

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 NOVEMBER, 2003, AT 2:00 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Robert L. Bowman IV, Chair, called the regular meeting to order at 2:09 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Weber Ralph, County Administrator, stated that she would like to add to the closed session Authority to Place Restrictions on Public Property under section 2.2-3711 A .7 - Consultation with Legal Counsel and Discussion of Industrial Development under section 2.2-3711 A .5 - Business and Industry Development.

Upon motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the above amendments 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 October 7, 2003 and October 21, 2003 Regular Meetings were hereby approved.

IN RE: CLAIMS

Upon motion of Mr. Clay, 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 1037260 through 1037460 (void check(s) number 1037260 for:

Accounts Payable

(101) General Fund	\$	142,132.75
(103) Jail Commission	\$	83.94
(209) Litter Control	\$	
(222) E911 Fund	\$	2,248.21
(223) Self Insurance Fund	\$	
(225) Courthouse Maintenance	\$	660.00
(226) Law Library	\$	

(228) Fire Programs	\$	
(229) Forfeited Asset Sharing	\$	
(304) CDBG Grant Fund	\$	232.23
(305) Capital Projects Fund	\$	
(401) County Debt Service	\$	<u>1,568.60</u>
TOTAL	\$	146,925.73

IN RE: ALVIN LANGLEY – CHIEF FORD VFD – PRESENTATION OF NEW VEHICLE

Mr. Alvin Langley stated that he was present on behalf of the Ford VFD and wanted to express his sincere thanks for the new piece of equipment that was purchased for the VFD. He stated that his thanks goes out to the Board, administration and the citizens who together made this happen. He stated that this is a good piece of equipment and he believes it is going to last a good twenty years. He also stated that this piece of equipment would take a lot of wear and tear off of one of their regular tankers. He stated that the tanker this equipment will replace has already run 78% of all the calls that come into the VFD. He stated this equipment will be a first responder unit and it will run all the medical calls along the Route 460 corridor. He stated that the truck was out front if any of the Board members wanted to look at it and see what was purchased. He also extended an invitation to the Board and any citizen to come by the VFD and see what they have.

Mr. Bowman thanked the Mr. Langley on behalf of the Board for all the hard work he has done and all the volunteers that volunteer everyday. He stated that the Board really appreciates everything that they do for the County and the citizens.

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.

There was no one signed up to speak or present who wanted to address the Board.

IN RE: VDOT – RICHARD CAYWOOD

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation opened with giving an up to date report on the status of Courthouse Road and Rainey Road. He stated that there is a light at the end of the tunnel and it is not a train. He stated the delays had to do with some engineering miscalculations. He stated that the optimistic opening of both roads could be Monday, November 24, 2003 and the pessimistic opening could be Wednesday, November 26, 2003. He stated, if all went perfectly, they could open on the weekend. He stated that they received their federal authorization on the right of way acquisition for the Boydton Plank Road project and VDOT is aiming for a January or February advertisement and an August 1, 2004 fix date, which is earlier than projected. It was moved forward in time because of the construction season at the request of the city.

Mr. Bowman stated that he had a citizen ask about Squirrel Level Road where the water stands on the road and there are numerous potholes.

Mr. Caywood stated that he travels that road and knows what the concern is and he will get with the Public Works Department in Petersburg to help expedite the matter.

Mr. Caywood stated he wanted to put items on the radar screen for the Board. He stated that the Rt. 600 Bridge has deteriorated and VDOT has

secured some maintenance funding to do a deck replacement as well as rehabilitation and painting of the substructure for that project. He stated that VDOT with representatives of both counties met on November 17, 2003. They concluded that they should have at least one if not two public information meetings. He stated that they are seeking public input on the various impacts that are possible. He stated that there were two options that VDOT proposed. The first was temporary signalization where the bridge is essentially one lane with a signal on either end. He stated the completion date for this option would be an eighteen-month time line window, because it would be a three-phase project. He stated the other option raised by one of the counties, which VDOT had not really considered, was how quick could you do the work if you closed the bridge. He stated the completion date for this option would be an eight-month window. He stated that they have a tentative public information meeting scheduled for mid-January at the school in Matoaca. He also stated that as a reminder to the Board that the Primary Interstate and Urban Six-Year Improvement Plan public hearing is scheduled for December 1, 2003 at the renovated train station in Petersburg. The informal session, where the public can come and ask questions of the officials, is at 5:00 P.M. and the formal session, more of a Board meeting forum where there is question and answer and public interaction period is, at 7:00 P.M.

