

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 20TH DAY OF JANUARY, 2004, AT 12:30 P.M.

PRESENT: DONALD L. HARAWAY –CHAIRMAN ELECTION DISTRICT #2
HARRISON A. MOODY - VICE CHAIR ELECTION DISTRICT #1
ROBERT L. BOWMAN IV ELECTION DISTRICT #3
DORETHA E. MOODY ELECTION DISTRICT #4
MICHAEL W. STONE ELECTION DISTRICT #5

OTHER: DANIEL M. SIEGEL COUNTY ATTORNEY
=====

Mr. Donald L. Haraway, Chairman, called the regular meeting to order at 1:14 P.M. in the Multi-purpose room of the Pamplin Administration Building.

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

Mr. Donald L. Haraway, Chairman, called the regular meeting to order at 2:07 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

The County Administrator requested that Motorola be added to the agenda after the Consent Agenda - "E". There is also a need to continue the Closed Session.

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

IN RE: CLOSED SESSION

Mr. Bowman 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 Administration;
Acquisition of Property - §2.2-3711 A. 3
Consultation with Legal Counsel - §2.2-3711 A. 7

Ms. Moody seconded the motion. Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the Board moved into the Closed Meeting at 1:15 P.M.

A vote having been made and approved the meeting reconvened into Open Session in the Board Meeting Room at 2:06 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under Personnel - §2.2-3711 A. 1 of the Code of Virginia - County Administration; Acquisition of Property - §2.2-3711 A. 3; and §2.2-3711 A. 7 Consultation with Legal Counsel;

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

IN RE; SCHOOL BOARD – FY 2004 SUPPLEMENTAL APPROPRIATION #2

Mr. Haraway asked why is there air-conditioning on one of the buses and not the other one? Dr. Lanham, Assistant Superintendent, replied he did not know but would investigate it and let the Board know.

Dr. Lanham was also asked if he was aware of any environmental issues at the Middle School? He stated the basement had been tested 3 times and there was some dust in the HVAC system but no contributing factors to cause any health problems were found. He commented steps have been taken to move the band to a trailer, which is being moved from Midway. He said the second issue was in the annex. The pneumatic controls in the HVAC system have failed 2 times due to condensation in the pipes. Johnson Controls has installed another moisture control system and they said it should take care of the problem. Two children have developed some respiratory problems in that building. One student had a severe asthma attack and one had some asthmatic symptoms in the building. Maintenance staff is doing some heavy cleaning and hopefully that will help.

"January 7, 2004

Mrs. Wendy Ralph
County Administrator
County of Dinwiddie
P.O. Drawer 70
Dinwiddie, VA 23841

Dear Mrs. Ralph:

At their meeting on December 19, 2003, the Dinwiddie County School Board authorized me to forward Supplemental Appropriation #2 to the Dinwiddie County Board of Supervisors for their approval.

We are requesting that the FY2004 budget be increased by an additional \$279,809.78 in carry-over funds. These amounts are based on the final audit report recently completed by our auditors. These funds should be allocated as follows:

Head Start	\$ 22,479.18
Cafeteria	\$ 48,791.20
Textbooks	\$206,304.53
School Capital Fund	\$ 2,234.87

In addition, we are requesting that the ending balance in the School Fund of \$148,608.31 be reappropriated and allocated to Transportation for the purchase of two additional handicapped-equipped buses. Reappropriation of the ending balance in the School Fund for vehicle purchase has been the board's practice in recent years. We currently have five handicapped-equipped buses in our fleet that are used every day. We have only one spare bus with this special equipment, and it is a 1993 vehicle. We anticipate having to serve another wheelchair-bound child next year that will require a sixth bus daily. Quotes based on the Virginia State Contract are attached for your reference. The remaining \$18,786.31 would be used to purchase additional cars also needed to serve a growing population of handicapped students requiring special transportation.

For your information, we have also been recently notified that the Head Start program has approved purchasing an additional bus with federal funds. That bus would be ordered with the two handicapped-equipped vehicles to increase our bus fleet by a total of three buses.

We will be present at the next Board of Supervisors meeting in January to answer any questions regarding this request. Thank you for your continued cooperation.

Sincerely,

Leland J. Wise, Jr., PhD.

December 19, 2003

SUBJECT: Audit Report/Supplemental Appropriation #2

BACKGROUND INFORMATION:

Each year the school division's finances are audited as part of the annual county audit by Robinson, Farmer, Cox Associated. The final audit report was presented to the Dinwiddie County Board of Supervisors for review on December 16, 2003. After the audit report has been received, the school division must ask to have certain carry-over funds reappropriated, and has from time to time asked for any ending balance to be reappropriated as well.

ADMINISTRATIVE CONSIDERATION(S):

We seek approval to have the following carry-over funds reappropriated by the Dinwiddie Board of Supervisors:

Head Start	\$ 22,479.18
Cafeteria	\$ 48,791.20
Textbooks	\$206,304.53
School Capital Fund	\$ 2,234.87

We also seek approval to request that the Dinwiddie Board of Supervisors re-appropriate the ending balance in the School Fund of \$148,608.31 to be used to purchase two handicapped buses and one additional vehicle for transportation. The two buses are \$60,542 and \$69,406 under state contract. Both are needed because of the age of the existing handicapped buses, the need to have back-up vehicles in case of mechanical malfunction, and increasing demands to serve wheelchair-bound students.

RECOMMENDATIONS: Authorization to requests funds from the Board of Supervisors

ACTION REQUIRED: Board approval

CONTACT PERSON: Dr. James W. Lanham, III, Assistant Superintendent
Mrs. Christie Fleming, Finance Officer
Mrs. Wanda Short, Director of Transportation"

Upon motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the above supplemental appropriation #2 for FY2004 was approved.

IN RE: MINUTES

Upon motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the December 16, 2003 Regular Meeting and the January 5, 2004 Continuation Meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", Mr. Stone voting "Nay,"

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 1038041 through 1038178 (void check(s) numbered 1038040, and 1038039 through 1033550)

Accounts Payable:

(101) General Fund	\$ 109,561.61
(103) Jail Commission	\$
(209) Litter Control	\$
(222) E911 Fund	\$ 1,822.42
(223) Self Insurance Fund	\$
(225) Courthouse Maintenance	\$ 2,822.10
(226) Law Library	\$
(228) Fire Programs	\$
(229) Forfeited Asset Sharing	\$
(304) CDBG Grant Fund	\$ 656.47
(305) Capital Projects Fund	\$ 374,475.33
(401) County Debt Service	\$ 513,635.19
TOTAL	\$ 1,002,973.12

IN RE: TRAVEL REQUEST – PUBLIC SAFETY DIRECTOR

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Public Safety Director to attend the State Fire Chief Conference in Virginia Beach, Virginia on February 25 – 29, 2004, at a cost not to exceed \$630.00, from fund 101-035500.

