stated the Dinwiddie VFD is requesting authorization to construct a metal building to be utilized for storing supplies and have an overhang to hold their stews for fund raising. They plan to fund the project themselves and are seeking your approval.

Mr. Donald Faison, Buildings and Grounds Director, stated he recommended option #1, which would be to attach the metal building to the DVFD building. This would be the most economical way to go for the volunteers. The metal and brick will match the existing building.

The Board members all agreed that the metal building must match the existing building. Mr. Bowman asked if an additional sewer line would be added. Mr. Faison replied no.

Mr. Bracey directed Mr. Faison to oversee the project.

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 Dinwiddie Volunteer Fire Department is authorized to construct a metal building as recommended in option 1 to be utilized for storing supplies and have an overhang to hold their stews for fund raising. The Dinwiddie VFD will fund the project and the plans will be brought back to the Board for approval.

IN RE: SIGNAGE FOR COUNTY BUILDINGS

The County Administrator stated after your directive to look into standardizing signage for all County buildings, staff met with Mr. Frank DeStefano to see what assistance he could provide. Enclosed in your packets is his proposal. This would get us to the point that you could review a proposed plan and design. The cost is \$3,330. Mrs. Ralph commented she could not attest whether this figure was too high or too low for these services.

Mr. Bowman and Mr. Haraway felt the price was too high. Mr. Haraway stated the proposals could include the design in the RFP. Mr. Bracey stated the key is where to place the signs. Several of the Board members suggested calling other localities to see what they did. It was recommended that everyone will bring recommendations back for review.

IN RE: CONTRIBUTION – HIGH GROWTH COALITION

The County Administrator commented the High Growth Coalition is again seeking contributions from localities for their lobbying efforts. She recommended making the same contribution that the County did last year, which is \$500.

Mr. Moody stated he would be attending a Coalition meeting at the VACo Conference and if anyone had any issues they would like to be discussed let him know.

Upon Motion of Mr. Moody, 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 request for the contribution to the High Growth Coalition is hereby approved in the amount of \$500.

IN RE: SHERIFF'S DEPARTMENT – AUTHORIZATION TO PURCHASE SIX POLICE CARS

The County Administrator stated a letter from the Sheriff is enclosed in your packets requesting authorization to proceed with ordering the six police cars which were approved in the budget off the state contract. The cost for the six cars is \$125,070, which is under the budget price of \$126,000.

Sheehy Ford was awarded the State contract at a cost of \$20,495 per vehicle. This bid is applicable to any vehicle ordered prior to March 15, 2003. The Sheriff is requesting authorization to purchase the six Ford Crown Victoria police vehicles from State Contract 0000001436 from Sheehy Ford, 10601 Midlothian Turnpike, Richmond, Virginia, 23235 at a total price of \$125,070.

Upon Motion of Mr. Clay, 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 Sheriff's Department is authorized to purchase the six Ford Crown Victoria police vehicles from State Contract 0000001436 from Sheehy Ford, 10601 Midlothian Turnpike, Richmond, Virginia, 23235 at a total price of \$125,070.

IN RE: REQUEST FROM THE COMMISSIONER OF THE REVENUE TO PURCHASE A PC AND PRINTER

The County Administrator stated a letter was enclosed in your packets from the Commissioner of the Revenue requesting authorization to purchase a PC and printer for \$2,424.99 for her office. The carpet in the Commissioner's office was defective and is going to be replaced under warranty. The partitions around the workstations will not match the new carpet. Rather than replacing the partitions the Commissioner is requesting to use the credit to purchase the PC and printer.

Following a lengthy discussion the Board postponed action and requested that the Commissioner of the Revenue attend the next Board meeting on the 20th of November to discuss the matter.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The latest information we have on the State budget cuts was enclosed in your packets.
2. Mrs. Ralph informed the Board that interviews for the Building Inspector's position will be held from 9:00 A.M. – 12:00 Noon Thursday, November 14 if any of you would like to come and participate.

IN RE: GIS RESOLUTION – TO ISSUE A RFP FOR THE DESIGN AND IMPLEMENTATION OF A COUNTY-WIDE GIS SYSTEM

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

**RESOLUTION
Authorizing the County Administrator
to Issue a Request for Proposals for
the Design and Implementation of a County-wide GIS System**

Whereas, the County has attempted to obtain bids for the Design and Implementation of a County-wide GIS System through competitive sealed bidding; and

Whereas, the questions and/or responses about the Invitation to Bid were such that the County was unable to procure the type of services required because of the many variables that could not be set forth in the Invitation to Bid.