Mr. Haraway stated that on the Rt. 600-bridgework advertisement he hoped that VDOT would mention that there is a possibility or an alternative to closing the bridge.

Mr. Caywood stated that VDOT is still working on debris removal and that the removal is only done on items that Isabel placed in VDOT's right of way. They are not removing debris that homeowners have placed in front of their homes. He stated that there are two reasons for this. One is because VDOT does not have the funds to pay their people and two it goes against the agreement that VDOT has worked out with FEMA and FHWA.

IN RE: INFORMATION WORKSHOP – BIO SOLIDS

The County Administrator stated that this time today has been set aside for a workshop on Bio-Solids. She stated that are speakers here today that have come to address the subject. She asked the Chairman if each speaker could be limited to fifteen minutes because of the agenda and the time available for today. She stated that after their formal presentations, there would be a question and answer session for the persons who have questions that could be answered while the experts are available. She stated that the speakers were Dr. Greg K. Evanylo a Professor and Extension Soil Scientist at Virginia Tech University, Mr. Wilmer N. Stoneman, III, the Associate Director Governmental Relations with Virginia Farm Bureau, Mr. Charles W. Swanson, Treatment Technology Engineer with Virginia Department of Health and Mr. Luther Parker. She reminded everyone that this is the information workshop and not the public hearing on the ordinance that will take place on December 2, 2003 at the 7:30 P.M. night meeting.

Mr. Greg Evanylo had a Power Point Presentation on the Pros and Cons of Bio-Solids. He stated he is basing the information he has on Bio-Solids on the work that he and his colleagues have done over several decades. He stated that Bio-Solids are solids removed from the wastewater stream and most of it is from domestic toilets. He stated the before the solids can be classified as Bio-Solids they must under go stabilization, then conditioning and then dewatering. They are then classified as stabilized sludge or Bio-Solids. He stated that Bio-Solids are disposed of by incineration, burying them in a landfill or land applying them as a fertilizer. He stated that there are regulations for the use of Bio-Solids at federal, state and local levels. The federal regulation is U.S. EPA 40 CFR Part 503: Standards for the use and disposal of sewage sludge (1993), the state regulation is VDH 12 VAC 5-585: Biosolids use regulations (1997); VA DEQ (VPDES) and the local level puts together an ordinance from these. He stated

that some health and environmental factors are addressed in the regulations. He stated that those factors are Pathogens and vector attraction, Pollutants, which involve, trace elements and organic toxics, Nutrients and Odors and bioaerosols. He stated that there was thirteen Risk Exposure Pathways utilized to set the standard for how much of a pollutant can be found in a biosolid that could safely be applied to land over a long period of time. He stated that it appears that the quality of the Biosolids being produced and being applied to land is extremely low in trace elements even compared to the standards that have been set. He stated that while the trace elements are extremely low we must still be on top of our nutrient management. He stated that Biosolids like any fertilizer source, animal manure or commercial fertilizer, if not managed correctly presents the potential to contaminate our surface and ground water with nitrate or phosphorus. He stated that is why the way in which Biosolids are applied to land is based on the nitrogen, soon to be phosphorus and lime requirements of the soil or the crop. He stated that Biosolids could only be applied one year out of three. He stated that if the level of the ground water table is too high Biosolids couldn't be added. He stated that there should be buffer strips when applying Biosolids. He stated any farming practices that protect water quality are also appropriate for managing Biosolids. In closing he stated the major problems that have occurred with Biosolids in Virginia are those largely due to odor. He stated that remote application is best and that concluded his presentation.