IN RE: MOTOROLA - CHANGE ORDER #4 & #5 – COMMUNICATION TOWERS

The County Administrator informed the public that Motorola had presented a review of coverage to the Board earlier today and the Board requested that the Motorola representative provide them with some additional information regarding change order # 4 for the communications tower for the landfill site.

Ms. Barbara Toumbalakis, Project Manager, Motorola, presented the Board with a breakdown of the charges for the additional concrete needed to change the foundation design for the landfill site. She stated the soil conditions were not something that Motorola would have known about and the bid was based on normal soil conditions. However, after conducting the soil tests it was

discovered that additional concrete would be needed for the landfill tower. She presented the following breakdown for change order #4.

Material \$ 987 (concrete, rebar, forms, and delivery)
Labor 5,290 (Additional day per foundation – one tower, 3 anchors)
Equipment 518

TOTAL \$6,795

Mr. Bowman commented he still felt the price was excessive. The costs of the materials are not that much more to pour the piles and it would only increase the job by approximately 4 yards of concrete. Mr. Haraway pointed out this price was a 37% reduction from the price quoted earlier. Mr. Moody stated he too felt the price was excessive but he did not want to hold up the project and would make a motion to approve change order #4 to get things rolling.

The Chairman suggested voting on Change Order #5 first. The County Administrator commented this deals with additional concrete needed for the tower at Company One. During the negotiations Staff held with Motorola, they agreed to come up with \$26,000 towards the cost. Therefore, Change Order #5 will not cost the county anything.

Upon motion of Mr. Moody, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the above Change order #5 was approved at no cost to the County.

Mr. Moody made the motion to approve Change Order #4 subject to review and approval by Mr. Gene Jones, Buildings and Grounds Director. Mr. Bowman seconded the motion. Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", Change Order #4 was approved at a cost not to exceed \$6,795, subject to the Director of Buildings and Grounds review and approval.

IN RE: CITIZEN COMMENTS

Mr. Haraway 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. David Dudley – Smith Grove Road, Petersburg, Virginia, 23803 – expressed his concerns regarding:

a. An ordinance that would require all dogs and cats in the County to be under the leash law. There is a requirement in subdivisions but not in agricultural areas. He requested that the Board initiate this law for the whole County.

b. He stated he felt Mr. Moody should not vote on Biosolids issues brought before the Board.

c. The County should hire a County Attorney instead of using the law firm of Sands, Anderson, Marks and Miller.

2. Geri Barefoot – Frontage Road, Petersburg, Virginia, 23803 – stated she had the same concerns about hiring a County Attorney. She also asked who writes the contracts for the County.

3. Anne Scarborough – Boynton Plank Road, - Dinwiddie, Virginia - commented on the following issues:

a. An ordinance that could be written to increase the Board members salary, which was discussed between the County Attorney and the Board members during the earlier meeting. She asked the Board to compare Dinwiddie County with like counties, not Henrico and Hanover.

b. She said she felt the Board should have voted to go all digital with the Communications System from the beginning. However,

she knew that the citizens were overtaxed when the County Administrator came up with the funds from the undesignated fund balance in the FY 03-04 budget to upgrade the system with no problem. Out of 95 counties, there are only 20 counties in the State with a higher tax rate than Dinwiddie County.

- c. She stated she was disturbed about the article she read regarding the Biosolids Ordinance that was approved January 6, 2004.
 - d. She remarked about Chaparral Steel not seeking out citizens in the County for employment.
 - e. Commented that the pamphlet sent out regarding the EMS insurance coverage had some errors in it and County Staff should make sure and proof read these items.
 - f. Requested a report from Staff on how much money has been paid to the County from the EMS charges for the past year. How much money Central State has paid the County for those services.
 - g. She also expressed concern about the lateness of the auditors financial report.
4. Michael W. Bratschi – 23500 Cutbank Road, – McKenney, Virginia
- a. He asked what happened to the generator that was removed by Wheel Service from the Administrative Building?
 - b. He stated Mr. Bowman should not have voted in favor of the County paying for the reception for the outgoing and incoming county officials.
 - c. He also stated Mr. Moody should not vote on Biosolids issues, he felt it was a conflict of interest and he could be prosecuted for it.
 - d. Requested that the Board hire a County Attorney.
 - e. Urged the Board to allow some of the citizens in the County to sit in on the panels for the hiring of employees..... Mr. Haraway interrupted and requested that Mr. Bratschi take a seat.
5. Kay Winn – 244 Winnaway Lane, Rich Square, NC 27869 – made the following request regarding the Biosolids Ordinance. a. Signs to be posted when biosolids are applied - there are no requirements for them in the ordinance. b. Require conditional use permits for above ground storage sites and require some type of permitting for other nonconforming usages.

IN RE: REPORTS – VDOT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation welcomed Ms. Moody and Mr. Stone to the Board and offered to work with them regarding any issues or concerns they might have.

He provided the following update to the Board:

1. Ferndale Road – pipe replacements at the Railroad underpass –is due in this month; work to begin in Spring.
2. The bid is due in April for the bridge on Route 600 for a complete re-decking. A signal light will be installed and one lane would be kept open to traffic during construction. There will be some public meetings to inform the public what will be happening.
3. Boydton Plank Road (bordering Petersburg and Dinwiddie) bids were sent out and right-of-ways have been finalized. Work should begin March or April and the project should be completed in August.
4. The signalization analysis requested by Mr. Haraway at the Ferndale Road and Cox Road intersections, has been initiated.

5. Interstate 85 overpass bridges (exits 63 and 61 - between Route 460 and U.S. Route 1) major repairs are needed. Re-decking and paving will be done on both bridges consequently there will be some lane closures on I-85; but traffic detours can easily be done between the interchanges. The project would take approximately 18 months to complete.
6. Utility Companies working at the intersections of Cox Road and Rt. 1 have a map, which shows more right of way than the VDOT maps show for that intersection. If this were the case, this would allow room for VDOT to do more improvements at that intersection. No work will be taken by VDOT until this information has been verified. But it would lower the costs associated with work done on this intersection if it is true.
7. Revenue Sharing Program - the County traditionally has not participated in the program, but if the Board is interested he would make sure the County Administrator gets the information. A project has been completed in Prince George County if any of the Board members would be interested in looking at it.
8. He reported less than 10% of the snow budget has been spent and if all goes well the county should be in good shape this year.

Board Member Request/comments

1. Mr. Stone asked what was happening on Route 1 just past Gatewood? Mr. Caywood stated he was not certain but he would find out.
2. Mr. Stone requested that VDOT check on the culverts at the pond near the Wainwrights on Route 40.
3. Mr. Haraway requested that the potholes on Autumn Drive be repaired.

