

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 7th DAY OF MARCH, 2001, AT 5:00 P.M.

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

PHYLLIS KATZ COUNTY ATTORNEY

IN RE: CALL TO ORDER

Mr. Harrison Moody, Chairman, called the continuation meeting to order at 5:00 P.M.

IN RE: CLOSED SESSION

Mr. Haraway moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

The purpose of the closed meeting is to discuss subject matters identified as Personnel. Matters to include:

- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Public Safety; Planning/Zoning.
- **Consultation with Legal Counsel, Sec. 2.1-344 A.7 of the Code of Virginia - Wireless Communications**

Mr. Clay seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 5:02 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:57 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye". This Certification Resolution was adopted.

IN RE: RECESS

Mr. Moody called for a recess at 6:00 P.M.

The Board moved to the Pamplin Administration Building Board Meeting Room and reconvened at 6:10 P.M.

IN RE: COMPREHENSIVE LAND USE PLAN – KICK-OFF MEETING

Mr. Long introduced Mr. Bill Turner with Landmark Design Group who is the firm that the County has brought on board to guide us through the process of updating the Comprehensive Land Use Plan. He stated aside from the citizens of the County we have Department Heads, Agency Heads, and members of the Advisory Committee who have been gracious enough to donate their time to serve for this project.

Mr. Bill Turner with Landmark & Associates stated Dinwiddie County has embarked on a countywide land use planning process to update the Dinwiddie County Comprehensive Plan for the physical development of the County. This comprehensive plan is a general guide for public officials and citizens who will lead the County in the next ten to twenty years. The plan will be the framework for decision-making, and will attempt to balance the many needs and desires of the various communities within the County while protecting the resources that make Dinwiddie County a desirable place in which to live, work, or visit.

Mr. Turner continued it is the intent of the officials of the County that the comprehensive planning process be guided by citizen participation. It is important what the citizens think the most important issues are for the County. The Planning Commission and its staff and consultants will conduct a series of three public forums to obtain citizen input. The dates, times, and location of the public forums are as follows:

March 20 - 7:00 p.m., Election Districts #1 & #2 at Midway Elementary School

March 29 - 7:00 p.m., Election Districts #3 & #4 at Pamplin Administration Building

April 2 - 7:00 p.m., Election Districts #1 & #5 at Sunnyside Elementary School

The County citizens are invited to attend one or more of these public forums. The forums are intended to be open exchanges of thoughts on the County's strengths, weaknesses, opportunities, and threats, and a chance to identify issues that are important to citizens.

He stated once the final draft of the comprehensive plan is completed, a minimum of two (2) public hearings will be held to afford County citizens an opportunity for review and comment. There will be at least one (1) public hearing held by the Planning Commission, and at least one (1) additional public hearing will be held by the Dinwiddie County Board of Supervisors. It is anticipated that the hearings will be held in the Winter of 2001.

Mr. Turner stated a good way to reach more people was to attend civic activities or club meetings. If that could be coordinated through Mr. Long and Mr. Scheid he would make himself available to come and speak every opportunity he had.

Mr. Turner said he would be here Tuesday, March 13th to meet with the Advisory Committee until lunch and he would like to meet with some of the Department Heads in the afternoon.

Mr. Scheid asked Mr. Turner if a web site would be available to citizens if they were interested in checking on what is going on.

Mr. Turner replied the web site address is: www.landmarkdg.com and the e-mail address is: wturner@landmarkdg.com.

Mr. Turner admonished the Advisory Committee members to:

- a. try to get folks to come out to the public forums
- b. be a sounding board for the citizens
- c. help us with these other alternative input sessions through contacts with clubs and things of that nature

A Citizen asked if there would be a possibility of getting a flyer together with the meeting times that the Advisory Members could use if they do go to a church group or civic organization.

Mr. Turner replied that Mr. Scheid had the press release and he could make copies of it to pass out.

Mr. Moody thanked everyone for coming to the kick-off for the Comprehensive Land Use Plan.

Mr. Bowman asked about the Route 1 Corridor study and the work that had previously been done by a graduate student.

Mr. Turner stated that he had reviewed the document and while there was good information contained in the document it did not provide any recommendation on implementations.

IN RE: RECESS

Mr. Moody called for a five- (5) minute recess at 6:50 P.M.

The meeting reconvened at 6:57 P.M.

IN RE: BUDGET COMMENTS

Mrs. Ralph asked the Board if there was anything on the overview of the budget session list that they wanted to make a comment on, didn't agree with; want more information on, or any changes that they wanted to make. She said there were a couple of things that need to be pointed out. The Board was talking about what it wanted to do so far as the schools were concerned. At that time a statement was made regarding what we were told, and making an assumption that the \$700,000 would cover all of the employees. It was pointed out in your materials it does not cover "all" the employees. An additional \$50 thousand dollars per 1% is needed to cover all the employees. So for a 5% increase for all of the employees it would be a total of an additional \$250 thousand dollars. Mrs. Ralph asked if this is what the Board definitely wanted to do.

The Board agreed to the additional funds with the stipulation that 5% would be given to all the employees.

Mr. Moody asked when the public hearing would be held for the adoption of the FY 2002 Budget.

Mrs. Ralph stated it would be sometime in April.

She continued the health insurance participation cost by the County for the employee is presently \$175 dollars. The local choice plan requires 80% participation in the employee cost. Due to the increase in the premium our participation would be \$210 per employee. In addition to that if we don't have a 75% participation in the program there is a requirement that the County provide 20% of the family or dependent policy also. The School Board has been doing that already. The 20% has been added to the budget just in case it does happen.

Mr. Haraway stated he felt the County should be providing the 20% for the family anyway.

IN RE: APPOMATTOX REGIONAL LIBRARY

Mr. Chuck Koutnik came before the Board stating the Library has received a grant from the Bill and Wendy Gates Foundation for eight new computers. These are really nice computers which are loaded with all the MicroSoft stuff and are valued at about \$4,000 dollars each. They will be installed in May and he invited the Board to come by and take a look at them.

He continued one other thing he wanted to share with the Board was that the Dinwiddie Library has been open now since November, and usage is up 31% since the new Library opened.

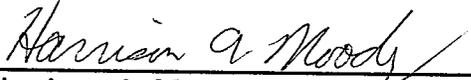
Mr. Koutnik introduced Ms. Darnell Law, the new Dinwiddie Librarian, to the Board. Darnell grew up in Ettrick. She went to Longwood College to get her Bachelors Degree then traveled to Ohio and got her Masters Degree in Library Science at Kent State. He stated she has been with them for three months now and they were pleased to have her on staff.

Ms. Law stated she it was nice to meet everyone and it has been a pleasure to be working back home for the past three months and she is looking forward to helping out with the Libraries in the future. It is good to have the Libraries in the County.

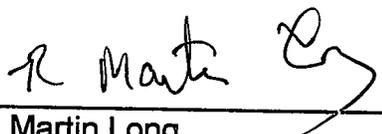
The Board welcomed Ms. Law to the County.

RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the meeting adjourned at 7:25 P.M.



Harrison A. Moody, Chairman

ATTEST: 

R. Martin Long
County Administrator

/abr

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 7th DAY OF MARCH, 2001, AT 7:30 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY
PAUL JACOBSON COUNTY ATTORNEY

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

Mr. Harrison Moody, Chairman, called the regular meeting to order at 7:30 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the agenda.

Ms. Russell stated there were three changes under Agenda Item # 4 – Minutes – February 28, 2001 should be February 27, 2001; under Agenda Item # 8 – Public Hearing Item # 1 – A-01-2 should be A-01-3; Item # 5 – A-01-1 should be A-01-2.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above amendments to the Agenda are hereby approved.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the February 14, 2001 Continuation Meeting, February 21, 2001 Regular Meeting and the February 27, 2001 Continuation Meeting are approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Bracey, Mr. Moody 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 1023990 through 1024068 (void check(s) numbered 1023989); for:

Accounts Payable:

(101) General Fund	\$ 106,466.52
(103) Jail Commission	\$ 11.88
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 4,349.16
(223) Self Insurance Fund	\$.00

(225) Courthouse Maintenance	\$.00
(226) Law Library	\$ 134.96
(228) Fire Programs & EMS	\$ 6,298.74
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$ 483.75
(305) Capital Projects Fund	\$.00
(401) County Debt Service	\$ <u>1,150.00</u>

TOTAL \$ **118,895.01**

PAYROLL 12/22/00

(101) General Fund	\$ 358,733.97
(222) E911 Fund	\$.00
(304) CDBG Fund	\$ <u>3,180.80</u>

TOTAL \$ **361,914.77**

IN RE: RESOLUTION -- RECOGNITION OF MRS. PAMLA A. MANN

Mr. Long presented Mrs. Pamla Mann, former Administrative Secretary/Clerk to the Board, the following Resolution for her dedication and service to the Board, Staff and Citizens of the County.

WHEREAS, Pamla A. Mann has been employed by the County of Dinwiddie for 8 years; and

WHEREAS, Pamla A. Mann served as Deputy Clerk in the Office of the Commissioner of the Revenue from April of 1993 to March of 1997 and as Administrative Secretary/Clerk to the Board of Supervisors from March of 1997 until February of 2001; and

WHEREAS, Pamla A. Mann has been a loyal, dedicated employee who always represented the County of Dinwiddie in a very professional and caring manner; and

WHEREAS, She served Dinwiddie County's citizens with respect and courtesy and provided excellent assistance to those needing her help;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors on this 7th day of March 2001 desires to express their appreciation to Pamla A. Mann for her outstanding service to Dinwiddie County and wishes her much happiness and fulfillment as she enters her new professional endeavor; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Mrs. Mann, and a copy spread upon the minutes of this meeting.

Mrs. Mann thanked the Board and Staff of Dinwiddie County for all of their support in the years that she was here and wished the very best to everyone as the County continues to move forward.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above Resolution is hereby adopted.

IN RE: CITIZEN COMMENTS

Mr. Moody asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting.

The following citizens signed up to address the Board:

1. Mr. Vincent Lewis of 17315 Wilkinson Road, Dinwiddie, Virginia came forward stating he was concerned about the taxation and assessment for 2001. His property increased 28% with the assessment this year. He said the Board should consider decreasing the real estate rate due to the new assessment. Also, the Board should look into better ways of collecting delinquent taxes and enforce the purchase of County stickers instead of increasing taxes. Mr. Lewis stated he saw cars and trucks on the road with stickers that are 2 years old in the County. Which means someone is not paying taxes or buying county stickers.

IN RE: SHERIFF'S DEPARTMENT - AUTHORIZATION TO FILL VACANT POSITIONS

Sheriff Sam Shands came forward asking the Board for authorization to fill three (3) vacant positions in the Sheriff's Department. Two positions are for Correctional Officers and one is for a Dispatcher. He continued and stated he still would like to request that the Board consider hiring the Resource Officer. The Board asked Mr. Shands to gather all the information for the Resource Officer and present it at the March 21st meeting.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Sheriff's Department is authorized to hire two (2) Correctional Officers and one (1) Dispatcher, effective March 12, 2001.

IN RE: PUBLIC HEARING - A-01-3 - ORDINANCE TO AMEND AND REPLACE CHAPTER 7 OF THE DINWIDDIE COUNTY CODE - TELEVISION FRANCHISE

This being the time and place as advertised in the Dinwiddie Monitor on February 21, 2001 and February 28, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a proposed Ordinance of the County of Dinwiddie, Virginia to amend and replace Chapter 7 of the Dinwiddie County code and granting a television franchise and the right to erect, install, maintain and operate a cable television system within Dinwiddie County, Virginia to SVHH Cable Acquisitions, I.p. d/b/a Adelphia Cable Communications, providing for the regulation and administration of the franchise and activities undertaken pursuant thereto and repealing any ordinances inconsistent therewith.

Mrs. Wendy Weber Ralph came before the Board to present some of the major changes made to the franchisee renewal in the ordinance. She stated Paul Jacobson from Sands, Anderson was the attorney who did the bulk of the work on this ordinance with the attorneys from Adelphia. Continuing she commented she would go over those items that the majority of the time was spent on so far as the citizens of the County are concerned. Of course, the renewal would have to fit whatever the FCC guidelines are and have been changed to bring that up to date.

Mrs. Ralph stated that service has been a big issue with subscribers and citizens in the County. What we tried to do with service was to establish some performance standards to begin with and then a method to measure the performance. If these standards are not met then penalties or an actual bond is in effect within the ordinance itself and that is described. Hereto before when a call was made for service there was not a lot of communication between the field

person and the office or the number that you call to make a complaint. So what we tried to do is to insure that that is done now. While they may not be able to fix the problem any more quickly they should at least be able to let the subscriber know what is going on, as to when it may be resolved.

Another issue Mrs. Ralph stated was credits or refunds and service interruption. She explained what we tried to work in now is if there is a power outage; rather than the individual having to make a complaint before they get a refund or credit, is if it affects a particular area; then all the people in that particular area will get the same refund or credit.

She continued we have a public access channel already. In the renewal we will actually have physical access to it. All of the Government Buildings, that is the Fire and Rescue, Police, Schools, and also in the Administration Building will have access by computer as a method of controlling what goes out on that Public Access Channel. Ms. Ralph stated that this is one of the requests Mr. Bowman has spoken of several times, when we have job vacancies, can't we advertise on cable TV. Now we will be able to control and put the programming and notices on ourselves.

Ms. Ralph continued that there was a request to have a local number for Adelphia from one of our citizens. We were unable to get a local number therefore the subscriber will still have to call the 800 number for service. She stated the representatives from Adelphia would address that further. But we have been able to at least get the technicians involved. If the first technician that responds cannot handle the problem and it requires a higher trained individual; then they also will have the same performance standards and time frame to meet in arriving there. Ms. Ralph stated Adelphia would be required to provide annual information to the subscriber of the changes made in the ordinance; in addition, the new subscriber will be given this information up front.

Continuing she said additional channels were requested, for example, a weather channel which has been a big issue, since most cable stations do provide one. The channels themselves were not something that the County is able to work in the franchise. But the county will be talking to Adelphia about this and Mrs. Ralph requested the representatives here to comment on this issue tonight. She said Adelphia inherited the original infrastructure that Dinwiddie Cable established and they are in the process of updating that infrastructure which should improve service and capabilities.

Mrs. Ralph stated although the language that is in the proposed ordinance tonight has been reviewed by the Adelphia attorneys it has not been approved by their Vice President. She requested that the Board postpone voting tonight because if there were things that he would like to see changed then we would want to discuss those changes before the Board takes action.

Mrs. Ralph introduced Mr. Luke Matthews who is the representative that the County deals with, at Adelphia, whenever we have problems.

Mr. Matthews, General Manager of Adelphia, introduced himself and Mr. Bill Scott the Southern Virginia area Manager to the Board. Mr. Matthews stated he would like to address some of the things Adelphia has done during its time as the holder of the franchise in Dinwiddie County. He stated there were only 2 service technicians in the area when Adelphia took the franchise now there are 3. Adelphia has also brought into the area a training center. Each new technician that is hired will have a 2 week training period. Thereafter each year they will undergo an additional week for equipment upgrade training provided by the manufacturer. He commented another thing that has been brought into service is the State of Virginia was divided into 2 areas the Southern and Northern half. The technical staff was shared between the two sections. Now each section has their own which gives them a little extra time and the staff also.

Mr. Matthews stated another thing Adelphia has done here in Dinwiddie is that we have secured services of another site for receiving channels. Adelphia's site is somewhat limited in terms of the type of tower that can be used. The size and number of antennas that is used for receiving over the air channels to Richmond and Petersburg are limited. We are going to be installing fiber optic lines shortly from that site which will allow us to take advantage of the superior facilities that we have at this location for receiving over the air channels and bring those channels into our head-end. This will allow us to distribute them to the subscribers in Dinwiddie County improving the quality and reliability of the quality of the over the air channels. Continuing Mr. Matthews informed the Board that this would bring about the feasibility of adding some additional services. Within the next six months or so they hoped to be able to add an entire new level of service called digital feed. Because an arrangement has been worked out between Petersburg and Dinwiddie and a portion of the fiber will be built by the two locations.

Mr. Bill Scott stated last Friday, Adelphia took over the Powhatan system which will be another resource for this area. Mr. Scott informed the Board that his office would be located in Lynchburg and he would send his office numbers to them as soon as he got settled.

Mr. Moody stated that the service in the Sutherland area was not as good as other areas. He asked if this new contract would bring the County's service up to standard.

Mr. Scott responded that the contract did not cover this, but to answer his question, yes. Part of the reason for that would be from bringing in digital service, but physically Adelphia wanted to upgrade this plant as well, which would expand other services as well that aren't digital. The weather channel for example is not digitized he stated and it has to be offered in the old analog package. The plant would have to be upgraded to do that. Mr. Scott stated if they did not upgrade their facilities they would be out of business soon and Adelphia is aware of that.

Mr. Haraway asked what year Adelphia took over the franchise?

Mr. Scott stated in 1991.

Mr. Haraway stated that Adelphia already has had this franchise for 10 years, so hopefully it would not take that long to make improvements. He continued that he had received many complaints, one was, why can't we have HTS. He stated he gets complaints about the service on the Nashville Network, people can't get a clear picture on it sometimes.

Mr. Scott stated that was a head-end equipment problem. He stated he could not speak for the last 10 years but tentatively Adelphia was slated to start up after the first of the year. He continued that he would not come here and tell the Board something he did not believe to be so.

Mr. Moody asked what it would take to get HTS?

Mr. Scott stated HTS is another dish and depending on which satellite it is on if it is available in a digitized form, perhaps when Adelphia picks up their package depending upon what they do pick up it may be available. Adelphia is not able to "cherry pick" what they get in a digital package because they are grouped.

Mr. Haraway asked what number the citizens should call if they have problems with their cable?

Mr. Matthews said to call the 1-800-835-4949 number. He stated Adelphia has filled their system to capacity in the past 10 years.

Mr. Scott suggested forming a Cable Advisory Committee. He suggested meeting on a quarterly basis.

Mr. Bowman stated he had been pushing for the Public Announcement Channel so the County could get some pictures on it and place announcements for job openings, recreational activities and Library services for the citizens. Will your new system be able to post pictures on it?

Mr. Scott stated if they could get a computer to put graphics on it they could locate it at the tower and have remote access to it. Then the county could load it up with whatever they wanted on it. Mr. Scott stated the County has the "Local Origination Channel" here and it could be offered that way also.

Mr. Bowman asked how soon would that be available to us?

Mr. Scott responded he would get Luke Matthews to help him figure that out. Mr. Matthews stated the County already has the channel available. Mr. Scott said Adelphia could get messages started right away. The pictures would take a little time.

Mr. Bracey stated service is the main problem. He said it has improved but he hoped that Adelphia would get that to a point that service is up to standard.

Mr. Scott insisted they would continue to work on that; but once the physical cable is installed a lot more can be done with fiber and the system will improve because it is will not be as dependant on electric. The system maintenance is a nightmare right now.

Mr. Moody opened the public hearing.

Mrs. Anne Scarborough came forward stating it is nice to have Mr. Matthews here and he has always been so nice to work with. The service has improved and for that she stated she was grateful. She stated she is concerned about service and upgrades in the future. According to an article written in December that she read Adelphia is a family owned company, the 6th largest in the nation. The company has been buying up other companies and because of this their debt is about \$10 billion. She stated that is high for a company with \$2.9 Billion expected income for the year 2001. This is an extremely high, 8 times, operating income before depreciation, interest, and taxes. This ratio is 20% above average for this sector and it is growing. Adelphia shelled out \$12 billion to triple its size in 3 years, they borrowed ½ of what it needed for the acquisition. Ms. Scarborough continued stating anybody knows that if you have that much debt how would they help the County get HTS or anything else. She insisted the County needed to nail Adelphia down in the contract on the time period for the upgrades. Continuing she stated according to the Wall Street Journal, as of yesterday, the company has had a loss for the last 4 quarters. If Adelphia does not have the funds the County is not going to get much and everyone knows this. Ms. Scarborough stated she would like to say a little about the contract, Under 3.2 Restoration of Public Ways. Over a year ago they dug up Route 1 and it needs to be repaved. Mrs. Scarborough also showed pictures of her property and described several areas that have not been repaired due to the installation of the cable service. She informed the Board that several technicians had looked at the problems but no one from Adelphia has made the repairs. The County needs to be more specific. She also questioned the hours to respond. If someone called in between 5:00 and 8:00 p.m. the company has 3 hours to respond if she was reading it right.

Ms. Ralph stated they had 1 ½ hours per the contract.

Mrs. Scarborough stated according to the contract during the other hours they have as much as 12 hours to respond and that did not make any sense. She admonished the County to take a closer look at the contract before they signed it.

Mrs. Ralph asked Mrs. Scarborough to give her the rest of the questions she had if she didn't mind and she would try to see they are addressed.

Mr. Moody closed the public hearing.

Upon Motion by Mr. Bracey Seconded by Mr. Haraway, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", action on A-01-3 – to amend and replace Chapter 7, Cable TV Franchise was deferred until April 4, 2001.

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

Mr. William C. Scheid, Planning Director, came forward to make the following statement prior to the Public Hearings.

"As previously requested by the Board of Supervisors, Draft copies of the Planning Commission Meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting room. The purpose of doing so is to expedite the hearing process without compromising the publics' access to pertinent information. It is noted that the Board has been given various information on all of the hearing(s) to include, the application, zoning map, adjacent property owner list, locational map(s), proffers (if applicable), soils data, comprehensive land use maps and references, etc. With this information noted, I will proceed with the case(s)."

IN RE: PUBLIC HEARING -C- 00-6-MID-ATLANTIC TOWER

This being the time and place as advertised in the Dinwiddie Monitor on February 21, 2001 and February 28, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on and to propose for the issuance of a conditional use permit submitted by Mid Atlantic Tower, LLC, to construct a 330" tall guyed wire telecommunications tower on the north side of Route 650, Hamilton Arms Road, approximately ¼ mile east of I-85.

Mr. Scheid read excerpts from the following Summary Staff Report on C-00-6.

Summary Staff Report

File: C-00-6

Applicant: Mid Atlantic Tower

Property Address: Hamilton Arms Road, DeWitt, VA

Acreage: 152 acres (a 6.8 acre part thereof)

Tax Map Parcel: 70-2

Zoning: Agricultural, general A-2

The applicant, Mid Atlantic Tower LLC, is seeking a conditional use permit to construct a 330' tall guyed wire telecommunications tower on the north side of Route 650, Hamilton Arms Road, approximately ¼ mile east of I-85. The Commissioner of the Revenue designates the parcel as Tax Map/Parcel 70-2. The applicant will be leasing approximately 6.8 acres of the 152.7-acre tract of land. The land is generally located in the DeWitt area and is in the James A. Boisseau Estate.

The Planning Commission reviewed this case at their December 13, 2000 meeting. The Commission expressed several concerns regarding this request. There were citizens in attendance in opposition to the issuance of

the conditional use permit. On a vote of 6-1 (Mr. Titmus voting nay), the Planning Commission recommended to the Board of Supervisors disapproval of the conditional use permit C-00-6.

This case was scheduled to be heard by the Board of Supervisors at your February 7th meeting. Upon the request of the applicant, the case was rescheduled to be heard by the Board at the March 7th public meeting.

NOTE: On February 14th the Planning Commission heard a conditional use permit request submitted by NTELOS for an extension of the existing Sprint tower located at the A.M.E. Zion site in the Dinwiddie Courthouse area. The existing tower is at a height of 192'. The request of NTELOS is to extend the height of this tower to 250'. A memo written by Joseph Tauchen, an RF Manager with NTELOS, dated 11/20/00, states "The Sprint tower located on Lundy's Road was evaluated at the available height of 169'. The CW drive test showed broken coverage to the north and poor coverage beyond 2 miles to the south. This location is desirable, however, the available height of 169' will not provide connecting coverage to the adjacent sites. ...If Sprint extends this tower and NTELOS places its antennas higher than 200', this location will satisfy the coverage requirement." The Planning Commission conducted the public hearing but, with the consent of NTELOS, delayed a vote on the request until the March 14th meeting in order to review information presented at the meeting. A statement was made at this meeting that could have a bearing on C-00-6. Mr. Muscarella stated that if NTELOS could locate their antennas at a height greater than 200' in the Dinwiddie Courthouse area under consideration, then NTELOS could use the Alltel site located south of DeWitt to cover I-85 in the DeWitt area. This would eliminate their need to locate antennas on the Mid Atlantic Tower site proposed adjacent to Hamilton Arms Road.

Mr. Moody asked if the pictures in the Board packets were provided by staff or by the applicant?

Mr. Long stated the color photos in the front of their packets were provided by staff.

Mr. Scheid responded the photos done by staff were numbered and keyed into the map provided in their packets to show locations relevant to the location of the tower.

Mr. Long informed the Board that he had instructed the staff to revisit the site and take photos to help the Board have a better understanding of the situation when this case came before them. He stated the residences located within the area were of enough significance to be noted. The pictures provided by the applicant in their packets did not depict the true location of those residences. The other main issue he stated he wanted to point out was the location of the tower that is already in place approximately 1 block from the residence.

Mr. Scheid stated the photos were taken approximately ¼ of a mile in either direction from the site of the tower.

Mr. Long stated if you hold the pictures up against one another he was concerned that the Board get an accurate picture of what is really out there, before they considered this case. He felt that the residences in the immediate area were left out of the original photos submitted in the application.

Mr. Scheid described the actual locations of the photos taken and explained how these photos were included in the overall scheme.

Mr. Charles Grigg, the applicant, came forward representing Mid-Atlantic Towers and TelPage Inc., the wireless communication provider providing paging in this area. He requested that the Board approve a conditional use permit for a

330' pole location communications tower on the property owned by the Boisseau Estate located on Hamilton Arms Road. The tower would be located 600 feet north of Route 650 as designated as Tax Map/Parcel 70-2. Telpage is leasing space on this tower from Mid-Atlantic for its paging service in this area. The property is now growing timberland that is vacant with no residences within the site. He stated he has presented the Planner with the revised plans showing all the setbacks and everything required on it. The County setbacks are 200% from any houses. He stated the closest residence belongs to the Falcon's which is further than the 200% required by the zoning law.

Mr. Grigg commented that the proposed tower does meet and exceed all building and tower setback requirements in the ordinance. The tower is designed to fall within the "fall zone" if for primary structure failure, it will fall all within the primary structure lines on the property. He stated he has provided photo simulations that the Board has. He said he has not seen the photo simulations that the staff provided to the Board tonight and this was the first he had heard of them just a few seconds ago.

Mr. Grigg stated the tower will be unpainted with one white strobe during daylight as required by FAA Rules, with one red beacon at night with red side markers during the night hours according to FAA rules, E1. Also, Mid-Atlantic towers will secure a performance bond for removal of this facility in case of abandonment

Mr. Grigg respectfully asked for approval of this site for their location.

Mr. Long told Mr. Grigg he was certainly welcome to take a look at the photos that were taken simply to make the Board familiar with the site and the residences in the area; also because of the location of the tower already in place.

Mr. Moody asked if Mr. Muscarello would care to address the Board.

Mr. Steve Muscarello with Ntelos stated the County was already aware of their developmental plan for Dinwiddie County at this point. He stated he had some additional pictures of a drive test that was done with a crane at the tower site location. He gave the Board the pictures and asked them to take a look at them for clarification. Ntelos is considering the existing structures along the I-85 corridor and Mr. Scheid mentioned that Ntelos had made a statement at the planning commission meeting about those structures located at the AME Zion Church. The real issue is that Ntelos is looking for tower locations that provide coverage all along I-85 and they had evaluated the existing structures. The Zion Sprint site, which was mentioned by Mr. Scheid is the adjacent site to the north and his statements made earlier were correct. If Ntelos can increase the height of that structure then we can use that structure first of all and secondly it gives us some options to the south. He stated Ntelos is in support of the Hamilton Roads application because it would provide us the opportunity to connect with our adjacent sites to the north and to the south. The site to the north was already mentioned as the Sprint site which Ntelos is proposing to increase. However we do feel that there is some opposition to that and Ntelos has no reliance on the Board approving that site at this point so we are looking at this particular facility as to providing Ntelos space to make a lot of coverage along I-85. The other structure that is there is the one owned by Crown and it is currently occupied by GTE at the top and Nextel has got an application to locate at about 238' that leaves only an available height of 217'. The structure is .5 miles from the proposed location for Mid Atlantic. This site is closer to I-85, which gives better coverage for Ntelos.

Mr. Moody stated this is a Public Hearing and asked if any citizens wished to speak for or against C-00-6.

The following citizens came forward to address the Board:

1. Charles P. Johnson, 15920 Hamilton Arms Road, DeWitt, Virginia came forward stating his complaint was the close proximity of the existing tower. We certainly don't want too many towers. He stated he understood the necessity of the technology that we have today but we don't want too many in the neighborhood. He stated the towers do give off radiation and anything that might be a hazard to the people in that area should be taken into consideration before this application is granted. Mr. Johnson was concerned about the property values and health issues.
2. Mrs. Alice Johnson stated her chief concern was too many too close. The neighbors were concerned about property values and health issues.
3. Mr. Coleman Boisseau of Atlantic, North Carolina came forward in behalf of W. Boisseau Farm in support of the tower. He stated they would like the tower on their property to generate some income on the acreage located on the Hamilton Arms Road. The income from the tower will be used to pay taxes and to maintain the farm. Cell phone coverage is very important he stated to extend by means of towers for safety and for business and personal and most important for 911 calls. This tower will be one of the final links in a series of towers from South Hill to Petersburg. He said it is important for the County that this application be approved. There are some concerns about being able to see the tower from some of the homes. But one wireless tower is much less of an eyesore than thousands of telephone poles with miles and miles of telephone and cable lines. He stated he could not say enough about how towers and safety go hand in hand. They cut the response time dramatically and it is important for saving lives.
4. Mrs. Edwina Boisseau Baskerville came forward stating her family has been in Dinwiddie County for generations and has supported the County in many ways. Ms. Baskerville continued according to her understanding the towers do not give off radiation. The property will be kept in the family as a memorial to her Father, W. Boisseau, which will be passed down through the generations. No more of the land will be sold. She asked the Board to approve the application for the communication tower.
5. Ms. Janet Ruffin 1642 Hamilton Arms Road, DeWitt, Virginia, came before the Board stating the biggest complaint she and her sister had was that the tower is in front of their houses and not behind them.
6. Mr. James C. Faulcon stated he was an adjoining property owner of the Boisseau's and 4 lots have already been sold. The tower would be in front of the Faulcon house so he did not see why it had to be close to the houses.
7. Mr. William Robinson stated he married, Betsy Boisseau, McKenney Lloyd Boisseau's daughter who owns part of the property. Mr. Robinson told the Board he is a businessman by trade who sells oil in this area. He stated he does a lot of traveling up and down the roads and depends on cell phones and didn't know what he would do without one. He said he thinks it is important to have this link of towers to be able to communicate with people.

Mr. Moody closed the Public Hearing for C-00-6 Mid –Atlantic Tower.

Mr. Moody called for Board comments on this case.

Mr. Bracey stated why so close?

Mr. Grigg stated it is basically spacing down the highway from the site of Zion Church so they look at the coverage that they would be getting. Typically this coverage is around 2 miles before they have to start looking for other sites. A lot of it is spacing from other sites. At this location there is high ground here and alternatives in this area are few and far between. He stated after the Planning Commission Meeting he looked for alternative sites and there really

weren't any other locations close to the highway that weren't close to houses. The existing structure is too far away from the road with heights available, so this locations works for us.

Mr. Bracey stated he was having a problem here "we don't care about people". Would you want one on your road?

Mr. Muscarello stated he has one on his road and he was thankful for the service.

Mr. Grigg said they picked a large tract of land, there are a lot of small tracts of land around but it would still be impacting someone's house, if we picked one of the small tracts of land. In the County ordinance there is a clause that requires a 10' buffer of trees around the site to protect the people. So there will always be trees to protect this site. Mr. Grigg stated that Mr. Faulcon has a lease on the property with Vulcan materials. The people in that area don't want towers but according to the lease on page 3 section 5 – these are things that are permitted in that lease: The exclusive right to mine, strip mine, quarry, recover, and remove from the premises stone, rock, soil, gravel, minerals and any other construction material found thereon or therein; the right to crush process, stockpile, sell, trade, and market on the premises; and it goes on to say they can put rock crushers in there, run dump trucks in there, they can enlarge the road in front of Mr. Faulcon's house. Mr. Grigg continued they have taken all of the necessary precautions to stay away from his property as much as possible. It has been done to the law; to the County's ordinance and we have matched the ordinance to the "T". He said they have tried to find another site and we need towers and towers are here whether we like it or not. He stated they are building this tower for co-location purposes to accommodate multiple carriers so there won't have to be more of them.

Mr. Moody asked how many co-locaters would the tower be able to handle.

Mr. Grigg stated the towers are designed to hold 7 to 8 but the County ordinance stipulates up to 5.

A citizen asked if the existing tower could be extended to accommodate the height needed.

Mr. Muscarello stated no. It would have to be replaced and redesigned to go 330' because the existing structure was not designed to support that height.

Mr. Long asked if the Alltel/DeWitt tower on the map was the carrier for this site location being discussed here.

Mr. Muscarello replied that this site is located south of the location being discussed. The one is the Crown/GTE tower with the 217' co-location space available. But at that height and distance from the highway it won't connect the sites to the north or the planned site to the south. If someone is traveling on I-85 or Route 1 the calls would be dropped or they would not be able to make calls in certain areas. He stated in the design of networks connecting coverage is very important. The other carriers on that tower are at 285' and 240' so the heights above the 217' are already taken. He also said a couple of the citizens also expressed concerns about the emissions from the structures and cell phones and their potential effects. FCC has put out guidelines in the telecommunication act of 1996 and in these guidelines if we meet the Federal Standard emission level that is set by them, then according to the Federal Communications Act local Authority Boards cannot deny a tower because of radiation emission. He stated the fact of the matter is that the cell that operate at these towers are about 10,000 times below the standard level. The reason they operate so far below this level is because they have such low power and are not an FM radio station. He informed the Board that he could present a near level letter which is an

emissions study on a location that is a mathematical calculation as to the levels that the FCC has set forth. He said people should be more concerned about using cell phones than the emissions from the towers.

Mr. Clay asked if there was any danger of the tower falling from 100 to 110 mile an hour winds.

Mr. Muscarello stated they are engineered for the wind load with ½" ice radial plus a safety factor. Some have failed in the past but most of them that fall in this area aren't from wind or tornados but typically from ice storms. They are designed to collapse on themselves they don't just fall over like a tree. If a tower was 300' tall and it fell on the ground the debris from that tower would only be about 150' from the base of the towers.

Mr. Moody stated either he or Mr. Grigg has said that there was no other location in the area that was found that would not impact on residential property; is that correct.

Mr. Muscarello replied, yes, not any that they could lease. He stated that he could not go ½ mile down the road it had to be within the search range because it would affect the coverage area north and south.

Mr. Moody commented that this location is dependant on the one north of that site and the one south so the tower had to be geared in between both to make it work; was this correct.

He replied yes. If for example the Board approves our next application at DeWitt tonight, the location south of here, then that gives us a point of reference. We know where our coverage and signals are going to travel from that tower. But say we are approved at the facility to the north of this at the church then we know what that footprint of coverage will be also. If the application for this location is disapproved then we will have to come up with a solution and that solution will have to connect with both the north and south locations. He commented that is the reason he is in support of this request; it would make their network connect.

Mr. Clay asked where is the one south of there, is it the one at McKenney?

Mr. Muscarello stated yes it would be the next location to the south. The next location south of there happens to be in the next County. They did an analysis for all existing structures and tried to design the system to take advantage of as many of those as possible. When you do it that way you have to fill in the gaps. Continuing he said or if this other tower was a little closer to the highway and space was available a little higher on the tower we wouldn't be in front of the Board today.

Mr. Haraway asked what is the distance between the Crown tower and the SBA tower.

Mr. Muscarello replied it was probably 8 miles.

Mr. Haraway stated he had a question for Mr. Scheid. Mr. Scheid, you indicated that there was some other information that came forward after the Planning Commission made their decision. Do you feel in your opinion if they had had this information would it have affected their decision?

Mr. Scheid stated he certainly felt the information would have reinforced the recommendation to the Board of Supervisors. He continued, Mr. Bowman came into the office one day and asked to go to some of these sites where the pictures were taken. He stated he was a little disturbed by some of the pictures he has seen this evening. The color pictures that are in the Board packet depicted exactly what he saw and took that day. Mr. Scheid stated the day he

and Mr. Bowman visited the site as they were going down Route 1 he saw the drive by test that Mid Atlantic was doing. He said they approached the crane operator and asked if he had the antenna at about 250' in the air because it was very visible. The crane operator replied no, it was at 190' and he had dropped it to 185'. It was quite visible he stated and what is being proposed is 140' taller than that and he couldn't quite visualize what that would look like.

Mr. Clay commented that cell phones are a necessity now and will continue to be in the future; but it is a shame we have to have the towers for them to operate. He said people traveling up and down I-85 want to talk on cell phones and he didn't know what the Board was going to do.

Mr. Bracey moved to defer Board action on C-00-6 until April 4, 2001 in order for the Board to review the record and study the information presented by the applicant, the Planning Director and the Citizens who expressed their views at tonight's meeting.

The Motion was Seconded by Mr. Clay, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye."

IN RE: C-00-5-MID-ATLANTIC TOWER

Mr. Long stated this conditional use permit was submitted by Mid Atlantic to construct a telecommunications tower near McKenney. The Public Hearing was held at the February 7, 2001 Board of Supervisors Meeting but action was deferred to this meeting.

Summary Staff Report

File:	C-00-5
Applicant:	Mid Atlantic Tower
Property Address:	Sapony Church Road (Rt. 692)
Magisterial District:	Darvills
Acreage:	17.29 acres
Tax Map Parcel:	80-47
Zoning:	Agricultural, General, A-2

The applicant, Mid Atlantic Tower LLC, is seeking a conditional use permit to construct and maintain a three hundred thirty (330) foot guyed wire telecommunications tower on the east side of Route 692, Sapony Church Drive approximately $\frac{3}{4}$ mile south of McKenney Highway (Rt 40). The Commissioner of the Revenue designates the parcel as Tax Map/Parcel 80-47. The land is generally located in the McKenney area and is currently owned by John and Deborah Robertson.

The Planning Commission reviewed this case at their December 13, 2000 meeting. The Commissioners noted several factors that reflected favorably on this request on a vote of 7-0; the Planning Commission recommended to the Board of Supervisors approval of the conditional use permit C-00-5 with conditions and to grant the two (2) side yard variances as permitted by Section 22-274. The conditions are as follows:

1. The tower proposed by Mid-Atlantic Tower LLC shall not exceed three hundred thirty (330) feet in height and shall be located on the property as shown on the "amended" plat.
2. A red beacon, not a strobe light, shall be utilized in lighting the tower.
3. The applicant and/or any subsequent owners shall allow at least two (2) other wireless telecommunications providers to locate on the tower and site and shall provide the County, upon request, verifiable evidence of making a good faith effort to allow such location;
4. Mid-Atlantic shall develop the proposed tower site as detailed in the support documentation submitted with, and becoming a part of, the application;
5. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions; and
6. The County shall be provided co-location opportunities without compensation as a community benefit to improve radio communications for the County departments and emergency services.

Furthermore, it is hereby noted that the Board of Supervisors grant a side yard variance for the tower as permitted by Section 22-274(2).

Mr. Moody stated he felt the Board had the opportunity to study this request for a month and research the questions that were asked. At this time he stated if the Board had no more comments he would entertain a motion to deny or approve their request.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that conditional use permit C-00-5 submitted by Mid Atlantic Tower, LLC be approved with the conditions noted by the Planning Commission at their December 13, 2000 public hearing attached to the permit; and

BE IT FURTHER RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286 (A)(7) it is stated that the purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: RECESS

Mr. Moody called for a five- (5) minute recess at 9:20 P.M.

The meeting reconvened at 9:35 P.M.

IN RE: PUBLIC HEARING – C-01-2 - BOZE – LAWDOWN YARD

This being the time and place as advertised in the Progress-Index on February 21, 2001 and February 28, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on and to propose for the issuance of a conditional use permit submitted by John E. Boze, to establish a "lay-down yard" on a 6.94 acre parcel of land located at 13117 Boydton Plank Road.

Summary Staff Report

File: C-01-2

Applicant: John E. Boze

Property Address: 13117 Boydton Plank Road

Acreage: 6.94 acres

Tax Map Parcel: 45(3)3

Zoning: Business, general, B-2

The applicant, John E. Boze, is seeking a conditional use permit to establish a "laydown yard" on a 6.94 acre parcel of land located at 13117 Boydton Plank Road. The parcel is zoned business, general, B-2. The Commissioner of the Revenue designates this land as Tax Map 45, Section 3, Parcel 3. The comprehensive land use plan identifies this area within a Community Planning Area/Corridor and indicates its use for agricultural/residential purposes. The property was used in the past as a planning mill with on site storage of wood products.

The Planning Commission reviewed this case at their February 14, 2001 meeting. The Commission expressed several concerns regarding this request. There were no citizens in attendance in opposition to the issuance of the conditional use permit. On a vote of 6-1 (Mr. Titmus voting nay), the Planning Commission recommended to the Board of Supervisors approval of the conditional use permit C-01-2 with the following conditions:

1. Exterior lighting shall be limited to the existing lighting system with the ability to add one additional lighting fixture, if needed, but only in coordination with the Planning Department;
2. Shipping and receiving hours of operation shall be limited to Monday – Friday 7:00 a.m. until 7:00 p.m., Saturday, 8:00 a.m. to 4: p.m. and Sunday, 1:00 p.m. to 5:00 p.m.;
3. Traffic shall be limited to 2 access points, one to be an entrance and the other to be an exit; and
4. Screening shall be in compliance with the County's requirements to include a double row of staggered evergreens planted near the front property line.

Mr. Haraway stated when this was brought before the Board wasn't there a 200' setback requirement.

Mr. Scheid stated it was added in the definition of the lay-down yard requirement in the ordinance.

Mr. Haraway asked if that requirement could be changed.

Mr. Scheid stated a person could go the variance route that would go directly to the Board of Zoning Appeals. Any matter dealing with a variance would not be heard by the Board of Supervisors.

Mr. Moody requested Mr. Boze, the applicant, to come forward.

Mr. John Boze stated he had nothing to add but would be glad to answer any questions they had.

Mr. Moody stated at the Planning Commission Meeting the conditions were gone over and talked about then. He asked if Mr. Boze agreed to the conditions that were set forth.

Mr. John Boze replied yes.

Mr. Moody opened the public hearing.

No one spoke for or in opposition to the conditional use permit.

Mr. Moody closed the public hearing.

Mr. Moody called for Board comments.

Mr. Bracey stated he still didn't like the 200' but Mr. Boze can apply for a variance. He stated he felt this was political by placing all the restrictions on him, but let the young man go to work.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that conditional use permit C-01-2 submitted by Mr. John Boze, as stated above, is hereby approved with the conditions recommended by the Planning Commission; and

BE IT FURTHER RESOLVED, that in order to assure compliance with the Virginia Code Section 15.2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: PUBLIC HEARING – A- 01-2- FOR THE PURPOSE OF AMENDING AND REORDAINING ARTICLE 1 SECTION 9-19, TAXATION

This being the time and place as advertised in the Dinwiddie Monitor on February 21, 2001 and February 28, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment for the purpose of amending and reordaining Article I, Section 9 of chapter 19 ("Taxation") of the Code of Dinwiddie County to establish deadlines for the receipt and processing of applications to the County of Dinwiddie Board of Equalization.

Mrs. Ralph came before the Board and presented the Taxation Ordinance. She stated this ordinance sets the application and disposition deadlines for the Equalization Board. The Board of Equalization will be trained this coming Friday and they will be setting up their schedule at that time. But the deadline by this ordinance that you would set would be for receipt of applications be limited up until April 20, 2001. The Board of Equalization deadline for disposition of timely applications would be up until June 1, 2001. That gives the whole month of May and most of April. The Commissioner expressed a concern from past reassessments that you allow enough time for people that are out of town and maybe didn't get notices to be sure that everybody has a chance to appeal. The Board of Assessors process is already completed and this would be their only chance to appeal the reassessment.

Mr. Moody stated that the citizens could appeal even if they didn't go to the Board of Assessor's; is that correct?

Mrs. Ralph replied yes.

Mr. Moody inquired if the notice would be in the newspaper.

Mrs. Ralph said yes.

Mr. Moody stated one of his constituents called the other night and said he has been calling the General reassessment number for days and could not reach anyone.

Mrs. Ralph stated the number is being moved now to the Commissioner of the Revenues Office. Just tell anybody who has any questions or needs

information on this to call the Commissioner of Revenue now. The number will be in the newspaper notices.

Mr. Moody opened the public hearing.

Mr. Moody closed the public hearing.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 19-9 of the Code of the County of Dinwiddie be amended and reordained as follows:

Section 19-9 Application and Disposition Deadlines for the Processing of Equalization of Real Estate Assessments.

- a. The deadline for receipt of applications to the County of Dinwiddie Board of Equalization shall be April 20, 2001..
- b. The deadline for disposition of timely applications by the County of Dinwiddie Equalization shall be June 1, 2001.

State Law References: Code of Virginia Section 58.1-3378

IN RE: VML/VACO – VIRGINIA POWER STEERING COMMITTEE

Mr. Long stated the VML/VACo Virginia Power Steering Committee has been negotiating a new contract with Virginia Power for localities that are members of the organization. VML/VACo will invoice for the County for its pro-rata share of the total assessment based on our total kilowatt-hour usage. Mr. Long asked the Board to approve our participation.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", authorization for the County to participate in the VML/VACo Virginia Power Steering Committee based on the pro-rata share of total kilowatt usage was approved.

IN RE: AUTHORIZATION TO PURCHASE CHECK SIGNER MACHINE

Mr. Long presented the Board with the bids from Ms. Cathy Carwile to purchase a new check signer machine. He stated the check machine has frequently malfunctioned and needed to be replaced and the cost of the machine would be shared equally between the County and the School Board. The bids presented were:

ABM OFFICE OUTFITTERS	\$2,466.00
H & H	\$2,965.00
TAB OF CENTRAL VIRGINIA	\$3,579.00
EXPEDEX OF RICHMOND (machine only)	\$2,565.00

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Administration Office to purchase a check signer machine from ABM Office Outfitters in the amount of \$2,466.00; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that the cost of the signer machine be shared equally between the County and the School Board.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Long stated he had included some information that was provided on the resource officer and he indicated to several folks in the School Board Office that the Board needed something to review first with in the next couple of weeks. He said the Sheriff might come back next month to ask whether the Board would approve a grant request for this additional officer.

Mr. Bracey commented when is the real story going to be told. This is a new position the County would have the Dare Officer plus this SRO at \$14,134.00 would be what the County would have to pay. The grant period is for 1 year only with a possibility of extending for 3 more years. He stated he did not know one position in the County that would start with an annual salary of \$48,074.00 for salary and benefits for one person. He said that sounds like the Sheriff's salary. Mr. Bracey stated the information needed to be directed to Administration so it can really be looked at. If the Board approves this position at the end of the grant the County will be stuck. How did they arrive at this salary?

Mr. Long added that with the state of affairs in the General Assembly right now, there is the definite possibility of grants going away completely. He advised the Board to consider this before making their decision.

Mr. Haraway directed Administration to find out from the Sheriff how he arrived at this salary.

2. Mr. Long stated he had enclosed a copy of House Joint Resolution number 684 which establishes a study committee for the Route 460 TransAmerica Corridor Study. As you may recall this project would extend the Route 460 Bypass from Route 1 at the East Cost, all the way over to Prince George. This extension would dramatically improve conditions on Route 1 by providing an outlet for the truck traffic which would be a benefit to the County.
3. Mr. Long informed the Board that the Sands Anderson workshop for the Telecommunication Issues in General is scheduled for April 4th at 8:30 a.m. till 1:00 p.m. The Board would have to leave the Administration Building at 7:30 a.m.
4. Mr. Long stated the Appreciation Dinner for the John Tyler Community College is scheduled for March 29th which is a Thursday at 6:00 p.m., at the College.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody asked if the Board had any quick comments.

1. Mr. Bowman stated he had spoken with the Planner and he may possibly have enough money left in his budget this year to do the Route 1 Corridor Study. He asked Mr. Long to take a look at it and make a recommendation to the Board at the next meeting.

Mr. Bracey asked how much money are we talking about for the corridor study.

Mr. Long replied \$17,000 dollars.

Mr. Scheid commented there has been a vacancy in his department for the Code Compliance Officer and those funds were still in his budget.

Mr. Bracey stated he felt an in-depth description of the Comprehensive Plan and what we are doing needs to be presented to the Board. He stated what about the 460 corridor?

Mr. Haraway stated for one time Mr. Bracey is speaking for me. He said he agreed with him. Landmark was not the lowest bid. They were several thousand dollars higher for the work they are going to do and then the study for Route 1 they were higher on that too. Continuing he said Mr. Long should go to Landmark and renegotiate that price knowing that we are paying a premium price for doing this study compared to what the lowest bid was. He stated Landmark should lower their price to do the Route 1 study.

2. Mr. Moody stated he felt it would be good to have a Cable Citizen Advisory Committee. It would work very well.

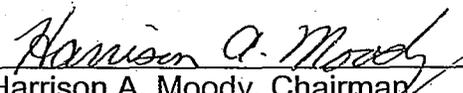
Mr. Moody stated at the Vaco Conference in November he signed up to be put on an Environment and Agriculture Committee and he received notice that he has been put on that committee.

3. Mr. Bowman stated that Mr. Robert Ragsdale called and invited the Board to attend a ribbon cutting ceremony at his McKenney plant on March 21st at 11:00 a.m. The press was invited to attend also.

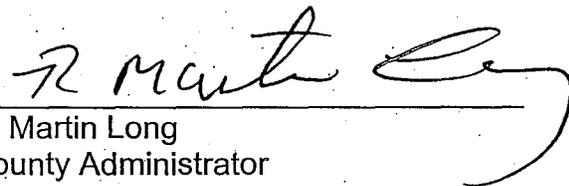
There were no additional comments from the Board.

RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the meeting adjourned at 10:05 P.M. to be continued until 12:00 P.M. on Wednesday, March 21, 2001 at the Nottoway Restaurant for a closed session.


Harrison A. Moody, Chairman

ATTEST:


R. Martin Long
County Administrator

/abr

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 21ST DAY OF MARCH, 2001, AT 2:00 P.M.

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

OTHER: DANIEL SIEGEL COUNTY ATTORNEY

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 2:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

Mr. R. Martin Long, County Administrator, stated Mrs. Betty Jeter asked to be added to the agenda under Item 9 - Q - Registrar.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Moody voting "Aye", the above amendment was approved.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the March 7, 2001 Continuation Meeting and the March 7, 2001 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Clay, Seconded by Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Moody 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 1024585 through 1024757 (void check(s) numbered 1024584 and 1024600) for:

Accounts Payable:

(101) General Fund	\$ 343,667.07
(103) Jail Commission	\$ 64.92
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 1,822.80
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$ 7,727.89
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$ 1,500.00

(305) Capital Projects Fund	\$ 82,289.78
(401) County Debt Service	\$ <u>87,340.66</u>
TOTAL	\$ 524,413.12

IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATION PROJECT – REQUISITION NUMBER 27 (IDA1999A-#19)

Mrs. Ralph stated the following invoices are included in Payment Request Number 27 (IDA1999A - #19):

SOUTHWOOD BUILDERS, INC. Payment #13	\$458,612.00
SANDS ANDERSON MARKS & MILLER	649.88
ENGINEERING CONSULTING SERVICES	1,907.25
BALLOU JUSTICE UPTON ARCHITECTS	<u>8,760.34</u>

TOTAL REQUISITION #27 \$469,929.47

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 27 (IDA99A - #19) in the amount of \$469,929.47 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Renovation Project Fund.

IN RE: DINWIDDIE COUNTY PUBLIC FACILITIES PROJECT FUND: SCHOOL COMPLETION PROJECT ACCOUNT OF THE PUBLIC FACILITIES FUND – REQUISITION NUMBER 60 (IDA98A - #25)

Mrs. Ralph stated the following invoices are included in Payment Request Number 60 (IDA1998A-#25):

LANDSCAPES BY DEADMON	\$ 17,643.25
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TOTAL REQUISITION #60 (IDA1998A -#25) \$ 17,643.25

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

Mr. Bracey asked if this is the end of the landscaping?

Ms. Seward stated it is; except for the small performance bond payment.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 60 (IDA1998A-#25) in the amount of \$17,643.25 be approved and funds appropriated for CIP expenses, for landscaping at Midway and Middle School, from the Dinwiddie County Public Facilities Project Fund: School Completion Project Account.

IN RE: CITIZEN COMMENTS

The following citizens addressed the Board:

1. Mr. John Chappell, Post Office Box 420, Dinwiddie, Virginia 23841, Dinwiddie Historical Society Board came before the Board stating Dinwiddie County has a priceless possession which needs to be preserved for posterity, a flag given to the Dinwiddie Calvary Troop from the ladies of the County. We are very fortunate to have it in our possession in that it was returned to its origin by the grandson of a Colonel Campbell who obtained it during the Civil War.

The silk flag was sewn by the women of the county whose sons, husbands, neighbors, and friends were serving in the Virginia Cavalry, Company I, Third Regiment, Volunteers from the county. Of the 156 volunteers whose names appear on the company roster many are familiar to most of us in the county today.

Mr. Chappell stated similar banners and flags have been restored and preserved by the Confederate Museum in Richmond. The Dinwiddie Historical Society wishes to propose that our flag be evaluated by an experienced curator and restored if that is recommended. We feel we would benefit from experience gained by the museum. The Society is prepared to fund the cost of having the flag evaluated. This may require its removal from the County. We think this effort should begin immediately (the restoration could take 6 to 9 months) to assure that the work on the flag is completed so as to coincide with the restoration and dedication of the Old Courthouse. We think it should be displayed in such a way that it can be viewed from both sides.

The flag is presently on display at Fork Inn. The Dinwiddie County Historical Society believes that the restored old Courthouse Building would be the proper place for the flag to be kept and displayed permanently. We appreciate Daryl Olgers concern for the flag when it was necessary for it to be moved from the Old Clerk's Office.

If renewal of the flag is recommended at what can be considered a reasonable cost, the Society through donations of a fund-raising effort will fund the effort for its restoration. We feel the flag should not be removed from its present frame until it is in the hands of a curator.

The Society requested:

1. Authorization to arrange for an evaluation of the flag by an experienced curator and permission to transport the flag to the curator.
2. If the price for restoration of the flag is reasonable and feasible, that Dinwiddie County Historical Society be authorized to have the flag restored at the Society's cost.
3. That the flag be displayed permanently at the restored Courthouse.

Mr. Chappell presented the Board a written release statement with the above information for their signature.

After further discussion the Board asked the County Attorney, Mr. Siegel, to look into their legal obligations, and to work with Mr. Chappell on an agreement between the County and the Historical Society. Mr. Chappell was asked to provide Administration with a copy of their contract with the curator to insure proper insurance coverage for the flag which will be attached to the agreement. Then the agreement will be presented to the Board for approval.

Mr. Chappell stated part of the restoration would be to encase or seal the flag.

2. Mrs. Joyce P. Harville, 5620 Trinity Church Road, Church Road, Virginia, 23833, representing the Safe and Drug Free Schools Advisory Council, came before the Board requesting that they make sure there is enough money in the Sheriff's budget to hire a School Resource Officer for the Middle School. Ms. Harville informed the Board that 76 of 95 localities have a School Resource Officer including the majority of the neighboring counties and cities. She presented a petition to Mr. Moody with 438 signatures in support of hiring the Resource Officer.

IN RE: WILSON – KAUTZ RAID

Mrs. Ralph stated a few months back a resolution of support was submitted for the Wilson Kautz Raid. It was a Tea 21 Grant which was approved in the amount of \$260,000 for historical markers for the route and a brochure. The only financial requirement from the County will be maintenance funds for the signs located in the County in the amount of \$250 per sign which will not be due until 2003. At the present time, there are seven sites proposed for the County, which would equal a total cost of \$1,750. The Park Service may be adopting the sign at Five Forks so we should have a net most of \$1,500. The anticipated date for opening the route is in October of this year. She introduced Chris Calkins with the National Parks Service in Petersburg, and stated he has helped us with Lee's Retreat Route and so many other of our historical sites and areas.

Mr. Calkins stated he had three items to bring to their attention. First of all the Wilson-Kautz Raid was a Union Calvary Raid through this area with its intention of destroying the railroads Southside and Weldon Railroad both of which are in Dinwiddie. This tour will begin at our Visitors Center, will go through Prince George, Dinwiddie, and eventually it will go west to the Staunton River Bridge Battlefield State Park, which is in the Charlotte, Halifax County area. Then the driving tour will come back to this area and end in Dinwiddie County, hence the reason for the numerous sites in the County.

He stated he had a map of all the proposed sites for the placement of the markers and a little bit of the historical background. All of this will fall under the State umbrella organization of Virginia Civil War Trails. The organization is currently in the process of developing a map which will come out probably this Fall. Anything South of the James will be called Region I. Mr. Calkins showed the Board a mock up of the map. The brochure will be entitled *Lee's Retreat And The Final Campaign* but it also has the Wilson-Kautz Raid which takes in the City of Lynchburg and Danville, Dinwiddie and Prince George Counties. These will be beautifully colored brochures and will be given out by the State and funded by the State.

He continued another item he would like to bring up to them is the grant application request from the Virginia Civil War Battlefield Preservation project which is being sponsored by the Civil War Preservation Trust. They are the descendants of the Association for the Preservation of Civil War Sites which bought property on White Oak Road and Dabney Mill Road to preserve those battle sites. This proposition is to apply for an ISTEIA Grant to purchase lands around Reams Station area. This will be their money right now; no land owners have been talked to if and when they do. If the group does get the grant it will be a willing buyer-willing seller type situation. All they are asking for is a letter of support for this project. He stated he should mention to the Board that 210 acres at Reams Station are preserved for battlefield preservation by the conservation fund. It is the land south of Oak Grove Church. In the last 5 or 6 years even though the battlefield is in pristine condition and probably one of the nicest around here, 2 sites have been destroyed, one a historic house on the battlefield

and another large section of the battlefield with the trenches that had been timbered and the trenches destroyed.

Mr. Calkins presented the Board with an up-to date annual report on Lee's Retreat that covers everything that has been done since the initial annual report was done. One of the newest projects is a nice slick brochure, *Retreat as a Guide* that will have a list of motels along the trail with maps in it. It will allow local businesses to advertise in it, which will pay for the brochure. Finally Lee's Retreat just came out in a magazine, *Americas Civil War*, and there is an article in there on the whole Campaign and heralding the story of it.

Mr. Calkins thanked Mrs. Wendy Ralph and Mr. Tim Smith who have been a great help to in all of these endeavors.

He asked the Board if he could answer any questions.

Mrs. Ralph read the following proposed Wilson-Kautz marker locations for Dinwiddie County:

1. Reams Station (Oak Grove Methodist Church parking lot)
This sign would cover two aspects of the raid – the initial ride through by the Federal Cavalry and the destruction of the station itself; the return to Reams Station and the Confederate counter-attack on June 218th.
2. Dinwiddie Court House (lawn of original courthouse)
This marker here would explain the Federal cavalry's line of march from Reams to this point along with incidents that happened while passing through the county seat village.
3. Five forks (near NPS visitor center)
The wayside here would foreshadow the importance of this crossroads by explaining its first visit by Union forces on their way to the South Side Railroad, one of Lee's supply lines.
4. Ford's Depot (parking lot of post office)
The story of the initial destruction of the railroad and its equipment on this raid takes place at this point.
5. White Oak Methodist Church (church parking lot)
The church, being used as a Confederate hospital, is destroyed by the federal calvary. After the war the congregation attempts to receive compensation from the United States government for this act.
6. Stony Creek Bridge (Bear Island Tract – easement)
After finding Confederate resistance at Reams Station, Wilson's column retreats over this bridge while being pursued by Southern cavalry.
7. Reams Station (Reams Independent Methodist Church parking lot)
This marker would explain the two-prong movement of Wilson and Kautz's cavalry as they attempt to return to their lines at Reams Station to the east. The destruction of their wagon train will also be explained.

The route will end up again at Oak Grove Methodists Church.

The Board received information on the entire driving tour of the Wilson-Kautz Raid Campaign with stop locations as follows:

Stop 1 – Petersburg National Battlefield Park

Stop 2 – Prince George Court House

Stop 3 – Ream's Station (Dinwiddie County)

- Stop 4 – Dinwiddie County Court House (Dinwiddie County)
- Stop 5 – Five Forks (Dinwiddie County)
- Stop 6 – Ford’s Depot (Dinwiddie County)
- Stop 7 – Blackstone (Nottoway County)
- Stop 8 – Battle of Nottoway Court House (Nottoway County)
- Stop 9 – Burkeville (Nottoway County)
- Stop 10 – St. Mark’s Store (Nottoway County)
- Stop 11 – Meherrin (Lunenburg)
- Stop 12 – Keysville (Charlotte County)
- Stop 13 – Charlotte Court House (Charlotte County)
- Stop 14 – Drakes Branch (Charlotte County)
- Stop 15 – Saxe (Charlotte County)
- Stop 16 – Roanoke Station (Randolph Station-Charlotte County)
- Stop 17 – Chase City/Christianville (Mecklenburg)
- Stop 18 – Boyd’s Tavern (Mecklenburg)
- Stop 19 – St. John’s Church (Kenbridge-Lunenburg County)
- Stop 20 – Danieltown (Brunswick County)
- Stop 21 – Smokey Ordinary (Brunswick County)
- Stop 22 – Double Bridges (Greensville County)
- Stop 23 – Sapony Church (Sussex County)
- Stop 24 – Reams Station (Dinwiddie County)
- Stop 25 – Stoney Creek Bridge (Dinwiddie County)
- Stop 26 – Blunt’s Bridge (Sussex County)

IN RE: RESOLUTION SUPPORTING THE CIVIL WAR PRESERVATION TRUST’S TEA-21 GRANT PROPOSAL

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby supports the Civil War Preservation Trust’s TEA-21 Grant Proposal for the procurement and protection of land at Ream’s Station with the understanding there will be no cost to the County.

IN RE: VPI EXTENSION OFFICE

Mr. Michael Parrish, Agricultural Extension Agent for Dinwiddie, came before the Board presenting an update on the following:

1. Currently work is being done on retrofitting of the tobacco barns to reduce the nitro levels in the crop. This is being done thru grants. Thus far, 28 producers have been assisted with an expected number of up to 250.
2. Received an award for plastic pesticide container recycling program which is up by 35% in Dinwiddie County. Mr. Parrish stated he is invited to attend a program in Florida for the National Pesticide Stewardship Alliance and they want to know why the program was so successful in Dinwiddie County. He added that he would like to increase the participation 10 to 20% in the recycling program this year.
3. An oil recycling program was conducted for the producers and there was an overwhelming response to that. We collected 3,600 gallons of waste oil.
4. An award was received last year from the Pesticides Control Board of Virginia for the disposable pesticides in Dinwiddie County. This is a reflection on the image of the agricultural community in this county that they are willing to participate in anything which looks environmentally sound.
5. The County had an outstanding year in peanuts due to the extra rainfall received. The average yield was just shy of 3,400 pounds; a typical average year is about 2,800 pounds pf peanuts per acre.
6. Four cotton producers had an outstanding year averaging 1,000 pounds per acre last year also. He added even though productivity is high it still doesn't mean the farmers are making money hand over fist. Prices are at an all time low.
7. The Mad Cow Disease is something Extension is providing information on and will keep the farmers abreast of that.
8. As an educational indemnity we will be providing information about the West Nile Virus to the producers and residents of the county. Hopefully we can work with the University to get more information out on that Virus.
9. Also, the Equine Encephalitis that can be basically rendered on vaccinating regularly of these horses in the county.

Mr. Parrish praised the staff at the Landfill. The staff has been a great asset to the recycling program. He added that they bent over backward to help us make that program work in the County.

Mr. Parrish was asked if the peanut poundage would be renewed or dropped. He responded that the farmer is under scrutiny at this point to rewrite it for 2000 and there are many plans on the table to remove it totally away from a quota crop or to make it a free market crop. Then they would have to rely on Government payments. The market may be opened to other States like Texas and Alabama who can probably produce all the peanuts needed with no adverse weather conditions to affect the crops. Peanut and tobacco crops carry a lot of weight financially in the County. It keeps a lot of the operations and enterprises above water. The producers who have diversified into peanuts and tobacco have been able to have a good bottom line.

Mr. Bracey asked at what Counties or locations do you work most of the time?

Mr. Parrish replied Dinwiddie is my home base. Area programs are done in Sussex and Prince George but 95% of my time is spent in Dinwiddie.

Mr. Bracey asked what to do for residents if they have questions about how to grow shrubs or lawns and they can't seem to reach you or get any answers? What do you want me to tell them?

Mr. Parrish responded there are some people who have been trained within the County as Master Gardeners on a roll. We do not have a Master Gardener Program in the County per say. He replied he does answer questions one on one when people call. There are publications at the office available to the citizens too.

Mr. Bracey restated that he has calls from citizens who say they cannot reach you.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Richard Caywood, Resident Engineer for the Virginia Department of Transportation came before the Board and presented his monthly report. He stated the re-paving of US Route 1 is slated to begin in late May or early June. This reconstruction will be relatively shallow but should provide a much smoother riding surface.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, stated he had submitted his report and he had nothing else to present, but would try to answer any questions the Board might have. Mr. Jones was asked if the Board adopted the 2001 tax rates on May 2, 2001, if he would be able to meet the deadline for mailing out June 5th tax bills. Mr. Jones stated he could work with that date if he received all the information he needed.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney came before the Board and stated he had nothing to report.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel H. Shands came forward stating he provided a copy of his monthly report. He also stated he included a letter in their packets regarding a new position for a School Resource Officer.

After a lengthy discussion about the need for the position and how it would be funded, the Board instructed the Sheriff to provide them with more detailed information, including a copy of the grant, a job description and other pertinent information before their April 4th meeting so they could make an informed decision. The deadline for the grant application is April 6th.

IN RE: RECESS

Mr. Moody called for a five- (5) minute recess at 3:36 P.M.

The Board reconvened at 3:45 P.M.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of February 2001.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, was not present.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning came forward to present his monthly update for his Department.

Mr. Scheid requested approval from the Board to attend an education course being held in Manassas on Friday May 18, 2001. He stated the courses deal with Zoning Law in Virginia and Erosion Control Practices/Resources and is a State requirement for re-certification. The cost of the conference is approximately \$205.00, which includes meals, lodging, and conference registration. The money is included in the present budget.

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", authorization was granted to the Director of Planning to attend an education course, dealing with Zoning Law in Virginia and Erosion Control Practices/Resources which is a State requirement for re-certification, being held in Manassas on Friday May 18, 2001.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER – REPORT/CODE COMPLIANCE

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his monthly report.

Mr. Bowman asked Mr. Thompson if anything was being done about the Floyd Avenue and Route 1 intersection situation.

Mr. Thompson stated it was being addressed and they do have a compliance date, but he would keep a check on it.

Mr. Bracey said what about my wood yard on Route 1?

Mr. Thompson replied he is in overload right now but he would check on it.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen, Director of Social Services stated she had nothing to report.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Ms. Troilen Seward, Superintendent of School came forward to present an update to the Board on School Activities. She stated Hartford Insurance Company is no longer covering schools and they are in the process of finding a new insurance carrier.

IN RE: HEAD START SUPPLEMENTAL APPROPRIATION #5

The School Board has authorized the Superintendent to request a \$213,674 supplemental appropriation for the Head Start program for December through June expenditures. This is all federal money in the Head Start Fund and is part of the Instruction category.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board's request for a \$213,674 supplemental appropriation for the Head Start program for December through June expenditures is approved. This is all federal money for the Head Start Fund and no local match is needed.

IN RE: SUPPLEMENTAL APPROPRIATION #6

The School Board had authorized the Superintendent to request a \$70,825.43 supplemental appropriation for two grants. Of this amount, \$49,634.43 is a federal grant and \$21,191 is a state grant. Neither of these grants will require any additional appropriation of local funds.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board's request for a \$70,825.43 supplemental appropriation to the Instruction category is approved with no additional local funds.

**IN RE: DINWIDDIE COUNTY PUBLIC SCHOOLS
TRANSPORTATION DEPARTMENT – REQUEST TO
SELL SURPLUS VEHICLES**

Mr. Wayne Huskey, Shop Foreman, of the Dinwiddie County Public Schools Transportation Department requested authorization to either solicit for sealed bids or include them in the auction at the sheriff's sale the disposal of the vehicles listed below.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to transfer title to the School Board to sell the following vehicles as surplus:

<u>YEAR</u>	<u>MAKE</u>	<u>VEHICLE IDENTIFICATION NUMBER</u>
93	FORD	4 door sedan 2FACP71W7PX179370
92	FORD	4 door sedan 2FACP72W2NX229329
92	FORD	4 door sedan 2FACP72W3NX229337

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is also granted for Administration to sign for the transfer of title for said vehicles to the successful bidder.

**IN RE: DINWIDDIE COUNTY PUBLIC SCHOOLS
TRANSPORTATION DEPARTMENT – REQUEST FOR
TRANSFER OF TITLE SURPLUS VEHICLES**

Mr. Wayne Huskey, Shop Foreman, of the Dinwiddie County Public Schools Transportation Department requested transfer of title for the following surplus vehicles for use at the transportation shop.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to transfer title to the School Board for the following vehicles to be used by the School Transportation Department:

<u>YEAR</u>	<u>MAKE</u>	<u>VEHICLE IDENTIFICATION NUMBER</u>
1979	Chevrolet/Pickup Truck	CCD149A196040

1991 Dodge/Pickup Truck 1B77HE16Y7MS201539;
and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is also granted for Administration to sign for the transfer of title for said vehicles.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, stated he had provided the Board with his monthly report.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward to present his report for February 2001. He stated the second compactor is operating at Rohoic and McCray Electric is trying to find out why they are overloading and breaking down. He also informed the Board that the backstop at the landfill dumping area is performing very well and it is reducing the amount of spilled and blown garbage.

Mr. Bowman asked if there was any progress in the berm at Rohoic.

Mr. King replied that the berm was tied in with the project at the Airport, since that is where the dirt will be brought from for the berm.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his report.

IN RE: FIRE AND RESCUE ASSOCIATION - REPORT

Chief Charles L. Lewis was not present.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Daniel Siegel, County Attorney, stated he had nothing to report.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Faison came forward stating his report was in their packets and he would comment on any project the Board so desired.

**IN RE: DINWIDDIE BRANCH LIBRARY HEAT PUMP SYSTEM --
BID AWARD**

Mr. Faison told the Board the estimated cost to add the Dinwiddie Branch Library (Old Clerks Building) Building to the Geo-Thermal system proposed for the Courthouse would be around \$10,000. Union Air is the low bid at \$2,950.00 for replacing the 2 ½ ton Heat Pump. He recommended issuing a contract to proceed with the conventional system. The Library Foundation will reimburse the County for this system.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administration is hereby authorized to enter into a contract with Union Air at a sum not to exceed \$2,950.00 for the replacement of the 2 ½ ton Heat Pump System in the Dinwiddie Branch Library Building with reimbursement from the Library Foundation.

IN RE: CHANGE ORDER REQUEST – EASTSIDE COMMUNITY CENTER RENOVATION

Mr. Donald W. Faison, Superintendent of Buildings and Grounds came forward to request Change Order Number 5 for the following described work on the Dinwiddie Eastside Community Enhancement Center:

1. To provide labor, material, equipment and supervision to remove and clean old caulking in and around existing exterior concrete beams and columns on exterior windows and entrances and re-caulk - power wash and paint; for a sum not to exceed \$11,212.83.
2. To remove gravel from existing vent stack, repair pipes as necessary and locate existing sewer line on exterior and point of blockage for a sum not to exceed \$10,020.85.
3. To install additional ice/water shield and aluminum flashing at the valley of the library roof against the vertical wall at the front entrance for a sum not to exceed \$263.42.
4. To delete the ceiling grid and tile in room 16 and move the metal stud wall with ½" sheetrock layer on each side for a reduction of \$500.00.
5. To furnish one (1) Milcor 32" X 32" style UFR metal access door prime painted with a self-latching paddle lock with a spring system closer for a sum not to exceed \$316.89,

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above described work for Change Order Number 5 is hereby approved and authorization granted for the County Administrator to execute same.

IN RE: REGISTRAR – REQUEST TO ADDITIONAL FUNDS FOR PART-TIME HELP

Mrs. Betty Jeter, Registrar, came before the Board and requested some additional funds to pay her part-time help from December to June 2001. She stated the State has added a lot of requirements this year and she needed help everyday. Ms. Jeter continued, more part-time help will be needed prior to the elections and there is going to be a June 12, 2001, Democratic Primary Election. This is a certification year for redistricting; then notification of the polling place changes will have to be sent to the citizens affected by the redistricting. There have been other requirements added also: FEC – requested reports; SBE requested reports; updating of VVRS System due in June; notification of election officials for June Primary; campaign finance training; input for new voter applications. Ms. Jeter explained all of these are in addition to the normal office duties and registration. She requested the Board to approve \$4,700 for part-time assistance for the remainder of FY 2001.

Mr. James Ritchie, Vice-Chairman, of the Electoral Board stated he was here in support of Mrs. Jeter's request for the funds for the part-time help.

Mr. Long said he and Mrs. Jeter had identified \$2,250 in excess funds in her budget that could be transferred to the part-time line item.

Mr. Moody stated according to Mrs. Jeter there may be some other savings in her budget so he recommended approving the \$2,250. If there was a need for additional funding she could readdress the Board at that time.

Upon Motion of Mr. Clay, Seconded by Mr. Bracey, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", authorization to transfer funds from the Board of Elections line items numbered 3310 - \$100; 3500 - \$1,300; 5540 - \$350; 8102 - \$200; and 8212 - \$100; totaling \$2,250 to line item number 1301 extra help is approved for FY 2001.

**IN RE: APPOINTMENTS – CRATER DISTRICT AREA AGENCY
ON AGING BOARD**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. Sarah O. Beville is hereby appointed to the Crater Area Agency on Aging Board, to fill the unexpired term of Mr. William C. Beville, expiring June 31, 2001.

The County Administrator asked if the Board had any nominations for the Crater Disabilities services Board.

Ms. Russell informed the Board that an ad had been placed in the Monitor for citizens to apply for the appointment on the Crater Disabilities Services Board and the closing date was March 28, 2001 for the applications.

After further discussion the Board deferred action on the Crater Disabilities Services Board appointment until the April 4th Board Meeting to allow any citizen an opportunity to get their application in if interested in serving.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated he had enclosed a copy of the Governor's final budget actions. For the first time in Virginia's history the Governor balanced the budget by himself. There is a veto session scheduled for Wednesday April 4th.

**IN RE: AUTHORIZATION TO PAY PART-TIME HELP –
COMMISSIONER OF THE REVENUE OFFICE**

Mr. Long stated the same issue the Board just addressed with Mrs. Jeter, has occurred with Mrs. Marston, Commissioner of the Revenue, who got a similar letter. As of the end of February her extra help category had been overspent \$1,200. The average part-time payroll is in the neighborhood of about \$5,000 a month. However, unfortunately, Mrs. Marston has not contacted the Administration Office in response to the letter. Mr. Long stated out of fairness, through this month, those folks have worked and need to be paid. He asked the Board to authorize payment to the part-time help, for the month of March, to be paid out of other categories in her budget where funds remain at the discretion of Administration. Also Administration will notify the part-time employees with their checks for this month that until the Commissioner notifies Administration where the additional funds will come from there will be no funding to continue those positions. Such funds are to be identified by her and brought to the Board for approval. Obviously, at this point, we have no figure for those funds but authorization is needed by Administration to make payroll.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization for the Administrative Staff to pay the part-time help for the month of March in the Commissioner of the Revenue's Office was approved; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that said funds be paid out of categories within the Commissioner's budget at the discretion of the Administrative Staff.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Ms. Ralph, Assistant County Administrator, brought to the attention of the Board that a date needed to be decided on for the Public Hearing to adopt the budget for FY 2001 – FY 2002. The Board directed Ms. Ralph to advertise at the same tax rate as last year, \$.79 per \$100 of assessed value, and hopefully when budget figures are in the rate could be lowered. At this time, the Commissioner has not certified the final values and, therefore, the budget cannot be finalized.

After further discussion it was decided by the Board to set the date of April 25, 2001 for the Public Hearing on the budget and tax rates and if it could be done earlier Mrs. Ralph would let the Board know. The adoption would then be May 2, 2001.

IN RE: BOARD MEMBER COMMENTS

- | | |
|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mr. Clay | No comments. |
| Mr. Haraway | <p>He stated at the last Board meeting during the comments we talked about Landmark and their prices on the Route 1 Corridor Study and Mr. Long was going to get back to the Board regarding his findings on those issues.</p> <p>Mr. Long stated the initial price on the comprehensive plan update was decreased \$4,500 up front. The contract amount was for \$39,500 versus what was on the sheet for \$44,000. The project was bid as RFP's and cost was only one factor of several that were taken into consideration by a committee of 5 or 6. The next price was at \$23,740 and the committee felt Landmark was worth the \$16,000 difference based on the presentations that were given.</p> <p>Mr. Scheid added that with the low bid, the committee felt there would be add-on costs as the project developed.</p> <p>Mr. Haraway stated ok.</p> |
| Mr. Bracey | He stated his concern on auto graveyards. He asked Mr. Thompson if there was anything the Board could do to help? Mr. Thompson replied he was extremely busy trying to cover his old position as the compliance officer and the zoning position he has now. He stated he is hoping in the near future a replacement will be hired for the compliance officer position. |
| Mr. Bracey | He asked the County Administrator to ask the Sheriff what the results were of him setting up the radar on Courthouse and Boisseau Road due to speeding and so forth. |
| Mr. Bowman | <p>He stated he would like to find funding for the corridor study for Route 1.</p> <p>Mr. Long stated that there was an appropriation of \$60,000 in the 2001 budget that was originally put in there for the comprehensive land use plan study. The combination of both projects would still fall under that \$60,000; the only difference being the consultant has recommended regardless if you go with the Route 1 study, you should do</p> |

that after you finish the comp plan. They should be done separately. Since the funds are in this years budget, the Board would have to transfer those funds from the 2001 FY budget into the 2002 FY budget to finish both of those projects.

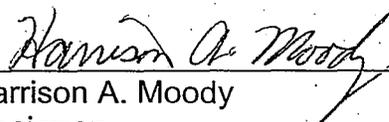
**IN RE: TRANSFER OF FUNDS -- \$60,000 -- FROM FY 2001 TO
FY 2002 -- FOR COMPREHENSIVE LAND USE PLAN AND
ROUTE 1 AND ROUTE 460 CORRIDOR STUDY**

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

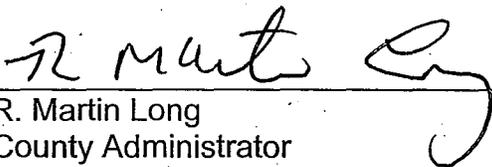
BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the balance from the professional service line item from the 2001 planning budget be carried over to the FY 2002 budget to be designated for the Comprehensive Land Use Plan Study first and then the balance to be used to include the Route 1 and Route 460 Corridor Studies.