Mr. Charles Swanson stated that he did not have a presentation. He stated that Mr. Evanylo's presentation covered what he does at the Health Department. He said even though the regulations came out in 1997, the health department has been dealing with the Bio-Solids issue since the mid 70's. He stated that from his viewpoint in the county he's seen Bio-Solids used about half the time on tree forestation.

Mr. Parker stated that he was present on behalf of the citizens of Dinwiddie County. He stated that what the citizens want is not to forbid or ban the use of Bio-Solids in Dinwiddie County; they just want the model ordinance put in to place with notification of when spreading will occur. He stated that in Waste Magazine there was an article that talks about the Bio-Solids trend being like the Free-on trend. He stated that when Free-on came out it was seen as a wonderful product, but then it began having problems. (i.e. ozone depletion and deaths) He stated that the citizens are not in opposition; they fully understand the benefits that the farmers in Dinwiddie County get from the use of Bio-Solids. He stated that he knows the County is built on farmland and if there were no farmland in this County we would not have a County. He stated that he knows the economy is based around farmland and that he wants the farmers to be able to benefit as much as possible. He stated that all the citizens are asking is that there is a safe management plan in place with testing and monitoring to the fullest extent to which we are capable as far as Virginia code is concerned.

Mr. Stoneman stated that he represents the Virginia Farm Bureau Federation. The federation is an organization that represents farmers. The federation has eighty- eight county farm bureaus across the commonwealth and represent thirty six thousand farms of which Dinwiddie County has nine hundred. He stated that he wanted to clarify where the Farm Bureau stands concerning the issue of Bio-Solids both at the state level and the county level. He stated that they support the use of Bio-Solids under strict state regulations. He stated that he has worked with Larry Land at VACO, the agricultural and environmental community with VACO to come up with a model ordinance. He stated that they have been working on a model ordinance as long as he has been with the Farm Bureau. He stated that he would encourage the County to consider the model ordinance as it has been prepared by VACO. He stated it has at least ten years of negotiation between farmers, citizens and local elected officials. He stated that the ordinance is not perfect, but there has not been a year that has gone by that the ordinance has not been tinkered with to make it better and safer for the citizens and the farmers.

Mr. Bowman allowed farmers that were present an opportunity to speak to the matter of Bio-Solids.

Mr. Scott Ragsdale – 16516 Gatewood Road – Dinwiddie Virginia – He stated that he is in favor of the use of Bio-Solids. He stated that Bio-Solids have helped his farm tremendously both financially and agricultural wise. He stated that the only disadvantage to the use of the Bio-Solids that he could see at present is the odor. He stated that breaking the solids up faster (i.e. tilling them as soon as possible) could help that cause.

Mr. Allen Mills – 4831 Harpers Road – McKenney Virginia – He stated that he is in favor of the use of Bio-Solids. He stated that he finds the companies very easy to work with and before he used the Bio-Solids he informed his neighbors that he was going to use them and asked if they mind. He stated that he would not put his life or his family's life in danger when using a product for his lands.

Mr. Meade Harrison – 7704 Quail Hollow Road – McKenney Virginia – He stated that he is in favor of the use of Bio-Solids. He stated that he worked with a company for thirty-three years and had an opportunity to hear what was being done with the Bio-Solids back in the 60's, 70's and 80's. He stated that when someone came by and asked if he wanted the product put on his land he said yes. He stated that if all the agricultural colleges in the southeast and other states were testing Bio-Solids and had not found anything wrong with them, he would accept the use of it.

Mr. Bowman asked if there were any citizens that wanted to comment on the Bio-Solids workshop?

Ms. Geri Barefoot – 7411 Frontage Road – Petersburg Virginia – She stated that years and years ago there was a practice to feed cattle to cattle. She stated that the cows did really well, but then twenty or thirty years later they died of the Mad Cow disease. She stated they decided that this was not a good practice so they stopped feeding cows to cows. She stated that the citizens are asking for an ordinance just to regulate the spreading of Bio-Solids.

Mr. Bowman closed the public comment portion of the workshop and opened the floor for questions and answers.