IN RE: COMMISSIONER OF THE REVENUE – UPDATE

Mrs. Lori K. Stevens, Commissioner of the Revenue, gave the following update to the Board:

1. Personal Property tax forms – DMV deleted the 2003 vehicle files in preparation of 2004. So DMV reloaded the 2003 year which essentially duplicated everything when it was downloaded. Staff now has to delete all duplicated data and continue to do the add ons. Hopefully the personal property returns will be completed by the first of next week. She requested that the County Attorney be allowed to draft an ordinance to allow an extension of time for the citizens to file their returns by March 1, 2004 for this year.
2. The Public Service Corporation Real Estate tax bills have been sent out for 2001. The total assessments added are \$23,918,600. The abatements totaled \$61,447.57. Total revenue for 2001 will be \$122,725.66. The Personal Property tax book was produced using the same tax ticket numbers as the real estate for public service and no tickets were ever produced. The amount of assessments for personal property public service is \$231,883 with revenue generated of \$11,362.27. These tickets will be done as soon as possible.
3. Documents for 2002 sent from the State Corporation Commission and State Taxation Department could not be located in the office. Some information has been faxed to the office but we are awaiting full documentation from both agencies. At this point, we are sure that some of 2002 will have to be abated or supplemented.
4. The office is ready to do 2003 tickets but the 2001 tickets must be run first. The tentative assessment amount for real estate will be \$103,882,591 generating revenue of \$799,895.95 and personal

property assessments will be \$117,406 generating revenue of \$10,511.43.

5. The prior commissioner, as a courtesy, produced the 2003 real estate assessments tickets for the Town of McKenney. However, several tickets were blank and they don't know whom the tickets were for. They have requested some assistance in determining whom the tickets belong to, but no documentation was left in the office. Staff has tried to recapture some of the data but the query doesn't appear to have any type of order as far as alpha or numeric.
6. Her department has no data for the mineral tax files and that file will have to be reconstructed. She commented she has a meeting with the County Attorney and Mr. Tom Morelli with the Tax Department next week to discuss what can be done.

IN RE: REIMBURSEMENT OF TAX ASSESSMENT FOR TAX YEAR 1998 – WILLIAM BARNES

The Commissioner stated she had a request from Mr. William Barnes to reimburse him for supplemental tax assessments issued in 2002 for taxes owed in 1998. According to the County Attorney's opinion, if the commissioner of revenue determines that any local tax has not been assessed for any tax year, the commissioner may assess the unpaid taxes and add appropriate interest and penalties, if any, *Virginia Code Ann. §58.1-3903*. In 2002, the then-commissioner of revenue determined that local taxes on certain mineral lands owned by a taxpayer had not been assessed. On June 18, 2002 (according to the taxpayer's attorney and William E. Jones, Treasurer for Dinwiddie) the commissioner made supplemental tax assessments on those mineral lands for the tax year 1998 through 2002.

"In 2002, the commissioner issued a supplemental assessment for the 1998 tax year, which was one year beyond the three-year "look-back" permitted by §58.1-3903. Thus, the commissioner's assessment for the 1998 tax year was made in error. The taxpayer timely filed a proper application for correction and the County Attorney advised the Commissioner to take action to return the amount erroneously paid (\$35,828.14), plus interest at 10% from the date of payment which was July 24, 2002."

Mrs. Stevens commented based on that opinion she requested that Mr. Barnes be reimbursed the \$35,828.14 plus the 10% interest.

Upon motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Commissioner of the Revenue is hereby authorized to reimburse Mr. William Barnes the taxes paid based on the assessment for the 1998 tax year made in error in the amount of \$35,828.14, plus interest at 10% from the date of payment on July 24, 2002.

IN RE: RESOLUTION TO EXTEND DATE FOR FILING PERSONAL PROPERTY TAX FORMS – MARCH 1, 2004

Mrs. Lori K. Stevens, Commissioner of the Revenue, requested that the Board adopt a resolution to extend the filing date for the personal property tax forms to March 1, 2004. DMV deleted the 2003 vehicle files in preparation of 2004, so DMV reloaded the 2003-year that essentially duplicated everything when it was downloaded. Staff now has to delete all duplicated data and continue to do the add ons. Hopefully the personal property returns will be completed by the first of next week.

There was discussion regarding an extension among the Board members. After this discussion it was decided to grant an extension until March 1, 2004.

Upon motion of Mr. Stone, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Commissioner of the Revenue is hereby authorized to grant an extension for the citizens to file the personal property tax forms to March 1, for the 2004 tax year only.

IN RE: AUTHORIZATION TO ADVERTISE ORDINANCE TO EXTEND DATE FOR FILING PERSONAL PROPERTY TAX FORMS – MARCH 1, 2004

The Commissioner also requested that the County Attorney be allowed to draft an ordinance to allow an extension of time for the citizens to file their returns by March 1, 2004 for this year.

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Attorney is authorized to draft an ordinance to allow an extension of time for the citizens to file their personal property returns by March 1, for the 2004 tax year only.

Mr. Haraway stated he would appreciate it if staff would set up an appointment with Ms. Cathy Carwile to meet with the Board members to see if a file deletion security system could be put on the County's computer system. The County Administrator replied she would set it up. Mrs. Stevens stated Mrs. Carwile had done an outstanding job of recapturing files that had been deleted and doing back up for files.

IN RE: REVIEW OF FEE SCHEDULES – BUILDING & PLANNING DEPARTMENTS

Mr. Dwayne Abernathy, Building Inspector, commented he provided the permit fee schedules for Dinwiddie County, Chesterfield County, Prince George County, Brunswick County, Amelia County, Greensville County and Sussex County, which was requested by the Board in the their packets. He commented the last year any increases for permits in the County were approved was July 1, 1999. He provided the following proposed County building permit fee schedule:

PROPOSED PERMIT FEE CHANGES

Permit Fees were last increased on July 1, 1999.

Section 6-18. Permit Fees –Generally.

(A) Generally. No permit required by the building code to begin work for new construction or any other building operation shall be issued until the fees prescribed by this section have been paid, nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the square footage of the construction or other building operation, increase in the cost or amount of work involved or any other reason, has been paid. For the purpose of this section, the area of a structure shall be determined by its exterior dimensions.

