

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 JUNE, 2003, AT 7:30 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: INVOCATION - PLEDGE OF ALLEGIANCE - AND CALL TO ORDER

Mr. Robert L. Bowman, Chair, called the regular meeting to order at 7:41 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Donald Haraway requested that appointments be added to Closed Session under Personnel. Mrs. Wendy Ralph, County Administrator, requested that Investment of Public Funds under Closed Session be removed from the agenda.

Upon motion of Mr. Clay, Seconded by Mr. Moody, 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. 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 the minutes of the May 20, Regular Meeting are approved in their entirety.

IN RE: CLAIMS

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 the following claims are approved and funds appropriated for same using checks numbered 1035217 - 1035294 and 1035296 through 1035409, (void check(s) numbered 1035217, 1034778, and 1035295)

Accounts Payable:

(101) General Fund	\$ 94,909.74
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(209) Litter Control	\$.00
(222) E911 Fund	\$ 4,843.09
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 564.25
(226) Law Library	\$ 36.80
(228) Fire Programs & EMS	\$ 1,247.30
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$ 785.27

(305) Capital Projects Fund	\$ 37,888.12
(401) County Debt Service	\$ <u> .00</u>
TOTAL	\$ 140,274.24

PAYROLL 05/30/03

(101) General Fund	\$ 418,847.03
(222) E911 Fund	\$ 3,420.91
(304) CDBG Fund	\$ <u>4,407.36</u>
TOTAL	\$ 426,675.30

IN RE: SCHOOL BOARD SUPPLEMENTAL APPROPRIATION FOR HEAD START

The Dinwiddie County School Board voted at its May 14, 2003 meeting to request of the Dinwiddie County Board of Supervisors a supplemental appropriation to the FY2003 school budget. Funds in the amount of \$298,450.00 are needed to cover the first half of Program Year 10 for Head Start. Head Start also received supplemental funding in the amount of \$99,871 for their expansion program. The total appropriation request to the instruction category is \$398,321.

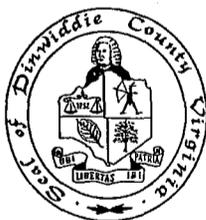
Upon motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye,"

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board's request for funds in the amount of \$398,321 to cover the first half of Program Year 10 for Head Start for FY2003 is approved. This is all federal money for the Head Start Fund and no local match is needed.

IN RE: RESOLUTION – THOMAS MITCHELL GIBBS – 100TH BIRTHDAY

Upon motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the following resolution is hereby adopted.

Resolution



of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

IN RECOGNITION OF
THOMAS MITCHELL GIBBS

WHEREAS, Mr. Thomas Mitchell Gibbs was born on June 12, 1903 at Wilsons, Virginia and has resided in Dinwiddie County his entire life; he was the fourth child of fourteen children born to his parents Peterson Mitchell Gibbs and Sarah Elizabeth Brooks; and

WHEREAS, on June 12, 2003, Mr. Gibbs will celebrate his 100th birthday; and

WHEREAS, Mr. Gibbs spent most of his young adult life helping to support his parents and siblings at the age of 21 he married Miss. Ruth Alease Ladd on December 30, 1924. He is the proud father of one son, Thomas Edward, a Daughter-in-Law, Nancy Carole Chambers, two Grandchildren, seven Great Grandchildren, two step Great Grandchildren and one Great-Great Grandson; and

WHEREAS, Mr. Gibbs is a long time member of Rocky Run United Methodist Church of DeWitt, Virginia and still reads his Bible regularly as well as other Bible related books; and

WHEREAS, Mr. Gibbs has been a dedicated farmer all his life, always willing to lend a helping hand to other farmers that needed assistance with firewood, crops, barn raisings, and slaughtering of livestock; and

WHEREAS, Mr. Gibbs has touched the lives of many in a kind and loving way and he is fondly call "Grandpa" by many of the residents of Dinwiddie County; and

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia desires to acknowledge Mr. Thomas Mitchell Gibbs on his 100th birthday.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia joins with family and friends to wish Mr. Gibbs a very blessed 100th birthday and the enjoyment of health and prosperous days to come.