Ms. Geri Barefoot asked about the public access not being desirable on any of the lands when Bio-Solids are first put down and wouldn't having an ordinance or notification that it is there be a way of doing it?

Mr. Evanylo stated that the public access statement in his presentation was for animals being allowed to get back on the land for grazing or for farmers planting for the harvest. As for persons going on the land, signs would be the best informational tools.

Mr. Stoneman stated that currently the Bio-Solid regulations are open and they are being worked on by a commission. He stated that one thing that has been proposed by the companies is a better way of informing the public of the applying of Bio-Solids to fields. (i.e. signs, News paper etc.)

Ms. Michelle Parker asked a question of Mr. Evanylo - She stated that during your presentation you mentioned a study that was done by the National Sludge and Sewer Service, which was fifteen years old, why is there not a more updated version?

Mr. Evanylo stated that taking another survey will only show that the levels of pollutants are going down and not up. He stated that there has been a request to do another update. He stated that the pollutants have been going down

because of the better quality of material that is being used today and that is why there has not been an immediate need to get the update done.

Mr. Bowman asked the Board if they had any questions and they did not, but he asked if you could apply Bio-Solids to tobacco and peanuts?

Mr. Evanylo stated that tobacco companies would not buy any leaf that has been grown on land that has been fertilized by Bio-Solids. He stated that the tobacco companies believe that the cadmium will make that leaf unhealthy. He stated that you could apply it on peanut product.

Mr. Bracey stated that those who perform crop dusting should be included in the ordinance, in terms of notifying the public.

Mr. Bowman asked the County Attorney to look into the state codes concerning crop dusting in Dinwiddie County.

The County Administrator stated that the model ordinance is being advertised. She stated that she hoped people would get a copy of the ordinance and read it and see what it says. She reminded everyone that the public hearing for the ordinance would be held on December 2, 2003 at 7:30 P.M.

IN RE: ADOPTION OF AMENDMENTS – A-03-6 -- ENTERPRISE ZONE ORDINANCE

The County Administrator stated that the Board adopted the enterprise ordinance back in 1999. She stated that the ordinance provided for partial tax exemptions for certified pollution control equipment as well as certified recycling equipment in an enterprise zone. She stated that as it was discussed with the Board in the last meeting, the agreement with Chaparral Steel has been signed and the public hearing on the amendment to the enterprise ordinance has been held. She stated that action is needed at this meeting to make the amendments effective January 1, 2003. She stated we are working on a joint press release with Chaparral, which she hopes to have ready by the next meeting.

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 Section 19-168 of the County Code is hereby amended to provide as follows:

AN ORDINANCE OF THE COUNTY OF DINWIDDIE, VIRGINIA TO AMEND SECTION 19-168 AND SECTION 19-169 OF ARTICLE XIV OF CHAPTER 19 OF THE DINWIDDIE COUNTY CODE TO CLARIFY THE ADMINISTRATION OF THE PARTIAL TAX EXEMPTIONS FOR CERTIFIED POLLUTION CONTROL EQUIPMENT AND FACILITIES LOCATED IN AN ENTERPRISE ZONE AND CERTIFIED RECYCLING EQUIPMENT LOCATED IN AN ENTERPRISE ZONE

Sec. 19-168. Certified pollution control equipment and facilities located within an Enterprise Zone.

Section 19-168 of the County Code is hereby amended to provide as follows:

A. Pursuant to Section 58.1-3660 of the Code of Virginia of 1950, as amended, certified pollution control equipment and facilities, as defined therein, and concerning which the Commissioner of the Revenue of the County has received written verification of certification as such by the Virginia Department of Environmental Quality or other authorized state certifying authority ("**Certified Pollution Control Equipment and Facilities**"), are hereby declared to be a separate class of property for local taxation, separate from other classification of

real or personal property, and such Certified Pollution Control Equipment and Facilities located within an area designated as an Enterprise Zone by the Commonwealth of Virginia shall hereafter be partially exempt from local taxation by the County as set forth herein. The County Administrator may, at any time, request the Commissioner of the Revenue to determine the current use of such Certified Pollution Control Equipment and Facilities to determine its continued use primarily for the purpose of abating or preventing pollution of the atmosphere or waters of the Commonwealth, and upon such request the Commissioner of the Revenue shall determine that all, some or none of the property previously categorized as Certified Pollution Control Equipment and Facilities shall continue to be so categorized.

