

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 19th DAY OF AUGUST, 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: DANIEL SIEGEL COUNTY ATTORNEY

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

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

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Ralph, County Administrator, requested that under Consultation with Legal Counsel - Litigation for Virginia Bio Fuels be added under Closed Session. She also asked that under number (6.) Action Items # 2 Corridor Study - Approval of Contract be postponed.

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

IN RE: CONSENT AGENDA

Mr. Bracey requested that an explanation on the Truck claim for the Namozine VFD be removed for discussion. The Board agreed.

IN RE: MINUTES

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 the minutes of the July 15, Regular Meeting, are approved in their entirety.

IN RE: CLAIMS

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 the following claims are approved and funds appropriated for same using checks numbered 1036211, through 1036340 (void check(s) numbered 1035931, 1036210 and 1036340) for:

Accounts Payable FY 2003- 2004:

(101) General Fund	\$ 123,687.85
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(209) Litter Control	\$.00
(222) E911 Fund	\$ 1,874.67
(223) Self Insurance Fund	\$.00

(225) Courthouse Maintenance	\$.00
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$.00
(305) Capital Projects Fund	\$	2,101.10
(401) County Debt Service	\$.00

TOTAL \$ 127,663.42

IN RE: SCHOOL BOARD - REQUISITION #12 -1998A BOND ISSUE

The County Administrator pointed out that Dr. Lanham was here if the Board had any desire to discuss the School Board's request for Payment Requisition #12 -1998A Bond Issue (70-02-200-7019743), in the amount of \$2,477.55 to Whitescarver, Hurd, and Obenchain, Consulting Engineering Firm, which was submitted for payment.

Mr. Bracey stated he had not changed his mind; he still felt the funds should be used to finish the school project, not to pay consultant fees or legal fees for the School Board. He commented he felt they should be paid but not out of the project funds.

The County Administrator suggested that this claim be handled in the same manner as the last one, which was for legal fees. If there are sufficient funds left in the bond issue when everything is settled and the school improvements are completed the Board could consider reimbursing the School Board for the consultant fees it incurs.

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 Requisition #12 -1998A Bond Issue (70-02-200-7019743), in the amount of \$2,477.50 to Whitescarver, Hurd, and Obenchain, is not approved and is referred back to the School Board for payment from School Fund monies; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, when everything is settled and the school improvements are completed, the requisition can be resubmitted for the Board to consider for reimbursement of the consultant fees.

**IN RE: AUTHORIZATION TO FILL TWO POSITIONS --
DIRECTOR OF THE OFFICE OF REVENUE
MAXIMIZATION AND COMMUNITY SERVICE WORK
COORDINATOR**

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 authorization is granted for the employment of the following at the salary and effective employment date so stated:

Ms. Marie A. Grant – Director of the Office of Revenue Maximization
Grade 14, Step B - \$35,659.

Mr. James R. Picardat, Sr. – Community Service Work Coordinator -
\$15.00 per hour (part-time).

**IN RE: AUTHORIZATION TO CHANGE THE DECEMBER 2003
PAYROLL DATE**

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 authorization is granted for Administration to discontinue the practice of an early payroll in December and revert back to a payroll date of December 31, 2003.

**IN RE: AUTHORIZATION TO ACCEPT TITLE TO 1993 FORD
F250 VAN FOR FORD VFD AND EMS SUPPORT
VEHICLE**

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia accepts title to a 1993 Ford F250 van to be utilized by the Ford Volunteer Fire Department and EMS with the following stipulations:

1. Ford VFD will provide all maintenance on this vehicle.
2. The vehicle must be painted, lettered and striped in accordance with the standards set by the Fire Rescue Association and approved by the Public Safety Department.
3. The vehicle cannot be utilized for emergency response on a regular basis.
4. The County will provide fuel and insurance for the vehicle.

**IN RE: ACCEPTANCE OF URBAN & COMMUNITY FORESTRY
ASSISTANCE GRANT**

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 authorization is granted for the Director of Parks and Recreation to accept the Urban and Community Forestry Assistance Grant in the amount of \$8,400 for a full promotional and educational brochure outlining the values and benefits of the proposed greenway trail for public distribution. The local match will be in-kind.