(B) Administrative Services. The fees for administrative services shall be as follows

Permit amendments, extensions, reinstatement and change of ownership/contract change. (Thirty Dollars)..... \$30.00

If an application for a permit is cancelled by written request to the Building Official within 6 months of the application date or within 12 months of the issue date, a refund will be granted. The following fees will be deducted from the refund:

- a. Residential, commercial and other related permits,
Thirty percent of applicable fees..... 30%
- b. All other permits Twenty percent of applicable fees 20%
- (3) Duplication of permits and inspection slips.....\$10.00 ea
- (C) Building Permits. Building permit fees shall be as follows:
 - (1) Minimum/base fee for any permit (Fifty Dollars) \$50.00
Base fee added to all permits
 - (2) State levy on all applicable permit fees, 1.75%
 - (3) Single story residential dwellings, including additions, and remodeling
fifteen cents per square foot + base fee..... 0.15 sq.ft. + \$50.00
 - (4) Porches, decks, garages, carports, storage buildings, basements,
churches, second and higher stories, fifteen cents per sq. ft...0.15/sq ft +
\$50.00
 - (5) Industrial buildings, schools and commercial buildings
fifteen cents per square foot + base fee.....0.15/sq ft + \$50.00
 - (6) Installation or set-up of mobile homes:
 - Single-wide\$100.00
 - Double-wide..... \$150.00
 - Triple wide \$ 200.00
 - (7) Swimming Poolsfifty dollars.....\$50.00
Fence around pool, twenty dollars\$20.00
 - (8) Signs:

Up to ten (10) square feet in surface area, twenty (20) square feet for a double-
faced sign), the top of the sign being ten (10) feet or less from the ground, fifty
dollars\$50.00

More than ten (10) square feet in surface area (more than twenty (20) square
feet for a double-faced sign) or a sign the top of which is more than ten (10) feet
from the ground, One Hundred Dollars \$100.00
 - (10) Removal of a building or structure from one lot to another or to a new
location within the same lot.... Fifty dollars \$150.00
 - (11) Demolition of building or structure,....Thirty Dollars \$30.00
 - (12) Reserved

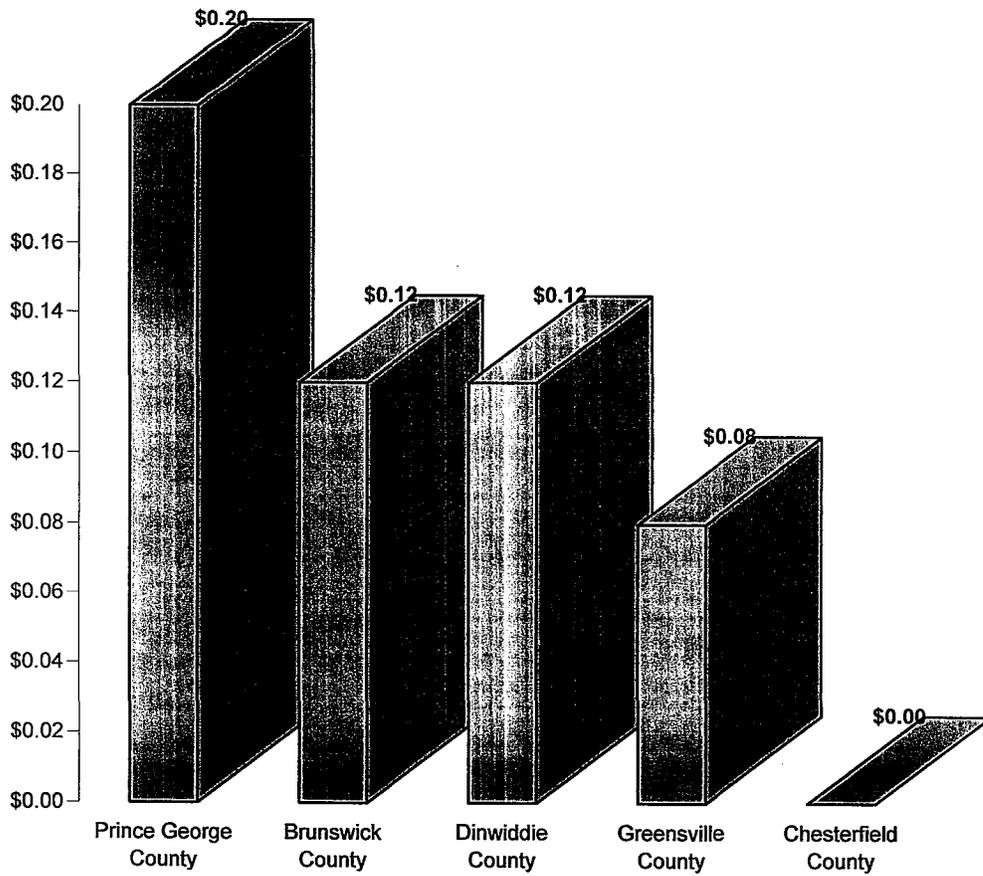
- (13) The fee for the erection or installation of a structure other than a building shall be calculated at a rate of one percent of the actual cost of the work..... 1% + \$50.00 base fee
- (14) Chimney...Thirty Dollars\$50.00
- (15) Roof Shingles, tin, cedar shakes....Thirty Dollars \$50.00
(Only required for Commercial property not required for residential property)
- (16) Tanks, removal or installation (underground or above ground):
 - (a) 600 gallons and under, seventy-five dollars \$ 75.00
 - 600 gallons to 1,000 gallons, one hundred dollars\$100.00
 - 1,000 gallons and over, one hundred fifty dollars.....\$150.00
- D. Electrical permits, Residential.
Base fee \$50.00 + .05 cents per sq. ft.
- E. Electrical permits, Commercial.
Base Fee \$50.00 + 1% of Contract
- F. Plumbing Permits, Residential
Base Fee \$50.00 + .05 cents per sq ft.
- G. Plumbing Permits, Commercial
Base Fee \$50.00 + 1% of Contract
- H. Mechanical Permits, Residential
Base Fee \$50.00 + .05 cents per sq ft.
- I. Mechanical Permits, Commercial
Base Fee \$50.00 + 1% of Contract
- J. Fire Suppression
Base fee \$50.00 + 1% of contract
- K. Amusement Devices.
 - 1. Kiddy Rides\$20.00
 - 2. Major Rides\$30.00
 - 3. Spectacular Rides\$50.00

Section 6-22. Charge for inspection visit when building not open or job not ready for inspection.

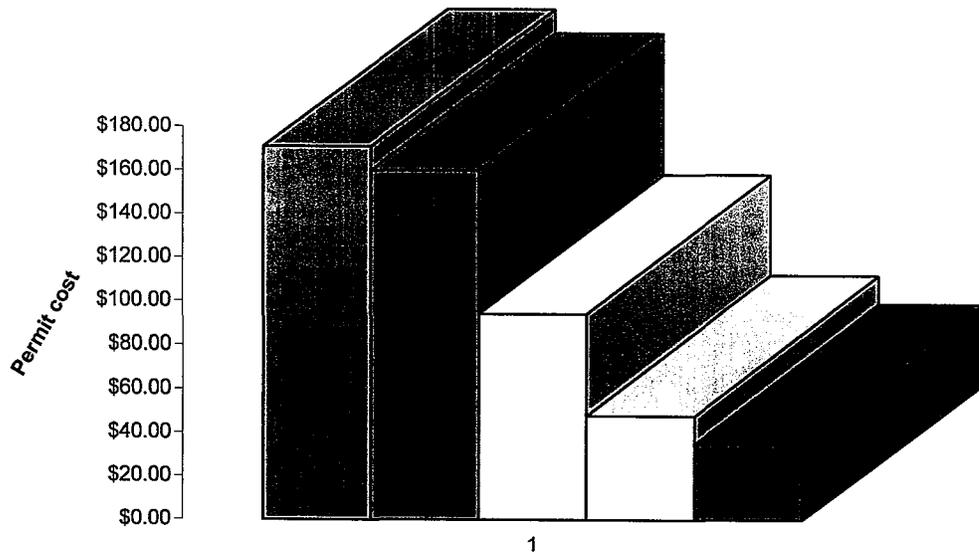
A fee of fifty dollars (\$50.00) shall be charged for the re-inspection of work not completed, ready or open for access. The re-inspection fee shall be paid prior to performance of any re-inspection.