Now Therefore Be it resolved, by the Board of Supervisors of Dinwiddie County, Virginia that based on the best efforts of staff to comply with the Virginia Public Procurement Act it was determined that competitive sealed bidding is not practicable or fiscally advantageous to the public for the following reasons: the evaluation of services required entails the assessment of multiple approaches to the project scope and design; the evaluation of offerors must be based on various subjective factors, including a demonstrated understanding of the project, experience and qualifications, schedule and quality of work, and to provide the ability to negotiate specific contractual terms as to time of delivery of services and the services required of the county to support the successful contractor in the execution of the project.

And be it further resolved, by the Board of Supervisors of Dinwiddie County that the County Administrator is authorized to procure the services required to design and implement a GIS system through competitive negotiations as set forth in section 2.2-4301 of the Code of Virginia.

IN RE: PROCLAMATION – NATIONAL HOSPICE MONTH

Hospice Care in America – Comfort and Compassion When It's Needed Most
November 2002

PROCLAMATION

WHEREAS, 2002 marks the 20th anniversary of the establishment of the Medicare Hospice Benefit, which has enabled more than 4 million American patients and families to receive hospice's comprehensive services at little or no cost;

WHEREAS, each year approximately 775,000 terminally ill patients and families rely on end-of-life care provided by approximately 3,200 hospice locations in communities throughout the United States;

WHEREAS, hospice care allows patients and families to receive professional medical services, pain and symptom control, and emotional and spiritual support, without hospitalization;

WHEREAS, hospice creates a compassionate atmosphere, where patients are able to die with dignity, wherever they call home, surrounded and supported by loved ones, familiar friends, and committed caregivers;

WHEREAS, professional and compassionate hospice staff and volunteers--- including physicians, nurses, social workers, therapists, and clergy -- provide comprehensive care and attend to the particular needs and wishes of each patient, and family members and friends also receive counseling and bereavement care that help them cope with the loss of their loved one;

WHEREAS, providing high-quality hospice care reaffirms our belief in the essential dignity of every person, regardless of age, health, or social status, and that every stage of human life deserves to be treated with the utmost respect and care;

WHEREAS, National Hospice Month recognizes those who serve in our nation's hospices, often as caregivers in the patients' homes, and caring for

patients at the end of life can be emotionally painful, physically exhausting, and financially difficult;

WHEREAS, this observance is an opportunity to encourage, honor, and support the professionals, volunteers, and family caregivers who take on the challenge of caring for patients at the end of life;

NOW, THEREFORE BE IT RESOLVED, that the Dinwiddie County Board of Supervisors does hereby proclaim November, 2002 as

NATIONAL HOSPICE MONTH

and encourages citizens to increase their awareness of the importance and availability of hospice services and to observe this month with appropriate activities and programs.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the above proclamation was adopted.

**IN RE: FOLLOW-UP REPORT - DROUGHT EFFECTED
COUNTIES AND AUTHORIZATION TO SIGN LIVESTOCK
COMPENSATION PROGRAM LETTER**

The County Administrator stated Mr. Bowman requested that she find out what happened to counties that sent their resolutions to Governor Warner's Office for drought disaster relief by the September 19th cut off date that were not included in the program. We adopted our resolution on August 21st but because of the Federal Government's arbitrary date we didn't meet their deadline. Also, the livestock farmers are not eligible for the Livestock Compensation Program and stand to lose millions as a result of the drought. She commented she asked the Assistant County Administrator, Kevin Massengill, to research what the process was after the State received it and what happened.

Mr. Massengill stated the request was received at the Governor's Office on August 22 by e-mail and regular mail. The Governor's Office immediately sent confirmation of receipt back to the County and forwarded the resolution to the Virginia State Commissioner of Agriculture's Office. This process took about 2 or 3 weeks. Unfortunately, September 19th rolled around and the Secretary of Agriculture, Ann Veneman, set the due date of September 19th for all applications to be in Washington, D.C. The Governor did not get his assessment report back until October 2nd. He then sent a letter to Ms. Veneman explaining that he recognized he was sending in the applications late. However, he did request that the fifteen Counties, including Dinwiddie County, be included in the disaster relief program.

The County Administrator commented she also received a letter from Mr. Edward Titmus of Whippernock Farm requesting that the Board join in the coalition headed up by Fauquier County Agricultural Department for those counties that were not eligible for the Livestock Compensation Program even though the paperwork was in the State office on September 19, 2002, the date the Secretary of Agriculture stated all applications had to be in Washington, D.C. Mrs. Ralph strongly encouraged the Board to authorize the Chairman to sign the letter of endorsement for inclusion of the disaster assistance by the Federal Government.

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Chairman is authorized to sign the letter to the Honorable Ann M. Veneman to alter the criteria to include the Virginia counties that demonstrated drought disaster relief needs for equitable and fair delivery of disaster assistance to our farms based on need.