IN RE: AUTHORIZATION FOR COUNTY ADMINISTRATOR TO SIGN LETTER OF AGREEMENT – ECONOMIC DEVELOPMENT GRANT FROM TOBACCO COMMISSION

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 the County Administrator is authorized to sign the Letter of Agreement for the Dinwiddie County Industrial Park, Phase II economic development grant with the Tobacco Indemnification and Community Revitalization Commission.

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.

1. Anne Scarborough – Boydton Plank Road, Dinwiddie, Virginia – commented she was extremely disappointed with the Board when she read in the Monitor that they had decided not to hold the public hearing on the quarry issue after they voted at the last meeting to move forward with the hearing on June 17, 2003. The Board had legal counsel at the meeting but he did not let anyone know the Board should not proceed with the public hearing. Why not? Legal counsel should have let everyone know before the Board voted to hold the public hearing. It isn't because there hasn't been enough information to make a decision. She stated she knew the Board wasn't afraid of a lawsuit, so why didn't they go on and vote on the issue. She asked if the County had received any compensation from anybody that got the County in this mess with the Virginia Bio-Fuels lawsuit? What has it cost the County? The only people who are benefiting from it are the attorneys. Mrs. Scarborough said she was disappointed in the Board.

2. George Whitman – 13010 Old Stage Road, Petersburg, VA – requested under FOIA the following:
 - a. Legal fees involved in the Virginia Bio-Fuels lawsuit to date.
 - b. How much interest that has accumulated?
 - c. How much money the County is paying Sands & Anderson a year?
 - d. Why is the County so tied into the law firm Sands & Anderson?
 - e. Why can't the legal work be diversified with other law firms?
 Mr. Whitman stated this is an election year and Sands Anderson's name would not be on the ballot; but he felt they are running the County behind the scenes. He cautioned the Board to remember the law firm is hired at their request and the Board has a responsibility to the citizens of the County to represent them.
3. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia commented he didn't want the rail system or the quarry. He said he agreed with Mrs. Scarborough about the Board changing the date to hold the public hearing on the quarry. He commented there are three issues that are "hot" in the County, the quarry; the sexually violent predators program; and the high-speed rail. Citizens want to know how the Board is going to vote on these issues. Mr. Bratschi praised Mr. Bowman for attending the rally in Richmond against the SVP program. He stated he felt the County should hire a fulltime County Attorney.
4. Eva Bratschi - 23500 Cutbank Road, McKenney, Virginia – came forward commenting she was concerned about what the members of the Board are doing with their position. It is the responsibility of the Board to seek out Grant funds, which are available to the citizens in the County. On May 27th she received a news release from the Governor's Office regarding an announcement that more than \$10.7 million in 2003 Community Block Grants were offered to 18 localities throughout Virginia. The grants would benefit low-income residents and support community and economic development projects such as medical and community centers, downtown revitalization, and job creation. The State of Virginia gets \$24 million annually from the U.S. Department of Housing and Urban Development for the CDBG program. The deadline for the block grant was March of this year. Mrs. Bratschi stated Dinwiddie County was not on the list of recipients and someone in the County needs to seek these grants out. There are a lot of people in the County who live in sub-standard housing and it is the responsibility of the district supervisor to seek out funds for these people. She also commented that there has been no County news in the Richmond Times Dispatch lately and she wondered why.

IN RE: PRESENTATION OF VIRGINIA SHERIFFS' INSTITUTE SCHOLARSHIP AWARD – MISS JOSIE A. KEPPEL

Samuel H. Shands, Sheriff Dinwiddie County, presented the Virginia Sheriffs' Institute scholarship award, in the amount of \$500 to Josie A. Keppel a resident of the county. Miss Keppel is graduating from Kenston Forest and will be attending Mary Washington College.

IN RE: EASTSIDE COMMUNITY ENHANCEMENT CENTER MASTER PLAN CONCEPT – PICNIC SHELTER

Mr. Timothy Smith, Director of Recreation, presented the following power point master plan concept for the Eastside Community Enhancement Center Pavilion location:

secondary road. Therefore, precedence has been set in the General Assembly. If the Board is interested in doing it, this would be for all of Route 226 or a segment from Route 460 to Sterling Road; if the Board would like to pass the resolution.