Mr. Kevin Massengill, Assistant County Administrator, provided the following graphs showing the comparisons for permit fees for the surrounding counties listed:

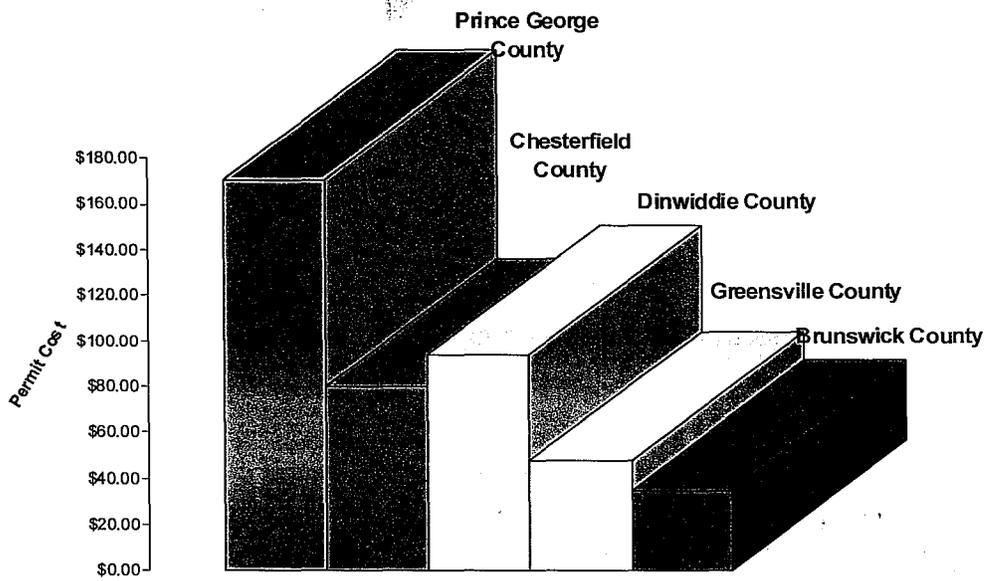
Building Permit: Cost per Sq. Ft.



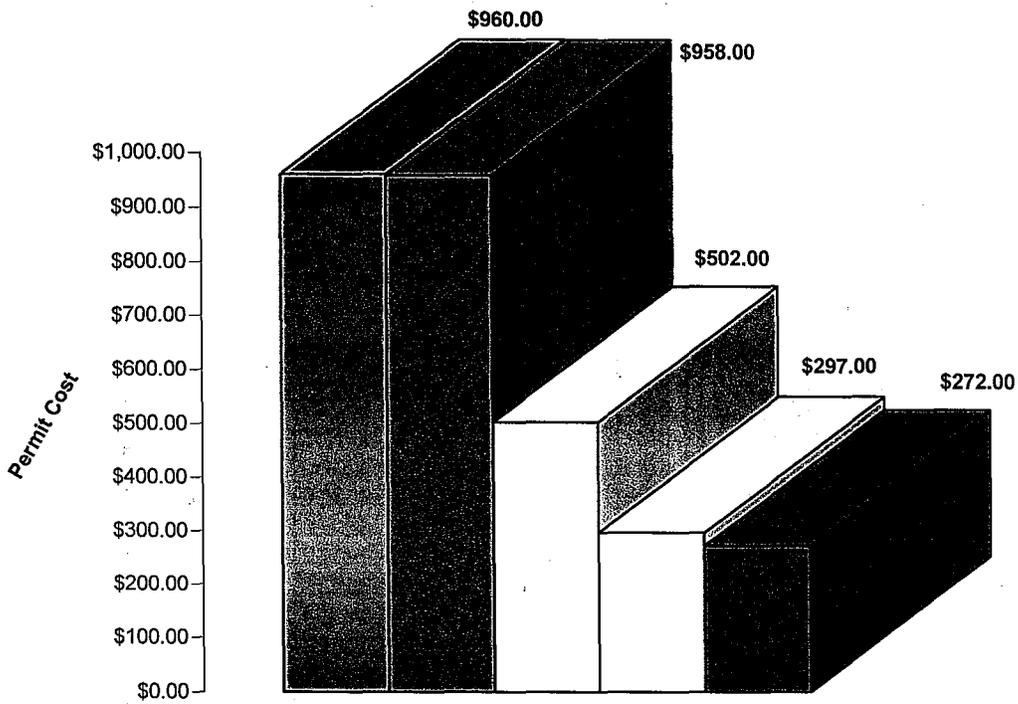
Plumbing Permit Cost
Assumption: 1,600 Sq. Ft. home



Mechanical Permit Fees
Assumption: 1,600 Sq. Ft.

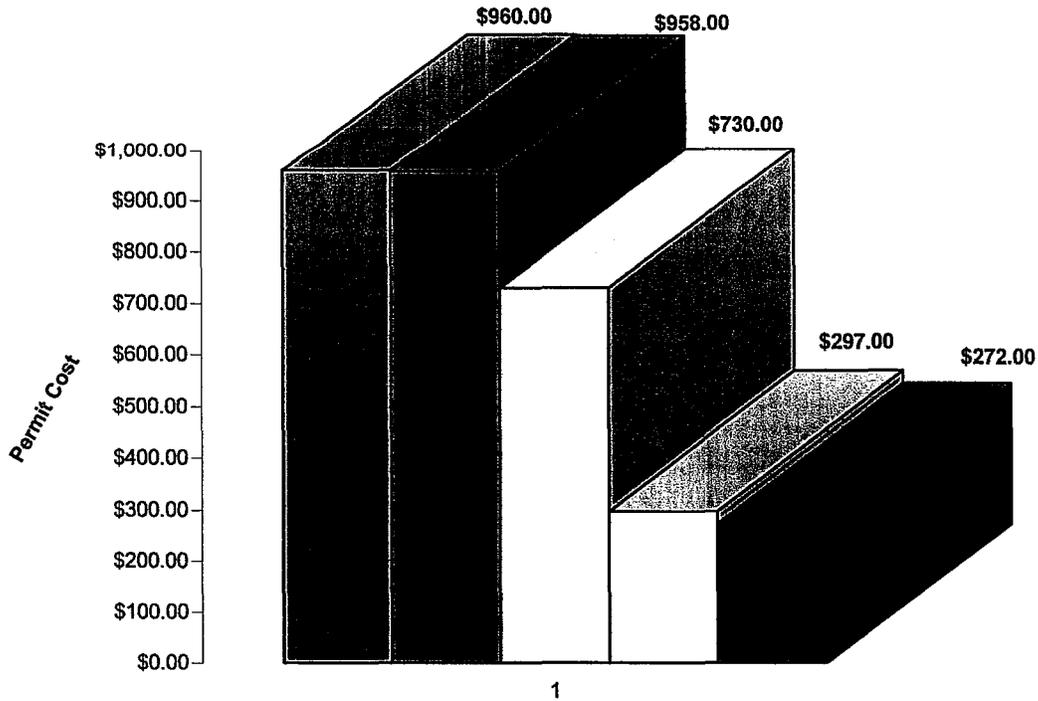


Total Single-Family Permit Cost For New Construction
Assumption: 1,600 Sq. Ft. Home
(Includes: Building Permit, Electrical Permit, Plumbing Permit, Mechanical Permit, Gas Permit)