IN RE: COUNTY ADMINISTRATOR COMMENTS CONT'

1. The County Administrator stated she received a letter from a concerned resident regarding speeding in Virginia Hills Subdivision. She requested that the Sheriff bring us up to date on the issue. Sheriff Shands stated the lady contacted him and he went to the subdivision on election day. It was raining but he did not observe anyone speeding that day. Deputies have set up radar but the average speed was 27 miles per hour in a 25 mile per hour speed limit. He stated he would contact her.
2. Mr. Bracey asked Sheriff Shands if he had set up radar in the High School area on Boisseau Road, Turkey Egg Road and Courthouse Road. It is by grace no one has been hurt or killed. Sheriff Shands replied yes. Mr. Moody questioned if any tickets have been written. The Sheriff responded yes. Mr. Moody commented the word would get around sooner or later if citations continue to be issued to violators. Sheriff Shands reported the speed board is in but it has not been set up yet.
3. The County Administrator requested guidance from the Board about providing information to the public regarding the quarry application. She stated our goal is to provide as much information to the public who would like to have it as possible. The Board will receive your packets tonight but they are very voluminous and similar to the comp plan these have a lot of color graphs and studies. If duplicated it would be quite expensive. Mr. William G. Scheid, Planning Director, stated a color package would cost \$80 to \$85 per copy. A black and white copy would not work because of the maps. Mr. Scheid commented he would like to place one copy in the library and keep 4 or 5 copies for citizens who might want to check the loaners out for 3 or 4 days in the Planning Office. He suggested that a deposit of \$25 be retained until the loaner is returned. Mr. Bracey commented that the deposit should be returned to the citizens when the copy is returned. The Board agreed.

IN RE: BOARD MEMBER COMMENTS

- Mr. Clay He stated Mr. Brian L. Gibbs, Virginia Youth Awareness Coordinator, wrote a letter of commendation for Mr. David Jolly, Public Safety Director, who spoke to a group of high school students hosted by the Virginia Moose Association. Mr. Gibbs wrote that Mr. Jolly had magnificent rapport with the young people and kept their interest. His presentation was extremely professional, well received, and beneficial to them. Mr. Jolly is a credit to the County of Dinwiddie and Public Safety officials everywhere. Mr. Clay commented he wanted to give credit when it was due and he appreciated Mr. Jolly making Dinwiddie look good.
- Mr. Haraway He commented he just read the letter with interest from Bruce W. Haynes, Executive Secretary, with the State Compensation Board. He stated he didn't know Mr. Haynes but he certainly qualifies to talk out of both sides of his mouth. On the 2nd page the first paragraph of his memo states, "It is important to understand that the Compensation Board is not "cutting the Constitutional Officers' budgets". While this may seem to some as a distinction without a difference, only the Board of Supervisors or City Council may reduce the funding they approved for the Constitutional Officers. Mr. Haraway said but on October 24th the

Compensation Board will reduce the total reimbursement for Constitutional Officers' salaries and expenses.

Mr. Moody

He pointed out as your VACo Board of Directors member for district 4 if there is anything you would like to be brought up at the annual meeting at the Homestead let him know. He stated he did have a copy of the agenda if anyone would like to see it.

Mr. Bowman

1. He stated he had spoken with the County Administrator about a month ago requesting that a committee be formed to move forward with the recommendations of the Planning Commission for the comprehensive land use plan especially with the agricultural zoning. Mrs. Ralph replied she discussed the uses in A-2 with Mr. Scheid. Mr. Scheid wants to get started with the uses and discuss them with the Planning Commission next Wednesday night. At the retreat, we talked about the items listed in the back of the comprehensive plan and asked for guidance from the Board as to where you want the Planning Commission to start. Mr. Bowman stated just start with one item at a time. He felt A-2 would be the most appropriate place to start. Mr. Bowman commented that it had been recommended by Jay Langston at ABIDCO and at the Economic Development meeting held in Richmond. He asked if there was a timeframe for forming the committee. Mrs. Ralph responded we would know more after the Planning Commission meets Wednesday the 13th. Mr. Bracey asked who would serve on the committees? Mrs. Ralph stated to begin with the Planning Commission members. Mr. Moody commented isn't there a list in the packet? Mrs. Ralph stated it was in the retreat packet. Mr. Moody asked; didn't we discuss this at the retreat? She replied yes, but the list was so long we needed some direction from the Board as to which items you want to concentrate on. The process is still to go through the Planning Commission and then back to the Board. The Board needs to sit down and discuss these items so that we can give the Planning Commission some direction stated Mr. Moody. He commented he understands that Mr. Bowman wants to roll along and he does too; but you can't form but so many subcommittees with a seven member Planning Commission and still have an active family life. Mr. Scheid suggested that the Board members make a list of 5 issues which you feel are the most important in priority order. The lists then can be compared to see if there are maybe one or more issues you might agree on. Mrs. Ralph commented the Board does need to give some direction to the Planning Commission. Mr. Bracey cautioned the Board not to try to move too fast on these issues. Mr. Bowman stated he didn't believe in wasting money or destroying the county. The County Administrator stated she would provide copies to the Board of the list of goals and objectives to be prioritized.

