

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 18<sup>th</sup> DAY OF MARCH, 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: CALL TO ORDER - INVOCATION - PLEDGE OF ALLEGIANCE**

Mr. Robert Bowman, IV, Chairman, called the regular meeting to order at 2:10 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

**IN RE: AMENDMENTS**

The County Administrator stated the Director of Planning has withdrawn his travel request so it needed to be removed from the consent agenda items and add # 4 under County Administrator - discussion of a firm to consider cash proffers.

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

**IN RE: MINUTES**

Upon motion of Mr. Moody, 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 the minutes of the February 18, 2003 Regular Meeting, and the February 25, 2003 Continuation Meeting are hereby approved.

**IN RE: CLAIMS**

Upon motion of Mr. Moody, 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 the following claims are approved and funds appropriated for same using checks numbered 1034372 through 1034528 (void check(s) numbered 1034373) for:

**Accounts Payable FY 2002- 2003:**

(101) General Fund	\$ 227,029.97
(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	\$ <u>23,733.36</u>
<b>TOTAL</b>	<b>\$ 192,078.63</b>

**IN RE: SCHOOL BOARD REQUISITION # 10 – 1998A (70-02-200-7019743)**

The following invoices from Dr. Leland Wise, Jr., Superintendent of Schools for Payment Requisition #10 -1998A Bond Issue (70-02-200-7019743) were submitted for payment:

<u>Whitescarver,</u>	Architect and	Dinwiddie Elementary	\$1,087.50
<u>Hurd, and</u>	Engineering	School	
<u>Obenchain</u>	Services		
<u>Reed-Smith</u>	Legal Services	Dinwiddie Elementary	\$859.05
		School	
<b><u>Total</u></b>			<b>\$1,946.55</b>

The attached invoices for this expenditure have been reviewed and approved.

Upon motion of Mr. Moody, 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 Requisition Number #10 -1998A (70-02-200-7019743) in the amount of \$1,946.55 be approved and funds appropriated for CIP expenses from the School Project Account.

**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. Mr. James Wilson – 14409 Cox Road, Church Road, Virginia – presented a petition from the residents who live on Karrissa Drive, a private dirt road, and Old Cox Road to the Board of Supervisors requesting that a 5-mile per hour speed limit sign be erected next to the railroad tracks. He commented there is excessive speeding, noise from the vehicles, damage being done to the road, and of course the danger of someone hitting a child. The County Administrator was requested to look into the situation. The Sheriff will be contacted about the speeding on Old Cox Road. Karrissa Drive is not in the State system.
2. Rev. Kathryn F. Talley, Housing Development Officer and Mr. Graham Driver, Director of Development, Community Housing Partners – 1520 West Main Street, Suite 200, Richmond, Virginia 23220 – appeared before the Board of Supervisors seeking support for their rehabilitation efforts in the Sentry Woods Subdivision located in the northeast portion of the County. In order to secure the necessary tax credits provided by a program administered by the Virginia Housing Authority, a letter of support from Dinwiddie County is necessary. The Board members requested that Rev. Talley and Mr. Wilson come back to the April 1, 2003 meeting and provide a map of the proposed area. This would also allow time for the Board members to take a look at the site if they so desired.

**IN RE: VDOT – REPORT**

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, came forward with the following updates:

1. The North Carolina Department of Transportation has tentatively set dates for the public meetings for the High Speed Rail Project in June and July. Mr. Caywood stated he understood the County has gone on record in opposition to the project. However, David Foster, project manager for the North Carolina Department of Transportation extended an invitation to the Board and County Staff to drive over the County and discuss any concerns you might have in mid-May about the route; or hold some pre- presentations in advance of the public meetings in the area. If any of you would like to participate please let me know so I can contact Mr. Foster.
2. He reported that VDOT is scheduled to begin work on Ridley Road in earnest as soon as weather permits.
3. The Iluka Project on Rt. 665, which is being financed by a grant by Sussex County, should be approved by the Commonwealth Transportation Board sometime this week and work is scheduled to commence this summer.
4. VDOT's maintenance budget is about \$100 million over extended due to snow removal expenses and pothole expenses; but the Governor has indicated that he would like to see us maintain the resurfacing schedules, which is very important to the County. He told the Board he would keep them updated.
5. Halifax Road Project at the Route 667 intersection has been advertised this month. Bids are due back in approximately 30 days. Construction should begin in late May or early June.
6. Squirrel Level Road Funding Issues – the Right of way costs have increased substantially on both Squirrel Level Road projects primarily due to Verizon relocation costs. The first project has increased by approximately \$350,000 over what had been budgeted in the 6-Year Plan. VDOT plans to keep the 1<sup>st</sup> project on schedule by taking funds from the 2<sup>nd</sup> project, which will delay the 2<sup>nd</sup> project by approximately one year if current funding levels are maintained.
7. Courthouse Road, Rt. 619 – would like the Board's feedback on a reduction in scope for the project between Rt. 609 North and Rt. 609 South. VDOT is proposing primarily an overlay project with some shoulder work and geometric improvements at the Rt. 609 North intersection. This should serve the existing 418 vehicles per day well at a much lower cost. Savings could be utilized to help offset the increases in cost for the 613 projects, which have a higher traffic volume. This is consistent with the note in the 6-year plan but it will yield a project that looks different than the previous Courthouse Road projects.
8. Route 226/Route 1 Signal Replacement Project should be completed within the week or so weather permitting. Cameras are for vehicle detection only. No images are recorded.
9. Trucks from the industries on Boydton Plank Road in the City of Petersburg are prohibited by proffer from making left turns into the city residential areas in response to a question from Mr. Bracey.

10. Pre-Allocation hearings for the Primary, Interstate, and Urban systems for 2004 – 2009 are scheduled on April 4<sup>th</sup> in the Multi-Purpose Room of the Wagner Building, 9501 Lucy Court Circle, Chesterfield, Virginia. The County is encouraged to send a representative.
11. Enhancement Program workshop for applicants for new projects 2003 funding: will be held at the Colonial Heights, Richmond District Office April 22 at 1:00 P.M.
12. Project Dashboard is now online at virginia-dot.org.
13. "Draft" for the Long Range Planning Maps and Support Data have been provided to the County Administrator today.
14. Mr. Caywood stated he has been assigned to the District Office for a month from April 24<sup>th</sup> through May 25<sup>th</sup>. It is a trickle down effect; somebody who has a Senior Position in the District Office serves as a Major in the Air Force Reserve has been called to active duty. He said his Assistant, Timmy Overton would be serving as the Acting Resident Engineer during his assignment.

Mr. Bracey stated a citizen called and said you sent someone to Hunnicut Road and they put some gravel in those holes but it got knocked out after it snowed. Mr. Caywood commented he would make sure it was put on the list for some maintenance work. It needs a motor grader and asphalt to do it right.

Mr. Bracey stated he accepted the invitation for the High Speed Rail tour but he felt it should be for the public if their land is going to be disturbed. Mr. Caywood informed him that there are going to be some public workshops in June and July specifically for those purposes. He commented if there are any citizen groups within the County that would like to have their own meetings apart from the general workshops they would be willing to come to a meeting like that too.

Mr. Bowman asked how many phases are involved in the study? Mr. Caywood replied they are called tiers. This part is Tier II, which is the environmental study. He said he did not have a map yet. Mr. Bowman asked how long it would be before they would be buying right-of-ways? He responded he wasn't sure but it would be quite a few years before that process would begin. Mr. Bracey asked how many right of ways would be involved? Mr. Caywood responded it would be hundreds and hundreds of parcels. The route is from Washington D.C. to Raleigh.

Mr. Bowman stated he felt it would be good to have them come before the Board and give their presentation. He said it would be interesting to know what impact the quarry would have on the route; and whether or not the quarry would allow them to purchase their property at the same rate they are purchasing it on either side; or if they would have to pay damages when they come through the quarry. Mr. Bowman commented the sooner Mr. Caywood could get the High Speed Rail people here the better it would be.

