

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 18th DAY OF FEBRUARY, 2003, AT 2:00 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the continuation meeting adjourned at 2:02 P.M.

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

Mr. Robert Bowman, IV, Chairman, called the regular meeting to order at 2:03 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the February 4, 2003 Regular Meeting are hereby approved.

IN RE: CLAIMS

Upon motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman 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 1034040 through 1034170 (void check(s) numbered 1034034 through 1034036 and 1034039) for:

Accounts Payable FY 2002- 2003:

(101) General Fund	\$ 124,029.97
(103) Jail Commission	\$ 20.99
(104) Marketing Fund	\$.00
(209) Litter Control	\$.00
(222) E911 Fund	\$ 1,895.39
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$ 4,296.08
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$ 137.55
(305) Capital Projects Fund	\$ 37,964.83
(401) County Debt Service	\$ 23,733.36
TOTAL	\$ 192,078.63

IN RE: TRAVEL REQUEST – COMMUNICATIONS MANAGER

The Communications Manager requested authorization to attend the Virginia APCO Spring Conference at Virginia Beach, Virginia, April 30 – May 2, 2003, at a cost of \$375.26.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorized the Communications Manager to attend the Virginia APCO Spring Conference at Virginia Beach, Virginia, April 30 – May 2, 2003, at a cost of \$375.26.

IN RE: TRAVEL REQUEST – ZONING ADMINISTRATOR/CODE COMPLIANCE OFFICER

The Zoning Administrator and Code Compliance Officer requested authorization to attend the Spring Board of Zoning Training Conference at Leesburg, Virginia, March 13 – 14, 2003, at a cost of \$478.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorized the Zoning Administrator and Code Compliance Officer to attend the Spring Board of Zoning Training Conference at Leesburg, Virginia, March 13 – 14, 2003, at a cost of \$478.

IN RE: CITIZEN COMMENTS

Mr. Bowman 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 citizen(s) came forward to address the Board:

1. Dr. Michael O. Royster, Health Director, came before the Board to introduce himself. He commented he is the new Health Director for the District and if the Board had any problems he would be happy to assist them in any way he could. He also stated he was open to any suggestions they might have to improve the services the Health Department offers. Dr. Royster provided the Board with copies of the *Health Profile for Dinwiddie County, Virginia 1996-2000*. The Chairman thanked Dr. Royster for coming and stated the Board looked forward to working with him.
2. Michael Bratschi – 23500 Cutbank Road, McKenney, Virginia – stated his wife had submitted a questionnaire to help her complete her thesis to them at the last Board meeting. He stated Mr. Moody sent his back but she had not received the questionnaire from the other Board members. Mr. Bratschi also stated his daughter who attends the Dinwiddie Middle School told him the, *In God We Trust*, posters which were approved by the General Assembly to be displayed in the classrooms at the schools were not on display. He requested the Board to look into why they are not being displayed in the schools. Mr. Bratschi submitted a FOIA request from Eva Bratschi regarding the distribution and administration of DEQ grants for the last three years. He also questioned the Board why the citizens of the County are held to a 3-minute time limit when the total time allowed for citizen comments was 30 minutes. People from outside the County aren't

limited to 3-minutes, but we the citizens are. He said everyone should get the same respect from the Board, especially the citizens.

3. Geri Barefoot, 7411 Frontage Road, Petersburg, Virginia – stated she requested a letter from the Board regarding whether or not they were going to stand behind what they sign? She said she did receive a letter from the County Administrator but it did not answer her question. On July 18, 2001, you as a Board, agreed to support the preservation of National Battlefields in Dinwiddie County. Also, the Board authorized the Chairman, Mr. Moody, to sign a letter regarding the intent of the County for the preservation of national battlefields. She stated she had a copy of a letter from the National Park Service, dated September 6, 2001, addressed to the County, which states the Petersburg National Battlefield is strongly opposed to a quarry being sighted on these lands. She said she would like to know if the Board is going to stand behind its word. You also passed it in your Comprehensive Land Plan, you said, the Nationally significant Civil War Battlefields in the County should be recognized as a majority of cultural resources. You wrote you would support and protect these lands. Mrs. Barefoot stated she would like a letter from the Board to let her know if the County is going to protect these lands.