Mr. Bowman stated he would like to see it prohibited from the Quarry headed east to Route 1. Mr. Bracey asked how Vulcan would ship the materials? Mr. Bowman commented the study that was done by VDOT showed it was quicker for the trucks leaving the Quarry, to go right onto Route 226 then make a left onto Route 460 East and take I-85 North, than it was for them to go East on Route 226. Mr. Bracey interjected he felt a survey should be done to determine what effects it would have on the truckers. Mr. Massengill stated Vulcan has done their own survey and the results showed 90% of the trucks were turning right onto Route 226 going to Route 460. The other 10%, being independent truckers, were the ones traveling to the left, heading East onto Route 226. These truckers are going into Matoaca and the southern area of Chesterfield. Mr. Moody asked if they would be able to deliver to the Matoaca area? Mr. Bowman commented they would have to go via I-85 then take Route 1 North to Route 226 to Ferndale Road to Matoaca. Mr. Moody stated they would still have to travel on Route 226 to get to Matoaca. Mr. Bracey commented Ferndale Road is residential, that entire road, all the way out to River Road in Chesterfield. Mr. Bowman pointed out that the trucks are already using Ferndale Road anyway. Mr. Bracey stated he was not against the idea but the Board needed to be very careful and have a study done before a resolution is adopted. The Assistant County Administrator informed the Board that there is a deadline to have the bill considered by the General Assembly but there should be time for the study. Mr. Bowman stated VDOT has already done the study and there should be enough information compiled for the Board to make a decision. He requested that the County Administrator and Assistant County Administrator contact VDOT and get the information for the Board to review.

IN RE: BOARD MEMBER COMMENTS CONT'

Mr. Bowman He requested that an explanation for future payments made to Sands & Anderson for issues in his area be sent to the Board members so they would be able to tell what case or cases the payments are for and what the outcome is.

IN RE: CLOSED SESSION

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

**Personnel - §2.2-3711 A. 1 of the Code of Virginia – County Administrator; Zoning Administrator; Appointments
Legal - 2-3711 A. 7 of the Code of Virginia – Litigation**

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 9:29 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:26 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under §2.2-3711 A.7 of the Code of Virginia – Personnel - County Administrator; Zoning Administrator; and Appointments; and Legal - 2-3711 A. 7 of the Code of Virginia – Litigation;

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

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

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Bowman, 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, 2004.

**IN RE: APPOINTMENT-- SARAH CLARKE GUNN -- JOHN TYLER
COMMUNITY COLLEGE BOARD**

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 Ms. Sarah Clarke Gunn, is hereby reappointed to the John Tyler Community College Board, for a four-year term, expiring June 30, 2007

**IN RE: RECOMMENDATION OF JAMES GITTMAN TO THE
NOMINATING COMMITTEE FOR THE CENTRAL
VIRGINIA PLANNING AGENCY BOARD OF DIRECTORS
TO REPRESENT PLANNING DISTRICT 19**

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

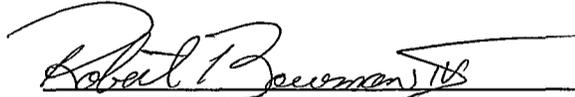
BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. James Gittman, is hereby recommended to the Nominating Committee of the Central Virginia Health Planning Agency Board of Directors for a Consumer nomination to represent Planning District 19.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from Adelphia regarding changes on subscriber's cable bills for franchise fees.
2. Newspaper article regarding City of Petersburg -- proposed plan to restructure the city's middle and high schools.
3. Newspaper article - Petersburg City Council approves budget.
4. Newspaper article - Colonial Heights council OKs \$36.4 million budget.
5. Newspaper article - Chesterfield Planning Commission to hear rezoning proposals.

RE: ADJOURNMENT

Upon motion of Mr. Moody, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the meeting adjourned at 10:32 P.M.


Robert Bowman, IV, Chairman

ATTEST: 
Wendy Weber Ralph
County Administrator

/abr