IN RE: ADJORNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 5:15 P.M.



Harrison A. Moody
Chairman.



R. Martin Long
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE MEETING ROOM OF THE NOTTOWAY RESTAURANT IN DINWIDDIE COUNTY, VIRGINIA, ON THE 21st DAY OF MARCH, 2001, AT 12:00 P.M.

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

IN RE: CALL TO ORDER

Mr. Harrison Moody, Chairman, called the continuation meeting to order at 12:22 P.M.

IN RE: CLOSED SESSION

Mr. Bracey moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

The purpose of the closed meeting is to discuss subject matters identified as Personnel. Matters to include:

- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia**, (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Appointments; Board of Supervisors; Commissioner of the Revenue; Registrar
- **Real Property, Sec. 2.1-344 A.3 of the Code of Virginia** - (acquisition of real property for public purpose OR the disposition of government owned property where public discussion would jeopardize the County" or Town" bargaining or negotiating position) acquisition of property.

Mr. Haraway seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 12:22 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 12:45 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye". This Certification Resolution was adopted.

IN RE: RECESS

Mr. Moody called for a recess at 12:46 P.M.

The Board moved to the Pamplin Administration Building Board Meeting Room and reconvened at 1:15 P.M.

IN RE: CLOSED SESSION

Mr. Bracey moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

The purpose of the closed meeting is to discuss subject matters identified as Personnel. Matters to include:

- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Appointments; Board of Supervisors; Commissioner of the Revenue; Registrar
- **Real Property, Sec. 2.1-344 A.3 of the Code of Virginia** - (acquisition of real property for public purpose OR the disposition of government owned property where public discussion would jeopardize the County" or Town" bargaining or negotiating position) acquisition of property.

Mr. Haraway seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody 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 at 1:50 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon Motion of Mr. Bowman, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye". This Certification Resolution was adopted.

RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the meeting adjourned at 1:50 P.M.


Harrison A. Moody, Chairman

ATTEST: 
R. Martin Long
County Administrator

/abr

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 4th DAY OF APRIL, 2001, AT 7:30 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Harrison Moody, Chairman, called the regular meeting to order at 7:30 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the agenda.

Mr. Long stated there were two changes under Agenda Item # 5 – Claims – Approval for a Manual Check; Immediately after Agenda Item # 6 Citizen Comments add a Closed Session before Item # 7 to discuss Personnel; Sheriff's Office; and then come out and discuss the grant for the School Resource Officer.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above amendments to the Agenda are hereby approved.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the March 21, 2001 Continuation Meeting, and the March 21, 2001 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Bracey, Mr. Moody 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 1024844 through 1025024 (void check(s) numbered 1024844, 1023530, 1025009, 1025011 and 105025 (never issued)); for:

Accounts Payable:

(101) General Fund	\$ 329,225.74
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 1,100.20
(223) Self Insurance Fund	\$ 12,381.75
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$ 134.96

(228) Fire Programs & EMS	\$ 6,298.74
(229) Forfeited Asset Sharing	\$ 356.26
(304) CDBG Grant Fund	\$.00
(305) Capital Projects Fund	\$ 206,413.72
(401) County Debt Service	\$ 2,906.15

TOTAL \$ 559,435.27

PAYROLL 03/30/2001

(101) General Fund	\$ 373,355.20
(222) E911 Fund	\$.00
(304) CDBG Fund	\$ 3,180.80

TOTAL \$ 376,536.00; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Accounts Payable to issue a manual check to Crime Solvers for three Board members and the County Administrator to attend the yearly banquet in the amount of \$72.00

IN RE: CITIZEN COMMENTS

Mr. Moody asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting.

The following citizens signed up to address the Board:

1. Mr. Jo Hoggood, 4306 Sunset Drive, Petersburg, VA 23803, came forward asking the Board for some tax relief. He said he had been to the Equalization Board and they stated as long as everyone around him was being shafted there was nothing they could do. Mr. Hoggood stated, you the Board, are the only ones that can give the citizens some relief. He continued you, the Board, are the only people that can control this situation. You call the shots, he asked the Board to lower the tax rate on real estate so the property owners in this County are not the ones carrying the burden of supporting the Government in this County. He continued, I have a dog and have to buy tags for him, taxes, buy rabies tags for that dog, taxes. He said he had to fence his yard in because the leash law won't allow his dog to roam the neighborhood; He had to buy that fence, then the County taxes him for the fence to keep the dog in. He stated he wanted an ordinance on cats that roam the neighborhood and tear his property up. The cats owners don't buy tags, don't have to buy rabies tags, and their owners aren't required to keep them leashed. The animal control folks don't have the authority to control these cats because there is no ordinance to ban cats from roaming the neighborhood. He asked the Board to pass an ordinance to control roaming cats.
2. Mr. Alvin Blaha, 10149 Squirrel Level Road, Petersburg, Virginia, came before the Board stating he was here to talk about the School Resource Officer. He said he didn't have any children in the Middle School but he has a Granddaughter there and one on the way. He stated he is concerned about what is happening in our schools today. Continuing he stated he is the past president of Dinwiddie County Farm Bureau. He came here tonight as a concerned citizen and also speaking in behalf of the Farm Bureau. As a resident of the county for 55 years, the youth of Dinwiddie County has been the number one priority for the Bureau. Funds have been contributed to various activities involving the youth since the time he came on the Board 15 years ago. These activities include the 4-H, FFA, the Dinwiddie Library, and the Dare programs. He stated the Farm Bureau strongly urges the Board to approve the School Resource Officer at the Middle

School. Mr. Blaha continued and quoted an evaluation report of the SRO Program, 76 of the 90 Counties and 34 of the 40 Cities in Virginia have the program. 94% of the people interviewed on the evaluation of the program approved and supported it. Not a single school who has tried the program has dropped out it. He cited several cases where the SRO provided protection to the children and prevented death in some cases. He continued, for the argument, when the grant runs out most of you are businessmen and so am I he stated. He said he would love to have someone to fund $\frac{3}{4}$ of a program or piece of equipment so he could try it for one year to see if you liked it or not. He said we owe our youth every tool and opportunities they need to make it possible for them to successfully complete their education. Remember our youth are the future of Dinwiddie County and without them everything else we do is for nothing. He reiterated, the Farm Bureau hopes that the Board will fund the SRO Program and apply for the grant.

3. Mrs. Joyce Harvell, 5620 Trinity Church Road, Church Road, Virginia, representing the Safe and Drug-Free Schools Advisory Council, appeared before the Board and stated she was here tonight about the School Resource Officer at the Middle School again. She asked Mr. Moody, Chairman of the Board, if she could share some handouts with the Board. Ms. Harvell stated she wanted to highlight some of the important points. Issues relating to the proposed SRO in Dinwiddie Middle School vs. High School. Last school year (1999-2000), the number of incidents resulting in suspensions were: 170 at the High School; 367 at the Middle School – more than twice as many. This is in with what our committee believed to be true, based on what we hear from parents and students – the problems are more numerous at our middle school. The report of the Virginia Department of Criminal Justice Services (DCJS) cites a survey of school districts having SRO's. The SRO's kept records of incidents that violated the Code of Virginia, everything from vandalism to bomb threats to disorderly conduct. The average share of incidents per grade at the middle schools in Virginia was greater than the average share of incidents per grade at the high schools. Statistics on the Effectiveness of SRO's, from the DCJS report, the surveys of 2,067 school staff members (at schools that have SRO's) – 90% checked that they strongly support having an SRO at their school. 6% support having an SRO. 4% were neutral, because they had had only limited contact with the SRO. (When contact increased, such as having the SRO do a presentation in their classroom, support for the SRO increased.) Were the SRO's able to resolve some situations before they became "reportable incidents"? Yes – the SRO's surveyed referred to threats of violence, arguments, racial slurs, bullying, the reported building of a bomb, suicide attempts, attempted larceny, pornography, and sexual harassment. The SRO's in Virginia cited the number of times they intervened in situations like these, preventing violence or crime before it occurred. On the average, each SRO in Virginia was able to prevent an average of 19 incidents per quarter, many which could have led to violence in the schools. In summary the last line of the DCJS report reads: "In sum, Virginia's grant-funded, state-administered SRO programming was found to be increasingly professional, strongly endorsed by students and staff, and vitally active as a force against school-based crime." Mrs. Harvell stated the comments of the SRO's really made her think about some of the things she has heard about our Middle School. A parent came to a committee meeting lately and shared about the fighting that goes on at the Middle School. The parent's son came home and told about a recent day in which fights were breaking out all around him, in the cafeteria, as he attempted to eat his lunch. He thought the whole place was going to end up in one big riot. Continuing she stated, now you and I don't want to eat our lunch in that kind of environment and we shouldn't expect our children to do that either. Ms. Harvell said if the Board does not see fit to vote for the

grant, we will apply for the grant again next year and hopefully receive it. If for some reason we don't, then we will have to start looking for different options about funding. She stated she would be interested in doing some research this year and find out what the other counties do when grant money runs out, what they do for funds. She said there is no need in reinventing the wheel, when 76 other counties are already dealing with this issue. If they are handling it successfully and she believed the other counties are; then Dinwiddie can do it as well.

4. Mr. F. W. Abernathy, Jr., 18616 McKenney Highway, told the Board he had spoken to Steve Muscarello about the possibility of putting a tower on his property. Mr. Muscarrello informed him that if the conditional use permit did not pass at the AME Zion Church he would submit his property as a location. Mr. Abernathy stated he has lived in the county all his life with the exception of 2 ½ years when he was in Georgia working for the Brown and Williamson Tobacco Company. He left them after 15 ½ years of service and came back to Dinwiddie County to live. He expressed his concern about extending the height of the existing tower at Zion Church. At the present time, he continued the tower is not illuminated. But if it is extended it will be lighted, plus you will be opening Pandora's box. He asked the Board if they wanted to be remembered for approving one of the tallest illuminated towers in Dinwiddie. Mr. Abernathy stated in the Planning Commission meeting Mr. Gilbert Wood made a statement that you had to look hard to find a tower along I-85. He admonished the Board to do it again and let's not hit that sore thumb and make it bigger and brighter.
5. Mrs. Anne Scarborough stated she was here tonight to address two issues; taxes and some additional information that was in the Wall Street Journal about Adelpia. She stated she wanted the Board to think about reducing our taxes for 4 or 5 reasons. She reminded the Board that last year they balanced the budget and increased our tax rate 5 cents and said you did not need 5 cents to balance the budget. She said she felt that was an overcharge. So the Board should reduce it this time. Industry should reduce taxes; we have WalMart and Chaparral Steel two good ones, but have the citizens seen any reduction. No. Reassessment, the newspaper said it was increased approximately 18% and that is ridiculous. She stated she looked it up last night, of the 95 counties in Virginia there are only 22 counties with tax rates higher than 79 cents. There is something wrong if 4/5 of the counties can operate on less. Dinwiddie must be spending too much or we have something we want to do and we are trying to pad the kitty. So the Board should think about it, according to the tax book that was just mailed to her this year 22 counties are above 79 cents. Mrs. Scarborough stated the airplane tax. It is unfair when you tell me that if I own a plane in this county my tax rate is 50 cents. But if someone needs a roof over their head you want them to pay 79 cents. She asked the Board which is more important, flying around in a luxury craft or living in a home. Continuing she stated that the Board could raise airplane taxes some and she felt no one would leave because of it. Mrs. Scarborough stated the Commissioner of the Revenue told her today there were approximately 102 planes at the airport. She asked the Board to decrease the 79 cent real estate tax rate because they owed it to the citizens. Adelpia, she admonished the Board not to sign a long-term contract with them. Do it semiannually or yearly. Ms. Scarborough said most of the people would agree that the Wall Street Journal is a very respected newspaper. This week in the digest of corporate earnings report, dated April 3, 2001, income from operations, and this is in the millions, for the December quarters it was 244.1. Just a year ago it was 547.6 in the millions. Per share the December quarter the previous year was a 1.05 loss; the current 1.03 loss, you can see the increase for the year. The previous quarter this year 3.88; last it is now 4.55. Lastly, Adelpia fell 2.81 to 3769 on NASDAQ's posted figure. 4th quarter results warn that it's fiscal 1st quarter results

may show pressure on its margins. She stated she did not know many people who traded in the stock market that if you talk about margins you could lose your shirt sometime. But this was also in the Wall Street Journal so if you think about it how is Adelpia going to improve anything in Dinwiddie County. She asked the Board to find out what they are going to do. How soon they are going to do it; because if someone is losing money like that it certainly can't do much for expansion in Dinwiddie. Mrs. Scarborough asked the Board not to sign a five-year contract. Make Adelpia produce first.

6. Mrs. Angelia Orrell, 16563 Tree Road McKenney, appeared before the Board to comment on the SRO. She stated she supported the hiring of the SRO for the Dinwiddie Middle School for the 2001-2002 school year. She stated the Middle school is a community of 1,000 students and over 100 staff. According to a Virginia State Police School Safety Program school safety is public safety. School safety leads to greater community progress. School safety relates to higher student achievement. Student and Staff deserve to be free from the intimidation of crime and violence in schools. The SRO provides security, acts as a mentor, model and teacher. Mrs. Orrell requested a committee be formed consisting of school, community and law enforcement experts in regard to the hiring of SRO's because she believes this process will require unique consideration. Our children are our greatest resource and she respectfully asked the Board to fully support applying for the grant.

IN RE: CLOSED SESSION

Mr. Clay moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Personnel of Sheriff's Department to discuss performance of certain County employees regarding the handling of official duties specifically the School Resource Officer application process.

Mr. Haraway seconded the motion. Mr. Bracey, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 7:55 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 8:20 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were

identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye". This Certification Resolution was adopted.

IN RE: SCHOOL RESOURCE OFFICER – GRANT APPLICATION

Mr. Long informed the citizens that the Board is very supportive of doing everything possible to make our schools more safe and effective in the County. In all fairness, however, the Board is very concerned by the way the request to apply for the grant funding for the SRO has been handled. The request did not come through the established procedure as other departments and agencies had to follow this past January. Therefore, the Board did not have complete information nor did it have time to sit down with the Sheriff, the safety committee or school administration to have a detailed discussion so they could understand the need as well as the functions of the position. The Sheriff came before the Board at one meeting and they were asked to look at it and come back to the next meeting and vote on it. Never the less, the citizens of this county have signed a petition requesting that the Sheriff be allowed to apply for this grant and that the County provide a 25% match. If this grant application is authorized tonight, and if the grant is awarded to the Sheriff, the Board of Supervisors would like for the citizens to understand the following: This is a grant funded position and when the grant funds are no longer provided, this issue will need to be reevaluated. The Sheriff and the School system are totally responsible for the grant, its requirements, and its financial reporting and accountability. The Sheriff is totally responsible for the requirements for hiring the individual, and most of all, for the actions of this individual in fulfilling the job duties of the position. Continuing, he stated since there has been some questions about the need for a Dare Officer as well as the Resource Officer both. The School Administration is directed to conduct a through review of the effectiveness of the Dare Officer position during the first year of this School Resource Officer position. Based upon those results, the Board will determine whether both positions will continue to be funded when the grant is considered for renewal. Any approval given tonight is only to authorize submission of an application and that was one point that the Board feels is necessary to make very clear. This is in fairness to the citizens. Sometimes when information gets shared with folks they get very interested and rightfully so; then they get excited about a position like this. But, he wanted to make certain that the public understands this is authorization to apply for a grant to get the position. If the position is obtained, the announcement would be for the July 1, 2001 new fiscal year. Acceptance of the grant, appropriation of funds and final approval of the individual that will be placed in the position requires further action by the Board of Supervisors.

Mr. Moody asked if the Board members had any questions or comments before making a decision on this issue.

Mr. Haraway stated he felt the Board had supported the School Resource Officer position from the start. But there has been some concern about the high price tag associated with the position. With the price tag being \$48,000 he stated he realized the County's cost is only \$14,000 as long as the grant is in force. But we all know that the grant will probably only last one or two years. At that time, the County will be forced to handle the whole tab once the grant is no longer afforded to us by the State. With this in mind, he stated he would make the motion that the amount be reduced from \$48,000 to \$36,300 in the grant and go ahead and apply for the grant with that price stated on the application.

The motion was seconded by Mr. Bracey.

Mr. Bracey asked for clarification on the motion.

Mr. Moody responded the motion was to apply for the grant with a cap of \$36,300 and it would be a mid-level type position. Mr. Moody called for the vote.

Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye",

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby grants authorization for the Sheriff's Department to apply for the grant with the above stipulations.

IN RE: EMERGENCY ORDINANCE - EXTENSION OF CABLE TELEVISION

Mrs. Ralph advised the Board that an emergency ordinance dealing with the extension of the cable television franchise needed to be adopted. The staff is negotiating on some very valid points that were brought up at the public hearing, one that was repeated here tonight; and there has been some language resubmitted to Adelpia's attorney's to consider. Therefore the Board needs to adopt another emergency ordinance that would extend the current franchise for 60 days from the date of adoption, which would be tonight and the ordinance would be effective immediately until this language can be finalized. No public hearing is required.

AN EMERGENCY ORDINANCE TO PROVIDE FOR THE EXTENSION OF CHAPTER 7 OF THE DINWIDDIE COUNTY CODE GOVERNING CABLE TELEVISION SYSTEMS

WHEREAS, Chapter 7 of the Code of Dinwiddie County governs the operation of a cable television system in Dinwiddie County (**the "County"**) by SVHH Cable Acquisitions, LP d/b/a Adelpia Cable Communications (**the "Company"**); and

WHEREAS, representatives of the County have negotiated for months with representatives of the Company concerning the terms of an ordinance to renew the Company's cable television franchise in the County; and

WHEREAS, the Company has agreed to the short-term extension of the present ordinance pending the completion of such negotiations and adoption by the County of a new ordinance, and the Board of Supervisors of the County (**the "Board"**) has held a public hearing on the same on March 7, 2001; and

WHEREAS, the Board of Supervisors has determined that a short-term extension of the present ordinance should be adopted on an immediate and emergency basis pending the consideration of a new ordinance, in order to promote the health, safety and welfare of County citizens.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA:

1. The terms of Chapter 7 of the Dinwiddie County Code governing cable television systems in the County shall remain in effect sixty days from the date of adoption of this emergency ordinance.
2. This ordinance is effective immediately, is adopted on an emergency basis, and the terms of this ordinance shall not be enforced for more than sixty days from the date of adoption without re-adoption in conformity with the provisions of the Code of Virginia.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the emergency Ordinance to provide for the extension of Chapter 7 of the Dinwiddie County code governing cable television systems as stated above is hereby adopted.

IN RE: PUBLIC HEARING -C-00-06-MID-ATLANTIC TOWERS

Mr. Long stated the public hearing for this case was heard at the March 7, 2001 Board meeting. Therefore action to approve or disapprove conditional use permit # C-00-6 is all that is required.

Summary Staff Report

File: C-00-6

Applicant: Mid Atlantic Tower

Property Address: Hamilton Arms Road, DeWitt, VA

Acreeage: 152 acres (a 6.8 acre part thereof)

Tax Map Parcel: 70-2

Zoning: Agricultural, general A-2

The applicant, Mid Atlantic Tower LLC, is seeking a conditional use permit to construct a 330' tall guyed wire telecommunications tower on the north side of Route 650, Hamilton Arms Road, approximately ¼ mile east of I-85. The Commissioner of the Revenue designates the parcel as Tax Map/Parcel 70-2. The applicant will be leasing approximately 6.8 acres of the 152.7-acre tract of land. The land is generally located in the DeWitt area and is in the James A. Boisseau Estate.

The Planning Commission reviewed this case at their December 13, 2000 meeting. The Commission expressed several concerns regarding this request. There were citizens in attendance in opposition to the issuance of the conditional use permit. On a vote of 6-1 (Mr. Titmus voting nay), the Planning Commission recommended to the Board of Supervisors disapproval of the conditional use permit C-00-6.

This case was scheduled to be heard by the Board of Supervisors at your February 7th meeting. Upon the request of the applicant, the case was rescheduled to be heard by the Board at the March 7th public meeting. The Board deferred action on the case to the April 4, 2001 meeting.

NOTE: On February 14th the Planning Commission heard a conditional use permit request submitted by NTELOS for an extension of the existing Sprint tower located at the A.M.E. Zion site in the Dinwiddie Courthouse area. The existing tower is at a height of 192'. The request of NTELOS is to extend the height of this tower to 250'. A memo written by Joseph Tauchen, an RF Manager with NTELOS, dated 11/20/00, states "The Sprint tower located on Lundy's Road was evaluated at the available height of 169'. The CW drive test showed broken coverage to the north and poor coverage beyond 2 miles to the south. This location is desirable, however, the available height of 169' will not provide connecting coverage to the adjacent sites. ...If Sprint extends this tower and NTELOS places its antennae higher than 200', this location will satisfy the coverage requirement." The Planning Commission conducted the public hearing but, with the consent of NTELOS, delayed a vote on the request until the March 14th meeting in order to review information presented at the meeting. A statement was made at this meeting that could have a bearing on C-00-6. Mr. Muscarella stated that if NTELOS could locate their antennae at a height greater than 200' in the Dinwiddie Courthouse area under consideration, then NTELOS could use the Alltel site located south of DeWitt to cover I-85 in the DeWitt area. This would eliminate their need to locate antennae on the Mid Atlantic Tower site proposed adjacent to Hamilton Arms Road.

Mr. Moody asked the Board if there were any questions or comments.

Mr. Moody called for a motion from the Board.

Mr. Bracey moved to deny the conditional use application (C-00-6) for the following reasons:

1. Many of the residents in the area spoke out against the construction of another tower in the DeWitt area. There is a telecommunications tower less than $\frac{3}{4}$ miles from the proposed site and there is space available on the tower.
2. The area to be served by the proposed tower is already served by other wireless service providers.
3. None of the providers who have signed leases for space on the proposed tower have demonstrated a need for this new tower.
 - a. The Telpage and Telpage Internet propagation maps provided to the Planning Department show that these providers already serve the area.
 - b. The County just approved a 330" tower in McKenney. All three providers have entered into leases for this facility. Telpage and Telpage Internet will be able to serve the DeWitt area from this location.
 - c. NTELOS has stated that the DeWitt tower will not be necessary if the AME Zion tower is approved.
 - d. NTELOS has other sites on which to co-locate. Alltell, AME Zion, and McKenney towers have available spots for co-location that are in the 150'-175' height range.

Seconded by Mr. Bowman.

Mr. Clay made the statement he didn't know if the existing tower in the DeWitt area would be tall enough to handle all the stuff that we need. That is a small tower not like the one down here at AME Zion; he said he looked at it tonight.

Mr. Moody stated this is tough when these things come up, and he as a landowner personally would like to have a tower on his land because they do pay rent and it would help pay the taxes on the property. But when it comes to the situation where there is a tower in the area; and there are residents who have voiced opposition to it, the Board has to look at these issues, before a decision is made.

Mr. Moody called for the vote.

Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", Mr. Clay voting "Nay" conditional use permit C-00-06 is denied as listed above.

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

Mr. William C. Scheid, Planning Director, came forward to make the following statement prior to the Public Hearings.

"As previously requested by the Board of Supervisors, Draft copies of the Planning Commission Meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting room. The purpose of doing so is to expedite the hearing process without compromising the publics' access to pertinent information. It is noted that the Board has been given various information on all of the hearing(s) to include, the application, zoning map, adjacent property owner list, locational map(s), proffers (if applicable), soils data, comprehensive land use maps and references, etc. With this information noted, I will proceed with the case(s)."

IN RE: PUBLIC HEARING – C-01-1- NTELOS/SPRINT PCS

This being the time and place as advertised in the Dinwiddie Monitor on March 21, 2001 and March 28, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on and to propose for the issuance of a conditional use permit submitted by NTELOS and Sprint PCS to increase the height of the existing telecommunications tower located on the A. M. E. Zion Church property from 192' to 250'.

Mr. Guy Scheid, Director of Planning read the following excerpts summary.

Planning Summary Report

File: C-01-01

Applicant: NTELOS and Sprint PCS

Property Address: 18626 Lundy's Road, Dinwiddie, VA 23841

Acreage: 113 acres

Tax Map Parcel: 57-83

Zoning: Agricultural, general A-2

The applicant, NTELOS and Sprint PCS, have requested a modification of the conditional use permit C-98-6 in order to increase the height of the existing telecommunications tower located on the A. M. E. Zion Church property from 192' to 250'. NTELOS wishes to provide telecommunications services along the I-85 corridor. They have reviewed the available height on the existing A.M.E. Zion site and determined that they needed to extend the tower if they are to obtain the coverage they seek in the Dinwiddie Courthouse area.

The Planning Commission heard this case at their February 14th and March 14th public meetings. After the staff report and the presentation by NTELOS, the Chairman opened the meeting for citizen comment. No one in attendance spoke on this request. The Chairman closed the public hearing portion of this case. After discussion among the Commissioners, action on this case was tabled until the March 14th meeting since a few questions and/or statements were made that required additional action. This action was acceptable to the applicant. The concerns were: follow-up on contacts made by NTELOS regarding neighborhood response to their request; and further contact with the Public Safety Director regarding future need for the tower. At the March 14th meeting, it was reported that Mr. Wood contacted several neighbors and they did not object to the tower extension. Mr. Scheid stated that his conversation with the Public Safety Officer revealed that this tower was not presently needed but could be needed in the future. If such a need arose, the tower height needed would be at 300'. It was noted previously that the study conducted by NTELOS engineers revealed that a height of 200' or greater would satisfy the communications needs for them in the Dinwiddie Courthouse area. With the above in mind, the Planning Commission voted (5-1) to recommend approval of the conditional use permit subject to the conditions previously imposed and the following conditions attached:

1. The tower height shall be limited to two hundred ten (210) feet; The extension of the tower will be such that it will be able to support the weight, wind and ice loads associated with the extension to three hundred (300) feet and carrying at least three (3) other antenna arrays; and
 2. NTELOS will provide dual lighting which consists of red lights at night and flashing white lights during the day. Additional, NTELOS will install a lighting system which uses fresnel lenses designed to focus approximately 90% of the light generated towards the horizon and upward to minimize the amount of light visible from the ground.
-

Mr. Moody asked if the Board had any questions for Mr. Scheid.

Mr. Bracey asked in this request was there any other parcels of land presented or sites presented to these individuals to be looked at?

No Sir, replied Mr. Scheid, none were presented to the Planning Commission.

Mr. Long informed the Board that Mr. Scheid had gotten some information late yesterday. He stated the request came from NTELOS and the original application requested an extension of the existing 192' tower to a new height of 250' above ground level. At the March 14, 2001 public hearing the Planning Commission approved a motion to increase the tower to 210' above ground level, based on additional information developed and presented by NTELOS. The request from NTELOS is to extend the tower an additional 10' which would bring the tower height to 220'.

Ms. Roma Sein, Attorney, stated she was here on behalf of the applicant NTELOS. She stated she was here to request approval of NTELOS conditional use permit application request for an extension of the existing Sprint tower at the AME Zion Church property. She explained to the Board that the reason for the original request for the 250' height was to provide for co-location opportunity to the County as well as space on that extended tower for two additional wireless providers. In order for NTELOS to provide acceptable PCS coverage along the I-85 and Route 1 corridor in this portion of the County, NTELOS needs to mount its antennae on a structure at a minimum height of 210' to provide connecting coverage to the planned NTELOS adjacent sites to the North and the closest one to the South. After the Planning Commission meeting on March 14, 2001, NTELOS learned that due to the structure of the tower it is not designed to be extended precisely to 210' in height. So to provide a usable space on the tower, if extended, and to maintain the structural integrity of the tower as required by the development conditions, NTELOS must extend the structure by two tower sections. The actual tower is 190' with a lightening rod that extends 2' so that is why it is considered a 192' structure. The next two sections of the tower are designed for a 10' and 20' section bringing the total tower height to 220' for a total of a 30' extension. For this reason she requested that the Board approve at least a minimum extension of the tower to 220' and then NTELOS could mount their antennae at a minimum height of 215'. She stated that the proposal presents a good opportunity for co-locations on an existing structure as encouraged by the County's Ordinance. Continuing she said when choosing new site co-location it is always of course the first and best method or option for NTELOS. Ms. Sein continued with details of why co-location is preferred rather than building new towers. Stating it would have less impact on the surrounding community and adjacent property owners than would locating a second new tower on another parcel in this same neighborhood. It would also satisfy the goals of the County Zoning Ordinance. NTELOS does agree to the development conditions set forth at the Planning Commission. Ms. Sein stated the adjacent property owners were contacted and no one had any objections. Ms. Sein stated Mr. Abernathy's objection to the lighted tower at the AME Zion Church site was possibly because their alternate selection was his property and he would not benefit financially if they co-located at AME Zion. Also, his land is fairly close to the existing tower and it would still have to be lighted. She respectfully requests that the Board approve NTELOS conditional use permit to extend the tower by at least 30' or as originally requested up to 215' in height.

Mr. Steve Muscarella representing NTELOS stated he would like to clarify the height of the tower. When NTELOS did the network design and tested the area with the foliage along I-85, it was determined that the optimal height for the mounting of the antenna for the best coverage of the signal would propagate most efficiently with the most distance would be around 250'-275'.

This gives the maximum footprint without losing signal before handing off to the next site. So when they looked at this structure that is where the 250' came from. There were discussions with the County about their needs and your height requirements so that was considered also. NTELOS put in the application to mount our antenna slightly below 250' to allow room for the County to mount its antenna at that level; or if the tower needed to be extended in the future NTELOS would not have to relocate its antenna. At this height it would allow future extensions without disrupting service. At 210' NTELOS's coverage is compromised and in-building service here at the Courthouse might be unobtainable particularly in the back building at the lower heights. Continuing he stated because of the structural design of the tower the sections are preplanned to go up in segments. The next section of the extension to be attached to the tower is a 10' section. This would bring the actual tower to a height of 200'. That does not give enough separation from Sprint's antenna mounted at the top at 192'. If NTELOS mounted its antenna at 200' the distance between the two antennae wouldn't be great enough to keep from having interference; thus, the reason for the minimum separation from their antenna. The next section planned for this tower is a 20' section that would bring the tower height to 220'. NTELOS is requesting to mount their tower slightly below that to allow space for working on the tower extensions in the future without disruption of service. Mr. Muscarella stated the alternate location if unable to use the AME Zion tower would be the Abernathy property. The scenario might be the opposite of the decision that the Board just made. There is a structure here and a structure at the other location denied; if we proposed another structure at this location he felt the Board's decision would be the same. He stated that NTELOS is not in the business to build towers when there is a structure already in place and it would be much more economical to use it and it would serve the County's best interest to utilize those structures.

Mr. Moody stated he had a couple of questions. How many feet is the span or section at the top on the present tower?

Mr. Muscarella stated it appears to be a 10' section and the next section to go above that is a 10' section also.

Mr. Moody asked could you take off a 10' and add a 20' or something to make it work?

Mr. Muscarella responded the way these towers are structurally designed the flanges and bolting plates for one section, which is bolted to the next section, there is certain amount of strength and calculations that go into each section as they bolt up. If NTELOS were to try to redesign it, the whole tower would have to be redesigned. In order to take that 10' section off both carriers below it would have to be displaced.

Mr. Moody said what is the tax revenue to the County?

Mr. Muscarella stated a full sector site as proposed here ranges somewhere around \$200,000 to \$225,000 for the cabinets, radios, and the antennae. That does not cover the tower section which is minimal and run probably around \$25,000 to \$30,000.

Mr. Moody asked who is responsible for paying the taxes?

Mr. Muscarella stated Sprint is. The carriers lease space from them and foot the bill for their equipment and then it is turned over to the builder. Sprint has a lease-hold interest on that property and is responsible for the personal property taxes.

Mr. Bracey asked approximately how much money is this tower going to put in the Treasurer's Office?

Mr. Muscarella replied I am not qualified to answer that question.

Mr. Bracey asked about the safety of this tower. He said he was surprised that the people in the Church would even allow NTELOS to put the tower so close to the Wellness Center being built. Mr. Bracey stated he would not like to see the tower extended because of safety reasons. Mr. Bracey asked if there is a storm and the tower fell down, who is responsible for the damages?

Mr. Muscarella replied that the all of carriers have to carry up to \$2 million dollars worth of insurance, per occurrence, on their equipment.

Mr. Bracey said this tower is not isolated and you can see it. What's your next request?

Mr. Muscarello responded 250'.

Mr. Bracey stated the people in the community are not important to you but they are to me. Will there be problems with the folks in the neighborhood using their radios that they have thousands of dollars tied up in. Let's clear the situation up now he said.

Mr. Muscarella stated if they aren't having any problems now the height would not affect it later.

Ms. Sein stated she would like to address Mr. Bracey's concern about the tower being too close to the Wellness Center. The tower when it was originally approved the height was for 300', and the zoning ordinance set-back requirements are 200% of the height of the tower to the nearest residential structure; and in no case less than 400'. So the Wellness Center would not actually qualify as a residential structure.

Mr. Bracey stated he thought the Wellness Center was there first and you define it. Persons are going to be there that take care of themselves. He said he felt the County should look at it again. He continued I am the one who has to look at it every day and when the light starts blinking, we are the ones who have to live with the light. The Church collects their money and you collect your money from the cell phones.

Mr. Bowman stated he had a question for the Safety Director. Would it be a benefit for the County to extend that tower versus the other tower being built?

Mr. Jolly stated to answer the question the Planning Commission asked the same question. If and when the County was to improve their radio system to the 800 megahertz band the need would be to extend that tower to what was proposed back in 1998. But he did not foresee that happening within the next five years. Currently today there is not an advantage to raise that height.

Mr. Bowman said that when we do put in our new system then we would need that height.

Mr. Jolly replied no sir, when we put that in we will only improve our current high-end radio system. At some point from what is happening regionally though the County will have to go to the 800 megahertz band possibly five to ten years out. At that time that site will be looked at for possible extension. The County requested that design of the tower to allow us to extend it to 300'; or we could possibly look for another site that would better suit our needs. However that tower is strategically located in the center of the County and it is a prime site. But again not for the next five years.

Mr. Bowman reiterated but within the next five to ten years the County will have to have a tower of at least up to 300'.

Mr. Bowman questioned is the existing tower 400' from a dwelling. He asked if the tower was there first or the Wellness Center.

Mr. Bracey stated the Wellness Center.

Mr. Moody opened the public hearing.

Mr. Don Morgan, 15116 Courthouse Road, Dinwiddie, Virginia, came before the Board stating he had two concerns. In 1998 he met with the Board and his concerns are the same. He was unable to make the March 14th meeting but in the minutes for the meeting on page 6, it states the applicant discussed the tower with adjacent property owners. He said he is an adjacent property owner and he did not recall being contacted. He said he didn't have a problem with towers, he has one in his back yard, but he does have a cell phone. His concern is frequency. What is the frequency?

Mr. Muscarella replied 1900 megahertz.

Mr. Morgan stated with a frequency that high it would not affect him and he had no problem with the height of the tower. He said he wished he could have a tower that high. He commented he did not speak for the other people in the community.

Mr. Moody closed the public hearing.

Mr. Bracey stated he would like to have some professional review the location and distance of the tower. He requested that the Administrative staff follow up on the County's requirement for design and set back requirements.

Mr. Moody stated he felt that it is important that we take care of the landowners in the County who have been here for years to make sure that there is something in the conditional use permit to make sure the landowner is not responsible for the taxes that are due.

Mr. Bracey questioned if the church could be taxed. He stated this would not be used for the Church so he felt they would be taxable.

Mrs. Katz, County Attorney, stated she would have to see if there was a separate parcel, but the law basically says that "for religious purposes only" would they be exempt from paying the taxes. She stated she would report back to the Board.

Mr. Moody called for a motion.

Mr. Long stated the Board of Supervisors decided to defer voting on any application for a conditional use permit for a telecommunications tower until at least the next Board meeting. This is done in order to afford the board members time to consider the technical and planning aspects of the permit.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the conditional use permit C-01-01 is deferred until May 2, 2001.

IN RE: RECESS

Mr. Moody called for a ten- (10) minute recess at 9:24 P.M.

The meeting reconvened at 9:36 P.M.

IN RE: PUBLIC HEARING – C-01-3 – NTELOS/EASTSIDE PROPERTIES

This being the time and place as advertised in the Dinwiddie Monitor on March 21, 2001 and March 28, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on and to propose for the issuance of a conditional use permit submitted by NTELOS and Eastside Properties (Harrison), are seeking a conditional use permit to construct and maintain a one hundred forty six (146') monopole telecommunications tower, related equipment and improvements for the purpose of mounting wireless telecommunications antennae.

Planning Staff Summary

File: C-01-3

Applicant: NTELOS/Harrison Conditional Use Permit

Property Address: 7407 Boydton Plank Road, Petersburg, VA

Acreage: 23 acres (leased portion, thereof)

Tax Map Parcel: 21-72

Zoning: Business, general B-2

The applicants, NTELOS and Eastside Properties (Harrison), are seeking a conditional use permit to construct and maintain a one hundred forty six (146') monopole telecommunications tower, related equipment and improvements for the purpose of mounting wireless telecommunications antennae. The proposed site is located on the east side of Route 1 in the general vicinity of the new recreation center located at 7301 Boydton Plank Road. The site is identified as Tax Map 21, Parcel 72 by the Commissioner of the Revenue's office and is owned by Eastside Properties (Mr. Herman Harrison). The property is used for commercial purposes with the rear portion undeveloped.

The Planning Commission reviewed this case at their March 14th meeting and voted 6-0 to recommend approval to the Board of Supervisors of the conditional use permit with conditions attached. The conditions to be imposed are those found in section 22-274, General Standards, of the Zoning Ordinance with additional conditions enumerated in the extract of the Planning Commission meeting which reads as follows:

1. The tower proposed by NTELOS shall not exceed one hundred forty six (146') feet AGL in height or penetrate the Dinwiddie County Airport horizontal surface restriction of three hundred forty three (343') feet above mean sea level (AMSL) for the location shown on the construction plans.
2. While this tower is less than 200', if the FAA makes a determination that requires lighting, NTELOS will request dual lighting, which consists of red lights at night and flashing white lights during the day. Additionally, NTELOS will install a lighting system, which uses fresnel lenses designed to focus approximately 90% of the light generated towards the horizon and upward to minimize the amount of light visible from the ground.
3. The applicant, NTELOS, shall allow at least two (2) other wireless telecommunications providers to locate on the tower and site; and shall provide the County, upon request, verifiable evidence of having made a good faith effort to allow such location.
4. NTELOS shall develop the proposed tower site as detailed in the site plan submitted with this application and becoming a part of the conditional use permit.
5. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions.
6. Before obtaining a building permit, the applicant shall submit to the Planning Department the Determination of No Hazard to Air Navigation permit issued by the FAA. The following statements must be contained in the permit: the tower shall have no substantial adverse effect on the safe

and efficient utilization of the navigable air space by aircraft or on the operation of air navigation facilities; the structure would not adversely impact any present or future VFR or IFR terminal procedure; and the structure would not have a cumulative impact on any existing or planned airport

7. NTELOS will provide space to Dinwiddie County, at no cost to the County, to co-locate County communications equipment, if co-location space is available at the time of the County's request.
8. Before obtaining a building permit, the applicant shall post a bond equivalent to the cost of removal of the tower with the Director of Planning.

Mr. Bowman stated it was his understanding on these conditional use permits there is 2 year review requirement, was that correct?

Mr. Scheid responded yes.

Mr. Bowman said what if the review showed that the tower is too close to a residence?

Mr. Scheid replied that the Board would have to amend the conditional use permit. But if they are in violation of the permit, they would be required to bring it into compliance, or remove it. Mr. Scheid interjected that when the Board approved this tower originally having it designed so that it could go to 300'; they knew that were granting an exception under the exceptions provision that they already provide for in any telecommunications ordinance.

Mr. Bowman asked what about the 6 acre parcel at AME Zion Church where the tower may be too close to the property line.

Mr. Scheid stated that the people who build the towers know what the requirements are and know where the location of the towers will be. The code is represented as this and these are the standards they have to abide by. If for some reason, the County does not catch it or it was deliberately shifted, then they would be in violation of the conditional use permit.

Mrs. Katz asked for Mr. Bowman to put in the record which tower he was referring to? Whether it is the present one or the AME Zion one?

Mr. Bowman stated it was just general information he was trying to be clear on both locations what exactly would happen if the towers are located too close to the property line or a residence.

Mrs. Katz stated which tower was the previous question referring to, when he was talking about the property lines she said she believed it was the AME Zion; and she just wanted that to be identified in the records. Just to make sure the records for the current conditional use permit request does not get confused.

Mr. Bowman asked about the present conditional use permit how far does it have to be set back from the property?

Mr. Scheid replied 200% of the height.

Mr. Bowman stated he would prefer to see the tower located on County property behind the Eastside Recreational Center generating funds for the County.

Mr. Moody replied he wouldn't mind the County getting more revenue like that but the present request is for the location behind the mini-warehouse storage building.

Mr. Bracey commented this location is way back in the trees, isn't that right?

Mr. Scheid replied yes.

Mr. Bracey asked, can you see it from the road?

Mr. Muscarella responded you can see the top of it but not the bottom. The location of the tower is closer to I-85 than it is to Route 1.

Mr. Moody asked the applicant to come forward.

Ms. Roma Sein, Attorney, stated she was here on behalf of the applicant NTELOS. She asked the Board for approval of the 146' mono pole on the Eastside Properties Incorporated. She stated the tower does meet the requirements for the conditional use permit for this location. The property was chosen because it is a relatively large parcel close to I-85 and also for the placement of the tower on that property. On the 14th of March the Planning Commission did vote unanimously to recommend approval of the tower subject to the development conditions. Letters were sent to the adjacent property owners there were no calls in opposition. One person did want to know where in relation to their property would the tower be located. This owner is located across the road from the tower location and is not an adjacent landowner.

Mr. Steve Muscarella, representing NTELOS, stated this property was selected because it is used for a commercial nature already and its location is just outside the airport's restricted air space. Continuing he stated to answer Mr. Bowman's question regarding using the Eastside property, it could not be done because of the FAA blockage. Mr. Muscarella showed the airport restricted air space map to the Board. NTELOS is proposing to construct a 146' structure, it is a monopole structure in nature and it would be below the total fielding of 343'. The airport requested that they stay 1' below that level and they plan to stay 2' below that at 341'. All of the requirements will be met. He stated they test drove at another location, the Dinwiddie water tank at the race-track property, but the signal strength wasn't sufficient along the I-85 corridor to the northwest. He stated when that site failed he was instructed to look further North and closer to I-85 that is when he found this location.

Mr. Moody asked what would the Fresnel lights do when there is a foggy night?

Mr. Muscarella said it would illuminate the fog from his perception.

Mr. Moody opened the public hearing.

No one signed up to speak.

Mr. Moody closed the public hearing.

Mr. Moody stated the Board of Supervisors decided to defer voting on any application for a conditional use permit for a telecommunications tower until at least the next Board meeting. This is done in order to afford the board members time to consider the technical and planning aspects of the permit.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the conditional use permit C-01-03 is deferred until May 2, 2001.

**IN RE: PUBLIC HEARING- C-01-4- CHAPARRAL STEEL –
REQUEST TO AMEND RELOCATION OF PERIMETER
FENCE**

This being the time and place as advertised in the Dinwiddie Monitor on March 21, 2001 and March 28, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on and to propose for the issuance of a conditional use permit submitted by Chaparral (Virginia) Inc., is seeking an amendment to the previously issued conditional use permit C-97-7, to install a 6' chain link fence without barbed wire along the exterior property line with the exception of the common property line with the National Park Service.

Planning Summary Report

File: C-01-04

Applicant: Chaparral (Virginia) Inc.

Property Address: 25801 Hofheimer Way, Petersburg, VA 23803

Acreage: 760+ acres

Tax Map Parcel: Multiple parcels

Zoning: Planned Industrial District PMD

The applicant, Chaparral (Virginia) Inc., is seeking an amendment to the previously issued conditional use permit C-97-7. Specifically, condition number 13 states "all areas actively used in the processing, production, or storage of raw materials or finished products, with exception of the area where the spur line enters the property, shall be fenced to a minimum height of eight (8) feet above ground using chain link fencing topped by triple strand barbed wire." The applicant wishes to install a 6' chain link fence without barbed wire along the exterior property line with the exception of the common property line with the National Park Service. After lengthy discussions with the Park Service it was decided that a wire fence similar to the right-of-way fencing found along the Interstate Highway would be most desirable.

The Planning Commission heard this case at their March 14th evening meeting. Mr. Lawrence Heyd, an employee of Chaparral Steel, addressed the Commissioners on their reasons for requesting the change. The Chairman requested comments from any citizen in attendance wishing to speak on this case. Mrs. Susan Mayes, an adjacent property owner, stated that she was in support of the application but would prefer the fencing along Church Road be similar to the fencing proposed adjacent to the Park Service property. There being no further public comments, the Chairman closed the public hearing portion of the meeting for this case. After a brief discussion among the Commissioners, the Planning Commission voted 6-0 to recommend approval of the conditional use permit as requested by Chaparral Steel.

As mentioned in the general introductory statement preceding these cases, an extract from the draft minutes of the March 14th Planning Commission meeting were included in your material for reference purposes.

Mr. Lawrence Heyd, Environmental Manager, representing Chaparral Steel came forward to speak regarding the request to amend the conditional use permit. He stated condition 13 of the conditional use permit addresses fencing and indicates that the fence be 8' tall and have

triple strands of barbed wire. Condition 13 also states that the fence be placed around the active processing areas of the plant. We are now putting the finishing touches on the plant, and one item we want to complete is fencing.

Chaparral Steel is proposing to use a different style of fencing because we think that a tall barbed wire fence will look too institutional. We are proposing to fence the property with chain link and wire fencing that will provide security but be less obtrusive. Six-foot tall chain link fence will be used along Church Road, Squirrel Level Road and along the north side of our property adjacent to the Norfolk Southern railroad tracks. Wire fence, also called right-of-way fence, like the fence commonly used along interstate highways and around farm fields will be used where our property adjoins the Petersburg National Battlefield property along Flank Road.

The fencing we are proposing will surround the plant's active processing areas, as required by the conditional use permit.

We want a fence around our property for two main reasons: to provide security and reduce liability. It is to provide security to protect our employees and our property. We want the fence to prevent a child or other person from entering our property and possibly getting hurt. Although no fence will stop a determined intruder, the fencing we propose will provide adequate security by being a clear barrier at our property line. We want the fence along the perimeter of our property to provide security for the entire property, not just the active processing areas. The fence along Church Road will prevent a person from entering the property on that side. There has been some vandalism along the property line on Squirrel Level Road and the fence will help deter that.

We do have other security measures at the plant, including security personnel and remote cameras. These measures supplement the security provided by the fence.

He stated he would like to mention that we have discussed the fencing issue with the Petersburg National Battlefield and have obtained the Park's input regarding the fence. They have approved the type and location of the fencing and urged us to request a change to the Conditional Use Permit to allow less obtrusive fencing to be used near their property.

He requested that Condition 13 of the Conditional Use Permit be amended to allow the installation of a fence that will provide security without being obtrusive.

Mr. Moody opened the public hearing.

No one came forward to speak.

Mr. Moody closed the public hearing.

Mr. Moody called for a motion.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that conditional use permit C-01-03 submitted by Chaparral Steel, as stated above, is hereby amended and approved with the conditions recommended by the Planning Commission; and

BE IT FURTHER RESOLVED, that in order to assure compliance with the Virginia Code Section 15.2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: AUTHORIZATION TO EXTEND TIMBER AGREEMENT - LANDFILL

Mr. Long stated the timber thinning at the Landfill was postponed until this Spring. He requested authorization to extend the Agreement with the Timber Consultant, Jeffrey Bent, until the end of the year. Mr. Bent is now in the process of soliciting bids for this project.

Upon Motion of Mr. Bracey, Seconded by Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", authorization to extend the timber thinning Agreement with the Timber Consultant, Jeffrey Bent, until December 31, 2001 is hereby approved.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated in light of the overwhelming number of issues that the County is facing now, it is time to schedule a retreat. We need to move along with the issues in an expeditious manner; however, he felt it would be prudent to wait until the budget has been completed. Mr. Long recommended scheduling a retreat for May 21st and 22nd for two (2) full days. Continuing, he said this would be the best days for the staff due to the fact that we have an extra week available between regular Board meetings; this would allow us to follow up on issues after the retreat, as well as prepare for the next meeting. He suggested that the retreat be held at the Wakefield 4-H Center. The Board members agreed to check their schedules and let us know if there is a conflict.

IN RE: AUTHORIZATION TO RELEASE TITLE – DVFD 1978 JEEP- VIN # J8M83AA015278

Mr. Long stated that the Dinwiddie Volunteer Fire Department received four sealed bids for the 1978 Jeep. They accepted the high bid at \$2,505.00 but the bidder withdrew their bid. The next highest bid was \$1,505.00 which was accepted by the department. He asked the Board to authorize the release of the title for the 1978 Jeep VIN number J8M83AA015278 and allow the Fire Department to retain the funds.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to transfer title for the 1978 Jeep VIN number J8M83AA015278 and for the Dinwiddie VFD to retain funds received; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is also granted for Administration to sign for the transfer of title for said vehicle to the successful bidder.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody asked if the Board had any quick comments.

There were no additional comments from the Board.

IN RE: CLOSED SESSION

Mr. Clay moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

The purpose of the closed meeting is to discuss subject matters identified as Personnel and Consultation with Legal Counsel. Matters to include: Commissioner of the Revenue; Inducement Agreement; Delinquent Land Sale; Consumer Utility Tax.

- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia,**
(candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees)
- **Consultation with legal counsel, § 2.1-344 A.7 of the Code of Virginia,**
(consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice)

Mr. Haraway seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 10:10 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 11:00 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye". This Certification Resolution was adopted.

IN RE: COMMISSIONER OF THE REVENUE – REQUEST FOR ADDITIONAL FUNDS FOR PART-TIME HELP

Mr. Long stated by letter dated August 3, 2000, the Commissioner of the Revenue was advised that the Board approved \$20,000 for Extra Help for FY2001 even though the Compensation Board allocated \$34,843 of which the County's requirement is 50% or \$17,422. Ms. Marston was advised that any additional funds would have to be requested from the Board before the expenditure was made. At this point, the Commissioner has over expended her

Extra Help Category and is requesting additional funds by her letter of March 30, 2001.

Recommended Action:

1. The Board may appropriate an additional \$14,843 for 12310-1301 Extra Help with the Commissioner's FY2001 budget, on a monthly basis, to match the allocation provided by the Compensation Board.
2. The County's share, \$17,422, is already contained in the budget within the Extra Help and Retirement categories, so there will be no additional appropriation of local funds.
3. Based on expenditures in the Extra Help category through March 31st, there will be a remaining balance of \$6,425 which may be used towards the real estate and personal property job functions as outlined by the Commissioner of the Revenue in her request.
4. The additional monthly appropriation will be contingent upon the following:
 - a. All State reimbursements are to be brought up to date. At the present time, reimbursements for this category have not been submitted since November of 2000.
 - b. Mobile Home Titling Tax reimbursements are to be submitted for the years 1998, 1999, and 2000. That amount is estimated to be \$200,000.
 - c. Public Service Corporation billing is to be provided to the Treasurer. This billing has not been sent out since June of 2000, which is estimated to be \$533,000 for the year.
5. No additional expenditures from the Extra Help category will be approved until the above items are accomplished and evidence is provided to the Board of Supervisors.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above stated recommendations are hereby approved.

IN RE: E.M.S. POSITIONS

Mr. Long stated there is a need to fill two full time and some part time positions on the EMS crew. He requested authorization to proceed with contacting these people to make them an offer. If they accept, Administration will come back and ask for authorization to hire them at the next Board meeting. Mr. Long said he would send the Board members a list of recommendations on Friday. The Board gave its permission to proceed.

IN RE: EASTSIDE TELEPHONE SYSTEM – AUTHORIZATION TO OFFER CONTRACT

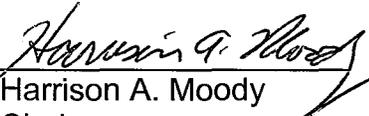
Mr. Donald Faison stated the County had \$6,000 for the cost for the phone system. He presented two bids: Total Office Solutions for \$4,489.00; and Computer Telephone Technologies, Inc. for \$4,561.39. He requested authorization to offer a contract to the low bidder.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administration is hereby authorized to enter into a contract with Total Office Solutions at a sum not to exceed \$4,489.00 for the telephone system at the Eastside Recreation Center.

IN RE: ADJORNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the meeting adjourned at 11:10 P.M.


Harrison A. Moody
Chairman

ATTEST: 
R. Martin Long
County Administrator

/abr

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 APRIL, 2001, AT 2:00 P.M.

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

OTHER: BENJAMIN EMERSON COUNTY ATTORNEY

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 2:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

Mr. R. Martin Long, County Administrator, stated there were two additions needed on the agenda under Item 12 – Closed Session add: Procurement to consultation with Legal Counsel and Personnel for Building Inspections.

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Moody voting "Aye", the above amendments were approved.

IN RE: MINUTES

Ms. Russell, Clerk to the Board, stated she would like to reaffirm the action taken by the Board at its April 4, 2001 meeting on Conditional Use Permit C-00-06 with the reasons given and add the following:

BE IT FURTHER RESOLVED, that in order to assure compliance with the Virginia Code Section 15.2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the April 4, 2001 Regular Meeting are hereby approved in their entirety with the amendment to C-00-06 as stated.

IN RE: CLAIMS

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Moody 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 1025027 through 1025215 (void check(s) numbered 1025026, 1025143 and 1025200) for:

Accounts Payable:

(101) General Fund	\$ 192,956.22
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 1,873.38
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$ 2,037.36
(305) Capital Projects Fund	\$ 130,265.89
(401) County Debt Service	\$ 86,979.86
TOTAL	\$ 414,462.50

Payroll Supplement
APRIL 04, 2001

(101) General Fund	\$ 2,319.92
(222) E911 Fund	\$
(304) CDBG Fund	\$ _____
TOTAL	\$ 2,319.92

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

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that check # 1025215 in the amount of \$2,071.56 to DASA for Phase I and Phase II Courthouse renovations, is approved and funds appropriated.

IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATION PROJECT – REQUISITION NUMBER 28 (IDA1999A-#20)

Mrs. Ralph stated the following invoices are included in Payment Request Number 28 (IDA1999A - #20):

DAVID T. LUCAS ELECTRICAL CONTRACTOR	\$ 28,200.00
SANDS ANDERSON MARKS & MILLER	275.00
ENGINEERING CONSULTING SERVICES	<u>181.25</u>
TOTAL REQUISITION #28	\$ 28,656.25

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 28 (IDA99A - #20) in the amount of \$28,656.25 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Renovation Project Fund.

IN RE: DINWIDDIE COUNTY PUBLIC FACILITIES PROJECT FUND: SCHOOL COMPLETION PROJECT ACCOUNT OF THE PUBLIC FACILITIES FUND – REQUISITION NUMBER 61 (IDA98A - #26)

Mrs. Ralph stated the following invoices are included in Payment Request Number 61 (IDA1998A-#26):

LANDSCAPES BY DEADMON \$ 3,505.00

TOTAL REQUISITION #61 (IDA1998A -#26) \$ 3,505.00

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

Mr. Bracey stated he had asked at the meeting last month if this was the end of the landscaping. His understanding was that it was with the exception of the performance bond payment. He instructed the County Administrator to check into it. Where is the end?

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 61 (IDA1998A-#26) in the amount of \$3,505.00 be approved and funds appropriated for CIP expenses, for landscaping at Midway Elementary School, from the Dinwiddie County Public Facilities Project Fund: School Completion Project Account.

IN RE: CITIZEN COMMENTS

There were no citizens signed up to comment.

IN RE: Virginia Association of Counties—DEAN LYNCH

Mr. Dean Lynch representing the Virginia Association of Counties appeared before the Board presenting an overview of services provided by VACO. Mr. Lynch stated the purpose of his visit was to report on VACO's activities; and to gather feedback from the Board on how to best serve the needs in Dinwiddie County. This past year VACO staff provided individualized board training to several counties. VACO staff has also provided technical assistance in every imaginable program area, including the development of request for proposals (RFP's), provided sample ordinances, hiring, board organization, and research and data gathering. VACO works with counties to promote educational opportunities. The staff has participated in many seminars and educational forums through out the year. He continued stating numerous publications are available from VACO covering topics associated with leadership and governance activities in the varying program areas. We give legislative updates electronically through the Capital Contact when the General Assembly is in session. The latest revision is 1998 of the Virginia County Supervisors Manual which is available for distribution from our office in Richmond. He stated our current project is completing a new local government directory. VACO provides advocacy on behalf of all counties throughout the Commonwealth. We represent county interests in state regulatory matters and in the Virginia General Assembly. He said they are our lobbyists in Richmond.

Mr. Lynch told the Board the bad news is that VACO can't give revenue projections. He stated as you all know the General Assembly left town without agreeing on a revised budget. That leaves all local governments vulnerable because the county does not know how much funding they will be receiving from the state in local aid categories, salary reimbursements, and program areas. Also the county will not know whether the car tax will be funded at the Governor's proposed 70% reimbursement or at the Senate's 55% proposal. He stated another piece of bad news is that we are still unsure as to the outcome and results of the redistricting plans. There are several proposals out there that divide counties between as many as 5 house districts and 2 senatorial districts.

VACO continues to be in a holding pattern, but it can't last for the counties because school budgets are due May 1st and personal property tax tickets need to be mailed in many counties.

VACO continues to respond to the needs of counties through insurance programs: equipment maintenance, property and liability and risk management insurance programs. A health insurance trust was also developed. The Trust is owned by the membership and all surplus funds in the trust are used for the sole benefit of the membership. VACO offers leasing programs, deferred compensation programs, and office supply procurement.

Mr. Lynch said VACO is paying all counties fees for membership in the National Association of Counties (NACo). That is a small cost savings that can be reflected in the County's budget. He encouraged the Board to continue to be active in the state association and help VACO to help us and other counties by coming to meetings and participating in VACO.

Mr. Lynch presented a certificate of appreciation to Mr. Moody.

Mr. Moody asked if Mr. Lynch would send directories to the Board.

Mr. Lynch replied yes he would make sure the directories are sent.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Richard Caywood, Resident Engineer for the Virginia Department of Transportation came before the Board and presented his monthly report. He stated he was doing a re-inspection of the roads in Waterford Landing for corrective work and expected to be able to be done in 2 to 3 weeks. Baltimore Road will not have to be closed completely for repairs because VDOT is using the reclamation process. He said work on Route 1 will begin in June.

Mr. Caywood thanked Mr. Scheid for inviting him to attend the Comprehensive Plan update.

Mr. Moody asked him to make sure that VDOT puts a good base on Baltimore Road because there is a lot of traffic on the road.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, was not present.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, was not present.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel H. Shands was not present.

Mr. Bracey said he would like for the County Administrator to send another letter to the Sheriff because he did not reply to the request to set up radar on Boisseau and Turkey Egg Road due to the school children speeding.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of March 2001.

Mr. Bowman asked what the average cost to build a house is for the County.

Mr. Abernathy replied about \$150,000 at \$60.00 a square foot.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward presenting his report for the Month of March 2001. He reported that the SOS Agreement for adopting out animals was working very well. They picked up 14 dogs and 3 cats in March.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning came forward and presented his monthly update for his Department. He stated he has received the Census Data for elections per district for the redistricting.

Mr. Bracey asked if he had had time to do the measurements on the AME Zion Tower?

Mr. Scheid replied on Thursday David Thompson and I went to the A.M.E. Zion Church site to measure the distance from the tower to the pool and the Health Center. They found the distance from the center of the tower base to the pool to be approximately 200' and the Health Center approximately 400'. He stated he would submit all this information in writing to the Board.

Mr. Bracey stated he was concerned about the distance to the Wellness Center.

**IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER –
REPORT/CODE COMPLIANCE**

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his monthly report.

Mr. Thompson thanked the Board for allowing him to attend the Zoning Workshop.

He thanked Mr. Bracey and Mr. Clay for their assistance with the owners that had the zoning violations.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen was not present but was represented by Claire Goad. There was nothing to report.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Ms. Troilen Seward, Superintendent of School was not present. Mr. Ray Watson came forward to present an update to the Board on School Activities. Mr. Watson presented the Supplemental Appropriation request for the Title VI - B Supplemental Appropriation for Instruction for approval.

IN RE: TITLE VI-B - SUPPLEMENTAL APPROPRIATION #7

The School Board has authorized the Superintendent to request a \$46,841 supplemental appropriation for the Title VI-B funding. This is an adjustment to federal funding and requires no additional local funds.

Mr. Long explained that at the last Board meeting the contract was awarded to Office Systems Technology to install the phone system at Eastside and that Administration would like to discuss this with legal counsel for clarification before presenting it to the Board.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward to present his report for March 2001.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his report.

IN RE: AUTHORIZATION TO HIRE – TWO EMS ADVANCED TECHNICIANS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Richard Barrett and Amanda Jarrell are hereby hired as EMS Advanced Technicians at Grade 10A, with an annual salary of \$22,934.00, effective May 1, 2001.

IN RE: AUTHORIZATION TO SOLICIT FOR SEALED BIDS - 1976 FORD PUMPER

Mr. Jolly stated the 1976 Ford Pumper is out of service due to mechanical problems. This unit was originally stationed at Namozine but recently had been relocated to Dinwiddie. The motor has developed a significant oil leak and would have to be rebuilt or replaced. Due to this unit being the unit that was scheduled for removal when the new tanker arrives it has been taken out of service. He asked the Boards' approval to sell this unit by sealed bid with the money being placed back into the capital line of the volunteer fire budget for repairs to the fleet.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Director of Public Safety to solicit sealed bids for the disposal of the 1976 Ford Pumper.

Mr. Jolly informed the Board that the Ruritan Club is sponsoring a blood drive at the Dinwiddie Volunteer Fire Station, 13516 Boydton Plank Road on May 8th. The Bloodmobile will be on site.

IN RE: FIRE AND RESCUE ASSOCIATION - REPORT

Chief Charles L. Lewis was not present.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Benjamin Emerson, County Attorney, stated he had nothing to report.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Faison was not present.

IN RE: COURTHOUSE AMENDMENT I – DSA ARCHITECT - FOR GEOTHERMAL HEAT SYSTEM

Mrs. Ralph presented the following Amendment I to the owner-architect agreement between Dinwiddie County and Don A. Swofford for work on the historic County Courthouse. The work is to be accomplished and added to the owner-architect agreement cited above as if it were a part of the original scope of work. The architect shall design and include on the plans such design for the providing and installation of a full geothermal heat system for the Courthouse. Such heating system will include the calculations to determine manifold and required equipment for the heating and cooling. Work shall also include any other work contingent upon the installation and provision of a complete and working geothermal heating and cooling system for the Courthouse. The projected costs for this installation are approximately Seventy-eight thousand dollars (\$78,000). The fee for this should be \$78,000 times eight per-cent (8%) which equals \$6,240.00. The breakdown is as follows:

SCHEMATIC DESIGN	\$1,248.00
CONSTRUCTION DOCUMENTS	3,432.00
BIDDING	312.00
CONSTRUCTION ADMINISTRATION	<u>1,248.00</u>
TOTAL	\$6,240.00

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above stated Courthouse Amendment I to the Owner-Architect Agreement for the Geothermal Heat System is hereby approved.

Mr. Long told the Board that the pre-bid for the Phase II Renovations for the Courthouse was held yesterday and there were 5 contractors who attended the meeting.

IN RE: APPOINTMENTS – DISABILITIES SERVICES BOARD

Ms. Russell informed the Board that an ad had been placed in the Monitor for citizens to apply for the appointment on the Crater Disabilities Services Board. The closing date was March 28th but no one applied or called for an application.

The County Administrator asked if the Board had any nominations for the Crater Disabilities services Board.

The appointment was postponed until the next regular Board meeting.

IN RE: TRAVEL AUTHORIZATION – R. MARTIN LONG – VLGMA

Mr. Long stated he had included a travel authorization request to attend the VLGMA Annual Conference at Virginia Beach from June 20 through June 22, 2001. The estimated cost is \$535.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator to attend the VLGMA Annual Conference at Virginia Beach, June 20-22, 2001 at an estimated cost of \$535.00, with funds being appropriated from the current budget.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay No comments.
Mr. Haraway No comments
Mr. Bracey No comments
Mr. Bowman No comments
Mr. Moody He stated at the quarterly Chairman and Mayor's meeting they asked for a letter of support for the high-speed rail system. He stated he told them that Dinwiddie County was not supporting the system because there was no stop scheduled in the County. The other Mayor's and Chairpersons stated if he would support it they would support a request to the railroad to make a stop in the County.

Mr. Bowman stated maybe we should support it just in case we might have a use for it in the future.

Mr. Bracey asked has it even been sanctioned?

Mr. Long informed the Board a representative would be here at the next monthly meeting to discuss the issues.

IN RE: CLOSED SESSION

Mr. Clay moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

The purpose of the closed meeting is to discuss subject matters identified as Personnel and Consultation with Legal Counsel. Matters to include: Building Inspections; Telecommunication Towers; Procurement – Telephone System.

- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Personnel for Building Inspections.
- **Consultation with legal counsel, § 2.1-344 A.7 of the Code of Virginia,** (consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice) Telecommunications Towers; Procurement – Telephone System.

Mr. Bowman seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 11:06 A.M.

A vote having been made and approved the meeting reconvened into Open Session at 12:05 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon Motion of Mr. Haraway, Seconded by Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye". This Certification Resolution was adopted.

**IN RE: TELEPHONE SYSTEM – EASTSIDE RECREATION CENTER -
REJECTION OF THIRD PARTY BIDS**

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the bids for the third party vendors are hereby rejected for the Eastside Recreation Center telephone system.

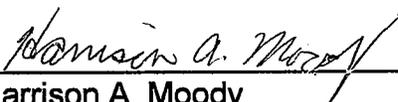
**IN RE: REQUEST FOR PROPOSALS – ENGINEERING
CONSULTANT SERVICES- TELECOMMUNICATION
TOWERS**

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

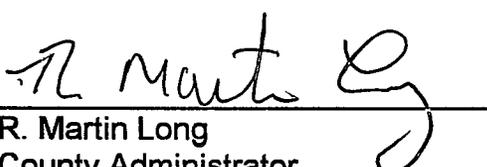
BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Administration to issue an RFP for engineering consultant services to review applications for telecommunications towers and provide a comprehensive plan for placement of towers throughout the County.

IN RE: ADJORNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 12:10 P.M. to be continued until 7:00 P.M., April 25, 2001 for the FY2002 budget and 2001 tax rates.



Harrison A. Moody
Chairman



R. Martin Long
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION 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 25th DAY OF APRIL, 2001, AT 7:00 P.M.

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

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

Mr. Harrison Moody, Chairman, called the continuation meeting to order at 7:00 P.M. and welcomed everyone to the public hearings.

IN RE: BUDGET PRESENTATION – R. MARTIN LONG

Mr. Long presented the Proposed FY 2001-2002 Budget including the following areas: Revenues, Salaries, School Board, Administration, Registrar's Office, Public Safety, Recreation, Waste Management, Jail and Detention Home, and miscellaneous items. He stated that he appreciated the Department Heads and Agency Directors for putting up with him as he went through the process this year. He thanked everyone for being understanding with the level of uncertainty because of the lack of State numbers. He thanked the employees who put in countless hours as they worked on the budget and thought the county was fortunate to have them here. He also thanked the Board of Supervisors for their patience and commitment.

IN RE: CITIZEN COMMENTS

Mr. Moody asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting.

The following citizens signed up to address the Board:

1. Harold Walker of 20608 Carson Road, School Board Member, District 4, said he was concerned about the amount of money budgeted for the School Capital Fund. The Fund was reduced from \$222,460 to only \$100,000. He thought the reduction was to last one year only and that the balance of this fund would be restored if the funds were left at the end of the year. Through a joint agreement with the Board of Supervisors several years ago, the \$222,460 was transferred from the School Operating Fund into the Capital Fund for a roof project. This was how the \$222,460 was established. The school division desperately needs the funds restored. Using the \$222,460 as a guide, the School Board has identified projects that will consume these funds for the next five years. If the amount is allowed to remain at the reduced number, these projects will take at least ten years to complete assuming there are no price increases. Most of the projects listed are too small for the county CIP and too costly to be included in the year-to-year maintenance budget. He asked that the \$222,460 be considered for the Capital Fund.
2. James E. Harrison of 9204 Squirrel Level Road, School Board Member, District 3, stated that the school divisions just like anyone else are dealing with increasing costs for materials, supplies and services. Dinwiddie Elementary will be brought back into use, health insurance premium cost increases will be ten percent, different cost increases associated with the addition of about 70 more students, the need for additional telecommunication service to support the instruction program will result in an increase in payment to the

telephone company. The need for funds is critical as indicated in the memo from March 13, 2001. The School Board is in desperate need of \$1,885,705.00 to be transferred from the County General Fund to the School Operating Fund; more than last year. The salaries need to be increased for qualified employees so they won't be lost to higher paying localities.

3. Carol Fisher of 19405 Oxford Lane, School Board Member expressed appreciation for the \$1 million in new money already budgeted for the Schools next year. She stated she was concerned that they will not be able to meet their needs for the 2001-2002 school year without additional funding. Budgeting for additional students requires increased dollars. They budgeted for 4,260 students but fear they will have students above that number. She reiterated Mr. Walker's statement about increased fuel bills, utility bills and health insurance premium increases. She stated that current indications are that State funding will be decreased for them. After subtracting the costs of which they have no control from the \$1 million, it is apparent that they cannot fund even a five percent salary increase for teachers. It is a grave concern as addressed in their March 13, 2001 memo. She urged the Board to provide an additional local contribution for schools.
4. Donna King of 10523 Rives Avenue, School Board Member conveyed appreciation for the Board's strong support shown to the School Division by providing funding last year for a significant increase in teacher's salaries. She also appreciates the increase of \$1 million in the proposed local funding for the 2001-2002 school year. She stated her purpose was to focus on the impact last year's increase and next year's proposed increase will have on the ability to recruit and retain qualified teachers for all of the children's classrooms. She stated, "... Dinwiddie County Schools is in a very competitive job market, qualified teachers are in increasingly short supply, while demand for qualified teachers is growing due to increases in student populations, as well as the retirement of Baby-Boom Generation Teachers from classrooms. Like it or not, we are in competition with our neighboring divisions when it comes to hiring new teachers. Last year's raise of \$3,000 for teachers was significant and moved Dinwiddie County School System up in the State rankings, however, ... we surpassed only Amelia County in terms of starting salary." She stated that a 7% increase would be needed to pass the \$30,000 per year threshold that has become the standard in the surrounding areas to remain close to the nearest competitors. To maintain the status quo, an increase of 7% next year will be needed. She stated that failing to keep up with local competition and retain teachers has far reaching consequences. New teachers are attracted but lost as they gain experience. Unless turnovers decrease, accreditation will be in jeopardy. There are 34 openings for next year due to retirements and transfers to other divisions. She asked that the Board explore ways to provide the additional funding the School Board needs.
5. James Maitland of 6967 Grubby Road, Chairman of the School Board reemphasized the need for 1.8 million additional local dollars as stated in the March 13, 2001 memo. The need for the funds has not changed as his fellow Board Members have reported this evening. He stated that these needs could only be addressed with additional local funding: competitive salary scale, projects that do not fit into CIP or a maintenance budget, increased insurance rates, utility costs, increased building space, and additional instructional positions. He stated that he appreciated all the Board's previous efforts to support the schools. He strongly believes that the needs warrant the \$800,000 beyond the \$1 million already budgeted. He stated that he hoped the Board would once again show their commitment to the schools and the children.
6. Darnell Law of the Appomattox Regional Library System thanked the Board for supporting their budget request for FY 2001-2002. She stated that the money would assist them in maintaining the quality of

services and facilities that the residents of Dinwiddie have come to expect. She stated that the funds would allow them to broaden their programs and services to meet growing demands. On behalf of the Library System, she once again thanked the Board for their continued support of Dinwiddie County Libraries.

7. Ann Scarborough stated that she could understand the School System asking for money but that she also understands that there are quite a few in the County that are no longer earning salaries and they are having a very difficult time making ends meet. She stated that she was here to give another insight as to why the Board should decrease the tax base of 79 cents. She stated that the paper said that the reassessment was about 18%. She asked, "As a result, how much would you have to lower our tax rate of 79 cents to collect the same amount of revenue next fiscal year as you did this year?" She then discussed what goes across the Building Inspector's desk concerning manufactured homes and certificates of occupancy. She stated that from July 1, 2000 through March 2001, material concerning 71 manufactured homes crossed his desk. She stated that conservatively, you can figure an average of \$50,000 and 71 came across the desk, there is a sizeable amount of money right there. She then talked about the 99 dwellings that paperwork came across the desk for with a value of \$9,000,367.87. She stated that what is put on the permit is low. She then talked about land value. For a lot, she was told \$25,000 but it could be lowered to \$15,000 and it would still be a lot of money for land. She stated that you would have well over \$4 million and go ahead and cut that in half. She stated that if you take the two things she mentioned, reassessment and the building department, you have a large amount of money, so she wanted to know why the Board couldn't decrease the taxes since last year citizens were overcharged when the budget was balanced because it was said the 79 cents was not needed. She said, "So give it back to us." She stated that she expects three months of high dollar value for building when the weather gets warm and she would like that considered. She wants to know where the money is going. She stated briefly that if the Board was content to sit there and say 50 cents for a luxury airplane and for people finding it difficult to survive having to pay 79 cents for a house, she cannot understand it. She said what would it hurt to give the luxury airplane owners a little more of the burden, if they can afford an airplane, they can afford to pay more than 50 cents. She then discussed the budget. She noticed in County Administration that telecommunications more than doubled and she did not know what the reason was. She stated that cell phone and pager allocation could go someplace better. She noticed a vehicle allowance for Mr. Long and for this year, it is blank in the budget. Where did that money come from? She then mentioned the County Attorney. She wanted to know where to find the information in the budget for the thousands of dollars paid to Sands, Anderson Firm for the lawsuits and etc. She stated that they are robbing us as far as she was concerned. She wants the Board to consider a lower tax rate because it is rough on the citizens.
8. David Johnson of 21113 Westover Drive, stated he wanted to reiterate what the School Board Members said. He stated he is not a member of the School Board. He stated he did want to talk about the school funding. He stated that research shows that great teachers are the most important ingredients in any school. He stated if we desire our students to be competitive and our test scores to be respectable then we need to find ways to recruit and retain high quality teachers. He applauded the Board for stepping up to the plate last year and providing additional funding for the School System, allowing it to elevate the teacher's pay scale. He stated that it went a long way in the ability to attract new teachers and showed our competitor school systems that we value our teachers. He urged the Board to keep the

momentum going. He stated that we are so close that we can't afford to fall behind. He stated that we have a golden opportunity to place Dinwiddie County among the leaders in the region rather than in a position of continually playing catch up with starting salaries. He stated that the amount of the current budget surplus in the county has grown considerably and current revenue projections should show how that surplus would be maintained. He asked how large we intended to let the surplus get before we started addressing some of these real needs. He stated that the surplus was a blessing and fiscal responsibility is wise. He stated that it was a wise way to run a county and he respects that. To summarize, he stated that success in the classroom was directly related to the quality of our teachers. He said, "Let's use a portion of the current financial surplus to allow our school system to align our entry level teacher's salaries to above the 30,000 a year mark as the chart shows." He stated that this will keep Dinwiddie County competitive and send a message to our citizens that we are pro education.

9. Christopher White of 545 High Street, Petersburg stated that he was a democrat and a candidate for the district seat in the House of Delegates and he was here to learn about the issues in Dinwiddie County.
10. Angela Orrell of 16563 Cantree Road stated that she wanted to make a very elementary note but that the greatest resource that a community has is a safe, healthy and educated population. She stated that support for expanding our EMS services and improving educational services will directly influence our future. She respectfully asked for the Board's support concerning the very important budget issues and appreciates the past support.

Mr. Moody closed the Public Hearing on the FY 2001-2002 Budget Proposal at 7:50 P.M.

IN RE: PROPOSED FY 2001 TAX RATES

Mrs. Ralph reviewed the proposed Tax Rates for FY 2001 – 2002. The proposed rates are:

Real Estate - .79
Mobile Homes - .79
Mineral Lands - .79
Public Services - .79
Personal Property – 4.90
Personal Property – Volunteer Vehicles - .25
Machinery and Tools – 3.30
Heavy Construction Machinery – 3.30
Airplanes - .50
Certified Pollution Control Equipment – 3.30.

Mr. Moody opened the Public Hearing on the Tax Rates.

No one signed up to speak.

Mr. Moody closed the Public Hearing on Tax Rates at 7:51 P.M.

He stated that the Board would vote on the Budget and the Tax Rate next Wednesday, May 2, allowing a week's waiting period before their decision is made on these issues.

IN RE: CLOSED SESSION

Mr. Bracey moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

The purpose of the closed meeting is to discuss subject matters identified as Personnel. Matters to include:

- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Commissioner of the Revenue; Building Inspections.

Mr. Clay seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 7:53 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 9:02 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye". This Certification Resolution was adopted.

IN RE: COMMISSIONER OF REVENUE – REQUEST FOR ADDITIONAL HELP

Mrs. Ralph stated that there was a request from the Commissioner of Revenue for an additional \$2,255 to meet the payroll for extra help for the month of April. Ms. Ralph said the Board would need to appropriate these funds in order to make payroll.

Mr. Bracey asked if there were any stipulations.

Mrs. Ralph stated yes, the same conditions that were previously placed on the Commissioner of Revenue last month.

-
1. The Board may appropriate an additional \$14,843 for 12310-1301 Extra Help with the Commissioner's FY2001 budget, on a monthly basis, to match the allocation provided by the Compensation Board.
 2. The County's share, \$17,422, is already contained in the budget within the Extra Help and Retirement categories, so there will be no additional appropriation of local funds.

3. Based on expenditures in the Extra Help category through March 31st, there will be a remaining balance of \$6,425 which may be used towards the real estate and personal property job functions as outlined by the Commissioner of the Revenue in her request.
4. The additional monthly appropriation will be contingent upon the following:
 - a. All State reimbursements are to be brought up to date. At the present time, reimbursements for this category have not been submitted since November of 2000.
 - b. Mobile Home Titling Tax reimbursements are to be submitted for the years 1998, 1999, and 2000. That amount is estimated to be \$200,000.
 - c. Public Service Corporation billing is to be provided to the Treasurer. This billing has not been sent out since June of 2000, which is estimated to be \$533,000 for the year.
5. No additional expenditures from the Extra Help category will be approved until the above items are accomplished and evidence is provided to the Board of Supervisors.

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

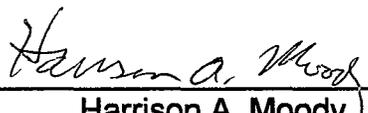
BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that \$2,255 of State Compensation Board funds be appropriated for Extra Help for the month of April, 2001 in the Commissioner of the Revenue's budget contingent upon the above stated conditions.