IN RE: VDOT – REPORT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, came forward and stated he had no updates or report today.

1. He reported that VDOT had been busy with the removal of the ice/sleet/snow. He said VDOT had distributed 10,000 tons of sand/salt on the highways as a result of this storm.
2. The aerial survey work for the High Speed Rail work will start within the month. A big X will be placed on the ground so they will be able to locate the area from the sky. If any of you get a call about these markings you will know what is going to take place.

IN RE: SHERIFF'S DEPARTMENT -- AUTHORIZATION TO PURCHASE INMATE TRANSPORT INSERT FOR JAIL VAN

Sheriff Samuel Shands stated he would like to have authorization to purchase a prisoner transport insert for the 1996 Dodge jail van. The insert is designed to securely accommodate eleven inmates. This would allow the separation of female and male inmates as well as juvenile offenders, which would reduce both personnel and time required to move inmates from the jail to the courthouse to one trip. The County Administrator stated if a new vehicle is purchased in the future the insert could be transferred. She stated the Sheriff is requesting authorization to purchase the prisoner transport insert for the jail van from Bob Barker Co., Inc., the low bidder in the amount of \$7,200. Funding for the insert would be taken from the processing fees charged for fingerprinting individuals for concealed weapon permits.

The following vendors submitted bids for the insert:

Bob Barker Co., Inc.	\$ 7,200
Mavron, Inc.	\$ 8,905
Sirchie	\$15,000

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorized the Sheriff's Department to purchase the prisoner transport insert for the jail van from Bob Barker Co., Inc., the low bidder in the amount of \$7,200. Funding for the insert would be taken from the processing fees charged for fingerprinting individuals for concealed weapon permits.

IN RE: COMMONWEALTH ATTORNEY REPORT

Mr. Robert Hill, Assistant Commonwealth Attorney, came forward and stated Mr. Rainey was in court and unable to attend the meeting, but he would entertain questions from the Board.

Mr. Bracey asked Mr. Hill if he could get information on how magistrates are selected and placed in Dinwiddie County. Mr. Hill stated he didn't know but he would find out and get the information to him.

IN RE: SCHOOL BOARD REQUISITION # 8 - 1998A (70-02-200-7019743)

The County Administrator stated she received the following invoices from Dr. Leland Wise, Jr., Superintendent of Schools for Payment Requisition #8 - 1998A Bond Issue (70-02-200-7019743):

<u>Whitescarver,</u>	Architect and	Dinwiddie Elementary	\$1160.00
<u>Hurd, and</u>	Engineering	School	
<u>Obenchain</u>	Services		
<u>Reed-Smith</u>	Legal	Dinwiddie Elementary	\$1957.05
		School	
<u>Reed-Smith</u>	Legal	Dinwiddie Elementary	\$105.05
		School	
<u>Total</u>			\$3,222.10

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent. Mr. Bracey made a motion to postpone payment of the requisition until the Superintendent could be present to answer his concerns. Mr. Moody seconded the motion, but noted the invoice is 91 - 120 days overdue and he felt the company should be paid. Mr. Bracey agreed. He suggested that the County Administrator review the invoice with the Superintendent and then he felt the invoice should be paid.

Mr. Bracey amended his motion to allow the County Administrator to release payment to the vendor after meeting with the Superintendent. Mr. Moody agreed. Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye,"

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number #8 -1998A (70-02-200-7019743) in the amount of \$3,222.10.00 was approved and funds appropriated for CIP expenses from the School Project Account; with the condition that the County Administrator review the invoice with the Superintendent before payment is made to the vendors.

IN RE: AUTHORIZATION FOR PUBLIC SAFETY TO APPLY FOR DEPARTMENT OF JUSTICE NATIONAL DOMESTIC PREPAREDNESS GRANT

Mr. David Jolly, Director of Public Safety, requested authorization to apply for a grant from the Department of Justice that is offered to each locality through the Department of Emergency Management. These funds are to assist each locality with their efforts to better prepare for response to domestic terrorism. The grant would provide \$36,101.05 and requires no local matching funds. The grant

funding is divided into four grant years, 1999, 2000, 2001, and 2002. The 1999 grant funding has to be obligated by March 23, 2003. He stated the remaining funds must be obligated by July 31, 2004.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Director of Public Safety, to apply for a grant from the Department of Justice through the Department of Emergency Management in the amount of \$36,101.05. There are no local matching funds required for the grant.