- Chesterfield County ■ Prince George County □ Dinwiddie County
- Brunswick County ■ Greenville County

Suggested Increase: Total Single-Family Permit Cost For New Construction
Assumption: 1,600 Sq. Ft. Home
(Includes: Building Permit, Electrical Permit, Plumbing Permit, Mechanical Permit, Gas Permit)



Chesterfield County	Prince George County	Dinwiddie County
Brunswick County	Greenville County	

The Building Inspector commented it has been the practice of the County in the past to cover expenses to provide services not to provide income for the County. In keeping with those practices the fee schedules proposed should cover the cost of the services the department provides citizens. The County Administrator cautioned the Board that with an increase in fees comes an increase in the expectation for services, which will require additional resources, i.e. personnel.

IN RE: RECESS

The Chairman called for a recess at 4:11 P.M. The meeting reconvened at 4:16 P.M.

IN RE: FEE SCHEDULES – BUILDING & PLANNING DEPARTMENTS CONT'

Mr. Guy Scheid, Director of Planning, provided the following report to give the Board an overview of the Planning fees for the surrounding counties.

	Howard County	Anne Arundel County	Brunswick County	Chesterfield County	Greenowille County	Lunenburg County	Nottoway County	Powhatan County	Barry County	Sussex County	Prince George County	
Plot Review	10.00	100.00-10.00 ac.	75.00		150.00	25.00	n/c	n/c	n/c	300.00+3.00 #	n/c	
E&S Plan and disturbance	100.00+5.00 ac	100.00-10.00 ac	n/c	attached	100.00	25.00	50.00	150.00+25.00ac 300.00+75.00ac	100.00	200.00+4.00 ac	150.00+10.00ac	
Rezonings	275.00	300.00	275.00	see	300.00	50.00	50.00	200.00 (Ag) 1000.00+50.00 Rs)	150.00	300.00+4.00 ac	600.00	
Variance	175.00	300.00	175.00		200.00	50.00	200.00	250.00	50.00	450.00	200.00	
Special Exception	275.00	300.00	100.00		300.00	n/c	20.00	n/c		450.00	400.00	
Adm. Variance	20.00	n/c	175.00		n/c	n/c	n/c	n/c	50.00	n/c	200.00	
Appeals to PC	40.00	n/c	275.00		175.00	n/c	n/c	n/c	n/c	n/c	n/c	
Appeal to BZA	40.00	300.00	175.00		175.00	n/c	n/c	n/c	n/c	500.00	200.00	
CUP	275.00	300.00	275.00		300.00 250.00	25.00	20.00	150.00-500.00 plus 25.00 ac	150.00	300.00	500.00	
Subd. Review	125.00+ 10.00 lot 250.00+ 10.00 lot	major- 100.00+10.0 0 lot minor- 100.00	<20 lot- 125.00 >20 lot-200.00		15.00 +1.00 lot	10.00	50.00 +2.00 lot	n/c	15.00 + 1.00 lot 25.00 +1.00 lot	>5 lots- 150.00+4 <5 lots-50.00+4	2-5 lots 150.00 lots 200.00+20ac	>5

He commented that the fees for the Planning Department have not been increased since 1999 either. But unlike the building department, fees paid to the Planning Department would never pay for administrative services provided to the public. He reviewed the proposed fee schedule changes for the Planning Department.

Mr. Haraway commented the County is going to have to build some new schools. Does the Board want to increase real estate 2 cents per \$100 of the assessed value or do we want the people moving into the County to pay for the services they will demand? The Assistant County Administrator again reiterated in the past the department only generated enough funds to pay for the services provided by the building inspector's department. He pointed out if the County increased the fees too much it would be too big of an increase at once and he felt the fees should be increased in increments.

It was the consensus of the Board to review the fee increases and proffers at the budget work sessions.

Mr. Stone complimented Mr. Scheid for all the work he did regarding the Harpers Road recreational mining permit. He stated he never realized just how much time was involved in these applications.

IN RE: BIOSOLIDS ORDINANCE - AFFECT ON PERMIT HOLDERS

The County Attorney commented Mr. Chairman, we heard some bizarre remarks today from individuals who have made kind statements based on little knowledge, all regarding the Virginia Association of Counties Model Biosolids Ordinance that was adopted by the County and the subsequent proposed Amendment which was not adopted. We have always believed that the Board's actions in adopting the Model Ordinance and its decision to reject the proposed Amendment were and continue to be valid and legal. Had we thought otherwise we would have addressed that with the Board. One point, which may need clarification for the public, is that State law provides that anyone with a current State Permit to apply biosolids cannot be prohibited from proceeding under such State Permit by the adoption of the Model Ordinance, regardless of whether or not the land permitted is in an Agricultural Zoned area. If someone presently has

a State Permit issued before the effective date of the Model Ordinance, February 1, 2004, he can continue to apply biosolids under the Permit. After the Model Ordinance goes into effect, the County should be able to prohibit land application of biosolids in all zoning districts (except those zoned agricultural) by advising the Virginia Department of Health during its review process each time a permit is applied for, that the application is not in conformance with the County's land use ordinances. If the Board has any further questions, he said he would be happy to address them.

**IN RE: AUTHORIZATION TO ADVERTISE – PART-TIME
POSITION FOR BIOSOLIDS
COORDINATOR/ENVIRONMENTAL LAND TECHNICIAN**

The County Administrator advised the Board that there was a need for a part-time employee to implement and enforce the biosolids program and, the need for someone to enforce the erosion control ordinance plus investigate storm water control problems. She asked Mr. Scheid to brief the Board on the funding sources and need for this position.

Mr. Scheid pointed out he realized that cost is important to the Board and Administration when considering a new employee position. The biosolids program makes provisions for reimbursement to the County for some, if not all, of the costs associated with the program. There is the ability of the County to raise fees charged under the E&S program to capture some of the costs of this program. While there is not a current funding source for efforts related to storm water control matters, this is an area of growing concern to me. There may be future actions that can be taken by the Board to generate some funding in storm water management.