IN RE: COUNTY ADMINISTRATOR COMMENTS

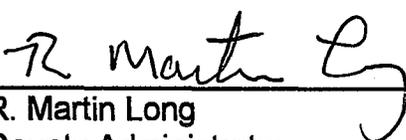
Mr. Long stated that he felt the Board should meet early Wednesday to discuss what, if any, changes need to be made before the Budget is adopted during the regular meeting. Mr. Long told the Board that there would be an explanation in their Board Packet of the ability to decrease the real estate taxes by 4 cents but it will probably have to go back up next year. Mr. Long suggested a time of 6:00 P.M. on Wednesday for the continuation meeting.

Mrs. Ralph cautioned that whatever they do with the tax rate right now will effect the Budget they are in because the June 5th billing will balance the budget for the year. There might be enough surplus to cover it but they won't know that until September or October.

Upon Motion of Mr. Clay, Seconded by Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the meeting adjourned at 9:10 P.M. to be continued until 6:00 P.M. on Wednesday, May 2, 2001 in the Multi-purpose Room of the Pamplin Administration Building for a budget workshop and tax rate session.



Harrison A. Moody
Chairman

ATTEST: 
R. Martin Long
County Administrator

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 2ND DAY OF MAY, 2001, AT 7:30 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Harrison Moody, Chairman, called the regular meeting to order at 7:30 P.M. He stated he would like to have a moment of silence in memory of Jimmy Stidham a student at Dinwiddie County High School who was killed in a car accident last Friday. This was followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the agenda.

Mr. Long stated there was a need to have a closed session for Consultation with Legal Counsel, Section 2.1-344 A.7 under Agenda Item # 11.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above amendment to the Agenda is hereby approved.

IN RE: MINUTES

Ms. Russell stated there is a correction needed under the Planning Department Comments for the April 18, 2001 meeting and she asked Mr. Scheid to clarify the discrepancy. Mr. Scheid stated the comment should be; "on Thursday David Thompson and I went to the A.M.E. Zion Church site to measure the distance from the tower to the pool and the Health Center. They found the distance from the center of the tower base to the pool to be approximately 200' and the Health Center approximately 400'."

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the April 18, 2001 Regular Meeting are approved, with the above stated change, in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Bracey, Mr. Moody 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 1025253 through 1025438 (void check(s) numbered 102478; and 1025216 - 1025332) for:

Accounts Payable:

(101) General Fund	\$ 163,037.15
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$.00
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$ 677.02
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$.00
(305) Capital Projects Fund	\$ 1,006.77
(401) County Debt Service	\$.00
TOTAL	\$ 164,720.94

PAYROLL 03/30/2001

(101) General Fund	\$ 366,416.45
(222) E911 Fund	\$.00
(304) CDBG Fund	\$ 3,180.80
TOTAL	\$ 369,597.25

IN RE: CITIZEN COMMENTS

Mr. Moody asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting.

The following citizens signed up to address the Board:

1. Mrs. Betty Jeter, Registrar, came before the Board with a request for additional funding for voting machines for the required Democratic primary on June 12, 2001; and the special election for the Fourth Congressional District seat on June 19, 2001. By law, the voting machines must be locked and not used for fifteen (15) days after an election. Therefore, we will not have enough machines for the second election in June. We will need to rent four (4) machines. We have located machines of the type that we use and they are available for rental at the cost of \$425.00 each. Thus, an additional allocation of \$1,700.00 for the current budget year is needed.

IN RE: ELECTORAL BOARD – REQUEST FOR ADDITIONAL FUNDS FOR RENTAL OF VOTING MACHINES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above stated request for the rental of voting machines is hereby approved with funding in the amount of \$1,700.00 to be appropriated from the undesignated fund balance.

IN RE: REGISTRAR – REQUEST FOR ADDITIONAL FUNDS FOR PART-TIME HELP

The Registrar also requested an additional \$2,160 for extra help through June 29, 2001 including two (2) Saturdays for Absentee Ballot voting. There will be two elections in June, the 12th for the Democratic Primary for state-wide offices and the 19th for the 4th Congressional District seat to replace Mr. Sisisky.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above stated request is hereby approved with funding in the amount of \$2,160 to be appropriated from the undesignated fund balance.

IN RE: CITIZEN COMMENTS CONTINUED

2. Don Morgan appeared before the Board stating he had received a letter from McGuire Woods, Attorney, for NTELOS regarding the application to extend the tower on Lundy's Road. Mr. Muscarella had informed him at the public hearing that the frequency that they operated on was 1.9 gigabytes. In the letter from the attorney the frequency was listed as 20MHz. Mr. Morgan stated that that frequency would interfere with his equipment and he would like some clarification on this issue. Mr. Moody stated they would ask Mr. Muscarella before they took action on that conditional use permit.

3. William Jones appeared before the Board stating he wanted to re-open Lake Jordan and also have two events on May 27th and June 2nd. Part of the proceeds from these events will be donated to the Fire Departments in the County. Continuing he stated he would re-open the Lake for swimming in the future. The concerts/beach blast would host national artists and over the summer there would be 5 – 6 events with between 5,000 to 6,000 people in attendance.

Mr. Moody responded that the special permit application for the event had not been completed. He stated that the forms for the ABC License, Sheriff, nor the Health Department had been signed off on when the application was given to the County Administrator.

Mr. Jones replied that he had problems getting the signatures from the Commissioner of the Revenue's Office and the Sheriff's Department even though he had made several trips to their departments to get signatures.

The Board voiced their concerns about swimming being allowed.

Mr. Jones stated there would be no swimming allowed at this event.

Mr. Bowman voiced his concerns about what would be in the water and the liability if someone were hurt.

Mr. Bracey voiced his concern about the portable toilets and what the Health Department requirements might be. Continuing he told Mr. Jones he felt he was opening a business that's open all of the time for this type of entertainment. Which at any day any month you can have people and that he didn't know if the Health Department would allow porta-johns for this type of business. Mr. Bracey stated that this permit he is applying for is for "special events" for an occasional event not for a regular business.

Mr. Jones stated the portable johns are only temporary and after every event they are cleaned.

Mr. Moody recapped and stated the Department Heads under the Board's supervision had completed their forms and he felt the applicant should get the forms signed off by the other Offices and

turn the application in to the County Administrator by Friday. Mr. Moody called for a motion.

**IN RE: SPECIAL ENTERTAINMENT PERMIT – LAKE JORDAN --
WILLIAM JONES**

Mr. Haraway moved to approve the application if all of the documents are submitted and signed by the Sheriff and local Health Department by the close of the business day on Friday, May 4, 2001 and the ABC license board by May 11th. The Board told the County Administrator to draft a letter with all the needed requirements and instructed Mr. Jones to pick the letter up at the Administration Office.

The motion was seconded by Mr. Bowman.

Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye";

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above stated Special Entertainment Permit request for the two events on May 27, and June 2, 2001 are hereby approved if the above stipulations are met.

IN RE: FY 2002 BUDGET – 2001 TAX RATES

Mr. Long stated this has been an extremely uncertain year as far as getting numbers from anywhere to be honest. But despite everything the State has not adopted a budget and the County has to move on. The Administration Staff has put together scenarios that the Board could take into account this evening for the budget. The budget has currently about \$400,000 in revenues over expenditures in the budget proposal.

IN RE: DISCLOSURE STATEMENT

Mr. Bracey read the following statement prior to action being taken on the proposed 2001-2002 Budget:

"I, Edward A. Bracey, Jr., "In accordance with Section 2.1-639-14, paragraph (g) of the Code of Virginia, wish to disclose that my wife (Bernice Bracey) is employed by the Dinwiddie County School system. Employment of my wife occurred several years prior to my election to the Board of Supervisors and the results of any decision by this Board will affect my wife to no greater or less extent than other school employees with similar credentials and experiences. Therefore, I feel that I am able to participate in the actions of the Board concerning the 2001-2002 budget effectively, fairly and in the public interest."

IN RE: 2001 TAX RATES – ADOPTION

Mr. Long reviewed the proposed tax rates for those citizens in attendance as follows:

• TAX RATES AS PROPOSED

■ Real Estate	\$.79
■ Mobile Homes	.79
■ Mineral Lands	.79
■ Public Services	.79
■ Personal Property	4.90
■ Personal Property - Volunteers	.25
■ Machinery & Tools	3.30
■ Heavy Construction Equipment	3.30
■ Airplanes	.50

Mr. Moody stated he wants to drop the rate 4 cents but he felt like with the uncertainty that we are having I think we need to maybe drop back a little bit. He said he also feels that the School System is possibly going to need some of that increase. We are hoping that they could give the teachers a 5% increase but they are level funding everything else and I have a feeling that that's going to be hard to have a level funded budget. So his feelings personally, would be to drop the rate 2 cents and hold that \$200,000 until we see what the State does with the uncertainty and go from there.

Mr. Clay agreed. We do need to cut the rate but with the situation being what it is he said he didn't feel the Board could cut the whole 4 cents but was ok with the 2 cents.

Mr. Bracey directed his comment to the Chairman. If the State funds as they usually do or come up to their part of this bargain then the County will drop our rate 2 cents, is that correct? Mr. Moody mentioned something about the School System that he felt their money might be short. If the State did come up with the funding could the County lower their rate later?

Mr. Moody stated we are setting the rate tonight for the year. But he would like to see the teachers get a 5% increase in salaries. But if they do that then they will be level funded with the rest of their budget. Mr. Moody said that is pretty hard to do and he wanted to make sure what the State is going to do. That would also give the School Board an opportunity to reiterate or re-explain how much of that money they do need.

Mr. Bowman stated he agreed with Mr. Bracey he would like to drop the rate by 4 cents but with the uncertainty of the State if they come through with extra money for the schools system, wonderful! If there is anyway that the Board can he felt it should give the 2 cents to the School System.

Mr. Haraway said, if I understand what we are saying, we have said a 2 cent reduction from .79 cents to .77 cents on real estate and due to the School System not knowing what the State is going to provide to them in funds; once that decision is made, we will reevaluate funding to the School System. He moved to adopt the 2001 Tax Rates as stated with the 2 cent reduction on real estate.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following tax rates be hereby adopted for the year 2001:

TAX RATES ADOPTED

■ Real Estate	\$.77
■ Mobile Homes	.77
■ Mineral Lands	.77
■ Public Services	.77
■ Personal Property	4.90
■ Personal Property - Volunteers	.25
■ Machinery & Tools	3.30
■ Heavy Construction Equipment	3.30
■ Airplanes	.50
■ Certified Pollution Control	3.30

IN RE: FY 2001-2002 BUDGET -- ADOPTION

Mr. Long stated the FY 2001-2002 budget needed to be adopted.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following budget for FY 2001-2002 is adopted:

DINWIDDIE COUNTY, VIRGINIA

BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2001

INCOME ESTIMATES **July 1, 2001**

GENERAL FUND:

Revenue from Local Sources:	
General Property Taxes	\$5,436,650
Other Local Taxes	2,758,000
Permits, Privilege & Regulatory Licenses	193,700
Fines and Forfeitures	254,244
Revenue from Use of Money & Property	464,000
Charges for Services	429,586
Miscellaneous Revenue	<u>285,100</u>

TOTAL	\$19,821,280
Revenue from the Commonwealth	2,689,344
Revenue from the Federal Government	-0-
Non-Revenue Receipts	-0-
TOTAL GENERAL FUND	\$22,510,624

LAW LIBRARY FUND 6,500

SCHOOL TEXTBOOK FUND 260,925

SCHOOL CAFETERIA FUND 1,269,807

SCHOOL FUND:

Revenue from Local Sources	40,500
Revenue from the Commonwealth	17,239,615
Revenue from the Federal Government	1,098,192
Transfers from Other Funds	<u>8,870,897</u>

 TOTAL SCHOOL FUND \$27,249,204

VA PUBLIC ASSISTANCE FUND 2,557,216

E911 FUND 264,000

SELF-INSURANCE FUND -0-

GENERAL CAPITAL PROJECTS FUND -0-

OYCS FUND 88,348

CDBG/VJCCCA FUND 205,570

FIRE PROGRAMS FUND 42,262

FORFEITED ASSET SHARING 6,000

MEALS TAX 320,000

SCHOOL CAPITAL PROJECTS 100,000

CSA FUND 685,423

JAIL COMMISSION FUND 7,500

COURTHOUSE MAINTENANCE FUND 23,000

COUNTY DEBT SERVICE 2,003,660

SVRTC	-0-
HEAD START FUND	146,018
SCHOOL DEBT SERVICE	2,918,043
GRAND TOTAL – ALL FUNDS	\$60,664,100
LESS INTERFUND TRANSFERS	<u>13,637,830</u>
TOTAL INCOME	47,026,270
FUND BALANCES, JULY 1	<u>13,727,957</u>
CASH RESOURCES	60,554,227

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CONTEMPLATED EXPENDITURES

GENERAL FUND:

Board of Supervisors	67,138
County Administrator	301,614
County Attorney	67,700
Independent Auditor	32,000
Commissioner of the Revenue	250,214
Business License	20,346
General Reassessment	-0-
Land Use	19,946
Treasurer	261,188
Data Processing	83,465
Electoral Board and Officials	114,249
Circuit Court	23,250
County Court	6,230
Special Magistrates	600
Clerk of the Circuit Court	82,040
Commonwealth's Attorney	134,661
Sheriff-Law Enforcement	2,476,934
Victim Witness	48,653
Volunteer Fire Departments	286,600
Ambulance & Rescue Service	47,700
Forestry Service	11,718
Dinwiddie EMS	618,936
Sheriff—Correction & Detention	371,430
Probation Office	4,000
Other Correction & Detention	110,507
Building Inspection	196,043
Animal Control	106,631
Medical Examiner	500
Public Safety/Civil Defense	123,807
Street Lights	35,000
Refuse Disposal	1,191,514
Public Nuisance	5,000
Public Utilities	109,280
Maintenance of Buildings & Grounds	474,674
Water Service	276,000
Health	189,385
Mental Health	52,484
Other Social Services	23,134
Community College	4,789
Recreation	213,342
Lake Chesdin	1,500
Regional Library	199,207
Planning	202,439

Economic Development	11,600
Other Planning & Community Develop.	75,964
Regional Planning Commission	16,055
Soil and Water Conservation	12,500
Advancement of Agric & Home Economics	71,443
Internal Services	108,025
Insurance	<u>125,000</u>
Subtotal	9,266,435
Transfers to Other Funds	<u>12,838,288</u>
TOTAL GENERAL FUND	\$22,104,723
HEAD START	146,018
SVRTC FUND	-0-
LAW LIBRARY FUND	6,500
SCHOOL TEXTBOOK FUND	275,925
SCHOOL FUND	27,249,204
SCHOOL CAFETERIA FUND	1,269,807
VA PUBLIC ASSISTANCE FUND	2,557,216
E911 FUND	429,849
SELF INSURANCE FUND	-0-
OYCS FUND	98,348
GENERAL CAPITAL PROJECTS	500,000
SCHOOL CAPITAL PROJECTS	100,000
CDBG FUND/VJCCA	205,570
FIRE PROGRAMS FUND	42,262
FORFEITED ASSET SHARING	6,000
MEALS TAX FUND	400,000
CSA FUND	685,423
JAIL PHONE COMMISSION FUND	3,864
COURTHOUSE MAINTENANCE	-0-
DEBT SERVICE	2,003,660
SCHOOL DEBT SERVICE	2,990,150
=====	
GRAND TOTALS – ALL FUNDS	61,074,519
LESS INTERFUND TRANSFERS	<u>13,637,830</u>
TOTAL EXPENDITURES	47,436,689
FUND BALANCES – JUNE 30	<u>13,317,538</u>
TOTAL REQUIREMENTS	\$60,754,227
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IN RE: ACTION ONLY – C-01-1- NTELOS/SPRINT PCS

Mr. Moody stated the County has been contacted by the owners of A.M.E. Zion Church, and they were unaware that there was a conditional use permit in place. Mr. Moody stated he would like to defer action until the owners of A.M.E. Zion can catch up with what is going on with the permit.

Mr. Bracey moved that action be tabled for C-01-01 at least 60 days until A.M.E. Zion and the tower people can get together and bring the Board something; because it appears that someone has made an application on someone else's property that they were not aware of.

Seconded by Mr. Clay, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the conditional use permit C-01-01 is tabled for 60 days pending communication between the two parties, the property owners of A.M.E. Zion and Sprint/Ntelos.

IN RE: ACTION ONLY – C-01-3 – NTELOS/EASTSIDE PROPERTIES

Ms. Russell stated this is an action item only because the public hearing had already taken place.

Planning Staff Summary

File: C-01-3
Applicant: NTELOS/Harrison Conditional Use Permit
Property Address: 7407 Boydton Plank Road, Petersburg, VA
Acreage: 23 acres (leased portion, thereof)
Tax Map Parcel: 21-72
Zoning: Business, general B-2

The applicants, NTELOS and Eastside Properties (Harrison), are seeking a conditional use permit to construct and maintain a one hundred forty six (146') monopole telecommunications tower, related equipment and improvements for the purpose of mounting wireless telecommunications antennae. The proposed site is located on the east side of Route 1 in the general vicinity of the new recreation center located at 7301 Boydton Plank Road. The site is identified as Tax Map 21, Parcel 72 by the Commissioner of the Revenue's office and is owned by Eastside Properties (Mr. Herman Harrison). The property is used for commercial purposes with the rear portion undeveloped.

The Planning Commission reviewed this case at their March 14th meeting and voted 6-0 to recommend approval to the Board of Supervisors of the conditional use permit with conditions attached. The conditions to be imposed are those found in section 22-274, General Standards, of the Zoning Ordinance with additional conditions enumerated in the extract of the Planning Commission meeting which reads as follows:

1. The tower proposed by NTELOS shall not exceed one hundred forty six (146') feet AGL in height or penetrate the Dinwiddie County Airport horizontal surface restriction of three hundred forty three (343') feet above mean sea level (AMSL) for the location shown on the construction plans.
2. While this tower is less than 200', if the FAA makes a determination that requires lighting, NTELOS will request dual lighting, which consists of red lights at night and flashing white lights during the day. Additionally, NTELOS will install a lighting system, which uses fresnel lenses designed to focus approximately 90% of the light generated towards the horizon and upward to minimize the amount of light visible from the ground.
3. The applicant, NTELOS, shall allow at least two (2) other wireless telecommunications providers to locate on the tower and site; and shall provide the County, upon request, verifiable evidence of having made a good faith effort to allow such location.
4. NTELOS shall develop the proposed tower site as detailed in the site plan submitted with this application and becoming a part of the conditional use permit.
5. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions.
6. Before obtaining a building permit, the applicant shall submit to the Planning Department the Determination of No Hazard to Air Navigation permit issued by the FAA. The following statements must be contained in the permit: the tower shall have no substantial adverse effect on the safe and efficient utilization of the navigable air space by aircraft or on the operation of air navigation facilities; the structure would not adversely impact any present or future VFR or IFR terminal procedure; and the structure would not have a cumulative impact on any existing or planned airport

7. NTELOS will provide space to Dinwiddie County, at no cost to the County, to co-locate County communications equipment, if co-location space is available at the time of the County's request.
8. Before obtaining a building permit, the applicant shall post a bond equivalent to the cost of removal of the tower with the Director of Planning.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that conditional use permit C-01-01 submitted by NTELOS/Harrison Conditional Use Permit, as stated above, is hereby approved with the conditions recommended by the Planning Commission.

Ms. Ralph asked if Mr. Clay would amend his motion to add the compliance statement.

Upon Motion of Mr. Clay, Seconded by Mr. Bowman, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the following amendment statement is included.

BE IT FURTHER RESOLVED, that in order to assure compliance with the Virginia Code Section 15.2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

Mr. William C. Scheid, Planning Director, came forward to make the following statement prior to the Public Hearings.

"As previously requested by the Board of Supervisors, Draft copies of the Planning Commission Meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting room. The purpose of doing so is to expedite the hearing process without compromising the public's access to pertinent information. It is noted that the Board has been given various information on all of the hearing(s) to include, the application, zoning map, adjacent property owner list, locational map(s), proffers (if applicable), soils data, comprehensive land use maps and references, etc. With this information noted, I will proceed with the case(s)."

IN RE: PUBLIC HEARING- C-01-5- AMERICAN TOWERS/NTELOS

This being the time and place as advertised in the Dinwiddie Monitor on April 18, 2001 and April 25, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on and to propose for the issuance of a conditional use permit submitted by NTELOS and American Tower. They are seeking a conditional use permit to establish a two hundred fifty (250') foot wireless telecommunications tower on a 100' X 100' compound.

Mr. Scheid presented the following conditional use permit application.

Planning Summary Report

File: C-01-5

Applicant: NTELOS and American Tower

Property Address: 12300 Quaker Road, Dinwiddie, VA 23841

Acreage: 38 acres (a 100' x 100' portion leased)

Tax Map Parcel: 46-9B

The applicants, NTELOS and American Tower, are seeking a conditional use permit to construct, operate and maintain a two hundred fifty (250) foot lattice telecommunications tower, related equipment and improvements for the purpose of mounting wireless telecommunications antennas. NTELOS wishes to provide telecommunications services along the I-85 corridor. They have reviewed the available height of other structures along the corridor in this area and determined that they needed to construct a tower if they are to obtain the coverage they seek. The property is cut over timberland and is located north of the northbound rest stop on I-85. The nearest residence is approximately 950' from the tower and is owned by Wynonah Wesson Thomas. It is estimated that 13 residences are located within ½ mile of the tower of which 2 residences are owned by members of the Thomas family. The nearest point of Quaker Road to the tower is approximately 1450 feet.

The Planning Commission heard this case at their April 11th public meeting. After the staff report and the presentation by NTELOS, the Chairman opened the meeting for citizen comment. Mrs. Linda Hensley of 12612 Quaker Road and Mr. Arthur Green, Jr. of 12112 Quaker Road spoke in opposition to the request. The Chairman closed the public hearing portion of this case after receiving their testimony. After discussion by the Planning Commissioners, the Planning Commission voted 6-0 (Mr. Moody absent) to recommend approval of the conditional use permit subject to the following conditions:

1. The tower proposed by American Tower shall not exceed two hundred fifty (250) feet in height;
2. Lighting will be accomplished as noted on the plans (dual-flashing system with red at night and white during the day utilizing fresnel lenses as noted);
3. The applicant, American Tower, shall allow at least two (2) other wireless telecommunications providers to locate on the tower and site, and shall provide the County, upon request, verifiable evidence of having made a good faith effort to allow such location;
4. American Tower shall construct the tower as shown in the plans prepared by Matrix Engineering, entitled Gravelly Run, 12300 Quaker Road, Dinwiddie, Virginia, VA-F814-4 which was submitted by the applicant with the application;
5. Language shall be added to the application stating that the County shall have co-location rights on the tower at no cost to the County; and
6. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions.

Since this is a zoning matter, the standard statement regarding your motion must be read. In order to assist you in this matter, the statement is attached and reads as follows: in order to assure compliance with the Virginia Code Section 15.2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

Mr. Moody asked if the Board members had any questions for Mr. Scheid.

Mr. Bracey inquired about the relationship to the nearest tower already on Quaker Road.

Mr. Scheid replied that this existing tower can't be extended any higher due to the airspace requirement for the airport. Also he could not tell how far air wise this location is from the airport. The existing tower is on the opposite side of I-85 and the proposed location of this request.

Ms. Roma Sein, Attorney, stated she was here on behalf of the co-applicant NTELOS. NTELOS is the trade name for the Corporation, Richmond

20 MHz, LLC the holder of the Federal Communications Commission license to provide digital wireless personal communications services or PCS here in Central Virginia. She introduced Steve Muscarella an agent for NTELOS and Mrs. Dorothy Bernetti, project manager, for American Tower Corporation the co-applicant in this case. They are in the business of constructing towers. She stated she was here to request approval for the conditional use permit application request for the (250') foot self-supporting lattice telecommunications tower, owned by Ms. Thomas. She stated that the proposed facility meets and exceeds all of the requirements of the zoning ordinance and at a height of 250' the proposed tower would accommodate the NTELOS antenna and 4 other wireless providers. She added that the county will be provided the opportunity to co-locate on the tower. Continuing she said she was here requesting approval of the 250' tower proposed for this site west of Quaker Road. She said this parcel was chosen because it is a large acre parcel and situated directly adjacent to Interstate 85. There is an existing tower on Quaker Road, North of this site, and NTELOS did approach them and asked whether co-location was possible. An analysis was done and they already have the number of providers that they can structurally hold and the tower cannot be extended. Therefore NTELOS needed to partner with American Tower to try to find the best site that they could for a new telecommunication tower use in this part of the County. Ms. Thomas's property was chosen because it is a relatively large parcel approximately 38+ acres and adjacent to I-85. It is agriculturally zoned heavily wooded and because the parcel is so large we would be able to meet the setback requirements for the 250' tower. Also the existing mature trees and bushes on the property would be very effective in screening the base of the tower from the adjoining properties. For this reason she asked the Board of Supervisors to waive the requirement for new landscaping around the perimeter of the fenced compound. The proposed facility meets and exceeds all of the requirements of the zoning ordinance and at a height of 250' the proposed tower would accommodate the NTELOS antenna and 4 other wireless providers. American Tower will also provide the County the opportunity to co-locate on the tower at no cost to the County. This is in accordance to the zoning ordinance Section 22-274-7. Ms. Sein stated that with regard to contact with adjacent property owners, the county sent letters to notify adjacent property owners of the application and Planning Meeting. She added that of the persons who had voiced opposition or concerns at the Planning Commission Meeting, none of them had taken her up on an offer to meet with them. One was concerned about radio frequency emissions and the other was concerned about the impact of the tower on property value. She said looking at the site plan the tower is about 800' from the rear property line of the nearest adjacent owner who was concerned about the tower. Also, to follow up on the frequency emission concern she stated that the Telecommunication Act of 1996, Section 704 and also 47UFC332 Subsection C7E4, states that State Local Government cannot "regulate the placement construction and modification of personal wireless service facilities on the basis of the environmental effect of radio frequency emissions to the extent that such facilities comply with the Commissions Regulations concerning such emissions." Ms. Sein stated that this type of radio emissions weaken the further you get from the antennas. Also, the type of emissions emitted are the "non-ionizing radiation" which is not harmful to cell structures. Mrs. Sein stated that NTELOS and American Towers agree with the conditions recommended by the Planning Commission and respectfully requested approval of conditional use permit C-01-05.

Steve Muscarella came forward representing NTELOS presenting an update on the development plan for I-85. This updated map shows some of the applications that have come before the Board along with the existing towers that have been identified along this corridor. He stated that this location and the A.M. E. Zion location are critical to NTELOS since these two facilities would work in conjunction with each other. They need to hand off to each other. The height of 250' is crucial because it will help with the deficiencies of the tower height at that location. However, it can't make it all up. He covered the reasons for not being able to use the existing tower located on Quaker Road. Mr. Muscarella stated

the good news is that this is a good location, has minimal impact, is relatively not visible and it will provide additional co-location opportunities to other carriers along the I-85 corridor. NTELOS will be placing up to 9 (nine) antennae at the 250' tower and locating their supporting radio equipment at the base of the tower within the compound. He said that concluded his presentation.

Mr. Muscarella asked if he could clarify the information for the individual who had the question regarding the megahertz at the A.M.E. Zion location. NTELOS operates at the 1.9 gigahertz frequency level and the confusion might have been in the name Richmond 20 MHz. The 20 MHz is the width of the band that we operate in. So to be exact, it is in the application, our receive frequencies are 1870 to 1880 megahertz. If you convert that back to gigahertz it is 1.87 to 1.88. In the transmit NTELOS is in the 1950 to 1960 megahertz. So if the gentleman is operating at 20 megahertz we are really far apart from him and will not have any interference.

Mr. Moody stated the screening at the bottom of the tower is mature now but it might not be there forever. What would happen if the landowner decided to cut the trees? As far as doing away with the buffer.

Mr. Muscarella said the land has been cut over once before and these are semi-mature trees probably in the 20 – 40 foot range. However the landowner does have the right to cut the trees down at anytime.

Mrs. Burnetti with American Tower stated if necessary she could include a statement or letter to the Board that should the landowner cut down the trees American Tower would provide per the ordinance the appropriate screening or buffer for the cell tower.

Mr. Long stated just to clear up the record, American Tower is the applicant and NTELOS is the co-applicant; is that correct?

Mrs. Burnetti replied that is correct. She stated she represented American Tower who will own and build the tower and Mr. Muscarella represented NTELOS who will place their antennas on the tower.

Mr. Moody opened the Public Hearing.

Mr. Horace Farrish adjoining property owner living at 25803 Franklin Street, Petersburg, stated he was not notified by the Planning Commission that there was an application for a tower here. He voiced his concern about the people going in and out of the right-of-way road that they do not damage his property when they are building the tower. He also stated he was getting ready to cut the timber on his approximately 100 acres.

Mrs. Sein stated that American Tower will work with the landowner who has the easement.

Mr. Muscarella stated the easement for the road is presently adequate for the construction and access to the tower. If any damage occurs during the construction it will be repaired and left in its present condition.

Mr. Bowman asked what agreement has been made with the landowner to maintain the road.

Mr. Muscarella stated the terms are spelled out in the agreement and he did not have that with him.

Mr. Long asked Mr. Farrish did you say you did not receive notification of the hearing?

Mr. Farrish replied no he did not.

Mr. Moody closed the Public Hearing.

Mr. Moody asked if any of the Board Members had any questions or comments.

Mr. Bowman asked why the property owners are not being notified.

Mr. Scheid replied that he has documentation as to what the Planning Department did; we complied with the law as to what we sent out and no letters were returned undelivered. So he had no reason to believe that A.M.E. Zion did not receive their letters. Mr. Farrish was in the office the other day and spoke to me about the case being presented tonight.

Mr. Long asked if Mr. Farrish was on the list as an adjoining property owner?

Mr. Scheid replied yes, he is on the list. He did state he could not say whether the letter reaches the destination or not. Continuing he stated he was convinced that the County did everything proper to have that letter delivered to A.M.E. Zion and it was very unusual that two of them just happened to come up at the same meeting.

Mr. Bracey suggested that the letters be sent certified at the owner's expense.

Mr. Moody asked if this was the only site that American Tower looked at for the location of the tower.

Mr. Muscarella stated there were other raw land opportunities. One piece was on the West side I-85 and to the North. It was not as good of a location due to the next proposed tower for the hand-off. The other properties had similar characteristics. They were wooded, some were being cut and cleared and there was some residential development going on at one of the locations. There was no business property in or near the area we needed.

Mr. Moody stated would you have a problem if the trees are cut that the buffer would be put in place. He asked the Planning Director if he would have a problem keeping up with that. If there was a condition put on the permit.

Mr. Scheid replied that there is already a requirement in the permit that requires a review every two years.

Mr. Moody suggested that condition number 7 be added to the application with wording for the buffer in case the trees are ever cut.

Mr. Scheid replied the applicant will be granted a variance from Section 22-274 paragraph 4 of the County Code as long as a mature stand of trees is maintained on the property and at such time as those trees would be cut they would then be bound to be in compliance to the landscaping criteria in the subject paragraph. This paragraph states exactly what they must do to stay in compliance. Mr. Scheid stated the Board has the authority to not to abide by that variance and impose this paragraph right now. You can decide not to grant the variance. Then they would be bound by the landscaping.

Mr. Bracey stated he felt they should be bound by the landscaping.

Mr. Bowman asked if Mr. Farrish would prefer that it be screened.

Mr. Farrish replied yes.

Mr. Bowman said he felt it should be screened for the adjacent property owners.

Mrs. Katz suggested if any other route is taken other than what is on the application now, that the applicant make a proposal to the Planning Director. Then it could be considered when action is taken at the time the permit comes up for adoption. The language can be worked out between the two parties.

Mr. Bowman stated he read that the towers were going to have the capability of locating 911 calls by a certain date and that date is July 1st of next year.

Mr. Muscarella replied yes there is going to be a requirement that a cell user be traced to within a certain proximity and the carriers have that responsibility. NTELOS is looking into that as are all other carriers at this point.

Mr. Jolly replied, July 1, 2002 is the date that we have to be able to accept wireless 911 in the centers. So that ultimately means that the telecommunications industry has to do that for us by that date. The other part of that equation is that by July 1, 2003 they not only have to give the call centers 20 digits which is the 10 digits of the cell number and the 10 digits of the tower they also have to tell us which side of that tower the call is coming in on and the call center has to decide jurisdictionally which one will answer the call. Basically for lack of better words it is a GPS system. The most important date for us right now is July 1, 2002 because this is our compliance date.

Mr. Bracey moved that C-01-5 be deferred for 60 days in order for a study of the requested site location to be conducted by a consultant selected by the County at the applicant's expense in accordance with the County Ordinance. This is due to the County's growing concern over the issues such as tower heights, location in relationship to other towers, co-locations and etc.....

Mrs. Sein asked for clarification of the motion.

Mr. Moody addressed Mrs. Sein and stated there would be discussion allowed only after there was a second to the motion.

Mr. Bowman seconded the motion.

Mrs. Sein asked the Board to reconsider either by deferring for 30 days or tabling the action, or taking a recess, until she could consult with her clients. Due to the fact this has never been presented before.

Mr. Moody replied there is a motion on the floor and unless it was rescinded or amended it did need to be voted on as stated.

There was a call for the vote.

Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that C-01-5 conditional use permit application is deferred for 60 days with the above stated conditions.

IN RE: RECESS

Mr. Moody called for a recess at 9:10 P.M.

The meeting reconvened at 9:16 P.M.

IN RE: P-01-1 - NORMAN WYATT - REZONING

This being the time and place as advertised in the Dinwiddie Monitor on April 18, 2001 and April 25, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a request from Norman Wyatt, Sr. who is seeking a rezoning of a 0.3 acres portion of property from Agricultural, General, A-2 to business, limited, B-1. The applicant is requesting the rezoning for the purpose of reestablishing a preexisting business and to encourage additional business opportunities.

Mr. David Thompson presented the following request for the rezoning application.

Planning Summary Report

File:	P-01-1
Applicant:	Norman Wyatt Sr.
Property Address:	16915 Boydton Plank Road DeWitt, VA 23840
Magisterial District:	Rowanty
Acreage:	0.30 ±
Tax Map Parcel:	69A-(2)-4
Zoning:	Agricultural, General, A-2 district
Water Source:	On-Site
Sewer Disposal:	On-Site

EXECUTIVE SUMMARY

The applicant, Norman Wyatt Sr., is seeking a rezoning of the property from Agricultural, General, A-2, to Business, Limited, B-1. The applicant is requesting the rezoning for the purpose of reestablishing a preexisting business and to encourage additional business opportunities. A general store and post office have previously been operated in sections of the building. The applicant has tenants who are interested in renting both sections of the existing building. One tenant plans to reopen the general store and the second tenant intends to use the old post office as an office space. The property is identified as Tax Map Parcel 69A-(2)-4.

The property is located at 16915 Boydton Plank Road DeWitt, VA 23840 and is situated at the intersection of Boydton Plank Road (U.S. 1) and First Street (Route 650).

The Planning Commission heard this request at their April 11th public meeting. The applicant originally submitted the request for rezoning to business, general B-2 but amended the application prior to the meeting such that the rezoning request was downzoned to business, limited B-1. The Chairman requested Mr. Wyatt to come forth and reaffirm the amendment to his original rezoning request. Mr. Wyatt stated that it is his desire that the property be considered for business, limited B-1 usage. The Chairman opened the public comment portion of the meeting. Mrs. Ann Robertson came forth to say that she does not object to the B-1 rezoning but is opposed to the B-2 classification. A letter submitted by Mrs. Mary B. Weber was noted as objecting to the B-2 rezoning but it is staff's understanding that she does not object to the B-1 classification. There being no one else in attendance wishing to speak on this case, the public comment portion of the meeting was closed. With little discussion held by the Planning Commissioners, the Planning Commission voted 6-0 (Mr. Moody absent) to recommend approval of the B-1 zoning to the Board.

Mr. Moody asked the applicant to come forward.

Mr. Norman Wyatt came forward stating he had nothing further to add.

Mr. Moody asked if any of the Board Members had questions for the applicant.

Mr. Long asked for clarification on the professional office section of the application.

Ms. Yolanda Taylor stated it would be a Home Care Office who employs one person at the site.

Mr. Haraway inquired if this would be a Home Care Agency.

Ms. Taylor replied she would employ CNA's who sit with people in their houses.

Mr. Haraway asked if it would only CNA's that would be utilized?

Ms. Taylor responded she would start out with CNA's but she might expand in the future. At this time there would only be a maximum of 2 people in the office.

Mr. Clay asked if there was plenty of parking?

Mr. Scheid replied that once they are opened that issue would be addressed.

Mr. Moody opened the Public Hearing.

No one was present to speak.

Mr. Moody closed the Public Hearing.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the rezoning request for Mr. Norman Wyatt, P-01-01, of the property from Agricultural, General, A-2, to Business, Limited, B-1, for the purpose of reestablishing a preexisting business and to encourage additional business opportunities as stated above, is hereby approved with the conditions recommended by the Planning Commission; and

BE IT FURTHER RESOLVED, that in order to assure compliance with the Virginia Code Section 15.2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: P-01-2 – H. KEITH HENSHAW – REZONING

This being the time and place as advertised in the Dinwiddie Monitor on April 18, 2001 and April 25, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a request from Messrs. Henshaw to rezone approximately 49.4 acres of property from Agricultural, General, A-2 to Residential, Conservative R-R.

Mr. Scheid presented the following rezoning case to the Board.

Planning Summary Report

File: P-01-2
Applicant: H. Keith, Kenneth, & Kevin Henshaw
Property Address: Located on the south side of Wilkinson Road (Rt. 611)
approximately 1 mile west of Center Star
Magisterial District: Rowanty
Acreage: 49.4 ± acres
Tax Map Parcel: 43-10 & a portion of 43-3
Zoning: Agricultural, General, A-2 District
Water Source: On-site (well)
Sewer Disposal: On-site (septic)

EXECUTIVE SUMMARY

The applicants are seeking to rezone approximately 49.4 acres of property from Agricultural, General, A-2 to Residential, Conservative R-R. Messrs. Henshaw have made this request for the purpose of developing the parcel of land into a residential subdivision in which single-family homes would be built on five (5) acre lots accessed by a state maintained road. The land under consideration is 49.4 acres of land located on the south side of Wilkinson Road and consists of tax parcels 43-10 and a portion of tax parcel 43-3. The applicants have submitted proffers as a condition of this rezoning request, a copy of which is attached and made a part of the public record by reference.

The Planning Commission heard this case at their April 11th evening meeting. Mr. Ronald Gordon spoke in support of the rezoning request. There was no one present speaking in opposition to the request. Upon conclusion of the public comment portion of the meeting, the Chairman opened discussion among the Commissioners. Several matters were discussed by the Commissioners that are reflected in the draft minutes attached to your material. Upon conclusion of the discussion, the Planning Commission voted 4-2 (Mr. Moody absent) to recommend approval of the rezoning request with the proffers previously noted.

Continuing Mr. Scheid stated he had received the following in his office today:

1. Mrs. Mary Sue Clay, 11707 Patillo Road, DeWitt, VA 23834 (265-5082) called to object to the rezoning P-01- 2. She owns land adjacent to this parcel. Her concerns are: the current road conditions of Wilkinson Road will not permit residential development on this road; a neighbor's well went dry last year and she is concerned above additional demands on the ground water table; and this area is good farm land which should be continued. She stated that she could not be at the meeting this evening; and
2. Mr. Robert Zimmerman stated that he objected to the rezoning and faxed a letter to me stating his concerns.

Mr. Moody requested that Mr. Scheid go over the differences in the application that was previously submitted by the applicant.

Mr. Scheid read the following excerpt.

The property in question is located within the Rural Conservation Area, and the Board of Supervisors and the Planning Commission have carefully reviewed development proposals outside of the designated growth areas

illustrated within the Comprehensive Land Use Plan. The property is zoned agricultural and there has been concern expressed by both bodies in the County. It is noted that some residential growth in the Rural Conservation Area is expected and permitted by the Comprehensive Land Use Plan. It is the type of development and location within the County that has been closely monitored.

With the above noted, staff must point out the differences between the previous submission and the current request.

1. The zoning category requested is R-R (5-acre minimum) versus the RR-1 (2-acre minimum) in 1999.
2. The minimum square footage has been revised for a 1-1/2 or 2 story home from 1400 s.f. (for any type of housing unit) to 1650 s.f.
3. There are 3 less building lots proposed (8 versus 11).
4. The current proposal will not involve the formation of a Homeowners Association since there is no common area to be maintained.
5. The minimum lot frontage was increased from 200' to 300'.

Continuing Mr. Scheid stated it is also noted to you, that all driveways on newly created lots with the exception of the mobile home, which already exist out there that has driveway access on to Wilkinson Road. It is stated in the proffers that all the driveways will have frontage and will access off the newly created State maintained road if the rezoning application is approved. Mr. Scheid said those are the essential differences between the previous applications and the current one. Mr. Scheid noted that the doublewide which is currently on Lot #9 has access to Wilkinson Road and the person living there has life rights on this property.

Mr. Moody asked if the Board had any questions or comments for Mr. Scheid.

Mr. Moody asked the applicant to come forward.

Mr. Hampton Gordon, with Ronald Gordon and Associates, came forward representing the applicant and addressed the issue of the driveway for the newly created lots. He explained that there will be a decrease in driveways to Wilkinson Road and the newly proposed road will be asphalted and State maintained. He said he had spoken to Sheriff Shands, Mrs. Seward and Mr. Jolly and none of them foresee any problems associated with the development and the services provided by their departments. He continued and said they were trying to deal with the community a little better this time. Mr. Gordon stated when Mr. Lewis vacates the doublewide on the 1 acre lot it will be added to the 4 acres and become lot #9. The trailer then would be removed and a house will be built on the lot.

Mr. Scheid stated the property is going to an RR category and as such under the manufactured housing a mobile home would not be able to be put back there. It would become a non-conforming structure.

Mr. Keith Henshaw came forward stating at the time that Mr. Lewis vacates the doublewide with the life right, the 1 acre will revert to a 5 acre lot. At that time a new home will be built.

Mr. Moody asked if it could be made part of this rezoning?

Mr. Long inquired of the County Attorney if the additional proffer could be added to this request.

Mrs. Katz stated as long as the Public Hearing had not been opened then the proffer could be added.

Mr. Ronald Gordon, 14331 Courthouse Road, stated he just wanted to attempt to answer the question regarding lot 9. Mr. Lewis has a life right on one (1) acre of property where he has his doublewide home. The intent was to include that acre with 4 more acres so that some time in the future this would revert back and be a portion of lot # 9 making a total of 5 acres. He continued and stated this property, the way it lays, divides very nicely. There is a natural storm drain to the back of the property. The perfect idea would be to end up with 9 lots but chances are at the very back the soils get worse. Lot 4 may not be a suitable lot because of the drain field problems associated with the bad soil.

Mr. Moody asked the applicant if he would like to make any extra proffers.

Mr. Scheid stated with language to the effect that the existing mobile home as occupied by Mr. Lewis who has a lifetime right will be removed upon Mr. Lewis's vacating the premises. The existing one (1) acre parcel is part of lot number 9 which is shown as a five acre parcel on the attached plat. A custom built home will be built on this lot. Mr. Scheid asked if this would suffice for the added proffer and satisfy the Board as to the intent of the applicant.

Mr. Moody opened the public hearing.

The following citizens came forward to speak.

1. Mrs. Marjorie Flowers 14919 Wilkinson Road, stated she was here tonight representing over 30 residents on Wilkinson Road in opposition to the rezoning request. She presented the petition signed by the 30 residents to the Chair. Ms. Wilkinson stated she did not believe this parcel is in the growth area. Additionally, the biggest concern is the heavy traffic on the road. Also the Board appointed a committee for the redevelopment in Dinwiddie County and this is not designated for redevelopment. She requested that the Board take this into consideration. The Board turned down Mr. Ragsdale's request on Tranquility Road which is not too far away. Ms. Flowers stated there is a lot of agriculture on this road and what is going to happen to this County when there is no more agriculture.
2. Mr. Gus Nelson, Jr., 14623 Wilkinson Road stated as far as he could determine he is the closest resident where this is going to be developed. He stated he had a few questions. Why would the Board turn down one person and then turn around and consider the next one. Traffic is another concern. He said he has been living in this area 22 years and travels the road daily and has never seen any kind of state count for traffic. Approximately in the past 5 years there has been 20 - 25 new houses built and there has not been an increase in traffic according to the State count. He voiced concern about the cars which cannot see around the curve at the end of his lane. Continuing he said the road is very narrow with no shoulders and ditches on both sides. He asked if the County has any idea of expanding this road.
3. Mr. Vincent Lewis, 17315 Wilkinson Road, stated he would like to request the Board not to approve this request. This area of the county has more than exceeded the expected growth that has already taken place. He stated his main concern is if this one is approved then the next one will have to be approved also. He asked how many houses would be

built at the 1600 sq. ft. size. Another concern is the water and sewer supply.

Mr. Moody closed the public hearing.

Mr. Moody stated one of the citizens asked about the number of homes that would be a single story, 1 1/2 story or a 2 story. He asked Mr. Henshaw if he could reply to that question.

Mr. Henshaw answered the homes are to be custom built but none would be under 1,650 square feet with an average cost of \$120,000 and up. The single story would be approximately 1,400 square feet.

Mr. Haraway stated this subdivision would be unique in that he could not recall a subdivision in Dinwiddie County having 300' fronts with a black top road. Usually you find 100' – 200' fronts with black top roads.

Mr. Bracey asked about the question relating to the Rural Conservation area.

Mr. Moody stated this area is in the Rural Conservation area and the comp plan allows 10 to 15 percent growth. It is not a growth corridor.

Mr. Scheid responded that is correct and in the comprehensive plan this development is discouraged.

Mr. Bowman stated he would like to wait and see what the new comprehensive plan recommends. He stated he felt the County is entitled to impact fees. He asked if an ordinance has been passed to impose these fees.

Mr. Bracey responded that the plan is not the "law" it is only a guide. He said the County can't dictate the size of the house nor the price of the house. We are talking about people and I think we need to consider affordability. A lot of people can't afford \$200,000 homes. So people are going to be denied a place to live because they don't have that kind of money.

Mr. Bowman stated the County needed to slow down the growth so that we can catch up the schools.

Mr. Bracey stated Mr. Bowman you want all the development stopped until the County gets a new comp plan.

Mr. Bowman stated yes. We need to use the tools that we are paying to have.

Mr. Bracey stated please don't put me into that category.

Mr. Bowman replied that that has been one of the main questions at every comp plan meeting he has attended, "how can we tax mobile homes coming into Dinwiddie County to make them pay for their way to support the School System"? One of the ways may be impact fees.

Mr. Bracey responded don't put that standard on anyone.

Mr. Clay stated he was an adjoining landowner with a possible conflict of interest.

Mr. Moody stated he heard what Mr. Bowman said but he felt like every application has to be weighed on its own merit. The Board can't wait on a new comp plan and we can't do that. We have to look at it and give a reason other than that for what needs to be done. There was some discussion about rural conservation. This is a rural conservation area and he thinks it does allow 10 to

15 percent growth. It is hard to say whether this has been done without some research here and we are talking about 5 to 6 houses. At the last public hearing the request was denied because it was a small lots and the applicant has come forward and done a much better job with the plan.

Mr. Moody called for a motion.

Mr. Bracey moved for approval.

Mr. Long read the following statement:

BE IT RESOLVED, that in order to assure compliance with the Virginia Code Section 15.2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

This motion included the additional proffers as stated and signed by the applicant and those recommended by the planning commission.

The motion was seconded by Mr. Haraway.

Mr. Haraway asked what is the Staff's recommendation?

Mr. Scheid replied the Staff notes that the current rezoning proposal is more closely aligned with the thoughts of the Planning Commission and the citizens than the previous rezoning proposal, P-99-4. The development standards proposed appear desirable and could be interpreted to set the standard for future requests. But, it must be noted that three (3) concerns remain: actions taken on previous rezoning requests appearing similar in nature; compliance with the existing comprehensive land use plan; and the current efforts underway to revise the comprehensive land use plan. But ultimately Staff recommended disapproval of the request.

Mr. Bowman voting "Nay", Mr. Clay, Mr. Haraway, "Abstaining", Mr. Bracey, Mr. Moody, voting "Aye",

Mr. Moody asked legal counsel what is the ruling?

Mrs. Katz asked what procedures have been established by the Board in the past. She stated she would check to see if it is the majority voting or the majority of the Board and let the Board know. Clearly it is not the majority of the Board.

Mr. Long told the applicants as soon as the vote is clarified he would contact them.

IN RE: EXTENSION OF TAX DUE DATE – RESOLUTION TO CONSIDER

Mr. Long stated there might be a possibly of having to extend the deadline of due date for taxes on real estate, tangible personal property and machinery and tools based on the uncertainty for the personal property tax relief act; and recent discussion could go any number of different routes. The Treasurer is concerned with sending the tax bills out without that having been decided. The cost to send the bills out a second time is expensive.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that IF THE state has not rendered a decision of the car tax relief act by

May 9th, the Board will consider an emergency ordinance at its May 16th meeting to extend that due date to June 19, 2001.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody asked if the Board had any quick comments.

There were no additional comments from the Board.

IN RE: CLOSED SESSION

Mr. Bracey moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

The purpose of the closed meeting is to discuss subject matters identified as Personnel and Consultation with Legal Counsel. Matters to include: Telecommunications and Zoning.

Consultation with legal counsel, § 2.1-344 A.7 of the Code of Virginia, (consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice)

Mr. Clay seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 10:35 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 11:09 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye". This Certification Resolution was adopted.

IN RE: AUTHORIZATION TO DISPOSE -- AIR CONDITIONERS

Mrs. Wendy Ralph asked the Board to authorize the disposal of the air conditioner units which were removed from the Old Courthouse and other County building surplus. We recommend giving the units that are in working condition to the Disabled American Veterans. The units not in working condition would be disposed of at the landfill. The Board concurred.

**IN RE: VIRGINIA TOBACCO INDEMNIFICATION AND
COMMUNITY REVITALIZATION COMMISSION –
APPLICATION FOR FUNDS**

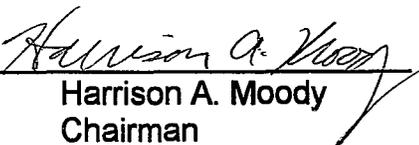
Mr. R. Martin Long, County Administration advised the Board that \$922,000 has been set aside for Dinwiddie for economic development purposes from the Tobacco Commission Fund. The deadline for application is May 15, 2001. He reviewed several projects that could be submitted for consideration.

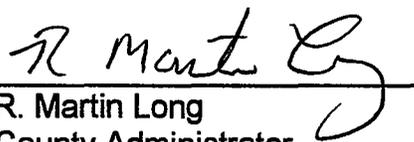
IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated in light of the overwhelming number of issues that the County is facing now, it is time to schedule a retreat. We need to move along with the issues in an expeditious manner; however, he felt it would be prudent to wait until the budget has been completed. Mr. Long recommended scheduling a retreat beginning at 9:00 A.M. on May 21st and 22nd for two (2) full days. Continuing, he said this would be the best days for the staff due to the fact that we have an extra week available between regular Board meetings; this would allow us to follow up on issues after the retreat, as well as prepare for the next meeting. He suggested that the retreat be held at the Wakefield 4-H Center. The Board members requested that an agenda be set along with recommendations from the staff on each item.

IN RE: ADJORNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the meeting adjourned at 11:23 P.M.


Harrison A. Moody
Chairman

ATTEST: 
R. Martin Long
County Administrator

/abr

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 16th DAY OF MAY, 2001, AT 2:00 P.M.

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

OTHER: DANIEL SIEGEL COUNTY ATTORNEY

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 2:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

Mr. R. Martin Long, County Administrator, stated there were two additions needed on the agenda under Item 12 – Closed Session add: Consultation with Legal Counsel § 2.1-344 A.7 of the Code of Virginia, for Administrative Procedures; also the Sheriff requested that he be allowed to be first on the reports because of another commitment.

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Moody voting "Aye", the above amendments were approved.

IN RE: MINUTES

Mrs. Wendy Ralph, stated she would like the County Attorney to affirm the vote and action taken by the Board at its May 2, 2001 meeting on P-01-2, H. Keith Henshaw's Rezoning request.

Mr. Bracey moved for approval, motion Seconded by Mr. Clay.

Mr. Bowman also stated there was one item he would like to clarify. Under the subdivision rezoning request P-01-2 he asked that the statement reflect that he stated: He would like to see an ordinance passed in the county to include impact fees for subdivisions and that would help with the building expenses of schools.

Mr. Moody asked Mr. Bracey if he would amend his motion to include the statement.

Mr. Bracey so moved; Mr. Clay Seconded.

Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the April 25, 2001 Continuation Meeting, May 2, 2001 Continuation Meeting, and the May 2, 2001 Regular Meeting are hereby approved in their entirety with the amendment to P-01-02 as stated above.

IN RE: CLARIFICATION OF VOTE FOR PUBLIC HEARING --

P-01-2 – H. KEITH HENSHAW REZONING

Mrs. Ralph stated the particular action or the vote on the Henshaw rezoning case there was a question on the outcome because there were 2 "Abstaining", 1 "Nay" and 2 "voting "Aye". She asked the County Attorney to explain the legal rendering.

Mr. Daniel Siegel, County Attorney, stated in that instance the majority of those voting approved whatever the motion was. So in this case, there were 2 "Ayes" and 1 "Nay" and 2 "Abstaining", meaning the abstaining members didn't vote. Therefore, the majority of the Board voted "Aye" which approved the motion in this case.

Mr. Bowman asked if that was under "Roberts Rules of Order"?

Mr. Siegel stated the Board isn't under "Roberts Rules of Order" but they are under the General Virginia Action therefore a majority of a quorum can take action. So a majority of those voting was a quorum anyway. There are a few instances where the Board meets and the majority of the Board has to vote. Such as for budget appropriations, setting tax rates, and appropriations above a certain amount just to name a few. However, in this case the "Ayes" were the majority of the Board voting so therefore the rezoning request is approved.

IN RE: CLAIMS

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody 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 1025440 through 1025629 (void check(s) numbered 1024983,1025439 and 1025441) for:

Accounts Payable:

(101) General Fund	\$ 182,977.12
(103) Jail Commission	\$ 103.25
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 2,785.39
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$ 393.06
(304) CDBG Grant Fund	\$ 1,003.26
(305) Capital Projects Fund	\$ 212,357.61
(401) County Debt Service	\$ 86,398.93
TOTAL	\$ 486,018.62

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

**IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATION
PROJECT – REQUISITION NUMBER 29 (IDA1999A-#21)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 29 (IDA1999A - #21):

SOUTH WOOD BUILDERS, INC.	\$212,407.00
ENGINEERING CONSULTING SERVICES	808.25

BALLOU JUSTICE UPTON ARCHITECTS

4,380.17

TOTAL REQUISITION #29

\$217,595.42

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 29 (IDA99A - #21) in the amount of \$217,595.42 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Renovation Project Fund.

IN RE: CITIZEN COMMENTS

The following citizens signed up to comment.

1. Ms. Geri Barefoot, 7411 Frontage Road, came before the Board with the following questions and concerns about sludge:
 - A. Is human waste called Sludge being hauled into Dinwiddie County from any other State or States? To be used on fields in this or surrounding Counties.
 - B. If bio-solid permits were issued, what means were used to give public notice to the citizens of Dinwiddie County?
 - C. Who has bio-solid permits and what is being grown in these fields?
 - D. How long have these permits been in use in Dinwiddie County?
 - E. How is sludge being transported?
 - F. What is being done to protect the citizens of this County against any accidental spills that could run into our streams, lakes, rivers, and most important our wells?
 - G. What is being done to prevent any run-off from occurring in these fields, which could contaminate our drinking water and our wildlife?

Continuing she asked do we as citizens of Dinwiddie County have to hire an attorney to protect ourselves? She told the Board she wanted answers to her questions now.

Mr. Moody instructed Ms. Barefoot to put the questions in writing and give them to the Clerk and she would receive the answers within 5 working days.

2. Mrs. Anne Scarborough came before the Board stating at the public hearing she asked three questions about the budget and to date she had not heard a word since then. Also, she expressed her concern again about issuing a long-term contract with Adelphia. Saturday afternoon it took her 11 minutes to get a human on the other end of the phone. That evening John, her husband, stayed on the phone for 21 minutes and never got a human being on the other end. She urged the Board not to extend the contract beyond the 60 days until there is some improvement in their services. The rates are being increased \$2 a month but there is nothing in the

notice about getting any extra channels. Dinwiddie County is paying more than surrounding counties receiving cable but we have far fewer channels. The County must look at the results and whether Adelpia can perform their responsibilities. Continuing she stated the Board said the revenue was uncertain and therefore you really would like to reduce the tax rate 4 cents but you would only do 2 cents. She said it was really hard for her to sit there and hear that when the Board overcharged the citizens 2 cents this year. There were 99 certificate of occupancy permits issued this year. Was that considered? 17 trailers, did the Board consider the value that would bring? Did you consider the value of the land for the 99 homes? She stated she was disappointed that the airplane tax was not touched either.

Mr. Bracey stated a letter needed to be sent to Mrs. Scarborough explaining how long it is from the time houses are built and when real estate taxing starts on the new homes. He instructed the County Administrator to get the information together and send a reply to her.

3. Majorie Flowers 14919 Wilkinson Road, appeared before the Board stating she was very disappointed about the decision that was made by the Board on the rezoning request from the Henshaws. She stated the people in this County no longer have a say. It is a sad thing when the Board doesn't seem to care what the citizens need.

4. Mr. Long told the Board that Ms. Kathy Young was here today with some students from the 7th grade Government class that will be involved in the shadowing program again this year. Continuing he stated most of you are familiar with the program and one of these students may be contacting you in the days ahead to see if you are willing to share information with them about your role as a member of the Board. He introduced the following students to the Board and Citizens:

Randi Aldridge	Tiffany Brown	David Downey
Lindsay Lingerfelt	Sarah Neal	Michelle Nunnally
Jay Perry	Stephen Rainey	Dorothy Rivers
Wesley Southall	Kelly Thompson	Hal Good

Mr. Long said these young folks are in the Gifted Program in the shadowing program and some of them may be contacting some of the Department Heads and Constitutional Officers. He stated this is a real good program and has had a lot of participation in the past. Mr. Long thanked the students for being present.

Mr. Moody welcomed the students to the meeting and said he hoped they would find the meeting interesting and would get something out of it.

IN RE: HIGH-SPEED RAIL CORRIDOR STUDY- REPORT

Mr. Alan Tobias of the Virginia Department of Rail and Public Transportation appeared before the Board presenting an overview of the high-speed rail train system proposed to come through the County. Mr. Tobias stated they have been working with the State of North Carolina for a couple of years now on developing plans for a high-speed rail in the Southeast portion of the United States. The NCDOT and the VDRPT are conducting engineering and environmental studies to extend high-speed rail service from the Northeast Corridor south from Washington, DC to Charlotte, North Carolina via Richmond, VA and Raleigh, NC. One of the key corridors that they are looking at is the

abandoned rail line that goes through Dinwiddie County which is referred to as the "S" line. The departments of transportation in Virginia and North Carolina have been doing an extensive amount of public involvement programs for the SEHSR environmental impact study. He stated the North Carolina Transportation Rail Division has been the lead agency on this environmental impact study. Mr. David Foster, project manager, and Mark Hamel, with NCDOT, are here today to speak to the Board.

Mr. David Foster stated he needed to also recognize Sam Hayes with the Virginia Department of Transportation who is here today. Mr. Hayes has been a real asset involved in the planning for both states. Mr. Foster stated they had been working on this extensive environmental analysis a little over a year and a half. It is about a 500-mile corridor with 1,000 miles of existing railway right-of way that is being analyzed for the potential of high-speed service. This first study phase, the Tier I Environmental Impact Statement (EIS), "conceptual level" phase does not authorize any construction or permitting actions. The SEHSR process should take two to three years to complete. During this time, Tier I EIS, public involvement and data gathering is done through public workshops (Round I), agency and stakeholder meetings, and data gathering. The final Environmental Impact Statement and Record of Decision will be compiled into a draft and we hope it will be signed and published for public review in June. The first series of public hearings will be started by late July all along the corridors to get public comments on that draft document. Following the public comment process there will be a recommendation meeting with the Transportation Agencies in North Carolina and Virginia with both the Federal and State Agencies. Hopefully the data will be substantial enough that we will be able to make recommendations on one or more of those alternatives for future study.

Continuing Mr. Foster commented that the project team would consider the various possible route combinations for the South Eastern High-Speed Rail and areas of environmental concern will be identified through coordination with various resource agencies and the public. The Tier II phase of the study will entail more extensive studies and environmental analyses on actual alignments along the combination of routes identified at the end of the Tier I, EIS. At that period in time we will move into a final Environmental Impact Statement and that document and record of decision will be finished late in 2002.

He told the Board that this was a quick data update and he asked the Board if they had any questions about the process.

Mr. Long asked if they had anything specific to the County, map wise yet?

Mr. Foster stated the only thing being considered for Dinwiddie County at this time is the old "S Line" alignment. This first phase of environmental analysis, the SEHSR Tier I, Environmental Impact Statement (EIS), is focusing on analyzing a variety of route alternatives and on obtaining input from the general public, elected officials, community planners, resource agencies and others. He stated if the recommended study area is a combination it would include the "S Line", and if there would be actually three combinations. It would all include the "S Line" and there are nine alternatives. After completion of Tier I, the second tier environmental studies to determine specific alignments for the SEHSR and evaluate site-specific impacts may take anywhere from a few months to several years to complete. At this point it will be very important for the public because active participation is the key to ensuring that decisions made about the proposed project will consider the needs of the people affected by the project.

Continuing Mr. Foster stated the question right now, that will be answered, in this draft document, is which of those nine alternative study areas will be looked at for the route. Are we going to be coming down the "S Lines" south of Richmond or are we coming down the "A Line". Those are the two primary

questions from the County's standpoint. This will all be determined in the Tier II process and there are a number of combinations that could go either way.

Mr. Bracey asked if the train would stop in Dinwiddie.

Mr. Foster replied the stops have not been determined yet but none have been modeled in Dinwiddie. However, one has been modeled in Petersburg.

Mr. Bracey inquired about the revenue benefits for the County.

Mr. Foster stated the same economic benefits would come to numerous towns on the route including access to freight service and the economic access that would accrue because of the freight access. In counties like Dinwiddie the folks would have the improved transportation and increased frequency, improved reliability, and faster trips moving up and down the east coast.

Mr. Bracey stated he is concerned about some homes that have been built along the bed alignment. What is going to happen? Is there anything in place to relocate the homes?

Mr. Foster replied detailed project location development, noise and vibration assessment and specific minimization and mitigation activities for the project will not occur until the second phase of the project. In the first phase, the project team will evaluate general noise and vibration impacts and consider general solutions for minimizing and mitigating these effects.

Mr. Bracey asked how much money is this going to cost Dinwiddie County?

Mr. Foster responded he did not know what the cost would be.

Mr. Clay asked about the small roads that have to cross the tracks, what is going to be done for the safety of the people?

Mr. Foster stated these are ongoing efforts addressing existing safety concerns. Once a route is selected and subsequent environmental studies are conducted, specific crossings would be further upgraded as required for high-speed rail. All public and private crossings should be graded, separated or equipped with special crossing protection devices.

Mr. Moody asked who makes the final decision?

Mr. Foster replied it would be a joint decision made by the Virginia Department of Rail and Public Transportation, the Federal Railroad Administration, the Federal Highway Administration, and the North Carolina Department of Rail and Public Transportation.

Mr. Foster stated the funding would come from Legislative funding.

Mr. Bowman asked what benefits are there for Dinwiddie to endorse this service?

Mr. Foster said you would receive the same kind of revenue as towns in North Carolina expect to receive who don't have a station stop. That is increased freight access, more efficient access and of course more economical freight.

Mr. Bowman stated he knew the County is studying using the rail as a trail for the recreation department. He asked how would that affect that Trail Plan? Do they work together?

Mr. Hamil replied probably not, because there would be an issue with safety. That issue would have to be addressed in the Tier II process. There would be an option to potentially look into some fencing for protection.

Mr. Long stated it would be a good idea for these folks to come back after Tier II starts.

Mr. Foster replied they would be here for the public hearings that are slated to be held in Petersburg and South Hill. The dates and times haven't been set but the meetings will be advertised in the local newspapers prior to the events.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Shands came before the Board and stated he put his report on the counter for the Board. Continuing he stated the population for the Jail is around 67 for the month.

**IN RE: AUTHORIZATION FOR SHERIFF'S DEPARTMENT TO
REPLACE VACANT STATE POSITIONS – TWO JAILORS
– ONE DISPATCHER**

Sheriff Shands stated he had tested and interviewed twelve applicants for (3) vacant State positions. He requested to place the following persons on payroll effective May 3, 2001.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Sheriff's Department is authorized to fill the following (3) three vacant State positions. Two Jailors, Timothy A. Evans and John P. Ondra with an annual salary of \$23,329, and one dispatcher, Leteisha R. Hicks at an annual salary of \$19,949, effective May 3, 2001.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Shands told Mr. Long he had received the letter regarding a report on radar for certain roads in the County. Currently there have been 32 citations issued and he will have which roads shortly to the Board.

Mr. Bracey asked why there was such a big turnover in employees in this department?

Mr. Shands replied they quit for more money. Surrounding cities and counties pay more.

Mr. Bracey stated the county hires the people, trains them, buys them clothing, provides vehicles then ends up losing them and it is a big cost to us.

Sheriff Shands stated he would like to have the new employees sign a contract to make them pay the county back for any training costs if they leave before a year expires.

The Board instructed the Sheriff to contact the County Attorneys to work with him on a policies and procedures handbook.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Richard Caywood, Resident Engineer for the Virginia Department of Transportation came before the Board and presented his monthly report. He gave the following update:

- a. Corrective repaving work is in process on US Route 1. The southern end is almost complete and we will be working on the northern end by the end of the week.
- b. The Courthouse Road project is proceeding well; some unforeseen conditions were encountered but the contractor is ahead of schedule so we are still on target to have the road reopened prior to the advertised date.
- c. The groundbreaking ceremony was held for the Airport road project and the notice to proceed has been issued for that work.
- d. Will meet with the Parks Service representatives next week to look at the new facilities and access road at Five Forks.
- e. Maintenance items: Mowing is ongoing; Patchwork and under drain is being done on I-85.

Mr. Clay stated several citizens had voiced concern about the speed limit at DeWitt on US #1 and he felt the limit should be reduced.

Mr. Caywood responded he would have traffic and engineering do a study there.

Mr. Moody asked if the State would save money if they bought the "reclamation machine" and did the repaving work on the secondary roads.

Mr. Caywood replied VDOT is moving away from doing work of any scale with our own forces. The milling machine that is on that job cost in the neighborhood of one quarter to one half a million dollars.

Mr. Clay asked is the County paying the second time for the repaving on US Route 1.

Mr. Caywood responded yes. Unfortunately, the contractor met the requirements of the contract. But the money is coming out of the District wide maintenance fund.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward presenting his monthly report and to request an emergency ordinance for the extension on the due date for the 2001 taxes.

IN RE: RESOLUTION -- EXTENSION OF DUE DATE FOR 2001 TAXES

Mr. Jones stated prior to your May 2 meeting, I met with you to discuss the possible extension of the first half due date for personal property taxes. This was necessitated over my concerns that the 2001 tax relief discount may be changed. It became apparent on May 4 that no compromise would be reached and the 70% discount would remain "the law of the land". However, another situation has developed and one you are quite familiar with. To this date, I have not received the information from the Commissioner's Office to print the Personal Property tax statements. It is possible he stated that I might receive the information "at the end of the week". Continuing he said he knew one thing, the May 21st deadline

for mailing is not achievable. Real Estate tax statements were printed on May 15th. Mortgage requests were mailed the following day. He requested that the due date for the 2001, first half be extended to June 19, 2001.

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Bowman, Mr. Haraway, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia THAT THE Code of the County of Dinwiddie, Virginia is amended and reordained as follows:

RESOLUTION
EXTENSION OF DUE DATE FOR 2001 TAXES

AN EMERGENCY ORDINANCE AMENDING AND REORDAINING THE CODE OF THE COUNTY OF DINWIDDIE, VIRGINIA SECTION 19-2 (DUE DATE FOR TAXES ON REAL ESTATE, TANGIBLE PERSONAL PROPERTY AND MACHINERY AND TOOLS; PENALTY AND INTEREST ON DELINQUENCIES) TO GRANT A ONE TIME ONLY PAYMENT DEADLINE EXTENSION FOR JUNE 2001 TAX PAYMENTS, ENACTED ON AN EMERGENCY BASIS TO PROTECT THE HEALTH, SAFETY AND WELFARE OF DINWIDDIE COUNTY RESIDENTS.

BE IT ORDAINED, by the Board of Supervisors that an emergency exists that would be detrimental to the health, safety and general welfare of the residents of Dinwiddie County unless Section 19-2 of the Code of the County of Dinwiddie, Virginia is amended and reordained as follows to be effective immediately:

By deleting the current text of Section 19-2 and adopting in its place the following:

- I. Section 19-2; Due Date for Taxes on Real Estate, Tangible Personal Property and Machinery and Tools; Penalty and Interest on Delinquencies.
 - (a) For each taxable year, County taxes on real estate, tangible personal property, and machinery and tools shall be paid, by or on behalf of persons owing such taxes, in two (2) equal installments. One installment shall be due and payable on or before the 5th of June of the taxable year except that for the 2001 tax year only this date shall be the 19TH day of June 2001, and the second or remaining installment shall be due and payable on or before the 5th day of December of the taxable year. If any such date shall fall on a day when the County's administrative offices are closed, all such taxes due on such date shall be due and payable on the first business day thereafter.
 - (b) If taxes referred to in subsection (a) above are not paid on or before the due date prescribed in such subsection, there shall be added thereto a penalty in the amount of ten (10) percent of the taxes due. In addition to the penalty provided herein, any such taxes that remain unpaid on the first day of the next following month in which such taxes become due shall be delinquent and interest thereon of ten (10) percent per annum shall be added to the amount of taxes or levies due from such taxpayer, which when collected by the Treasurer, shall be accounted for in his settlement. Furthermore, the County may recover reasonable attorney's or collection agency's fees, which shall not exceed twenty percent of the delinquent tax bill upon nonpayment, incurred in collecting the taxes referred to in above subsection (a); provided however that attorney's fees shall be added only if such delinquency is collected by an action at law or suit in equity.

This ordinance shall be effective immediately, and shall be effective for only sixty days from the time of adoption unless readopted after public hearing in accordance with Code of Virginia Section 15.1-504.

CROSS REFERENCE - Payment of Vehicle Personal Property Taxes
Prerequisite to Licensing of Vehicle, Section 14-22.

STATE LAW REFERENCE - Authority for above section, Code of Virginia,
Section 58.1-3916.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, appeared before the Board and stated he had nothing to report.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of April 2001.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward presenting his report for the month of April 2001.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning came forward and presented his monthly update for his Department. He stated he has received the Census Data for elections per district for the redistricting. Continuing he said the Planning Department is working on the redistricting plan for the County. As you are aware, the year 2000 census data reveals that significant population changes have occurred in the County and within individual election districts. In order to comply with the Federal Voting Rights Act, a redistricting plan must be developed and submitted to the Justice Department. In developing the plan, a redistricting Committee needs to be formed by the Board to assist staff and solicit citizen participation in the process. There is a time frame within which this plan must be developed. This information will be presented to the Board shortly so that action may be taken in a timely manner. Mr. Scheid gave the Board a copy of the 1991 Redistricting Committee and told the Board he needed their appointments as soon as possible. He stated he felt the number of appointments could be reduced to 10.

**IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER –
REPORT/CODE COMPLIANCE**

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his April monthly report.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen came forward and presented an update on the activities of the Social Services Department. Ms. McElveen reported that May is Foster Care Month and she presented the following Resolution from Governor Gilmore. Continuing she told the Board this was particularly important to her because she felt it was the most critical program in the Agency and it was obvious why. She stated she was happy to report that the County had only 12 children in Foster Care.

RESOLUTION
GOVERNOR DECLARES MAY AS FOSTER CARE MONTH IN VIRGINIA

WHEREAS, the family is our most important institution and families serve as our children's primary source of love, self-esteem, and support; and

WHEREAS, every child in our great Commonwealth needs and expects parental love and guidance; and

WHEREAS, foster care in Virginia provides temporary, safe, and supportive families for children and young people when their families are in turmoil; and

WHEREAS, there are over 7,600 children and young people in foster care throughout Virginia; and

WHEREAS, foster parents open their homes and hearts to foster children, and they play a vital role in helping children reconnect with their families or prepare for adoption; and

WHEREAS, Foster Care Month highlights the significant and valuable contributions of foster parents, child welfare staff, and others who dedicated themselves unselfishly in helping children in need;

NOW, THEREFORE, I, James S. Gilmore, III, Governor of Virginia, do hereby declare the month of May 2001, FOSTER CARE MONTH, in the Commonwealth of Virginia. I call this observance to the attention of all our citizens.

IN RE: SOCIAL SERVICES – REQUEST AND APPROVAL OF APPROPRIATION OF FUNDS FROM DONATIONS

Ms. McElveen concluded her report by requesting a resolution to appropriate funding received by her department through donations. The funds received are as follows:

• United Way	\$10,435.00
• Miscellaneous funds	\$ 650.00
TOTAL	\$11,085.00

Mrs. McElveen stated that no local match funds would be required.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for supplemental appropriations from donations in the amount of \$11,085.00 for the FY 2000 - 2001 Social Services budget.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Ms. Troilen Seward, Superintendent of Schools came forward and stated she could attest to Mrs. Anne Scarboroughs' problems she was having with Adelphia and the service they provide. Ms. Seward explained she had been going around and around with Adelphia also. She said she has been trying to get cable service in the Middle School and couldn't remember how far back this has been going on. She also presented an update to the Board on the School Activities.

IN RE: AVERAGE DAILY MEMBERSHIP - SUPPLEMENTAL APPROPRIATION #8 - FY 2001

Mrs. Seward stated she was authorized to request a \$94,946 supplemental appropriation for state funding based on the Average Daily

Membership of 4287. This is an adjustment to state and requires no additional local funds. This supplemental appropriation request includes a \$1,654 increase in the transfer to textbooks and a \$2,625 increase in the transfer to debt service. The total of these transfers from the Instruction Category to the appropriate funds is \$4,279. The balance of this supplemental appropriation needs to be added to the Operation and Maintenance category.

Mr. Moody asked if this figure was lower this year?

Ms. Seward stated she had estimated on September 30th, of last year that we would end up with 4,260 and we ended up with 4,287. The final figures will be in on Friday. The ADM has not been adjusted and we will no longer get the sales tax but we believe this is the amount we will receive.

Mr. Bracey asked about not being paid for the mid-term graduates. Do we still have to subtract for them?

Ms. Seward replied that is no longer allowed. There are no graduates in the middle of the year.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board's request for \$94,946 is approved. Supplemental appropriation #8 is for State funding based on the Average Daily Membership of 4287. This supplemental appropriation request includes a \$1,654 increase in the transfer to textbooks and a \$2,625 increase in the transfer to debt service. The total of these transfers from the Instruction Category to the appropriate funds is \$4,279. The balance of \$90,667 of this supplemental appropriation needs to be added to the Operation and Maintenance category. This is an adjustment to state and requires no additional local funds.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Ms. Seward continued and reported that the Spring Writing SOL unofficial calculations are as follows:

	1998	2000	Required is 70%
Dinwiddie Elementary	50%	82%	
Midway	40%	77%	
Rohoic	88%	88%	
Sunnyside	53%	88%	
Middle	56%	47%	
High School	57%	82%	

The encouraging thing is that each year the scores are building.

Ms. Seward stated she didn't know whether to class this as good news or bad news. The State audits the accounts at the end of the year which is the annual report. This is submitted to the State each year and in 1998-99 Dinwiddie County local contribution per pupil was \$1,036 and there were only 4 localities in the State that fell below us. In 1999-2000 it was \$1,369 so we have increased our local contribution per pupil and it has moved us up to 8 below us who contribute less instead of 4.

Mr. Haraway asked how many localities? Ms. Seward responded 133.

Mr. Bowman questioned how does that reflect is test scores as far as what we are contributing per student.

Ms. Seward stated that would be hard to determine. She asked for a little more information on what he was looking for.

Mr. Bowman replied since we are spending so little money per student do our test scores reflect that?

Ms. Seward stated she felt we are getting a lot for our money. Ms. Seward stated she felt the Staff was doing an excellent job.

Mr. Bracey replied he wondered what the capital income of the other localities that contribute a lot more than Dinwiddie does, is.

Ms. Seward stated she would get a copy to the Board.

**IN RE: OYCS FUND 208 AND LITTER GRANT FUND 209 -
SUPPLEMENTAL APPROPRIATION #9 - FY 2001**

Mrs. Francene Green came before the Board and stated at the May 8, 2001 meeting of the Dinwiddie County School Board, she was authorized to request the following supplementary appropriations:

OYCS - FUND 208

\$2,841	Donations	To be used for volunteer conference, mentors and underage drinking initiative.
\$561	Additional ticket sales from 'Tis the Season	To be divided equally between ten DCHS clubs who participated.
\$1,600	Donations	To be used for Dinwiddie County Youth Advisory Board projects.
<u>\$4,108</u>	Increase in funding and COLA From DJJ grant	For various projects.
<u>\$9,110</u>	TOTAL	

LITTER GRANT - FUND 209

\$1,093	Increase in Litter Grant	For various projects.
<u>\$831</u>	Litter Revenue	For various projects.
<u>\$1,924</u>	TOTAL	

These amounts would provide additional funding for the Office on Youth.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board's request for the Office on Youth and Community Services supplemental appropriation #9 as listed above is approved. This requires no additional local funds.

IN RE: APPOINTMENTS - OFFICE ON YOUTH AND COMMUNITY SERVICES

Mrs. Francene Green, Director of the Office on Youth and Community Services, stated it has been the practice of the Board of Supervisors to receive recommendations from the existing Youth Commission for potential new members. We would like to recommend the following people to serve on the Commission:

For three year term:

Patsy Barnes
Susan Edmunds
David Johnson
Judy Langster
Odessa Winfield

For one year appointment to finish out a term:

Chuck Fore

For one year term (students):

Megan Baird
Shekenya Chamblee
Ryan Crabtree
Jessica Love
David Thompson

Mr. Long stated in the past it has been the policy of the Board to discuss the appointments in closed session, but it is the pleasure of the Board whether they wanted to go ahead and do the appointments now.

Mr. Bracey stated we have no applications from anyone which is required for all the other appointments. So we really don't have anything to go on. Continuing he stated these are the same people all the time. He stated in the future the Board needs applications before the list is approved for these appointments.

Ms. Green replied these are not the same people; the only name which is seen consistently is Patsy Barnes and she works with the youth in the County. All of these recommendations come from the Commission, however she stated she would supply the Board with the list so that the Board could see that these are all new folks.