**IN RE: LETTER OF RESIGNATION - MS. SARAH GUNN – JOHN
TYLER COMMUNITY COLLEGE BOARD**

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 the resignation of Ms. Sarah Gunn from the John Tyler Community College Board is hereby accepted with regret.

**IN RE: RESOLUTION AUTHORIZING COMPETITIVE
NEGOTIATION FOR THE COMPUTER AIDED DISPATCH
AND MAPPING SYSTEM FOR THE COMMUNICATIONS
SYSTEM**

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

RESOLUTION AUTHORIZING COMPETITIVE NEGOTIATION

WHEREAS, the Board of Supervisors of Dinwiddie County (the "Board") wishes to receive proposals from qualified firms for the County's "Computer Aided Dispatch and Mapping System" to evaluate various subjective factors, including a demonstrated understanding of the work and ability to perform, interoperability with other programs currently being used for records management, integration with the proposed E-911 system, mapping that is computer aided dispatch based instead of a stand alone mapping system, experience and qualifications schedule and quality of work, and to negotiate specific contractual terms and conditions and pricing, favorable to Dinwiddie County (the "County"); and

WHEREAS, Section 11-41(c) of the Virginia Public Procurement Act provides that goods and services may be procured by competitive negotiation upon a determination made in advance and set forth in writing that competitive sealed bidding is not advantageous to the public;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia:

1. The County Administrator, in cooperation with other County staff persons, is authorized to issue on behalf of the County, a written request for proposals for the County's "Computer Aided Dispatch and Mapping System" on the basis that competitive sealed bidding is not practicable and not fiscally advantageous to the public as it is advisable for the County to have the flexibility allowed by competitive negotiation procedures to consider many factors including negotiated price, experience and qualifications of the vendor, length of contract performance and other terms and conditions.
2. This Resolution shall constitute a written determination that competitive sealed bidding is not advantageous to the public for the reasons stated above.
3. This Resolution shall be effective as of August 19, 2003.

**IN RE: 2003 VIRGINIA HAZARDOUS MATERIALS
CONFERENCE – SEPTEMBER 24-27, 1999**

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 authorization is granted for the Director of Public Safety to attend the Hazardous Materials Conference in Virginia Beach on September 24-27, 2003 with funds in the amount of \$623 being provided from his budget category 101-035500-5540.

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. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia came before the Board stating he was not going to pay the invoice for anything but the duplication fees for his FOIA request he submitted to administration. He referred to code section 2.2-3704 for his refusal. He also submitted a FOIA request for a list of all the committees and boards that each Board of Supervisor serves on or is appointed to and if it is a paid appointment.

2. Geri Barefoot – Frontage Road, Petersburg, Virginia – requested that the Board require the Planning Department to inform citizens when property adjacent to them is being applied with bio solids. She commented recently she attended a Colonial Heights Board meeting and during the Citizen Comment period City Council members answered any question the citizens had during that time. She said she was very impressed that they took the time to answer their questions and if they did not have an answer they told that individual they would receive a written reply.
3. Anne Scarborough – Boydton Plank Road, Dinwiddie, Virginia - stated there was an article in the newspaper that, stated the tax rate of Dinwiddie County compared with the tax rates of surrounding jurisdictions and she felt it was misleading to the citizens when we are compared with Colonial Heights and Hopewell. She also cautioned the Board not to let the School System mislead the public regarding funds that have been spent for school renovations. Mrs. Scarborough asked what the money did for the students in the County. She said she hoped the funds would not be spent for big salaries for the School Board Administrators and staff. Please make sure the money is being spent on the students and education, not on salaries.
4. Peggy McElveen – Director of Social Services – informed the Board that she would be retiring at the end of August after 12 years of service in the County. She thanked the Board for listening and being so responsive to her department. A special thanks to Mr. Bracey and Mr. Clay was extended because they served on the Social Services Board. She also included Mrs. Wendy Ralph, Mrs. Glenice Townsend, Mr. William Jones, Mr. Donald Faison and Mr. David Jolly for all of their help and assistance over the years. Mr. Bowman expressed the Board's gratitude for her many years of service and extended their best wishes for many years of health and happiness as she enters a new phase of her life.