2. Mr. Bowman stated he received a call from a citizen regarding the public hearing notice for the Revenue Recovery Ordinance. The citizen stated he did not see a notice in the Progress Index. Was it advertised? Mrs. Russell, Clerk to the Board, replied it was advertised in the Monitor not the Progress Index. Mr. Bowman interrupted stating the citizen was upset because he felt on an issue as important as this one was, it should certainly be advertise in the Progress Index. The citizen has the opinion that the

Progress is the major newspaper circulated in the county and by not advertising the notice in it the citizen feels that the county is skirting around the issue. The County Administrator pointed out that the Monitor was approved as a newspaper of general circulation for legal ads in the County.

3. Mr. Bowman commented that some citizens had called him again about the dump trucks on Route 226. Mr. Haraway stated the Crater Planning Commission sent out a survey letter from VDOT about the trucks. Mrs. Ralph asked Mr. Bowman if the calls were for speeding on Rt. 226. Mr. Bowman stated they are calling about the noise. Mr. Bracey asked Mr. Bowman if VDOT decided not to allow trucks on Rt. 226 tomorrow what his solution would be for those people to make a living? Mr. Bowman stated the survey that VDOT did suggested using Route 460, I-85 and U.S. Route 1 rather than Rt. 226. Mrs. Ralph stated the topic was discussed when we met with our representative on the Transportation Board and the turn at the stop light at Route 460 is really tough and there isn't much that they can do about it. Mr. Haraway commented he felt it was a different classification of drivers of the gravel trucks compared to the Walmart Distribution Center truck drivers. The behavior of the Walmart driver is a lot more professional and the gravel truck driver acts like they are going to a race. Mr. Bracey stated gravel truck drivers get paid by the load so the more hauls they make the more money they make. Mrs. Ralph said they are independent drivers also. Mr. Bowman asked that we look into what it would take to introduce legislation to have truck traffic restricted on Rt. 226.

4. Mr. Bowman asked if the tax bills sent out for mining by the Commissioner of the Revenue was it for one year or five years. Mrs. Ralph replied it could have been for up to four years. Mr. Bowman asked what the big secret that the Board cannot know the details and plan for the county's budget? Mr. Bracey and Mrs. Ralph stated she informed them that the State Code prohibited it because it is private. Mr. Bowman requested that the County Attorney research this and report back to the Board.

5. Mr. Bowman stated he would like to see the Board write a letter of appreciation to the State Police for all the time and effort they put in during the sniper incident.

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 – Discussion of the Performance of an Officer; Buildings and Grounds

Acquisition of Real Property - §2.2-3711 A. 3

Consultation with Legal Counsel - §2.2-3711 A. 7 – Possible default of Contractor

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 9:58 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 11:07 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel – Discussion of the Performance of an Officer; Buildings and Grounds; § 2.2-3711 A.3 Acquisition of Real Property; § 2.2-3711 A.7 Consultation with Legal Counsel - Possible default of Contractor

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

IN RE: SALES CONTRACT FOR BANK BUILDING PROPERTY

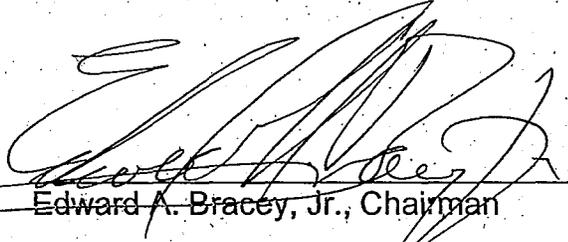
Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Moody, Mr. Bowman, Mr. Bracey, voting "Aye", the County Attorney is authorized to prepare a sales contract for the purchase of the property adjacent to the historic courthouse at the assessed value.

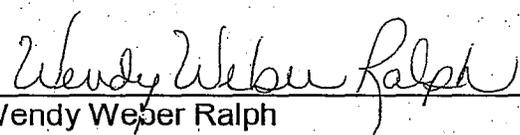
IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Newspaper article *Boydton Looks to Tourism*.
2. Letter from VDOT – regarding the reorganization of the Central Office in Richmond.
3. Letter from VDOT – bridge repairs on I-85 North over Route 603 has been incorporated into paving schedule as part of 2003 paving contract.
4. Letter of commendation from Brain L. Gibbs, Virginia Youth Awareness Coordinator, for David M. Jolly, Director of Public Safety.

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 11:11 P.M.


Edward A. Bracey, Jr., Chairman

ATTEST: 
Wendy Weber Ralph
County Administrator

/abr