B. The tax rate for Certified Pollution Control Equipment and Facilities located within an area designated as an Enterprise Zone by the Commonwealth of Virginia shall be \$.03 per \$100 assessed value (excluding capitalized interest). Certified Pollution Control Equipment and Facilities not located within an area designated as an Enterprise Zone by the Commonwealth of Virginia shall be taxed at rates generally applicable to those types of real property, personal property and machinery and tools, as applicable, within the County.

C. Any taxpayer wishing to receive the tax rate set forth above for Certified Pollution Control Equipment and Facilities for any particular tax year shall submit to the Commissioner of the Revenue a completed application for the same, on a form to be provided by the County, on or before February 15 of that tax year. The taxpayer shall specifically list each piece of equipment the taxpayer believes qualifies as Certified Pollution Control Equipment and Facilities, and the original capitalized cost (excluding capitalized interest) thereof, on such application.

D. If any clause, provision or subsection of this Section 19-168 is held to be illegal or invalid by any court, the invalidity of the clause, provision or subsection will not affect any of the remaining clauses, provisions or subsections, and this Section 19-168 will be construed and enforced as if the illegal or invalid clause, provision or subsection had not been contained in it.

E. This Ordinance shall be effective as of January 1, 2003 for the tax year beginning on such date.

[State law reference: Va. Code Section 58.1-3660]

Sec. 19-169. Certified recycling equipment, facilities or devices located within an Enterprise Zone.

Section 19-169 of the County Code is hereby amended to provide as follows:

A. For the purposes of this Section 19-169, the following terms shall have the following meanings:

“Applicant Taxpayer” shall mean any taxpayer wishing to receive the benefit of the partial tax exemption for Certified Recycling Equipment set forth in this Section 19-169.

“Assessed Value” shall mean (i) original capitalized cost (excluding capitalized interest) if the property is assessed as personal property or machinery and tools or (ii) current assessed fair market value if the property is assessed as real property.

“Certified Recycling Equipment” shall mean certified recycling equipment, facilities or devices, as defined in Section 58.1-3661 of the Code of Virginia of 1950, as amended, concerning which the Commissioner of the Revenue of the County has received written verification of certification as such by the Virginia Department of Environmental Quality or other authorized state certifying authority

and which was new and unused when placed in an Enterprise Zone as required by this Section 19-169.

“Related Party” shall mean (i) any person, partnership, corporation or other entity in which an Applicant Taxpayer has a legal or equitable interest or has the right to, directly or indirectly, exercise any control over, (ii) any person, partnership, corporation or other entity that has a legal or equitable interest in or has the right to, directly or indirectly, exercise any control over, any Applicant Taxpayer, or (iii) any person, partnership, corporation or other entity in which another Related Party has a legal or equitable interest in or that has a legal or equitable interest in another Related Party.

B. Pursuant to Section 58.1-3661 of the Code of Virginia of 1950, as amended, Certified Recycling Equipment is hereby declared to be a separate class of property for local taxation, separate from other classification of real or personal property, and such Certified Recycling Equipment located within an area designated as an Enterprise Zone by the Commonwealth of Virginia shall hereafter be partially exempt from local taxation by the County, subject to offset and to the limitations as set forth herein.

C. Upon receipt by the Commissioner of the Revenue of the County of the certification described in the definition of Certified Recycling Equipment in Section A, the Commissioner of the Revenue shall determine or re-determine the Assessed Value of such Certified Recycling Equipment. The Commissioner of the Revenue shall also determine or re-determine the Assessed Value of Certified Recycling Equipment in accordance with the general law of local taxation.