IN RE: VDOT – REPORT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, came forward and provided the following update:

1. Rt. 627 (Courthouse Road): bridge over Hatchers Run should reopen on October 15, 2003. He reported VDOT has offered a \$2,500 incentive for each day the project is completed early. He commented VDOT has also offered an incentive for early delivery of the construction materials. State funds are being used for the project not local maintenance funds.
2. Visibility lines have been painted at the traffic light on Route 1 and the Rt. 460 intersection. He informed the board that raised pavement markers are also going to be installed at the intersection which should help dramatically.
3. Rt. 600 (Ferndale Road) Bridge – Re-decking work will begin next summer on this project. At the present time VDOT is trying to locate the utilities to rework the plumbing on the bridge and temporary signalization for one lane traffic will be installed. The potholes will be repaired for a temporary fix.
4. The Six-Year Road Plan work session will be held at the next Board meeting on September 2, 2003 and Mr. Steve Fritton and Mr. Timothy Overton will be presenting it to the Board.
5. Halifax Road project –weather permitting work is scheduled to start shortly.
6. Butterwood Road work has been completed.
7. Ridley Road project has been completed.
- 8.

Board Comments – Questions:

1. Mr. Bracey – Hospitality Lane – Grass so tall vehicles have to pull into road to see if traffic is clear. Mr. Caywood said he would have it mowed.

IN RE: REQUEST TO PURCHASE SEVEN SCHOOL BUSES

MEMO FROM DR. WISE

“Per the discussion at the joint meeting of the Dinwiddie County Board of Supervisors and the Dinwiddie County School Board last evening, Dinwiddie County Public Schools is requesting that the county provide capital funding to purchase seven school buses for the school system to be purchased immediately. The total cost for this purchase will be \$368,781 per the attached quote from the existing state contract with Sonny Merryman, Inc.

We will look forward to working with you over the next several months to develop a plan to meet the remaining school bus needs so that the cost can be built into debt service in our budget beginning with the next fiscal year.”

Upon Motion of Mr. Haraway, 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 request from the School Board for the purchase of seven school buses in the amount of \$368,781 from the capital improvements funds, off the existing state contract with Sonny Merryman, Inc.

IN RE: AUTHORIZATION TO REPLACE AMBULANCE – EMERGENCY PURCHASE ORDER

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, 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 Director of Public Safety to enter into a contract with P.L. Custom in the amount of \$111,701 for the emergency purchase of the ambulance to replace the one involved in the accident on I-85.

IN RE: SOLE SOURCE PURCHASE OF VEHICLE EXTRICATION EQUIPMENT – MCKENNEY VFD

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 they approve the sole source justification as presented to accept the low bid from Virginia-Maryland Rescue Systems to purchase the Vehicle extrication equipment for the McKenney VFD in the amount of \$16,075. Funding is available in the Capital Improvement Program.

IN RE: ACCEPTANCE OF GRANT – HOMELAND SECURITY

Mr. David Jolly, Director of Public Safety, stated he received information from the Virginia Department of Emergency Management (VDEM) that the County has been allocated \$100,741 to be used to better prepare to combat and deal with terrorist acts involving weapons of mass destruction and hazardous materials.

Funding of this grant is based on a formula that provides \$50,000 plus \$2.07 per capita to each locality across the Commonwealth. This funding must

be used according to the requirements that are specified by the Office of Domestic Preparedness.

Specifically, staff is proposing these funds to allow each of our first out fire units to have monitoring capabilities for hazardous material responses and to improve the equipment and trailer used for hazardous material responses.