Mr. Moody suggested that this be taken up in closed session.

Mr. Bracey stated there was no need to discuss this in closed session. What needs to be done in the future, let it be understood by Ms. Green, that none of these people be on this list until there is an application and reviewed by the Board, which is done for everyone else.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the recommendations from the existing Youth Commission for the new members listed above are hereby approved.

Mr. Haraway stated that in the past that the existing Youth Commission made the recommendations for the new members.

Ms. Green stated she was following tradition and she had just followed what was in place when she came on board. The Board of Supervisors had empowered the existing Youth Commission to screen the applications submitted. But if the Board wanted to make the change it was certainly up to them.

Mr. Haraway explained the other appointments had not been reviewed by a body while these have been reviewed by a body set by the Board of Supervisors.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, stated he had provided the Board with his monthly report. In addition he informed the Board that Mr. Long, Mike Jones and he had attended the meetings to establish an Resource Conservation and Development in this region. Continuing he stated Mr. Jones has requested to speak on behalf of the RC&D to the Board next month.

IN RE: AUTHORIZATION TO PURCHASE FURNITURE FOR EASTSIDE

Mr. Smith reported that the floor and carpet at Eastside should start next week. He asked Mrs. Charity Taylor to come forward to present the furniture request to the Board and answer any questions they might have. Mr. Smith stated they had requested \$37,000 to furnish the building. This represents the first part of that request just to get the center up and going. This includes the conference room, senior's room, classroom, offices, and the multipurpose room. Continuing he said we have tried to combine the furniture as much as possible to be used for many of the other rooms. The rooms left are the youth room, AV equipment and appliances.

He stated he had received a bid from Tri-City for \$25,000. He requested authorization to purchase furniture as shown up to \$25,000.

Mr. Moody asked if this was pretty good quality?

Ms. Taylor replied it is in the medium quality range. It should hold up.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Recreation Department is authorized to purchase furniture as shown up to \$25,000 based on the low bid.

IN RE: RECESS

Mr. Moody called for a recess at 3:45 P.M. The meeting reconvened at 3:56 P.M.

IN RE: WASTE MANAGEMENT - REPORT

Mr. Dennis King, Director of Waste Management came forward to present his report for April 2001. In addition, he requested that he be allowed to use the surplus air conditioner unit which was removed from the old Courthouse to be used at the manned site at Rohoic. The Board concurred.

Mr. King stated he would be coordinating the dirt removal with the new road at the Airport to be used at the Rohoic site to build the berm.

IN RE: TRASH TRUCK—WASTE MANAGEMENT AWARD OF BIDS

Mr. King stated the bids were received on the trash truck cab and chassis and he presented the Board with the following bids for the trash truck. He explained that the lowest bid was from Colonial Truck Sales in Richmond that bid a Volvo with a Heil Body. Although the County does not have a truck like this in its fleet, after questioning mechanics and owners of this type of truck he felt it would be a winning combination.

- | | |
|--------------------------------|--------------|
| 1. Colonial Tuck Sales - Volvo | \$129,773.00 |
| 2. Va. Truck Center - Mack | \$134,551.27 |

3. Cavalier Equipment - Mack	\$134,701.27
4. Wilbar Truck Equip. - Volvo	\$134,984.75
5. Peterbuilt - Peterbilt	\$135,270.00
6. Wilbar Truck Equip. - Mack	\$139,988.75
7. Wilbar Truck Equip. - Peterbilt	\$140,688.75

Mr. King stated his recommendation is to purchase from the low bidder Colonial Truck Sales in Richmond which is a Volvo at \$129,773.00.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted for Administration and Waste Management to proceed with the ordering of the Volvo trash truck cab/chassis for a cost not to exceed \$129,773.00.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his monthly report.

IN RE: AUTHORIZATION TO TRAVEL APPLETON, WISCONSIN – PUBLIC SAFETY DIRECTOR

Mr. Jolly requested authorization for Charles Lewis and himself to travel to Appleton, Wisconsin to inspect the new Dinwiddie tanker unit prior to it being painted.

Mr. Haraway asked if it was necessary for two people to inspect the truck?

Mr. Jolly replied it has been the custom in the past that one person from the agency be allowed to go with the most recent one being Old Hickory.

Mr. Bracey moved to approve the request. There was no second.

Mr. Bowman stated apparently the Board only wants to pay for one ticket. Mr. Clay responded Mr. Jolly is capable of inspecting the truck.

Mr. Bracey asked what the policy has been in the past.

Mrs. Wendy Ralph stated that the company has paid in the past, but in this particular instance it was not included in the bid; and the Company did not offer to pay this time.

Mr. Bracey amended his motion to approve the request for Mr. Jolly to go and inspect the truck at the factory.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Public Safety Director to travel to Appleton, Wisconsin to view the tanker unit, prior to it being painted, June 17, 2001 at a cost not to exceed \$2,000.00, with funds being appropriated from the capital line item of the Volunteer Fire budget, 101-032200-3310.

Mr. Jolly continued. The first responder unit for Ford has had mechanical problems and it has been determined that it will cost approximately \$3,000 for a new motor. As a result he did not authorize that because the unit is so old. Which leaves the County without a unit in that area to respond. The DVRS has been asked to send an ambulance to that area to respond to the calls until the

issue can be resolved. Ford has only about 5 EMT that are able to make up a transport unit. With the limited number of trained people it makes it difficult to put together a 2 person crew to answer EMS calls. The issue was taken to the Fire and Rescue Association and they were asked them to look throughout the System for a unit the County has available and make a recommendation. They decided to relocate a unit from Namozine. He stated his concern with that was that Ford has a fewer amount of calls than Namozine and the population in that district is a lot larger and it was not a viable solution. The group met again and no vehicle was found and no decision was made. Because of that he stated Social Services has turned in a van to the County which he can use. This would free up his vehicle for Ford to use until a more permanent arrangement can be made. He stated his vehicle was equipped so that it could be placed in service as soon as a license can be obtained from the Office of EMS. He felt his vehicle could be at Ford no later than Friday afternoon or Monday morning at the latest. He told the Board this is only a temporary fix and it is his recommendation at this time.

Mrs. Ralph stated we need authorization to use the van donated by the Social Services.

Mr. Bracey asked what kind of a time frame are we looking at here.

Mr. Jolly stated a minimum of 90 days. He stated if you recall back when we did the vehicle replacement plan with the CIP last year, it was determined that the van that Ford used for the responder unit would be replaced with a multipurpose vehicle. This would be a light duty squad but it will take some time to spec it. The CIP process will start in June and finish is September.

Mr. Bracey stated he felt uncomfortable with that and we need an emergency vehicle now.

Mr. Jolly stated the quickest he could get a vehicle designed would be in a 5 month range.

Mr. Moody stated the area needed to be covered and this was the best solution right now.

Mr. Bowman asked how long will it be before we put a second EMS crew on?

Mr. Jolly stated July or August 1st.

Mr. Bowman said once we do that we will have an ambulance available for that area.

Mr. Jolly stated not necessarily. There will be 2 ambulances available but it is possible they won't be able to go to Ford any faster. We can't put it at Ford 24 hours a day simply because there are no facilities or personnel to accommodate it. The response time will be the same.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Public Safety Director to use the surplus van donated by Social Services for his personal vehicle.

IN RE: FIRE AND RESCUE ASSOCIATION - REPORT

Chief Charles L. Lewis enclosed his April monthly report in the Board's packet but was not present.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Daniel Siegel, County Attorney, stated he had nothing to report.

Mr. Bracey asked if the County attorney if he had any legal opinion which would eliminate the problem which occurred with the vote for the rezoning request.

Mr. Bowman asked if the Board could adopt "Roberts Rules and Order".

Mr. Siegel responded he would do some research and send the Board some recommendations.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Faison came forward and presented his monthly update for April.

IN RE: AUTHORIZATION TO NEGOTIATE WITH LOWEST BIDDER

Mr. Faison stated the bids for the Historic Courthouse Phase II were in and we had received two bids; one was from Arizona LTD for \$704,000 and GMW was the second one with a base bid of \$795,000. He requested authorization to enter into negotiations with the lowest bidder Arizona LTD for \$704,000 and come back to the Board with a final recommendation.

Mr. Bracey inquired if staff felt that Arizona LTD could do the job because GMW has done a courthouse before.

Mr. Faison stated they will have to provide a payment and performance bond.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator to enter into negotiations with the lowest bidder Arizona LTD to see what can be done to lower this base bid price and report back by Wednesday, June 6, 2001.

IN RE: MINI- BLINDS -- AWARD OF BIDS

Mr. Faison stated the bids were received on the mini-blinds for the Administration Building, Sheriff's Office, the new Courthouse and are as follows:

	ADMIN	SHERIFF	COURTHOUSE
Wythe Contract Sales	\$2,891.29	\$1,239.39	\$1,206.53
Windows-N-Walls	\$3,594.00	\$1,350.00	\$1,680.00
Southern Decorating	\$5,508.00	\$1,469.00	\$1,807.20

Mr. Faison stated his recommendation is to purchase from the low bidder Wythe Contract Sales for a total price of \$5,337.21.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted to award the contract for the purchase of mini-blinds to Wythe Contract Sales for a total price of \$5,337.21 with funds being appropriated from the buildings and grounds line item budget, 43200-3320, maintenance and repairs.

IN RE: AWARD BID - WINDOW CLEANING COUNTY BUILDINGS

Mr. Faison stated the bids which he received for cleaning windows in the County office buildings are:

	ADMIN	HEALTH DEPT.	SOCIAL SERVICES	COURT HOUSE
Haynes Enterprises	\$1,136.50	\$322.50	\$328.00	\$799.00
Professional Maint.	No Bids			
Va. Window Cleaners	No Bids			
James River Windows	No Bids			

Mr. Faison stated his recommendation is to award the contract to Haynes Enterprises for a total price of \$2,586.00.

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted to award the contract for the window cleaning of the office buildings to Haynes Enterprises for a total price of \$2,586.00 with funds being appropriated from the buildings and grounds line item budget, 43200-3180, cleaning windows and carpet.

IN RE: TIMBER CUTTING AT CONTRACT FOR LANDFILL

Mr. Jeff Bent appeared before the Board with his recommendation for the timber cutting at the Landfill on the Wheeler's Pond Road property. He presented the following bids:

	PP (\$/TON)	CNS (\$/TON)	HP (\$/TON)
F&P Enterprises	10.70	23.00	1.00
Smurfit-Stone Container	10.25	20.00	
Davis Logging Co.	9.41	22.00	
Gasburg Land and Timber	8.51	20.50	

Mr. Moody asked why didn't we do a lump sum bid?

Mr. Bent replied with thinning you can't determine ahead of time exactly what is coming off the property. The determination is left up to the person operating the tree cutter on the crew so without any positive way to identify the exact volume of timber coming off the site it really comes out to a shot in the dark. The companies can give exacts but they will just cut until they have sufficient wood to meet the price quoted to make sure they cover the bid.

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted to award the contract for the timber cutting to the high bidder F & P Enterprises.

IN RE: RESOLUTION AUTHORIZING COMPETITIVE NEGOTIATION FOR RADIO FREQUENCY ENGINEERING SERVICES

WHEAREAS, the Board of Supervisors of Dinwiddie County (the "Board")

wishes to receive proposals from qualified vendors for services to assist in the review of applications for telecommunications facilities and further to negotiate specific contractual terms and conditions favorable to Dinwiddie County (the "County"); and

WHEAREAS, Section 11-41 of the Virginia Public Procurement Act provides that goods and services may be procured by competitive negotiation upon a determination in writing that competitive sealed bidding is not advantageous to the public;

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

1. Staff is authorized to issue on behalf of the County a written request for proposals for radio frequency engineering services;
2. This Resolution shall constitute a written determination that competitive sealed bidding is not advantageous to the public for the reasons stated above.
3. This resolution shall be effective as of May 2, 2001.

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

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman He stated he would like to see this County move forward and grow in an orderly manner. But today as he sat and listened to the public comments the citizens of the County feel like they are not being represented. Continuing he said he thinks it is due mainly to the zoning ordinance. When we allow certain things in certain districts with just a conditional use permit, it takes the say-so away from the citizens. The Rail representatives stated there is a quarry coming into the County. They want to use the rail to ship the stone out of there and this is going into a basically residential area. Mr. Bowman said that the proposed quarry is just another example of why the residents feel left out of the loop in terms of development. He said he felt the county should re-examine its zoning ordinances and set aside areas specifically for industrial development rather than allow heavy industrial development in residential areas. The citizens right now have no say-so on these issues. Heavy Industry and businesses are being put in right next door to residences and this stuff is being rammed down their throats. He stated he felt we were running the county. He stated he would like to propose that the Board make some changes in the county and take these heavy industrial uses out of agricultural areas and protect our citizens. Continuing he said he had received about 100 calls about the rock quarry coming in. The citizens are upset about this and it's not just my district. It's all of our districts. It's our job to protect the citizens. He proposed that the Planning Department come up with a solution. He stated he felt that the supervisors were not doing their best to look out for the interests of the citizens.

Mr. Bracey He stated he was not going to sit today and debate with Mr. Bowman but he would be more than happy to take some fishing time out with Mr. Bowman and have a "real" talk about the citizens not having a say-so. Countering he stated the laws are already set forth and we as a Board have

to abide it. The citizens have a part. We have to have Public Hearings on everything and the citizens can come and speak. Continuing Mr. Bracey stated he took offense in that someone is saying that I am not representing the people in my district. He said he strongly disagreed with Mr. Bowman's comments to the contrary. He told Mr. Bowman he knew what he was referring to and it could have been a very unpleasant situation and he needed to tell his people just how unpleasant it might have been.

Mr. Haraway No comments

Mr. Clay No comments

Mr. Moody He stated that he heard what Mr. Bowman said and he felt it could be discussed at the retreat.

IN RE: CLOSED SESSION

Mr. Clay moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

The purpose of the closed meeting is to discuss subject matters identified as Personnel and Consultation with Legal Counsel. Matters to include: Building Inspections; Telecommunication Towers; Procurement – Telephone System.

- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Personnel for Buildings and Grounds and Appointments.
- **Consultation with legal counsel, § 2.1-344 A.7 of the Code of Virginia,** (consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice) Procedures.

Mr. Bracey seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 5:06 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:45 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were

identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye". This Certification Resolution was adopted.

IN RE: APPOINTMENT- CRATER DISTRICT AREA AGENCY ON AGING

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. Sarah O. Beville is reappointed to the Crater Agency on Aging Board, for a four year term expiring January 30, 2005.

IN RE: APPOINTMENT – DISABILITIES SERVICES BOARD

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Charles Gauldin is hereby appointed to the Disabilities Services Board, for a three-year term expiring January 31, 2003.

IN RE: APPOINTMENT – CRATER PLANNING DISTRICT COMMITTEE AND METROPOLITIAN PLANNING ORGANIZATION

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Donald Haraway, is hereby reappointed to the Crater Planning District Committee and Metropolitan Planning Organization, for a one-year term expiring June 30, 2002.

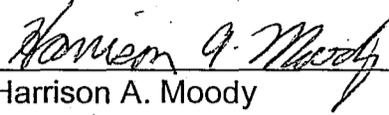
IN RE: APPOINTMENT- APPOMATTOX REGIONAL LIBRARY BOARD

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. Betty Mayes is reappointed to the Appomattox Regional Library Board, for a four-year term expiring June 30, 2005.

IN RE: ADJORNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 5:45 P.M. to be continued until 9:00 A.M., May 21, 2001 for the FY2002 budget retreat.



Harrison A. Moody
Chairman



R. Martin Long
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 6th DAY OF JUNE, 2001, AT 5:00 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

IN RE: CALL TO ORDER

Mr. Harrison A. Moody, Chairman, called the continuation meeting to order at 5:00 P.M.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

Mr. R. Martin Long, County Administrator, stated there were two additions needed on the agenda add Item 13 – Closed Session: Consultation with Legal Counsel § 2.1-344 A.7 of the Code of Virginia, for Telecommunications; § 2.1-344 A.3 of the Code of Virginia, for Acquisition of Property; and § 2.1-344 A.1 of the Code of Virginia, for Personnel, Appointments and Board of Supervisors.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Moody voting "Aye", the above amendments were approved.

IN RE: BILLING FOR SERVICES

Mr. David Jolly, Public Safety Director, came before the Board and presented the following billing for services plan.

Revenue Recovery

What is Revenue Recovery?

Billing health insurance to supplement operating expenses

Why Revenue Recovery?

- *Rising operational costs – maintenance and cost of vehicles, equipment, insurance, and increasing call volume*
- *People deserve the best service they can get – this takes money*
- *Paid staff to augment volunteers*
- *Donations decreasing and rising costs*
- *Replacement of outdated vehicles*

Why Should the Local Government and private donations continue to provide funding

- *Revenue recovery only provides supplemental funding*
- *Local government funding and donations will remain critical to service*
- *Minimize tax burden on the public*

Why Revenue Recovery in Dinwiddie County?

- ◆ *Continuous funding for second paid unit*
- ◆ *Continue to maintain volunteer base which significantly reduces cost to local government – minimize requested increases to the county*
- ◆ *Minimizes fiscal impact on the residents of the county*
- ◆ *This will provide only supplemental funding to that already received from the local government, donations, and grants*

1990 Statistics

- ◆ *685 EMS calls run by DVRS*
- ◆ *Annual fund drives and memorial donations*
- ◆ *State and local government support*
- ◆ *Insurance cost were lower*
- ◆ *Training classes no charge except for books*
- ◆ *Cost of specialized equipment*
 - *Ambulance type III \$70,000 to \$80,000*

1994 Statistics

- ◆ *2,081 EMS calls for service*
- ◆ *DVRS staffing on nights and weekends*
- ◆ *Namozine staffing one ambulance on nights and weekends*
- ◆ *June 1994 - Addition of Daytime Career staff*
- ◆ *November 1995 - Addition of 6 Full-time providers to provide 24 hour coverage*

2000 Statistics

- ◆ *2,800 EMS calls (400% increase since 1990)*
- ◆ *Bingo, house to house fund drive, local government support*
- ◆ *Cost of specialized equipment*
 - *Cardiac heart monitor \$25,500*
 - *Ambulance type III \$92,000 to \$115,000*
- ◆ *Insurance \$ 48,500*
- ◆ *Maintenance \$ 60,000*
- ◆ *Training expense \$ 20,000*
- ◆ *Uniforms \$ 5,000*

Today's EMS Operation

- ◆ *Additional 24 hour crew planned for FY 2002*

- ◆ *Cost of equipment, insurance, maintenance and training have increased*
- ◆ *Donations are down and bingo profits have decreased*
- ◆ *Employee salaries have increased (necessary to maintain quality providers)*
- ◆ *Volunteerism is down especially during the daytime – few businesses allow employees to leave*

Challenges

- ◆ *Increase donations and bingo profits or seek alternative funding*
- ◆ *Continue to provide a quality prehospital EMS system – Dinwiddie County provides assistance to our area as well as surrounding counties*
- ◆ *Recruit and retain quality staff and volunteers*
- ◆ *Continue to move EMS providers to the ALS status – necessary to provide the best possible emergency response to the community*
- ◆ *Decrease responses times to outer areas of the County*

Volunteer vs. Paid EMS Providers

- ◆ *No differentiation between volunteer and paid providers for training requirements*
 - *First Responder (40 hours – general, CPR, airway, and other basic life saving procedures)*
 - *Emergency Medical Technician (110 hours – initial care of medical and trauma situations, airway, patient assessment, OB, medication administration)*

Volunteer vs. Paid EMS Providers

- *Cardiac Technician (142 hours – advanced pharmacology, cardiovascular system, cardiac arrest treatment, chest decompression, pediatrics, intraosseous therapy) \$590 plus books*
- *Paramedic (444 hours – extensive clinical rotations in surgery, recovery, burn center, pediatrics, labor and delivery, psychiatric treatment, catheterization lab, needle and surgical cricoidthyrotomy) \$ 2,000 plus books*

Status of Emergency Vehicles

- ◆ *6 Advanced Life Support Ambulances*
 - *1991 (226,306 miles) Namozine*
 - *1992 (180,000 miles) DVRS*
 - *1995 (50,000 miles) DVRS*
 - *1995 (82,000 miles) DVRS*
 - *1999 (72,066 miles) DEMS*
 - *1997 (115,000 miles) DEMS*

Status of Emergency Vehicles

- ◆ 1995 Light Duty Crash Truck
- ◆ 1985 First Responder Van (182,000 miles)
- ◆ 2000 First Responder Expedition
(2,172 miles)
- ◆ 1990 First Responder Suburban
(181,214 miles)
- ◆ 1988 First Responder Truck
(222,147 miles)

Cost of Equipment

How Can a Volunteer Organization Charge for Services?

- ◆ *No differentiation in training*
- ◆ *No differentiation in required equipment*
- ◆ *No differentiation in personnel requirements*
- ◆ *No differentiation in costs to run organization with exception of salaries*

How Will Revenue Recovery Be Used?

- ◆ *Funding for additional 24 hour crew*
- ◆ *Dependent upon amount of funding, possible equipment upgrades to ensure the most up to date and reliable equipment*

How are the funds distributed?

Year 2000 EMS Calls

- ◆ **Assumption: Out of total call volume, approximately 80% are transported, and we hope to collect 60% of that amount.*
- ◆ *Assumption: The billing company charges a 10% fee and Administration would like to collect a 10% fee for other associated costs, 15% for First Responders, 65% Transporting agency.*
- ◆ *For example: The amount collected from insurance is \$200 per transport.*

Estimate of Dollars to be Collected by Agency.

These figures are after billing agency and administrative cost

What other EMS agencies are billing for services?

- *Richmond Ambulance Authority*
City of Richmond
- *Southside Virginia Emergency Crew*
City of Petersburg
- *Norfolk Fire & Paramedical Services*
City of Norfolk
- Lynchburg Fire & EMS*
City of Lynchburg
- Cape Charles Rescue Squad, Inc.*
Cape Charles, Virginia
- *Northampton Fire & Rescue, Inc.*
Northampton County, Virginia



What other EMS agencies are billing for services?

- *Marion Lifesaving Crew, Inc.*
Marion, Virginia Smyth County
- *Halifax County Rescue Squad, Inc.*
Halifax County
- *Pulaski County Rescue Squad, Inc.*
Pulaski County
- *Melfa Volunteer Fire & Rescue*
Melfa, Virginia
- *Dahlgren Rescue Squad*
King George County
- *Southside South Hill Rescue Squad*
Mecklenburg County

Agencies Looking at Revenue Recovery

- *Colonial Heights Fire & EMS*
- *Chesterfield EMS Division*
- *Prince George Emergency Crew*

Where do we go from here?

- ◆ *Meet with volunteers to explain plan and gather support*
- ◆ *Education session for citizens*
- ◆ *Education utilizing newspapers*
- ◆ *Announce subscription program and second ambulance crew*
- ◆ *Training EMS crews*
- ◆ *Begin billing to supplement funds*

Summary of Revenue Recovery

- ◆ *Can utilize money from an untapped resource. Insurance companies*
- ◆ *Provide a supplement to funds received from the State and from grants*
- ◆ *Can provide increased funding needed to off-set the decrease in donations*
- ◆ *Can provide a financial base for increasing career staffing*

Action Items for Consideration

- ◆ *Institute revenue recovery countywide under one EMS license or*
- ◆ *Only collect for those responses that are made by agencies under the County's license.*
- ◆ *Allow us to enter into a contract with a billing agency to provide this service*

Billing Services

- ◆ *Four RFP received by County Administration*
- ◆ *Administration and Public Safety reviewed proposals and rated them on six areas*
 - *Years of Experience*
 - *Overall Qualifications*
 - *Contents of Proposals*
 - *Financial Resources*
 - *Location of Office*
 - *Cost*

Billing Services

- ◆ Team interviewed two of the four that submitted proposals
- ◆ Interview panel recommends that we allow Diversified Ambulance Billing to provide service to the County.

The following bids were submitted:

<u>BIDDER</u>	<u>BID AMOUNT</u>
Certified Ambulance	7% of revenue recovered plus 3% choice collection preview
Cornerstone	10% of collected amount
Diversified	10% collected plus \$895.00 set up fee
Southside Rescue	10% of total collected

Mr. Long, County Administrator reiterated the important areas of Mr. Jolly's presentation and asked what the recommendation of other area agencies were.

Mr. Jolly stated that Chesterfield Agencies recommend one license. Mr. Long stated that Chesterfield Agencies were larger than our facilities and a task force on Revenue Recovery recommended a one-license system; so if it works for them as large as they are, then it should certainly work for us. Mr. Long asked if the Board had any questions.

Mr. Moody stated that there would be no argument from him.

Mr. Bracey asked what or who was the hold up. Mr. Jolly said that if there would be any opposition, it would come from Dinwiddie Volunteer Rescue Squad. DVRS agrees with the concept but they would have to come under the County's license for the billing and they have been operating for 30 years on their own.

Mr. Long stated that out of fairness to Volunteers in McKenney, it should be noted that they are under DVRS' license. But he felt they shouldn't be shorted their part of the revenue because of that.

Mr. Long stated that we need to move forward regardless of whether they jump on board or not with the Billing of Services.

Mr. Bowman asked if DVRS agreed with the Billing of Services. Mr. Long answered that they agree with the concept but in order to move forward, they have to come under the new license.

Mr. Haraway stated he would like to see a schedule of the donations. He also questioned why 10% is going to be needed in administration fees because of the billing system.

Mr. Long said that the money would come to the Administration Office and then the funds have to be separated and redistributed through the finance office; copying expense, mailing expense, etc.

Mrs. Wendy Ralph stated that after the procedure is in place, it can be reassessed and it could be 5% and the Public Safety division would recover the funds.

Mr. Bracey asked about the fee schedule and if it would be brought up at a later date.

Mrs. Ralph stated that several companies have recommendations and then there is Medicare's recommendation.

Mr. Long said that is what is currently allowed by them. Mrs. Ralph suggested it to be high enough to cover the different levels of services.

Mr. Bracey asked what ACFA and the Virginia allowable was. Mr. Long answered that it was the federal and Virginia allowable amount that the insurance will pay. Mr. Long stated that they recommend that you charge over the allowable amount so that you don't lose money.

Mr. Moody asked if the patient would be billed for the difference in the total bill and the amount paid by insurance. Mr. Long stated that this is another area that the 10% fee for administration would come in. The Billing Service would bill the patient and contact the office to see if further action should be taken if the bill is not paid. The Administration office would then be responsible for further action.

Mr. Bracey wanted to clarify whether the patient would have to pay the amount above what the insurance would pay or if it was optional if you could afford it.

Mrs. Ralph restated his question, would the county be satisfied with the insurance companies payment and drop the issue of the unpaid amount?

Mr. Bracey stated that he thought it best that the county be satisfied with the insurance payment and not try to collect the rest. Whatever we receive, we accept.

Glenice Townsend stated that a statement would be sent to the patient from the Billing Agency telling them the transport date and the unpaid balance.

Mrs. Ralph stated she believed Medicare requires that an invoice be sent to everyone. She stated that the description states that the people without insurance would not have to worry about the billing after the first bill.

Mr. Long discussed an annual subscription rate or membership fee that patients would pay annually and then they would not be billed at all.

After further discussion, the Board agreed that the patient's insurance company will be billed and the County will accept what the insurance pays. There will be no further collections from the patient.

The next step will be to take the program to the volunteers for discussion. Mr. Bracey asked that these meetings be recorded.

Mr. Haraway asked if the references on the Billing Agency had been checked.

Mr. Jolly stated that he had received all positive feedback for these agencies.

Mr. Bowman asked about insurance deductibles and Mr. Jolly stated that he understood that it does not apply to transportation.

Mr. Long asked for authorization to contract with Diversified Ambulance Group.

Mr. Bracey asked when the contract would begin.

Mrs. Ralph stated that there would be a time lapse to get the proper licenses but that there would be no dust collecting under our feet.

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

Be it resolved by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to contract with Diversified Ambulance Group for billing EMS services.

IN RE: RECESS

Mr. Moody called a recess 6:17 P.M. The meeting reconvened at 6:25 P.M.

IN RE: CLOSED SESSION

Mr. Bracey moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

The purpose of the closed meeting is to discuss subject matters identified as: Consultation with Legal Counsel, Telecommunication Towers; Acquisition of Property; and Personnel Matters, Appointments and Board of Supervisors

- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Personnel, Appointments and Board of Supervisors.
- **Acquisition of Property § 2.1-344 A.3 of the Code of Virginia.**
- **Consultation with legal counsel, § 2.1-344 A.7 of the Code of Virginia,** (consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice) Telecommunications.

Mr. Clay seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 6:25 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:23 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

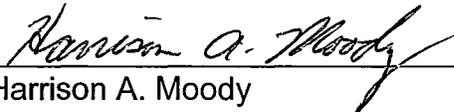
Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

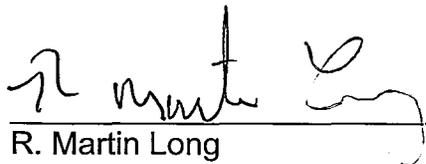
Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye". This Certification Resolution was adopted.

IN RE: ADJORNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 7:25 P.M.



Harrison A. Moody
Chairman



R. Martin Long
County Administrator

/abr

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 6th DAY OF JUNE, 2001, AT 7:30 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 7:30 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

Mr. R. Martin Long, County Administrator, stated there were two additions needed on the agenda add Item 13 – Closed Session: Consultation with Legal Counsel § 2.1-344 A.7 of the Code of Virginia, for Telecommunications; § 2.1-344 A.3 of the Code of Virginia, for Acquisition of Property; and § 2.1-344 A.1 of the Code of Virginia, for Personnel, Appointments and Board of Supervisors.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Moody voting "Aye", the above amendments were approved.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the May 16, 2001 Regular Meeting are hereby approved.

IN RE: CLAIMS

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody 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 1025717 through 1025843 (void check(s) numbered 1025716) for:

Accounts Payable:

(101) General Fund	\$ 123,994.27
(103) Jail Commission	\$ 15.43
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 368.00
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$ 933.22

(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$	7.68
(305) Capital Projects Fund	\$	4.84
(401) County Debt Service	\$	<u>.00</u>

TOTAL \$ 125,803.53

IN RE: CITIZEN COMMENTS

The following citizens signed up to comment.

1. Mr. Tim Doughty, Assistant Fire Chief, Namozine Fire and EMS, appeared before the Board requesting them to purchase a used aerial ladder truck in the amount of \$200,000; if not Namozine intends to purchase it themselves. It was his belief it would not interfere with the County's 5 year CIP schedule. He stated their organization will secure a loan for the truck if the County could not purchase it. However they would ask that in 2003, this one be paid off and used as a replacement for the County and Namozine be allowed to get a new one. The Fire and Rescue organization voted unanimously for this if it does not affect the 5 year plan. Mr. Moody stated he felt this is a legal question and he didn't know if the County could do it with the bank holding title to the truck if it is in the NVF name. Mr. Doughty stated the Board of Trustees will sign for the loan. Mr. Bowman asked Mr. Doughty to explain why the truck is so important for daily operation. Mr. Doughty stated not only is it built for horizontal reach it will do vertical reach as well. Chaparral Steel has a height need for a truck of 135'. Petersburg's truck is not capable to reach that height. Mr. Bracey stated he thought Chaparral had a department that dealt with fire and rescue. Mr. Doughty stated Chaparral does have a brigade but they do not have a fire truck. Chesterfield, Petersburg, Carson and Dinwiddie were called in on the last fire.

Mr. Bowman made a motion to have Chief Jones get with legal counsel to see what options are available for the volunteers to purchase the truck and then have the County insure it.

Mr. Haraway Seconded the motion; Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voted "Aye".

2. Ms. Lucille Phares, 7901 Boydton Plank Road, Petersburg, Virginia 23803, appeared before the Board stating her concerns about the playground area and junked cars at the Green Acres Mobile Home Park. Mr. Moody asked the Planning Department to address her concerns.

2. Mrs. Anne Scarborough came before the Board with the following concerns:

- a. The repaving of US Route 1 in her opinion made the road worse not better. She said the road felt like an old washboard when you drive over it.
- b. Mrs. Scarborough asked why the Board and Administration Staff had to go to Wakefield for a Retreat when it would more suitable to have it here closer to home to cut down on costs and driving time for the staff.

1. The terms of Chapter 7 of the Dinwiddie County Code governing cable television systems in the County shall remain in effect sixty days from the date of adoption of this emergency ordinance.

This ordinance is effective immediately, is adopted on an emergency basis, and the terms of this ordinance shall not be enforced for more than sixty days from the date of adoption without re-adoption in conformity with the provisions of the Code of Virginia.

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Haraway, Mr. Clay, Mr. Moody voting "Aye", the emergency ordinance resolution is adopted.

IN RE: RADIO FREQUENCY ENGINEERING SERVICES – TELECOMMUNICATIONS

Mr. Guy Scheid, Director of Planning stated the following individuals interviewed consultant firms for Radio Frequency Engineering Services for telecommunication projects in the County.

R. Martin Long, County Administrator;
David Jolly, Public Safety Director;
W. C. Scheid, Director of Planning; and
David Thompson, Senior Planner

The companies interviewed were:
Resource International – Ashland, Virginia
CTA Communications, Inc. – Lynchburg, Virginia
Atlantic Technology Consultants - Ashland, Virginia

As a result of the interviews, Atlantic Technology Consultants was deemed the most qualified company to serve the needs of Dinwiddie County. Therefore, the review committee recommends to the Board of Supervisors that the County Administrator be authorized to pursue contract discussions with Atlantic Technology. The attached cost summary was submitted with their proposal.

Application Technical Review	\$ 850.00 each
Co-location application	\$ 2,950.00 each
Tower Application	
Application Form Development and Ordinance and Enhancement	\$ 4,500.00
Field Survey and Tower Site Analysis	\$22,750.00
Spectrum Analysis (Optional)	\$ 7,000.00
Wireless Telecommunications Master Plan Development	\$12,250.00

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator to enter into a contract with Atlantic Technology for the Application Technical Review at \$850.00 each and the Co-location application for \$2,950.00 each.

IN RE: AUTHORIZATION TO AWARD CONTRACT– HISTORICAL COURTHOUSE PHASE II - ARIZONA

Mr. Donald Faison stated he had met with the contractor Mr. Raymond Schmidt to negotiate his bid for the Historic Courthouse Phase II, interior work. Mr. Faison said the original base bid from Arizona LTD was \$704,000. After the negotiations with Arizona we can deduct \$70,167 from the base bid. Continuing he stated he had received very favorable references on the company. He requested authorization to enter into a contract with the low bidder Arizona LTD for \$633,833, and to sign change order # 1 deleting \$70,167 from the project.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to award the contract for the interior work at the Historic Courthouse Phase II to Arizona, LTD in the amount of \$633, and to sign change order #1 in the amount of \$70,167.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. Long stated Mr. William Jones was here with a request for a rain check for two special entertainment permits and he has also provided you with a list of proposed artists.

Mr. Moody stated when an event is cancelled for any reason he would have to reapply and each event needs to be separate or applied for separately. Due to the confusion on the entertainers on the last permit he would need to be more specific....

Breaking in, Mr. Jones stated the confusion did not come about because of him. Continuing he said he didn't know that in this Country that you had to have approval for an artist to perform in the County. He stated that when he spoke with the ACLU today they told him the very same thing. The County took it upon themselves that they thought what he was bringing in was something that the County did not want to see. The Artist that he was bringing into town is a noted artist and once he picked up that it was something that some people may have found offensive then he took it upon himself to cancel the show. The 22 days required to wait for the County to give him approval for a permit and then for him to contact the artist that he deals with on a national scale, just does not give him sufficient time to get a contract; tender it, get sound, lights, and all the things to do a show such as that.

Mr. Moody replied that if he was going to have some of the bands listed on the proposed list; he felt would have contracts backed up to 18 months. He told Mr. Jones he would need a lot longer time than 22 days to get these people.

Ms. Phyllis Katz, County Attorney, stated she would like to ask Mr. Jones two questions just for the record.

"Your application was approved, wasn't it?" Yes, replied Mr. William Jones.

"So then why are you representing now that you had been denied because you were interfered with?" Mr. Jones stated; I was denied because of the artist that I had for the 2nd of June.

Ms. Katz asked again, but you had an approved application did you not? Correct, stated Mr. Jones.

Ms. Katz said the other thing she wanted to ask you; and maybe I misunderstood, is, you stated you were going to open the beach. Do you realize that is a business that needs zoning approval? Mr. Jones stated

that in his conversation both with Mr. Long and Mr. Scheid, under the zoning designation the property is zoned R-1; it is beaches, parks and recreations are allowed in R-1 zoning. Ms. Katz stated; to get the business license you need to have the proper zoning. Continuing she said she wasn't saying it is permitted or not just that he would have to make sure of the zoning requirements. Mr. Jones asked Mr. Long was he correct in saying that. Mr. Long stated he believed as far as the beach he was correct. That it was his understanding of it today, as far as, the zoning; that is right. But that he would need a license to go with the correct zoning.

Mr. Jones stated based on the 22 days what is the earliest he could do an event of this size? Mr. Moody stated it doesn't necessarily have to come before the Board. Mr. Long stated yes; it does have to come to the Board and the 22 days are filed so that the request can come before the Board. Ms. Ralph stated the ordinance provides for 22 days prior to the event, so that any request could come before the Board for approval. Mr. Long stated that if the request is turned into the office before the end of the week he could have a permit in time for the June 30th event. This time frame is also for the departments outside of Administration, which have to be contacted first. That is the purpose of the 22 days.

Mr. Jones informed the board that he had purchased a stage and the building department was covered. The Commissioner of the Revenue once approved, told him all he had to do was get a permit; fire and rescue if he wasn't speaking out of turn, required only that he have ambulance service provided on duty as a rest tent if someone was to get overheated or something and he had all that provided for. The only thing left is to secure through the Sheriff's Office he hasn't changed anything. Therefore he would only need to update that information. Nothing physical had changed.

Ms. Katz stated he would still have to submit a new application for each event requested.

Mrs. Ralph read the ordinance from the Dinwiddie County Ordinance Book. The requirement is 22 days filed with the County Administrator prior to the proposed event.

Mr. Jones stated he had been contacted by the principal of the Peabody Middle School in Petersburg. We are trying to take some students who have done some exemplary work in school to Disney Land and the trip is costing in excess of \$50,000 with matching funds. They had contacted him because he has helped the school system in the past and what he wanted to do was to put on a school closing beach party at Lake Jordan. School students would attend this event and there would not be any alcohol; it would be chaperoned by teachers. He asked the Board for their approval for this event, before he went any further with the planning. But they would have to have it before the end of June and he wouldn't have the time to get a permit. He stated he had spoken with Mr. Henry and Ms. Alexander and they are talking with Mr. Fred Wilson today about having this party, but he had told them he was appearing before the Board tonight to ask for approval.

Mr. Long asked if that would be handled under the business license?

Ms. Katz stated she didn't have enough information; but if it is an event or festival, he would have to submit an application. If he is merely opening a beach for swimming, then he will need a business license for that.

Mr. Bracey stated for the last 15 minutes there has been a lot of discussion other than this business license. Is this gentleman going to be

Mr. Bracey stated for the last 15 minutes there has been a lot of discussion other than this business license. Is this gentleman going to be allowed to operate a business without a license? Mr. Moody stated he thought he had told Mr. Jones he had to have a business license. Mr. Bracey stated he just wanted to be clear on that issue. Mr. Jones reiterated the first thing he said was that he was going to get a business license tomorrow. He had just been approved by the Health Department to get a waiver until he could get permanent bathrooms. In the meantime, he could use portable toilets for opening 2 days a week and have it serviced every week. He would also have to have hand washing stations and sanitation. Once this has been signed-off on he was going to come and get his business license. Mr. Long stated the issue is, getting, obtaining and holding a business license; the entertainment permits have to be filed for any special event, outdoor music that type of thing according to the County Code even with the business license. This has to be done for every major event no matter. Mr. Bracey stated maybe he was just accustomed to dealing with the race track they come every year and give their dates, places, hours and time and that takes care of it, because they do have their business license. Mr. Bowman stated the racetrack gets a permit for their events? Yes, replied Mr. Long. Once a year they come up and submit an application for each day and what event they are having. Mr. Bracey stated if he is going to have 25 events he request that on an entertainment permit. Mr. Moody asked if that was a part of his conditional use permit. Mr. Scheid stated that is correct.

Mr. Long stated Mr. Jones would have to have an application for each event and have approval before any event.

Mr. Jones asked if there was any way that he could do the fund raising for the school system? Mr. Moody asked the County Attorney to address that issue and get back to him. Ms. Katz stated that it would be helpful to spell out exactly what his intentions were. Mr. Jones stated he would have a DJ and high school kids. So it is the same as any other event, is that right, asked Ms. Katz, except for the age group. No. Not any other event he said. It will be the same as when we open up the beach for a regular weekend, we will have regular entertainment; it just won't be a big artist. Like beach karaoke and things like that. It will not be anything we would advertise that would bring thousands of people at a time. The school-closing event will be advertised throughout all the different school systems and kids will come in and it will be chaperoned. It will be closed before dark. What is the cost asked Mr. Bracey. \$5 to \$10 per person stated Mr. Jones. Mr. Moody requested that Mr. Jones get all the information together and get with Ms. Katz and Mr. Long. Mr. Jones stated they were going to ask for dates and he couldn't get that to them right now; but he would find out by Friday and get back to them. Mr. Jones stated the board could ask Ms. Alexander and every dollar that is generated goes to the school. Every dollar. Other than security cost he is donating the facility, stage, and everything else; but every dollar they generate that day goes to the schools. It is not a moneymaking event for Lake Jordan; it all goes to the schools.

Mr. Moody stated we needed to move on to some other items but just get the information to Mr. Long and Ms. Katz.

IN RE: LONG TERM CARE

Mr. Long stated Ms. McElveen asked sometime back for long-term care insurance. Mrs. Glenice Townsend has checked into that issue and her letter was provided to them in the Board packets with information for Long Term Care. He stated it would be up to the individual to choose to take on the program at no cost to the county. He asked the Board to approve the resolution to provide the

opportunity to the employees. Mrs. Ralph stated it was strictly on a voluntary basis without an excessive amount of administration burden.

"This is the information concerning the offer from The Local Choice Health Benefits Program through the State of Virginia for Long Term Care Insurance. Local Choice has bid the program and awarded the bid to Aetna U.S. Healthcare. If the County chooses to participate this year, the Board must take action to participate in the program by July 1, 2001.

We (the County) have received a request from the Social Services Department for the County to participate. I had the following concerns, which have been answered by the Local Choice and Aetna:

1. Will there be a cost to the County? ***There is no cost to the County.***
2. Will it put more administrative burden on our personnel? ***The only request will be to supply Aetna a list of full time employees and periodic new hires. The insurance company will send packets directly to the employees home. As a convenience to the employee, the County may consider payroll deduction for active employees.***
2. Why does the Board of Supervisors have to take action to allow the participation of the employees if there is no cost or responsibility to the County? This was my biggest concern. I was told that before names and addresses of its employees could be sent to Aetna U.S. Healthcare, the Board needed to give its approval to allow this information to be given out as well as to take advantage of the states procurement in bidding this program.

I do not know how many employees are interested in this program, but I see no problem with recommending that the Board allow you to sign the contract so that it can be offered effective July 1, 2001."

Mr. Moody stated he saw no problem with the program and called for a motion.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is hereby granted for the County employees to participate in the Local Choice Health Benefits Program through the State of Virginia for Long Term Care Insurance at no cost to the County.

IN RE: COUNTY ADMINISTRATOR COMMENTS - CONTINUED

1. Mr. Long stated, as you are aware, the Retreat was postponed and we need to set another date for that. He suggested June 11th for the retreat. The Board agreed with that date.
2. There are two upcoming workshops - Wireless Tower Summit on Tuesday, July 10, 2001 at the Doubletree Hotel in Charlottesville, Virginia beginning at 9:00 A.M. and ending at 2:30 P.M. The Wireless Tower was initiated at the request of the Joint Commission on technology and Science to bring together leaders of the industry and local governments to address the concerns of cellular tower deployment. Issues to be considered and discussed by the industry are the increased service demands in each area, public safety concerns, and the Virginia Department of Transportation's Intelligent Transportation System Policy. Local government concerns will include maintaining the viability of local

land use plans, safety concerns and visual impact of towers on surrounding areas.

On Wednesday, July 11th a series of workshops on the Freedom of Information Act will be held at the General Assembly Building, 2nd Floor at 9th and Broad Streets in Richmond, Virginia, starting at 8:00 A.M. ending 2:00 P.M. Mr. Long stated he would be attending the two workshops at a minimal cost to the County and invited the Board to attend them also.

3. Mr. Long stated he had received a letter of commendation from the Richmond County Board of Supervisors and Mr. William Duncanson, County Administrator, conveying their appreciation for the gracious welcome and information given by Ms. Alma Russell, Mrs. Glenice Townsend and Mr. Byron Walker when they came to tour the Administration Building, new Courthouse and the old Courthouse. Mr. Duncanson wrote. - "The four Board members and I all learned much about modern court facilities and how these new spaces function. As we move forward in our planning, our trip to Dinwiddie will continually provide us with insight and understanding on the operations of a court facility. I ask that you convey our deepest thanks to your staff for their knowledge of Dinwiddie County and it's governmental facilities. Their pride of place and workplace was evident in all their comments. Please extend a special thank you to Alma, Glenice, and Byron for their splendid assistance. These three are true ambassadors for your beautiful county. The citizens of Dinwiddie County have every reason to be proud of their new courthouse and the excellent staff that makes it all work! Please relay a copy of my letter to the Dinwiddie Board of Supervisors members and congratulate them for making the sound decisions that enable Dinwiddie County to move forward with excellent facilities and staffing."

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman	He stated the letter he received from Mr. Long on scheduling appointments and interviews in the future he would like to be notified earlier in case he would like to be present.
Mr. Haraway	No comments
Mr. Clay	No comments
Mr. Bracey	No comments
Mr. Moody	He stated there is a VDOT Regional pre-allocation hearing on July 12 th at John Tyler for the Primary System. Usually the larger counties seem to lobby that effort and get most of the funding but it would be good if we could find a project that we could work toward lobbying and some of us plan to attend that meeting.

IN RE: CLOSED SESSION

Mr. Clay moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

The purpose of the closed meeting is to discuss subject matters identified as Personnel and Consultation with Legal Counsel. Matters to include: Building Inspections; Telecommunication Towers; Procurement – Telephone System.

- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia,**
(candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Personnel, Appointments and Board of Supervisors.
- **Consultation with legal counsel, § 2.1-344 A.7 of the Code of Virginia,**
(consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice) Procedures, and Telecommunications.

Mr. Haraway seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 8:42 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:05 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

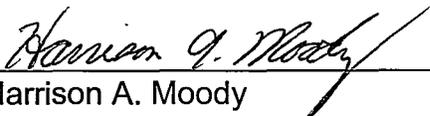
Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye". This Certification Resolution was adopted.

IN RE: ADJORNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 10:09 P.M. to be continued until 9:00 A.M., June 11, 2001 for the FY 2002 budget retreat.



 Harrison A. Moody
 Chairman



 R. Martin Long
 County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT THE AIRFIELD CONFERENCE CENTER IN WAKEFIELD, VIRGINIA, ON THE 11th DAY OF JUNE, 2001, AT 9:00 A.M.

PRESENT:	HARRISON A. MOODY-CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR., -VICE CHAIR	ELECTION DISTRICT #4
	ROBERT L. BOWMAN IV	ELECTION DISTRICT #3
	DONALD L. HARAWAY	ELECTION DISTRICT #2
	AUBREY S. CLAY (arrived at 1:20 P.M.)	ELECTION DISTRICT #5

IN RE: CALLTO ORDER

Mr. Harrison Moody, Chairman, called the continuation meeting to order at 9:20 A.M.

IN RE: COMMUNICATIONS

The Board of Supervisors met in a workshop session to discuss communications issues and the upcoming E911 mandates that will be effective for Dinwiddie County by July 1, 2002.

Mr. David Jolly, Public Safety Director, gave the following overview of the wireless E-911 requirements:

Wireless

1. Phase 1 – Jurisdiction must be able to accept cellular 911 calls by July 1, 2002.
2. These calls will only have cellular number and tower where call received.
3. State funds available to offset the cost of capital improvements and operating costs for wireless calls.
4. Phase 2 – Cellular providers must be able to tell the jurisdiction which side of the tower that the call is coming from.
5. Cellular provider must provide this information by July 1, 2003.
6. Jurisdictions must work together to determine which 911 Center will receive calls from particular side of towers.

New Communications Center

1. ALL Emergency calls begin with the call to the 911 Center.
2. In order to provide Emergency Medical Dispatching, Center must be staffed by at least two dispatchers 24/7
3. Recommend 10 positions to accommodate sickness, vacations, etc.

Implementation Schedule

1. County to take over responsibility for 9-1-1 and dispatching of Fire/Rescue as close to July 1 as possible.
2. Move forward with renovation of building to have completion about January 1, 2002

3. Have cellular service activated by April 1, 2002.
4. Be fully functional with EMD and cellular on July 1, 2002.

Public Safety Building

1. CIP has allocated \$160,000 to the project over two years.
2. Tentative Plans have been done by architect used for Eastside Renovations.
3. 90-120 days for renovation once work started.
4. Emergency generator not included in cost estimates.

Mr. Mel Sheridan, State E911 Wireless Coordinator and Chairman of the Fluvanna Board of Supervisors discussed the E911 requirements and the financial assistance available from the State Wireless Board. Mr. Sheridan urged the Board to move forward with Phase I of accepting wireless E911 calls.

The Board also discussed the staffing requirements for the County to take over dispatching fire and rescue calls. Mr. Sheridan who also served as the E911 Coordinator in Orange County substantiated the staff recommendation for 10 dispatchers minimum with a Supervisor at the Department Head level.

The Board directed staff to prepare 3 spreadsheets showing the costs of the present system, the costs of just taking fire and rescue and the cost of fire, rescue and police. After discussing the possible savings of dispatching all three agencies, the Board directed staff to set a meeting with the Sheriff to discuss this option.

Staff was authorized to proceed with soliciting proposals for an Architect to renovate the old Dinwiddie VFD Building for the communications center.

IN RE: RECESS

The Board recess at 12:00 Noon for lunch and reconvened at 1:07 P.M.

IN RE: EMS ORDINANCE

Mr. David Jolly, Public Safety Director, provided an update on the proposed EMS Ordinance. It has been suggested that the ordinance include fire services as well.

The issue of all the volunteer agencies coming under one license was discussed. It was agreed that the Chairman and the County Administrator would talk with the Chair and a member of the DVRS Board.

IN RE: VOLUNTEER BUILDING MAINTENANCE

Staff was directed to perform a walk-through of the volunteer buildings to determine what it will cost to bring the buildings up to a maintenance standard.

IN RE: VEHICLE REPLACEMENT

Mr. Dick Singer, Singer Associates, presented a vehicle replacement schedule that would bring the volunteer resources up to an adequate level of service for the County. The presentation also included a possible financing plan.

IN RE: RECESS

The Board declared a recess at 3:00 P.M. The meeting reconvened at 3:20 P.M.

IN RE: VEHICLE DISCUSSION

After a brief discussion of the options, Staff agreed to provide a comparison of financing versus outright purchase of the equipment that would meet the emergency needs of the departments with available funds from the year ending undesignated fund balance.

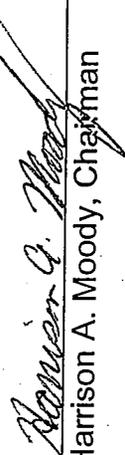
IN RE: SALARY REVIEW

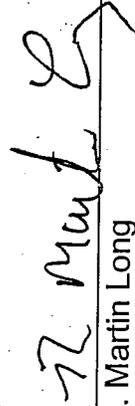
The County Administration presented a comparison review of salaries for similar positions in Counties/Cities adjoining the County as well as those who are recruiting our employees. Because of the many differences in position duties and staffing levels within these localities, this information does not provide a truly equal comparison. Therefore, it was recommended that Staff be authorized to issue an RFP for firms to provide a complete pay plan and position classification system review.

The staff was authorized to bring back estimates of what this kind of study might cost for the Board's review.

RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the meeting adjourned at 4:40 P.M.


Harrison A. Moody, Chairman

ATTEST: 
R. Martin Long
County Administrator

/abr

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 JUNE, 2001, AT 10:00 A.M.

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

OTHER: DANIEL SIEGEL COUNTY ATTORNEY

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 10:00 A.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

Mr. R. Martin Long, County Administrator, stated there were two additions needed on the agenda under Item 12 - Closed Session add: Personnel § 2.1-344 A.1 of the Code of Virginia, for Employment; Administration.

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

IN RE: MINUTES

Ms. Alma Russell, Clerk to the Board, stated the minutes for the June 6, 2001 meeting were not ready due to her illness.

IN RE: CLAIMS

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody 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 1025846 through 1026039 (void check(s) numbered 1025951) for:

Accounts Payable:

(101) General Fund	\$ 187,186.70
(103) Jail Commission	\$ 35.52
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 1,806.15
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$ 169.06
(228) Fire Programs & EMS	\$ 6,431.45
(229) Forfeited Asset Sharing	\$ 1,125.23
(304) CDBG Grant Fund	\$.00
(305) Capital Projects Fund	\$ 2,805.47
(401) County Debt Service	\$ 21,726.90

TOTAL

\$ 221,286.48

**IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATION
PROJECT - REQUISITION NUMBER 30 (IDA1999A-#22)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 30 (IDA1999A - #22):

SOUTHWOOD BUILDERS, INC.	\$375,312.00
BALLOU JUSTICE UPTON ARCHITECTS	<u>9,636.37</u>
TOTAL REQUISITION #30	\$384,948.37

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 30 (IDA99A - #22) in the amount of \$384,948.37 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Renovation Project Fund.

IN RE: CITIZEN COMMENTS

The following citizens signed up to comment.

1. Mrs. Anne Scarborough came before the Board with the stating she agreed with the lady that came to the last meeting who stated, "the Board doesn't listen to the citizens". A continuation meeting was held on June 6, 2001 to discuss billing for services and she could not find anywhere in the minutes where any mention was made for that meeting. Continuing she stated the citizens have a right to know when there is going to be any Board meeting and she had discussed her concerns with Mrs. Ralph about notifications of these meetings. The meeting may have been legal but the citizens should be made aware of them. She stated Mrs. Ralph told her when the retreat was cancelled; that meeting was continued to June 6th at 5:00 P.M. for the Billing for Services presentation. She stated Mrs. Ralph explained to her that she could send self addressed envelopes to the Administration Office and receive an agenda for every meeting. But the citizens still needed to know about any meeting the Board was having.

2. Mr. George Hobbs appeared before the Board stating he had gone to Court about the break-in which occurred on his property and nothing had been corrected as far as he was concerned. He said he wanted the Board to know how the Court system is run in this County and the Judge, Sheriff and the Commonwealth Attorney are worthless and they should resign. He told the Board he wanted this to be on record and that is why he is here.

**IN RE: RESOURCE CONSERVATION & DEVELOPMENT
COUNCIL - NATURAL RESOURCES CONSERVATION
SERVICE**

Mrs. Ralph stated Mr. Ray Dorsett is here to explain the functions of an RC&D and their benefits to communities and to request the County's support for the establishment of a regional RC&D.

Mr. Dorsett representing, South Centre Corridors Resource Conservation & Development Council, stated this council is a nonprofit group organized for the purpose of helping the people of Southeastern Virginia plan and carry out activities that increase conservation of natural resources, support economic development, and enhance the environment and standard of living. He told the Board he is here today to ask for their endorsement of an application and if they do; to also appoint two representatives from the county to represent them on the committee. He stated they have obtained their Charter, by-laws and are now working on the 501-3 (C).

He told the Board that Tim Smith, Granville Maitland and Mike Jones have been attending some of the Steering Committee's organizational meetings to help identify the boundaries of the RC&D Area, create the Council, and enlist sponsorship from the units of government in the region.

Mr. Moody asked if the funds requested of localities typically range between \$.10 to \$.12 cents per capita. For Dinwiddie, this investment would amount to \$2,500 to \$3,000 per year. What would these funds be used for?

Mr. Dorsett stated annual dues would be used for the expenses of the Council.

Mr. Moody asked if this council is a duplication of any existing programs?

Mr. Tim Smith replied no it is an enhancement of existing programs and would fill the gaps left by the other programs.

Mr. Bowman asked what are the programs and does it deal with soil conservation?

Mr. Dorsett stated the Steering Committee has decided to address five important issues within our boundaries. These issues are:

1. A waning agricultural economy and the slow decline of rural character.
2. Flooding due to unmanaged storm water throughout much of the RC&D area.
3. Improvement of groundwater quality through management of wells and septic systems.
4. Promote eco-tourism in the region.
5. Lack of understanding of agriculture as an industry and its impacts on the economy and environment.

Continuing he stated, for this year, while we are in the application process, there will not be any annual dues. However, the Steering Committee would appreciate voluntary contributions to help with start up expenses such as the fee for nonprofit status, postage, and small projects.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County does hereby recognize a need for the development of the South Centre Corridors Resource Conservation and Development Council and indicate their willingness to participate in the support and the formation of this Council.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Richard Caywood, Resident Engineer for the Virginia Department of Transportation came before the Board and presented his monthly update.

1. He told the Board during the repaving work on Route 619 they discovered rock and there will be a need for some blasting there; but the road should still be finished on schedule.

2. Mr. Guy Scheid presented a request from Ms. Angela McBride for a "Slow Children at Play" sign to be placed on Pine Grove Place, Route 634. Mr. Caywood stated VDOT does not "normally" place signs of this nature on residential roads because it has a tendency to give a false "sense of security" to the parents and children. After much discussion, Mr. Long asked the Board to defer any action on this matter until more research can be done.

IN RE: VDOT RESOLUTION - DESIGNATING CHANGE OF STATE ROUTE 9922 FROM SCHOOL BUS ROAD (EASTSIDE ELEMENTARY SCHOOL) TO A REGULAR SECONDARY ROAD

Mr. Tim Smith, Director Parks & Recreation, stated the entrance road into the Eastside Community Enhancement Center is now considered a school bus road. However, now that it is no longer a public school it needs to be transferred from school bus road status to the secondary system of the VDOT as a regular portion of that system. He requested the Board to adopt a resolution to make that transfer.

RESOLUTION

WHEREAS, Eastside Elementary School, no longer serves the community as a public school,

WHEREAS, the school bus road, State Route 9222, that serves this site now provides a public service that the Virginia Department of Transportation deems sufficient to warrant continuing maintenance at public expense,

WHEREAS, the Virginia Department of Transportation reports it is willing to continue to maintain this road in its current condition, provided it is transferred from school bus status to that of a regular secondary road,

WHEREAS, this Board desires that the road continue to be operated by the Virginia Department of Transportation as a part of the secondary system of state highways;

NOW, THEREFORE, BE IT RESOLVED, this Board requests the following change(s) in the secondary system of state highways in regard to this road:

Pursuant to §33.1-229, Code of Virginia, and policies of the Commonwealth Transportation Board, this Board hereby guarantees a clear and unrestricted right of way of 40 feet, including any necessary easements for drainage, cuts or fills for the following portion of roadway, and requests it be transferred from school bus road status to the secondary system of state highways as a regular portion of that system, to be renumbered approximately:
Route: 9922 From: U.S. Route 1 To: 0.15 Miles East U.S. Route 1
Length: 0.15 miles

BE IT FURTHER RESOLVED that a certified copy of this resolution is forwarded to the Resident Engineer of the Virginia Department of Transportation.

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

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and presented his monthly report.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, appeared before the Board and stated he had nothing to report.

RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came before the Board and stated he put his report on the counter for the Board. Continuing he stated the population for the Jail is at capacity for the month and there is no revenue from adjoining municipalities.

Sheriff Shands told the Board there have been citations written for the speeding around the high school. Deputies have been assigned to patrol in the morning and afternoon and they have written tickets. The Board requested a written report on the citations. Mr. Shands stated he would get the report to them.

Mr. Bowman requested a report on why the case which involved Mr. George Hobbs was dismissed. Sheriff Shands stated he went over the case with Mr. Hobbs and told him it should have been a civil matter and handled as a trespassing warrant. Sheriff Shands stated he would forward the investigating officer's report to the Board for their information.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of May 2001. Mr. Bracey asked how long does an individual have to complete a house once a permit has been issued. Is there a time limit set on completion? Mr. Abernathy stated his department can't force anyone to finish a project.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward presenting his report for the month of May 2001.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning came forward and presented his monthly update for his Department. He stated a memo was sent to the County Administrator regarding the future of the IP/R program. He explained the planning department is experiencing more demands on staff time than originally anticipated. Discussion was postponed on the IP/R situation.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER – REPORT/CODE COMPLIANCE

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his May monthly report.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen came forward and stated she had nothing new to report this month.

IN RE: APPOINTMENT – SOCIAL SERVICES BOARD

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Thomas Hooker is hereby appointed to the Social Services Board, for a term of four years, term expiring June 30, 2005.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Ms. Troilen Seward, Superintendent of Schools came forward and stated she would like to introduce the new Superintendent of Schools, Dr. Leland Wise, to the Board. She also presented an update to the Board on the School Activities:

1. The writing scores for the High School exceeded 70% in three core areas. However History and Social Science is still somewhat problematic.

IN RE: HEAD START FUND APPROPRIATION #8 - FY 2001

Mrs. Seward stated she was authorized to request a \$34,481 supplemental appropriation to the Head Start Fund. This funding is to purchase an accounting software program and to pay for accounting services provided by the finance department. It was also to comply with a recommendation from Head Start in Philadelphia. These are Federal funds and require no additional local funds.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board's request for a \$34,481 supplemental appropriation to the Head Start Fund is approved. These are Federal funds and require no additional local funds.

Mr. Bracey asked how does the federal funding look? Ms. Seward stated she felt they looked good for the next 5 years.

IN RE: SUPERINTENDENT OF SCHOOLS – FY 2002 BUDGET – REQUEST FOR ADDITIONAL FUNDING

Ms. Seward continued her report:

3. Budget FY 2001-2002 – "The Board indicated that they would re-evaluate the School Board's budget after the Commonwealth finalized its FY2002 Budget numbers. We were all hoping, at that time, that there would be a new state budget. Since that did not happen, we did not receive any additional state dollars. In fact, our state revenue is \$158,750 less than anticipated when the School Board's Budget was presented to the Board of Supervisors. This reduction, coupled with the required additional librarian (salary & benefits, \$40,956) to meet accreditation standards, would just about equal the additional \$200,000 that the

Board of Supervisors set aside for possible inclusion in the school system's budget.

In order to address the \$158,750 reduction in State revenue, the School Board adjusted its budget in the following ways:

Cutting one position at High School	\$ 40,956
Cutting two positions at Southside	81,912
Cutting extra security cameras for High and Middle schools	20,000
Reduction in electricity line	7,000
Reduction in fuel oil line	3,500
Reduction in water and sewer expenditures	1,000
Reduction in phone line	587
Reduction in capital outlay additions in Maintenance category	2,000
Reduction in capital outlay replacement in Maintenance category	2,000

Prior to this the School Board had already cut its budget in many places including:

Elimination of four new elementary positions	\$ 163,824
Elimination of alternative education teacher	40,956
Reduction of overtime for service personnel	10,000
Elimination of maintenance trucks and tractor	50,000
Elimination of funding in Improvement to grounds	7,200
Elimination of school maintenance per-pupil money	21,300
Reduction in reprographics	10,000
Elimination of funding in Building Improvements	5,000
Reduction in materials and supplies in improvement of Instruction	10,000
Elimination of funding for library books and software	42,000
Eliminate attendance officer position	37,176
Eliminate funding for replacement vehicles (Special Ed & Driver Ed)	40,000
Reduced contracted building maintenance	35,000

Salary lines were reduced to more closely reflect a 5% increase, but it is imperative that the teacher salary scale start at \$30,000. This mandated a differentiated salary increase at each step in the teacher's scale. All other scales were adjusted to provide employees with a 5% increase.

On behalf of the Dinwiddie County School Board, I respectfully request that the Board of Supervisors increase the budgeted FY2002 transfer to the School Fund by at least the \$200,000 that was considered for potential school use. This amount will not allow the School Board to restore most of the cuts and reductions, but it will help address the most critical of these needs."

Ms. Seward stated this is not a complete list of all the things that have been cut out of the budget request for FY2002. For the required additional librarian (salary & benefits, \$40,956) to meet accreditation standards, she requested the Board to approve the \$200,000.

Mr. Bracey commented he hated to see any cutting of teaching positions, but at the same token there was no reduction in administrative services. He stated he had been in the classroom

30 some years and it is very important to have people on board who can teach.

Mr. Long asked the Board before they took action on the School Board request there is an issue he had to address. This is a need for an additional \$80,000 for the Crater Detention Home for repairs and maintenance and this is the County's portion.

IN RE: RECESS

Mr. Moody called for a recess at 11:28 A.M. The meeting reconvened at 11:40 A.M.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT CONT'

Mr. Bracey stated that the Board needs to do what is right for everyone and asked that action on the School Board budget be postponed until July 5, 2001.

IN RE: CLOSING OUT CIP – HIGH SCHOOL, MIDDLE SCHOOL & MIDWAY SCHOOL

Mr. Long stated the School Board has requested authorization to close out the CIP for the High School, Middle School and Midway. The following is a list of expenditures:

CASH BALANCE	\$ 916,587.87
APPROVED FOR CIP EXPENDITURES	\$ 730,064.87
DINWIDDIE ELEMENTARY TRANSFER	300,000.00
OFFSET PERSONNEL COSTS	100,000.00

PROPOSAL FOR REMAINING EXPENDITURES

Additional transfer/Dinwiddie Elem	132,000.00
Replacing HVAC in Business Wing of HS	58,758.00
Replacing bleachers in HS	76,445.00
Paving bus loop at Midway	25,000.00
Partial paving at Middle and HS	37,861.87

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the request from the School Board for the expenditure of those funds remaining in the CIP for the High School, Middle School and Midway School bond issue is approved as presented contingent upon approval of bond counsel.

IN RE: SUPERINTENDENT OF SCHOOLS – SCHOOL CAPITAL FUND – REQUEST FOR ADDITIONAL FUNDS

Ms. Seward stated the project list for the School Capital Fund was approved by the School Board and she respectfully requested that the \$122,000 be restored to the FY2001 Budget and that the FY 2002 budget also be increased by \$122,000 when the funds were available. A list of projects in priority order was provided.

The Board asked that the Capital Funding issue be brought back to the Board at a later date. When the undesignated fund balance is provided

Ms. Seward stated there was an awful problem with dust at the Middle School Loop and she asked if it could be included in the State Secondary Road System with VDOT. Mr. Caywood will check on it.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, stated he had provided the Board with his monthly report. In addition, he asked for authorization to do a surface treatment on the parking lot at Eastside now until all the construction is finished.

**IN RE: AUTHORIZATION TO SURFACE TREAT PARKING LOT
 AT EASTSIDE**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Recreation Department is authorized to have VDOT provide a surface treatment on the parking lot at Eastside a cost not to exceed \$3,000.

Mr. Faison reported there is \$7,800 left in the budgeted amount for Eastside now.

Ms. Glenice Townsend, Fiscal Officer, stated there is \$17,300 in the Recreation Fund. These funds were set-aside in hopes that a recreation center would someday be built for the citizens of the County. Therefore, the funds need to be transferred to the Recreation Budget. The Board concurred that the funds could be transferred as needed.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward to present his report for May 2001. In addition, he requested that the dumpster rental fee be increased. We have not had a rate increase for dumpster rentals in over a decade. Currently we charge \$40.50 for a six yard dumpster which is the most common size for up to two dumps per week. He stated we have telephoned many of our neighboring localities to find that most are not in the business anymore, largely due to agreements with host landfills. We contacted Shoosmith, BFI, Waste Management, Brunswick County, Nottoway County, and Petersburg, all prices range from \$80.00 to \$120.00. He requested a cost of living increase effective July 1, 2001 to help increase revenues and offset costs as well as allowing our services to equalize with competing and surrounding operations. He said there are approximately 100 dumpsters located at 39 sites with service up to 2 times a week.

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted for Waste Management to proceed with the increase of fees to \$50 per dumpster and henceforth, to present a yearly rate increase for the Board's consideration.

**IN RE: AWARD OF BID - BERM CONSTRUCTION – ROHOIC
 TRANSFER STATION**

Mr. King stated the following bids were received to move the dirt from the airport to the Rohoic site to construct the berm. He requested authorization to proceed with the low bidder, Horace Davis. We would like to have the contractor poised to go, so we may use the airport contractor to load the trucks.

Shoosmith Bros., Inc.	D-3 Dozer	\$ 70.00/hour
	Tandem Dump Truck	\$ 55.00/hour

	963 Front end Loader	\$115.00/hour
Horace A. Davis Excavating, Inc.	D-3 Dozer	\$ 60.00/hour
	Tandem Dump Truck	\$ 41.00/hour
Shell Brothers	Tandem Dump Truck	\$ 45.00/hour
	953 Front end Loader	\$ 80.00/hour

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted for Waste Management to enter into a contract with the low bidder Horace A. Davis Excavating, Inc. for the hourly rental of the D-3 Dozer at \$ 60.00 per hour and a Tandem Dump Truck at \$ 41.00 per hour for the excavation at the Rohoic site for the construction of the berm.

IN RE: APPROVAL FOR RECERTIFICATION OF DIRECTOR OF WASTE MANAGEMENT

Mr. King stated the county must have a licensed operator on staff to operate a waste facility and his certification needs to be renewed by the end of July. He requested authorization to attend a class scheduled on July 13, 2001 for State required re-certification.

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted for the Mr. Denny King, Director of Waste Management, to attend the class on July 13, 2001 for State license re-certification to operate the waste facility.

Mr. Bracey stated the County needs a back-up person to be licensed also.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his monthly report.

IN RE: FIRE AND RESCUE ASSOCIATION - REPORT

There was no report from the Fire and Rescue Association.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Daniel Siegel, County Attorney, stated he had nothing to report.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Faison came forward and presented his monthly update for May. He stated he was going to have a long talk with the Contractor, Architect and Mr. Smith, Monday to finalize construction on Eastside. It appears substantial completion inspections will be done next Thursday, June 28th, for a walk-thru and punch list on Eastside. Then they will have a 30-day time period to complete that punch list inspection.

Mr. Faison stated we don't have a new flagpole at Eastside. There is an old one but there is no rigging on it. Continuing he said he is looking for quotes on signage and window treatments or mini blinds also. He requested authorization to get quotes on these items.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye", authorization is hereby granted for the Buildings and Grounds Superintendent to get quotes on a flagpole, signage and either window treatments or mini blinds.

IN RE: APPOINTMENTS – REDISTRICTING COMMITTEE

Mrs. Ralph stated the following people have been nominated for the Redistricting Committee:

District #1
George Bennett, Jr.
Rennie Bridgman
Colonel Percell Hobbs

District #2
Peggy Hayes
James Merrick
Calvin Vaughan

District #3
Thomas Horne
George W. Stephens

District #4
Thomas Hooker
Enid Hepburn Lindsay
Thomas Van Pelt

District #5
Harry L. Clay
Roy L. Crittendon
Wanda J. Short

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia the above listed people are appointed to the Redistricting Committee.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The Virginia Association of Counties' 67th Annual Conference will be held November 11 – 13, 2001, Sunday thru Tuesday, in Hot Springs, Virginia. Mr. Long asked how many of the Board members wanted to attend the conference this year. He also stated he would like to attend the conference too. The Board responded they would all like to attend.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia the Administrative Staff is authorized to make reservations at the Homestead for the Board members and County Administrator with a deposit for three rooms of \$850 to be placed on the County's credit card for the Virginia Association of Counties' 67th Annual Conference to be held November 11 – 13, 2001, Sunday thru Tuesday, in Hot Springs, Virginia.

2. Mr. Long stated the sidewalk in front of the Health Department had been damaged by the tree roots which were removed and needed to be replaced. Mr. Faison commented that if he had enough funds available in his budget he would like authorization to have it replaced and to put a handicapped accessible ramp there.

Upon motion of Mr. Bracey, seconded by Mr. Bowman, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County,

Virginia authorization is granted for Administration to enter into a contract to replace and cut a handicapped ramp at the entrance of the Health Department at a cost not to exceed \$2,975.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman	No comments
Mr. Bracey	No comments
Mr. Haraway	No comments
Mr. Clay	No comments
Mr. Moody	No comments

IN RE: CLOSED SESSION

Mr. Bracey moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

- The purpose of the closed meeting is to discuss subject matters identified as Personnel and Consultation with Legal Counsel. Matters to include: Personnel for Administration; Purchase and Use of Equipment.
- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia**, (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Personnel for Administration.

- **Consultation with legal counsel, § 2.1-344 A.7 of the Code of Virginia**, (consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice) Purchase and Use of Equipment.

Mr. Clay seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 12:48 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 1:35 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon Motion of Mr. Bowman, Seconded by Mr. Clay, Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye". This Certification Resolution was adopted.

**IN RE: WORKSHOP – POLICIES ON USE OF EASTSIDE
 COMMUNITY ENHANCEMENT CENTER**

Mr. Tim Smith, Director Recreation and Parks, came before the Board presenting the following draft for the use of Public Buildings.

**OPERATION POLICY FOR THE USE OF
EASTSIDE COMMUNITY ENHANCEMENT CENTER**

I. PURPOSE

Dinwiddie County provides the Eastside Community Enhancement Center (the "Center") to enhance and enrich the lives of its residents through recreational, social, cultural and educational opportunities. In an effort to fulfill this purpose, the Dinwiddie County Board of Supervisors has established the following operation policy for the Center's use. These policies may be amended, altered, or changed as deemed necessary at any time by the Board of Supervisors.

II. USE OF THE CENTER

The Center is available to the public for meetings and conferences, social, civic, recreational, and educational uses. Non-governmental groups using the Center must do so for philanthropic, benevolent and charitable purposes that benefit the residents of Dinwiddie County. Use of the Center for commercial purposes is prohibited.

The normal hours of operation of the Center shall be between the hours of 8:30 a.m. and 9:00 p.m. on weekdays. For use of the Center after these hours, there may be an additional charge for personnel to staff the Center during the event. In no instance may the Center be scheduled for events beyond 11:00 p.m. on weekdays and 12:00 a.m. on weekends.

III. PERSONS WHO MAY USE THE CENTER

The following may submit an application for the use of the Center:

- (A) Groups and/or programs under the direction or sponsorship of Dinwiddie County Parks and Recreation;
- (B) Departments or agencies (to include those who receive County funds) of Dinwiddie County government as approved by the County Administrator;
- (C) Dinwiddie County School Board;
- (D) Non-profit charitable, educational, civic, fraternal, or social organizations offering programs to the residents of Dinwiddie County;
- (E) Corporations, businesses, and residents of Dinwiddie County offering programs to the residents of Dinwiddie County; and
- (F) **Non-resident who is sponsored by a county resident**

IV. RESTRICTIONS ON USE

- (A) Supervision of Minors
Alternative 1:

For any function at which those in attendance will be principally persons under 21 years of age, the following apply: (1) the applicant is an adult over 21 years of age who has agreed to accept full responsibility for the use of the Center and who will provide direct supervision throughout the period of use; and (2) there will be a 1:15 ratio of adults (21 years of age or older) to persons under 21 years of age at all times during the use of the Center.

Alternative 2: **DELETE**

For any function at which those in attendance will be principally persons under 18 years of age, the following apply: (1) the applicant is an adult over 21 years of age who has agreed to accept full responsibility for the use of the Center and who will provide direct supervision throughout the period of use; and (2) there will be a 1:15 ratio of adults (21 years of age or older) to persons under 18 years of age at all times during the use of the Center.

(B) The Center is provided in an "as is" condition. The County makes no warranty or guarantee as to the condition of the facility or the condition or availability of the equipment provided.

(C) When conditions arise that prevent the use of, or when the health and safety of occupants of the Center is a concern, the County will notify the applicant as early as possible and provide a full refund of all deposits and fees. When such conditions occur during the scheduled time, applicants may be relocated or requested to leave.

(D) Each room of the Center has an occupancy limit that has been established under the Fire Code. Permission to use the facility is granted based on the occupancy numbers stated on the application. Exceeding the occupancy limit of the room requested, whether unintentional or not, will result in the cessation of the activity and immediate vacation of the premises. Failure to adhere to occupancy limits will result in the loss of any financial reimbursements (including paid deposits) and the denial of future applications for the use of the Center.

(E) Non-government applicants are prohibited from charging fees for participation in any event or program at the Center. Donations requested or accepted will be deemed a fee for the purpose of this prohibition.

(F) Alcohol on Premises:

Alternative 1: **DELETE**

The possession, consumption and/or distribution of alcohol and controlled substances is strictly prohibited on the premises of the Center. Smoking is not allowed inside the building; applicants are required to inform their invitees and guests of this prohibition and to dispose of their tobacco products and refuse properly.

Alternative 2:

The possession, consumption and/or distribution of controlled substances is strictly prohibited on the premises of the Center. Smoking is not allowed inside the building; applicants are required to inform their invitees and guests of this prohibition and to dispose of their tobacco products and refuse properly.

Anyone wishing to serve alcoholic beverages must obtain a banquet license from the Virginia Department of Alcoholic Beverage Control (unless the caterer has an ABC license and the alcoholic beverages will be served under the caterer's license). Applicants will be required to follow the regulations for use of alcoholic beverages listed below:

- 1) The applicant must complete an "Application to Use Alcoholic Beverages" and return no later than 30 days prior to the scheduled event with an additional \$100.00 refundable deposit (see policy on refunds of deposits).
 - 2) The applicant must submit a copy of the ABC license under which alcoholic beverages will be served the Recreation Department at least seven (7) days before the scheduled use of the Center.
 - 3) The ABC license will be posted by the Parks and Recreation Department staff before the start of the event.
 - 4) No alcohol may be consumed in any other area except the designated area of the event. No alcohol may be stored at the Center before the day of the event. All alcohol must be removed from the Center immediately following the event.
 - 5) The Parks and Recreation Department reserves the right to remove any person from the Center who does not follow the instructions for operating under the conditions of the ABC license.
 - 6) The applicant must provide adequate security (**add: or security agency**), as determined by the Director of Parks and Recreation or the Sheriff's Office for scheduled event.
- (G) Applications will not be accepted from:
1. Groups, businesses, commercial enterprises, and individuals using the facility for profit making purposes; and
 2. Groups or individuals who have been banned for misuse of the Center.

V. APPLICATION PROCESS

- (A) Any eligible person interested in using the Center must complete an "Application Form" which is available from the Department of Parks and Recreation. The Application Form and the refundable deposit (see terms for refund of deposit) must be submitted at least thirty (30) days and no more than one hundred twenty (120) days in advance of the scheduled date of use.
- (B) In limited circumstances, applications may be accepted less than 30 days before the scheduled event only if there are sufficient personnel to staff the Center on that date. There may be additional charges for such last minute scheduling (see fees and charges).
- (C) The applicant will be notified by the Department of Parks and Recreation of the approval of the application within five (5) business days of receipt of the completed Application Form and the required deposit.
- (D) If there should be conflicting Applications submitted for the same date, the following will be the order of approval:
1. Government groups and sponsored events.