D. The partial tax exemption set forth herein shall be effective beginning in the tax year next succeeding the receipt of such certification by the Commissioner of the Revenue for a term of fifteen years if owned by a business which was not located in an Enterprise Zone in the County in one or more new buildings on or before December 31, 1997 but was located in such an Enterprise Zone in the County in one or more buildings prior to December 31, 2002 (hereinafter referred to as a “Business Locating in an Enterprise Zone after 1997”). The partial tax exemption set forth herein shall be effective beginning in the tax year next succeeding the receipt of such certification by the Commissioner of Revenue for a term of seven years if owned by a business which was not located in an Enterprise Zone in the County in one or more new buildings on or before December 31, 2002 (hereinafter referred to as a “Business Locating in an Enterprise Zone after 2002”). The exemption for a Business Locating in an Enterprise Zone after 1997 for the first five years that such partial exemption is applied concerning any particular Certified Recycling Equipment and for a Business Locating in an Enterprise Zone after 2002 for the first four years that such partial exemption is applied concerning any particular Certified Recycling Equipment shall be determined by applying the County's machinery and tools tax rate to the Assessed Value of such Certified Recycling Equipment and subtracting 65% of such amount either (i) from the total real property tax due on the real property to which such Certified Recycling Equipment is attached or (ii) if such Certified Recycling Equipment is taxable as machinery and tools under Section 58.1-3507 of the Code of Virginia of 1950, as amended, from the total machinery and tools tax due on such Certified Recycling Equipment, at the election of the taxpayer. The exemption for a Business Locating in an Enterprise Zone after 1997 for the sixth through fifteenth years that such partial exemption is applied concerning any particular Certified Recycling Equipment and for a Business Locating in an Enterprise Zone after 2002 for the fifth through seventh years that such partial exemption is applied concerning any particular Certified Recycling Equipment shall be determined as set forth above for the first five years (if for a Business Locating in an Enterprise Zone after 1997) and for the first four years (if for a Business Locating in an Enterprise Zone after 2002), except that the partial exemption shall be at the rate

of 50% rather than 65%. If the taxpayer responsible for payment of tax on the Certified Recycling Equipment has received local government grant monies partially or entirely in lieu of such partial exemption for a particular tax year, the County Administrator shall, prior to May 1 of that year, provide written notice of such grant to the Commissioner of the Revenue and the Treasurer and such grant shall be deemed to have satisfied that year's partial exemption to the extent so stated by the County Administrator.

E. For any taxpayer who or which has applied for such partial tax exemption prior to January 1, 2003, has not received the full amount of exemption in tax years beginning prior to January 1, 2003, the initial year of such exemption shall commence on the tax year beginning January 1, 2003.

F. In order to qualify for the partial exemption provided herein, such Applicant Taxpayer must (i) operate a manufacturing business originally located in a newly constructed building or if originally located in an existing building must make an investment (over and above the \$5 million investment required in subsection (ii) below) resulting in not less than a 25% increase in the assessed value of such existing building, and (ii) make a minimum investment of \$5 million and provide for 50 jobs at such location. All Applicant Taxpayers shall submit to the Commissioner of the Revenue a completed application for the same, on a form to be provided by the County, on or before February 15 of that tax year setting forth information requested by the County and sufficient for the proper administration of this Section 19-169. The Applicant Taxpayer shall specifically list each piece of equipment the Applicant Taxpayer believes qualifies as Certified Recycling Equipment on such application and the original capitalized cost (excluding capitalized interest) of each such listed piece of equipment if assessed as personal property or machinery and tools. The County may at any time request the Department of Environmental Quality or other agency responsible for certifying machinery and equipment as Certified Recycling Equipment to review such certification and either issue a new certification or to decertify such property, as appropriate.

G. If any clause, provision or subsection of this Section 19-169 is held to be illegal or invalid by any court, the invalidity of the clause, provision or subsection will not affect any of the remaining clauses, provisions or subsections, and this Section 19-169 will be construed and enforced as if the illegal or invalid clause, provision or subsection had not been contained in it.