**IN RE: APPOINTMENT – MR. GENE WITT - DINWIDDIE COUNTY WATER 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 Mr. Gene Witt be appointed to the Dinwiddie Water Authority, for a four-year term ending December 31, 2006.

**IN RE: APPOMATTOX REGIONAL LIBRARY SYSTEM & TOWN OF MCKENNEY - REQUEST FOR LETTER OF SUPPORT FOR GRANT TO PROVIDE HANDICAP ACCESS**

The County Administrator stated she received a letter from Mr. Chuck Koutnik, Regional Library Director requesting a letter of support from the Board for a grant from the John Randolph Foundation. The Town of McKenney and the Appomattox Regional Library System are seeking grant funds to provide handicap access to the building that houses the Town Hall and the McKenney Library. The funds will also be used to convert a storage closet into library usable space.

Upon Motion of Mr. Clay, 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 authorizes Staff to write a letter of support for a grant from the John Randolph Foundation for handicap access to the McKenney Town Hall and Library.

**IN RE: MR. BOB MENGEL, CONSULTING FORESTER, REQUEST TO USE COUNTY ROAD FOR ACCESS TO REMOVE TIMBER FROM ADJOINING PROPERTY**

The County Administrator stated Bob Mengel is here tonight requesting authorization to cross the County's property to remove timber from adjoining property behind the landfill. She commented access is needed to the properties because Chamberlains Bed Creek limits access from the South and West and Great Branch limits access from the North and East. She said he would need access authorization for a three-year period. The road would also need to be extended to the properties. This would be accomplished by using the skid trails made when the land was thinned and it would have to be widened. If any live trees are cut or damaged the County will be reimbursed for them. A hold harmless clause would be included in the agreement to release the County from any claims due to injuries or damage resulting from the use of this access. If the Board authorizes this request we would have an agreement prepared to allow this use.

Mr. Bowman stated he felt the property owners should pay for the legal expenses involved in the agreement. Mr. Bracey questioned whether they should pay the County for the use of the right of way.

Mr. Mengel commented he has been a forester for 20 years and they have never paid for right of ways. We are responsible for maintaining the road and leaving it in as good or better condition than we found it. Mr. Bracey requested before and after pictures of the access road. Mr. Mengel stated he does that anyway.

Upon Motion of Mr. Clay, 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 authorizes the County Administrator to execute an agreement to allow Bob Mengel, Consulting Forester, the use of the access road at the County landfill with the following stipulations:

1. If any live trees are cut or damaged the County shall be reimbursed for them.
2. A hold harmless clause shall be included in the agreement to release the County from any claims due to injuries or damage resulting from the use of this access.

3. The property owners shall be responsible for all legal expenses involved in the agreement.
4. Authorization for the temporary access shall only be for a three-year period.
5. The property owners shall be responsible for maintaining the road and leaving it in as good or better condition than they found it.
6. The Board shall be provided before and after pictures of the access road.

**IN RE: AUTHORIZATION TO ENTER INTO NEGOTIATIONS WITH DESTEFANO DESIGN - FOR ARCHITECTURAL SERVICES - NAMOZINE VFD ADDITION**

The County Administrator stated at the February 25<sup>th</sup> work session the Board authorized staff to proceed with the improvements to the Namozine VFD. In the County's original contract with DeStefano Design Group, in the scope of work we included other projects the County might have. She requested authorization to enter into negotiations with DeStefano for this work.

Mr. Bracey requested that the plans be submitted to the Board members before the work commences on the project. He commented he does not agree with the project and he hoped it does not haunt us down the road.

Upon Motion of Mr. Haraway, 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 authorization is granted for Administration to enter into negotiations with DeStefano Design Group for the architectural services for the Namozine VFD improvements.

**IN RE: AUTHORIZATION TO ENTER INTO CONTRACT - ROBINSON, FARMER, COX - TO ESTABLISH CASH PROFFERS**

The Assistant County Administrator, W. Kevin Massengill, distributed copies of an article in the Richmond Times Dispatch regarding cash proffers. As Mrs. Ralph indicated, the County is now qualified for cash proffers due to our growth. The article in the newspaper shows two wide spectrums; one with the real estate sector, which sees cash proffers as somewhat of a hurdle inhibiting homeowners housing because local ordinances make it more costly to build. He stated, but generally speaking cash proffers is a way in which "growth pays for growth".