2. First completed Application with fees received by the Department of Parks and Recreation.

(E) There shall not be a limit on the frequency of reservations or intervals between reservations for government groups or sponsored events. All other persons will be limited to two reservations per calendar month.

(F) Use of Center on Holidays:

Alternative 1: **DELETE**

The Center shall not be available for events on holidays when County offices are closed.

Alternative 2:

Applications for the use of the Center during designated holidays must be submitted at least 30 days in advance and will only be approved if appropriate personnel are available. Applicant will be charged for all personnel costs required for the scheduled event (including any additional time needed for facility checkout, clean up and closure of facility). Payment for the costs of personnel must be made in 7 days in advance of the scheduled event. (See fees and charges.)

VI. OTHER CONDITIONS ON USE OF CENTER

(A) Applicants will receive a copy of the terms and conditions associated with the use of the Center.

(B) Every applicant who receives permission to use the Center agrees to be held responsible for upholding the terms and conditions associated with the use of the facility, maintaining control over the invitees, and being financially accountable for any damage to the facility or equipment. Failure to comply with all terms and conditions may result in the denial of future applications.

(C) The Center is to be restored after its use to the same condition that existed at the time of occupancy. The applicant is responsible for all maintenance and clean up of the Center and surrounding grounds **and disposing of trash in the center's dumpster.**

(D) The applicant and a staff member of the Department of Parks and Recreation will inspect the facility and concur on its condition prior to occupancy. The staff member, and the applicant if he or she so desires, will conduct a follow-up inspection to determine if applicant has fulfilled the conditions imposed. Failure to fulfill the conditions imposed may result in the loss of some or all of the applicant's deposit.

(E) Applicants may request use of equipment and/or special facility arrangements on their Application Form. A fee may be charged for such equipment or special arrangements. Applicants will be notified in advance of such charges and will make payment of these fees prior to occupancy of the facility.

(F) The Department of Parks and Recreation and/or the Director of Public Safety, at their sole discretion and initiative, may require

security personnel to be present at the event for safety reasons. If such security is required, the applicant will be notified prior to approval of the Application Form of any fees required for security personnel.

- (G) The use of flame retardant decorations may be permitted if the applicant can demonstrate that its use would not pose a danger to the health and safety of those attending the event or meeting. The applicant is required at the time of application, or no later than twenty (20) days prior to the event, to provide the Department of Parks and Recreation with a plan for decorations including, but not limited to, the type of decorations, method of attaching the decorations to walls and fixtures, and location of all decorations. Decorations may not cover any fire extinguisher, fire alarms or exit signs, or obstruct any doorways.
- (H) No animal or pet is allowed in the facility without prior approval or unless the animal is an aid to a disabled person. Any damage caused by the animal will be the responsibility of the applicant.
- (I) No occupant of the Center other than any law enforcement or public safety personnel shall have in their possession while on County property, any firearm, gun, weapon, or dangerous device, including an air or gas-powered gun, slingshot, bow and arrow, crossbow, dart device, boomerang, paint ball gun, or any other device for high speed missile projection. Fireworks will only be permitted with approval.
- (J) No electrical, mechanical or structural alterations will be permitted without prior approval of the Buildings and Grounds Superintendent.
- (K) An applicant wishing to use the kitchen facilities must submit this request with the Application Form. If a caterer is going to be used, the caterer's name, address and phone number must be provided on the Application Form. Caterers and users of the kitchen must follow all state and local rules and regulations governing food preparation and service. No selling or donations may be solicited through food or drink sales by non-government use. Applicants who are granted permission to use the kitchen may be required to obtain liability property damage insurance.

APPENDIX

I. FEES AND CHARGES

- (A) Schedule of fees for users are as follows:
 - 1. Deposits and facility usage fees will be waived for County government users (* a fee of \$10.00 will be assessed for those agencies who are not under direct supervision of the County Administrator).
 - 2. Unless otherwise authorized, all other groups as defined in Article II, Section I shall pay the refundable deposit(s), room fee and other fees as applicable.
 - 3. Refundable Deposits for Security/Damage:
 - a. Residents and non-profits - \$100.00;
 - b. Non-residents and for-profits - \$200.00.

4. Room Fee Structure (see attached)

5. Other fees where applicable based on hourly pay:

a. Supervision that is required beyond operating hours - \$15.00 per hour

b. Security (based on numbers, type of function, alcohol) - \$26.00-\$30.00 per hour

c. Set up and/or cleanup - \$15.00 per hour.

6. Holidays and associated fees:

II. OCCUPANCY

(A) Multi-Purpose Room: 250 standing and/or with chairs; 164 with tables and chairs;

(B) Conference/Meeting Room: 60 standing and/or with chairs; 46 with conference tables and chairs.

(C) Classrooms: 36

After much discussion and consideration the Board agreed that the Recreation Department and Administration should handle the issues involved in the usage of the building.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia the above Operation Policy for the use of Eastside Community Enhancement Center is hereby adopted with the following amendments:

1. Non-citizens of the County must have a County sponsor.
2. The Center will be on a first-come first-serve basis.
3. There is a 2 day per month per each (person, agency) limit for using the center.
4. MUST BE 21 YEARS OLD FOR ALCOHOL CONSUMPTION; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Board will evaluate the policy in 6 months.

IN RE: NAMOZINE VFD – AUTHORIZATION TO PROVIDE FUEL AND MAINTENANCE FOR AERIAL LADDER TRUCK

Administration brought a request from the Namozine VFD to provide fuel and maintenance for the aerial ladder truck they recently purchased.

After much discussion Mr. Bracey stated he would like to see the old truck taken out of service and returned to the County.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County will provide fuel and routine maintenance for the 1990 E-ONE 135 foot aerial ladder truck purchased by the Namozine VFD; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Board is concerned that the truck does not contain a pump nor a tank and the ladder is only rated for one person at the tip of the ladder.

IN RE: LAW LIBRARY TRANSFER OF FUNDS

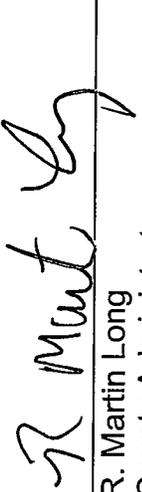
Mrs. Glenice Townsend, Fiscal Officer requested authorization to transfer an additional \$1,000 to the Law Library fund.

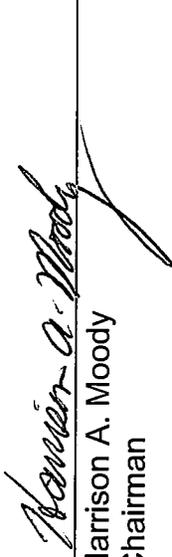
Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Moody, voting "Aye", Mr. Bracey, was absent,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that an additional \$1,000 be transferred to the Law Library Fund.

IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 2:29 P.M.


R. Martin Long
County Administrator


Harrison A. Moody
Chairman

/abr

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 5th DAY OF JULY, 2001, AT 7:30 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 7:30 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

Mr. R. Martin Long, County Administrator, stated there were two additions needed on the agenda under Item 12 – Closed Session add: Consultation with Legal Counsel § 2.1-344 A.7 of the Code of Virginia, for Virginia Bio Fuels, and Referendum.

Upon Motion of Mr. Clay, Seconded by Mr., Mr. Bowman, Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Moody voting "Aye", the above amendments were approved.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the June 6, 2001 Continuation Meeting, and the June 6, 2001 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody 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 1026146 through 1026397 (void check(s) numbered 1026145, 1026384, 1026384 and 1025441) for:

Accounts Payable FY 2001:

(101) General Fund	\$ 145,516.03
(103) Jail Commission	\$ 12.78
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 716.57
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$.00

(228) Fire Programs & EMS	\$ 1,936.00
(229) Forfeited Asset Sharing	\$ 502.85
(304) CDBG Grant Fund	\$ 3,532.24
(305) Capital Projects Fund	\$ 35,682.99
(401) County Debt Service	\$ <u>.00</u>

TOTAL \$ 187,899.46

Accounts Payable FY 2002:

(101) General Fund	\$ 78,138.50
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$.00
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$.00
(305) Capital Projects Fund	\$.00
(401) County Debt Service	\$ <u>63,202.99</u>

TOTAL \$ 141,341.49

PAYROLL - FY 2001:

(101) General Fund	\$ 385,325.26
(304) CDBG Grant Fund	\$ <u>3,271.03</u>

TOTAL \$ 385,596.29

IN RE: CITIZEN COMMENTS

The following citizens signed up to comment.

1. Ms. Geri Barefoot, 7411 Frontage Road, came before the Board requesting a resolution be adopted prohibiting the excavation of rock on a 386 acre parcel of land owned by George Ragsdale. She also asked for the immediate resignation of Gilbert Wood from the Planning Commission.
2. Mr. Herbert Kirks, 24597 Smith Grove Road, Petersburg, Virginia, appeared before the Board concerning the proposed rock quarry also. He stated his family for 6 generations has lived in the same community and he would like for his grandchildren to have the same opportunity. He stated he did not want a rock quarry in his back yard. His concerns were their property value, travesty, and the historical meaning of that area. He told the Board he could not express all of his concerns in 3 minutes. Continuing he stated the Board has been entrusted to do what is right for the citizens.
3. Mr. Moody stated the Board knows the rock quarry is rumored but as of yet, they are not aware of an application. Continuing he explained there is a long process for any application to get approval. As a part of this process there will be Public Hearings before the Planning Commission and the Board of Supervisors and Citizens will be allowed to express their concerns.

IN RE: GYPSY MOTH PROGRAM

Ms. Heather Sneade, Department of Forestry, came before the Board stating she asked to be allowed to speak tonight not to have the Board spend any money, nor to have any action taken, but to give information to use in making future decisions.

As you may have noticed Gypsy Moths have become a hot topic with the media lately with reports of neighboring counties having severe outbreaks. Here in Dinwiddie we currently have five confirmed spots of Gypsy Moth activity. These spots range in size from two or three yard trees to a few acres of surrounding forest. They are here in the county and it is an issue you will be faced with at some time in the future. For this reason she stated she would like to give a brief overview of what the Gypsy Moth is and what it can do so that when called upon to face this issue you will be well prepared.

The Gypsy Moth was introduced into the United States in 1869 by a scientist in Boston, Massachusetts who was trying to breed a better silk worm. The Gypsy Moths had been brought over from Europe for this experiment and somehow they managed to escape. It took 20 years for the Moths to build up to a large population, but since that time they have been spreading quickly throughout the Eastern U.S. Some scientists have estimated that, based on the tree species, there is the potential for them to spread all the way to Florida.

The Gypsy Moth has two major life states, moths and caterpillars. The moths mate in July, lay their eggs, and hatch the following spring. Around April or May when the eggs do hatch the Gypsy Moth is in its caterpillar stage. They then pupate, or go into cocoons, around June. In July they emerge as moths once again.

The Gypsy Moth has been called the "most important hardwood defoliator in North America", but it is also able to attack conifers. They prefer Oaks to any thing else, and White Oaks, like many people have in their yards, are their favorite. The caterpillars are the ones that do all the damage. They feed on the leaves until only the larger veins remain. They are messy eaters, leaving crumbs of leaves scattered around the base of the tree. This defoliation causes reduced tree growth, increased susceptibility to other insects, diseases, and fungal infections, and possibly death of the tree. This damage in turn causes increased fire danger from all the dead trees, decreased wildlife value from lack of food producing trees, decreased aesthetic value from the leaf crumbs, egg masses and pupae cases, and potential danger to homes and property from dead limbs and trees falling.

The Gypsy Moth usually will not spread more than about 1 mile per year with out "help". The problem is that people tend to help them spread with out even knowing it. The caterpillars, egg masses, or pupae cases may hitch rides on cars, campers, firewood or any other items brought back from infested areas. And you don't have to travel far to pick them up. Recently, she said she went to the Northern end of the county to look at a spot and she stood under an infested tree for about 15 minutes. When she got home she had a caterpillar crawling on her. If she had not known to destroy it this could have made the sixth spot in the County.

When introduced into North America the Moth had no natural predators to keep the moths in check. This has caused a race to find a control method that is useful and widely available. Now there are some parasites and a virus that may help lower large populations, but have not been effective on new spots. There has also been some research into sterilization and hormone use, but it is not fully tested yet. Another possible control method is to reduce the percent of favored tree species. This is not very feasible since the caterpillars feed on such a wide range of species found here. The most widely used control technique is insecticide application. This is best done by aerial application. The problem is it is expensive and federal funding can only be obtained for blocks of 15 acres or more.

Ms. Sneade gave the Board some brochures and stated this is an overview of what the county will be up against in the future and the information in them will help with identification and control. She also stated an excerpt from a letter written by the state Entomologist was included concerning his experiences with municipalities and their control decisions. She told the board if anyone had any questions to call Mike Parrish, 469-4514, at the Extension Office or her, 469-7343, at the Forestry Department.

Mr. Moody asked what the acre requirement is for the cost sharing federal funds; a 15 acre block, Ms. Sneade replied.

Mr. Bowman asked if the large timber companies had been contacted. She replied, no.

IN RE: PUBLIC HEARING – C-01-1- NTELOS/SPRINT PCS

Ms. Alma Russell stated this is an “action item” only; the Public Hearing has already come before the Board.

Mr. Long stated the County Attorney had received the following letter from Brent A. Jackson, Attorney, representing his client, the A.M.E. Zion Church.

“Ms. Phyllis Katz, Esq.
Sands, Anderson, Marks & Miller
P.O. Box 1998
Richmond, VA 23218-1998

RE: My Client – A.M.E. Zion Church
Application – Sprint/Ntelos
C-98-6 – Conditional Use Permit

Dear Ms. Katz:

Please be informed that our client, the A.M.E. Zion Church, Mid-Atlantic Region, has authorized this firm to formally convey to the Board of Supervisors of Dinwiddie County, Virginia said client’s approval with regard the abovementioned Conditional Use Permit which is currently pending. Our client has met with the applicant and it’s agents, and after much discussion regarding the Church’s concerns and challenges, it has been agreed to support the Conditional Use Permit as proposed.

In light of this support, we withdraw and waive our earlier objections as noted to the Board in our letter dated May 1, 2001.

We thank you in advance and if there are any additional questions, please do not hesitate to contact this office.

Sincerely,

Brent A. Jackson”

Mr. Bracey commented he still wasn’t happy; the applicants had “hoodwinked” everyone. They did not talk to the clients and weren’t concerned about the neighbors, community or myself. The only thing they are interested in is how much money they are going to make. He stated he knew the “deal”; the applicants met with the Church officials and it was all about money. He asked the Board “how would you like to look at this everyday?”

Upon Motion of Mr. Haraway;

BE IT RESOLVED, that in order to assure compliance with the Virginia Code Section 15.2286 (A) (7) it is stated that the public purpose for

which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice I move that conditional use permit C-01-01 be approved with the conditions recommended by the Planning Commission.

Planning Summary Report

File: C-01-01

Applicant: NTELOS and Sprint PCS

Property Address: 18626 Lundy's Road, Dinwiddie, VA 23841

Acreage: 113 acres

Tax Map Parcel: 57-83

Zoning: Agricultural, general A-2

The applicant, NTELOS and Sprint PCS, have requested a modification of the conditional use permit C-98-6 in order to increase the height of the existing telecommunications tower located on the A. M. E. Zion Church property from 192' to 250'. NTELOS wishes to provide telecommunications services along the I-85 corridor. They have reviewed the available height on the existing A.M.E. Zion site and determined that they needed to extend the tower if they are to obtain the coverage they seek in the Dinwiddie Courthouse area.

The Planning Commission heard this case at their February 14th and March 14th public meetings. After the staff report and the presentation by NTELOS, the Chairman opened the meeting for citizen comment. No one in attendance spoke on this request. The Chairman closed the public hearing portion of this case. After discussion among the Commissioners, action on this case was tabled until the March 14th meeting since a few questions and/or statements were made that required additional action. This action was acceptable to the applicant. The concerns were: follow-up on contacts made by NTELOS regarding neighborhood response to their request; and further contact with the Public Safety Director regarding future need for the tower. At the March 14th meeting, it was reported that Mr. Wood contacted several neighbors and they did not object to the tower extension. Mr. Scheid stated that his conversation with the Public Safety Officer revealed that this tower was not presently needed but could be needed in the future. If such a need arose, the tower height needed would be at 300'. It was noted previously that the study conducted by NTELOS engineers revealed that a height of 200' or greater would satisfy the communications needs for them in the Dinwiddie Courthouse area. With the above in mind, the Planning Commission voted (5-1) to recommend approval of the conditional use permit subject to the conditions previously imposed and the following conditions attached:

1. The tower height shall be limited to two hundred ten (210) feet; The extension of the tower will be such that it will be able to support the weight, wind and ice loads associated with the extension to three hundred (300) feet and carrying at least three (3) other antenna arrays; and
2. NTELOS will provide dual lighting which consists of red lights at night and flashing white lights during the day. Additional, NTELOS will install a lighting system which uses fresnel lenses designed to focus approximately 90% of the light generated towards the horizon and upward to minimize the amount of light visible from the ground.

The Motion was Seconded by Mr. Clay.

Ms. Roma Sein, Attorney, asked if she could get clarification on the height of the tower.

Mr. Moody stated the application was for 210'. He asked Mr. Thompson if

that was what the Planning Commission had passed. Mr. Thompson stated the request was for 210', but after the Planning Commission meeting on March 14, 2001, and before the Board of Supervisors held their Public Hearing NTELOS had sent in a request to extend it to 220'.

Ms. Sein stated because of the design of the tower, the company who did the tower design had recommended 220' to be able to extend the tower up to 300'. Due to the structure of the tower, it is not designed to be extended precisely to 210' in height. So to provide a usable space on the tower, if extended, and to maintain the structural integrity of the tower as required by the development conditions, NTELOS must extend the structure by two tower sections. The actual tower is 190' with a lightening rod that extends 2' so that is why it is considered a 192' structure. The next two sections of the tower are designed for a 10' and 20' section bringing the total tower height to 220' for a total of a 30' extension. NTELOS is requesting to mount their tower slightly below that, at 215', to allow space for working on the tower extensions in the future without disruption of service.

Mr. Muscarella responded the way these towers are structurally designed the flanges and bolting plates for one section, which is bolted to the next section, there is a certain amount of strength and calculations that go into each section as they bolt up. If NTELOS were to try to redesign it, the whole tower would have to be redesigned. In order to take that 10' section off both carriers below it would have to be displaced.

Mr. Moody asked the representative from Atlantic Technology Consultants, Inc. to come forward.

Mr. Joe Vidunas, Atlantic Technology Consultants, Inc., stated he thinks there is a tower manufacturer that could design a section for a tower at which would support the 300' tower structurally.

Mr. Bracey asked the Chairman to call for the roll.

Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Moody voting "Aye", Mr. Bracey, Voting "Nay".

IN RE: C-01-5 - AMERICAN/NTELOS - CONDITIONAL USE PERMIT

Mr. Long stated this was an action item only the public hearing had taken place on May 2, 2001.

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

BE IT RESOLVED, that in order to assure compliance with the Virginia Code Section 15.2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice I move that conditional use permit C-01-05 submitted by NTELOS and American Towers, as stated below, is hereby amended and approved with the conditions recommended by the Planning Commission.

Planning Summary Report

File: C-01-5

Applicant: NTELOS and American Tower

Property Address: 12300 Quaker Road, Dinwiddie, VA 23841

Acreage: 38 acres (a 100' x 100' portion leased)

Tax Map Parcel: 46-9B

Zoning: Agricultural, general A-2

The applicants, NTELOS and American Tower, are seeking a conditional use permit to construct, operate and maintain a two hundred fifty (250) foot lattice telecommunications tower, related equipment and improvements for the purpose of mounting wireless telecommunications antennas. NTELOS wishes to provide telecommunications services along the I-85 corridor. They have reviewed the available height of other structures along the corridor in this area and determined that they needed to construct a tower if they are to obtain the coverage they seek. The property is cut over timberland and is located north of the northbound rest stop on I-85. The nearest residence is approximately 950' from the tower and is owned by Wynonah Wesson Thomas. It is estimated that 13 residences are located within ½ mile of the tower of which 2 residences are owned by members of the Thomas family. The nearest point of Quaker Road to the tower is approximately 1450 feet.

The Planning Commission heard this case at their April 11th public meeting. After the staff report and the presentation by NTELOS, the Chairman opened the meeting for citizen comment. Mrs. Linda Hensley of 12612 Quaker Road and Mr. Arthur Green, Jr. of 12112 Quaker Road spoke in opposition to the request. The Chairman closed the public hearing portion of this case after receiving their testimony. After discussion by the Planning Commissioners, the Planning Commission voted 6-0 (Mr. Moody absent) to recommend approval of the conditional use permit subject to the following conditions:

1. The tower proposed by American Tower shall not exceed two hundred fifty (250) feet in height;
2. Lighting will be accomplished as noted on the plans (dual-flashing system with red at night and white during the day utilizing fresnel lenses as noted);
3. The applicant, American Tower, shall allow at least two (2) other wireless telecommunications providers to locate on the tower and site, and shall provide the County, upon request, verifiable evidence of having made a good faith effort to allow such location;
4. American Tower shall construct the tower as shown in the plans prepared by Matrix Engineering, entitled Gravelly Run, 12300 Quaker Road, Dinwiddie, Virginia, VA-F814-4 which was submitted by the applicant with the application;
5. Language shall be added to the application stating that the County shall have co-location rights on the tower at no cost to the County; and
6. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions.

IN RE: APPOINTMENT –SOCIAL SERVICES BOARD

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. Linda Cunningham is hereby appointed to the Social Services Board, for a four-year term expiring June 30, 2005.

IN RE: APPOINTMENT – RC & D COUNCIL

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Granville Maitland is hereby appointed to serve on the RC& D Council, for a three-year term expiring June 30, 2004.

Mr. Moody stated he would like to check with Mike Jones to see if he

would be interested in serving on the council also.

IN RE: APPOINTMENTS – REDISTRICTING COMMITTEE

Upon motion of Mr. Bowman, seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting “aye”,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. William Branch is hereby appointed to serve on the Redistricting Committee representing District #3.

**IN RE: BUDGET SUPPLEMENT – SCHOOL BOARD - FY 2002
BUDGET – ADDITIONAL FUNDING**

Mr. Haraway made the motion to give the Schools an additional \$200,000 for the FY 2002 budget year. He stated the State decreased their budget and he felt they had practiced good fiduciary responsibility and deserved the money they had requested.

Mr. Bowman seconded the motion.

Mr. Bracey commented that there was another issue, the Detention Home, that came to us at the last meeting also. We have to carry our weight with this too. Where are the funds going to come from?

Mr. Haraway stated we can get it from the reserve and make it up next year in the budget.

Mr. Long replied that it is costing us a lot more because we are having to send kids to other locations and it would be hard to judge how much it will cost the county.

Mr. Clay stated he was against giving the School Board the additional funds right now. The new Superintendent and Assistant Superintendent is getting new furniture and they are painting the offices. They aren't as bad off as they make out to be. They hired a new Secretary that worked in the Administration Office and are paying her a higher salary than we can pay her.

Mr. Haraway stated he left the last meeting wondering about that situation. So he called the School Board to find out about the issue. They offered her \$20,817 at Step 6 and gave her 1 year credit for every 2 years experience she had. Administration Staff could have hired the person for more money if we had given steps for her experience.

Mr. Moody stated we need to give additional funds but he hated to run into the reserves.

Mr. Bowman commented he had asked before, “Did anyone do an exit interview?” He was advised the individual was a part time employee.

Mr. Moody called for the vote.

Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Moody voting “aye”, Mr. Clay, voting “Nay”,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that an additional \$200,000 be added to the local transfer to School Board budget as follows: \$163,913 – Instruction; \$36,087 – Operation and Maintenance.

**IN RE: RESOLUTION – TO EXTEND CORPORATE LIFE OF THE
APPOMATTOX RIVER WATER AUTHORITY AND
CONCURRENT RESOLUTION**

**RESOLUTION OF THE MEMBERS OF THE
APPOMATTOX RIVER WATER AUTHORITY**

WHEREAS, the Council of the City of Petersburg, the Council of the City of Colonial Heights, the Board of Supervisors of Prince George, the Board of Supervisors of Dinwiddie County, the Board of Supervisors of Chesterfield, (the "Participating Jurisdictions") created the Appomattox River Water Authority (the "Authority") in 1950 pursuant to the Code of Virginia of 1950, as amended; and

WHEREAS, the members of the Authority have determined that it is in the best interests of the Authority to extend the corporate life of the Authority;

NOW, THEREFORE, BE IT RESOLVED BY THE APPOMATTOX RIVER WATER AUTHORITY:

1. The Authority hereby requests the Participating Jurisdictions to consider and adopt the concurrent resolution, attached hereto as Exhibit "A", to extend the corporate existence of the Authority for fifty years from June 1, 2001.
2. This resolution shall take effect immediately.

Adopted by the Appomattox River Water Authority on June 13, 2001.

**CONCURRENT RESOLUTION EXTENDING THE CORPORATE LIFE
OF THE APPOMATTOX RIVER WATER AUTHORITY**

WHEREAS, the Council of the City of Petersburg, the Council of the City of Colonial Heights, the Board of Supervisors of Prince George, the Board of Supervisors of Dinwiddie County, the Board of Supervisors of Chesterfield, (the "Incorporating Jurisdictions") created the Appomattox River Water Authority (the "Authority") in 1950 pursuant to the Code of Virginia of 1950, as amended; and concurrent resolutions adopted by the Incorporating Jurisdictions; and

WHEREAS, the Incorporating Jurisdictions deem it advisable the extend the corporate life of the Authority;

NOW, THEREFORE, BE IT RESOLVED BY the undersigned Governing Bodies of the City of Petersburg, the City of Colonial Heights, the County of Prince George, the County of Dinwiddie County, the County of Chesterfield:

1. The Authority shall have a term of existence for fifty years from June 1, 2001 and for such period or periods as may from time to time be provided by resolution of the City councils and Boards of Supervisors of each political subdivision participating in the Authority.
2. This resolution shall take effect immediately.

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

**IN RE: RESOLUTION OF THE MEMBERS OF THE
APPOMATTOX RIVER AUTHORITY – MEMORANDUM OF
UNDERSTANDING**

WHEREAS, the Council of the City of Petersburg, the Council of the City of Colonial Heights, the Board of Supervisors of Prince George, the Board of Supervisors of Dinwiddie County, the Board of Supervisors of Chesterfield, (the "Participating Jurisdictions") each entered into service agreements, as amended, with the Appomattox River Water Authority (the "Authority") (collectively, the "Service Agreements"), which provide for, among other things, the sale of water by the Authority to the Participating Jurisdictions; and

WHEREAS, the Service Agreements contemplate improvements, betterments, repairs, equipment replacements, extensions and expansions (the "Future Improvements" and the "Future Expansions") to the water system to meet the future needs of the Participating Jurisdictions; and

WHEREAS, the members of the Authority have determined that it is in the best interest of the Authority to amend the method through which Future Expansions may be funded under the Service Agreements:

NOW, THEREFORE, BE IT RESOLVED BY THE APPOMATTOX RIVER WATER AUTHORITY:

1. The Authority hereby approves the Third Amendment to the 1964 Service Agreements between the Authority and the Participating Jurisdictions (the "Third Amendment") and the Memorandum of Understanding (the "MOU"), attached hereto as Exhibits "A and "B", respectively. The Chairman, Vice Chairman or General Manager of the Authority are each authorized to execute and deliver on the Authority's behalf the Third Amendment and the MOU, with such changes, insertions or omissions as may be approved by the Chairman, Vice Chairman or General Manager. Such approval will be evidenced conclusively by the execution and delivery of such documents on the Authority's behalf.

2. The Authority hereby requests the Participating Jurisdictions to consider and adopt the concurrent resolution, attached hereto as Exhibit "C", approving the Third Amendment and authorizing the execution and delivery of the Third Amendment by the proper officers of the respective cities and Counties.

3. The Authority agrees to enter into a MOU with any locality that desires to pay its expansion share and authorizes the Chairman, Vice Chairman or General Manager to execute such MOU on behalf of the Authority.

4. This resolution shall take effect immediately.

Adopted by the Appomattox River Water Authority on June 13, 2001.

**CONCURRENT RESOLUTION RELATING TO THE THIRD
AMENDMENT TO THE 1964 SERVICE AGREEMENTS BETWEEN THE
APPOMATTOX RIVER WATER AUTHORITY AND THE
PARTICIPATING JURISDICTIONS**

WHEREAS, the Council of the City of Petersburg, the Council of the City of Colonial Heights, the Board of Supervisors of Prince George, the Board of Supervisors of Dinwiddie County, the Board of Supervisors of Chesterfield, (the "Participating Jurisdictions") each entered into service agreements, as amended, with the Appomattox River Water Authority (the "Authority") (collectively, the "Service Agreements"), which provide for, among other things, the sale of water by the Authority to the Participating Jurisdictions; and

WHEREAS, the Service Agreements contemplate improvements, betterments, repairs, equipment replacements, extensions and expansions (the

"Future Improvements" and the "Future Expansions") to the water system to meet the future needs of the Participating Jurisdictions; and

WHEREAS, the members of the Authority have determined that it is in the best interest of the Authority to amend the method through which Future Expansions may be funded under the Service Agreements:

NOW, THEREFORE, BE IT RESOLVED BY THE UNDERSIGNED GOVERNING BODIES OF THE CITY OF PETERSBURG, THE CITY OF COLONIAL HEIGHTS, THE COUNTY OF PRINCE GEORGE, THE COUNTY OF DINWIDDIE COUNTY, THE COUNTY OF CHESTERFIELD:

1. The Third Amendment to the 1964 Service Agreements between the Authority and the Participating Jurisdictions (the "Third Amendment"), attached hereto as Exhibit "A", is hereby approved.
2. The proper officers of the respective Cities and Counties are hereby authorized to execute and deliver the Third Amendment.
3. This resolution shall take effect immediately.

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

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator advised the Board that there is a need to come in early on July 18, 2001 to cover several items that the staff needs direction on, i.e. Communications Staffing, Billing for Services, Personnel Study and Referendum Issues. He suggested 11:00 A.M. on July 18, 2001.
2. The Assistant County Administrator advised the Board that a memo from the County Attorney had been included in the Board packet concerning the County's ability to regulate cable TV rates. She stated it is a complicated procedure but the new franchise will include language that would allow the Board to pursue regulation if they chose to do so.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman	He stated he would like to thank the citizens who came out tonight to express their concerns for the County and take part in the meeting.
Mr. Bracey	He stated at the retreat, a lot of issues were presented to the Board and we left and did not give Administration any direction on any of the projects nor what to do about the fire services. What are we going to do about the safety of our community? He said he was not going to go to another retreat to sit and do nothing and this bothered him.
Mr. Haraway	No comments
Mr. Clay	He stated he would like to see an audit done of the School Board. He asked the County Administrator to check on having one done.
Mr. Moody	He stated that he received the letter of June 15, 2001 from Mr. Bracey. Under his impression, we had homework to do. He said he needs to meet with some folks and he had been

busy. We did request that Staff bring back some things to us for and he felt that was to be discussed at the July 18th continuation meeting. Mr. Bracey stated he hoped so whether the answer is yes or no; but hoped the Board would take action on the issues.

IN RE: CLOSED SESSION

Mr. Clay moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

The purpose of the closed meeting is to discuss subject matters identified as, Personnel Matters; Consultation with Legal Counsel. Matters to include: Personnel; Administration; Public Safety; Consultation with Legal Counsel - for Virginia Bio Fuels, and Referendum.

- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Personnel – County Administration; Public Safety.
- **Consultation with legal counsel, § 2.1-344 A.7 of the Code of Virginia,** (consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice) Virginia Bio Fuels, and Referendum.

Mr. Bracey seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 8:30 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 9:15: P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

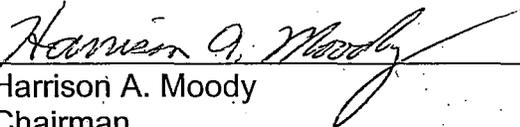
Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

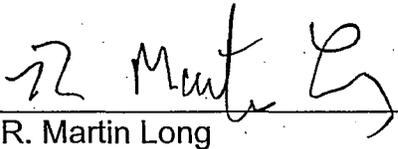
Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", this Certification Resolution was adopted.

IN RE: ADJORNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 9:16 P.M. to be continued until 11:00 A.M., July 18, 2001 for discussion of the issues remaining from the retreat session.



Harrison A. Moody
Chairman



R. Martin Long
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 18th DAY OF JULY, 2001, AT 11:00 A.M.

PRESENT: HARRISON A. MOODY, CHAIRMAN ELECTION DISTRICT #1
 (left the meeting at 12:56 P.M.)
 EDWARD A. BRACEY, JR. VICE-CHAIR ELECTION DISTRICT #4
 DONALD L. HARAWAY (arrived 11:00 a.m.) ELECTION DISTRICT #2
 ROBERT L. BOWMAN, IV ELECTION DISTRICT #3
 AUBREY S. CLAY, ELECTION DISTRICT #5

OTHER: DANIEL SIEGEL COUNTY ATTORNEY

Mr. Harrison A. Moody, Chairman, called the continuation meeting to order at 11:00 A.M.

IN RE: COMMUNICATIONS – STAFFING

The Board of Supervisors met in a workshop session to discuss communications and staffing issues that need to be addressed for the proposed public safety building in order to meet the E911 mandates that will be effective for Dinwiddie County by July 1, 2002.

Mr. David Jolly, Public Safety Director, gave the following overview for the Board to discuss:

		Existing Setup-3 Funded Dispatchers	County Dispatch Fire & EMS-10 Funded Dispatchers	All in one location-5 Funded Dispatchers
1101	Communications Director		\$30,300.00	\$30,300.00
1102	Dispatchers	\$71,697.00	\$241,650.00	\$129,625.00
1301	Part-time Help	\$5,000.00	\$10,000.00	\$10,000.00
2100	FICA			
2210	Retirement			
2300	Hospital/Medical Plans			
2400	Group Life Insurance			
2600	Unemployment Insurance			
3145	Map Printing	\$1,400.00	\$1,400.00	\$1,400.00
3151	Professional Services	\$500.00	\$500.00	\$500.00
3310	Radio Maintenance		\$500.00	\$500.00
3320	Maintenance Service Contract	\$5,000.00		
3600	Advertising	\$150.00	\$500.00	\$500.00
5110	Electrical Services		\$4,000.00	\$4,000.00
5120	Other Utility Services		\$1,500.00	\$1,500.00
5210	Postage	\$150.00	\$150.00	\$150.00
5230	Telecommunications	\$40,000.00	\$45,500.00	\$45,500.00
5540	Travel-Education	\$750.00	\$2,000.00	\$2,000.00
5810	Dues/Association Membership			
6001	Office Supplies	\$300.00	\$1,000.00	\$1,000.00
6008	Vehicle-Repair/Gas/Oil		\$750.00	\$750.00
6011	Uniforms		\$3,000.00	\$3,000.00
6012	Books & Subscriptions		\$1,000.00	\$1,000.00
8100	Capital-Installation of Radio System		\$117,500.00	\$117,500.00
8102	Capital-Replacement	\$400.00	\$400.00	\$400.00
8103	Capital-Equipment		\$1,000.00	\$1,000.00
8202	Office Equipment			

8203	Communications Equipment	\$3,000.00		
8212	Street Signs	\$14,000.00	\$14,000.00	\$14,000.00
	Total	\$142,347.00	\$476,650.00	\$364,625.00
	Savings if all in one location			\$112,025.00

Mr. Jolly explained to the Board the only difference in the cost if the Sheriff decided to keep his dispatchers was in personnel, until there is a need to replace the equipment.

Mr. Moody asked where are we with the Sheriff?

Mr. Long replied the last he heard from him was that he still wants to keep his dispatchers in house.

Mr. Moody asked what could we do if the Sheriff doesn't want to combine the communications?

Mr. Bracey commented that if he wants to be independent, we move on with or without him. We shouldn't put citizens at risk just because he is holding up progress.

Mr. Jolly suggested we should show the Sheriff the cost saving annually if we combine the dispatching today and then if he is not agreeable move forward with getting the center up and operational.

Mr. Moody stated we could share the savings with the Sheriff if he is willing to combine the dispatchers.

Mr. Long stated if we intend to move forward, he would like to advertise and hire a Communications Director at the Department head level. That person needs to be in on the ground level with the start up working beside Mr. Jolly to get the project done. This is going to be critical for the start up process.

Mr. Moody asked if the Director would work a shift also.

Mr. Long stated he would think this person would have to work varying hours to make sure everything is going the way it is supposed to.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", authorization is granted for Administration to move forward with hiring a Communications Director at the Department head level position for the Communications System Center.

IN RE: FIRE – RESCUE VEHICLE PLAN

Mr. Jolly presented the following vehicle replacement schedule that would bring the volunteer resources up to an adequate level of service for the County. The presentation also included a possible financing plan.

Calendar Year	Unit being Replaced/Location	Estimated Cost	Special Notes
2001	Engine 33 - McKenney	\$425,000	Rescue Engine. Replace Engine 33
	Engine 12 - Dinwiddie	\$425,000	Rescue Engine. Current Engine to Old Hickory to replace Engine 52
	Engine 42-Namozine	\$425,000	Rescue Engine. Current Engine to McKenney to replace Engine 32.
	Tanker 2 - Ford	\$241,500	3,000-Gallon Unit. Allow Engine 22 to be a reserve unit.
	Responder 2 - Ford	\$120,000	Replacement vehicle to be a light squad

	Rescue 41	\$110,000	Replacement ambulance for Namozine. State Grant for 48,836.00 towards purchase of this unit.
	Rescue 13	\$110,000	New unit for second 24-hour paid crew. John Randolph Grant for 50,000.00 towards purchase of this unit.
Grants		\$-98,836	
	Total for year	\$1,757,664	

2002	Rescue 81	\$100,000	Relocate unit to McKenney. Grant funding a possibility
	Rescue 92	\$100,000	Re-chassis of current unit
	Squad 5	\$130,000	Replace unit with one like unit going to Ford
	Total for year	\$330,000	

2003	Haz-Mat 1 Trailer	\$415,000	Current trailer used for disaster supplies
	Brush 3 - McKenney	\$45,000	
	Total for year	\$60,000	

2004	Brush 5 - Old Hickory	\$47,250	
	Tanker 6 - Carson	\$53,000	Fifth year of lease
	Rescue 11	\$110,000	
	Total of year	\$210,250	

2005	Brush 4 - Namozine	\$49,612	
	Brush 1 - Dinwiddie	\$49,612	
	Total for year	\$99,224	

	CIP Request	Amended
2001	876,500	\$1,757,664
2002	935,000	\$330,000
2003	795,000	\$60,000
2004	702,241	\$210,250
2005	433,488	\$99,224
Total	3,742,229	\$2,457,138
Savings		\$1,285,091

Mr. Jolly stated that Mr. Dick Singer, Singer Associates, provided the following information for the workshop retreat that addresses the scenarios for group purchase of vehicles for the County:

Cash purchase of units (pricing off the chart in the report)

FY 2001	1 each Rescue/Engine	\$425,000
FY 2003	1 each Tanker	\$266,254
FY 2004	1 each Rescue/Engine	\$491,990
FY 2005	1 each Rescue/Engine	\$516,591
	TOTAL CASH OUTLAY	\$1,699,835

Lease-purchase costing for purchase of all units in 2001

3 each Rescue/Engine	\$1,275,000
1 each Tanker	\$ 241,500
TOTAL PURCHASE PRICE	\$1,516,500

Lease payments for 3 years (annual in arrears) 1,516,500 X .36714 =
556,768 annual payment

	X 3 payments = 1,670,304 or a savings of 29,531 over the cash purchase
Lease payments for 5 years (annual in arrears)	1,516,500 X .23347 = 354,057 annual payment X 5 payments = 1,770,285 or a cost of 70,450 over the cash purchase
Lease payments for 7 years (annual in arrears)	1,516,500 X .17653 = 267,708 annual payment X 7 payments = 1,873,956 or a cost of 70,450 over the cash purchase

Note .36714 is the lease factor for 4.99% for 3 years lease-purchase with annual payments in arrears

Note: .23347 is the lease factor for 5.39% for 5 years lease-purchase with annual payments in arrears

Note: .17653 is the lease factor for 5.59% for 7 years lease-purchase with annual payments in arrears

Note: With annual payments in arrears, the first payment would probably not be due until after July 1, 2002. But this payment date could be negotiated to best suit your needs.

With the 3-year lease you actually save cash money.

The other positives are:

- a. You get the new apparatus right now
- b. You can move apparatus around to better suit the taxpayers needs
- c. You can get safer equipment in place for the firefighters use
- d. The maintenance cost is dramatically less
- e. Huge boost of morale for the volunteers
- f. Let the County implement the plan sooner

Other additional points:

- a. You could save some money by not spending the amount budgeted for new apparatus - the rescue/engines might not be \$425,000 thus reducing the cost of the lease-purchase
- b. Interest rates will probably come down again, possibly come down again, possibly by your meeting with the Board of Supervisors - this would reduce the lease-purchase cost as well
- c. With energy costs rising like they are, there is an even chance that our 5% inflation factors which have been good in the past might be light - thus raising the price of the cash purchase amount
- d. Good move politically - helping volunteers - safety - etc. - also saving tax money

Mr. Haraway stated he understands where Mr. Singer is coming from because he is a salesman. This savings is coming from a 5% increase he has projected for the price of the truck going up every year. He is trying to make a sale. His saving is really not a savings. He is just assuming the trucks are going up each year. This is an artificial savings to the County. Continuing, he commented that it is a ridiculous idea to spend all this money to save on interest for five years down the road.

Mrs. Ralph commented this is not a financial issue as much as it is a catch up issue. Do you want to be faced in the middle of the year with the volunteers standing in front of you wanting a piece of equipment because theirs died? The



plan in front of you will bring the County up to a certain point where we can at least plan and get just about everybody in good shape.

Mr. Jolly stated McKenney's unit died in route to a call this week.

Mr. Long stated he understood what Mr. Haraway was saying, if we purchase all of the equipment at the same time it will more than likely have to then be replaced again at about the same time. But it all boils down to pay now or pay later. But in the meantime we are paying maintenance costs daily. The costs are going to increase yearly but no one knows how much. The issue we are looking at now is to bring the system up to date and hold down the maintenance cost so we can plan for the future.

Mr. Haraway asked what the maintenance costs for the year is?

Mr. Jolly stated it is in the neighborhood of \$28,000 for maintenance and repairs both.

Mr. Clay commented that is a long way from \$425,000.

Mr. Bracey stated he didn't look at the projection from Mr. Singer as a sales pitch. He looked at it as information. Continuing, he commented he didn't feel that anyone at this table is an expert in fire equipment therefore he has to rely on what the people are saying. The part he is looking at is the welfare and benefit of the citizens and volunteers of this County. We are going to sit here and play games again while the equipment breaks down. The Board needs to tell Administration to get what they need and keep moving.

Mr. Clay stated he didn't want the County to be in any more debt either. A lot of things in life aren't fair.

Mr. Bracey commented we have to start meeting standards. Is that fair to the citizens?

Mr. Bowman stated with the economy slowing down the way it is he would like to take it easy right now.

Mr. Bowman stated he had a question for Mr. Jolly. The ladder truck, a sore subject, have you gone to Namozine and discussed why it isn't on the CIP?

Mr. Jolly replied no, not yet, because the decision has not been made here. No one has given him any direction as to what is going to be done.

Mr. Bowman replied that Namozine made their decision to purchase the ladder truck they have, based on them getting a new truck in 3 years.

Mr. Jolly stated because he made his decision based on the truck being replaced in 2004 and they didn't decide to follow that plan either.

Mr. Bowman responded they were doing it for the protection of the citizens in the County and for the welfare of the volunteers. They saved the County a lot of money. They did it in good faith with the understanding that the truck would be replaced in a couple of years. I hate to see them go out on a limb for the County and then you just cut it off.

Mr. Jolly replied if you don't do that then what are you going to be doing is replacing a 10 year old truck which goes against the 30 year replacement cycle that we say we can get out of the engine.

Mr. Jolly stated the ladder truck is a 1972 model and not a 1992 model. The unit that is in the CIP plan now for replacement is a 1972. So provided

Namozine finishes, and puts the 1990 ladder truck in service, there is no need for the truck to be in the CIP because there is no longer a 1972 model in the plan.

Mr. Bowman stated Namozine was only buying that truck until the new one came in, so they could protect the firefighters and citizens of this County; thinking that we would stick to the CIP plan. We shouldn't vary from the CIP plan.

Mr. Jolly stated, what you are saying to me, to make sure I am clear, is that you, as a member of the Board are willing to replace a 10-year piece of apparatus in 2 years?

Mr. Bowman commented yes, to help these guys out of a financial bind who helped us.

Mr. Bracey stated, Mr. Bowman, I hate that, what do you mean they helped us? They helped you but it didn't help us. You keep saying they helped us, where did you get that?

Mr. Bowman stated the fire truck that broke down from McKenney, where did the replacement fire truck come from?

Mr. Jolly stated Ford.

Mr. Bowman said just because it is out of another district doesn't mean they helped us.

Mr. Bracey stated that didn't have anything to do with it. The only thing he is saying is that you, Mr. Bowman, keep saying we. You aren't helping "we", because what you did was against all regulations and now you're coming back and say well put this back and you will replace it. That's fine but now then you say they are going to sell it. A lot of things are going to happen.

Mr. Bowman stated he didn't know if they are going to sell it or not, but he felt they should. It was just a bandage on a situation until they could get a new truck.

Mr. Jolly stated, their old truck is still running calls everyday and that's not the new one. So why did they go and buy and new one?

Mr. Bowman replied because they are taking a chance and putting their lives on the line for the citizens of this County.

Mr. Jolly stated so is every other volunteer in this County.

Mr. Bowman commented and they are doing it out of the goodness of their heart. Then for us to cut the limb off after they went to bat for us and borrowed money, I can't see us treating people that way.

Mr. Bracey stated they went to bat for themselves. Somebody went there and told them what to do.

Mr. Jolly interjected you go and purchase a unit before you even tell the Board or a Department Head that you purchased it. Stand in front of the Board that night and say I would like for you to buy this; or at least insure it. Then go out and holler and say, by the way we have already bought it; yes there is a problem.

The County was given a gift Mr. Bowman stated, and they helped us. They are going to let the County use this truck 3 years. This is a grant for the County and we should be grateful for it.

Mr. Moody stated the CIP is reviewed every year. Only the 1-year that is in place is the one that is in stone. If we allow something like this to happen the whole plan is changed around, because it is not needed. He stated Namozine has come and helped us out, but them helping us out has stretched the life of that ladder truck some. The County does not have to purchase one as quick.

Mr. Bowman commented that Mr. Jolly needs to go to them and explain what we are going to do and maybe we will just go ahead and sell the truck.

Mr. Jolly replied, the Board has made no decision, he couldn't tell them anything.

Mr. Bowman stated the Board couldn't make a decision here until you have all the information. You don't know what Namozine's intentions are. The Board needs to know, are they just giving the County a grant for 3 years; so the County would be covered in case of an emergency.

Mr. Jolly commented, actually, their comment to the Board the night of the meeting was, that in 3 years when the aerial ladder was replaced they were going to use this truck as the reserve. So they don't intend to sell it.

Mr. Bowman replied ok, but they were planning to get a new one.

Mr. Moody stated that is the whole issue that we are trying to deal with; unification and everybody trying to decide things together. We have to get all of the volunteers to work together. Namozine went out and bought the truck to help us out but it wasn't in agreement with the whole County together and that wasn't the thing to do.

Mr. Bowman stated because the County could not afford to give them a vehicle right away.

Mr. Bracey commented, who said that? He stated he never heard this Board say that.

Mr. Jolly replied they never came to the Board.

Mr. Bowman stated so we are going to punish them now for trying to help the County.

Mr. Long stated he didn't see that at all; when we talked with them shortly after they purchased the vehicle, Ronnie Erb came up and talked with us at length. The confusion and the upset came at the point that from the way CIP has been viewed is by replacement of a 20-year vehicle on a continuous cycle. Which is what we planned to do.

Mr. Bowman stated he felt Mr. Jolly should have at least told them what his idea was, that it was not the County's intention to replace that ladder truck, is that ok and do you still intend to pay for that truck. It might still be their intentions. We cannot make a good decision here for our volunteers until we know that they are ok with that.

Mr. Long stated the truck was already purchased before that discussion ever took place.

Mr. Jolly stated that the purchase of that aerial ladder went before the apparatus committee, Fire and Rescue Association and my office. All three groups agreed that the purchase of a 135' aerial ladder was not what the County needs. Instead they purchased the truck and now that have a newer model aerial ladder that will last them longer than 2003/04, so now we need to readjust the plan.

Mr. Bowman stated that he believed the lack of communication on Mr. Jolly's part by not talking with the department and getting feedback before coming to the Board is going to create hard feelings between the Board and the volunteers. I think a whole lot of this happens with us and the Sheriff's Office and us and other departments. I think it could be resolved by just communication, getting feedback and taking five minutes and picking up the telephone and saying hey what do you think of this idea?

Mr. Moody asked wasn't the Fire Chiefs Association all about but communication? That's what the communication arm is. That's their arm to come to the County.

Mr. Long stated that Mr. Jolly has been communicating with them all along if we want to be fair. He is there with them monthly.

Mr. Haraway stated the protocol was not what we would like, but they thought they were helping the County by purchasing the ladder truck. We need to be careful so that they don't take offense and see it as the County spanking their hands by taking the ladder truck away in 2003. He commented that he could see this causing bad will with the volunteers.

Mr. Bracey stated if we allow everyone to do what they want instead of sticking to the CIP plan, then we don't need the fire association and Mr. Jolly. We could go back to the way it used to be and buy what the volunteers brought to us. I feel that the Administration and the Association have worked hard to come together. Now we want to tear all that down and start over because of our personal reasons.

Mr. Haraway stated he is proposing to stick to the original CIP plan for 2001 of \$1.7 million. He asked Mr. Jolly what that covered.

Mr. Jolly stated replacement engine for McKenney, 1st Responder for Ford, tanker for Ford, but it would not include the engine for Dinwiddie, Namozine, but the rest of the list would be there. This plan doesn't allow us to send a unit to Old Hickory to get a 6-unit vehicle up.

Mr. Bracey if we aren't careful some of the other departments are going to do the same thing as Namozine. Then that is going to create another problem.

Mrs. Ralph stated let me just make something clear to all of you; there is no money in the budget for fire and rescue vehicles, and the CIP is only a plan. That is the whole issue. When the Dinwiddie vehicle comes in we are going to try to do some financing along with the trash truck. The only money for a vehicle is the Namozine ambulance, and that is by matching funds. That is all that has been approved. Nothing has been appropriated; no funds are set aside; this is all in planning. Mr. Jolly put together a 5-year CIP Plan for us. Our dilemma as a committee in dealing with fire and rescue vehicles is that when you do fire and rescue vehicles, it leaves very little money for anybody else. So we really didn't know what to do. There have been no provisions for the 5-year CIP plan. Now, if you want these vehicles bought straight out then we need to know that because we need to take out however much money either \$400 or \$800 if you have any money, anyway. There is no guarantee this year that you are going to have any money. The County has been very fortunate that we have had some in the past. We wait each year to see how much we will have left over and that is the money the committee wants, but we never know what it will be. She stated she wanted the Board to know there is no money for fire and rescue vehicles anywhere right now.

Mr. Haraway stated whether we spend \$876,500 this year or up to \$1 million he is opposed to paying \$75,000 in interest. He suggested waiting and looking at the ending fund balance in September. Then see exactly how much we will have and make a decision.

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", authorization is granted for Administration to go out for bids for the items and then bring results back to the Board after the undesignated fund balance is determined.

IN RE: REVENUE RECOVERY – STATUS REPORT & DECISION ITEMS

Ms. Ralph stated, as you are aware, we have been working towards the implementation of Revenue Recovery. With this process, we have determined a couple of items that needs the Board's action in order to proceed. Mrs. Ralph stated, she wanted to clarify to the Board, the agency that will be doing the actual billing required 3 separate invoices to be sent to the patient. There will be no collection agencies involved or warrants issued for any outstanding funds owed to the County but it is the policy of the billing agency. The ones that don't pay, you will receive a monthly or quarterly statement and you will be able to see the status of these delinquent accounts.

Continuing she said the first issue is to adopt a date that we will begin billing for services. This is needed in order to establish a firm date with the billing contractor and to inform the public. The County will have to have a Public Hearing and the earliest date that could be done is at the September 5th meeting. We would recommend that we give the public at least sixty days lead-time. With this in mind, we would propose an effective date of October 1, 2001. This would allow time for us to train the volunteer and career staff and provide public information sessions.

Mr. Jolly stated the other issue is the fee schedule. We have been talking with other jurisdictions and the billing service about this item. In talking, it seems that the fee structure that is used by the health insurance companies is going to increase around January 1, 2002. With this in mind, we propose charging \$350.00 for basic life support and \$385.00 for advanced life support, and also charging \$7.50 per mile from the point the patient is picked up to the hospital.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", authorization is granted for Administration to proceed with the steps necessary to establish billing for services and adopt the Staff's recommendation for the fee structure at \$350.00 for basic life support and \$385.00 for advanced life support and also charging \$7.50 per mile from the point the patient is picked up to the hospital.

Mr. Jolly stated the last issue is that we have to provide the insurance companies with copies of the provider's certificates and drivers license. We asked the volunteer agencies to submit this information in the April 11, 2001 Fire/Rescue Meeting. As of this date, only two of the seven agencies have complied. Additionally, we notified each agency again in the June Fire/Rescue Meeting. He suggested that we hold the contribution money from those agencies that have not complied with the request.

After much discussion, the Board directed Mr. Jolly to go to make a courtesy call to each Station and then write a letter asking for the information one more time.

IN RE: PERSONNEL PAY – CLASSIFICATION PLAN REVIEW

Mrs. Wendy Ralph stated she had contacted, Ms. Pamela Gibson, with The Institute for Innovative Governance (Virginia Polytechnic Institute and State University), regarding a proposal for a study of the Dinwiddie County personnel system. The proposal reflects that dates and cost structure for the study. The cost for the study will be \$8,500. The initial payment will be \$3,000. Reflected in

the total cost is a 12.8 percent overhead charge required by the state for grants and contracts office. Ms. Ralph stated that they have asked that the full overhead (29 percent) normally charged be waived. Continuing she reported that it would take approximately sixteen weeks to complete the project from the date it is received from the County. One problem with them is that they move rather slowly. Included in the study is the cost to cover expenses for Don Lacy to participate in the study.

Mr. Long stated he checked with the surrounding counties and the low end cost for their study is between \$25,000 to \$30,000 and by going with this proposal we are looking at about \$8,500 which is a tremendous savings to the County.

Mrs. Ralph stated the study cost is based on a total of 60 employees. If additional employees are to be included in the study an extra charge of \$90 per additional employee will be added to the cost of the study.

Mr. Haraway suggested that the School Board Administrative Staff be included in the study also.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", authorization is granted for Administration to proceed with the contract with the Virginia Cooperative Extension for the personnel study at \$8,500 for 60 employees and each additional employee at \$90 each.

IN RE: RECESS

Mr. Moody stated he had a commitment he could not get out of and called for a recess at 12:56 P.M. Mr. Bracey took the Chair and the meeting reconvened at 1:03 P.M.

IN RE: SHERIFF

Mr. Jolly repeated the presentation for the Sheriff that he presented to the Board earlier in reference to E911 communications.

Mr. Long explained to Sheriff Shands that this presentation was the cost scenario of combining the two offices. He asked him if he would be in agreement with the combination of the two offices; or was it still his intention to go in the same direction as stated at the budget session.

Mr. Jolly did comment that the cost savings would be in personnel. The rest of the cost would be there regardless of whether we are in one location or two, provided none of the capital equipment in your center needs to be replaced.

Mr. Long stated the direction that we are heading is the best scenario for the County. The main issue here is to get a clear understanding, first of all on the cost, but also is it the desire of your office still to stay as we discussed. The Board wants to know what you feel the benefits are to keeping the law enforcement dispatching separate, and maybe there are some issues we don't understand or know and it would help to discuss these with you.

Mr. Haraway asked if the figures for the personnel included fringe benefits. Mrs. Townsend stated no. Mr. Haraway commented the savings would be much greater then and that doesn't include the cost of equipment failure.

Sheriff Shands stated he had a lot to say but that he would like some time to get all of the information together.

Mrs. Ralph stated you do understand you would keep control of your employees as required by the State. You would maintain full authority over them.

Mr. Bracey instructed the Administrative Staff to meet with Sheriff Shands to answer any questions he might have and to make this work for the Sheriff's Office.

Sheriff Shands agreed to meet with Mr. Long next week then to come back to discuss the issue with the Board on August 1, 2001.

Mr. Long, County Administrator, stated there was enough time to go into closed session if the Board so desired.

IN RE: CLOSED SESSION

Mr. Clay moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

- The purpose of the closed meeting is to discuss subject matters identified as Personnel, Consultation with Legal Counsel and Industry. Matters to include: Personnel for Administration; Referendum Issues and Industry.
- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Administration.
- **Consultation with legal counsel, § 2.1-344 A.7 of the Code of Virginia,** (consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice) Referendum Issues
- **Prospective Business or Industry, § 2.1-344 A.5 of the Code of Virginia**

Mr. Bowman seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye" the Board moved into the Closed Meeting at 1:20 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 1:52 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

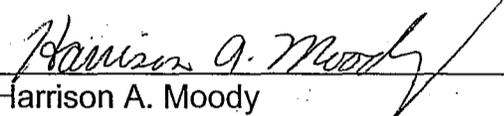
Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

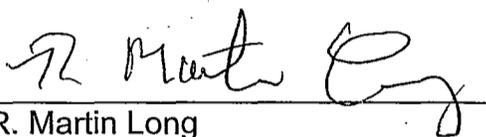
Upon Motion of Mr. Bowman, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye". This Certification Resolution was adopted.

IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 1:53 P.M.



Harrison A. Moody
Chairman



R. Martin Long
County Administrator

/abr

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 JULY, 2001, AT 2:00 P.M.

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

OTHER: DANIEL SIEGEL COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Vice-Chair, called the regular meeting to order at 2:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the Agenda.

Mr. R. Martin Long, County Administrator, stated there were three additions needed on the agenda under Item 12 - Closed Session add; Personnel § 2.1-344 A.1 of the Code of Virginia, for Employment; Administration; Buildings and Grounds.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the June 11, 2001 Continuation Meeting, June 20, 2001 Regular Meeting, and July 5, 2001 Regular Meeting are hereby approved.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Bowman, Mr. Haraway Mr. Clay, Mr. Bracey 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 1026400 through 1026587 (void check(s) numbered 1026399) for:

Accounts Payable :

(101) General Fund	\$ 220,301.87
(103) Jail Commission	\$ 66.74
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 1,806.15
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$ 46.92
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$ 212.00

(305) Capital Projects Fund	\$ 5,474.02
(401) County Debt Service	\$ <u>23,573.55</u>
TOTAL	\$ 249,675.10

ACCOUNTS PAYABLE FY 2001- 2002:

(101) General Fund	\$ 67,638.50
(222) E911 Fund	\$ 1,802.72
(226) Law Library	\$ 264.96
(401) County Debt Service	\$ <u>299,859.25</u>
TOTAL	\$ 369,565.43

IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATION PROJECT – REQUISITION NUMBER 31 (IDA1999A-#23)

Mrs. Ralph stated the following invoices are included in Payment Request Number 31 (IDA1999A - #23):

SOUTHWOOD BUILDERS, INC.	\$211,125.00
BALLOU JUSTICE UPTON ARCHITECTS	7,884.31
SANDS ANDERSON MARKS & MILLER	<u>725.90</u>
TOTAL REQUISITION #31	\$219,735.21

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 31 (IDA99A - #23) in the amount of \$219,735.21 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Renovation Project Fund.

IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATION PROJECT – REQUISITION NUMBER 32 (IDA1999A-#24)

Mrs. Ralph stated the following invoices are included in Payment Request Number 32 (IDA1999A - #24):

SOUTHWOOD BUILDERS, INC.	\$124,525.00
BALLOU JUSTICE UPTON ARCHITECTS	<u>876.03</u>
TOTAL REQUISITION #32	\$125,401.03

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 32 (IDA99A - #24) in the amount of \$125,401.03 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Renovation Project Fund.

IN RE: DINWIDDIE COUNTY PUBLIC FACILITIES PROJECT
FUND: SCHOOL COMPLETION PROJECT ACCOUNT OF
THE PUBLIC FACILITIES FUND – REQUISITION NUMBER 62
(IDA98A - #27)

Mrs. Ralph stated the following invoices are included in Payment Request Number 62 (IDA1998A-#27):

LANDSCAPES BY DEADMON \$ 8,312.25

TOTAL REQUISITION #62 (IDA1998A -#27) \$ 8,312.25

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 62 (IDA1998A-#27) in the amount of \$ 8,312.25 be approved and funds appropriated for CIP expenses, for landscaping at the Middle School, from the Dinwiddie County Public Facilities Project Fund: School Completion Project Account.

IN RE: CITIZEN COMMENTS

The following citizens signed up to comment.

1. Ms. Geri Barefoot, Frontage Road, Petersburg, Virginia came before the Board and requested authorization to address her questions to the Superintendent of the National Parks. Mr. Bracey stated that was an unusual request but he would allow some leverage.
 - A. How much is the capital budget for Battlefield Preservation for Hopewell? He replied he didn't have those figures with him.
 - B. How much is allocated for Preservation for Dinwiddie? He replied nothing.
 - C. Do you know exactly which Battlefields that you might be considering for Dinwiddie County or the money might be going for? There is no money, but yes, we do have some ideas.
 - D. During the considerations for the Battlefields what part does VDOT play in the preservation? Mr. Kirby stated he would address that issue when he makes his presentation to the Board today.
2. Dave Ploeger, Dinwiddie Airport Manager, came before the Board with the following update:
 - A. The new road is moving along very well and it appears to be ahead of schedule.
 - B. Opening bids on the runway taxi and lighting is due 1 week from today. Money has already been allocated for this project by the FAA. As soon as we get a good bid we will be able to ask for a grant on this project.

- C. On August 1, 2001 bids are going to be opened for the new terminal building.
- D. The Summer Conference is the 21st – 24th of August, and the Virginia Aviation Board meets during that Conference. That is when official approval for funds for the construction is made. Again, assuming we get a good bid and we are hoping we will. If everything goes well, by October, all projects will be under construction.
- E. The article in the Richmond newspaper about the frozen funding for projects for general aviation airports doesn't affect us for our construction projects.
- F. A check was presented to the Board, in the amount of \$14,600, from the sale of land at the airport to pay-off the 1997 note and puts approximately \$2,500 towards the 1996 note. We are making progress.
- G. Mr. Bowman asked if the airport would be selling off lots on the new road on Route 460. Mr. Ploeger replied they don't own the land there but it belongs to Mr. Bain. He stated the land which the airport does own is being looked at for zoning and it will be zoned either industrial or business and the wetlands is being looked at by the Corp of Engineers.
3. Mrs. Anne Scarborough came before the Board stating she had three questions:
- A. Has the County received any tobacco settlement Funding? If so how much and what is the anticipated use?
- B. What is the total acreage of undeveloped land the County owns?
- C. What is the rule for receiving information if not under FOIA? Several weeks ago, she stated she had asked for the total number of days Mr. Long has been out of the office. Mrs. Scarborough also asked for a copy of his contract with the County. Continuing, she commented that there was a time when the Board would not allow anyone to attend the Conference which is being held at the Homestead because it was too expensive; and now all of the Board members are attending and so is Mr. Long.
4. Mr. George Hobbs, Route 1, Box 76 B, Carson, Virginia, appeared before the Board stating there was an article in the Crime solvers section of the paper regarding break-ins occurring between June 4 – 17th. He stated he felt there were double standards; are the people that were involved in these break-ins going to have to go through the same things he had to. Continuing, he stated he hoped the people who committed these crimes get convicted; if so he intended to press charges against the County. He told the Board he had asked for the Judge, Sheriff and the Commonwealth Attorney to resign but he noticed they had not.
5. Mr. Robert Belcher came before the Board stating 24 Senior Citizens went to Richmond and participated in competition and

had received 57 medals. He invited anyone over 50 to participate and join in the fun.

IN RE: NATIONAL PARK SERVICE – BOB KIRBY

Mr. Bob Kirby, Petersburg National Battlefields, stated he is the newly appointed Superintendent for the Battlefields. In the short time he has been here he discovered that Dinwiddie County is at the threshold of some wonderful opportunities. He said the reason he is here today is because we have the opportunity to preserve some nationally significant Battlefields in Dinwiddie County. There was a report done and turned into Congress in 1993 by the Civil War Sights Advisory Commission; this report identifies 19 Battlefields that are of national significance that deserve preservation. Someone might ask, "Why do we want to preserve Battlefields?"

The first and most obvious answer is that this is an opportunity to preserve green space, to enhance tourism, and to preserve some Nationally significant resources. Secondly, for economic issues, it makes good dollars and cents.

Mr. Kirby stated we can't do it all by ourselves; we would not want to unilaterally, without the support of the County and the public. He asked the Board to consider, if they would, to formulate an opinion as to how they would like the National Parks Service to participate in the preservation of these Battlefields. If you don't want us in here at all, we will have to take that and live with it. We do need the County's support and endorsement. Continuing, he stated you might ask, why on earth would Dinwiddie County participate in any Battlefield preservations, when we can't even preserve and maintain some of the resources we already have. He stated if it is important he was sure we could get funding from our Representatives in Congress and get the help we want.

Mr. Kirby stated his staff had received a TEA21 Grant to enhance Five Forks. He stated he needed the Board's support for this program. As with all projects, unless the County supports this program it will fail.

Heritage Tourism as you all know is one of the largest economic generators in this nation and the world.

Mr. Bowman asked how the board could participate in the programs.

Mr. Kirby requested a unified statement about the Board's position about this issue. He stated he felt it would go a long way toward Battlefield Preservation. The Board directed the County Administrator to work with Mr. Kirby on this issue.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Richard Caywood, Resident Engineer for the Virginia Department of Transportation came before the Board and introduced Steve Hicks who will be serving as his Assistant through the summer and possibly on a permanent basis. He stated Mr. Hicks will be assuming Harold Dyson's duties and responsibilities. Mr. Dyson is now working in the District Office in case anyone needs to contact him. Continuing, he presented his monthly update.

1. He told Mr. Clay the farm vehicle sign policy is: No stand-alone VDOT guidelines/policy. VDOT follows the guidelines that are contained in the Federal Manual on Uniform Traffic Control Devices. This sign is intended for very limited and specific applications where there is a frequently used and designated crossing area or a limited sight distance application with frequent farm vehicle traffic. Mr. Caywood said he would be happy to review any areas of concern Mr. Clay might have for this sign.
2. Surface Treatment Issues:

- a. Route 750, Oxford Road, is going to receive some resurfacing on portions of the road.
- b. Route 619 from Route 609 to ½ mile South of Route 658 was advertised on July 10th. Bids will be received on August 28, 2001 execution of that project will be 45 days after the bids are opened.
- c. Route 619 blasting to start on Monday and weather permitting should be completed within a week. The overall project should be complete by the end of the first week in August.
- d. Blue Tartan Road, Route 615, which intersects with Frontage Road this project is currently shown in the 6-year plan as extending from the Frontage Road to the end of the existing state maintenance. The option of extending to Duncan Road has been raised. He stated that he would like to proceed with the project as currently shown in the plan as a pave-in-place project. The option of extending the road is still open as a potential rural addition at some point in the future. This should allow VDOT to reduce the cost of the project significantly and evaluate the desirability of the connection to Duncan Road after more is known about the proposed development in the area. He stated with the Board's concurrence he would like to move forward with that project. The Board concurred.
- e. Mr. Caywood stated he would like to compliment Mr. Dave Ploeger and the Airport Authority. They are doing an outstanding job on that project. Everything on this job has been handle professionally at a minimum cost, very efficiently and it has been so nice to work with them on this project.
- f. Mr. Haraway asked for an update on Waterford Drive. Mr. Caywood stated the punch list still has some items left for the contractor to do. There is a lot of excess gravel and the contractor will be required to sweep it off. Hopefully, it will be presented to the Board next month if the punch list is completed.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and presented his monthly report.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, appeared before the Board and stated he had nothing to report. Mr. Bowman asked Mr. Rainey if there was anything his Department could do for Mr. Hobbs. Mr. Rainey stated the case came before the Judge and the disposition was rendered. Therefore, there was nothing he could do.

IN RE: SHERIFF'S DEPARTMENT – REQUEST TO PURCHASE WINDOWS SOFTWARE

Sheriff Samuel Shands came before the Board stating in 1998 the Dinwiddie County Jail began using an electronic clock to maintain records on security rounds made by Correctional Officers within the Dinwiddie County Jail. The computer program purchased was a DOS based program, using a computer hard drive for storage of the archived rounds. This program was adequate when purchased,

however, with the addition of more stations to be checked within the jail, and the need to archive rounds for a minimum of three years, this program has become outdated.

Continuing,, he stated there are two programs produced by DETREX, who is the manufacturer of the program currently used, that he felt would serve our purposes more efficiently. One is still a DOS based program, and the other is a Windows based program. Both programs would work with our existing hardware.

The following bids were received:

WESTCOTT COMPANY – NORFOLK, VA	
DOS SYSTEM	\$400.00
WINDOWS SYSTEM	850.00
(Installation and training is included with either system)	
RICHMOND SECURITY SERVICES – LYNCHBURG, VA	
DOS SYSTEM	\$725.00
WINDOWS SYSTEM	990.00
INSTALLATION AND TRAINING ON EITHER SYSTEM	125.00

The 3rd Company, which we requested a bid from advised us on July 10, 2001 that they were unable to provide a bid.

Sheriff Shands told the Board that either system would satisfy our current needs, but the recommendation from Mr. Harris is to purchase the Windows based system, due to the fact it is more user friendly and would require less training once it is up and running. It produces better and more detailed reports and is customizable for specific uses. Also, the DOS based program is not compatible with Windows 2000 Networking and he anticipates a move to Windows 2000 in the future.

The Dinwiddie County Sheriff's Office is requesting your approval to purchase the Windows based system from the Westcott Company, Norfolk, VA at a cost of \$850 with the funds from the Drug Asset Forfeiture Seizure Fund.

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the Sheriff's Department is authorized to purchase the Windows based system from the Westcott Company, Norfolk, VA at a cost of \$850 with the funds from the Drug Asset Forfeiture Seizure Fund contingent upon funds being available in the Drug Asset Fund.

RE: SHERIFF'S DEPARTMENT – REQUEST FOR LOCAL FUNDING – SCHOOL RESOURCE OFFICER

Sheriff Samuel Shands came before the Board stating a State Grant in the amount of \$36,300 was awarded to Dinwiddie County for the purpose of establishing a school resource officer within the Dinwiddie County Public Schools. This grant requires a \$10,834 local match from the County.

He stated he had received a memo from the County Administrator on July 2, 2001 asking him to request an appropriation from the Board of the \$10,834 local match. Mr. Long also requested that I state where in my approved 2001 – 2002 budget these funds would be available. These funds were not requested in my 2001-2002 budget due to my not having the knowledge of the exact amount that would be needed for the local County match. Sheriff Shands stated he is in total support of this program; if the budget issues can be worked out by the School Board and the Board of Supervisors.

Sheriff Shands requested the Board to fund \$10,834 in order that this grant may be accepted and a School Resource Officer placed in the schools.

Mr. Haraway moved that the request from the Sheriff's Department for the \$10,834 local match for the School Resource Officer be approved; with funding from the Drug Asset Forfeiture Seizure Fund.

Sheriff Shands stated there are certain things we can't supplement or do with the funds from the Drug Asset Forfeiture Seizure Fund.

Mr. Haraway asked if this was one of them. Sheriff Shands replied he thought so.

Mrs. Ralph stated besides that, you never know how much money there will be in the fund.

Mr. Bracey stated the \$10,834 technically should come from the Dinwiddie County School fund because of the fact that this is their project, in conjunction with, the Sheriff's Department.

Mr. Bowman asked if the grant required that the matching funds come from the County or the School Board. The Vice-Chair stated it doesn't matter where the funds come from.

Mr. Bowman commented that he thought there was some discussion about the elimination of the Dare Officer and he was under the impression that that money could be used for the SRO.

Mrs. Ralph stated the School and the Sheriff were supposed to evaluate that for the coming year and when it came time for the grant renewal, if we got it, then they would make a determination at that time.

Dr. Leland Wise, Superintendent of Schools, stated he will take a look at the budget and get back to the Board.

RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands stated his report was put in the Board packets. Continuing, he stated the average daily population for the Jail for the month of June was 68, detention alternatives utilized for weekenders was 6, responsible inmates was 63 and other jurisdiction inmates was 5.

N RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of June 2001.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward presenting his report for the month of June 2001.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning came forward and presented his monthly update for his Department. Continuing, he stated the Redistricting Committee has developed several plans. Of these plans, Plan #6 is the preferred plan and Plan #4 is the second choice. On July 19th at 6:30 P.M., a full Committee meeting is scheduled at the Pamplin Administration Building. It is anticipated that the Committee will have a redistricting plan developed by the end of July.

**IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER –
REPORT/CODE COMPLIANCE**

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his June monthly report.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen, Director of Social Services, came forward and thanked the Board for the two new Social Services Board Members. She gave an update on the new electronic Food Stamp Program.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Dr. Leland Wise, Superintendent, came forward stating the School system has some excellent new hires. There were only 10 vacancies this year, which is a good indication we are retaining more employees. The renovations on the Dinwiddie Elementary School are progressing nicely and there will be an open house early in September.

IN RE: APPOINTMENT – DINWIDDIE COUNTY SCHOOLS – OFFICE ON YOUTH COMMISSION

Mrs. Francene Green came before the Board to request the appointment of Mr. Rennie Bridgeman to the Office on Youth Commission Board.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Rennie Bridgeman is appointed to fill the unexpired term of Susan Edmunds to the Youth Commission for a three-year term, term expiring May 1, 2004.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, stated he had provided the Board with his monthly report.

IN RE: AUTHORIZATION FOR USE OF VIRGINIA DEPARTMENT OF FORESTRY GRANT

Mr. Smith stated in May of this year, he had applied for a matching grant through the Virginia Department of Forestry's yearly grant program. Within their grant program were monies set aside for the Greenway/trail projects. In conjunction with our Battlefields Greenway/Trail project, he requested \$9,000 from VDOF to be matched with \$9,000 of in-kind services from volunteers, Virginia Trails Association and staff to develop a promotional brochure about the various eco-heritage tourism opportunities Dinwiddie County has or that are proposed.

The Virginia Department of Forestry has awarded Dinwiddie County \$6,000. This partial award will still be used to carry out the intended use on a smaller scale.

Mr. Smith requested that the Board authorize the County Administrator to sign the appropriate documentation to move the grant forward.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to sign the appropriate documentation for the grant from the Virginia Department of Forestry in the amount of \$6,000.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management, came forward to present his report for June 2001. In addition, he stated that the contract with the berm construction had been approved and they are working with the airport to complete the project.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his monthly report for June 2001.

IN RE: AUTHORIZATION –TO ACCEPT AMBULANCE BID

Mr. Jolly stated the following bids were received by the County for the ambulance replacement for Namozine:

<u>VENDOR</u>	<u>PRICE</u>
M & W Fire Apparatus	\$111,201.00
Singer Associates Fire Equipment	108,194.00
Performance Specialty Vehicle, LLC	99,299.00

The apparent low bidder, Performance Specialty Vehicle, LLC, does not comply with our bid requirements. Mr. Jolly requested authorization to enter into negotiations with Singer Associates Fire Equipment, who complies with or exceeds our requirements, for the purchase of the ambulance.

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, and Mr. Bracey voting "Aye", authorization is hereby granted for the Public Safety Director to enter into negotiations with Singer Associates Fire Equipment for the purchase of the ambulance in an amount not to exceed \$108,194.00.

IN RE: DINWIDDIE RESCUE SQUAD REQUEST TO BE EXEMPT FROM COUNTY DECAL ON AMBULANCE

Mr. Jolly stated at the July 11, 2001 meeting of the Fire Rescue Association there was a request to ask the Board not to require a County Seal on the ambulance being purchase by the Dinwiddie County Rescue Squad. Captain Darryl Hayes of the Rescue Squad made this request. There was considerable discussion about the request. After a lengthy discussion, it was approved by the association; to allow them to request, from the Board, that the ambulance being purchase by them and being insured and fueled by the County be exempt from having a County Seal.

Mr. Jolly recommended that the Board deny the request of the Dinwiddie Rescue Squad not to require a County Seal on the ambulance being purchased by them for the following reasons:

1. In order to provide a standard system, utilizing the specifications that have been developed, we must have all agencies comply. Otherwise there is no justification for staff or volunteers to work toward a standard system.
2. If we allow one agency to be exempt from the policies that were approved by the majority of the Association and the Department of Public Safety, then we expose ourselves to having to exempt other agencies in the future to policies which they don't wish to follow.
3. Lastly, if this unit were relocated to another station in the future then we would have to bring it into compliance at additional cost to either the County or the volunteer agency.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the request of the Dinwiddie Rescue Squad for the ambulance being purchased by them and being insured and fueled by the County be exempt from having a County Seal is hereby denied upon Staff recommendation.

IN RE: INTRODUCTION OF NEW EMPLOYEES - MRS. BARBARA MCKITRICK AND MS. CINDY TIMKO

Mr. Jolly introduced the new Secretaries, Mrs. Barbara McKitrick with the County Administration Office and Ms. Cindy Timko with the Public Safety Department. Continuing, he stated everyone was very excited and happy to have them aboard.

IN RE: FIRE AND RESCUE ASSOCIATION - REPORT

Mr. Alvin Langley, 3530 Church Road, Ford Volunteer Fire Department Fire Chief, came forward stating he needed to get some answers to a few questions the volunteers of the Fire Association have. It is concerning who has the say-so; what rights do we have? We as an Association, meet every second Wednesday of every month. We make the decisions that we feel are for the best interest of the citizens of the County. A lot of times this is hard. But it only takes one person to over rule us. There were eight companies who voted unanimously to come to the Board to ask for the change you just denied. I was hoping to get a chance to explain why we wanted to make that change before you voted, but I didn't get the opportunity. But our Association will accept the Boards wishes. So we need to know what we vote for? If we talk to the Board members they say we look for your input. We give you our input and it comes back denied, unless everybody wants it. But all it takes is for one person to say no. If you go back through your Board Minutes and look at every packet that has come to you, the request has not been approved. So I question: "Why do we meet every Wednesday night if you are going to let one person make all the calls?"