In view of the above, it appears reasonable that the County should consider an employee to monitor both the biosolids and E&S programs as well as devote some time to the storm water drainage complaints filed with the County. Primary emphasis will be placed upon the biosolids ordinance but efforts can be directed to E&S inspections when land application of biosolids is dormant.

The County Administrator also noted if the Board would allow staff to advertise for this position it would be fairly easy to incorporate all the duties in this one position. She added that the person hired would be required to work approximately 1,000 hours per year. They would also have to provide their own transportation and the County would reimburse them for mileage.

Mr. Stone pointed out to the Board that the replacement of the E911 signs had been mentioned several times before to be included in the duties of this position. He also noted that the Code Compliance Offenses listed in the report this month might be an indication that the Compliance Officer could use some help.

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye",

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes Staff to advertise for a part-time position to serve as the Biosolids Monitor/Environmental Land Technician to work approximately 1,000 hours per year at an hourly rate of \$12 - \$15.

**INRE: DINWIDDIE COUNTY TUITION REIMBURSEMENT PLAN
FOR COUNTY EMPLOYEES**

Mr. Kevin Massengill, Assistant County Administrator, and Mrs. Barbara McKittrick, Human Resource Assistant, provided the following tuition reimbursement plan to the Board for their consideration:

"Dinwiddie County Tuition Reimbursement Plan
December 19, 2003

1. POLICY

The Tuition Reimbursement Plan provides eligible employees with the opportunity to obtain, maintain, or improve job-related capabilities through participation in courses of study at accredited colleges and universities and organizations specializing in job and career-related education and training.

2. GENERAL

A. Employee Eligibility

Tuition reimbursement is available to full-time, regular, benefit-based employees that are under the County's personnel policy and that are continuously employed with at least six months of services beyond the probationary period. Tuition reimbursement for graduate courses is limited to full-time, regular, benefit-based employees that are under the County's personnel policy and that are continuously employed with at least one year of service.

B. School Eligibility

Baccalaureate and graduate level courses must be taken for academic credit through colleges and universities that are accredited.

Courses leading to certification must be taken at a school or through an organization that is authorized by County Administrator and/or the Board of Supervisors to provide such educational programs. Classes offered on the Internet will be accepted as they reflect a degree program

C. Course Eligibility

(1) Programs leading to professional certification must be in a specific job-related field of professional discipline, and should provide the participating employee with skills, knowledge and competencies applicable to their current position. For participation in such programs, employees may be approved for reimbursement of tuition up to a maximum of **\$400 per fiscal year (\$200 per course)**.

(2) Undergraduate and graduate level academic courses taken as part of a career development program should provide an employee with skills, knowledge and development plans. For undergraduate, graduate, university extension, university continuing education, and audited courses, tuition may be approved for reimbursement up to a maximum of **\$400 per fiscal year (\$200 per course)**.

(3) Job-related graduate level academic programs, up to and including those leading to a doctoral degree, must provide an employee with skills, knowledge, and competencies that are specifically applicable to their current position classification and enhance her or his performance in that job. For participation in such graduate level courses at an accredited university, tuition may be approved for reimbursement up to a maximum of **\$400 per fiscal year (\$200 per course)**.

D. Tuition and Fee Provisions

(1) Reimbursable

(a) For courses that are taken for credit as part of a degree program, tuition is reimbursed only for courses taken and completed with a final grade of "C" or equivalent, or higher in undergraduate work or a "B" in graduate work. For courses leading to professional certification, course registration costs will be reimbursed only after the participating employees submits evidence of having successfully completed course requirements leading to professional certification.

(b) In order to be eligible for reimbursement, first the employee's supervisor must review and certify that the program for which the employee is applying meets the specified criteria. Following certification by the employee's supervisor, the proposed course must be assessed and approved in advance by the Division Chief following the County Administrator and/or Board of Supervisors

(c) Graduate tuition reimbursement is limited to one Master's and one Ph.D. per employee.

(d) The maximum reimbursement for all courses of study, including certification, career development and job-related graduate study combined, will not exceed **\$400** per calendar year.

(e) If eligible employees are laid off, their hours are reduced, or they go on a disability leave of absence, any approved course(s) in progress will be reimbursed, provided the course is completed with a final grade of "C" or equivalent, or higher, and fulfills the other provisions of this policy

E. Not Reimbursable

(a) Except for courses leading to professional certification as described above, the following do not qualify for tuition reimbursement: professional seminars and workshops, symposia, short (non-credit) courses; college/university entrance exams; review programs for entrance exams; or courses at non-accredited institutions.

(b) Itemized fees are not reimbursable to employees, such examples include application/pre-admission registration fees, transcript fees, test preparation fees, admission testing fees, placement fees, course waiver or challenge fees, book costs, travel costs (i.e., transportation, housing, meal, etc.), parking fees, equipment/kit purchase costs, tutoring fees, deferred tuition fees, registration fees, late registration fees, course addition, deletion or transfer fees, student activity fees, student union fees, petition fees, recreation fees, health coverage costs, dissertation or thesis typing fees, development or foundation fees, institution fees, alumni fees, and other similar fees.

(c) Tuition and eligible fees are not reimbursable when employees:

- 1) receive duplicate or comparable fees from another institution or agency, grant, scholarship, Veterans' Education Benefit, or other financial aid; or
- 2) voluntarily terminate employment, or are terminated for cause, prior to course completion, or
- 3) have not received advance approval, particularly those associated with a degree program

(d) Reimbursement Exceptions: An employee normally is not reimbursed for a course when the tuition of which was previously reimbursed under this policy. However, some courses involving research or extended study can be repeated, but reimbursement for them will require specified advance approval of County Administrator and/or Board of Supervisors

F. Tax Considerations

The taxability of payments under the tuition reimbursement plan is in accordance with current Internal Revenue Service guidelines.

G. Work Schedule Limitations

(1) Unless specific approval of both the employee's supervisor and the Division Chief or County Administrator is obtained in advance, an employee may not take a course during scheduled working hours. When the educational program requires being away from one's job during normal work hours, the employee and her or his supervisor must agree on such a schedule in advance and make necessary arrangements to assure that expectations for ongoing work assignments are met. No legal or contractual obligations for overtime premium can be incurred as a result of employees taking a course that will be reimbursed under this policy during their scheduled working hours.

(2) Participation in the tuition reimbursement program should not in any way interfere with the employee's ability to perform her or his job.

3. PROCEDURES

To apply for tuition reimbursement, an employee should complete Form 1A (Academic Program Approval for Tuition Reimbursement Plan) and submit it to their supervisor for certification that the proposed program and course(s) meet criteria for reimbursement within 60 days prior to course commencement. After obtaining supervisory approval, but prior to enrolling in the course of study, the supervisor shall forward Form 1A, along with material describing the program and course(s), to the Division Chief/County Administrator. The employee's

supervisor may include amplifying documentation in support of program or course approval.

b. Following its review of the employee's application for participation in the Tuition Reimbursement Plan, the Division Chief/County Administrator will notify the employee in writing as to whether the application has been approved. Upon written confirmation or approval, the employee must submit a copy of the course syllabus at the beginning of each term:

Within 90 days of completion of the course, the employee should also submit the following documents to supervisor, Division Chief and County Administrator:

Copy of the final grade

Copy of the tuition receipt (including the breakdown cost in tuition and fees)

Proof of payment (i.e., cancelled checks, credit card receipt)

Reimbursement will be issued within 30 days of receipt of complete documentation.