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 authorization is granted for the County Administrator to sign the Grant Agreement between the Virginia Department of Emergency Management (VDEM) and the County of Dinwiddie, the grant recipient, for the amount of \$100,741 to be used to better prepare to combat and deal with terrorist acts involving weapons of mass destruction and hazardous materials.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The Board agreed to come in early on September 2, 2003 to meet in a workshop session with VDOT on the Six-Year Plan. Staff has been meeting with Motorola representatives to finalize the radio system contract and recommend that, if possible, the Board come in that same evening at 4:00 P.M. for a brief presentation on the radio system and the cost. The proposal from Motorola is valid until September 22nd. The Board agreed to come in at 4:00 P.M.
2. Recently staff has been receiving phone calls on the use of bio-solids in the County, staff would like to know if the Board would like to have a presentation by Farm bureau on the subject. Mr. Alvin Blaha has offered the Farm Bureau's assistance if the Board would like to have it. The Board also has the option of adopting an ordinance, which was included in your packets that would allow the county to hire an inspector. Think about it and let staff know if you want to arrange a presentation or consider the ordinance.
3. Robinson, Farmer, Cox Associates has finished the draft of the justification for proffers for the County. She suggested setting up a workshop session so the Board members can review how Robinson, Farmer, Cox Associates arrived at their proposed proffer amounts and then the Board can decide whether it wants to proceed with adopting an ordinance. Mrs. Ralph asked that the Board let staff know when they would like to hold this discussion so staff could set it up.
4. She informed the Board that interviews for the Senior Planner/Zoning Administrator position would be held on Wednesday, August 27, 2003. She requested that the Board let staff know if they would like to participate so staff could send them a schedule.
5. The Planning Commission would like to have a work session with the Board to discuss continuing projects they would like to pursue, i.e. the revisions that need to be made to the zoning code. The Planning Commission will be meeting on September 10th and she asked if the Board would rather come in early or discuss the issues during the 7:30 P.M. meeting? The Board agreed to come in at 5:00 P.M.
6. The County Administrator said the architects for the School Board and the County would be meeting on Friday, August 29th to discuss the school improvements. The School Board meeting is scheduled for September 9th and the two Boards should schedule a workshop session as soon as possible after that to follow-up on the school improvements.

**IN RE: RESOLUTION AUTHORIZING COMPETITIVE NEGOTIATION –
GENERAL REASSESSMENT**

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

General Reassessment

WHEREAS, the Board of Supervisors of Dinwiddie County (the "Board") wishes to receive proposals from qualified firms for the County's "General Reassessment" to evaluate various subjective factors, including qualifications and experience of the assessor relative to the same type of assessment process, expertise of key personnel, general understanding and knowledge of the assessment process in a growing rural county, technical and staff capabilities to undertake and complete the assessment in an expeditious manner, and to negotiate specific contractual terms and conditions and pricing, favorable to Dinwiddie County (the "County"); and

WHEREAS, Section 11-41(c) of the Virginia Public Procurement Act provides that goods and services may be procured by competitive negotiation upon a determination made in advance and set forth in writing that competitive sealed bidding is not advantageous to the public;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia:

4. The County Administrator, in cooperation with other County staff persons, is authorized to issue on behalf of the County, a written request for proposals for the County's "General Reassessment" on the basis that competitive sealed bidding is not practicable and not fiscally advantageous to the public as it is advisable for the County to have the flexibility allowed by competitive negotiation procedures to consider many factors including negotiated price, experience and qualifications of the vendor, length of contract performance and other terms and conditions.
5. This Resolution shall constitute a written determination that competitive sealed bidding is not advantageous to the public for the reasons stated above.
6. This Resolution shall be effective as of August 19, 2003.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody He requested that the Director of Planning provide the same Comprehensive Land Use list that was given to the Planning Commissioners for the work session on September 10th.

Mr. Bowman He stated he would like to see the impact fees brought before the Board as soon as possible.

IN RE: CLOSED SESSION

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

Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia – Chaparral Agreement, VBF Litigation; Acquisition of Property - §2.2-3711 A. 3 Personnel - §2.2-3711 A. 1 – Planning

Mr. Bracey seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 3:24 P.M.

Mr. Moody left at 4:10 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 4:34 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under **Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia** – Chaparral Agreement, VBF Litigation; **Acquisition of Property - §2.2-3711 A. 3; Personnel - §2.2-3711 A. 1** – Planning

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

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Virginia's Gateway Region Report.
2. Email from Gerald McCarthy regarding the Commonwealth Transportation Board's annual "pre-allocation hearing" to be held at the Appomattox Regional Governor's School on September 25, 2003 in Petersburg.
3. Update on developing and delivering a realistic Six-Year Improvement Program and public hearing schedule for FY05-10 from Whittington W. Clement - Commonwealth Transportation Board.
4. Appomattox Regional Library System – Report.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Bracey, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 4:36 P.M. to be continued until 4:00 P.M. on Tuesday, September 2, 2003 for the Motorola representatives to present a brief presentation on the radio system and the cost.


Robert Bowman, IV, Chairman


Wendy Weber Ralph
County Administrator

/abr