Mr. Long stated in all candor, it is a lot more to it than just what is being discussed here tonight. Everything is brought to me, before it is placed in the packet and goes to the Association for discussion. He stated he was not going to sit here and pin point one issue because it would be too hard to do. But when these issues for the Fire and Rescue Association are brought up, voted on, and discussed at these meetings, Mr. Jolly is at those meetings; he then comes back and reports to me. If I agree with them and the Association, then they go in the packets and we ask the Board to vote that way. If we don't, then we recommend that way. He stated he couldn't agree that one person decides. The recommendations come through me, then to the Board, as we operate on most all issues.

Mr. Langley stated he would accept that answer; but would he do him a favor? Would he go back and look at the Minutes for a year and tell him just one time, (he would like it in writing) just one time, that we all voted unanimously on it, and one person said no; that it didn't happen that way. If there were one time it happened, he would like to have that in writing.

Mr. Bracey interjected he felt there were things that needed to be said; but he felt it would be best to discuss these issues in private. But if Mr. Langely wanted to continue, feel free to.

Mr. Langely stated he had no problems calling names. But the thing of it is the Fire and Rescue Association feels like the Dinwiddie Volunteer Rescue Squad is being picked on. The reason we feel this way is because the issue that came before the Board with the ladder truck that Namozine purchased. There are a lot of hard feelings from the Fire and Rescue Association, because Company 4 went beyond what they were supposed to do to buy this ladder truck. He stated that honestly, to

him and other people in this County, this ladder truck is unsafe. This is not what Dinwiddie County needed, not a 135' ladder truck, and that is another issue that we are going to have to look at later. Where are we going to let this truck run. You wouldn't want this truck on Baltimore Corner Road at 8:00 A.M. in the morning when school buses are running. You don't want it on Old White Oak Road. So we bought a truck, which is not appropriate for what the County needs. You allowed Namozine to do this. The Board allowed them to do this. When you let the truck come in here; but he stated nobody knew this until the last minute. But at the same time, you can sit there and tell me that we have to put that County seal on the truck; then you can also say to Namozine "hey; that truck has got to be sold; it is not running in Dinwiddie County." But we know you can't, because certain citizens are going to push your buttons. So we know it is a tug of war. But somewhere that fair rule has to come into the picture. We really feel like we are meeting for nothing. As a member of the Association, I vote what I think is best and I get hammered on the streets, for what I think, just like you all do. It seems it can happen on other issues then why can't it happen on the fire truck. If you can tell me I come in here as the Fire and Rescue Association and we voted to send a truck from another Company to our Company for coverage for the County and that is what was voted on if one person said no I don't want that to happen and that didn't happen and we lived with it, then why couldn't one person say sell that truck. Whether we want to face it or not, the truck is going to cause some problems down the road and that is what the Fire and Rescue Association is worried about. Really, we are all here to represent the Citizens of the County, I am here to even represent you Mr. Bracey. I might be at your house picking you up. But I am beginning to feel like, who represents me? That is all that we need to know at the Fire and Rescue Association. If what we say at the meetings, does it really make a difference? If not, we can stay at home; because we run enough calls during the day and I volunteer enough of my time as it is. If we don't need to go to those meetings and make a decision that somebody is going to approve. Then there is no reason to be at them; I could sit at home. He stated that he was sorry that his representative was not here. Mr. Langely stated he paged him the other day and he called him right back. But he stated he called Mr. Bowman and never heard from him. Mr. Bracey interrupted and stated Mr. Moody wanted to be at the meeting today but he was not able to break an appointment. Mr. Langely stated the Board is here to represent me, aren't you? Isn't that right? Mr. Bracey replied yes. Mr. Langely continued, I called Mr. Moody at 8:00 A.M. in the morning and he returned my call by that night. Continuing, he stated over a two-week period of time he called Mr. Bowman and never received a call back. He had to meet him at an establishment to talk to him. Mr. Langely stated he appreciated that; he appreciated the opportunity to talk to him. Mr. Bowman commented that he had been out of town. Mr. Langely stated a two-week span is an awful long time not to answer a phone call. So he asked the Board if there was any way he was going to get an answer on how we are going to be doing things?

Mr. Bracey questioned how he wanted his answer; you want to know who is in charge? Mr. Langely replied yes, who has the ultimate say so? He stated when the Association votes on something, if I am not stating it correctly, I can go back and pull minutes, which he did not bring with him, this is the first thing that is said, this is what the Fire and Rescue Association voted on. Mr. Bracey stated, who is in charge? He requested that the County Administrator look into the original paper work and come up with the idea or philosophy, the whole nine yards, on the organization itself and "why" and "how" it was established. That should give us an answer to your question commented Mr. Bracey. Continuing, he stated really the citizens are in charge, but he understood what Mr. Langely was saying about attending the meetings, making the decisions and then nothing happens, to a yea or a nay, because that Association does not come directly and face this Board. Mr. Langely replied because the Board fails to recognize the Fire and Rescue Association. The only council the Board has ever recognized is the EMS Council and you did away with that. We are not recognized through the Board.

Mr. Bracey stated Mr. Long and Mr. Langely needed to have a talk. Mr. Long responded he would be glad to. Mr. Bracey stated Mr. Moody, and Mr. Jolly you all need to sit down and get a glass of tea. Continuing, Mr. Bracey stated he could see

something here. Mr. Bracey stated that everyone's time is valuable but that he hoped that this could be arranged very soon. He instructed Mr. Long that the Board is going to be waiting for an answer and the next time we meet we want to hear about this.

Mr. Bracey asked Mr. Bowman to respond to Mr. Langley's request. Mr. Bowman stated he wanted to apologize for not getting back to Mr. Langley, but that he does run a business and it takes him out of town for a week to ten days to two weeks at a time. A lot of times it is more than one state away but he was sorry he didn't return Mr. Langley's call. Mr. Langley stated that is why he is here today, everybody's time is important and his is too.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Daniel Siegel, County Attorney, stated he had nothing to report.

**IN RE: REIMBURSEMENT RESOLUTION – IN CONJUNC WITH
THE ACQUISITION AND EQUIPPING OF FIRE SAFETY
AND SOLID WASTE VEHICLES/EQUIPMENT**

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

WHEREAS, the County of Dinwiddie, Virginia (**the "County"**) is a political subdivision organized and existing under the laws of the Commonwealth of Virginia; and

WHEREAS, the County has paid, and will pay, on and after the date hereof, certain expenditures (**"Expenditures"**) beginning no earlier than 60 days prior to the date of adoption of this Resolution for the acquisition and equipping of fire safety and solid waste vehicles/equipment for the County (**the "Project"**); and

WHEREAS, the Board of Supervisors of the County (**the "Board"**) has determined that those moneys previously advanced no earlier than 60 days prior to the date of adoption of this Resolution and to be advanced on and after the date hereof to pay the Expenditures as available only for a temporary period and it is necessary to reimburse the County for the Expenditures from the proceeds of one or more issues of tax-exempt bonds or leases (**the "Lease Obligations"**);

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. The Board hereby declares the County's intent to reimburse the County with the proceeds of the Lease Obligations for the Expenditures with respect to the Project made on and after the dates referenced above. The County reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Lease Obligations.

Section 2. Each Expenditure was and will be either (a) of a type properly chargeable to capital account under general federal income tax principles (determined in each case as of the date of the Expenditures), (b) a cost of issuance with respect to the Lease Obligations, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the County so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the County.

Section 3. The maximum principal amount of the Lease Obligations expected to be issued for the Project is \$360,000 for two fire trucks and \$360,000 for a solid waste collection/disposal vehicle.

Section 4. The County will make a reimbursement allocation, which is a written allocation by the County that evidences the County's use of proceeds of the Lease Obligations to reimburse an Expenditure, no later than 18 months after the date on which the Expenditure is paid or the Projects are placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of a least 5 years.

Section 5. This resolution shall take effect immediately upon its passage.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Faison came forward and presented his monthly update for June.

IN RE: AUTHORIZATION TO NEGOTIATE ARCHITECTURAL DESIGN CONTRACT FOR PROPOSED PUBLIC SAFETY BUILDING

Mr. Faison stated RFP's to furnish Architectural Design were received on June 14th for the proposed Public Safety Building from the following Architects:

De Stefano Design Group, Huff-Morris Architects, and Art and Architecture, Inc. He requested authorization to negotiate a contract with De Stefano Design Group.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administrative Staff is authorized to enter into negotiations with De Stefano Design Group to furnish Architectural Services for the proposed Public Safety Building.

IN RE: AUTHORIZATION TO HIRE - PART-TIME CUSTODIAN

Mr. Faison stated interviews were conducted on Monday, July 16th and two positions are needed at this time 1 at Eastside and 1 at the new Courthouse. He requested authorization to hire Timothy Hendricks on a part-time basis starting Monday, July 23, 2001.

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", authorization is granted to hire Timothy Hendricks on a part-time basis starting Monday, July 23, 2001.

IN RE: APPOINTMENTS - RC & D COUNCIL

Mrs. Alma Russell stated one appointment is still needed for the RC & D Council. The Board postponed the appointment until the next meeting.

IN RE: AUTHORIZATION TO HIRE - TWO - SECRETARY I POSITIONS

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", authorization is granted for Administration to hire Mrs. Barbara McKitrick as Secretary I, at Grade 7, Step A, at an annual salary of \$18,661, effective July 11, 2001 and Ms. Cindy Timko as Secretary I, at Grade 7, Step A, at an annual salary of \$18,661, effective July 9, 2001.

IN RE: DECLARATION FOR EMERGENCY PROCUREMENT - MAILING MACHINE

Mrs. Wendy Ralph stated the postage machine died about 2 ½ weeks ago and we have been in dire need of replacing the machine. Pitney Bowes is on the State contract. She asked the Board to adopt a Declaration for Emergency Procurement so we can lease or rent a postage meter for \$256 a month, which includes maintenance on the machine. This machine is a level IV and it is much larger and handles a larger volume of mail.

Mr. Haraway asked Mrs. Ralph if she would compare an outright purchase with the lease agreement before entering the contract. Mrs. Ralph replied yes.

Upon motion of Mr. Haraway, seconded by Mr. Bowman, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", the following declaration for an emergency procurement is adopted.

Under Section 11-41 (E) of the Code of Virginia, the County of Dinwiddie is declaring that an emergency exists for the rental of a mailing system. The County has determined that procuring this service through competitive sealed bidding or competitive negotiation is not practicable for the following reasons:

The present mailing system is issued by 12 departments and is inoperable. The content of the mailings for these departments is very time sensitive and requires that there not be significant downtime. Some examples are tax notices with deadlines, payment of bills, invoices, legal notices and correspondence.

The County has reviewed the State Contract for mailing systems and selected Pitney Bowes from this contract as the vendor. The machine being offered is described as a Level IV U570 system interfaced to a 5K00 electronic scale at a rental cost of \$256.00 per month. This contract will be awarded July 18, 2001.

PETERSBURG NATIONAL BATTLEFIELD NEWS RELEASE

"July 13, 2001
For Immediate Release
Bob Kirby 804-732-3571

Ribbon Cutting Ceremony for New Crater Tunnel Exhibit

A dedication ceremony will take place on Sunday, July 29 at 2:00 p.m., Tour Stop 8, the Crater, in Petersburg National Battlefield. On preview will be the new crater tunnel exhibit, built to replace an older reconstruction, which was destroyed by vandals a few years ago. There will be no park entrance fee for the day.

Speakers include Petersburg's Mayor, the Honorable Rosalyn Dance, Virginia State University Professor Edgar Toppin, and park historian Chris Calkins. After the brief ribbon cutting ceremony, park rangers will be available at various points along the tour path to offer insights into the battle. A living history demonstration with cannon firing will follow.

Petersburg National Battlefield was created 75 years ago in order to commemorate the campaign and siege and defense of Petersburg, Virginia, in 1864 and 1865 and to preserve for historical purposes the breastworks, earthworks, walls or other defenses or shelters used by the armies therein. The actual Battle of the Crater was fought 137 years ago on July 30, 1864 when Union forces tunneled under the Confederate lines and exploded 8,000 pounds of gunpowder. The resulting battle included some of the most vicious fighting of the Civil War and proved to be a disaster to Grant's troops who were stopped from gaining access into nearby Petersburg.

For more information regarding this event, please call 732-3531. "

LETTER TO LOCAL BUSINESS OWNERS – VIRGINIA'S RETREAT

"July 2, 2001

Dear Local Business Owner:

This letter is to confirm that James Blanks is officially working in conjunction with Dinwiddie County through Virginia's Retreat (Lee's Retreat) to publish a visitors guide for our region. Entitled "Virginia's Retreat, A Guide to the City of Petersburg and Lee's Retreat," the guide will cover the jurisdictions of the City of Petersburg and Amelia, Appomattox, Buckingham, Cumberland, Dinwiddie, Nottoway, and Prince Edward counties. We have already provided Mr. Blanks with comprehensive information on our locality, including important phone numbers, photographs, calendars of events and descriptions of what we have to offer visitors. Each jurisdiction will have a section in the guidebook especially devoted to it.

The purpose of the guide is to inform visitors already in our area of the many things to do and see and the amenities available to them. Hopefully, it will entice visitors to stay in our area longer, which of course, will generate more tourism dollars for our locality.

The guidebook will be distributed through hotels, restaurants, visitor centers, chambers of commerce, and other locations frequently visited by tourists in our region. Because of the vast amount of information the guide will contain, it will also serve as a relocation guide for businesses and individuals moving into the area.

Advertising in the guidebook might be a good opportunity for you to generate increased business from locals and tourists alike. Mr. Blanks will be providing you with ad rate information and a contract to sign, if you are interested in taking out an ad. He has assured us that he will not be invoicing for the ad until after the publication is printed and distributed, so that you can make sure you are getting what you pay for.

If you have any questions about the Virginia's Retreat Visitor's Guide, please contact the Virginia's Retreat marketing consultant Michelle Olgers at (804) 861-9660, or Wendy Weber Ralph, Assistant County Administrator at (804) 469-4500.

Sincerely,

Wendy Weber Ralph
Ass't. County Administrator"

HOUSING AND COMMUNITY DEVELOPMENT LETTER

"July 3, 2001

The Honorable Harrison Moody
Chairman, Board of Supervisors
County of Dinwiddie
Post Office Drawer 70
Dinwiddie, Virginia 23841

Dear Mr. Moody:

On behalf of Governor Gilmore, it gives me great pleasure to inform you that the Department of Housing and Community Development has recommended funding under the 2001 Industrial Site Development Fund (ISDF) Program for the Counties of Dinwiddie and Prince George and the Cities of Petersburg and Hopewell. This planning grant, in the amount of \$18,750, will provide assistance for the completion of preliminary planning for industrial site development in region of the Counties of Dinwiddie and Prince George and the Cities of Petersburg and Hopewell.

I am pleased to be of assistance to the Counties of Dinwiddie and Prince George and the Cities of Petersburg and Hopewell in their economic development efforts. This assistance typifies the partnership through which we encourage further economic development in the Commonwealth.

Sincerely,

William C. Shelton"

IN RE: BOARD MEMBER COMMENTS

- | | |
|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mr. Bowman | He stated Randy Forbes will be at Guiseppe's Restaurant, Route 1, on Saturday, August 11, 2001. County Officials are invited at 4:00 P.M. and the general public is invited to meet with him at 5:00 P.M. |
| Mr. Haraway | Mr. Haraway stated he had a request from a citizen in his District having a family 29-year reunion that wanted a resolution adopted from the Board of Supervisors. Continuing, he commented he had no objection to writing a letter sanctioning the family's heritage, but at the same time he felt it would be opening a can of worms to try and do a resolution for every family in the County that had a family reunion. |
| Mr. Clay | Mr. Clay agreed. |
| Mr. Bracey | He stated he would like for all of the Board to have their own personal letterhead for things of this nature. |

IN RE: CLOSED SESSION

Mr. Clay moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

- The purpose of the closed meeting is to discuss subject matters identified as Personnel and Consultation with Legal Counsel. Matters to include:
Personnel for Administration; Purchase and Use of Equipment.
- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees)
Personnel for Administration.
- **Consultation with legal counsel, § 2.1-344 A.7 of the Code of Virginia,** (consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice) Referendum; Overtime for County Employees; and Industrial.

Mr. Bowman seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye" the Board moved into the Closed Meeting at 4:06 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 4:47 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

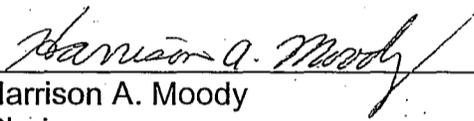
Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

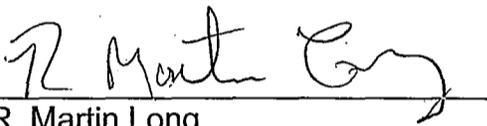
Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye". This Certification Resolution was adopted.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", the meeting adjourned at 4:48 P.M.



Harrison A. Moody
Chairman



R. Martin Long
County Administrator

/abr

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 1ST DAY OF AUGUST, 2001, AT 7:30 P.M.

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

OTHER: DANIEL SIEGEL COUNTY ATTORNEY

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 7:30 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

Mr. R. Martin Long, County Administrator, stated there were two additions needed on the agenda under Item 10 - Closed Session add: Personnel Matters, for Appointments § 2.1-344 A.1 of the Code of Virginia; Industrial Development § 2.1-344 A.5 of the Code of Virginia, and move Appointments # 8 under Item # 11 after the Closed Session.

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", the above amendments were approved.

IN RE: MINUTES

Mr. Moody stated Mr. Bracey asked if there were any amendments to the agenda for the July 18, 2001 Regular Meeting.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the July 18, 2001 Continuation Meeting, and the July 18, 2001 Regular Meeting are hereby approved, with the change listed above, in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody 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 1026681 through 1026858 (void check(s) numbered 1026578, 1026682, and 1026683) for:

Accounts Payable FY 2001:

(101) General Fund	\$ 61,762.82
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00

(222) E911 Fund	\$ 1,298.00
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$.00
(305) Capital Projects Fund	\$ 1,362.90
(401) County Debt Service	\$.00
TOTAL	\$ 64,423.72

Accounts Payable FY 2001- 2002:

(101) General Fund	\$ 241,577.20
(103) Jail Commission	\$ 333.04
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 16.14
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$ 58.40
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$ 547.14
(304) CDBG Grant Fund	\$ 522.52
(305) Capital Projects Fund	\$ 158.57
(401) County Debt Service	\$.00
TOTAL	\$ 243,213.01

PAYROLL - FY 2001:

(101) General Fund	\$ 389,302.26
(304) CDBG Grant Fund	\$ 3,271.03
TOTAL	\$ 385,596.29

**IN RE: AUTHORIZATION TO ISSUE CHECK FOR THE
DINWIDDIE VOLUNTEER FIRE DEPARTMENT TANKER**

Mrs. Ralph stated the new tanker for the Dinwiddie Volunteer Fire Department will be arriving on Friday, August 10th. The Board will not meet again until the 15th of August; therefore Administration is requesting authorization to issue a check in the amount of \$222,729 made payable to Pierce Manufacturing, Inc.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", authorization is granted to issue a check to Pierce Manufacturing, Inc. in the amount of \$222,729 for the new tanker for the Dinwiddie Volunteer Fire Department.

IN RE: CITIZEN COMMENTS

The following citizens signed up to comment.

1. Mr. Michael Bratschi, 23500 Cutbank Road, McKenney, Virginia, came before the Board stating, I hope that you will be able to help me. I have

four children and 2 of them are in the Dinwiddie school system. The daughter I want to talk about goes to the middle school and this past year she has been assaulted twice and groped numerous times in school. The first assault the school basically wrote it off as just children playing. I took it at that and let it go. The second time she got assaulted was June 4th in front of two teachers by two boys, one groped her and the other one chased her down the hall and drop kicked her. He kicked her in back of the leg and left a footprint that stayed in bedded in the back of her leg for approximately two weeks and this was done in front of two teachers. The school never called me. The school nurse called me and I went to the school and I had the Dinwiddie Sheriff's Department meet me and had petitions taken out on the young boys. The boy that drop kicked her was already on in-house suspension in school. When the case went to court, we waited and waited and waited. I got a subpoena on July 14th to appear in court. My daughter and I went to court and learned that this case had already been in court twice. The Commonwealth Attorney Rainey had a conflict of interest so they appointed a special prosecutor. The special prosecutor never notified us, never subpoenaed us, never subpoenaed the witnesses including the teachers that witnessed the incident; so the judge was irritated and was upset and wanted to take it out on me and my daughter. But this was the first time we had been to court and my daughter was currently on vacation in Georgia. So he dismissed it but he dismissed it without prejudice. Then he told me to get with Sergeant Hall and take the petitions out again. So when my daughter got back Ward had us come back into court. So I've been calling Sergeant Hall for a week now, and he won't return my calls. I called Sheriff Shands, but he won't return my calls. I called Commonwealth Attorney Rainey; I said I am entitled to the report I'll go get the petitions and he said yes you are. So I called them and asked them for the report. They won't return my calls, they won't give me the report and it's important that I have that report. The report has the witnesses' names and addresses. I will go take out the petitions but I can't get the information I need. But having that happen, I learned that the special prosecutor makes \$50 dollars an hour and he is reimbursed mileage from the state and the state gives that back to the county. To show you what kind of work you are getting, an average lawyer - a good lawyer would cost the County \$150 - \$200 an hour. So look at the shoddy work you get for \$50 an hour from the special prosecutor. He didn't even subpoena the victim to the case. The case went to court twice; prior to my daughter and me being notified. I had a conversation with the Compensation Board and Dinwiddie is more than qualified to have a full time commonwealth attorney. The court docket indicates it. They are opened four days a week over there. The population in the county is growing and I know the ultimate one who has the ultimate decision on becoming full time is the commonwealth attorney and he is not going to do it. The only way that anything is going to be done is for some lawyer in this county to step up to the plate and make a pledge and say if I run and I become the commonwealth attorney I'll turn that office into a full time commonwealth attorney's office. Of course he would have to be elected and come in part time to do that because this paperwork comes out in July. But I'm here tonight to ask you to look at that school Resource Officer. Things are going on in the Middle School that are not being reported to the police or the Sheriff's Department. I've learned that we only need \$10,000 to match what the state has already awarded and now they are talking about sharing that position, if it is awarded, with the high school. If the high school needs one, get one for them and let the middle school have their own. We need a Deputy at the middle school and I would ask you to really consider that request and at \$10,000 whatever the matching funds. We need a full time commonwealth attorney and I would like for the Board to help me get a police report so I can take out petitions and get the case back into court.

Mr. Moody asked the County Administrator to meet with Mr. Bratschi to find out what did happen in those cases. Mr. Long stated he would try to help him get the reports he needed to get the case back into court.

Judge Southall told me to get with Sergeant Hall, take petitions out again, he just didn't want to bring everyone back to court again. But it was not my daughter's fault, it was not my fault, and we want it back in court. The boy that drop kicked her was already in-house suspension and just to show you, and I'm not trying to put the teachers down, but the young man did it in front of two teachers and I don't think the teachers are much of a deterrent for the violence in the school. And when I got ready to leave the principal's office, by the way, I want to tell you this real quick, right when I left Ms. Snodgrass office during a change of classes a fight broke out in front of me leaving her office. I've worked prisons and I've been a cop, I want to tell you, I've seen prisons under better control moving prisoners than what I saw with 900 students moving in the hallways. It's bad!

2. Eva Bratschi, 23500 Cutbank Road, McKenney, Virginia came before the Board stating, I'm currently a police officer with the Richmond Police Department and will be a police officer at Fort Picket soon. I'm the wife of Michael Bratschi, I've been here since 1993 and when he told me about the commonwealth attorney's office it concerned me. Because of the way that it's being worked now, it questions the integrity of the commonwealth attorney's office and I'm concerned that cases will not get the proper attention that they deserve by the victim. In our case, there was never a follow up. We never got a call from the commonwealth attorney and even before the court date, my husband didn't even discuss the case with the commonwealth attorney. The part time prosecutor is getting paid \$50 an hour and has no stake in the county as a full time commonwealth attorney would. A full time commonwealth attorney would concern himself in doing a good job because he would not have to worry about any conflicting interests. What type of protection does the victim get if the commonwealth is representing the defendant and the commonwealth's private practice partner is representing the victim? It's a win - win situation, not for the victim, but for the part time commonwealth attorney. The county is growing and we would benefit by having a full time commonwealth attorney. Also the Sheriff's Department, we have had several dealings with them throughout the years, and I believe we need to move towards a more professional Sheriff's Department. What is the process of getting a report for the victim? They should be more easily accessible to the public. Also, the junior high, there have been many-many problems, not only at the school but on the busses, and because of this, me and my husband are taking a step this year and we have talked to the principal, Ms. Pittman, the new principal, and we'll be making frequent visits to the school, sitting through her classes, taking bus rides, just so that we can help the problem. We hope that the Board can come up with a plan to help better the schools for our children.

Mr. Bowman stated this Board has asked for some reports from the Sheriff's Department and didn't get any response. There have been citizens who have had similar experiences having to do all the leg work for the Sheriff's Department, and he seemed to have the same problem with the Commonwealth Attorney. Mr. Bracey has even made a comment about phone calls, answering machines, nobody returning calls over there. Here is another example here, how long do we sit back and let this continue, and not help the citizens of the County, especially for protection of their children. He stated he felt this is a serious problem and the Board needs to have a Closed Session with the Sheriff and the Commonwealth Attorney and hear why they are handling cases the way they are. The other gentleman has been up here more than 6 times saying he can't get any help. He asked if the other Board members had any suggestions?

Mr. Moody stated he certainly thought the Departments needed to hear these concerns that the citizens reported here tonight. As far as the Commonwealth Attorney's position goes, we don't have the power to say you have to be full time. He commented that the Board should ask the Commonwealth Attorney and Sheriff to meet with us, but as you know there is two sides to every story and certainly we would like to know what their situations are.

Mr. Bowman continued and stated he felt this situation is very serious and needs some attention even if we have to go to the Governor's Office and get some help in here and do some investigation and report back to the Board. He stated he thinks we need to do that.

Mr. Bowman moved that the Sheriff and Commonwealth Attorney be invited to attend the next Board meeting and add it to the Closed Session. Mr. Haraway seconded the motion.

Mr. Bracey stated he had a problem with this. He asked Mr. Bratschi if he had presented this problem to the School Board? Mr. Bratschi replied no. Mr. Bracey stated this problem should come before the School Board. He stated he would like the Superintendent and the Chairman of the School Board to be present. Continuing he commented that claim stems directly from the Schools and each time we look up we spend hundreds and thousands of dollars on surveillance equipment and this gentleman comes in here and makes this statement, something is wrong.

Mr. Bowman amended his motion to request the Superintendent and the Chairman of the School Board to be present at the Closed Session. Mr. Haraway agreed.

Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a Closed Session is hereby added to the August 15, 2001 Board meeting and invite the Commonwealth Attorney, Sheriff, Superintendent of Schools and the Chairman of the School Board to attend.

3. Mrs. Anne Scarborough appeared before the Board voicing her concerns about the Adelphia Franchise Contract. Good evening board members, I want to state a little something about Adelphia, I see you've got it on the agenda, and I do have 3 or 4 questions. On page 1, you start out by saying "the board of supervisors having determined that the financial and few other things ... is reasonably sufficient" and I ask you this question – what evidence, proof, criteria did you base this on? Did a CPA look at any financial papers? Did each one of you see these financial papers? I read two really tough statements about Adelphia's financial situation. A new one on the 21st of June, "in recent days just as Wall Street underwriters are preparing to come to market with 6.5 billion of new junk or high yield bonds, fresh concerns about the health of Telecom previously thought to be relative to sound ... " and they go on to talk about that they aren't. Skipping down to here, "the junk bond market setback threatens one of the few bright spots on Wall Street this year. Against a back drop of dismal corporate operating results, rating down grades, deep default, and bankruptcies, junk bond underwriters opened a new issue for us this year selling bonds from issuers such as cable operator Adelphia Communication". Isn't that who we are talking about? And think of the bondholders and bio fuel. So I ask you, who determines this to tell me that you all are saying that they are financially reasonably sufficient – I left out some of these other categories to save time? And on page 3, they say, "normal business hours must include one night a week." How many hours are they going to be open? Six to eight, nine to twelve, whatever, it

doesn't say. I question you again, and it doesn't seem to bother you, why would you give somebody that you keep hearing from somewhere like Wall Street Journal – junk bonds financial indebtedness and they are in debt and all of this – and say I'll give you a contract or franchise for ten years. Can't you give it to them for one-year contingent on what improvement we get? I don't believe any of you in your business or your whatever you might be retired or whatever you do, would have statements like this and the results we have had and say "golly I welcome you for ten years – no questions asked." Page 9 really gives me a headache. If that isn't discrimination of the highest order I don't know what is. Responding to service calls. I can call at 9 o'clock in the morning up to 4:55 pm and they tell me, I can call at 9:00 A.M. and they tell me that they might show up by 5:00 P.M. or 8:00 P.M. But listen at this, old Anne can say I'll call at 5:00 o'clock this afternoon and guess what they tell me, they'll be "Johnny on the spot" in 2 hours. If that isn't discrimination, I don't know what is. What about people with shift work? I mean they might want to see some TV in the daytime and you should certainly do something about us sitting there 11 hours and anybody from 5 P.M. to 8:00 P.M. can sit there for two hours. This is geared strictly to people that work apparently 8-5 and as many times as we have called Adelphia, the problem has not been in the residence of Ann and John Scarborough. It has been in their equipment. So I ask you to redo this thing. She stated she would like to know how many people do they have normally servicing Dinwiddie County in a 24-hour period? How many service us in the daytime? How many service us at night? Normally, most businesses will have more folks on the job during the daytime. I know they said we will have some governmental access to provide video programming and this has been talked about, a handful of elderly people probably would like that. Does that mean that you all could be live on cable tonight and you could have my mouth at home and I wouldn't need to be up here? Now there are some elderly people that will not come out, but would love to sit and see you and hear you and I know other localities they do-do that where they have what we're talking about. So why can't we do it with Dinwiddie? Last of all on page 24. Look at 10-2 minimum channel capacity, the cable system shall have the capacity to operate with at least 35 channels, but listen to this, programming on all channels will not be required. So they could only program 12 channels if they wanted to but we happened to have that many, but the second part that you are agreeing to, within 12 months of the effective date of this franchise, the grantee shall upgrade the cable system within the service area to a minimum of 750 mhz with a minimum channel capacity of 80. If they upgrade, it should say how many will be usable. Now they can say all they want to that they are going to do a minimum channel capacity of 80, but right up above you say they have 35 and they don't have to program all of them. So we could get 36 channels to use but there will be blanks I guess where the other 79. I don't understand how they do it. But I would like to know what we are going to get with their upgrade? Petersburg has 31 channels now I think and we have 21, I've told you before, they up our bill and I didn't even get one more channel. The History Channel, the garden, home team sports are three channels that are really desirable by the majority of the people with cable. So you are going to vote tonight but I think you need to do some serious thinking on some of these fine points. And I guess Mr. Siegel, you did the second contract, your firm, it is such an improvement over the first one that I want to congratulate you. This one looks like a contract. It is more thorough and for once I'm going to give that to you instead of the usual. Thank you all for being patient.

Mrs. Ralph stated Mr. Luke Mathews will go into details when we discuss the Franchise.

4. Robert Belcher, 27516 Boydton Plank Road, good afternoon gentlemen. On a brighter note, I would like to blow one of our citizen's

horns for her because she is not here. If you got the Dinwiddie Monitor today you'll see that from the Tri City Senior Olympian Group, Ruth Thompson, 81 years old, went to the nationals in Baton Rouge, Louisiana in 95-degree weather rode her bicycle and won four gold medals. I have never heard of anyone in the state of Virginia winning 4 gold medals for anything in the nationals so she should be congratulated. You may want to send her a certificate of some kind or merit. I know you pass around her bicycle up and down Courthouse Road from time to time. She rides her bicycle everyday. She is real enthusiastic about that and I want to thank Cathy Slade for the nice write up she put in the paper about her and our group.

Continuing he commented, oh yes, I have been visiting the recreation enhancement center down there and that is money well spent by our county. You will notice as you go by there that is one state-of-the-art building they're building down there.

RE: ORDINANCE TO AMEND AND REPLACE CHAPTER 7 OF THE DINWIDDIE COUNTY CODE AND GRANTING A TELEVISION FRANCHISE AND THE RIGHT TO ERECT, INSTALL, MAINTAIN AND OPERATE A CABLE TELEVISION SYSTEM WITHIN DINWIDDIE COUNTY, VIRGINIA

Mrs. Wendy Ralph presented the revised franchise ordinance to the Board. She stated the attorney's on both sides have finally come up with a document that both sides have been able to agree to. They didn't get everything they wanted and neither did we. The document has been highlighted with a few things she stated that she felt were of interest based on questions that have been asked. Mrs. Ralph stated Mr. Luke Mathews from Adelphia is here tonight also and will share some news with you and answer any questions you might have.

Mr. Luke Matthews, Adelphia Cable, stated he would like to address the questions the citizen had earlier. As far as the financial health of the Company goes, some of the articles she had read had some disparaging comments about us but he stated he personally believes the Company is in very good health. The Company has enormous assets and it also has good bond and stock ratings. The good news Mrs. Ralph was referring to with regard to both the service and number of channels and the variety of service that Adelphia will be able to offer to our customers in the county is that Adelphia is doing a complete upgrade of our cable system here and that started last week. We will be able to offer 80 analog channels and hundreds more of digital cable. As soon as the rebuild is complete we will be increasing the number of channels we carry to reflect that. He stated he did not have a final channel lineup at this time but as soon as he did he will send it to the members of the Board. Every piece of equipment in the system will be brand new and many, many miles of new fiber optic cable will be added.

Mrs. Ralph asked how many people do you normally have serving in Dinwiddie? Mr. Mathews responded 4 people, 2 office employees, and 2 technicians. Also we have 1 employee who is on call at all times, night or weekends. If circumstances warrant he can call other technicians from other locations. Mrs. Ralph commented that that was the other thing that we dealt with in this contract. The time is limited if the first person on the scene could not remedy the situation then a higher level technician has to be called in on a limited time frame.

Mr. Haraway asked if Adelphia has a bond rating? Mrs. Ralph replied, one is BB+, she thought it was Standards and Poor's, and one is BB-. But the rating was off the internet from a review by the County Attorney.

Mr. Haraway asked what the maximum rate increase would be when Adelphia added the 80 channels? Mr. Mathews said he really didn't know he might be able to guess but it would be a guess only. We have similar numbers of channels in other systems that we have built in other parts of the State and I think that their rates are within \$5 of what they are now.

Mr. Haraway questioned if the Board could control the rates charged by Adelphia? Mrs. Ralph stated yes, it was mentioned at the last meeting that the language was going to be added and it has. The procedure is rather complicated but the ability is there.

Mr. Haraway commented the reason we went with the 10-year term was to get the 80 channels. Mrs. Ralph replied it was to get Adelphia to commit to the 1-year upgrade. Mr. Long stated the lower number of years and the quicker upgrade guarantee in the contract.

Mr. Haraway asked Mr. Siegel do you feel if we do continue to have problems with this company there is enough language in the contract that will allow us to cancel the contract? Mr. Siegel replied there are different levels of remedies. You will have to go through all the different remedies but at some point you will be able to cancel it. But if you have a serious problem you will still be obligated to go through the whole process. Mr. Haraway stated he had a problem with the track record the company has in the County and we are committing to a 10-year contract. He stated it did cause him some concerns.

Mr. Moody added that Adelphia is going to have to make quite an investment to do all of the upgrades and he felt it would take a number of years to get the initial investment back. Mr. Mathews stated that is correct and that is their main interest in the long-term franchise. The upgrades are in excess of 2 million dollars and Adelphia has already spent half of that at this point in time on inventory.

Mr. Moody commented that in the franchise agreement it states we will have the capacity of having 80 channels, but as Mrs. Scarborough brought out, how many will we actually have. Mr. Mathews stated it is his understanding that we will have an excess of 70 channels. The programming department makes the decisions on which programs we will have and when they will be added. Mr. Moody said that if a survey was done on people who wanted the Home Team Sports Channel he felt sure it would certainly pay for itself.

Mr. Long asked by what time do you feel the channel upgrades will be done? Mr. Mathews stated he could provide a tentative schedule or lineup. It would be very close in the number of channels and it would probably tell you what those channels are; but until the time we actually launch those services, the contracts would not be final with those companies. He stated he would provide those to the Staff before the next Board meeting. The government access channel will also be available in the upgrade. A line will be run to this building. The County would have to provide the computer for any video programming.

Mr. Bowman asked what the procedure is for rate increases. Mrs. Ralph stated, there is the notification requirement for Adelphia. Mr. Bowman said he was interested in protecting the citizens to make sure they aren't overcharged as compared to other localities. Mrs. Ralph replied if you are challenging or controlling the rate; it is the rather complicated procedure I discussed before, but it is possible. Mr. Siegel added part of the problem is the FCC regulations that overlap this procedure and it makes it difficult.

Mr. Bowman suggested a one-year approval with an automatic renewal if upgrade is completed. Mr. Siegel stated that is basically what is in the ordinance now.

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AN ORDINANCE OF THE COUNTY OF DINWIDDIE, VIRGINIA TO AMEND AND REPLACE CHAPTER 7 OF THE DINWIDDIE COUNTY CODE AND GRANTING A TELEVISION FRANCHISE AND THE RIGHT TO ERECT, INSTALL, MAINTAIN AND OPERATE A CABLE TELEVISION SYSTEM WITHIN DINWIDDIE COUNTY, VIRGINIA TO SVHH CABLE ACQUISITIONS, L.P. D/B/A ADELPHIA CABLE COMMUNICATIONS, PROVIDING FOR THE REGULATION AND ADMINISTRATION OF THE FRANCHISE AND ACTIVITIES UNDERTAKEN PURSUANT THERETO AND REPEALING ANY ORDINANCES INCONSISTENT THEREWITH

The Board of Supervisors of the County of Dinwiddie in the Commonwealth of Virginia having determined that the financial, legal, and technical ability of SVHH Cable Acquisitions, L.P. d/b/a Adelphia Cable Communications is reasonably sufficient to provide services, facilities, and equipment necessary to meet the future cable-related needs of the community, does hereby ordain as follows:

SECTION 1
Definitions

- 1.1. **Terms.** For the purpose of this Ordinance, the following terms, phrases, words and abbreviations shall have the meanings ascribed to them below.

“Affiliate” means an entity that owns or controls, is owned or controlled by, or is under common ownership with Grantee.

“Basic Cable Service” means the initial service including, but not limited to, mandatory carriage signals and local access channels and such other service as the FCC may mandate and such additional signals, channels and services as the Grantee may elect to include. This shall not include optional Premium Service Tiers or pay-per-view or pay-per-channel services as herein defined, as long as they are sold separately from Basic Cable Service.

“Cable Act” means the Cable Communications Policy Act of 1984, as amended.

“Cable Service” means (1) the transmission to Subscribers of video programming or other programming service, and (ii) Subscriber interaction, if any, which is required for the selection of such Video Programming.

“Cable System” means a facility which is operated to perform for hire, either in whole or in part, the service of receiving, amplifying, modifying or originating television, radio or other electrical signals for the purpose of transmitting or distributing such signals by wire, cable or other means to subscribing members of the public, except that such definition shall not include (1) any system which serves fewer than two hundred fifty (250) subscribers; (2) any system which serves only the residents of one (1) or more continuous apartment dwellings under common ownership, control or management, and commercial establishments located on the premises of such dwellings; or (3) any system commonly known as a master antenna system.

“Depreciation Value” shall mean the value, as shown on the Grantee’s books and records, of all the cable television systems, tangible assets after depreciation, which shall be calculated to the end of the Grantee’s last fiscal year. Such value shall not include “good will” or any value that the Grantee’s books and records attribute to the franchise.

“FCC” means Federal Communications Commission, or successor governmental entity thereto.

“Fair Market Value” shall mean the price that a willing buyer would pay to a willing seller for a going concern based on the system valuation and sale multiples prevailing in the industry at the time at which the new Grantee is required to purchase the current Grantee’s assets.

“Franchise” shall mean the initial authorization or renewal thereof, issued by the Franchising Authority, whether such authorization is designated as a franchise, permit, license, resolution, contract, certificate, or otherwise, which authorizes construction and operation of the Cable System for the purpose of offering Cable Service or other service to Subscribers.

“Franchising Authority” means the County of Dinwiddie or the lawful successor, transferee, or assignee thereof.

“Grantee” means SVHH Cable Acquisitions, L.P. d/b/a Adelpia Cable Communications, or the lawful successor, transferee, or assignee thereof.

“Gross Revenues” means those revenues, including installation fees, subscriber fees and disconnect and reconnect fees, derived from the supplying of regular subscriber service. Gross Revenues shall include revenues derived from per-program or per-channel charges, leased channel revenues, advertising revenues (rate card less contra-revenues for agency fees) and home shopping revenues. “Gross Revenues” shall not include subscriber deposits, refunds and credits made to subscribers, uncollected bad debt, or any taxes imposed on the service furnished by Grantee herein which are imposed directly on the subscriber or user by the local or any governmental unit and collected by Grantee on behalf of that governmental unit; notwithstanding the foregoing, “Gross Revenues” shall include the Franchise Fee imposed by Section 6.3 of this Ordinance.

“Installation” means the act of connecting the system from the feeder cable to the subscriber terminal so that the subscriber may receive cable television service.

“Net Profit” shall mean the amount remaining after deducting from gross revenues all of the actual, direct and indirect, expenses associated with operating the cable television system, including the franchise fee, interest, depreciation and federal or state income taxes.

“Normal Business Hours” means those hours during which most similar businesses in the community are open to serve customers. In all cases, Normal Business Hours must include some evening hours at least one night per week.

“Normal Operating Conditions” means those service conditions that are within the control of the Grantee. Those conditions that are not within the control of the Grantee include natural disasters, civil disturbances, power outages, telephone network outages, and severe or unusual weather conditions. Those conditions that are ordinarily within the control of the Grantee include special promotions, pay-per-view events, rate increases, regular peak or seasonal demand periods, and maintenance and upgrade of the Cable System.

“Person” means an individual, partnership, association, joint stock company, trust, corporation, or governmental entity.

“Premium Service” means optional program services, provided to subscribers at a charge in addition to Basic Cable Service.

“Public Way” shall mean the surface of, and the space above and below, any public street, highway, bridge, land path, alley, court, boulevard, sidewalk, parkway, way, lane, public way, drive, circle, or other public right-of-way, including, but not limited to, public utility easements, dedicated utility strips, or rights-of-way dedicated for compatible uses and

any temporary or permanent fixtures or improvements located thereon now or hereafter held by the Franchising Authority in the Service Area which shall entitle the Franchising Authority and the Grantee to the use thereof for the purpose of installing, operating, repairing, and maintaining the Cable System. Public Way shall also mean any easement now or hereafter held by the Franchising Authority within the Service Area for the purpose of public travel, or for utility or public service use dedicated for compatible uses, and shall include other easements or rights-of-way as shall within their proper use and meaning entitle the Franchising Authority and the Grantee to the use thereof for the purposes of installing or transmitting Grantees' Cable Service or other service over poles, wires, cables, conductors, ducts, conduits, vaults, manholes, amplifiers, appliances, attachments, and other property as may be ordinarily necessary and pertinent to the Cable System.

“Service” means any cable service, including any basic service, which is distributed over the cable system.

“Service Area” means the area within the present boundaries of the County of Dinwiddie, Virginia, and shall include any additions thereto by annexation or other legal means.

“Service Interruption” means the loss of picture or sound to a Subscriber on one or more cable channels.

“Service Tier” means a category of Cable Service provided by Grantee and for which a separate charge is made by Grantee.

“Subscriber” means a person or user of the Cable System who lawfully receives Cable Services or other service there from with Grantee's express permission.

“Video Programming” means programming provided by, or generally considered comparable to programming provided by, a television broadcast station.

SECTION 2 **Grant of Franchise**

- 2.1 **Grant.** The Board of Supervisors of the County of Dinwiddie, Virginia, hereby grants to Grantee a nonexclusive Franchise which authorizes the Grantee to construct and operate a Cable System and offer Cable Service and other services in, along, among, upon, across, above, over, under, or in any manner connected with Public Ways within the Service Area under the control of the Franchising Authority and for that purpose to erect, install, construct, repair, replace, reconstruct, maintain, or retain in, on, over, under, upon, across, or along any Public Way and all extensions hereof and additions thereto, under the control of the Franchising Authority, such poles, wires, cables, conductors, ducts, conduits, vaults, manholes, pedestals, amplifiers, appliances, attachments, and other related property or equipment as may be necessary or appurtenant to the Cable System. With respect to the use of rights-of-way not within the Franchise Authority's jurisdiction, Grantee shall undertake to obtain authority for the use of such rights-of-way from each respective, controlling governmental authority.
- 2.1. **Term.** The Franchise granted pursuant to this Ordinance shall be for a term of ten (10) years, commencing on [fill in date of adoption], 2001.
- 2.2. **Other Cable Franchises.** The Franchise granted by this Ordinance is not exclusive. The Franchising Authority reserves to itself the right to grant to other persons or entities who own and operate community antenna television systems rights similar to those granted to the Grantee herein at

any time during the term of this Franchise and any renewal thereof upon such terms and conditions as the Franchising Authority may determine and as may be permitted under applicable laws with due consideration of the interests of the public;

- 2.3. Level Playing Field. Franchising Authority agrees that any grant of additional franchises or other authorizations of any Cable System in Dinwiddie County, Virginia, including open video system authorizations by the County to any other entity to provide video programming or other services similar to those provided by the Grantee pursuant to this Franchise Agreement and over which the Franchising Authority has regulatory authority shall cover the entire territorial area of the County and shall not be on terms and conditions (including, without limitation, the universal service obligations and franchise fee obligations) which are generally more favorable or less burdensome to the grantee of such additional franchise than those which are set forth herein.

In any renewal of this franchise, the Franchising Authority, should it seek to impose increased obligations upon the Grantee shall take into account any additional franchise(s) or authorizations previously granted and make findings regarding whether the proposed increased obligations upon the Grantee in the renewal are more burdensome and/or less favorable than those contained in the additional franchise(s) or authorizations, and whether such increased obligations the Franchising Authority seeks to impose upon the Grantee are reasonable under Section 626 of the Communications Act taking into account the costs and burdens of meeting such non-comparable obligations.

- 2.4. Franchise Required. No person shall operate or maintain a Cable System within the Service Area without a current franchise granted by the Board of Supervisors of Dinwiddie County, Virginia.
- 2.5. Payment Due County Upon Acceptance. Grantee shall pay to the Franchising Authority, upon acceptance of the Franchise granted herein, five thousand dollars (\$5,000) as an advance on franchise fee payments due to the County pursuant to this Franchise. Such nonrefundable payment shall be used to offset any direct costs incurred by the Franchising Authority in connection with this ordinance.
- 2.6. Acceptance Constitutes Agreement as to Validity of Franchise Terms and Conditions. The Grantee agrees, by the acceptance of the Franchise, to accept the validity of the terms and conditions of this Franchise in its entirety and that it will not, at any time, proceed against the Franchising Authority in any claim or proceeding challenging any term of provisions of this Franchise as unreasonable, arbitrary or void or asserting that the Franchising Authority did not have the authority to impose such term or condition, unless, however, the challenge is a good faith one made for the purpose of determining whether this Franchise complies with federal law.
- 2.7. Failure to Enforce Franchise Provisions Against Grantee; Time of Essence for Performance by Grantee; Excusable Noncompliance by Grantee.
- a. The Grantee shall not be excused from complying with any of the terms and conditions of this Franchise by any failure of the Franchising Authority, upon any one (1) or more occasions, to insist upon the Grantee's performance or to seek the Grantee's compliance with any one (1) or more of such terms or conditions.
 - b. Whenever this Franchise sets forth any time for any act to be performed by or on the behalf of Grantee, such time shall be deemed of the essence and the Grantee's failure to perform within the time allotted shall, in all cases, be sufficient grounds for the

Franchising Authority to invoke the remedies available under the terms and conditions of this chapter and the Franchise.

- c. Nothing herein shall be construed to require the Grantee to comply with the terms of this Franchise, if prevented from doing so by disaster, war, civil disobedience or act of God.

SECTION 3 **Standards of Service**

- 3.1 Conditions of Street Occupancy. All transmission and distribution structures, poles, other lines, and equipment installed or erected by the Grantee pursuant to the terms hereof shall be located so as to cause a minimum of interference with the proper use of Public Ways and with the rights and reasonable convenience of property owners who own property that adjoins any of said Public Ways. The Cable System shall be constructed, installed, operated and maintained in compliance with all applicable governmental regulations. All Cable System equipment and facilities shall be installed in accordance with good engineering practices. The Grantee shall utilize existing poles, conduits and other facilities as part of the Cable System whenever possible. The Franchising Authority reserves the right to further or specifically designate the locations of any poles, towers, lines, cables or conduits with reference to utility lines or conduit facilities such as sewer, water, electric, telephone and gas in such a manner as to promote public safety and to protect public property. Any designation of location required or authorized herein shall be accomplished by the Franchising Authority so as not to unnecessarily delay or hinder the Grantee in its operations. Subject to any limitations imposed by Federal or State law, the Franchising Authority hereby reserves the right to reject any proposed installation by or on behalf of the Grantee as to which the manner or place of construction or placement is deemed by the Franchising Authority to be contrary to the provisions of this grant of Franchise, or to the public interest, and may direct the Grantee or its agents to move the location or alter the construction of any existing installation wherever the Franchising Authority deems a public interest to require such removal or alteration, having due regard to the equities of the parties concerned and the purpose of this Franchise.
- 3.1. Restoration of Public Ways. If during the course of Grantee's construction, operation, or maintenance of the Cable System there occurs a disturbance of any Public Way by Grantee, it shall, at its expense, replace and restore such Public Way to a condition reasonably comparable to the condition of the Public Way existing immediately prior to such disturbance.
- 3.2. Relocation at Request of Franchising Authority. Upon its receipt of reasonable advance notice, not to be less than ten (10) business days, the Grantee shall, at its own expense, protect, support, temporarily disconnect, relocate in the Public Way, or remove from the Public Way, any property of the Grantee when lawfully required by Franchising Authority or other governmental authority including the County of Dinwiddie, Commonwealth of Virginia or agency of the federal government, by reason of traffic conditions, public safety, street abandonment, freeway or street construction, change or establishment of street grade, installation of sewers, drains, gas or water pipes, or any other type of structures or improvements by the Franchising Authority, or other governmental authority including the County of Dinwiddie, Commonwealth of Virginia or agency of the federal government, but the Grantee shall in all cases have the right of abandonment of its property, provided that all then-current Subscribers to the system are retained. If public funds are available to any company using such street, easement, or right-of-way for the purpose of defraying the cost of any of the foregoing,

such funds shall also be made available to the Grantee in accordance with the applicable law.

- 3.3. Relocation at Request of Third Party. The Grantee shall, on the request of any person holding a building moving permit issued by the Franchising Authority or other governmental authority including the County of Dinwiddie, Commonwealth of Virginia or agency of the federal government, temporarily raise or lower its wires to permit the moving of such building, provided: (a) the expense of such temporary raising or lowering of wires is paid by said person, including, if required by the Grantee, making such payment in advance; and (b) the Grantee is given not less than thirty (30) business days advance written notice to arrange for such temporary wire changes.
- 3.4. Trimming of Trees on Public Property. The Grantee shall have the authority to trim trees or other natural growth located on the Public Rights-of-Way overhanging any of its Cable System in the County, at its own expense, as necessary to protect the Grantee's wires and facilities, subject to the supervision and direction of the Franchising Authority. Grantee shall comply with any other state or local laws or policies relative to trimming trees or other natural growth in the Public Rights-of-Way.
- 3.6. Safety Requirements. Construction, installation, and maintenance of the Cable System shall be performed in an orderly and workmanlike manner. All such work shall be performed in substantial accordance with applicable FCC and other federal, state, and local regulations.
- 3.7. Aerial and Underground Construction. In those areas of the Service Area where all of the transmission or distribution facilities of the respective public utilities providing telephone communications and electric services are underground, the Grantee likewise shall construct, operate, and maintain all of its transmission and distribution facilities underground, provided that such facilities are actually capable of receiving Grantee's cable and other equipment without technical degradation of the Cable System's signal quality. In those areas of the Service Area where the transmission or distribution facilities of the respective public utilities providing telephone communications and electric services are both aerial and underground, Grantee shall have the sole discretion to construct, operate, and maintain all of its transmission and distribution facilities, or any part thereof aerially or underground. Nothing contained in this Section 3.7 shall require Grantee to construct, operate, and maintain underground any ground-mounted appurtenances such as subscriber taps, line extenders, system passive devices (splitters, directional couplers), amplifiers, power supplies, pedestals, or other related equipment. Notwithstanding anything to the contrary contained in this Section 3.7, in the event that all of the transmission or distribution facilities of the respective public utilities providing telephone communications and electric services are placed underground after the effective date of this Ordinance, Grantee shall only be required to construct, operate, and maintain all of its transmission and distribution facilities underground if it is given reasonable notice and access to the public utilities' facilities at the time that such are placed underground.
- 3.8. Required Extensions of Service. Grantee is hereby authorized to extend the Cable System as necessary, as desirable, or as required pursuant to the terms hereof within the Service Area. Whenever Grantee shall receive a request for service from at least ten (10) households (fifteen (15) households when any extension of the system will involve underground extensions), which have agreed to pay for service for one (1) year, with 2,640 cable-bearing strand feet (one-half mile) of its distribution cable, it shall extend its Cable System to such Subscribers at no cost to said Subscribers for system extension, other than the usual connection fees for all Subscribers, provided that such extension is technically feasible and

will not adversely affect the operation, financial condition, or market development of the Cable System, or as provided for under Section 3.10 of this Ordinance.

3.9 Subscriber Charges for Extensions of Service. No Subscriber shall be refused service arbitrarily. However, for special circumstances (such as a Subscriber's request to locate the cable drop underground, or the need for under-highway crossings, or the existence or more than two hundred (200) feet of distance from distribution cable to connection of service to Subscribers, or a density of less than ten (10) households (fifteen (15) households, if underground) per 2,640 cable-bearing stand feet of distribution cable) Cable Service may be made available on the basis of a capital contribution in aid of construction, including cost of material, labor, and easements. For the purpose of determining the amount of capital contribution in aid of construction to be borne by Grantee and Subscribers in the area in which Cable Service may be extended, Grantee will contribute an amount equal to the construction and other costs per half mile, multiplied by a fraction whose numerator equals the actual number of potential subscribers desiring service per 2,640 cable-bearing strand feet of its trunk or distribution cable, and whose denominator equals ten (10) Subscribers. Potential subscribers will bear the remainder of the construction and other costs on a pro rata basis. Grantee may require that the payment of the capital contribution in aid of construction borne by such potential subscribers be paid in advance. Access to Cable Service shall not be denied to any group of potential Subscribers because of the income of the residents of the local area in which such group resides.

3.10 Service Interruptions. The Grantee shall engineer, construct, install, operate and maintain the Cable System so that it is capable of providing continuous, reliable and good quality reception and service to Subscribers and in such a manner that the Cable System is in full compliance with the rules and regulations of the FCC and all other applicable federal, state or local laws, rules and regulations. Grantee's duties in this regard shall include, but are not limited to the following:

- a. The Grantee shall make repairs as promptly as possible. Service Interruptions due to Cable System repairs, maintenance, modifications or installations shall be for the shortest, reasonable time possible, and shall, to the extent practicable, be preceded by notice to Subscribers and shall occur during periods of minimal viewer ship.
- b. The Grantee shall maintain more than sufficient replacement and repair equipment, facilities and supplies, and trained personnel to perform necessary and prompt repairs to the Cable System in the event of damage thereto. Grantee shall respond to all Service Interruption calls with a trained Service Technician as promptly as possible, within the following time frames:

<u>Time of Call</u>	<u>Required Response Time</u>
After 8:00 pm to 8:59 am	By the next following 1:00 pm
9:00 am to 4:59 pm	By 5:00 pm if at all possible, but in no event later than 8:00 pm
5:00 pm to 8:00 pm	within 2 hours of the time of call

Under normal operating conditions these standards shall be met no less than ninety percent (90%) of the time measured on an annual basis, provided that in all cases the Grantee shall not be required to comply with these time frames if the Subscriber agrees to additional time.

- c. In the event that the first responding Service Technician is unable to correct the Service Interruption for which he/she is responding, the first responding Service Technician shall immediately contact a Service Technician of superior rank or sufficient skill, as appropriate, to correct the Service Interruption, which superior Service Technician shall respond to such service interruption as expeditiously as possible, but not later than three (3) hours from the time of the initial Service Interruption call if such call is made between the hours of 5:00 p.m. to 8:00 p.m. Eastern Time (under normal operating conditions these standards shall be met no less than ninety percent (90%) of the time measured on an annual basis), unless the subscriber agrees to additional time.
- d. Upon request, Grantee shall provide written reports to the Franchising Authority not more than quarterly, documenting compliance with the requirements of this Section 3.10. In the event of major damage to the equipment and facilities, the Grantee shall make every effort to restore service as expeditiously as possible.

3.11 General Subscriber Service Standards. Notwithstanding any other provision of this Ordinance, the Franchising Authority shall be entitled to enforce the customer service standards set forth in 47 CFR Section 76.309 (c) or other applicable federal and state regulations. The Franchising Authority may further enforce the following Subscriber service standards:

- a. Grantee shall maintain a publicly listed, toll-free telephone number to receive Subscriber inquiries and complaints, and the Grantee shall notify Subscribers of this telephone number on a periodic basis. Grantee shall provide trained representatives to respond to Subscriber telephone inquiries and complaints twenty-four (24) hours a day, seven (7) days a week. The Grantee may provide separate telephone numbers for inquiries and complaints made after normal business hours, but must be capable of handling inquiries and complaints twenty-four (24) hours a day, seven (7) days a week.
- b. Response times for Service Interruptions are governed by Sections 3.10 a. and 3.10 b. of this Ordinance; response times for other service calls are governed by this Section 3.11 b. Under normal circumstances, complaints received by Grantee must be responded to by a trained representative of Grantee within the following time frames:

<u>Time of Call</u>	<u>Required Response Time</u>
After 8:00 pm to 8:59 am	by the next following 1:00 pm
9:00 am to 4:59 pm	by 5:00 pm if at all possible, but in no event later than 8:00 pm
5:00 pm to 8:00 pm	within 2 hours of the time of call

In all cases the Grantee shall not be required to comply with these time frames if the Subscriber agrees to additional time. Grantee shall comply with these time frames not less than 90% of the time, measured annually. Upon request, Grantee shall provide written reports to the Franchising Authority on a quarterly basis documenting compliance with these requirements.

- c. Under normal operating conditions, telephone answer time by a trained representative of Grantee, including wait time, shall not exceed thirty (30) seconds when the connection is made. If the call needs to be transferred, transfer time shall not exceed thirty (30) seconds. These standards shall be met no less than ninety percent (90%) of the time under normal operating conditions, measured on a quarterly basis. The Grantee will not be required to acquire equipment or perform surveys to measure compliance with the telephone answering standards above unless an historical record of complaints indicates a clear failure to comply. Under normal operating conditions, Subscribers will not receive a busy signal more than three percent (3%) of the time. Customer service center and bill payment locations will be open at least during normal business hours and will be conveniently located.
- d. Under normal operating conditions, each of the following standards will be met no less than ninety five percent (95%) of the time, measured on a quarterly basis:
 1. Standard installations will be performed within seven (7) business days after an order has been placed. "Standard" installations are those that are located up to 200 feet from the existing distribution system.
 2. The "appointment window" alternatives for installations, service calls, and other installation activities will be either a specific time or, at maximum, a four-hour time block during normal business hours. The Grantee may schedule service calls and other installation activities outside of normal business hours for the express convenience of the Subscriber.
 3. The Grantee may not cancel an appointment with a Subscriber after the close of business on the business day prior to the scheduled appointment.
 4. If the Grantee's representative is running late for an appointment with a Subscriber and will not be able to keep the appointment as scheduled, the Subscriber will be contacted. The appointment will be rescheduled, as necessary, at a time that is convenient for the Subscriber.
- e. Grantee shall investigate and respond to all Subscriber complaints regarding quality of service, equipment malfunctions and similar matters expeditiously and in accordance with the requirements of 47 CFR Section 76.309 (c), this ordinance and other applicable regulations. Specifically, upon notification of a Subscriber service complaint or service problem, the Grantee shall respond to any Subscriber complaint or problem within the times set forth above in Sections 3.10 and 3.11, as applicable, by dispatching a qualified employee to investigate the complaint and adjust, repair or replace Grantee's equipment as necessary to resolve the complaint, the same to be completed within a reasonable period of time, not exceeding one (1) day, and shall thereupon fully credit all affected Subscribers' accounts on the next billing for loss of service during the time such repairs or corrections are made beginning with the

date notification was received from the Subscriber. During the time of such response, investigation, adjustment, repair and/or replacement, the Grantee shall provide all affected Subscribers, on request, estimated time of completion of the adjustment, repairs and replacement being performed, as well as summaries of the current problem diagnosis and an explanation of services being performed by Grantee to reinstate service. Grantee shall equip its trained representatives performing such services with mobile telephones, radios or other appropriate communication devices and such trained representatives shall keep the Grantee's representatives receiving Subscriber telephone inquiries and complaints apprised, in a timely manner, of the status of such adjustment, repairs and replacement being performed, as well as summaries of the current problem diagnosis and an explanation of services being performed by Grantee's trained representatives to reinstate service.

- f. If there is a Service Interruption for two (2) consecutive hours or more, the affected Subscribers shall receive a pro-rata reduction of charges, provided that the Grantee has been notified of the outage within a reasonable time of discovery thereof. The Service Interruption must be caused by failure of the Grantee's equipment and not by any third party in order to qualify for the credit. No credit will be given if the Service Interruption is caused by any of the Subscriber's equipment or any action taken with respect to the Grantee's equipment by someone other than the Grantee's employees, servants, agents, contractors and representatives.
- g. The Grantee shall establish procedures for billing and for receiving, acting upon, and resolving Subscriber complaints expeditiously. The Grantee shall furnish a copy of such procedures to each Subscriber at the time of initial subscription to the Cable System, at least annually thereafter, and at any time upon request.
- h. The Grantee shall keep a maintenance service log, which will indicate the nature of each service complaint, the date and time it was received, the disposition of said complaint, and the date and time thereof. A record of each complaint entered into this log shall be maintained in accordance with applicable law.
- i. The Franchising Authority by resolution may designate a Cable Communications Administrator who will have the primary responsibility of implementing complaint procedures and hearing Subscriber complaints not resolved directly by the Company. The Franchising Authority may establish a citizens' committee by resolution to hear and resolve Subscriber complaints (**the "Cable Communications Advisory Committee"**) not resolved by the Franchising Authority and the Cable Communications Administrator. The composition, terms of office, powers and duties, and rules of order of said committee will be determined by the Franchising Authority in accordance with applicable local, state and federal laws and regulations. One or more representatives of the Company shall confer and meet with the Cable Communications Advisory Committee on the request of the Cable Communications Advisory Committee.
- j. In the event that a Subscriber complaint is not resolved to the mutual satisfaction of the Subscriber or the Grantee, either the Subscriber or the Grantee may request that the matter be presented to the Cable Communications Administrator (if one has been designated) or the Cable Communications Advisory Committee, if established, for resolution. Any resolution determined by the Administrator or the Committee shall be advisory

only, and shall be recommended to the parties for implementation. The Grantee and its representatives shall in all events cooperate with and attend reasonably scheduled meetings of the Cable Communications Advisory Committee and the Cable Communications Administrator. The Administrator, the Committee or the Subscriber may inform the Franchising Authority of any event or circumstance that is believed to be in noncompliance with the terms of this Franchise.

- k. The Grantee shall provide written information to each Subscriber on each of the following areas at the time of installation of service, at least annually, and at any time upon request:
 - 1. Products and services offered;
 - 2. Prices and options for programming services and conditions of subscription to programming and other services;
 - 3. Installation and service maintenance and repair policies (including the right of a Subscriber to request a credit on the Subscriber's account in the event of a Service Interruption);
 - 4. Instructions on how to use the Cable Service; and
 - 5. Channel positions programming carried on the Cable System.
 - l. The Grantee shall notify Subscribers of any changes in rates, programming services or channel positions as soon as possible in writing. Notice must be given to Subscribers a minimum of thirty (30) days in advance of such changes if the change is within the control of the Grantee. In addition, the Grantee shall notify Subscribers thirty (30) days in advance of any significant changes in the other information required by subsections 3.12 f. and 3.12 j. above.
 - m. Bills shall be clear, concise and understandable. Bills must be fully itemized, with itemizations including, but not limited to, Basic and Premium service charges and equipment charges. Bills will also clearly delineate all activity during the billing period, including optional charges, rebates and credits. In case of a billing dispute, the Grantee must respond to a written complaint from a Subscriber within thirty (30) days.
 - n. Refund checks will be issued promptly, but no later than either:
 - 1. the Subscriber's next billing cycle following resolution of the request or sixty (60) days, whichever is earlier, or
 - 2. the return of the equipment supplied by the Grantee if Cable Service is terminated.
 - o. Credits for service will be issued no later than the Subscriber's next billing cycle following the determination that a credit is warranted.
- 3.12 Itemization of Subscriber Bills; Pass Through of Costs. Grantee shall at all times have the right to pass through to Subscribers and other users of the Cable System all direct and related expenses required by this Franchise, to the extent such costs may permissibly be passed through pursuant to governing federal law or regulation, and to itemize on Subscriber or other user bills those costs or fees set forth in Section 622(c) of the Communications Act, 47 U.S.C. Section 542 (c).

SECTION 4
Access Channels

- 4.1 Access Channels. Grantee shall provide to Franchising Authority one (1) downstream access channel on the Cable System which Franchising Authority may elect to use, in whole or in part, for non-commercial educational and/or governmental access use to provide video programming
- 4.2 Fallow Time.
- a. Within thirty (30) days after the grant of the Franchise, the Franchising Authority shall prescribe rules and regulations regarding the Grantee's use of fallow time on the access channel in accordance with this Section 4.2. If the Franchising Authority fails to prescribe such rules and regulations within thirty (30) days after the grant of the Franchise herein, the provisions of this Section 4.2 shall govern the Grantee's use of fallow time on the access channel.
 - b. If any unused time (fallow time) exists on the access channel and the Grantee or any affiliate of the Grantee desires to distribute any service over such channel during such unused time, the Grantee shall so notify Franchising Authority in writing. The access channel, or access channel time, shall be deemed unused only if the access channel or access channel time has not been used for the purposes described in Section 4.1 hereof during the thirty (30) day period immediately preceding the date of the notice described in the foregoing sentence. The Grantee's notice to Franchising Authority shall describe Grantee's or its affiliate's plans for use of the access channel. The Grantee or its affiliate may commence the distribution of the planned service over the access channel(s) at the end of the thirtieth (30th) day after receipt of such notice, unless the Franchising Authority authorizes a shorter period or unless within such thirty (30) day period the Franchising Authority notifies the Grantee in writing that the Franchising Authority does not consent to the planned use of the access channel because such channel will be used for the purposes described in Section 4.1. In the event that the Grantee or its affiliate is using the access channel or access channel time pursuant to this Section 4.2, the Grantee or its affiliate shall relinquish such no earlier than sixty (60) days following Franchising Authority's written request for same, consistent with any rules and regulations established by the Franchising Authority.
- 4.3 Access Support. The Grantee shall, on the Franchising Authority's written request, provide reasonable staff support, not to include production personnel, through its existing personnel as necessary to train interested employees of the educational system and the Franchising Authority in the use of access channel equipment and production of educational and governmental programming throughout the term of this Franchise.
- 4.4 Noncompetition with Grantee. The Franchising Authority shall not use its designated access channel to provide commercial or revenue-generating services that may compete, directly or indirectly, with services provided by the Grantee; provided, however, that the Franchising Authority might cablecast acknowledgments of funding sources and the underwriting of programming costs.

SECTION 5
Community Services

5.1 Schools and Franchising Authority Facilities.

a. Cable Service. The Grantee at its own expense and upon written request of the Franchising Authority, agrees to provide and maintain one connection for basic cable service to each public and private elementary and secondary school, and to the public libraries, fire stations, sheriff's offices and Franchising Authority's administration facilities listed in Exhibit A and located within two hundred (200) feet of the Grantee's distribution plant. The Grantee will bring its connection to a specified exterior demarcation point mutually agreed upon by the Grantee and such institution. The Grantee shall not be required to bear the expense or cost of any installation beyond a 200-foot service drop. Any additional costs shall be borne by the requesting institution or location on a time and materials basis.

b. Internet Access. In areas of the County where the Grantee provides Internet access, the Grantee at its own expense and upon written request of the Franchising Authority will provide use of one cable modem and maintain one connection for Internet access to one computer terminal in each public and private elementary and secondary school within the corporate limits of the Franchising Authority (listed in Exhibit A) and within 200 feet of the cable system's distribution plant. The Grantee will not be required to bear the expense or cost of any installation beyond a 200-foot service drop. Any additional costs will be borne by the requesting school or library on a time and materials basis. All such schools and libraries receiving such service will enter into the Grantee's standard installation agreement. The Franchising Authority agrees that such institutions will not internally network the Grantee's connection to another computer or terminal, but in the event such schools wish to create an internal network, the institutions may contact the Grantee for a proposal to provide such networking.

5.2 Emergency Alert System. The Grantee will comply with the FCC's Emergency Alert System requirements throughout the term of this Franchise to the extent it is required to by applicable law. In the case of any emergency or disaster, the Grantee shall, upon the request of the County Administrator, make available, free of charge, the Cable System to the County for emergency use during the emergency or disaster period.

SECTION 6
Regulation by Franchising Authority; Franchise Fees

6.1.1 Rates and Charges. The Grantee shall be controlled by and shall observe all provisions of any federal or state laws and regulations, which now or hereafter apply to rates and charges to Subscribers. The Grantee may regulate rates and charges to Subscribers within the Service Area as allowed by applicable law.

6.2 Transfer of Franchise. The Grantee's right, title, or interest in the Franchise shall not be sold, transferred, assigned, or otherwise encumbered, other than to an Affiliate, without the prior consent of the Franchising Authority, which consent shall not be unreasonably withheld or delayed more than one hundred twenty (120) days from date of notification to the Franchising Authority, if such notification is accompanied by information required by FCC regulations. The Grantee shall use its best efforts to assist in the provision of relevant financial and technical information to the Franchising Authority with respect to the proposed

transferee. No such consent shall be required, however, for a transfer in trust, by mortgage, by other hypothecation, or by assignment of any rights, title, or interest of the Grantee in the Franchise or Cable System in order to secure indebtedness. Corporate reorganizations which do not change the ultimate controlling entity and interfamilial transactions are not considered transfers of control for purposes of this provision.

- 6.3 Franchise Fee. The Grantee shall pay to the County, in consideration of the granting of the Franchise to use the public ways for the operation of a cable television system, five (5) percent of its annual Gross Revenues during the period of its operation under the Franchise.

Notwithstanding the preceding paragraph, in the event of any amendment or change in the current Federal Law which provides for limitations on the maximum franchise fee that franchising authorities may impose, the parties hereto agree that either the Franchise Authority or the cable company may request renegotiation of the franchise fee specified herein, and both parties agree to negotiate in good faith to establish a reasonable franchise fee, taking into consideration the then current circumstances, prevailing economic circumstances, other factors, and prevailing fees within the cable television industry.

- 6.4 When Payable, Annual Report of Subscriber Revenues; Penalty for Underestimates. Payments of the Franchise fee imposed by Section 6.3 shall be quarterly and made within forty-five (45) days after the expiration of each calendar quarter. Such payments will be estimated payments and the Grantee will submit an annual reconciliation to the Franchising Authority within 45 days of the close of each year of the franchise term. The Grantee shall also file, within forty-five (45) days following the conclusion of the calendar year, an annual report for the Cable System showing Subscriber revenues from each category of service, clearly showing the yearly total Gross Revenues, broken down on a quarterly basis. Such annual report will be prepared and audited at Grantee's expense by a certified public accountant acceptable to the Franchising Authority. For each and every fiscal quarter that the Grantee's Gross Revenue estimates fall twenty (20) percent or more below actual receipts, a penalty of fifteen (15) percent shall be imposed on the amount by which the actual revenue exceeded the estimate. The additional fees due and the penalty, if any, shall be paid upon the filing of the annual report.

- 6.5 Verification. Franchising Authority shall have the right to inspect, upon two (2) weeks written notice, during normal business hours at the Grantee's office such books, records and financial statements as reasonably necessary to monitor compliance with this Section 6. Grantee shall provide copies of such books, records and financial statements to the Franchising Authority, upon written request of the Franchising Authority, and the Franchising Authority shall pay Grantee's reasonable copying expenses therefore.

- 6.6 Audit of Grantee's Records and Recomputation of Amount Due. The Franchising Authority shall have the right to inspect the Grantee's income records, the right of audit and the recomputation of any amounts determined to be payable under this Section 6; provided, however, that such audit shall take place within twelve (12) months following the close of each of the Grantee's fiscal years. Such audit shall be conducted by an independent Certified Public Accountant of the Franchising Authority's own choosing. Access during such audit shall be limited to Grantee's books and records reasonably relevant to the verification of Gross Revenues and computation of the Franchise Fee. Any additional amount due the Franchising Authority as a result of the audit shall be paid within thirty (30) days following written notice to the Grantee by the Franchising Authority, which notice shall include a copy of the audit report. If the results of such an audit have become final under the

provisions of this Franchise, there shall be an accord and satisfaction with respect to any sums paid by Grantee arising with respect to the period subject to audit. Moreover, there shall be an accord and satisfaction with respect to any payment not subject to audit within thirty-six (36) months following the close of the fiscal year to which such payment relates, unless there is subsequent evidence that the Grantee had engaged in fraud or has improperly withheld relevant records which relate to such payments. The cost of such audit shall be borne by the Grantee, if it is properly determined that the Grantee's annual payment to the County for the preceding year is increased thereby by more than five percent (5%).

- 6.7 Penalty and Interest on Delinquencies. In the event that any franchise payment or recomputed amount is not made on or before the applicable dates specified in this division, there shall be assessed a penalty of five percent (5%) of the amount due and interest shall be charged from such due date at the annual rate of eight percent (8%).

SECTION 7

Insurance and Indemnification

- 7.1 Insurance Requirements. Grantee shall maintain in full force and effect, at its own cost and expense, during the term of the Franchise, Comprehensive General Liability Insurance in the amount of \$3,000,000 combined single limit for bodily injury, and property damage. Said insurance shall list the Franchising Authority as an additional named insured. Such insurance shall be non-cancelable except upon thirty (30) days prior written notice to the Franchising Authority. Grantee shall additionally maintain Automotive Liability Insurance in the amount of \$1,000,000. Grantee shall provide a current Certificate of Insurance to the Franchising Authority verifying coverage, listing the Franchising Authority as an additional insured and requiring thirty (30) days notice to the Franchising Authority of cancellation.
- 7.2 Indemnification. The Grantee agrees to indemnify, save and hold harmless, and defend the Franchising Authority, its officers, boards, agents, representatives, and employees, from and against any liability for damages and for any liability, demands, actions, suits, causes of action, proceedings, losses, expenses, judgements, executions, or claims which arise out of the Grantee's construction, operation, or maintenance of its Cable System, including, but not limited to, reasonable attorney's fees and costs. The Franchising Authority shall give Grantee timely written notice of the making of any claim or of the commencement of any action, suit or other proceeding covered by the indemnity in this Section. In the event any such claim arises, the Franchising Authority shall tender the defense thereof to Grantee and Grantee shall have the right to defend, settle or compromise any claims arising hereunder and the Franchising Authority shall cooperate fully herein. If Franchising Authority determines in good faith that its interests cannot be represented by Grantee, Grantee shall be excused from any obligation to represent Franchising Authority. Grantee will not be required to indemnify the Franchising Authority for the negligent acts of the Franchising Authority or its officials, boards, commissions, agents or employees. Further, to the extent allowed by applicable law and without waiver of any applicable rights or defenses including but not limited to the defense of sovereign immunity, the Franchising Authority will be responsible for any acts by the Franchising Authority, including actions involving Franchising Authority's use of the access channels or the emergency alert system.

- 7.3 Performance Bond. Within sixty (60) days of the effective date of this Franchise, the Grantee will furnish a payment and performance bond ("the Bond") in an amount no less than \$40,000. The Bond shall be issued by a surety licensed to do business in the Commonwealth of Virginia with an "A" or better rating of insurance in Best's Key Rating Guide. The Bond shall provide that there shall be recoverable by the County from the principal and surety, any and all fines and penalties due to the County and any and all damages, losses, costs, and expenses suffered or incurred by the County resulting from the failure of Grantee to faithfully comply with the material terms and condition of this Franchise.

SECTION 8

Compliance and Monitoring

- 8.18 Testing for Compliance. The Grantee shall maintain the cable system so that it meets all FCC technical standards. Grantee shall comply with testing that may be required under FCC regulations. In addition, the Franchising Authority at its own expense may perform similar technical tests of the Cable System during reasonable times and in a manner which does not unreasonably interfere with the normal business operations of the Grantee or the Cable System in order to determine whether or not the Grantee is in compliance with the terms hereof and applicable state or federal laws. Except in emergency circumstances, such tests may be undertaken only after giving Grantee reasonable notice thereto not to be less than five (5) business days, and providing a representative of Grantee an opportunity to be present during such tests. In the event that such testing demonstrates that the Grantee has substantially failed to comply with a material requirement hereof, the cost of such testing shall be borne by the Grantee. Except in emergency, the Franchising Authority agrees that such testing shall be undertaken no more than two (2) times a year in the aggregate, and that the results thereof shall be made available to the Grantee upon Grantee's request.

Books and Records. The Grantee agrees that the Franchising Authority may review such of its books and records, during normal business hours, as is reasonably necessary to monitor compliance with the terms hereof. Such records shall include, but shall not be limited to, any public records required to be kept by the Grantee pursuant to the rules and regulations of the FCC. Grantee shall not be required to disclose information which it reasonably deems to be proprietary or confidential in nature, to the extent provided by law.

SECTION 9

Enforcement and Termination of Franchise

- 9.1 Notice of Violation. In the event that the Franchising Authority believes that the Grantee has not complied with the terms of the Franchise, it shall notify Grantee in writing of the exact nature of the alleged noncompliance. The written notice shall describe in reasonable detail the alleged violation so as to afford Grantee an opportunity to remedy the violation.
- 9.2 Grantee's Right to Cure or Respond. Grantee shall have twenty-one (21) days from receipt of the notice described in Section 9.1 (a) to respond to the Franchising Authority contesting the assertion of noncompliance, or (b) to cure such default, or (c) in the event that, by the nature of default, such default cannot be cured within the twenty-one (21) day period, to initiate reasonable steps to remedy such default and notify the Franchising Authority of the steps being taken and the projected date that they will be completed. Grantee may, within ten (10) business days of receipt of notice, notify the Franchising Authority that there is a dispute as to whether a violation or failure has, in fact, occurred. Such notice by Grantee to the Franchising Authority shall specify with particularity the matters disputed by Grantee and shall stay the running of the above-described time.