**IN RE: REQUEST TO REPAIR 1980 FORD PUMPER --
DINWIDDIE VOLUNTEER FIRE DEPARTMENT**

Mr. David Jolly requested authorization to replace the windshield wiper motor on the 1980 Ford pumper which is located at the DVFD. The unit was sent to Colonial Ford due to the windshield wipers not working. It was determined that the air-operated motors had gone bad and needed to be replaced. Colonial Ford was unable to locate air-operated motors due to the age of the vehicle. They suggested converting the current wipers to electric motors. The parts are estimated to be around \$2,100 plus the labor cost of \$1,100 for a total of \$3,200. The unit serves DVFD and is also used as a reserve unit for the other agencies. He stated although this is a costly repair, this is the least costly if we are going to continue to maintain a reserve unit.

Mr. Clay commented this is a 23-year old unit and he was not in agreement to spend \$3,200 for a wiper motor. Mr. Bracey agreed and suggested that staff look for used parts at one of the junkyards. He said there are a lot of old school buses around and any mechanic could put the motor on the unit. Mr. Jolly stated he would see if a used part could be located.

The County Administrator thanked Mr. Jolly and EMS staff for all of their hard work over the weekend during the winter weather.

**IN RE: AUTHORIZATION TO ADVERTISE AN ORDINANCE
AMENDING CHAPTER 22 OF THE CODE OF DINWIDDIE
COUNTY TO IMPOSE FEES TO COVER THE COSTS OF
TECHNICAL REVIEWS OF LAND USE APPLICATIONS**

The County Administrator requested authorization to advertise a public hearing for an ordinance to impose fees to cover the costs of technical reviews of land use applications. She pointed out that this amendment is similar to the requirements the County placed on telecommunication tower applications.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to advertise for a Public Hearing to amend the Code of the County of Dinwiddie, Virginia to impose fees to cover the costs associated with technical reviews of land use applications.

**IN RE: ADOPTION OF CONDUCT FOR TIDEWATER QUARRIES
WORKSHOPS**

The County Administrator explained that this is not a public hearing; however, the two Chairmen have suggested that the public be allowed to ask questions of the Tidewater consultants on each of the studies presented. The County's consultant will be attending the workshops as well as the public hearing on the CUP and following it, will provide a written report on March 28 or as soon

thereafter as possible. That report should address, in addition to the information presented by Tidewater Quarries at the informational meetings, information brought out at the planning commission public hearing.

RECOMMENDATION FOR CONDUCT OF WORKSHOP

1. Both bodies will convene their individual meetings.
2. Presentation of technical material from consultants/experts representing Tidewater Quarries, Inc.
3. Questions/comments from Board of Supervisors and Planning Commission members
4. Questions/comments from citizens.
5. Each body respectively closes its meeting.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the conduct for the Tidewater Quarries workshops was adopted as presented.

**IN RE: AUTHORIZATION TO ENTER INTO CONTRACT –
BURGESS AND NIPLE FOR CONSULTATION SERVICES
FOR THE QUARRY APPLICATION**

The County Administrator stated the draft contract for the County's conditional use permit for the Tidewater Quarries application was enclosed in their packets. She asked the Board if they wanted to change the scope in any way. If so, we will ask the consultant for a revised cost estimate and amend the contract. Mr. Bowman stated he would like to have a review of the economic impact of the quarry on other businesses in the area. Mrs. Ralph commented we have until April 1, to add other studies if it is the desire of the Board. She requested authorization to enter into a contract with Burgess and Niple for the consultation services not to exceed \$22,250. Attendance at meetings in addition to the four set forth in the contract would be at a fixed fee of \$350 per meeting.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia approves the scope of work set forth in the specifications and authorizes Administration to enter into a contract with Burgess and Niple in an amount not to exceed \$22,250.

IN RE: BOARD MEMBER COMMENTS

Mr. Bracey He requested a copy of the Historic Preservation letter to the Board members Mrs. Barefoot referred to during the citizen comments period. He commented the poster situation Mr. Bratschi asked the Board to look into needed to be addressed by the School Board.