H. This Ordinance shall be effective as of January 1, 2003 for the tax year beginning on such date.

[State law reference: Va. Code Section 58.1-3661]

IN RE: SUBSCRIPTION SERVICE TO VAMANET

The County Administrator stated that there has been a service provided to the county that would be a benefit. She stated that the information is enclosed on a service we would like to provide called VamaNet (Virginia Mass Appraisal Network). It will provide our real estate information 24 hours a day on the Internet to subscribers, i.e. the real estate community, lenders, attorneys but will be provided at no cost to the County. The system will be quite useful to the County departments as well as our GIS system when it is developed. The service is provided through the County's CAMRA system, which is the real estate software, contained on the AS400 and maintained by the Commissioner of Revenue. She stated that there was a representative from the company available to explain and or answer any questions.

Ms. Susan Smith, a representative of VamaNet stated that the company is based out of Staunton Virginia and service is provided to the professional community to provide tax information through out different localities in Virginia. She stated that there have been numerous requests from Realtors in the area

wanting to have access to the information where currently they must come to the Commissioner of Revenue office to get it.

The County Administrator asked Ms. Smith to explain how the information gets to your company and what is the obligation to the county?

She stated that there is a request of file transfer from the Commissioner's office from the real estate file. They would send it to us via mailing where we provide a stamped self-address envelope with a CD or Zip File disk or by email through the county's IT department where we would then run it in our system. All the Dinwiddie Real EstateTax information is available to the County as well as anyone who is a subscriber.

Mr. Bowman asked if it was on line for the general public to go into and get information?

She stated that it is not. She said it is just for membership only at this point. She stated that the County has the option of having it available to the citizens if the County is willing to pay the company a monthly fee. It would be basic information available on the opening page of their web site. It would not be as extensive as the membership side would be.

Mr. Haraway asked how often do they update the information?

She stated that they like to update the information every one to two months if possible. She stated that when the Commissioner's office does their updating, VamaNet would like to do theirs.

Mr. Haraway asked how long is the contract?

She stated that there really is no contract as far as anything written. It is just a verbal agreement between the company and the Commissioner's office.

Mr. Haraway stated that the county could then terminate at any time right!

Mr. David Hickey the CEO for VamaNet came forward and stated that the company wants to maintain a good rapport with its members and if the county wanted to terminate the contract he would see no problem in doing that.

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 acceptance of the VamaNet program be approved with an inclusion of a paragraph indicating that the county can option out of this program at any time with a thirty day notice and the information will be returned to the county.

IN RE: APPOINTMENT – MR. ROBERT WILSON TO THE APPOMATTOX RIVER WATER AUTHORITY AND ALTERNATE ON THE SOUTH CENTRAL WASTEWATER AUTHORITY REPLACING MR. CHRIS WYATT

The County Administrator stated the she wanted to introduce the new Director of the Dinwiddie County Water Authority and she asked if he would come forward and introduce himself.

Mr. Robert Wilson stated that he was from Chesterfield County where he worked in the County's Operations and Maintenance and Customer services departments for eighteen years and he is looking forward to be working in Dinwiddie County.

The County Administrator stated that the Director of the Dinwiddie Water Authority has been serving as our representative on the Appomattox River Water Authority and our alternate on the South Central Wastewater Authority. She stated now that Mr. Robert Wilson is the new Director, he needs to be appointed to fill the unexpired term of Mr. Chris Wyatt who resigned in September of this year.

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. Robert Wilson be appointed to the Appomattox River Water Authority and as alternate to the South Central Wastewater Authority to fill the unexpired term of Mr. Chris Wyatt.

IN RE: NEGOTIATION OF THE TOWER SITE AT DEWITT

The County Administrator asked that Ms. Denise Absher, Communications Manager, to come forward and bring the Board up to date on the negotiations with the Dewitt tower site for the communication system. She stated that there was one slight change and she wanted to make the Board aware of it.

Ms. Absher stated that Public Safety office received notification this morning from Alltel, who the county had asked to co-locate on their tower in Dewitt, that the space we requested had been taken by their equipment. They needed it for their Digital Capabilities for wireless calls. She stated that this has dropped the County's transmit Antenna from 260 feet to 200 feet and the County's receive from 200 feet to 160 feet. She stated that the Microwave Dish was not affected. She stated that this does not affect our co-location on the tower. She handed out two drawings that showed the effect of the change. She stated that there was not a huge amount of difference and analog was the only one that was affected. She stated that she spoke to Curt Andrich this morning and it is his opinion that the county should move forward with the project.