9.3 Public Hearing. In the event that Grantee fails to respond to the notice described in Section 9.1 pursuant to the procedures set forth in Section 9.2, or in the event that the alleged default is not remedied within thirty (30) days after the Grantee is notified of the alleged default pursuant to 9.1, the Franchising Authority shall schedule a private meeting with the Franchise Authority Administrator and the Grantee to investigate the default. If the alleged default is not remedied within thirty (30) days after the private meeting is held with Grantee, the Franchising Authority shall hear Grantee's dispute at a regularly or specially scheduled meeting. The Franchising Authority shall notify the Grantee of the time and place of such meeting and provide the Grantee with an opportunity to be heard at said meeting. The Grantee shall have the right to cross-examine witnesses. The Franchising Authority shall determine if Grantee has committed a violation and shall make written findings of fact relative to its determination. If a violation is found, Grantee may petition for reconsideration. If after hearing the dispute the claim is upheld by the Franchising Authority, Grantee shall have ten (10) business days from such a determination to remedy the violation or failure. The time for Grantee to correct any alleged violation shall be extended by the Franchising Authority if the necessary action to correct the alleged violation is of such a nature or character to require more than thirty (30) days within which to perform provided Grantee commences the corrective action within the thirty (30) day period and thereafter uses reasonable diligence to correct the violation. Notwithstanding the above provisions, Grantee does not waive any of its rights under federal law.

9.4 Enforcement. Subject to applicable federal and state law, in the event the Franchising Authority, after such meeting, determines that Grantee is in default of any material provision of the Franchise, the Franchising Authority may:

- a. Commence an action of law for monetary damages or seek other equitable relief;
- b. In the case of a substantial default of a material provision of the Franchise, initiate proceedings pursuant to Section 9.5 seeking to declare the Franchise Agreement to be revoked; or
- c. Seek specific performance of any provision, which reasonably lends itself to such remedy, as an alternative to damages.

The Grantee shall not be relieved of any of its obligations to comply promptly with any provision of the Franchise by reason of any failure of the Franchising Authority to enforce prompt compliance.

9.5 Revocation Procedures In the event that the Franchising Authority determines that the Grantee has violated any material provision of the Franchise, or any material applicable federal, state or local law, the Franchising Authority may make a written demand on the Grantee that it remedy such violation and that continued violation may be cause for revocation. If the violation, breach, failure, refusal, or neglect is not remedied within thirty (30) days following such demand or such other period as is reasonable, the Franchising Authority shall determine whether or not such violation, breach, failure, refusal or neglect by the Grantee is due to acts of God or other causes which result from circumstances beyond the Grantee's control. Such determination shall not unreasonably be withheld.

- a. A public hearing shall be held and the Grantee shall be provided with an opportunity to be heard upon fourteen (14) days written notice to Grantee of the time and the place of the hearing. The causes for pending revocation and the reasons alleged to constitute such cause shall be recited in the notice. Said notice shall

affirmatively recite the causes that need to be shown by the Franchising Authority to support a revocation.

- b. If notice is given and, at the Grantee's option, after a full public proceeding is held, the Franchising Authority determines there is a violation, breach, failure, refusal or neglect by the Grantee, the Franchising Authority shall direct the Grantee to correct or remedy the same within such reasonable additional time, in such manner and upon such reasonable terms and conditions as the Franchising Authority may direct.
- c. If after a public hearing it is determined that the Grantee's performance of any of the terms, conditions, obligations, or requirements of Franchise was prevented or impaired due to any cause beyond its reasonable control or not reasonably foreseeable, such inability to perform shall be deemed to be excused and no penalties or sanctions shall be imposed as a result thereof, provided Grantee has notified the Franchising Authority in writing within thirty (30) days of its discovery of the occurrence of such an event. Such causes beyond the Grantee's reasonable control or not reasonably foreseeable shall include, but shall not be limited to, acts of God, civil emergencies and labor strikes.
- d. If, after notice is given and, at the Grantee's option, a full public proceeding is held, the Franchising Authority determines there was a violation, breach, failure, refusal or neglect, then the Franchising Authority may declare, by resolution, the Franchise revoked and canceled and of no further force and effect unless there is compliance within such period as Franchising Authority may fix, such period not to be less than thirty (30) days.
- e. If the Franchising Authority, after notice is given and, at Grantee's option, a full public proceeding is held and appeal is exhausted, declares the Franchise breached, the parties may pursue their remedies pursuant to Franchise or any other remedy, legal or equitable. Grantee may continue to operate the system until all legal appeals procedures have been exhausted.

Notwithstanding the above provisions, the Grantee does not waive any of its rights under federal law or regulation.

9.6 Acts of God. The Grantee shall not be held in default or noncompliance with the provisions of the Franchise nor suffer any enforcement or penalty relating thereto, when such noncompliance or alleged defaults are caused by strikes, acts of God, power outages or other events reasonably beyond its ability to control.

9.7 Assessment of Liquidated Damages.

- a. Notwithstanding any other remedy provided for in this Ordinance or otherwise available under law, the Franchising Authority shall have in addition the power to recover monetary amounts from Grantee under certain conditions, such monetary amounts being in the nature of liquidated damages, provided the Franchising Authority first complies with the notice requirements of subsection c of this section.
- b. By acceptance of the Franchise, Grantee understands and agrees that failure to comply with any time and performance requirements as stipulated in this Ordinance will result in damage to the Franchising Authority, and that it is and will be impracticable to determine the actual amount of such damage in the event of delay

or nonperformance. The Grantee further agrees that this Franchise includes provisions for liquidated damages to be paid by the Grantee in amounts set forth herein and chargeable to the Bond for the following:

(i) Failure to provide documents, reports or information requested under the provisions of this Ordinance - \$50 per day, or part of a day, that each violation occurs or continues.

(ii) Failure to comply with operational, maintenance, service or technical standards (including but not limited to the Subscriber Service Standards set forth in Section 3.11) - \$150 per day or part of a day, that each violation occurs or continues.

(iii) Failure to test the performance of the Cable System in conformity with Section 8.1 of this Ordinance - \$50 per day or part of a day, that each violation occurs or continues.

c. If the County Administrator concludes that the Grantee is in fact liable for liquidated damages pursuant to this section, he shall issue to the Grantee by registered or certified mail a notice of intention to assess liquidated damages. The notice of intention to assess shall set forth the basis of the assessment and shall inform the Grantee that liquidated damages will be assessed from the date of the notice of intention to assess unless the assessment notice is appealed for hearing before the Board of Supervisors and the Board of Supervisors rules that the violation has been corrected or that an extension of time or other relief should be granted. If Grantee desires a hearing before the Board of Supervisors it shall send a written notice of appeal by registered or certified mail to the County Administrator within ten (10) days of the date of the notice of intention to assess liquidated damages. The hearing on the Grantee's appeal shall be held within 30 days of the date of the notice of intention to assess liquidated damages. After the hearing, if the Board of Supervisors sustains in whole or in part the County Administrator's assessment of liquidated damages, the County Administrator may at any time thereafter draw upon the Bond required by Section 7.3. Unless the Board of Supervisors indicates to the contrary, the liquidated damages shall be assessed beginning on the date of the notice of intention to assess and continuing thereafter until such time as the violation ceases, as determined by the County Administrator in his sole discretion.

9.8 Termination Generally.

a. In addition to all the rights and powers reserved to the County, the Board of Supervisors reserves as an additional power the right to terminate the Franchise and all rights and privileges of Grantee in any of the following events or for any of the following reasons:

1. The Grantee becomes insolvent, unable or unwilling to pay its just debts or is adjudged a bankrupt, or fails to operate the Cable System in the County.
2. The Grantee attempts to or does practice any fraud upon the Franchising Authority or Subscribers.

b. If the Board of Supervisors terminates the Franchise under Section 9.8 a. 1. above, the Franchising Authority may at its option purchase the assets of the Cable System at a cost not to exceed depreciated value. In the event the Franchising Authority exercises its option to purchase the assets of the Cable System, it shall give the Grantee written notice of its intent to do so. The Grantee shall, within seven (7) days of receipt of such notice, enter into bona fide

negotiations with the Franchising Authority for the purpose of consummating the transaction at the earliest possible time. In the event the Franchising Authority elects to purchase the Cable System and the depreciated value cannot be agreed upon, the final price shall be determined by the Circuit Court of Dinwiddie County, Virginia. Upon payment of the purchase price by the Franchising Authority, the Grantee shall immediately transfer to the Franchising Authority possession and title to all facilities and property, real and personal, related to the Cable System, free from any and all liens and encumbrances not agreed to be assumed by the Franchising Authority in lieu of some portion of the purchase price. The Franchising Authority shall have the right and power to assign its purchase rights to a successor grantee selected by the Franchising Authority in a manner not inconsistent with the provisions of this chapter. Until such time as the Grantee transfers to the Franchising Authority or to a new grantee possession and title to all assets, real and personal, related to the Cable System, the Grantee shall, as trustee for its successor in interest, continue to operate the Cable System under the terms and conditions of this Ordinance. During such interim period, the Grantee shall not sell any of the system assets nor shall the Grantee may any physical, material, administrative or operational change that would tend to degrade the quality of service to subscribers, decrease income produced by the Cable System or materially increase expenses without the express permission, in writing, of the Franchising Authority or its assignee. The Franchising Authority shall be permitted to seek legal and equitable relief to enforce the provisions of this section.

SECTION 10
Miscellaneous Provisions

- 10.1 Removal or Damage of Facilities in Case of Fire or Other Disaster. Whenever, in case of fire or other disaster, it becomes necessary, in the judgment of the Dinwiddie County Director of Public Safety, to remove or damage any of the Grantee's facilities, no charge shall be made by the Grantee against the Franchising Authority for restoration and repair.
- 10.2 Minimum Channel Capacity. The Cable System shall have the capability to operate with at least thirty-five (35) channels. Programming on all channels will not be required. Within twelve (12) months of the effective date of this Franchise, Grantee shall upgrade the Cable System within the Service Area to a minimum of 750 MHz with a minimum channel capacity of 80 channels.
- 10.3 Two-way Service. The Grantee's Cable System shall be designed with capabilities of being expanded to provide two-way service as appropriate.
- 10.4
- a. Discriminatory Practices Prohibited. Grantee shall not deny service, deny access, or otherwise discriminate against subscribers on the basis of race, color, religion, national origin, sex, or age. Grantee shall comply at all times with all other applicable federal, state and Franchising Authority laws, and all executive and administrative orders relating to nondiscrimination. Grantee shall adhere to the equal employment opportunity requirements of the FCC.
- b. Subscriber Privacy. Grantee shall comply with all privacy provisions of Section 631 of the Communications Act, 47 U.S.C. Section 551, as amended.
- 10.5 Actions of Franchising Authority. If any action by the Franchising Authority or representative thereof is mandated or permitted under the terms hereof, such party shall act in a responsible, expeditious and timely manner.

Furthermore, in the instance where approval or consent is required under the terms hereof, such approval or consent shall not be unreasonably withheld.

- 10.6 Notice. Unless expressly otherwise agreed between the parties, every notice or response to be served upon the Franchising Authority or Grantee shall be in writing, and shall be deemed to have been duly given to the required party five (5) business days after having been posted in a properly sealed and correctly addressed envelope by certified or registered mail, postage prepared, at a Post Office or branch thereof regularly maintained by the U.S. Postal Service.

The notices or responses to the Franchising Authority shall be addressed as follows:

Dinwiddie County
Pamplin Administration Building
14016 Boydton Plank Road
P. O. Drawer 70
Dinwiddie Va 23841

The notices or responses to the Grantee shall be addressed as follows:

Adelphia Communications Corporation
One North Main Street
Coudersport, PA 16915
Attention: Legal Department

With a copy to:

Adelphia Cable Communications
Attention: General Manager
PO Box 710
1711 Seymour Drive
South Boston, Va 25592

Franchising Authority and the Grantee may designate such other address or addresses from time to time by giving notice to the other.

- 10.7 Descriptive Headings. The captions to Sections contained herein are intended solely to facilitate the reading thereof. Such captions shall not affect the meaning or interpretation of the text herein.
- 10.8 Severability. If any Section, sentence, paragraph, term, or provision hereof is determined to be illegal, invalid, or unconstitutional by any court of competent jurisdiction or by any state or federal regulatory authority having jurisdiction thereof, such determination shall have no effect on the validity of any other Section, sentence, paragraph, term, or provision hereof, all of which will remain in full force and effect for the term of the Franchise, or any renewal or any renewal or renewals thereof.
- 10.9 Acceptance. The Franchising Authority by virtue of the signatures on this Ordinance and the Grantee by virtue of the signatures set forth below, agree to be legally bound by all provisions and conditions set forth in this ordinance, together forming a mutually binding contractual agreement; which cannot be amended without writing executed by both parties.
- 10.10 Effective Date. The Franchise granted herein will take effect and be in full force from such date of acceptance by Grantee recorded on the signature page of this Ordinance.

Passed and adopted this ___ day of _____, 2001, subject to applicable federal, state and local law.

COUNTY OF DINWIDDIE

By: _____

Title: _____

Accepted this ___ day of _____ 2001 subject to applicable federal, state and local law.

ADELPHIA CABLE

By: _____

Title: _____

Mr. Moody stated the Public Hearing has already been held and called for a motion.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the foregoing ordinance to amend and replace Chapter 7 of the Dinwiddie County Code and granting a Television Franchise and the right to erect, install, maintain and operate a cable television system within Dinwiddie County, Virginia to SVHH Cable Acquisitions, LP. D/B/A Adelphia Cable Communications, providing for the regulation and administration of the franchise and activities undertaken pursuant thereto and repealing any ordinances inconsistent therewith is hereby adopted and re-ordained.

IN RE: PUBLIC HEARING A-01-4 -- EXTENSION OF DUE DATE FOR 2001 TAXES

This being the time and place as advertised in the Dinwiddie Monitor on July 18, 2001 and July 25, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comments regarding changing the due date for the collection of 2001 taxes. Section 19-2 of the Code of Dinwiddie County will be amended to establish June 19, 2001 as the due date for the first installment of 2001 taxes and December 5, 2001 shall be the due date for the second installment of 2001 taxes on the real estate, tangible personal property, and machinery and tools.

Mr. Moody opened the Public Hearing. No one had any comments and he closed the Public Hearing.

Upon motion of Mr. Bracey, seconded by Mr. Bowman, Mr. Bowman, Mr. Haraway, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye",

BE IT ORDAINED, by the Board of Supervisors Section 19-2 of the Code of the County of Dinwiddie, Virginia is amended and re-ordained, with the changes, as follows:

By deleting the current text of Section 19-2 and adopting in its place the following:

I. Section 19-2; Due Date for Taxes on Real Estate, Tangible Personal Property and Machinery and Tools; Penalty and Interest on Delinquencies.

- (a) For each taxable year, County taxes on real estate, tangible personal property, and machinery and tools shall be paid, by or on behalf of persons owing such taxes, in two (2) equal installments. One installment shall be due and payable on or before the 5th of June of the taxable year except that for the 2001 tax year only this date shall be the 19TH day of June 2001, and the second or remaining installment shall be due and payable on or before the 5th day of December of the taxable year. If any such date shall fall on a day when the County's administrative offices are closed, all such taxes due on such date shall be due and payable on the first business day thereafter.
- (b) If taxes referred to in subsection (a) above are not paid on or before the due date prescribed in such subsection, there shall be added thereto a penalty in the amount of ten (10) percent of the taxes due. In addition to the penalty provided herein, any such taxes that remain unpaid on the first day of the next following month in which such taxes become due shall be delinquent and interest thereon of ten (10) percent per annum shall be added to the amount of taxes or levies due from such taxpayer, which when collected by the Treasurer, shall be accounted for in his settlement. Furthermore, the County may recover reasonable attorney's or collection agency's fees, which shall not exceed twenty percent of the delinquent tax bill upon nonpayment, incurred in collecting the taxes referred to in above subsection (a); provided however that attorney's fees shall be added only if such delinquency is collected by an action at law or suit in equity.

This ordinance shall be effective immediately.

CROSS REFERENCE - Payment of Vehicle Personal Property Taxes Prerequisite to Licensing of Vehicle, Section 14-22.

STATE LAW REFERENCE - Authority for above section, Code of Virginia, Section 58.1-3916.

IN RE: PUBLIC HEARING – P-01-4 – REZONING REQUEST - MARGARET LEWIS

This being the time and place as advertised in the Dinwiddie Monitor on July 18, 2001 and July 25, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a rezoning application submitted by Margaret Lewis seeking to rezone tax map/parcel 45-65A containing 1.0 acres from Agricultural, General, A-2, to Business, General, B-2.

Mr. Scheid read excerpts from the following Summary Staff Report on P-01-04.

Planning Staff Report

File: P-01-4
Applicant: Margaret Lewis
Property Address: 12916 Boydton Plank Road Dinwiddie, VA 23841
Acreage: 1.0 ±

Tax Map Parcel: 45-65A
Zoning: Agricultural, General, A-2 district
Water Source: On-Site
Sewer Disposal: On-Site

EXECUTIVE SUMMARY

The applicant, Margaret Lewis, is seeking a rezoning of the property from Agricultural, General, A-2, to Business, General, B-2. The applicant is requesting the rezoning for the purpose of reestablishing the business and to supplement necessary income to provide for the family. An automobile paint and body repair shop has previously operated in the building. The applicant would like to operate an automotive and truck repair shop to include a paint shop.

The Commissioner of the Revenue identifies the property as tax map parcel 45-65A. The property is located at 12916 Boydton Plank Road Dinwiddie, VA 23841 and is situated north of Maple Street on Boydton Plank Road (U.S. 1).

As required under Section 22-23 of the Code of the County of Dinwiddie, the enclosed information is forwarded for your consideration.

1. rezoning application with zoning disclosure affidavit;
2. adjacent property owner list;
3. plat showing property;
4. zoning classification map and
5. general location map

BACKGROUND INFORMATION & ANALYSIS

The property is located on the west side of Boydton Plank Road. The building is designed to presently accommodate one (1) business. The building originally was built in the 1950's as an automotive repair shop both as a part-time and full-time operation. The building was used as an automotive body repair and paint shop in the 1980's and early 1990's. That operation ceased in the early 1990's. The building was reopened in 1997 as a small thrift shop trading as "Big Bargains, Little Bucks". This business ceased in 1999.

Staff is unclear how the applicant was permitted to operate a paint shop in an A-2 district in the 1980's. The rezoning request is brought about because the paint shop ceased operation in the early 1990's for a period of twelve months or greater. The period of inactivity eliminated its non-conforming status and requires the applicant to meet the zoning regulations set forth today.

The applicant plans to open an automotive and truck repair shop to include small body repair and painting. A building official to insure building code compliance prior to issuing a business license will inspect the building.

Staff has the following concerns:

1. Adequate parking
2. Proper storage and screening of vehicles stored on the property
3. Hours of operation
4. Buffering and landscaping
5. Commercial entrance onto Boydton Plank Road and
6. The different uses permitted in B-2.

These are some concerns that have not been fully addressed by the applicant, but staff feels that most of the aforementioned concerns can be addressed through the zoning ordinance.

The property is located within the **Community Planning Area**, as designated by the Dinwiddie County Comprehensive Plan. Brief outlines of the applicable strategies for this planning area follow:

Community Planning Area (approximately 19,300 acres; 6 % of the County)

- expected to accommodate 25% to 30% of future residential development;
- expected to accommodate 15% of future commercial and industrial development;
- well and septic fields are permitted with reserve field on site;
- commercial and industrial development density will be generally limited to a floor area ratio of 0.3;
- commercial and industrial uses should have direct access to primary roads; and
- basic facilities such as roads, utilities, recreation and drainage facilities are to be provided by the developer

There are several businesses located in the area around the proposed rezoning. Similar business, B-2 zoning is located on the east side of Boydton Plank Road adjacent to the applicant's property.

The applicant has been made aware of the required off street parking in accordance with County Code Section 22-237 along with other applicable zoning requirements. The applicant must provide screening of vehicles left on the property.

RECOMMENDATION

Staff recommends APPROVAL of P-01-4 in changing the district classification of a 1.0 ± acre tract further identified as Tax Map Parcel # 45-65A from Agricultural, General, A-2 to Business, General, B-2.

Mr. Moody opened P-01-4 for public comments.

No one spoke in support or opposition to P-01-4. Mr. Moody closed the Public Hearing.

Mr. Clay moved that rezoning case P-01-4 be approved; and,

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

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

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the rezoning request P-01-4 submitted by Margaret Lewis, as stated above, is hereby approved with the conditions recommended by the Planning Commission.

IN RE: RECESS

Mr. Moody called for a recess at 8:45 P.M. The meeting reconvened at 8:56 P.M.

IN RE: PUBLIC HEARING – P-01-5 – REZONING REQUEST - ROSLYN FARM CORPORTION

This being the time and place as advertised in the Dinwiddie Monitor on July 18, 2001 and July 25, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a rezoning application submitted by Roslyn Farm Corporation, is seeking to change

the district classification of Tax Map/Parcel 21 (7) 7 containing 20 acres from Agricultural, General A-2 to Industrial, Limited M-1.

Mr. Scheid read excerpts from the following Summary Staff Report on P-01-05.

Planning Staff Report

File: P-01-5

Applicant: Roslyn Farm Corporation

Property Address: Vacant Land Parcel Fronting Hofheimer Way

Magisterial District: Rohoic

Acreage: 20.25 Acres

Tax Map Parcel: 21(7)7

Zoning: Agricultural, general, A-2

Water Source: Public

Sewer Disposal: On site (public lines in area)

EXECUTIVE SUMMARY

The applicant, Roslyn Farm Corporation, is seeking to change the district classification of Tax Map/Parcel 21(7)7 containing 20 acres from Agricultural, General A-2 to Industrial, Limited M-1. The property is located on the north side of Hofheimer Way approximately ½ mile west of Boydton Plank Road (Rt. 1). Generally, the infrastructure needed to support intensive commercial and/or industrial land usage in this area is in-place. This area has been included in the enterprise zone and the comprehensive land use plan identifies this area within the urbanizing area.

The following is a listing of the information enclosed:

1. rezoning application;
2. adjacent property owner list;
3. enterprise zone map;
4. lot layout schematic;
5. County zoning map for area; and
6. Water / sewer line data.

Staff recommends approval of the request for rezoning case P-01-5.

BACKGROUND

The parcel under consideration for rezoning is located in the north eastern portion of the County where significant land use changes have occurred. Several rezoning cases have been approved by the Board of Supervisors for land parcels in the immediate vicinity of this property (P-90-9, P-91-7, P-93-1, P-95-4 and P-00-2). The rezoning cases have involved changing the district classification of lands from agricultural to commercial and industrial classifications of land.

A major change in land use in this area occurred approximately 3 ½ years ago when Chaparral Steel Company chose to locate in Dinwiddie County. The County Comprehensive Land Use Plan and the County Zoning Ordinance were amended to facilitate the location of the Steel company. A new zoning district was created (Planned Industrial Development) and the comprehensive land use plan changed to reflect more intensive land uses in this area.

As an incentive to locating Chaparral Steel in the County, an economic development enterprise zone was created. This action occurred in December 1997 as a collective effort between the State, Dinwiddie County and the City of Petersburg. One of the purposes of the zone is to encourage the location and/or relocation of commercial and industrial ventures within the area. Another purpose is to encourage the reuse, upgrade, expansion, etc. of existing buildings within the zone to improve the employment opportunities for local citizens and enhance the local tax base. The land under review is contained within the enterprise zone.

In order to access the Chaparral Steel Site and enhance the enterprise zone, the State and the County of Dinwiddie entered into an agreement to construct Hofheimer Way. This road has been completed and will serve this area for future commercial and industrial development. The site under consideration for rezoning fronts onto Hofheimer Way and has adequate sight distance to allow industrial development of the property.

In order to supply the water needs of Chaparral Steel, the Dinwiddie County Water Authority has built a water tower to supply water to the area. Water lines are available to all structures in the area as well as fire protection from the fire hydrants located along the water lines. Water lines have been stubbed under Hofheimer Way to allow development on the north side of the road. Also, sewer lines have been installed in the area and additional lines are under review for construction. These lines have been constructed to standards that will be adequate to serve industrial and commercial needs.

ANALYSIS

There are several matters that the Planning Commission may wish to review in order to reach a recommendation to the Board of Supervisors. The order of the issues listed is not intended as a priority listing.

The Comprehensive Land Use Plan indicates this area is within an Urban Planning Area. This area is expected to:

1. accommodate 65% to 75% of future residential development;
2. be a primary area for public facilities, water and sewer extensions and major transportation improvements;
3. have public water and sewer lines extended in the planning area;
4. accommodate 80% of future industrial and commercial development;
5. provide adequate buffers (i.e. vegetation or fencing) between different land uses; and
6. have basic facilities such as roads, utilities, recreation and drainage facilities provided by the developer.

In Chapter 2 of the Comprehensive Land Use Plan, there are several Policies, Goals and Objectives that appear to address this request. Policy statement 3 states "maintain and enhance the County's ability to coordinate a balanced land-use program among various types of residential, commercial and industrial interests by encouraging development within areas defined as growth centers and/or growth corridors." Policy statement 5 states "provide and maintain needed community facilities and services in a cost-efficient manner."

Under Economic Development, Goal 1 states "Strengthen the economic base of the County through broad-based industrial development". Objective (a) states "Ensure that sufficient land and infrastructure exists or can be provided to promote industrial and commercial development". And paragraph (b) states "Locate all industries in areas served, or to be served, by public water and sewer facilities, such as industrial parks". Goal 2 states that commercial developments should be encouraged to cluster in various areas of the County designated for business uses.

The Code of Virginia, Chapter 22, Article 7, addresses issues involving Zoning ordinances / maps and their amendment. A few of the sections within the Article deal with rezoning matters as they relate to the reasonableness of the rezoning application and the considerations to be given by the governing body when deciding upon the application. As

previously mentioned, the property is adjacent to properties fronting on Hofheimer Way that are zoned M-1 (limited industrial), M-2C (general industrial with conditional use permit), and A-2 (general agricultural). Adjacency is always relevant to the question of reasonableness in a rezoning matter. A second consideration is rezoning requests on lands in the general vicinity and their relationship to the application under review. The Roslyn Farm Corporation lands, Chaparral Steel site and the property of Robert Mayer were granted industrial zoning classifications. A third consideration relates to the changes occurring within the area and their relationship with the comprehensive land use plan. Infrastructure is a common term referred to when addressing this matter. The thought of consistent and reasonable action taken in these cases as opposed to arbitrary is a key factor.

RECOMMENDATION

In view of the above, staff recommends approval of the rezoning application P-01-5.

Planning Staff Summary Report

The applicant, Roslyn Farm Corporation, is seeking to rezone approximately 20 acres of property designated by the Commissioner of the Revenue's maps as Tax Map / Parcel 21(7)7 from Agricultural, General, A-2 to Industrial, Limited M-1. The property is located on the north side of Hofheimer Way approximately ¼ mile east of Boydton Plank Road (Route 1). Roslyn Farm Corporation has made this request for the purpose of developing this parcel of land for industrial purposes. Lands located to the north, south and east of this site are zoned for industrial purposes. The property is located within an enterprise zone. Public water is available to this site and public sewer lines are in the general vicinity. The property fronts onto a state maintained road constructed to serve industrial vehicles.

The Board of Supervisors has approved several rezoning cases for land parcels in the immediate vicinity of this property (P-90-9, P-91-7, P-93-1, P-95-4 and P-00-2). A copy of the Board's minutes for case P-90-9 is included in this matter. The Planning Commission heard this case at their July 11, 2001 public meeting. Mr. Robert Walker spoke on behalf of the applicant. No one spoke in support of or opposition to the rezoning request. A letter submitted by Pamplin Park was distributed to the Planning Commissioners in which they expressed some concern regarding screening on the property line adjacent to their land. Mr. Walker noted that he donated the land to the Park. He further stated that he would contact the Park regarding this matter. With no other discussion, the Planning Commission voted 7-0 to recommend approval of this rezoning request to the Board of Supervisors.

Ms. Sandy Marshall representing Roslyn Farm Corporation was present and stated she would answer any questions the Board or citizens had.

Mr. Moody opened P-01-5 for comments or questions.

Mrs. Geri Barefoot had the following questions and comments:

1. Why does Roslyn Farms want to rezone this land? She stated there is a 138 acre parcel of land behind this track, on Boydton Plank Road, that Petersburg issued a permit to Reuse Technology allowing them to deposit fly ash on this property 20' deep. The Rohoic Creek is a tributary of the Appomattox River and it runs through this property. Reuse is going to build a distributing warehouse on this property for this fly ash. Is this rezoning request connected?

Mr. Moody closed the public hearing.

Ms. Marshall responded that this rezoning request is a house keeping measure to get all of the property zoned the same. Continuing she commented that she was not aware that Reuse Technologies was planning to place a distribution warehouse on that property. She stated that they thought the property was already zoned the same and is the only reason for the rezoning request. This parcel will bring all of the property up to the same zoning with the exception of the Pamplin Park acreage.

Mr. Bowman moved that rezoning case P-01-5 be approved; and,

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

The motion was seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye",

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the rezoning request P-01-5 submitted by Roslyn Corporation, as stated above, is hereby approved with the conditions recommended by the Planning Commission.

IN RE: AUTHORIZATION TO HIRE –TWO - CUSTODIAN POSITIONS

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", authorization is granted for Administration to hire Mr. Timothy Hendricks as Custodian I, at Grade 1, Step J, at an annual salary of \$14,687, effective August 1, 2001 and Mr. David Pryor as Custodian I, at Grade 1, Step J, at an annual salary of \$14,687, effective August 1, 2001.

IN RE: BOARD'S APPROVAL TO ESTABLISH BANK ACCOUNT FOR REVENUE RECOVERY FUNDS

Mr. Long informed the Board to continue the process of preparing for Revenue Recovery; it will be necessary to establish a bank account in the Virginia Beach area. Since our billing firm, Diversified Ambulance Billing, is located there and they are responsible for billing as well as receiving the payments and making the deposits, a local bank account needs to be established. We request authorization for the Treasurer to negotiate with a bank in the area to establish the best deal for the County.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Treasurer to enter into negotiations with a bank to establish an account in the Virginia Beach area for deposits and payment of bills for the Revenue Recovery funds.

IN RE: AUTHORIZATION TO PURCHASE AMBULANCE

Mr. David Jolly, Director of Public Safety, came before the Board and stated he reviewed the bids for the purchase of the ambulances. After review, the lowest bidder, Performance American Lafrance was rejected for non-compliance with our specifications, specifically the warranty requirements. The second lowest bidder was P.L Custom and after review it was determined that they met the intent of our specifications.

On Wednesday, July 25, 2001 I met with representatives from Singer Associates who bid the P.L. Custom unit. As a result of this meeting, we were able to negotiate the price down from the original bid of \$108,194 to \$105,094. Part of the reduction would be the purchase of two units instead of one as originally requested. The unit for Namozine was included in the FY 01 CIP and we received a State grant in the amount of \$48,836. The additional unit is necessary for the second twenty-four paid crew and we have received \$50,000 from John Randolph Foundation to go towards the purchase of this unit. If we elect to not purchase the second unit now we stand a great chance of additional cost increases from the manufacturer and the loss of an \$800.00 reduction for only purchasing one unit.

Mr. Jolly requested approval from the Board to purchase the two ambulances at a cost not to exceed \$105,094 per unit for a total of \$210,188 from P.L. Customs Emergency Vehicles.

Mr. Haraway questioned why the low bidder did not meet warranty specifications. He suggested that possibly the specifications were keeping companies from bidding - - maybe not require so many bells and whistles.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator to enter into a contract with the lowest bidder to purchase two ambulances at a cost not to exceed \$105,094 per unit for a total of \$210,188 from P.L. Customs Emergency Vehicles.

IN RE: SCHOOL RESOURCE OFFICER – SHERIFF'S DEPARTMENT

Sheriff Samuel Shands came before the Board stating he had met with the Superintendent of Schools but he wouldn't offer any assistance with the \$10, 836 funding for the School Resource Officer's salary. He said he had found the funds in his budget for this year, but if it comes up again he will not support it 100%. The funding should be with matching funds from the School System. He stated he would come back with the categories of where to take the funds from out of his budget at a later date.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the County Administrator is authorized to sign the School Resource Officer Grant with matching funds to be provided from the FY01 budget of the Sheriff.

IN RE: DISTRICT 19 COMMUNITY SERVICES BOARD – STATE FISCAL YEAR 2002 PERFORMANCE CONTRACT

Mr. Long stated he had received a letter from Joseph Hubbard, Executive Director, District 19 requesting the Board's approval on or before September 15, 2001, for the State Fiscal Year (SFY) 2002 Performance Contract. This contract does not reflect any significant changes from the language contained in the SFY 2001 contract. The proposed contract, was approved by the District 19 Board of Directors on June 28, 2001.

Upon Motion of Mr. Haraway, Seconded by Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the County Administrator is authorized to sign the District 19 Community Services Board State Fiscal Year (SFY) 2002 Performance Contract.

IN RE: DOMINION VIRGINIA POWER - AGREEMENT FOR THE PROVISION OF ELECTRIC SERVICE BY

**MUNICIPALITIES AND COUNTIES OF THE
COMMONWEALTH OF VIRGINIA**

Mr. Long stated he had received an Agreement from Dominion Virginia Power that needs to be signed for the new lower electric rates for the County. The previous Agreement, effective July 1, 1997, expired as of June 30, 2000. During this interim period, Virginia Power has been operating under the expired Agreement, except that lower rates were implemented on January 1, 2001, to reflect a tax law change effective on that date. Accordingly, the need for re-billing and refunding was avoided.

He stated that Virginia Power and the VML/VACo have concluded negotiations of the new Agreement. This Agreement is effective retroactively to July 1, 2000 through June 30, 2007. Mr. Long requested authorization to endorse the Agreement.

Upon Motion of Mr. Haraway, Seconded by Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the County Administrator is authorized to endorse the Agreement for the Provision of Electric Service by Municipalities and Counties of the Commonwealth of Virginia from Dominion Virginia Power.

**IN RE: DE STEFANO DESIGN GROUP – AUTHORIZATION TO
SIGN CONTRACT FOR ARCHITECT & ENGINEERING
SERVICES FOR THE PUBLIC SAFETY BUILDING**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator to sign the contract with De Stefano Design Group for architect and engineering services for an amount not to exceed \$19,875 for the Public Safety Building.

**IN RE: RESOLUTION ADOPTION FOR SOUTH CENTRAL
WASTEWATER AUTHORITY – AUTHORIZATION TO
EXECUTE AMENDMENT**

Mr. Long stated he received a request from Mr. Bill Leary with the south Central Wastewater Authority for the Board's consideration and approval. It is a resolution and the First Amendment which is the "Service Agreement" between Dinwiddie County and the South Central Wastewater Authority. This amendment allocates the additional capacity of the plant, which resulted from its re-rating, to the Incorporation Subdivisions in the same percentage as initially allocated when the agreements were executed in 1996. This re-rating includes both flow and loadings. The new allocated capacity of the plant to the participants is as follows:

Incorporating Subdivision	Allocation of Re-rated Capacity (Million Gallons Per Day)	Allocation as a Percentage/Total Capacity
Petersburg	12.08	52.5%
Colonial Heights	4.60	20.0
Chesterfield	2.30	10.0
Dinwiddie	2.30	10.0
Prince George	<u>1.72</u>	<u>7.5</u>
TOTAL	23.00	100%

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County,

Virginia that authorization is hereby granted to the County Administrator to execute the Amendment with the South Central Wastewater Authority and the following Resolution is adopted.

**CONCURRENT RESOLUTION RELATING TO THE FIRST
AMENDMENT TO THE SERVICE AGREEMENT AMONG SOUTH
CENTRAL WASTEWATER AUTHORITY, DINWIDDIE COUNTY WATER
AUTHORITY AND THE INCORPORATING SUBDIVISIONS**

WHEREAS, the Council of the City of Petersburg, the Council of the City of Colonial Heights, the County of Prince George, the County of Dinwiddie, the County of Chesterfield, (the "Incorporating Subdivisions") Dinwiddie County Water Authority ("DCWA") entered into a service agreement, with the South Central Wastewater Authority (the "Authority") and (the "Service Authority"), to provide for, among other things, the provisions of wastewater treatment services by the Authority to the Incorporating Subdivisions, and

WHEREAS, the Service Agreements provided for the acquisition of and contemplates the expansion, improvement, operation and maintenance of wastewater treatment facilities formerly owned by the City of Petersburg, located on Pocahontas Island in the City of Petersburg and the County of Chesterfield (the "Facilities"); and

WHEREAS, the Service Agreement provides for an equitable basis for apportioning among the Incorporating Subdivisions the costs of operating, maintaining, financing, improving, and expanding the Facilities; and

WHEREAS, the Incorporating Subdivisions have determined that it is in the best interests of the Authority to amend the Service Agreement to reflect additional capacity gained by the re-rating of the Facilities from 20 million gallons per day to 23 million gallons per day;

NOW, THEREFORE, BE IT RESOLVED BY THE UNDERSIGNED GOVERNING BODIES OF THE CITY OF PETERSBURG, THE CITY OF COLONIAL HEIGHTS, THE COUNTY OF PRINCE GEORGE, THE COUNTY OF DINWIDDIE, AND THE COUNTY OF CHESTERFIELD:

1. The First Amendment to the Service Agreements by and between the Authority DCWA and the Incorporating Subdivisions (the "First Amendment"), attached hereto as Exhibit "A", is hereby approved.
2. The proper officers of the respective Cities and Counties are hereby authorized to execute and deliver the First Amendment.
3. This Resolution shall take effect immediately.

**IN RE: REQUEST FOR PROPOSAL TO LOCATE A NEW RADIO
STATION IN DINWIDDIE COUNTY**

Mr. Long said Mr. Gordon Finney contacted him about petitioning the Federal Communications Commission to locate a new FM radio broadcast station in Dinwiddie County.

Mr. Long asked the Board if they were interested in pursuing this venture. He stated he would like the County Attorney to take a look at the request if they were interested. If so, he would need to respond to Mr. Finney by Friday, August 3, 2001.

Mr. Bowman stated, they contacted him and he would like to see them locate in this area. He said they could locate the tower on an existing cell tower

so they wouldn't need to construct a tower for the station. The County would also receive the revenue from the taxes for the building and equipment needed to operate the station.

After much discussion, Mr. Haraway moved to approve the request, only if the Attorney's fees to check out the request does not exceed \$1,000 and the request is legitimate.

Mr. Bowman Seconded the motion, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", Mr. Bracey, Mr. Moody voting "Nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator to write a letter, after the request has been reviewed by the County Attorney, to inform the Attorney's for Mr. Gordan Finney of the necessary steps to apply for a conditional use permit for the application; if approved, by the FCC to locate a FM radio station in Dinwiddie County.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman He stated he received another phone call today about the trucks on Route 226, more complaints. He said he does understand the State Laws on this, but he felt the way to solve this problem is to get our Representative to introduce a Bill requesting restrictions on 226. He requested the Board get together and take a look at Route 226 one day before a meeting to determine what we want to do. Mr. Moody stated he received a similar call also. Mr. Long stated that the Resident Engineer would have a report for the Board at their August 15, 2001 meeting.

Mr. Bracey He stated tonight when this couple brought the issue at the Middle School to us, it disturbed me that type of stuff is going on in our schools and nothing is being done about it. He commented, "what do you do about it"? A lot of money is put into it and everything is supposed to be running properly. This not only happened to this child; it has happened to several down there. Something needs to be done but I know this Board can't do anything; all we do is provide money for the school system. He stated he intended to talk to his representative Mr. Harold Walker, because it is a great concern and it 's a bad mark on Dinwiddie County for it to happen in our schools. There is no need to sugar coat it these things do happen and it does bother me. Continuing he stated he felt the rest of the Board should talk to their representatives too. Mr. Moody stated Mr. Bowman had a good motion and there definitely will be a meeting to discuss this issue.

Mr. Haraway He stated at the last meeting the Board had discussed another Resolution and he didn't see that enclosed and is that one still in the works. Mr. Long replied it would be presented at the September 5, 2001 meeting also.

Mr. Clay No comments

Mr. Moody No comments

Mr. Bracey He stated the main thing he wanted to comment on is the redistricting map he received from the Planning Department. At this point would somebody tell me or show me exactly what the Justice Department wants and what is going on. It

just seems like something that was just put together but it's put together politically. Continuing he commented after I looked at it 3 times I still couldn't get what we are trying to do. He asked if he could get someone to give him a list of the things and how much the attorney's have put into the maps, rather than just the committee and the computer. If the Planning Department is just using the computer then we don't need the committee. Mr. Bracey stated he is not happy with the present plan. Mr. Long stated the Redistricting Committee will present their proposals to the Board at the August 15, 2001 meeting.

IN RE: CLOSED SESSION

Mr. Clay moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

The purpose of the closed meeting is to discuss subject matters identified as Personnel and Industry.

- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Personnel for County Administration; Planning; Appointments.
- **Prospective Business or Industry, § 2.1-344 A.5 of the Code of Virginia**

Mr. Bracey seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 9:50 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:15 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye". This Certification Resolution was adopted.

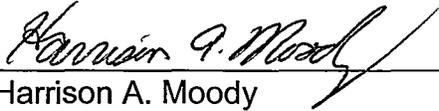
IN RE: APPOINTMENT – RC & D COUNCIL

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Daniel Lee is hereby appointed to serve on the RC& D Council, for a three-year term expiring June 30, 2004.

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 10:15 P.M. to be continued until 11:30 P.M., August 15, 2001, in the Multi-purpose Room, to meet with the Sheriff, Commonwealth Attorney, Superintendent of Schools and the Chairman of the School Board to discuss personnel; and at 1:00 P.M. with the Sheriff to discuss the Communications Center and the School Resource Officer hire for approval.



Harrison A. Moody
Chairman



R. Martin Long
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 15TH DAY OF AUGUST, 2001, AT 11:30 A.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

Mr. Harrison A. Moody, Chairman, called the continuation meeting to order at 11:38 A.M.

Ms. Phyllis Katz, County Attorney, stated there was a need to go into closed session, for Legal Matters, § 2.1-344 A - 7 of the Code of Virginia for consultation with legal counsel about actual or probable litigation for Freedom of Information Act; before the Board could continue with the meeting.

IN RE: CLOSED SESSION

Mr. Bracey moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

- The purpose of the closed meeting is to discuss subject matters identified as Consultation with Legal Counsel. Matters to include: the Virginia Freedom of Information Act;
- **Consultation with legal counsel, § 2.1-344 A.7 of the Code of Virginia,** (consultation with legal counsel and briefings by staff members and consultants about actual or probable litigation and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice) the Virginia Freedom of Information Act;

Mr. Clay seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 11:39 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 11:47 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

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

IN RE: AMENDMENTS TO THE AGENDA

Mr. R. Martin Long, County Administrator, stated there were two additions needed on the agenda add Item 1 – Closed Session, Consultation with legal counsel, § 2.1-344 A.7 of the Code of Virginia, about actual or probable litigation; FOIA; and Item 2 – Closed Session add Consultation with legal counsel, § 2.1-344 A.7 of the Code of Virginia, about actual or probable litigation; Animal Control Officer.

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

IN RE: DISCUSSION REGARDING ISSUES BROUGHT FORTH AT LAST BOARD MEETING AND BOARD'S REQUEST TO MEET WITH COMMONWEALTH ATTORNEY, SHERIFF SHANDS, AND SCHOOL BOARD OFFICIALS

Mr. Long stated there were some issues brought up during Citizen Comments at the August 1, 2001 meeting regarding incidents at the Middle School and the Board had requested a meeting with the Commonwealth Attorney, Sheriff, and School Board members to discuss these matters.

Mr. Bowman asked Mr. T.O. Rainey III, Commonwealth Attorney, several questions regarding why people can't get their phone calls returned, why the victims aren't being notified of the court hearings and if there was indeed a breakdown in communications? He stated this wasn't the first time this has been brought to the attention of the Board and he was very concerned. Mr. Rainey stated the judge had ruled that he had a conflict of interest and a special prosecutor was appointed to the case therefore he did not get that involved in it. However, he had indeed returned the calls in question and did everything he could to help the family. It is not unusual for the victim not to be present for 2 hearings anyway. The victim should have to come only once. Mr. Rainey also stated the father did get notified of the court date and he told the judge that his daughter was in Florida so the judge dismissed the case which is normal, leaving the door open for another court hearing. Continuing he responded that the father was advised on how to get the case back in court.

Mr. Bowman asked the Commonwealth Attorney if he had any suggestion for future communication and if it would help if he were full time? Mr. Rainey replied that his ability to help in this case was restricted but he felt he had done everything he could to help the family. He also reported that he is comfortable with his caseload and the State has decided his office is not entitled to any more help. He stated he is in court on Tuesdays, Thursdays and occasionally Wednesdays depending upon what is on the docket.

Mr. Bowman stated he could relate to these citizens because it was extremely difficult when his son was attacked to communicate with the necessary officials also. The citizens need to have more response from all the officials. Mr. Rainey stated there is a victim witness division and she did an excellent job and was very capable of helping any citizens who might have a problem. Mr. Rainey replied that he would give some careful reflection on how his office can better open the lines of communication with the community and report back to the Board.

Sheriff Sam Shands commented that he has done everything possible to help the family and he has spoken and met with the father in the past few days.

Continuing he informed the Board that he had provided the father with the information he had requested as a matter of fact an officer had taken that to his home yesterday. He stated he would make sure the father is provided with any additional information he might need before the meeting at 2:00 P.M. today.

Mr. Bracey told the Sheriff he felt it was the time element involved that upset the family. The father had tried to get the information from his office and several weeks had elapsed and he had gotten frustrated. He was told to contact Officer Hall who was on vacation and again he wasn't informed that he was on vacation. Mr. Bracey admonished the Sheriff and the Commonwealth Attorney to communicate with people.

Mr. Bracey directed questions to Dr. Lanham, Assistant Superintendent, regarding what the procedures are for handling situations of this nature?

Mr. Lanham replied in an incident such as this, physical assault, the parent of the victim is directed to speak with the assistant principal. If they are not satisfied with the response from the school, then they are directed to him, and from there to the superintendent. If they are still dissatisfied they can appeal to the School Board and as a last recourse then to the court system. But they have to follow the procedure, if they go to the sheriff's department first then our role ends. Dr. Lanham stated if this issue had been handled correctly it could have been resolved within a week of the incident, if the parent had called, and it would have never come before the Board of Supervisors.

Mr. Bracey commented that the father did cite that he had reported the incident to the assistant principal and two teachers saw the incident happen, but no one did anything and that was why he went to the sheriff's office.

Mr. Bowman asked did the teachers who saw the incident do anything about the situation? Dr. Lanham stated the two boys were taken immediately to the assistant principal and dealt with; and the other one was taken to the school nurse. He reported that the perpetrators will be dealt with properly but he couldn't discuss the issue because of the confidentially information act. Dr. Lanham stated the father never checked back with the school to find out what, if anything, was done to these boys.

Mr. Haraway commented I am concerned because in the past year the Board has had such a large number of residents come before the Board with complaints about the Sheriff's Department and the Commonwealth's Attorney; but personally I haven't had any problems with either office. But in my experiences in life, with that much smoke there's got to be a little fire there. There is a perception in the County that a solution to the problems in the County would be a full-time commonwealth attorney and a separate police department. "I am not knowledgeable enough to really say either way. But I would appreciate it if in the next few months you two gentlemen could give us some feedback as to why you think we should continue on with the present system. Just to educate me, because I just don't know." He commented that the Board should answer to the citizens. We really need to know what changes we can make to help us operate these two offices more efficiently.

Mr. Bowman stated one of the letters the Board received when they were considering the school resource officer reflected that the number of students and number of expulsions that have occurred at the Middle School was somewhere around 75 to 80% of the student population. Dr. Lanham explained that doesn't reflect for multiple offenders or offenses by the same student. He agreed that there are a lot of disciplinary problems but hopefully the school resource officer will help curtail these problems. Continuing he stated there are approximately 1100 students in the middle school and 50 to 60 kids are causing the serious problems. Comparably with the actual number of suspensions approximately 300 of that, probably not all of them are expulsions or actual number of students.

Mr. Moody commented that we might not be any worse than any other school in percentages. We might even be better if compared there might be a gradual decline over the whole state. Also, to add to what Mr. Haraway said. He commented that he has been on the Board for a number of years and there have always been complaints and criticisms from a lot of different sources; but there are two sides to every story. The Board does need to be able to justify to the citizens if this communication situation is normal or the way it should be; but it does need to be explained.

Mr. Clay stated he just hoped the complaints could be handled so the citizens won't have to come before the Board again.

Mr. Bowman requested that Dr. Lanham contact the parents of the child involved and explain to them what has been done. Dr. Lanham replied he would be happy to.

Sheriff Shands suggested that sometimes the citizens call the Board instead of calling him. Mr. Bracey asked do you want me to call you when I get these complaints? Because, if I have to call you, I keep records of when I call. He stated he would like to see the lines of communication between all the departments and the community kept open. Sheriff Shands responded that's what he wanted also.

IN RE: CLOSED SESSION

Mr. Bowman moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

- **Consultation with legal counsel, § 2.1-344 A. 7 of the Code of Virginia,** (consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – or – consultation with legal counsel regarding specific legal matters that require legal advice)
Animal Control Officer

Mr. Haraway seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 12:25 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 1:07 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

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

IN RE: RECESS

Mr. Moody called for a recess at 12:15 P.M. The meeting reconvened at 12:45 P.M.

IN RE: Meeting with Sheriff – Communications

The Board of Supervisors met with Sheriff Shands in a workshop session to discuss communications and staffing issues that need to be addressed for the proposed public safety building in order to meet the E911 mandates that will be effective for Dinwiddie County by July 1, 2002.

Mrs. Wendy Ralph, Assistant County Administrator, stated at the last day meeting the Board had met with the Sheriff to talk about the Communication staff issues and as a result of the meeting the Sheriff stated he needed some time to put the information together for the Board.

Mrs. Ralph explained to the Board that the Sheriff had provided them with a letter and with that she would turn it over to the Sheriff to explain the information that he provided.

Sheriff Shands stated the main reason for not being able to move the dispatchers is because they have to monitor and assist walk-ins at the office after 5:00 P.M.

Mr. Haraway asked if that was included in a Dispatcher's job description?

Sheriff Shands responded yes, they take complaints, meet and greet citizens, then refers the citizen to the individual who can resolve the problem.

Mrs. Ralph explained that the reason the Board had requested the combination of the dispatchers was to cut the cost for the County by \$112,000 by not having to hire additional personnel. She stated, in reviewing all of the options available, the question was asked, could the five dispatchers that you have, come over and join our dispatchers? We need a minimum of ten to operate so if we combined the five you have and the three the County pays for; then we would only have to hire two new dispatchers. Of course she remarked, the five you now have would continue to be under your supervision and authority. Mrs. Ralph asked the Sheriff to talk about how the five dispatchers now serve his office.

Sheriff Shands explained that for security reasons at his office after 5:00 P.M. he needed his dispatchers there physically. It would be very difficult to operate without a person at the desk. If a citizen comes in they need someone there to greet and assist them.

Captain Booth stated security after 5:00 P.M. is a problem because everyone leaves the offices and there has to be someone there physically. Captain Booth agreed that down the road it would be a good idea to have all dispatcher's in a central office, but right now it just would not work. At the present time there would be two to three problems. First, there is the security at the Sheriff's office, no public contact after 5:00 P.M. When the receptionist leaves the building and the road deputies that are assigned shift work are answering calls there is no one at that office for the security of the building. The security cameras are under the dispatcher's control for ingress and egress of the building by remote control for the lock. The office is open 24-hours a day and there has to be someone at this office 24-hours a day. We would have to pull someone from

the road and assign them to the desk or hire a receptionist or someone to maintain the security of this building due to the records and everything else that is maintained here. The dispatchers determine who is going to enter or leave the building. The State Compensation Board is funny about funding and the Sheriff has to maintain control and supervision of the dispatcher positions. The present duties that each dispatcher must be capable of administering and give at any time are just too many in number. In my opinion, it makes it impossible for any of the duties to be performed in an accurate and professional manner. They monitor and transmit five radio systems, monitor and answer NCIC and VCIN teletypes, answer and make entries into the E911 system, answer telephones and intercom and assist walk-ins to the office by directing and summoning the appropriate assistance for them. Captain Booth stated he did feel that having all ten dispatchers under one roof is a great idea and it is something the county needs to work toward. But that has to be phased in. Too many citizens are accustomed to coming here. It is going to take time to orient and educate the public to go to the 911 Center.

Mrs. Ralph asked Captain Booth to explain why the 5 dispatchers could not help with E911 calls.

Captain Booth stated the law dictates that the 5 dispatchers have to be dedicated to law enforcement only. Because the State Compensation Board funds the position they are not supposed to do the 911 calls anyway. The Sheriff has just been gracious and let the dispatchers take the E911 calls for the county. He commented that he felt the issue is, and it keeps getting overlooked, that it will never be professional or accurate until the 2 departments are physically and mentally separated. The problem we face is the dispatchers are doing so many things that they can't do anything well.

Mr. Bowman commented that it is possible to save the county taxpayers \$112,000 dollars if we combine the dispatchers under one roof. He suggested that a phone could be installed with a security camera and the door could be kept locked at the Sheriff's Office then we would not have to hire another person. Mr. Bowman stated it would not be a split second difference in the response time for whoever comes to the Sheriff's Office or the E911 Center. It would be the same time no matter where the call originates from, because now the road deputy is not at the Sheriff's Office anyway. Mr. Bowman expressed his concern for the dispatcher's safety. They shouldn't open the door for anyone to come in anyway because they don't know whom they are letting in or what they might do to them.

Captain Booth replied people are accustomed to having a person there and it would take 5 or 6 years to educate the citizens to go to the new center. If we can physically separate them, he agreed, I am in favor of it. But the only problem with that is, I see the county going in another direction other than the Sheriff's Office.

Mr. Bowman asked if he was referring to a police department, and what he thought about it.

Captain Booth replied yes. I think it is the future and it's a great idea. The citizens are demanding more and more services and the State Compensation Board will not fund those services. As you know the county already funds a good portion of all the services we provide now.

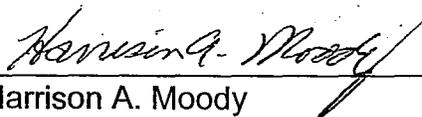
Mr. Bowman asked how many dispatchers would be needed when we go to a police department? None, Captain Booth replied; there won't be any emergency response. The only things the Sheriff will have are the jail, courtroom security, and civil process we would do away with all law enforcement and emergency responses.

Mr. Haraway commented what he hears Captain Booth saying is that he agrees with the Board; and down the road all the dispatcher's do need to be

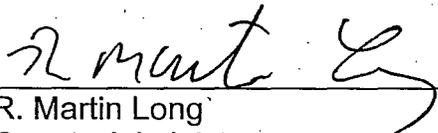
under one roof. Where Captain Booth and the Board disagree is how long it will take to get there. The Captain used the ballpark figure of 5 years. We feel the educational process of the public can be accomplished in less than 5 years through proper communications. Maybe this can be done in 1 year by putting notices out and orienting the public.

IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 1: 54 P.M.



Harrison A. Moody
Chairman



R. Martin Long
County Administrator

/abr

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 15th DAY OF AUGUST, 2001, AT 2:00 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 2:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

Mr. R. Martin Long, County Administrator, stated there was one addition needed on the agenda under Item 12 – Closed Session add: Industry § 2.1-344 A.5 of the Code of Virginia.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the August 1, 2001 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody 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 1026862 through 1027059 (void check(s) numbered 1026861) for:

Accounts Payable:

(101) General Fund	\$ 174,055.66
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 2,426.33
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 6,613.72
(226) Law Library	\$ 979.72
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$.00

(304) CDBG Grant Fund	\$ 45.50
(305) Capital Projects Fund	\$ 51,003.09
(401) County Debt Service	\$ 54,431.54
TOTAL	\$ 289,555.56

IN RE: CITIZEN COMMENTS

The following citizens signed up to comment.

1. Mr. Michael Bratschi came before the Board stating he appreciated the Board's help with the incident involving his daughter at the Middle School. He stated the Sheriff had given him all of the information he needed in order for him to take out the warrants for the perpetrators. He commended the Sheriff on funding the School Resource Officer for the Middle School and urged the Board to continue the funding for that position. Continuing, Mr. Bratschi reported that there is a zero tolerance policy at the High School and asked why that policy could not be enforced at the Middle School also. He commented that he would like to have his 3-year old daughter to participate in the Head Start Program but he is over the income requirements. The children benefit greatly and it should not be just for low- income students. He commented that he had called Congressman Forbes asking him to help get his child in the program. He also asked the Board if the SRO is for one year? Mr. Moody replied the position is considered yearly at budget time. Mr. Moody responded to Mr. Bratschi, I appreciate your time and I'll answer you now about the SRO funds. I think the Sheriff has sent us a memo on that today and we'll probably discuss that issue on the issues of zero tolerance and Head Start Program the Superintendent of Schools would be the best person to address those situations about the requirements or whatever. If he would like to speak on that directive, it is up to him.

2. Mrs. Troilen Seward appeared before the Board stating she was here to inform the public that as a result of the Tobacco Settlement John Tyler has received funding for the next three years for the Skill Streams for Success Workforce Development program which will provide basic skills assessment and job training for youth and adults. This program is open to anyone who is interested in upgrading their job skills. Those individuals and their families who have been dependent on tobacco production and distribution may be eligible for scholarship funds. Trainees will benefit by gaining entry-level job skilled workers who can adapt to a changing workplace. The three skills streams will be offered at Rowanty Technical Center. The streams are Industry-Manufacturing, Building Skills-Construction, and Medical Skills-Health Careers. Each stream will run for 12 weeks, two days per week, starting in mid-September and mid-January.

3. Mr. Peter Jeffery asked the Board if the Public Hearing was going to be held for the Redistricting and if citizens would be permitted to speak. Mr. Moody stated tonight the Planning Department was presenting the plans and the Public Hearing would be held at a later date. At that time there will be citizen comments allowed.

4. Mrs. Anne Scarborough came before the Board stating she had learned that funds from the tobacco settlement had already started in the fiscal year 2001 with a balance of \$983,663. The county participated in a project with Crater Regional Partnership for a regional workforce assessment center that was funded for \$85,000. Dinwiddie's share of this was \$65,000. We didn't even make application during the second round in June now we have a carryover balance of \$917,900. She said the article she read indicated that it is anticipated that Dinwiddie will receive approximately \$596,974 in fiscal year 2002. The County will have

\$1,514,900 for the application process beginning in November of this year. She asked if we are going to apply during this process? Also, the contract that was signed with Adelpia, not a one of you questioned Mr. Mathews about whether or not he could give the daytime folks better service during the day. You didn't even ask, you just accepted the service hours. At 5 o'clock some of you can get off work and you will get service in two hours and I've been sitting at home since 9:00 in the morning. Why didn't you ask him if he could do better? When you asked him to explain his assets, Mr. Matthews responded he had a million dollars or whatever the amount was, but a person can tell you anything. I can tell you, I have assets of \$500,000 but I might owe \$475,000. She commented, that she called a broker and you must have at least a triple B+ rating to be investment grade. You let us down, you sold us out and here is a thing right here and it says "high yield debt (junk bonds)" Wall Street Journal listed under the section of Other Stock and Bonds Offerings. Why didn't you question this man some and why did you say that you improved my service? John and I did some thinking and as far as we can recall, there hasn't been but one time we have gone over 11 hours getting service anyway. So what good did you do us?

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Richard Caywood, Resident Engineer for the Virginia Department of Transportation came before the Board and presented his monthly update.

1. He stated he had the report from the State Traffic Engineer that did the review for the County's request to restrict through trucks on Route 226 (Cox Road) between Route 1 (Boynton Plank Road) and Route 460 (Airport Road) in the County. Based on this request, the State Traffic Engineer conducted a study of Route 226 with regard to through trucks and general operational and safety issues. The Engineer at this time does not support the restriction of through trucks on Route 226. Continuing, he said as discussed at several Board meetings over the past year, the Code of Virginia is very restrictive in regard to the prohibition of through trucks on the Primary Highway System. If the conditions or volumes change in the future we will be glad to investigate this again. Mr. Bowman stated we are fighting a losing battle, are there any other steps or course we can take? Mr. Caywood stated you could request a legislative change to broaden the language to try and open up the policy. VDOT can also take another look at it in a few years. Mr. Bowman commented this is a residential area not a truck or industrial area. It is very annoying to the residents. We could get a State Senator to introduce a bill for Route 226 restricting truck traffic but the County would need VDOT's recommendation. Mr. Caywood asked Mr. Bowman to please discuss it with him later.
2. Mr. Caywood stated at the last meeting the Board requested the policy for a "Slow Children at Play" sign and VDOT's policy was included in the information he forwarded for their packets.
3. Mr. Haraway commented that he had received several complaints about the loose gravel and general condition of the roads in Waterford Landing. Mr. Caywood replied VDOT is not satisfied with the condition of the roads either and they would not be accepting them into the Secondary System until the contractor completed the work to state specifications.
4. Mr. Bowman asked if VDOT would take a look at the curbs and gutters in the West Petersburg area and if there were any grants available for the work. Mr. Caywood stated funding for that came from the 6 year plan. Mr. Caywood stated he would be glad to take a look and meet with Mr. Bowman and Mr. Jeffreys.

5. Mr. Bracey requested VDOT to take a look at the driveways on Hardiways Mill Road because the aprons are washing away again. The aprons were done about 1 year ago but they are in the same shape as before. Mr. Caywood said he would take a look at the specifications and see what could be done.
6. Mr. Moody commented that the curb and gutter work at West Petersburg would be funded under Revenue Sharing. The County and VDOT split funding 50 – 50 or the citizens can pay for work done through the County. Mr. Caywood stated that the discussion for revenue sharing would be coming up shortly.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and presented his monthly report.

1. He stated this is the time of year again for the Board to decide whether or not to advertise the delinquent tax list in the newspaper. Mr. Jones stated the collection rate is up this year and he recommended that the list not be advertised.

Upon motion of Mr. Clay, seconded by Mr. Bowman, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting “aye”,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia the Treasurer was directed not to advertise the delinquent tax list.

2. Mr. Jones also informed the Board that he would like the Board’s approval to destroy the County paid tax tickets. The Board okayed his request to destroy the tax tickets.

3. He also presented the information below:

In accordance with 58.1-3924 and 58.1-3928 of the Code of Virginia, information is hereby provided:

A. 1999 Uncollected Taxes as of June 30, 2001-Base Tax Only

	<u>June 30, 2000</u>	<u>June 30, 2001</u>
Uncollected 1999 Real Estate	219,848.94	111,710.76
Uncollected 1999 Personal Property	209,166.84	124,888.19
Uncollected 1999 Personal Property due from the Commonwealth	56,227.19	33,192.33
Uncollected 1999 Public Service	16,130.89	15,467.69
Uncollected 1999 Mineral Land	4,301.57	4,301.57

B. 2000 Uncollected Taxes as of June 30, 2001- Base Tax Only

Uncollected 2000 Real Estate	278,175.99
Uncollected 2000 Personal Property	153,490.16
Uncollected 2000 Personal Property due from the Commonwealth	90,579.72
Uncollected 2000 Public Service	30,945.74

C. 2001 Uncollected First Half Tax Listing as of June 30, 2001

Uncollected 2001 Real Estate	418,963.26
Uncollected 2001 Personal Property	404,446.19
Uncollected 2001 Personal Property due from the Commonwealth	427,650.30

ANNUAL COMPARABLE TAX COLLECTION RATE AS OF JUNE 30

	<u>2000</u>	<u>1999</u>	<u>1998</u>
<u>TOTAL DEBITS</u>			
	17,895,211.55	13,475,933.33	12,322,625.90
(Includes supplements & PPTR Adjustments)			
<u>TOTAL CREDITS</u>			
	17,342,019.94	12,970,257.90	11,917,088.99
(includes abatements & PPTR Adjustments)			
<u>TOTAL UNCOLLECTED</u>			
	553,191.61	505,675.43	405,536.91
<u>COLLECTION RATE</u>			
	96.91%	96.25%	96.70%

.....

FIRST HALF COLLECTIONS

	<u>2001</u>	<u>2000</u>	<u>1999</u>
Total Debit:	8,789,913.46	8,307,582.13	6,859,051.26
Total Credit:	7,502,720.24	7,284,857.70	5,023,985.17
<u>Total Uncollected</u>			
	1,287,193.22	1,022,724.43	1,835,066.09
<u>Collection Rate:</u>			
	85.36%	87.69%	73.25%

- Mr. Bracey asked about the private funds line that appears on the report every month. Mr. Jones replied it is part of the School Funds for scholarship funds and it is a portion of the 308 certificates of deposits the county has for their investment portfolio. Unfortunately, they have taken a nosedive lately. Mr. Bracey urged the Treasurer to please monitor our investments.
- Mr. Haraway stated there are two alternatives. Several Banks have portfolio's for localities and overall the rates are better. It could also be bid out and given to the highest bidder. Mr. Jones stated he had given the County Attorney an investment policy to work on and he expected it back soon.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, appeared before the Board and stated he had nothing to report.

RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came before the Board and presented his monthly report. He told the Board he would be giving up one of the vehicles in this

budget in order to fund the School Resource Officer position, but he would not be able to fully fund the position again next year. Mr. Clay stated the School Board should fund that position. Mr. Bracey agreed.

Mr. Bowman thanked the Sheriff for taking care of our citizen with the complaint.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of July 2001.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward presenting his report for the month of July 2001.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning came forward and presented his monthly update for his Department. Mr. Scheid handed the Board an update on the High Speed Rail proposing to come through Dinwiddie County.

IN RE: SUPPORT OF PROPOSED REDISTRICTING PLAN

Continuing, Mr. Scheid presented the following redistricting information which was requested by Mr. Bracey:

The formation of a Redistricting Committee is part of the redistricting process. The Committee is necessary in order to assist on the following: assure minority participation in the redistricting process; conduct public meetings within the County to assure citizen input; advise the Board of Supervisors on issues and concerns involved with the establishment of Election Districts (E.D.) and Voting Precincts; and suggest changes in Election District lines, Precinct lines and, if necessary, alternative polling places.

Since Dinwiddie County is **not** considered a fast track community (a community having local elections this fall), the following target dates are suggested:

1. June - appoint Committee and hold organizational meeting;*
2. June/July – review census data with Committee, develop several options for election districts, set meeting schedule for community involvement, advertise meeting schedule, hold public meeting(s) in each election district;**
3. July/August – incorporate input from community meetings and send forth preferred plan(s) to Board of Supervisors* and legal counsel;
4. September – Board of Supervisors hold public hearing on redistricting plan(s) and, if no adjustments necessary, adopt preferred plan and send forth to Justice Department;***
5. October – If adjustments to the plan necessary hold second public hearing and adopt the preferred redistricting plan. Send the plan to the Justice Department;

*Staff expects to hold 4 or 5 meetings to accomplish items #1 & #3.

**Staff suggests 1 meeting in each E. D. to be attended by the appointed members of the E. D. in which the meeting is held. (It would be optional for members outside the E.D. to attend.)

***Staff suggests that the entire committee attend this meeting but, if not possible, certainly the Chairperson and Vice Chairperson should attend.

NOTE: More meetings may be necessary if problems surface during the development of this redistricting plan.

The Justice Department must have the adopted plan not later than November 1st. They have 60 days to review the plan. The redistricting plan must go into effect by January 1, 2002.

Legal counsel has mentioned a few considerations that the Committee must be aware of when developing a redistricting plan. The 1991 redistricting plan will be used as a benchmark. That plan included two (2) majority-minority districts. They will be looking closely at maintaining this status as well as the percentages of minority to majority found within those districts. Information contained in the 1991 Redistricting Plan submitted to the Justice Department is available for your review. Voting strength is another consideration. The voter turnout by precinct from the November 1991 election through the November 2000 election information is available in my office.

FOR COMMITTEE MEMBER PLANNING PURPOSES

June - Estimate **3 meetings** needed (organizational – 2 hours; workshop to review census materials and election district / precinct district data – 3 hours; and countywide public meeting at Pamplin Administration Building – 2 hours).

July - Estimate **3 meetings** to be attended by committee members (1 public meeting in individual E.D. – 2 hours; and 2 workshops – 3 hours per workshop).

August - Estimate **2 meetings** needed (final workshop – 3 hours to insure agreement on map and figures prior to staff preparing drawings, etc.; and final review of document to be sent to Board of Supervisors – 1 hour).

September – Attendance at the Board of Supervisors' meeting for public hearing.

Mr. Scheid then introduced Mr. Charles Horne, chairman for the Redistricting Committee.

Mr. Horne stated that the committee had worked very hard and came up with two minority-majority district plans that meet the federally mandated regulation. Two districts were hit the hardest; District 4 that is represented by Mr. Bracey and District 3 represented by Mr. Bowman. The shift in population in the northeastern part of the county made the districts disproportionate. The redistricting committee presented plan six to the Board for their approval. If adopted, Plan six will have to make two changes in polling places.

Mr. Thomas Van Pelt commented that the communities are being separated and that the county needs to get out from under the Voting Rights Act to keep communities together.

Mrs. Betty Jeter stated the process to get out from under the Justice Department was started but the cost was too high and she didn't want to spend the money.

Mr. Moody thanked the Redistricting Committee for all their time and hard work.

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that plan six is hereby supported as presented by the Redistricting Committee for the redistricting for Dinwiddie County and authorization is granted

for the Planning Department to proceed with the advertising for the Public Hearing on Thursday, September 6, 2001 at 7:30 P.M.

**IN RE: AUTHORIZATION TO ADVERTISE – ORDINANCE
ADOPTION FOR THE REDISTRICTING OF DINWIDDIE
COUNTY**

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted for the Planning Department to proceed with the advertising for the Public Hearing for the Redistricting Ordinance on October 3, 2001 at 7:30 P.M.

IN RE: RECESS

Mr. Moody called for a recess at 3:47 P.M. The meeting reconvened at 3:55 P.M.

**IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER –
REPORT/CODE COMPLIANCE**

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his July monthly report.

Mr. Bracey commented that he knew Mr. Thompson was stretched a little thin trying to wear the 2 hats but the code violation issues on Old Stage Road need to be addressed.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen came forward and stated she had nothing to report this month.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Dr. Lanham, Assistant Superintendent of Schools came forward and presented an update to the Board on the School Activities:

1. The new bus routes will be advertised in the newspaper this next week.
2. There have been 50 new teachers hired for the School System this year and 3 remaining positions are still open at the Middle School.
3. Dinwiddie Elementary is officially open and we are in the process of moving in.

Mr. Bracey asked Dr. Lanham if he could help the gentleman with the zero tolerance and Head Start Program questions.

**IN RE: REQUEST FOR REUTILIZATION OF CAPITAL FUNDS –
REPAYING PARKING LOT AT MIDWAY ELEMENTARY**

Dr. Lanham requested authorization to use the remaining Capital Improvement Projects funds from the Midway Elementary School, Middle School, and the High School projects for the purpose of additional paving of the parking lot of Midway Elementary School. The additional cost of the paving project is \$5,214.00. The cost will be recaptured from the \$76,445.00 originally earmarked for the Dinwiddie County High School gymnasium bleacher project. The project has been bid at \$59,190.00.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted for the School System authorization to use the remaining Capital Improvement Projects funds from the Midway Elementary School, Middle School, and the High School projects for the purpose of additional paving of the parking lot of Midway Elementary School. The additional cost of the paving project is not to exceed the cost of \$5,214.00.

Mr. Bracey requested funds be set aside to pave the Dinwiddie Elementary School lot.

Mr. Haraway asked if the Athletic Director position has been filled at the High School? Dr. Lanham replied no.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, stated he had provided the Board with his monthly report.

1. In addition, he stated completion on the Eastside Community Enhancement Center is getting closer.
2. He reported that requests for the usage of the building are going well.
3. The Christmas Parade is scheduled for December 8, 2001 at it will start at 2:00 P.M.
4. Mr. Smith stated the sign for the Enhancement Center needs to be approved and the schematic design is enclosed in your packets. This is the one that we like and would like the Board's authorization to proceed with. He commented that the sign would be stenciled and painted on the surface of the wall. Mr. Haraway asked how long is it guaranteed to last? Mr. Smith replied he would find out and report back to the Board. The Board approved the sign design and asked Mr. Smith to get prices in Forest Green and bring them to the next meeting.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward to present his report for July/August 2001. He stated the work on the berms at Rohoic would start next week.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his monthly report. He requested authorization to attend the Hazardous Materials Conference at Virginia Beach on September 27-29, 2001.

Upon motion of Mr. Bracey, seconded by Mr. Bowman, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted for the Public Safety Officer to attend the Hazardous Materials Conference in Virginia Beach, Virginia on September 27 – 29, 2001, at a cost not to exceed \$542.00, from fund 101-035500-5540.

IN RE: REQUEST FOR E911 FREQUENCIES CHECK

Mr. Jolly informed the Board that the bill for the E911 radio frequencies came in after the closing date for this Board meeting and he needed authorization to have a check issued in the amount of \$70 to Licensing Assistance.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted to Administration to issue a check in the amount of \$70.00 to Licensing Assistance.

Mrs. Ralph stated she just wanted to clarify the issue with the Board to make sure they were ok with ordering the two ambulances regardless of the revenue recovery. The Board concurred.

IN RE: FIRE AND RESCUE ASSOCIATION - REPORT

There was no report from the Fire and Rescue Association.

IN RE: COUNTY ATTORNEY - REPORT

Ms. Phyllis Katz, County Attorney, stated she had nothing to report.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Faison came forward and introduced Mr. David Pryor the new Custodian I to the Board.

He presented his monthly update for July:

1. Substantial completions were established on August 2, 2001 and the contractor has 30 days to totally complete the project. There were approximately 70 items to complete at that time; today 13 items are left to complete. The biggest exterior item is the concrete at the entrance of the building.
2. The Rohoic Branch Library has accepted the carpet that was laid at Eastside and the employees emptied the modular unit today and it will be relocated to Midway Elementary.
3. The plans for the Public Safety Building have been sent to the Vendor of the Communication Equipment to check for space requirements. We are also checking with the mechanical engineer to see if the 35K generator is adequate to serve the communications center if not they will help design one.
4. The Animal Control Shelter preliminary plan will be discussed with the Friends of Animals and SOS to see if they meet with their approval and also we are hoping they will help with raising some funds for the construction.
5. Mr. Clay asked do you know the condition of Northside? Mr. Faison responded he is meeting with a roofing contractor to review what can be done to stop the water problems. Mr. Clay said he hated to spend money but the building needs to be kept up.

Mr. Bracey moved to get a preliminary estimate on the cost of repairing the roof. Mr. Clay seconded the motion. Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye".



IN RE: REGISTRAR – REQUEST FOR FULL TIME ASSISTANT

Mrs. Betty Jeter, Registrar, stated she is retiring at the end of December after 45 years as Registrar. She commented that her assistant is leaving and she needs a full time assistant. Mrs. Jeter stated an ad was placed in the Dinwiddie Monitor and 2 people were interviewed. She asked the Board to approve \$20,000 for the position effective at once so she could replace the present assistant. Mr. Long stated the policy for all county funded positions is to advertise, interview and then bring the request to the Board after a candidate is found for approval. He commented that the position and funding has already been approved so Mrs. Jeter would only need to find a candidate and come back for approval on September 5, 2001.

IN RE: BOARD MEMBER COMMENTS

- Mr. Bowman He stated Mrs. Scarborough had commented about the Tobacco Settlement and he would like some additional information. Mr. Long stated would do some research and get that to him.
- Mr. Bracey No comments
- Mr. Haraway No comments
- Mr. Clay No comments
- Mr. Moody He stated there are no signs on the back of the buildings and we need to get some prices to install some in the parking lot for directing the public. He also commented that a time clock for the citizen comments period would eliminate the need to interrupt the public when they are speaking.

IN RE: CONTRIBUTION – COALITION ON HIGH GROWTH

Mr. Moody requested that the Board consider contributing funds for lobbying this year. They are recommending using Mr. Bill Axselle who was a former member of the General Assembly and a very competent lobbyist.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the request for the contribution to the Coalition on High Growth is hereby approved not to exceed last year's contribution.

IN RE: CLOSED SESSION

Mr. Bracey moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

- The purpose of the closed meeting is to discuss subject matters identified as Personnel and Industry.
- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Buildings and Grounds; Administration.
- **Prospective Business or Industry, § 2.1-344 A-5 of the Code of Virginia,**

Mr. Clay seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 4:57 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:50 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

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

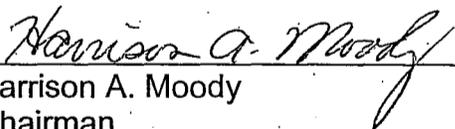
IN RE: SALARY INCREASE - COUNTY ADMINISTRATOR

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

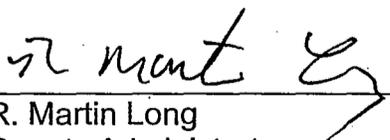
BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator's salary is increased 5% effective July 1, 2001.

IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 5:53 P.M.



Harrison A. Moody
Chairman



R. Martin Long
County Administrator

/abr

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 5TH DAY OF SEPTEMBER, 2001, AT 1:00 P.M.

PRESENT: HARRISON A. MOODY, CHAIRMAN ELECTION DISTRICT #1
(arrived 2:14) EDWARD A. BRACEY, JR. VICE-CHAIR ELECTION DISTRICT #4
DONALD L. HARAWAY ELECTION DISTRICT #2
ROBERT L. BOWMAN, IV ELECTION DISTRICT #3
AUBREY S. CLAY, ELECTION DISTRICT #5

OTHER: BENJAMIN EMERSON COUNTY ATTORNEY

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 1:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

Mr. Bowman stated under Item 11 – Closed Session: Personnel Matters § 2.1-344 A.1 of the Code of Virginia he would like to add Planning Department.

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

IN RE: MINUTES

Mrs. Alma Russell-Hollins, Clerk to the Board, stated there were two changes needed to the August 15, 2001 Regular Meeting. Under the title for the Redistricting instead of "adoption", it should be "support", and under closed session Personnel Matters, add County Administration.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the August 15, 2001 Continuation Meeting, and the August 15, 2001 Regular Meeting are hereby approved, with the changes listed above, in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Moody 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 1026681 through 1026858 (void check(s) numbered 1026578, 1026682, and 1026683) for:

Accounts Payable FY 2001- 2002:

(101) General Fund	\$ 109,772.50
(103) Jail Commission	\$ 190.94
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 390.17

(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 6,957.90
(226) Law Library	\$ 118.22
(228) Fire Programs & EMS	\$ 795.00
(229) Forfeited Asset Sharing	\$ 302.89
(304) CDBG Grant Fund	\$ 5.00
(305) Capital Projects Fund	\$ 17,347.38
(401) County Debt Service	\$.00

TOTAL \$ 135,880.00

PAYROLL – August 31, 2001

(101) General Fund	\$ 386,222.09
(304) CDBG Grant Fund	\$ 3,269.44

TOTAL \$ 389,491.53

Mrs. Ralph stated one of the claims had to be approved separately because it needed to be paid from the Capital Outlay fund and Mr. Jolly would present the claim.