The County Administrator commented we solicited three RFP's. Two companies responded - Robinson, Farmer, Cox Associates for \$5,000 and Maximus for \$22,000. Continuing she stated she felt the present auditors certainly have an advantage knowing the County's budget, requirements, and expenses which might have been a factor for the lower price. She said she thought Robinson, Farmer, Cox Associates did the base line study to establish cash proffers for Prince George County. It is up to the Board what amount it wants to request but the County needs to establish a basis for the charges.

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 enter into a contract with Robinson, Farmer, Cox Associates for the preparation of a system used to compute the fiscal impact of a proposed rezoning; which is the underlying basis for the acceptance of cash proffers.

**IN RE: BOARD MEMBER COMMENTS**

- Mr. Haraway He asked if the Board was going to discuss the letter from the Auditor of Public Accounts? The County Administrator stated she would like to have the Clerk present for the discussion.
- Mr. Moody He commented the County has a dog confinement ordinance and a certain percentage of the citizens would have to sign a petition and present it to the Board to have their area included. The County Administrator commented 51% of the residents would have to sign the petition before it could be presented to the Board for consideration. Mr. Moody stated he had some concerns about the process. When you get into the subdivisions sometimes it is hard to get everyone to go along with it even though it is needed. He felt a committee should be formed to study this issue.
- Mr. Bracey He stated we paid a bill today for Dinwiddie Elementary School for a HVAC Consultants and Principal study and to Reed-Smith for legal services. What are these charges for and why are we paying for them out of the Sun Trust bond account? There is a subcontractor in the County that did some work for the general contractor on a project for the School Board and he hasn't been paid yet. He commented this concerns him when local people are doing work and not getting paid. He said he would like to have a report if there are some legal problems. The Board members concurred.
- The County Administrator commented it was her understanding it is a legal issue and they are going through the process now. She asked the Board for some dates to discuss several School Board issues: the construction options, the budget we received yesterday, and apparently there are a lot of questions regarding this situation. She suggested discussing this situation with them at that time and if there is a need to go into closed session for this discussion we certainly could. Mr. Bracey commented the largest contribution the County makes to any organization is to the School Board and he felt it was very important to meet with them to discuss their budget. The Board agreed to meet Wednesday, March 26, 2003 at 6:30 P.M.
- Mr. Bowman He commented the Board had previously discussed a sound and noise zone around the Motorsports complex. He requested that the County Attorney research what could be done to protect the County.

**IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED**

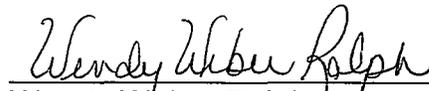
1. Letter from the Auditor of Public Accounts regarding the cash receipts of the Clerk of the Circuit Court.
2. Commonwealth of Virginia locality recycling rate report for calendar year 2002.
3. Dinwiddie County 2002 Recycling Report – Director of Waste Management.
4. Letter form Tidewater Resource and Conservation and Development Council regarding a series of meetings and events to make the Commonwealth as fire safe as possible.
5. Invitation to the Southside Virginia Heritage Days at Historic Fork Inn.

6. Department of Game and Inland Fisheries letter regarding proposed changes to hunting and trapping regulations for 2003-2004 meetings to be held in March.
7. Letter of notification - VDOT's Web-based project management tool to track the status of active transportation construction projects now on-line *Dashboard*.

**IN RE: ADJOURNMENT**

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 3:35 P.M. to be continued until 5:30 P.M. on Wednesday, March 19, 2003 for a joint work shop with the Planning Commission for a presentation of the State Agencies regarding Permitting for Quarry Operations to be held in the Multi-purpose Room of the Eastside Community Enhancement Center.

  
Robert Bowman, IV, Chairman

  
Wendy Weber Ralph  
County Administrator

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