4. EXCEPTIONS

Any exception to this policy requires the approval of the Division Chief/County Administrator

5. EMPLOYEE EXPECTATIONS

Each qualifying employee requesting tuition assistance agrees to continue working for Dinwiddie County for one (1) year after the completion of course work or the employee agrees to reimburse the County the tuition amount with a personal check or through the employee's final pay check.

6. FUNDS AVAILABLE

Funds for the Tuition Assistance Program will be available on a fiscal budget basis approved by the Board of Supervisors.

Tuition costs for the upcoming Spring semester for 2004:

John Tyler Community College

\$62.75 per credit hour

Richard Bland

\$81.00 per credit hour

Virginia State University

\$95.00 per credit hour

Virginia Commonwealth University

\$150.00 per credit hour

There was a short discussion between the Board members and Staff regarding the grade requirement for reimbursement for the employees and classes being offered on-line.

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Tuition Reimbursement Policy Plan is hereby adopted as outlined above.

IN RE: APPOINTMENT OF COUNTY'S PROFESSIONAL ASSESSOR – MR. THOMAS BLAND

The County Administrator informed the Board it is a requirement for the Board of Supervisors to recommend a Professional Assessor for the general reassessment, who must then be approved by the Department of Taxation. Mr. Harold Wingate has requested that the Board appoint Mr. Thomas Bland to serve as the County's Professional Assessor. He has been certified before.

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Thomas Bland is hereby recommended to serve as the County's Professional Assessor for the 2005 General Reassessment.

IN RE: BUDGET SCHEDULE ADOPTION

The County Administrator distributed a proposed budget schedule (listed below) to the Board members and requested that they adopt it if it was agreeable with them. She stated the proposed public hearing date was set for April 6, 2004 and final adoption for April 20, 2004.

2004-05 Budget Calendar

December 9th	Budget materials distributed to Agencies/Depts.
January 15th	Agencies/Departments submit Budget requests
January 30th	2003 value estimates submitted by the Commissioner of the Revenue
February 17th	Proposed Budget submitted to the Board of Supervisors
Month of March	Board of Supervisors Budget Work Sessions
April 6th	Budget Public Hearing
April 20th	Adoption of Budget

Upon motion of Mr. Stone, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the budget schedule listed above is adopted.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator commented she was updating them on the request from the Board regarding the trash along Glebe Road. The County's Community Service Program has a clean-up day to work with Mrs. Gibbs scheduled for January 24th which will cover Glebe Road and the DeWitt dumpster site. She commended Mrs. Marie Grant for her assistance in arranging the workday.

2. Mrs. Kimberley Willis, Director of Social Service, gave an update on the use of the Parade donations for Social Services. She reported that the business community had donated \$1,598. Social Services purchased 60 Walmart gift cards - 48 gift cards were distributed to 41 families. Families with 1 to 3 received \$25 and families with 4 to 6 received \$50. The Recreation Department sponsored a toy drive and Social Services were able to give families

with children aged 16 and under toys. She thanked the business community for their generous donations and Mr. Massengill for coordinating the event.

3. The County Administrator stated that there was an article in the paper regarding the Fairfax County jail requiring *'Inmates Contribute to their Upkeep'*. She said she sent a copy of the article to Sheriff Shands to see if he could determine if that could be implemented in the jail.

4. The County Administrator stated that the Board had expressed a desire to meet with the School Board to move forward with the school improvements. As an intermediary step, Staff felt since there are new board members on both boards it would be to our benefit to have a meeting with the mediator to discuss what the individual members see as their goals, not only for the school improvements, but for educational goals as well; and to exchange information so that each board would have an appreciation for what the other board is having to face. She commented she would like to work with the same facilitator that the County used before from the University of Virginia. The only cost there would be for the County is a room for the night. She suggested that the Boards meet either on January 28th or 29th from 3:00 – 6:00 P.M. at Pamplin Park or the Airport if it could be arranged with the School Board. The Board agreed to meet with the School Board on Thursday, January 29, 2004.

IN RE: BOARD MEMBER COMMENTS

Mr. Stone commended the bus drivers and the bus garage personnel for getting everyone home safely on January 9, 2004. He stated if anyone knew of a business interested in advertising on a billboard to please get in touch with Lamar Signs to replace the distasteful almost pornographic sign on I-85.

Mr. Moody expressed his desire to have the building permits accessible on the web site for citizens and contractors. The County Administrator replied that the fees are on there now but at this time the permit form is a 3-part application but we might be able to do it in the future. He also requested that staff investigate the possibility of putting the board packets on a CD. Mrs. Ralph stated she would have the Deputy Clerk check with the Board members to see if that could be accomplished.

Mr. Haraway stated there has been a considerable amount of interest expressed in statistics in departments in the County. He requested that Staff prepare a one-page report monthly and list what each department is doing. He also requested that the department head reports be placed on the table at the back of the room and the ones with any significant changes be placed on the agenda to address that issue.

IN RE: CLOSED SESSION

Mr. Moody 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 Administration;

Acquisition of Property - §2.2-3711 A. 3

Consultation with Legal Counsel - §2.2-3711 A. 7

Mr. Bowman seconded the motion. Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the Board moved into the Closed Meeting at 5:31 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:29 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under Personnel - §2.2-3711 A. 1 of the Code of Virginia - County Administration; Acquisition of Property - §2.2-3711 A. 3; and §2.2-3711 A. 7 Consultation with Legal Counsel;

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

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from Adelphia outlining new changes in services and costs.
2. Memo from Martha Burton – regarding revisions being considered by the subcommittee to the BPOL Tax. Letter from Department of Transportation – regarding the County Primary and Secondary Road Fund (Revenue Sharing Program) FY 2004-05.
3. Memorandum – Dean Lynch, VA Association of Counties – Rural Action Caucus Dinner.
4. Letter of appreciation from Southside Center for Violence Prevention, Inc. for the County's support.
5. Appomattox Regional Library System – Report.
6. Report - Crater Planning District Commission – Denny Morris regarding PDC staff efforts during July through December.

RE: ADJOURNMENT

Upon Motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the meeting adjourned at 6:33 P.M. to be continued until 3:00 P.M. on Thursday, January 29, 2004 to have a joint meeting with the School Board to discuss common goals at Pamplin Park or the Airport Administration Building.


Donald L. Haraway, Chairman

ATTEST: 
Wendy Weber Ralph
County Administrator

/abr