Mr. Moody He commented he saw in the report from Robinson Farmer Cox that the IDA had loaned the Namozine Volunteer Fire Department \$31,168 for the ladder truck and he thought the Board had taken care of that loan. The County Administrator stated the Board paid off the loan they had at the Bank of Southside. She commented Mr. Ronnie Erb with Namozine is here and he maybe he can give us the details. Mr. Erb stated the truck total cost was \$254,000. He said the volunteers made a loan with the Bank of Southside for \$200,000, and the Board paid approximately \$196,000. The IDA loaned us \$31,168 without interest to put the motor in the truck, which was scheduled to be paid September 10,

2002. The remaining funds were donated or raised by the volunteers.

- Mr. Clay He stated the consent agenda seems to be working very well.
- Mr. Haraway He stated the narrative letter from Dr. Wise was not what he requested. He pointed out all he needed was figures and he could do the math.
- Mr. Bowman He stated he had not changed his position on the preservation of the battlefields. He commented he would like to know if any of the other members changed their position.

CODE OF ETHICS DISCUSSION

Mr. Bracey stated he felt the Code of Ethics was something the Board needed. If you serve or have served on any boards/commissions most of them ask you to sign them. He said he had checked with other localities and they do have them.

Mr. Haraway asked if we are adopting this set or are these examples from other localities? The County Administrator stated they are examples but most are very similar.

Mr. Moody commented a workshop was held at one of the VACo meetings he attended and he felt it would be a good idea to have one for the Board.

IN RE: CLOSED SESSION

Mr. Bowman requested that the discussion of the conditional use permit be held in open session. The County Administrator stated it was on the agenda to be discussed either in open or closed session at the discretion of the Board. The County Attorney commented she felt comfortable with discussing it in open session but the decision was up to the Board members. No motion was made to hold the discussion in open session.

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

Acquisition of Property - §2.2-3711 A. 3 of the Code of Virginia

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

Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia – Conditional Use Permit

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Mr. Bowman, voting "Aye", the Board moved into the Closed Meeting at 3:26 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:07 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under §2.2-3711 A. 3 - Acquisition of Property; §2.2-3711 A. 1 – Personnel - Appointments; §2.2-3711 A. 7 - Conditional Use Permit

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

IN RE: AUTHORIZATION TO SUBMIT TOBACCO COMMISSION APPLICATION FOR PURCHASE & DEVELOPMENT OF INDUSTRIAL SITE

The County Administrator requested authorization to submit an application to the Tobacco Commission for the purchase and development of an industrial site.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes Administration to submit the application to the Tobacco Commission for the purchase and development of an industrial site.

IN RE: APPOINTMENTS – DINWIDDIE COUNTY INDUSTRIAL AUTHORITY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Dr. Mark Moore and Mr. Oscar Edwards are hereby reappointed to the Dinwiddie County Industrial Authority for a term ending February 5, 2007.

IN RE: APPOINTMENT – CRATER DISTRICT HEALTH ADVISORY BOARD

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Dr. Charles Ashby is hereby appointed to serve on the Crater Health District Board for a term ending February 28, 2006.

IN RE: APPOINTMENTS – DINWIDDIE COUNTY AIRPORT AUTHORITY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. William Morgan, Dinwiddie County Representative, and Mr. Michael Lee, City of Colonial Heights Representative, are hereby reappointed to the Dinwiddie County Airport Authority for a term ending January 31, 2007.

IN RE: COUNTY ADMINISTRATOR COMMENTS

The County Administrator asked the Board if they could come in at 3:00 P.M. on Tuesday, February 25th or Thursday, February 27th for a budget workshop? The Board agreed that the 25th at 3:00 P.M. was ok.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Virginia's Gateway Region – Agenda and February report.
2. Robinson, Farmer, Cox & Associates Auditors' Report - Dinwiddie County Industrial Authority
3. Appomattox Regional Library Report

IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 5:16 P.M. to be continued until 3:00 P.M. on Tuesday, February 25, 2003 for a budget work session in the Multi-purpose Room of the Pamplin Administration Building.



Robert Bowman, IV, Chairman



Wendy Weber Ralph
County Administrator

/abr