Mr. Bracey stated that we are at the point now where we're going to spend four million dollars and we are not going to have the coverage that we originally talked about.

Ms. Absher stated that we would have the coverage. She said the little white dotted areas just mean coverage is less than the 95%. The requested coverage formula, she added, was set at 95% and if an area fell short of that the white dots are shown. She went on to say that the county's coverage now is 35% to 40% on a good day.

Mr. Kevin Massengill, Assistant County Administrator, asked Ms. Absher if she could have Motorola run the formula at 90% coverage and see how many of the white areas are covered.

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

BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia authorizes the County Administrator to sign a change order to the contract to accommodate the change in the antenna height as presented at no cost.

IN RE: COUNTY ADMINISTRATOR COMMENTS

The County Administrator stated that she wanted to make the Board aware that the bid documents and specifications on the renovations to the Namozine VFD building have been finalized and are ready for bidding. She

asked the Board if they had any desire to have any of the plans come back to them before it is bid out?

Mr. Bowman stated that the volunteers were doing all the demolition on this project trying to save money. He asked if they had saved enough money to purchase a generator?

The County Administrator stated she felt they saved some money that the County did not have to use, however, she could not say how much until the bids come in.

IN RE: BOARD MEMBERS COMMENTS

Mr. Moody stated that he was going to make some comments about the VACO Board meeting, but he will wait until the next meeting to do so.

Mr. Haraway asked if a person is serving on the Central Virginia Health Planning Agency, can they to be a County employee? He received an answer of yes and he then recommended Mr. Guy Scheid Director of the Planning Department. Mr. Bracey stated he would come to Mr. Scheid's defense at this time. He said that Mr. Scheid's plate is full and if he were to take care of it like he should, he will not have enough time for anything else. Mr. Haraway stated that there are other employees that would be excellent at performing the task, such as Mr. Kevin Massengill, Assistant County Administrator, and Ms. Kim Willis, Director of Social Services. He went on to say that he would like to plant a seed to rotate members of the Board of Supervisors that are on the different committees. He stated that he could be a better Board member and be more knowledgeable if he had served a couple of years on various Boards. He stated that he just wanted to put the information out there so the members would think about it.

Mr. Bracey stated that he would hope that these appointments, not only to these Boards but to any commission on any thing that has to deal with Dinwiddie County regardless of how small or how large, would be persons that are tax payers, qualified voters and that they live in the bounds of Dinwiddie County other than those like the Airport Authority and others who have to have someone outside of the bounds of Dinwiddie.

IN RE: CLOSED SESSION

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

**2.2-3711 A .30 of the code of Virginia, Discussion of Contract Negotiations
General Reassessment**

**2.2-3711 A .7 of the code of Virginia, Consultation with Legal Counsel
OMD Agreement**

**2.2-3711 A .7 of the code of Virginia, Consultation with Legal Counsel
Authority to Place Restrictions on Public Property**

**2.2-3711 A .5 of the code of Virginia, Business and Industry Development
Discussion of Industry Development**

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the Board moved into the Closed Session at 5:20 P.M.

IN RE: CERTIFICATION

A Vote having been made and approved the meeting reconvened into Open Session at 6:00 P.M.

Whereas, this Board convened in a closed meeting under 2.2-3711 A .30 Discussion of Contract Negotiations – General Reassessment and 2.2-3711 A .7 Consultation with Legal Counsel – OMD Agreement and Authority to Place Restrictions on Public Property and also 2.2-3711 A .5 Business and Industry Development – Discussion of Industrial Development.

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.

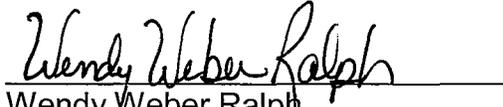
Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 6:03 P.M. on Tuesday, November 18, 2003.


Robert Bowman, IV, Chairman


Wendy Weber Ralph
County Administrator

/abr