Mr. David Jolly, Public Safety Director, explained because the repairs on the 1980 Fire truck drive shaft and 2-speed axle had to be paid out of the Capital Outlay fund for the fire departments, the Board had to approve the payment separately. The check amount is \$1,124.02 and is written to Singer and Associates.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above stated claim request is approved and funds appropriated from the Capital Outlay fund, for the fire departments, in the amount of \$1,124.02.

IN RE: CITIZEN COMMENTS

The following citizens signed up to comment.

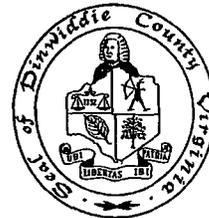
1. Mrs. Anne Scarborough appeared before the Board and stated at the last meeting she had asked Mr. Long about the funds from the tobacco settlement and he apparently didn't remember signing an agreement with the Crater Planning District for the project with Crater Regional Partnership for a regional workforce assessment center that was funded in the amount of \$85,000. Dinwiddie funded \$65,000 of that project. Continuing she commented that she learned that funds from the tobacco settlement had already started in the fiscal year 2001 with a balance of \$983,663. We didn't even make application during the second round in June; now, we have a carryover balance of \$917,900. It is anticipated that Dinwiddie will receive approximately \$596,900 in fiscal year 2002. The County will have \$1,514,900 for the application process beginning in November of this year if we apply for it but the application has to be in by late January. Mrs. Scarborough recommended that we look into making application for the funds. She also commented that it was unfortunate that the Board had to go to the social event today but she recommended that they also support the upcoming event that the Dinwiddie Ruritans were sponsoring on the 18th.

IN RE: RESOLUTION – MRS. TROILEN SEWARD

Mr. Moody presented Mrs. Troilen Seward, retired Superintendent of Schools, the following Resolution for her dedication and service to the School Board, Board of Supervisors, Staff and Citizens of Dinwiddie County.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following Resolution is hereby adopted.



Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

SEPTEMBER 5, 2001

IN RECOGNITION OF

MRS. TROILEN GAINNEY SEWARD

WHEREAS, Mrs. Troilen G. Seward has been a valued employee of the Dinwiddie County School Board for 19 years; and

WHEREAS, Mrs. Seward started her outstanding career in Dinwiddie County as the School Psychologist in October of 1982; she served as Director of Special Education and Pupil Personnel Services, Director of Student Services and then as Superintendent of Schools from January of 1996 to June 1, 2001; and

WHEREAS, Mrs. Seward has been a loyal, dedicated employee who always represented the County of Dinwiddie in a very professional and caring manner; and

WHEREAS, She served Dinwiddie County's citizens with respect and courtesy and provided excellent assistance to those needing her help,

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia on this 5th day of September 2001 desires to express their appreciation to Mrs. Troilen Gainney Seward for her outstanding dedication, loyalty and service to Dinwiddie County and wishes her much happiness and fulfillment as she enters her new endeavors in life; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Mrs. Seward, and a copy spread upon the minutes of this meeting.

IN RE: RESOLUTION – MR. FRANKLIN STEWART

Mr. Moody presented Mrs. Franklin Stewart the following Resolution for her husband's dedication and service to the Department of Social Services, Board of Supervisors and Citizens of Dinwiddie County.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following Resolution is hereby adopted.

Resolution

Of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

SEPTEMBER 5, 2001

IN RECOGNITION OF

MR. FRANKLIN A. STEWART

WHEREAS, Mr. Franklin A. Stewart has served the County of Dinwiddie with distinction and integrity as a member of the Board of Social Services from August 6, 1997 – June 30, 2001; and

WHEREAS, Mr. Stewart has been a valuable and dedicated member of the Social Services Board; and

WHEREAS, Mr. Stewart's support and concern for the responsibilities of the Social Services Department have contributed to the success of their mission; and

WHEREAS, Mr. Stewart has expressed support and encouragement to Social Services employees,

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, on this 5th day of September, 2001 desires to express their appreciation to Mr. Stewart for his service to the County; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Mr. Franklin A. Stewart, and a copy spread upon the minutes of this meeting.

IN RE: RESOLUTION – MRS. HOPE MITCHELL

Mr. Moody stated the resolution would be presented to Mrs. Hope Mitchell at a later date but the resolution needs to be adopted.

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Moody voting "Aye", the following Resolution to be presented to Mrs. Hope Mitchell is hereby adopted.

Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

SEPTEMBER 5, 2001

IN RECOGNITION OF

MRS. HOPE H. MITCHELL

WHEREAS, Mrs. Hope H. Mitchell has served the County of Dinwiddie with distinction and integrity as a member of the Board of Social Services from July 1, 1993 – June 30, 2001; and

WHEREAS, Mrs. Mitchell has served as Chairman and Vice-Chairman of the Board with professionalism and graceful leadership; and

WHEREAS, Mrs. Mitchell has shown compassion and concern for the families, children, and adults who receive services from the Department of Social Services; and

WHEREAS, Mrs. Mitchell has consistently expressed support and encouragement to Social Services employees,

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, on this 5th day of September, 2001 desires to express their appreciation to Mrs. Mitchell for her service to the County; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Mrs. Hope H. Mitchell, and a copy spread upon the minutes of this meeting.

IN RE: APPOINTMENT – CONSUMER REPRESENTATIVE FOR DISTRICT 19 CENTRAL VIRGINIA HEALTH PLANNING AGENCY, INC.

Mr. Long stated he received a request through District 19 to make a nomination for an appointment to the Central Virginia Health Planning Agency, Inc., for a consumer representative for District 19. The nominee can be anyone not affiliated with a health care institution or a licensed health care profession. He asked the Board to consider who they would like to nominate for the appointment and bring it back at a later date.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mrs. Wendy Ralph told the Board that James Blanks, JLB Publishing is officially working in conjunction with the County through Lee's Retreat to publish a visitors guide for our region. Entitled "Virginia's Retreat, A Guide to the city of Petersburg and Amelia, Appomattox, Buckingham, Cumberland, Dinwiddie, Nottoway, and Prince Edward counties. She stated Mr. Blanks has been working with the Design Group on the brochure and it is being funded solely by the ads. Each locality will have a section in the guidebook devoted to that specific location. The purpose of the guide is to inform visitors already in the area of the many things to do and see and the amenities available to them. She informed the Board that the guidebook should be a good way to generate increased business from locals and tourists. She asked if they were interested in taking out an ad. The price for 1/8 of a page is \$300.00 and 1/4 of a page is \$575.00. Mr. Haraway asked what Staff recommended? Mrs. Ralph stated 1/4 or 1/8 page.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Moody voting "Aye", authorization is granted for Administration to put 1/8 of a page ad in "Virginia's Retreat, A Guide to the city of Petersburg and Amelia, Appomattox, Buckingham, Cumberland, Dinwiddie, Nottoway, and Prince Edward counties, " at a cost of \$300.00

IN RE: AUTHORIZATION TO CONTRACT FOR REMOVAL OF UNDERGROUND STORAGE TANKS – HISTORIC COURTHOUSE

Mr. Donnie Faison, Buildings and Grounds Superintendent, came before the Board and stated he received the following bids for the removal of the underground storage tanks for fuel oil at the Historic Courthouse. After looking at

the bids if there are no hazardous materials found the cost to remove the tanks should not exceed the bid price. He requested authorization to proceed with the low bidder Vista Environmental, Inc.

Vista Environmental, Inc.	\$4,450.00
Environmental Management Services	\$4,560.00
Floyd W. Baird	\$8,560.00

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to enter into a contract with the low bidder Vista Environmental, Inc., for the removal of the underground storage tanks for fuel oil at the Historic Courthouse.

IN RE: AUTHORIZATION TO CONTRACT FOR REMOVAL OF TREES AT EASTSIDE COMMUNITY ENHANCEMENT CENTER

Mr. Donnie Faison, Buildings and Grounds Superintendent, came before the Board and stated there are four trees that are dead and need to be removed at Eastside. He stated I have received 3 bids from the following contractors for the removal of the trees, however, neither Wilson's Tree Service nor Buddy's Tree Service have the county's required \$1,000,000.00 in liability insurance. Wilson's Tree Service has only \$100,000.00 in liability insurance. Mr. Bowman asked Mr. Faison if he would get in touch with the low bidder to find out if he would be willing to purchase a rider for the required amount of liability insurance. Mr. Faison stated he would contact them.

Wilson's Tree Service	\$ 500.00
Orleans Country Tree Service	\$1,000.00
Buddy's Tree Service	\$1,275.00

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to negotiate with Wilson's Tree Service to purchase the required \$1,000,000.00 in liability insurance and to enter into a contract with them at a cost of \$500 for the removal of the four trees at the Eastside Community Enhancement Center if the proper insurance is provided; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in the event Wilson's Tree Service is unable or unwilling to purchase the required \$1,000,000.00 in liability insurance authorization is granted to enter into a contract with Orleans Country Tree Service for the removal of the four trees at the Eastside Community Enhancement Center at a cost of \$1,000.

IN RE: COUNTY ADMINISTRATOR COMMENTS TOBACCO COMMISSION

Mr. Long stated there have been some good questions that have come up recently in reference to the Virginia Tobacco Commission funds that are available to the county. Due to the significance of this issue, he said he believes it is a good time to have the Board briefed by the director of the Commission, Mr. Carthen Currin. Mr. Long said he planned to invite him to attend the September 19, 2001 meeting to give an overview of the Commission and answer questions.

Also he said the Tobacco Indemnification and Community Revitalization Commission is going to meet on Monday, September 17, 2001 at 10:00 A.M. in Clarksville so if anyone is interested in going let him know.

**IN RE: AUTHORIZATION FOR SIGN AT THE EASTSIDE
COMMUNITY ENHANCEMENT CENTER**

Mr. Donnie Faison, Buildings and Grounds Superintendent, stated at the last meeting the Board had some questions regarding the warranty for the paint and expected longevity for the county seal and lettering of the sign on the front of the building at the Eastside Community Center. He said he contacted four contractors and according to them the paint should last five years. Mr. Faison requested authorization to proceed with the signage at a cost not to exceed \$1,200.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Buildings and Grounds Superintendent to proceed with the signage to be painted on the front of the Eastside Community Center in forest green with 18" letters at a cost not to exceed \$1,200.

IN RE: COUNTY ADMINISTRATOR COMMENTS - CONTINUED

1. Mrs. Ralph informed the Board that Mr. Rick Franklin contacted her regarding Congressman Randy Forbes using the Board Meeting Room on October 15, and December 3, from 11:00 A.M. until 1:00 P.M. to meet with citizens one-on-one. She asked if they had any problems with Mr. Forbes using the room. The Board members stated it was ok.
2. Mrs. Ralph stated they had tentatively set September 19th to come in early to discuss the FY ending fund balances. By October 17th we should have an ending fund balance and a draft audit if the Board wanted to wait until then for the meeting. The Board agreed to come in early for that day meeting.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman	He stated he would like to be notified of any meetings or appointments the County Administrator is planning to have to discuss economic development in the future.
Mr. Haraway	No comments
Mr. Clay	He stated he went to the Eastside Community Enhancement Center yesterday and it certainly was nice.
Mr. Moody	No comments

IN RE: CLOSED SESSION

Mr. Haraway moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

The purpose of the closed meeting is to discuss subject matters identified as Personnel and Business or Industry.

- Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia,

(candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Personnel - County Administration; Planning

■ **Prospective Business or Industry, § 2.1-344 A-5 of the Code of Virginia;**

Mr. Bowman seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 1:44 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 3:10 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

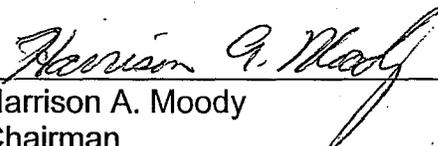
Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 3:19 P.M. to be continued until 7:30 P.M., September 6, 2001, for the Public Hearing for the Redistricting for Dinwiddie County.



Harrison A. Moody
Chairman



R. Martin Long
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION 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 6TH DAY OF SEPTEMBER, 2001, AT 7:30 P.M.

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

OTHER: JOHN CATLETT COUNTY ATTORNEY

IN RE: CALL TO ORDER

Mr. Harrison A. Moody, Chairman, called the continuation meeting to order at 7:30 P.M.

IN RE: PUBLIC INFORMATION HEARING - REDISTRICTING FOR THE DINWIDDIE COUNTY BOARD OF SUPERVISORS AND SCHOOL BOARD

This being the time and place as advertised in the Dinwiddie Monitor on August 22, 2001, and the Progress Index on August 29, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Information Hearing to receive public comment on the redistricting plan recommended by the Redistricting Committee. The plan will change the boundaries of each of the five election districts for the Board of Supervisors and the School Board members. For some voters, precincts and polling places may also change. The redistricting is required after each U.S. Census.

Mr. Guy Scheid, Planning Director, stated this public information hearing for the redistricting was advertised in the newspapers. He said he wanted to personally thank all of the committee for their labor and effort they put into devising a plan for the county. Continuing he introduced Mr. Thomas Hooker, Vice-Chairman of the Redistricting Committee.

Mr. Thomas Hooker presented the following outline and remarks on the work of the Committee.

1. Redistricting Committee
 - a. Three members were appointed from each E.D. by the Board
 - b. Organizational meeting held June 21st and met frequently thereafter
2. Plan Development
 - a. Legal counsel met with Committee on June 21st to explain plan content
 1. Election District plan developed in 1990 is base year guideline
 2. Plan will be reviewed by Justice Department for compliance with VRA
 3. Plan must be approved by Justice Department by January 1, 2002
 - b. Planning department acted as support staff to Committee
 1. Provided reading material
 2. Set up meetings and advertised
 3. Prepared materials for Committee as plans developed
 - c. Redistricting Committee members available for citizen meetings
 1. Ads run in newspapers that Committee members available to go to meetings
 2. Committee members went into community to speak to groups

3. Plan #6
 - a. Several plans developed
 1. 6 plans total but finally narrowed down to plan #4 and #6
 - b. Plan #6 determined by Committee to be best plan
 1. Most closely follows the 1990 base year guidelines
 2. Makes election district lines more compact
 3. Precinct locations serve election district's better
 4. Board of Supervisors and School Board members all kept in their district

4. Summary

The Redistricting Committee worked many hours and days to develop a fair redistricting plan that would address the Federal and/or State guidelines for voter participation yet serve the needs of Dinwiddie County citizens. Plan #6 is the best plan. It was obvious that this was the only plan that would be accepted by the Justice Department for compliance with VRA. Mr. Hooker thanked Mr. Scheid and his staff for all their help and he strongly recommended Plan #6 the Board of Supervisors for adoption.

Mr. Moody opened the Public Hearing for citizen comments.

1. Mrs. P. Bland, Post Office Box 39, McKenny, Virginia, appeared before the Board and voiced her concern about where she would be voting if Plan #6 were adopted. She stated she lives off Route 644 on Depot Road. Mr. Scheid replied she would be voting in McKenney.

Mr. Moody closed the Public Hearing.

IN RE: BOARD MEMBER COMMENTS

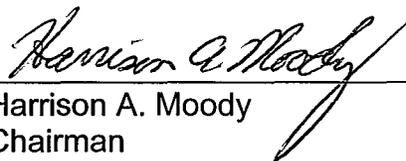
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|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mr. Clay | Remarked he didn't understand why his election district was jugged out the way it appeared on the map. He stated it would make more sense to keep the line straight on the west side of Route 1. Mr. Scheid replied that the committee had to look at the number of people and polling places and the Electoral Board helped with that aspect in the redistricting process. Mr. Clay stated he was ok with the plan and he appreciated the work the committee did. |
| Mr. Haraway | He stated the Redistricting Committee did a good job considering the guidelines they had to work with and he was well satisfied with his district. He thanked all the members for their hard work and the time they put into the plan. |
| Mr. Bowman | He stated he agreed with Mr. Haraway. He commented that the committee kept all of the Board of Supervisors and School Board members in their district and he appreciated all the time and efforts they put into the plan. |
| Mr. Bracey | He stated thank you. Thank you all. You did the best job that you could with what you had to work with. I am not satisfied with everything but that 's life. He thanked everyone for a job well done. |
| Mr. Moody | He stated overall he was happy, but I lost some good people but I am sure I gained some good ones too. He commented that he knew the committee had put a lot of hard work and time into the plan and he appreciated everything they did. |

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that plan six is hereby supported as presented by the Redistricting Committee for the redistricting for Dinwiddie County and authorization is granted for the Planning Department to proceed with the advertising for the Public Hearing for the adoption of the Redistricting Map and Ordinance on Wednesday, October 3, 2001 at 7:30 P.M.

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 7:44 P.M.



Harrison A. Moody
Chairman



R. Martin Long
County Administrator

/abr

VIRGINIA: AT THE REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 19th DAY OF SEPTEMBER, 2001, AT 2:00 P.M.

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

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 2:00 P.M. with a moment of silence followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

Mrs. Wendy Ralph, Assistant County Administrator, stated there were three additions needed on the agenda under Item – 9 move N – Director of Public Safety to A. and Item 12 – Closed Session Personnel add Buildings and Grounds and Industry § 2.1-344 A.5 of the Code of Virginia.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the September 5, 2001 Regular Meeting and the September 6, 2001 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mrs. Ralph stated there are two items included in the claims on page 4 under Volunteer Fire Departments that need prior Board approval because they need to be paid out of the Fire Departments Capital Improvements Fund and she asked Mr. Jolly, Public Safety Director, to explain these items.

Mr. David Jolly stated the first check was for the roof repairs done at the Namozine Volunteer Fire Department. The check is written to Wall Sheet Metal Inc., in the amount of \$1,446.03. Dinwiddie Volunteer Fire Department's fire apparatus primer motor had to be replaced and Singer and Associates made the repairs to it in the amount of \$982.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above stated claims are approved and funds appropriated for same from the Volunteer Fire Departments Capital Improvements Fund.

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody 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 1027165 through 1027299 (void check(s) numbered 1027159 – 1027165, 1027201, 1020550, 1027251, and 1019684) for:

Accounts Payable:

(101) General Fund	\$ 102,075.78
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 1,789.69
(223) Self Insurance Fund	\$ 12,862.50
(225) Courthouse Maintenance	\$ 6,957.90
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$.00
(305) Capital Projects Fund	\$ 76,472.10
(401) County Debt Service	\$ 56,076.91

TOTAL \$ 249,276.98

IN RE: CITIZEN COMMENTS

The following citizens signed up to comment.

1. Mrs. Clark Wood, 6513 Duncan Road, Petersburg, Virginia, representing the Frances Bland Randolph Chapter of the Daughters of the American Revolution came before the Board stating September 17-23, 2001, is Constitution Week. It marks the two hundred fourteenth anniversary of the signing of the United States Constitution. This great document, the guardian of our liberties, established our Republic as a self-governing nation dedicated to rule by law. Constitution Week provides an opportunity for all Americans to recall the achievements of our Founders and the nature of limited government, as well as the rights, privileges, and responsibilities of citizenship. Mrs. Wood presented pocket copies of the Constitution to the Board, Assistant County Administrator, and County Attorney.

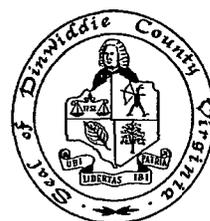
IN RE: RESOLUTION – RUTH M. THOMPSON

Mr. Moody presented Ruth M. Thompson the following Resolution for her dedication, hard work, commitment and outstanding accomplishment for winning four gold medals in the cycling events for her age group at the 2001 National Senior Olympics in Baton Rouge, Louisiana.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following Resolution is hereby adopted.

Resolution



of the **BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA**

SEPTEMBER 19, 2001

IN RECOGNITION OF

RUTH M. THOMPSON

WHEREAS, Ruth M. Thompson is a dedicated 81-year-old athlete who has been a resident of the County of Dinwiddie for 27 years; and

WHEREAS, Ruth M. Thompson is a loyal inspirational member of the Tri-Cities Senior Olympians and member of the Virginia Recreation & Park Society; and

WHEREAS, Ruth M. Thompson is dedicated to personal fitness, and she enjoys bicycling, jogging, lifting weights, aerobics and swimming; and

WHEREAS, Ruth M. Thompson has been an accomplished competitor in the National Senior Olympics since 1988 winning ribbons in all of her previous national competitions and a bronze medal in the 40-kilometer race in the 1999 games;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors on this 19th day of September 2001 desires to express their admiration and congratulations to Ruth M. Thompson for her outstanding accomplishment for winning four gold medals in the cycling events for her age group: 5-kilometers, 10-kilometers, 20-kilometers, and 40-kilometers at the 2001 National Senior Olympics in Baton Rouge, Louisiana; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Ruth M. Thompson, and a copy spread upon the minutes of this meeting.

IN RE: THE VIRGINIA TOBACCO INDEMNIFICATION AND COMMUNITY REVITALIZATION COMMISSION – CARTHEN F. CURRING, III

Mrs. Ralph introduced Mr. Carthen F. Currin, III, from the Virginia Tobacco Indemnification and Community Revitalization Commission. Mr. Currin was invited to this meeting to review the actual funds that are available and the goal of the projects that should be submitted.

Mr. Currin expressed his pleasure to have been invited to this meeting to give some background of the Virginia Tobacco Commission and to also converse about what our current plans are as to what they hope to continue to do with these important funds for Southside Virginia and Southwest Virginia. He stated the master settlement that created this entity was signed in November 1998. That settlement totals \$206 billion over the next quarter century. The Commonwealth's share is approximately 4 ½ billion dollars. The settlement includes 48 states and the District of Columbia and five U.S. territories.

The Virginia Tobacco Commission has two responsibilities: 1) to create economic revitalization in Southside Virginia and Southwest Virginia, and 2) Indemnify Virginia tobacco growers in flue cured country and burley country and quota holders. Of all Virginia's funds, the Commission that I'm responsible for, is responsible for 50% of the tobacco money that comes out of the settlement to the Commonwealth, 40% goes in the general fund to be used by the discretion of the General Assembly of Virginia, 10% goes to the Virginia Tobacco Foundation,

another political subdivision like myself, and their charge is to educate children to encourage them not to smoke. In addition to the indemnification dollars that came out of our Commission's responsibility, there was a sidecar and that is referred to as Phase 2. Additional tobacco monies over the next 12 years, totaling \$340 million to Virginia, will also go to Virginia flue-cured growers, quota holders, and also burley growers. In addition to that, the United States Department of Agriculture had a tobacco loss assistance program, T-Lab, and additional dollars were given to growers of flue cured country and burley country. In fiscal year 2000 approximately \$100 million went to tobacco growers and quota holders in Southside and Southwest Virginia. It's important to remember that these growers had very significant cuts in their quota. It has created a real economic hardship in tobacco country, the purpose of economic revitalization. At some point we would reach a point where we have indemnified those growers and quota holders sufficiently, which is based on a formula. The commission has 31 members who represent both Southwest and Southside Virginia. Mr. Currin stated, of the 31 members, I have 10 legislators, 6 from the House of Delegates and 4 from the Virginia Senate. Of the 21 citizen appointees, the Governor appoints, 2 are members of his cabinet, the Secretary of Finance and the Secretary of Commerce, and the Commissioner of Agriculture is also a member of the commission. Charles Hawkins is our chairman, from Chatham, Virginia, and Delegate Terry Kilgore, from Scott County in Southwest Virginia, is our Vice-Chairman. The web site address for the commission is, www.vatobaccocommission.org. With a commission that large we have a significant committee structure. For example, for economic development purposes, when Dinwiddie County has an application for the commission it will go through the Southside economic subcommittee. Delegate Wood chairs that subcommittee. Your application would go to that committee and ultimately should the committee approve that application it would go to the full commission.

To give you some background of what we have done over the past two years, the commission has awarded 57 economic developments grants totaling \$22 million. A list of those awards is in the package. We also have granted over the past two fiscal years \$12 million to seven community colleges in both Southwest and Southside Virginia. Southside Community College is one of those campuses that received approximately \$857,000 in fiscal year 2001 and they have just received another \$857,000 in fiscal year 2002. We have also funded Virginia Tech's bio program which amount totaled \$11 ½ million. We've also set aside \$5.3 million for scholarships primarily directed to tobacco families in both regions. Near \$20 million will be available in this fiscal year for regional economic development projects and another \$18 million has been put aside for special projects and economic closing projects; for example if the Governor's office came to Dinwiddie County or if you had a particular business that wanted to locate here and the Governor's office had some funds to help provide an incentive for them to locate here, if you're falling short on your end to provide some incentive dollars, the tobacco commission could be a source you could come to for help in bringing some additional dollars to close the deal in order to bring that business here. We support and encourage regional thinking and regional projects. Southside and Southwest are facing not just tobacco loss and jobs but we're facing a crisis that's almost unprecedented. When you look at the major industries and their generated jobs and opportunities in Southside Virginia and in Southwest Virginia, furniture comes to mind, and textiles, we all know the story. The commission has a great opportunity to really marshal these resources to make a difference as we try to transition these economies in the 21st century. That concludes my remarks. I would be delighted to answer any questions or hear any comments you may have.

Let me say that your county's current allocation out of the Southside - Southside, by the way, gets 73% of the economic dollars that goes from the commission to Southside Virginia, 27% goes Southwest and that pretty much parallels the difference in quota between the two regions. The bulk of the money goes to Southside Virginia. Southside has a formula – economic development formula – out of that formula in the current fiscal year, 2002, the county has

approximately \$709,000.00 that is available for your use for economic development projects. You have some carry-over money from last year totaling approximately \$917,000.00. The county's total economic development funds out of the formula allocation is approximately \$1.6 million in tobacco monies. As I shared with your County Administrator in the past, we have a process, we have an application and all these processes are on our web site. In your package is a notice of a seminar next month. This seminar will assist you in the process of applying for monies from us so that you have a better understanding of what to do. We work very hard and I think it's very important that you understand this in local government. This money is a real gift and a real opportunity and we should not, in any way, squander it. We do not work in a vacuum. The commission is reaching out and working very hard, with economic development agencies within the Commonwealth I also work very closely with the Federal government, Senator Allen's office and Senator Warner's office, Congressman Goode's office and Congressman Thatcher, and Congressman Forbes, to work out strategies where we can leverage our money to help Dinwiddie County, not just secure one tobacco dollar but, by leveraging our money with state money, and federal money and maybe even some private foundation money we can do bigger things. It's important for you to know that we take that job very seriously in leveraging these dollars to make the greatest impact as quick as we can. Mr. Chairman, I'll be happy to answer any questions.

Mr. Moody replied I do have a question. The total amount of dollars that are allocated to Dinwiddie, is that the 50% amount from the total that's allocated to Dinwiddie or is there an additional 10% added for education on top of that?

Mr. Currin responded, the monies that I mentioned to you that are from Dinwiddie County's allotment - that comes out of monies that we direct to Southside Virginia and it's based on a formula. Primarily that formula is driven by how much quota your county has. The more quota you have the more money you have. Let me give it to you this way. In this fiscal year the commission has approximately \$74 million total for both regions. And that is for the indemnification process and everything. We took off the top of that \$74 million approximately \$18 million to be used for regional economic development projects or deal closing projects. After that was done, we directed so many millions of dollars into the Southside counties formula allocation and that's where that money comes from. So there are other monies for you to apply for that off the top, for example, is an opportunity - now out of that, off the top, we funded the seven community colleges out of that money.

Mr. Moody said, I understand that, but the 50% is the \$1.6 million that we got from last year and this year? Mr. Currin explained, that this is Virginia's total tobacco money. The commission is responsible for 50% of Virginia's dollars, 40% goes to the general fund to be spent by the infinite wisdom of the General Assembly and 10% to the Virginia Tobacco Foundation. Your money comes out of the 50%. Mr. Moody asked if we could ask for the 10% monies for a local education type thing. Mr. Currin explained that they are not really education driven. They're primarily prevention programs. We have a Foundation Board and I would be delighted to give you contact information on their board. I can get you the director's name and if you have an opportunity after learning more of what they do you can contact them. They are primarily in business to spend money on advertising, prevention programs and that kind of thing, but not direct money into educational projects, that's more of what we're about, but I'll be delighted to get you more contact information and if you think you have something that might be appealing to them or might work, by all means, contact them.

Mr. Bowman asked is there a time limit on this - to make application. Mr. Currin stated that's one of the reasons we are having these seminars next month, we will be taking applications in November. The commission staff and the committee structure that we have in place will review those probably through February and at the March commission meeting they will vote on the applications

that have been submitted to the full commission from the committee structure. Then in April of 2003 the grants will be awarded. We're going to just once a year grant applications being taken.

Mr. Bowman asked, if we do not apply for the grant, will we lose this money or is it always there for us? Mr. Currin stated that it is still there; in fact, you have carryover money from last year. That's how you get to that \$1.6 million. Mr. Bowman stated I see where Dinwiddie was allotted \$65,731. Mr. Currin explained that Dinwiddie is a part of the Crater region. Mr. Bowman said that was what one citizen asked at an earlier meeting...where the money had gone. Mr. Currin said we endorsed that project because that was a regional project, not just your county but the region.

Mr. Haraway asked if the \$1.6 million earns interest for the county? Mr. Currin confirmed that the interest earned was passed on to the county. Our monies come from the Virginia Treasurer. We are a quasi-state agency. I am an appointee of the Governor. We are audited just like any state agency would be. The money goes to the Treasurer and it does earn interest while it's there.

Mr. Bracey asked if the bulk of this money is for economic development? Mr. Currin said, at the bottom line, ultimately it will be. In fiscal year 2000, which was our first full year of operation, the commission voted to put 80% of our monies into the tobacco growers and quota holders' hands. So 80% of our money went to tobacco families the first year because it was felt that that's where a lot of hurt was. We'd had these dramatic quota cuts in both burley and flue cured country, and so Hawkins and others wanted to help stabilize those farm families. In fiscal year 2001 it was more of a 50/50 split, 50% to indemnification and 50% to economic development, and it basically patterns out this year, but in years to come more and more money will go toward economic development.

Mr. Moody confirmed Mr. Bracey's question that the money we ask for is supposed to be used for economic development. Mr. Currin said that was correct; it has to be used for an economic project, not for buying the Public Safety Officer a new car. Or to supplant what your responsibility is as local government. This money is to be used to make a difference, to give you a shot in the arm, a new opportunity to draw businesses to help your infrastructure situation in Dinwiddie government, draw some businesses, and that kind of thing. The list in your package gives you some flavor of the kinds of projects we are currently funding, and, I will say this too, the community colleges have done a great job. Each of the seven came up with different programs; Southside had some very good practical approaches, things that would help people stay in this region and keep the tax base here hopefully and help enhance it. I will say this too, not tooting our horn too much, but we recently had a meeting with our counterparts in several states, Carolina, Kentucky, West Virginia, Tennessee couldn't be there. We have done more for our Virginia tobacco growers than any state in the region. The approach we are taking in economic development is also taking a leadership role there as well.

Mr. Moody asked if the requests that are made have to be endorsed by the local government when they are turned in? Mr. Currin said local government or non-profit organizations could apply for monies also, as long as it has the mission of economic development. Your regional planning district has applied, but primarily counties and independent cities and towns could apply for money. Mrs. Ralph asked if this type of money could be used for a combination of two projects or must it be one project. Mr. Currin said it could be a combination of projects. Mr. Moody thanked Mr. Currin for coming. Mr. Currin expressed his pleasure and said to call him at any time.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and stated Mr. Moody asked him to give an overview of the County's Emergency Operation Plan

in view of what happened on September 11. He commented the County does have an EOP and if there were a need for it he felt we are as prepared for it as we possibly could be. He reassured the citizens that there are 33 fire and rescue personnel, who are not on the county payroll that could be called if an emergency arose. If help is needed there are local resources available also. Mr. Jolly reported that several ambulances had been dispatched to the Pentagon and there would be a great deal of help that would be needed as time goes on and the local resources played out. At this time the new elementary school facilities are being looked at if a disaster were to happen in this area.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Richard Caywood, Resident Engineer for the Virginia Department of Transportation came before the Board and presented his monthly update. He commended the personnel at the local VDOT as well as the help from Dinwiddie and Prince George for their participation in the heavy traffic situation that snarled at Fort Lee and at the Pentagon.

1. Mr. Caywood reported receiving bids on the next Route 619 project which is from Rt. 609 to ½ mile south of Rt. 658. Only two bids were received. There was a fair amount of spread between them. He said he has not heard yet whether the low bid will be accepted. It is now being reviewed. There is a chance that it may be re-advertised. It may not delay the work but could delay having a contractor on board. VDOT is now working with the county on school projects and parking areas, which should be completed this week.
2. Mr. Caywood thanked Mr. Moody for inviting him to spend part of the morning with him and taking a look at some of his road concerns in the county, and he encouraged any other board member who is interested to come spend a few hours and take a look at some of the areas of concern.
3. Mr. Caywood thanked the county, and particularly Guy Scheid, for inviting him to be a part of the Comp Plan and Update process. He attended a meeting of the transportation group last week. He appreciated being able to have input in that since they work closely with the county on development issues.
4. Mr. Clay asked Mr. Caywood if they could take a look at the bridge at Coleman's Lake. Long metal pieces have been installed on each side of the road at the bridge and, while they keep you from running off the road, they also hinder your meeting a car on the bridge. Perhaps some signs, i.e. "One Lane Bridge" or "Narrow Bridge" or "One Lane", could be installed. Mr. Caywood said he will take a look at the situation and that they have several signs they can use.
5. Mrs. Ralph informed the Board that the Virginia Department of Transportation is updating the Statewide Multimodal Long-Range Transportation Plan. The State Law requires completion of this Plan by December 2002. VDOT will be holding a series of discussion group meetings in each of its districts. The purpose for these group meetings is to gather stakeholder input on a long-range vision for transportation in Virginia. Individuals specifically targeted for these discussion group meetings are elected officials, interested citizens, transportation professionals, representatives from planning district commissions, chambers of commerce, transit operators, modal agencies, and public service agencies. The meetings are scheduled for the Richmond area for:

1st Meeting Science Museum - October 22, 2001 (4 -7 P.M)

2nd Meeting South Hill - Southside PDC - October 22, 2001 (4 -7 P.M.)

Mrs. Ralph asked Mr. Caywood to comment on these meetings since they appeared to be something new. He said he is not familiar with this type of meeting, but he will report back to us.

6. Mrs. Ralph informed the board of a letter she received from Mr. Caywood's assistant, concerning a workshop on the Secondary Road Six-Year Plan and the FY 2003 budget. The date requested for the work session is October 17th and the public hearing date is November 7th. She said we had postponed our meeting we had planned for today to come in early to talk about our fiscal status, etc. to October 17th so it was on the agenda for you to come in early. Also the Eastside Dedication is planned for that day and I'll steal Tim's thunder here. He was wondering if that could be set for 10:00 A.M. that morning at Eastside. We could stay on there and work on those issues and have lunch brought in. At 1:00 come back to the Administration Building and have the workshop with the VDOT representatives. While Mr. Caywood is here I wanted to establish the 1:00 to 2:00 p.m. workshop time with him so he could do some planning, if that is agreeable with the board. Mr. Caywood stated that their presentation would take no more than 30 minutes, at the most, and the rest of the time would be for any questions that the board may have. After some discussion the board agreed. Mr. Caywood asked about the November 7th date. The consensus was to discuss that at a later date.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and presented his monthly report.

Mr. Bracey asked if the investment policy that was discussed at the last meeting was ready. Mr. Jones replied, that he was waiting on a response from Sands Anderson Policy so it was not ready for presentation yet.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, appeared before the Board and stated he had nothing to report. Mr. Haraway thanked Mr. Rainey for the reply he sent to him.

RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands was not present.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of August 2001. He discussed the new construction of the Holiday Inn Express.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward presenting his report for the month of August 2001.

IN RE: DIRECTOR OF PLANNING – AUTHORIZATION TO ATTEND VIRGINIA HOUSING REHAB WORKSHOP

Mr. Guy Scheid, Director of Planning came forward and presented his August update for his Department. Mr. Scheid requested authorization for Ms. Cheryl Stewart to attend the mandated Virginia Housing Rehab Workshop on October 16th – 19th, 2001 in Roanoke, Virginia. Mr. Scheid called to the Board's attention the fact the financial manager is required to attend the workshop. Ms. Stewart is the financial manager for the IPR and it would not cost the county anything for her to attend.

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted for the Executive Secretary to attend the mandated Virginia Housing Rehab Workshop on October 16th – 19th, 2001 in Roanoke, Virginia, at an estimated cost of \$437.00, from the IPR Program funds.

As a matter of interest to the Board, Mr. Scheid reported that Cheryl Stewart's two children were in a serious automobile accident and that her son will be out of school for several weeks.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. Haraway asked what the square footage on Dr. Harrison's building. Mr. Scheid stated that the rezoning does not require this. She has mentioned that she would like to re-design the building to include space for another doctor and possibly a pharmacy. Mr. Scheid reported that he had received several local calls in support of this.

Mr. Scheid reported that a meeting will be held on October 26th with Telecommunications Atlantic Technology. Some things need to be amended in our telecommunications ordinance. The consultant studied the ordinance and had a number of suggestions that they thought the county might want to look at. In order to do justice to reviewing their comments on the ordinance, he proposed that a board member, a planning commission member, someone from county administration, himself, and David Thompson attend this meeting. It is set for the 26th at 5:00 p.m., in the multipurpose room. Atlantic Technology will have representatives at that meeting to review with us their thoughts about our ordinance, and an open invitation is extended to the board if anyone wishes to attend. Mr. Moody volunteered to attend.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER –REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his August monthly report. He requested authorization to attend the Virginia Citizens Planning Association Meeting on October 7th – 9th, 2001 in Portsmouth. He commented that the cost was included in his budget.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted for the Senior Planner/Zoning Administrator to attend the Virginia Citizens Planning Association Meeting on October 7th – 9th, 2001 in Portsmouth at an estimated cost of \$515.20, from fund 101-81400-5540.

Mr. Thompson informed the board that interviews will be scheduled at the end of October for the advertised zoning compliance position.

Mr. Bowman questioned Mr. Thompson about a letter he received from Mrs. Bonner of West Petersburg. Mr. Thompson stated he had spoken with Mrs. Bonner and explained our situation. He mailed two letters to repeat offenders that he was aware of and he is keeping abreast of the situation.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen came forward and presented her 10th Annual Report.

Ms. McElveen explained a comparison sheet as it appeared in her 10th year report. She brought statistics to the board's attention showing significant changes in her report over the past 10 years.

Ms. McElveen thanked the board for their support and for the good Directors they chose for her to serve on her Board.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Dr. Leland Wise, Superintendent of Schools came forward and presented an update to the Board on the School Activities.

Dr. Wise expressed his grateful appreciation to the board and all county officials and staff for the way the disaster on September 11th was handled. He commented on how important it was to keep students all together at such a time as this. He stated that after 2 ½ months he likes the way things are running and feels everyone does a fine job of caring for the citizens of our county. He said that Mr. Bracey spoke at the convocation and had some kind words for our district and feels that as long as we work together the things that happened last week, as bad as they are, we'll grow from that and do a better job. He expressed his thanks to the board for their continued help and support and said we will continue to work on getting our kids to and from school safely in a moment's time of crisis.

IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATION PROJECT – REQUISITION NUMBER 33 (IDA1999A-#25)

Mrs. Ralph stated the following invoices are included in Payment Request Number 33 (IDA1999A - #25):

SOUTHWOOD BUILDERS, INC. Payment #18	\$ 52,579.00
SAMMONS PRESTON	205.42
VIRCO INC.	3,472.00
VIRCO INC.	21,734.96
NATIONAL HEALTH SUPPLY COMPANY	646.64
LAWRENCE SANITARY	637.00
TRI-CITY OFFICE PRODUCTS, INC.	859.06
TRI-CITY OFFICE PRODUCTS, INC.	189.80
TRI-CITY OFFICE PRODUCTS, INC.	629.90
TRI-CITY OFFICE PRODUCTS, INC.	2,776.50
TRI-CITY OFFICE PRODUCTS, INC.	5,455.00
BALLOU JUSTICE UPTON ARCHITECTS	<u>2,190.09</u>
TOTAL REQUISITION #33	\$ 91,365.37

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 33 (IDA99A - #25) in the amount of \$91,365.37 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Renovation Project Fund.

Mr. Bracey stated that he had several calls from parents concerning lateness of buses, teachers staying over really late because of the lack of bus drivers or buses to transfer our children. He hopes that this is just one of the pains of beginning. Mr. Wise commented that due to the new requirements for a C.D.L (bus driving permit), it is very tough to pass and they kept an ad in the paper for drivers. Out of five candidates maybe one can pass the test. He stated they need part-time drivers also. Mr. Wise said he appreciated the concern of the board and asked for their patience and help in getting qualified drivers.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, stated he had provided the Board with his monthly report.

Mr. Smith reported that the fall recreation league now has over 200 participants, which is a significant growth. He also stated that more equipment will be needed in order to satisfy this number of participants. He hopes they can get through this season and the next four new options for next season. They are offering a lot more programs and at this point they are more health related. He hopes to be offering business classes. Eastside is going very well. The use of the building is moving forward. Rentals are going very well. One rental is from VCU. Their training department is going to be using our facility for three days. Another rental is the Bank of McKenney for a training day. It's moving in the direction that we had really hoped it would.

Mr. Smith recommended the Dedication of The Eastside Enhancement Center be held on Wednesday, October 17th so that the mailings can go out. They would like to follow this with an Open House on Saturday, October 20th. This would not only show off the building, but would allow the citizens an opportunity to meet our instructors.

He reported that a high-speed rail meeting will be held on November 9th and he will advise the board when he gets more information on this meeting.

Mr. Smith said that he had attended a meeting for the past two days on Greenways, Rails to Trails, etc. in Washington. He apologized for not coming to the board with this earlier, but he was given short notice. The expenses for the trip were covered by the National Park Service, the Virginia Department of Forestry, and the Virginia Trails. In that meeting Rails to Trails, or having trails along rails, there is a movement in that direction. Mr. Smith suggested that we not shy away from it, but take advantage of having rails in Dinwiddie. He suggested that when we speak with the rail folks again we need to bring in some other folks, who participate in the program, to talk about it. Mr. Moody suggested we talk to Sam Hayes about it, since he is up on the high-speed rail system. Mrs. Ralph suggested that he be contacted before the November meeting so his idea can be consolidated.

Mr. Smith reported that on Thursday, October 25th, at 7:00 P.M. they are going to have the alternative plans drawn for the routes for the Battlefield trail that were laid out by the citizens at a workshop. That will be open to everyone, and will take place at Eastside. He encouraged the board to attend.

There was discussion on a conflict of a room use at Eastside. Mr. Bowman had received a call from an aerobic instructor requesting a larger room. Mr. Smith stated that this comes from several classes being held on the same day at the same time and that we need to look at improving other rooms in the

building to accommodate such conflicts. He said that this was a "good" problem to have and he will work on getting it solved.

Mr. Bracey asked when the signage would be in place for the Eastside Enhancement Center, and suggested it be in place before the dedication ceremony.

IN RE: RECESS

Mr. Moody called for a recess at 3:35 P.M. The meeting reconvened at 3:43 P.M.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward to present his report for September 2001.

Mr. King told the board that the pile of dirt at the Rohoic site should be cleared out by next week.

He reported that the new trash truck should be in sometime next week.

Mr. Bowman questioned Mr. King about the equipment to be used to cut the grass at the Rohoic site. Mr. King said they hoped to be able to use the airport equipment.

IN RE: FIRE AND RESCUE ASSOCIATION - REPORT

There was no report from the Fire and Rescue Association.

IN RE: COUNTY ATTORNEY – REPORT

Ms. Phyllis Katz, County Attorney, stated she had nothing to report.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and presented his monthly update for September.

Mr. Faison reported the Courthouse project is going well. He stated they were having a problem locating the nine wells and staying out of VDOT's right-of-way. He said they were presently working on that. Concerning the oil tank – the contract was signed and it's out of the ground and should receive today notification as to whether or not we had contaminated soil. He stated, we did have a slight leak in the tank, but it was very minor. We do not anticipate it being a problem, but the official report should be back today, no later than tomorrow.

Eastside Enhancement Center: Mr. Faison stated the Eastside contractor still has a few warranty items. One of the biggest things is the sliding glass door to the concession window. We are waiting now for the contractor to correct this.

We no longer have the 2 dead trees or the other trees. They have been removed and it opened up an excellent view from Rt. 1.

The third bidder was given until Monday to get his price in for the sign. We will be proceeding tomorrow to issue the contract to the low bidder, which is below the maximum amount that was approved. You approved a maximum of \$1,200.00 and we will enter into a contract for less than \$1,000.

Public Safety Building: Mr. Faison asked for authorization to proceed with the project and put out bids for the Public Safety Building. He said the plans are near completion, and he needs to put this out to the public for bid. He has dates to receive the bids and the plans should be finished by the end of October,

receive the bids by November 27th, report the results of the bids at the December 5th meeting and start the construction immediately thereafter. There has been a slight change in the estimated cost. The emergency generator at the 911 center cannot be used at this building. A 50 kw generator is needed and that unit is a 30 kw. That item alone will increase the cost by \$40,000. To add lightening protection to the building, fire alarm systems, and grounding capabilities to the building, would increase the amount to a total of \$65,000 more than the expected cost. We hope there is another use in the county for the emergency generator if it is removed from the Emergency 911 center.

Upon motion of Mr. Bracey, seconded by Mr. Bowman, Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, authorization is granted for the Building and Grounds Superintendent to proceed with the project and advertise bids to the public for the construction of the Public Safety Building.

Animal Control Shelter: Mr. Faison reported the architect is involved with the addition to the Animal Control Shelter. The estimated cost for this addition is \$89,060. Essentially this doubles the size of the facility. It adds 10 runs to the existing 10 runs, and 2 additional areas for cats. There will be another office space and utility room to put the air-handling unit for heating and cooling. This plan and the cost thereof has been presented to the CIP Committee for their consideration.

Mr. Bracey questioned whether management or management skills or just what has caused the need to double the size of this facility. Mr. Faison said that he was asked to get involved to see what could be done to improve the conditions at the shelter. He said there is money available from a group and they would like to go a little further with the plans, get their approval and get some idea of how much money they can contribute to the cost. At that time we will come back for further approval. When questioned about what groups are involved, Mr. Faison said Friends of Animals, SPCA, S.O.S., and others, had offered to be fund-raisers for the project. There was discussion concerning the need for some management styles and, in light of the fact that some improvements have been made in the past few years, these types of projects should be proposed for several years down the road.

Northside: Mr. Faison reported the preliminary roof repairs have been made, at a cost of \$2,400. As soon as we have rain, we will be able to determine if they did a good job. In checking the cost of replacing the roof with an "A" roof similar to the one at Eastside, I found the roof itself is estimated to be \$180,000. He reported there is a need to remove the asbestos tile on the floor and the cost is included because some workmen will have to go inside to work in order to locate the bearing walls, to put the plates on and to support the new truss system. The estimated cost for this job is \$25,000. \$10,000 was also added for demolition. In addition, 16% should be added to the construction cost for engineering, architect, etc. and another \$2,000 for site improvement, to remove the on-site trailers. \$1,000 has been added to get the power turned back on to the building, 4% is added for construction management and a 10% contingency fund; so the price reported to the CIP committee for their recommendation for this project was \$283,500. No action is necessary today.

IN RE; LANDFILL – CONCRETE WORK

Mr. Faison stated I have the following quotes for the concrete work at the landfill:

Rocky Hill Contracting, Inc.	\$ 9,847.50
Virginia Concrete Co.	12,840.00
Southern Construction	14,999.00

He requested authorization to proceed with the low bidder Rocky Hill Contracting, Inc., in the amount of \$9,847.50.

Upon motion of Mr. Clay, seconded by Mr. Bowman, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted for the Buildings and Grounds Superintendent to proceed with the concrete work at the landfill, with the low bidder Rocky Hill Contracting, Inc., in the amount of \$9,847.50.

IN RE: NAMOZINE VFD – ROOF REPLACEMENT

Mr. Faison stated I have the following quotes for the roof replacement at the Namozine Fire Department:

Wall Sheet Metal, Inc.	\$ 12,000.00
*Brown Bros. Roofing Co.	14,500.00
Brown Bros. Roofing Co.	16,200.00
Walter D. Witt Roofing	13,250.00

He requested authorization to proceed with the low bidder Wall Sheet Metal, Inc., in the amount of \$12,000.00.

Upon motion of Mr. Bowman, seconded by Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted for the Buildings and Grounds Superintendent to proceed with the roof replacement at the Namozine Fire Department, with the low bidder Wall Sheet Metal, Inc., in the amount of \$12,000.00.

Mr. Bowman reported a question had been asked concerning the new courthouse roof, and the tile falling in the judge's office. Mr. Faison explained that the problem is a condensation problem and not a roof problem. The roof is guaranteed for 20 years and he does not foresee any problem with the contractor keeping it in good repair. Some 50 to 60 pieces of tile will need to be replaced, and it is now on order.

IN RE: COURT SERVICES

Mr. H. L. Parrish, Probation Officer, appeared before the Board and requested that the Board approve the use of a county van by his office staff to transport children involved in programs sponsored by the Virginia Juvenile Community Crime Control Act (VJCCA). He stated he would need to use it eight to ten times a year. He stated he had discussed the issue with the Administrative Staff several times and the problem is the insurance coverage. According to Mrs. Ralph only county employees are permitted to drive a county vehicle and that would exclude everyone except one county employee in his office and it would be impractical for her to be out of the office for all of these functions. The State will not pay to insure them to drive a county vehicle. He told the board that surrounding counties do allow State employees to use county vehicles for activities and they are covered under the county insurance program. Continuing he said the State does provide a vehicle for them to use but he has to give them 72 hours notice to use the van. Also it takes the best part of a day to pick it up and take it back to Richmond, which is not convenient, and it ties up an employee for the biggest part of two days. He stated a company would donate a van to the Troubled Youth Services Program but according to the information he was given by Mrs. Ralph the van would have to be titled and insured by the county but the State employees would not be permitted to drive it. He stated he would like the Board to authorize the personnel in his office to drive any county

van that might be available for them to transport children to and from these functions.

Mr. Moody stated the Board needed to get some more information before they could make a decision.

Mrs. Ralph stated her understanding was that Mr. Parrish had a van that he wanted the county to title and insure but this is an entirely different request now. But if he wishes to use a county van a State employee is not covered under the county insurance policy. The VJCCCS program is grant funded through the State and there is one employee, Marie Andrews, who is paid by the County and reimbursed through this grant. Continuing she informed the Board that Mr. Parrish has asked on several occasions to use a County van. He was told that this type of use is not a County function and the Board would have to grant authorization for him to use any County vehicle. Staff is quite concerned about the County's exposure for liability. If the Board were to approve this use, we recommend the following:

1. Only a County employee will be allowed to drive the van.
2. That the driver would have to meet the training requirements recommended by VaCorp, our insurance carrier.
3. Policies will be developed with the assistance of the Safety Officer from VaCorp, which will regulate the use, and activities of the van.
4. All individuals participating in an event where the van is used will sign a waiver holding the County harmless from the liability.

After much discussion, Mrs. Ralph asked the Board if they wanted to take on the liability?

Several questions were raised. Mr. Haraway suggested that Staff look into special event insurance. He stated it is up to this Board to fix this problem.

The Board concurred that more research needed to be done and the matter should be brought back to them at a later date.

IN RE: AUTHORIZATION TO SIGN ROHOIC BRANCH LIBRARY LEASE

Mrs. Ralph stated the Rohoic Branch Library has been open since September 4, 2001 and she requested authorization to sign the lease between the County and the Rohoic Branch Library located in the new Eastside Community Enhancement Center.

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted for the Assistant County Administrator to sign the lease between the County and the Appomattox Regional Library for the Rohoic Branch Library located in the new Eastside Community Enhancement Center retroactive to September 4, 2001.

IN RE: RESOLUTION - CONDEMNING THE TERRORIST ATTACK ON THE WORLD TRADE CENTER IN NEW YORK CITY AND SUPPORTING THE PRESIDENT OF THE UNITED STATES

Mrs. Wendy Weber-Ralph, Assistant County Administrator, stated the National Association of Counties sent a letter expressing their grief and anger over the terrorist events of Tuesday, September 11, 2001. They also requested that the Board consider passing a resolution condemning the cowardly and deadly actions of the terrorists; and supporting the President of the United

States, as he works with his national security team to defend against additional attacks, and find the perpetrators to bring them to justice. There is also another resolution from the National Association of Counties regarding vigilant, but not vigilantes for your consideration.

RESOLUTION

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

WHEREAS, on September 11, 2001, the United States of America was suddenly and brutally attacked by foreign terrorists, and;

WHEREAS, these terrorists hijacked and destroyed four civilian aircraft, crashing two of them into the towers of the World Trade Center in New York City, and a third into the Pentagon outside Washington, DC, and;

WHEREAS, thousands of innocent Americans were killed and injured as a result of these attacks, including the passengers and crew of the four aircraft, workers in the World Trade and in the Pentagon, rescue workers, and bystanders, and;

WHEREAS, these cowardly acts were by far the deadliest terrorist attacks ever launched against the United States, and by targeting symbols of American strength and success, clearly were intended to intimidate our nation and weaken its resolve, and;

WHEREAS, these horrific events have affected all Americans; but it is important that we carry on with the regular activities of our lives. Terrorism cannot be allowed to break the spirit of the American people, and the best way to show these cowards that they have truly failed is for the people of the United States and their counties to stand tall and proud,

THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia condemns the cowardly and deadly actions of these terrorists, and;

BE IT FURTHER RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia supports the President of the United States, as he works with his national security team to defend against additional attacks, and find the perpetrators to bring them to justice, and;

BE IT STILL FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia recommends to its citizens to support relief efforts by giving blood at the single nearest available blood donation center.

IN RE: RESOLUTION – VIGILANT, BUT NOT VIGILANTES

RESOLUTION

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

WHEREAS, America continues to mourn the incomprehensible loss that the nation suffered on September 11th, but we must be sure not to let our anger, fear and sorrow surface as violence;

WHEREAS, America as a nation must strive to provide a sage and welcoming environment for all of its citizens, including the millions of Arab and Muslims Americans who are part of America's national community;

WHEREAS, citizens must show patriotism and compassion by accepting all fellow Americans, and as a nation stand together, united against terrorism;

WHEREAS, counties keeping with the long held tradition of caring for America, must continue to pray for the victims, provide aid and compassion to the survivors, the families of the victims, the brave relief workers, their families and all who have been touched by this tragedy, while always remaining cognizant of the terrible toll terrorism has taken on our society;

THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia condemns the cowardly and pointless acts of hate crimes, and;

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia encourages citizens to be vigilant in their efforts to help and heal, but not vigilantes; and

BE IT STILL FURTHER RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia condemns all acts of lawlessness and supports the President of the United States, as he works with his national security team to defend the United States of America against terrorism.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman	No comments
Mr. Bracey	He stated he felt the cost to stay at the Greenbrier was much too high for the county to pay for any board member to attend the VACo Convention.
Mr. Haraway	No comments
Mr. Clay	No comments
Mr. Moody	No comments

IN RE: CLOSED SESSION

Mr. Bracey moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

- The purpose of the closed meeting is to discuss subject matters identified as Personnel; Consultation with Legal Counsel and Industry.
- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) County Administration; Buildings and Grounds.
- **Consultation with Legal Counsel, § 2.1-344 A.7 of the Code of Virginia,** (consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice) FOIA
- **Business & Industry Development, § 2.1-344 A.5 of the Code of Virginia,**

(prospective or expansion of business or industry and no previous public announcement has been made)

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

A vote having been made and approved the meeting reconvened into Open Session at 5:39 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act;

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the board that such closed meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Board hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

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

IN RE: ADDENDUM - EMPLOYMENT AGREEMENT BETWEEN COUNTY ADMINISTRATOR AND THE BOARD OF SUPERVISORS

Ms. Katz stated the Board had an amendment to the County Administrators contract to permit 8 weeks of paid leave from which it would be offset by his annual and sick leave.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby amends the County Administrator's contract between the Board and the County Administrator to permit him to have eight weeks of paid leave beginning September 10, 2001, from against which all earned annual leave and sick leave will be deducted.

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby further amends the County Administrator's contract to provide for the accrual and carryover of annual and sick leave at the same rate as other employees of the County. Notwithstanding the preceding provision on carryover of leave balances, the Administrator shall seek approval from the Board of Supervisors for the use of leave in excess of two weeks at a time. Furthermore, the accrual and carry over of leave balances from year to year does not entitle the Administrator to job restoration at the end of any paid leave period. At the Administrator's termination of employment, either voluntarily or involuntarily, the Administrator shall not be reimbursed for any accumulated annual or sick leave.

Mr. Haraway stated the only reason he voted for the amendment is because any other county employee would be entitled to the same benefit.

IN RE: CONTINUATION OF CAR ALLOWANCE – COUNTY ADMINISTRATOR

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby approves the continuation of the car allowance for the County Administrator while on his eight weeks of leave.

IN RE: RESOLUTION – AUTHORIZING ASSISTANT COUNTY ADMINISTRATOR TO ACT ON BEHALF OF THE BOARD

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

WHEREAS, the County Administrator from time to time may not be available to act on behalf of the Board.

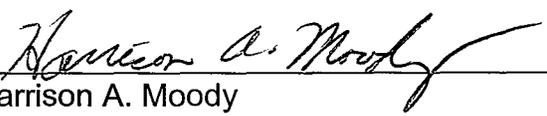
WHEREAS, the Assistant County Administrator is available to perform those official acts.

BE IT RESOLVED, by this Board that the Assistant County Administrator is authorized to perform all official duties in the name of the Board and on behalf of the Board whenever the County Administrator is unavailable or unable to perform these duties, when such authority is delegated to the Assistant County Administrator, or in cases of emergency.

This resolution shall remain effective until repealed by the Board.

IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 5:43 P.M.


Harrison A. Moody
Chairman


Wendy Weber Ralph
Assistant County Administrator

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VIRGINIA: AT THE REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 3RD DAY OF OCTOBER, 2001, AT 7:30 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 7:30 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

Wendy Weber Ralph stated we received a letter from Dr. Denise Harrison requesting that P-01-8 be postponed and under Item 11 – Closed Session: add § 2.1-344 A.1 of the Code of Virginia, Personnel Matters - Planning Department.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the September 19, 2001 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Moody 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 1027445 through 1027525 and 1027527 through 1027672 (void check(s) numbered 1018006, 1027444 and 1027526) for:

Accounts Payable FY 2001- 2002:

(101) General Fund	\$ 261,382.01
(103) Jail Commission	\$ 50.76
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 122.75
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 5,460.39
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$ 496.01
(304) CDBG Grant Fund	\$ 1,359.95

(305) Capital Projects Fund	\$ 6,337.20
(401) County Debt Service	\$ <u> .00</u>
TOTAL	\$ 275,209.07

PAYROLL – August 31, 2001

(101) General Fund	\$ 381,357.38
(304) CDBG Grant Fund	\$ <u> 3,269.44</u>
TOTAL	\$ 384,626.82

**IN RE: REQUEST FOR APPROPRIATION OF FUNDS -
 REGISTRAR**

Mrs. Betty Jeter, Registrar, appeared before the Board requesting an appropriation of \$4,250 to send out 12,500 to 14,000 voter cards before the next election. She stated there are changes in the State Senate 16th District now represented by The Honorable Henry Marsh III and in the House of Delegates 63rd District represented by The Honorable Jay W. DeBoer. She stated she failed to include the funding request in her budget for this year FY 2001-2002.

Mrs. Ralph stated if the Board approves the appropriation the funds would have to come from the undesignated fund balance. She also commented that Staff felt there might be some confusion because of the redistricting changes and that a note should be included in the notification letting the citizens know this is not a change in local election voting places or districts. Mrs. Jeter stated it would take too much time to go back and include a note now and it has already been stamped in bold red letters on the outside of the envelope (Change in State and House of Delegates). Mrs. Ralph stated there needs to be a lot of notification, either in the newspaper or by inserting a note in the envelope, to let the citizens know about the changes so no one will be confused due to the redistricting changes coming forth.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the request for \$4,250 is approved and funds appropriated from the undesignated fund balance with the stipulation that the Registrar must either include a note in the envelope or communicate with the local newspapers to run some articles to inform the public that this mailing only concerns changes in the Senate and House.

IN RE: CITIZEN COMMENTS

The following citizens signed up to comment.

1. Mrs. Geri Barefoot came before the Board stating she knew Tidewater Rock has not made application for the proposed rock quarry yet; but, she had some disturbing information about Florida Rock the parent company for Tidewater Rock and they are not good neighbors. She asked the Board to please take a close look at the materials she presented to them.

IN RE: STATEMENT READ BEFORE PUBLIC HEARINGS

Mr. Guy Scheid read the following statement.

"As previously requested by the Board of Supervisors, Draft copies of the Planning Commission Meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting

room. The purpose of doing so is to expedite the hearing process without compromising the public's access to pertinent information. It is noted that the Board has been given various information on all of the hearing(s) to include, the application, zoning map, adjacent property owner list, locational map(s), proffers (if applicable), soils data, comprehensive land use maps and references, etc. With this information noted, I will proceed with the cases."

**IN RE: REDISTRICTING ORDINANCE – A-01-5 – AMENDMENT -
CHAPTER 8**

This being the time and place as advertised in the Dinwiddie Monitor on September 19, 2001 and September 26, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of adopting an ordinance and map which defines the new election districts, precincts and polling places in Dinwiddie County. It is proposed that the existing Chapter 8, Elections, be amended by deleting the current chapter and adopting the new chapter.

Mr. Guy Scheid read the following excerpt.

Redistricting Advisory Committee

Staff Summary Report

This being the date, time and place advertised in the newspaper for the Dinwiddie County Board of Supervisors to conduct a public hearing for the purpose of adopting an ordinance and map which defines the new election districts, precincts and polling places in Dinwiddie County. It is proposed that the existing Chapter 8, Elections, be amended by deleting the current chapter and adopting the new chapter.

A copy of the proposed ordinance and map has been on file in the Office of the Dinwiddie County Planning Department located in the Pamplin Administration Building, 14016 Boydton Plank Road and has been available for review by the citizens during normal working hours (between 8:30 a.m. and 5:00 p.m.), Monday through Friday, except legally declared holidays.

As mentioned at previous meetings, the Board appointed a redistricting committee to review the census data, Voting Rights Act and the Justice Department guidelines to determine if there was a need to change the election district lines, precinct lines and polling places. The committee decided that changes were necessary since the County experienced significant growth and the growth did not occur uniformly throughout the County. The committee conducted many workshops as well as several public meetings while developing redistricting plans. Additionally, committee members visited organizations in the community desiring information on the plan development process. Input from these meetings was incorporated in developing the recommended redistricting plan.

On August 15th the committee presented to the Board the plan they determine to be in the best interests of the Dinwiddie County citizens and in compliance with the guidelines cited above. As a result of their efforts, the Board scheduled a meeting on September 5th to review with the citizens the proposed plan and accept any comments they wished to render. No citizen attending the September 5th meeting objected to the recommended plan. As a result of this meeting, the Board scheduled October 3rd as the meeting date to adopt the amended Chapter 8 ordinance (A-01-5).

The Board of Supervisors has a copy of the revised election district map with precinct boundaries and polling places. Additionally, a legal description of the election district lines, precinct lines and polling places is attached.

On behalf of the planning staff, I wish to thank the redistricting committee members for their efforts and the Board for their choice of committee members. He also noted that Mr. Chuck Horne, Chairman of the Redistricting Committee, was present.

Mr. Moody opened the public hearing.

No one came forward to speak for or in opposition to the Redistricting Ordinance.

Mr. Moody closed the public hearing.

Mr. Bracey moved that the Redistricting Ordinance A-01-5 be approved.

The motion was seconded by Mr. Haraway, Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Chapter 8, Elections, is hereby repealed in its entirety and re-enacted as follows:

**AN ORDINANCE TO REPEAL AND RE-ENACT
CHAPTER 8, ELECTIONS, OF THE INWIDDIE
COUNTY CODE**

ELECTIONS

Sec. 8-1. Election districts – Number.

Pursuant to the authority and procedures contained in Section 15.2-1400, Section 15.2-1211, Section 24.2-223, Section 24.2-304.1, Sections 24.2-305 through 24.2-311 of the *Code of Virginia, 1950 (as amended)*, the election districts, precincts, and polling places of Dinwiddie County, Virginia, are hereby created and established as set forth below. The election districts and the number of Board of Supervisors and School Board members allocated to each district are as follows:

District Board	Board of Supervisors	School
Election District No. 1	1	1
Election District No. 2	1	1
Election District No. 3	1	1
Election District No. 4	1	1
Election District No. 5	1	1

Sec. 8-2. Election District - Boundaries

The boundaries of election districts are described and shown on the map as attached hereto to this Ordinance which is hereby adopted by reference and which are described as follows. The distances in miles is approximate:

Election District #1

Beginning at the point in the southern boundary of Dinwiddie County in the Nottoway River a boundary with Brunswick County, south point being at the point at which Gills Bridge Road (State Route 613) crosses the Nottoway River; thence northerly along Gills Bridge Road to its intersection with an unnamed farm road

located ½ mile south of Darvills Road (State Route 40); thence east along said unnamed farm road to its intersection with another unnamed farm road; thence north along said second unnamed farm road to its intersection with Darvills Road (State Route 40); thence southeasterly along Darvills Road to its intersection with Brills Road (State Route 644); thence northeasterly along Brills Road to its intersection with Continental Road (State Route 642); thence northerly along Continental Road to its intersection with White Oak Road (State Route 613); thence easterly along White Oak Road to its intersection with Hawkins Road (State Route 700); thence north along Hawkins Road to its intersection with Boze Road (along shown as State Route 700); thence east along Boze Road to its intersection with Baltimore Road (State Route 622); thence north along Baltimore Road to its intersection with Cox Road (U. S. Route 460); thence northeasterly along Cox Road to Colemans Lake Road (State Route 624) at which point Cox Road becomes New Cox Road (U. S. Route 460); continue northeasterly along New Cox Road to its intersection with Courthouse Road (State Route 627); thence south on Courthouse Road to its intersection with Anderson Mill Road (State Route 629); thence northeasterly along Anderson Mill Road to its intersection with Bobcat Road (State Route 689); thence southeasterly along Bobcat Road to its intersection with Tranquility Lane (State Route 628), thence southeasterly along Tranquility Lane to a point where Hatcher's Run flows under it; thence along the flow of Hatcher's Run east to where the same flows under Claiborne Road (State Route 631); thence south along Claiborne Road to its intersection with White Oak Road (State Route 613); thence east along White Oak Road to its intersection with Boydton Plank Road to its intersection with Dabney Mill Road (State Route 613); thence east along Dabney Mill Road to a point where Interstate highway 85 passes beneath; thence northeasterly along Interstate Highway 85 to a point where Norfolk Southern Railroad track passes beneath; thence west along said railroad right of way to a junction with a second Norfolk Southern Railroad track merges; thence northeast along the second railroad track to a point where the quarry road (unnamed) crosses the railroad track; thence along the quarry road as it travels north, then west, then north, then west to a point where an unnamed creek passes beneath; thence north along the unnamed creek to where the same flows under River Road (State Route 601); thence westward along River Road to its intersection with Namozine Road (State Route 708); thence northwest along Namozine Road to its intersection with Sutherland Road (State Route 623); thence northward along Sutherland Road to the point at which Whipponock Creek flows beneath Sutherland Road; thence northward with the flow of Whipponock Creek to the boundary line between Dinwiddie and Chesterfield Counties in the Appomattox River; thence westward up to the Appomattox River being the boundary line between Dinwiddie and Chesterfield Counties, to Namozine Creek; thence southwestwardly along Namozine Creek, being the boundary line between Dinwiddie County and Amelia County and between Dinwiddie County and Nottoway County to the Nottoway River; thence south eastward along the Nottoway River to the point of beginning.

Election District #2

Beginning at a point on the northeastern most boundary of Dinwiddie County at the point where Dinwiddie County, Chesterfield County and the City of Petersburg converge; thence south along the line marking the boundary between Dinwiddie County and the City of Petersburg to its intersection with Washington Street (U. S. Highway 1); thence westward along Washington Street to its junction with Boydton Plank Road (U.S. Highway 1) and Cox Road (State Route 226); thence southeast along Sterling Road (State Route 603); thence southeast along Interstate Highway 85 to a point where Norfolk Southern Railroad track passes beneath; thence west along said railroad right of way to a junction with a second Norfolk Southern railroad track; thence northeast along the second railroad track to a point where the quarry road (unnamed) crosses the railroad track; thence along the unnamed quarry road as it travels north, then west, then north, then west to a point where an unnamed creek passes beneath; thence north along the unnamed creek to where the same flows under River Road (State Route 601); thence westerly along River Road to its intersection with Namozine

Road (State Route 708) then northwest along Namozine Road to its intersection with Sutherland Road (State Route 623); thence northwardly along Sutherland Road to the point at which Whipponock Creek flows beneath Sutherland Road; thence northwardly with the flow of Whipponock Creek to the boundary line between Dinwiddie and Chesterfield Counties in the Appomattox River; thence eastwardly along the boundary line between Dinwiddie County and Chesterfield County with the Appomattox River to the point of beginning.

Election District #3

Beginning at a point on the northeastern boundary of Dinwiddie County at the point where Dinwiddie County, Prince George County and the City of Petersburg converge; thence southwardly along the boundary line between Dinwiddie County and Prince George County to the southern most point where Haligan Park Road (State Route 618) intersect the previously referenced boundary line; thence southwest along Haligan Park Road to a point where Rowanty Creek passes beneath Haligan Park Road; thence northwest up Rowanty Creek as it passes beneath Carson Road (State Route 703) to Old Stage Road (State Route 669); thence northwest up Rowanty Creek to where Hatchers Run flows into it; thence northeast up Hatchers Run to where Arthur Swamp flows into it; thence north up Arthur Swamp to a point where it passes beneath Vaughan Road (State Route 675); thence southwest along Vaughan Road to a point where Hatchers Run passes beneath Vaughan Road; thence northwest up Hatchers Run to where Picture Branch flows into it; thence northwest along Picture Branch to a point where it passes beneath Interstate Highway 85; thence northeast along Interstate Highway 85 to a point where it passes over Sterling Road (State Route 603); thence northwest along Cox Road to its junction with Boydton Plank Road and Washington Street (U. S. Highway 1); thence along Washington Street to the boundary line between Dinwiddie County and the City of Petersburg; thence south and east along the boundary line between Dinwiddie County and the City of Petersburg to the point of beginning.

ELECTION DISTRICT #4

Beginning at a point on the southeastern boundary line between Dinwiddie County and Prince George County where the southern most portion of Haligan Park Road (State Route 618) intersects said boundary line; thence southwest along Haligan Park Road to a point where Rowanty Creek passes beneath Haligan Park Road; thence northwest up Rowanty Creek as it passes beneath Carson Road (State Route 703) to Old Stage Road (State Route 669); thence northwest up Rowanty Creek to where Hatchers Run flows into it; thence northeast up Hatchers Run to where Arthur Swamp flows into it; thence north up Arthur Swamp to a point where it passes beneath Vaughan Road (State Route 675); thence southwest along Vaughan Road to a point where Hatchers Run passes beneath Vaughan Road; thence northwest up Hatchers Run to where Picture Branch flows into it; thence northwest along Picture Branch to a point where it passes beneath Interstate Highway 85; thence south along Interstate highway 85 to the Dabney Mill Road (State Route 613) overpass; thence west on Dabney Mill Road to its intersection with Boydton Plank Road (U. S. Highway 1); thence southwest on Boydton Plank Road to its intersection with Turkey Egg Road to its intersection with Chigger Creek Road, a private road; thence north on Chigger Creek Road, a private road; thence north along the pond shoreline to an unnamed creek; thence north along the unnamed creek to its intersection with Gravely Run to a point where it passes beneath Boisseau Road (State Route 661); thence south along Boisseau Road to its intersection with Courthouse Road (State Route 627); thence south along Courthouse Road to its intersection with Boydton Plank Road (U. S. Highway 1); thence southwesterly along Boydton Plank Road to the point where Stony Creek passes beneath Boydton Plank

Road; thence north up Stony Creek to a point where it passes beneath Nash Road to its intersection with Keelers Mill Road (State Route 657); thence southwest along Keelers Mill Road to its intersection with an unnamed farm road; thence northwest along the unnamed farm road to its intersection with Nash Road (State Route 647); thence westerly along Nash Road to a point where Rocky Run Creek passes beneath Nash Road; thence south up Rocky Run Creek to a point where it passes beneath Glebe Road (State Route 646); thence southeast along Glebe Road to its intersection with Pine Drive (a private road); thence southwest along Pine Drive to the underground telephone cable right of way; thence southwest along the underground telephone cable right of way to its intersection with Lew Jones Road (State Route 650); thence east along Lew Jones Road to its intersection with Snap Lodge Road (State 649); thence south along Snap Lodge Road to its intersection with Boydton Plank Road (U. S. Highway 1); thence northeast along Boydton Plank Road to its intersection with First Street (State Route 650); thence east along First Street to its intersection Shippings Road (State Route 709); thence south along Shippings Road to a point where Spony Creek passes beneath Shippings Road; thence southeast along the flow of Spony Creek to a point where an unnamed farm road converges with Spony Creek; thence south and west and southeast along the unnamed farm road to its intersection with Cherry Hill Road (State Route 609); thence southwest along Cherry Hill Road to its intersection with McKenney Highway (State Route 40); thence south on Cherry Hill Road to its intersection with Ridge Road (State Route 616); thence east and south along Ridge Road to its intersection with Bolster Road (State Route 617); thence east along Bolsters Road to its intersection with Hardwood Creek Road (State Route 662); then south and east along Hardwood Creek Road to a point where an unnamed creek passes beneath Hardwood Creek Road; thence south along the flow of the unnamed creek to the boundary line between Dinwiddie County and Sussex County; thence northeast along said boundary line to a point where Dinwiddie County, Sussex County and Prince George County converge; thence north along the boundary line between Dinwiddie County and Prince George County to the point of beginning.

Election District No. 5

Beginning at this point in the southern boundary of Dinwiddie County on the Nottoway River, a boundary with Brunswick County, said point being at the point at which Gills Bridge Road (State Route 613) crosses the Nottoway River; thence northwardly along Gills Bridge Road to its intersection with an unnamed farm road located $\frac{1}{2}$ miles south of Darvills Road (State Route 40); thence east along said unnamed farm road to its intersection with another unnamed farm road; thence north along said second unnamed farm road to its intersection with Darvills Road (State Route 40); thence southeasterly along Darvills Road to its intersection with Brills Road (State Route 644); thence northeasterly along Brills Road to its intersection with Continental Road (State Route 642); thence northerly along Continental Road to its intersection with White Oak Road (State Route 613); thence easterly along White Oak Road to its intersection with Hawkins Road (State Route 700); thence north along Hawkins Road to its intersection with Boze Road (along shown as State Route 700); thence east along Boze Road to its intersection with Baltimore Road (State Route 622); thence north along Baltimore Road to its intersection with Cox Road (U.S. Route 460); thence northeasterly along Cox Road to its junction with Colemans Lake Road (State Route 624), New Cox Road (U.S. Highway 460) and Cox Road (State Route 751); thence northeasterly along New Cox Road to its intersection with Courthouse Road (State Route 627); thence south on Courthouse Road to its intersection with Anderson Mill Road (State Route 629); thence northeasterly along Anderson Mill Road to its intersection with Bobcat Road (State Route 689); thence southeasterly along Bobcat Road to its intersection with Tranquility Lane (State Route 628); thence southeasterly along Tranquility Lane to a point where Hatcher's Run flows under it; thence along the flow of Hatcher's Run east to

where the same flows under Claiborne Road (State Route 631); thence south along Claiborne Road to its intersection with White Oak Road (State Route 613); thence east along White Oak Road to its intersection with Boydton Plank Road (U.S. Highway 1); thence southwest along Boydton Plank Road to its intersection with Turkey Egg Road (State Route 740); thence south on Turkey Egg Road to its intersection with Chigger Creek Road, a private road, thence north on Chigger Creek Road to an unnamed pond; thence north along the pond shoreline to an unnamed creek to its intersection with Gravelly Run; thence west up Gravelly Run to a point where it passes beneath Boisseau Road (State Route 661); thence south along Boisseau Road to its intersection with Courthouse Road (State Route 627); thence south along Courthouse Road to its intersection with Boydton Plank Road (U.S. Highway 1); thence southwesterly along Boydton Plank Road to the point where Stony Creek passes beneath Boydton Plank Road; thence north up Stony Creek to a point where it passes beneath Nash Road (State Route 647); thence westerly along Nash Road to its intersection with Keelers Mill Road (State Route 657); thence southwest along Keelers Mill Road to its intersection with an unnamed farm road; thence northwest along the unnamed farm road to its intersection with Nash Road (State Route 647); thence westerly along Nash Road to a point where Rocky Run Creek passes beneath Nash Road; thence south up Rocky Run Creek to a point where it passes beneath Glebe Road (State Route 646); thence southeast along Glebe Road to its intersection with Pine Drive (a private road); thence southwest along Pine Drive to the underground telephone cable right of way; thence southwest along the underground telephone cable right of way to its intersection with Lew Jones Road (State Route 650); thence east along Lew Jones Road to its intersection with Snap Lodge Road (State Route 649); thence south along Snap Lodge Road to its intersection with Boydton Plank Road (U.S. Highway 1); thence northeast along Boydton Plank Road to its intersection with First Street (State Route 650); thence east along First Street to its intersection with Shippings Road (State Route 709); thence south along Shippings Road to a point where Sapony Creek passes beneath Shippings Road; thence southeast along the flow of Sapony Creek to a point where an unnamed farm road converges with Sapony Creek; thence south and west and southeast along the unnamed farm road to its intersection with Cherry Hill Road (State Route 609); thence southwest along Cherry Hill road to its intersection with McKenney Highway (State Route 40); thence south on Cherry Hill Road to its intersection with Ridge Road (State Route 617); thence east along Bolsters Road to its intersection with Hardwood Creek Road (State Route 662); then south and east along Hardwood Creek Road to a point where an unnamed creek passes beneath Hardwood Creek Road; thence south along the flow of the unnamed creek to the boundary line between Dinwiddie County and Sussex County; thence southwest along said boundary line to a point where Dinwiddie County, Sussex County and Greensville County converge also being at the Nottoway River; thence north and west up the flow of the Nottoway River which forms the boundary line between Dinwiddie County and Greensville County to a point in the Nottoway River where Dinwiddie County, Greensville County and Brunswick County converge; thence northwest up the flow of the Nottoway River forming boundary line between Dinwiddie County and Brunswick County to the point of beginning.

Sec. 8-3. Precincts – Names, number and polling places.

The numbers and names of the precincts constituting the various election districts shall be as follows:

PRECINCT	POLLING PLACE
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ELECTION DISTRICT 1

101 – Rohoic	Rohoic Elementary School, 23312 Airport Rd. (U.S. Hwy 460)
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102 – White Oak Diamond Hill Hunt Club, 12249 Wilson Rd. (St. Rt. 639)
103 – Church Road Midway Elementary School, 5511 Midway Rd. (St. Rt. 739)

ELECTION DISTRICT 2

201 – Edgehill Namozine VFD, 3913 Pelham Ave. (St. Rt. 1332)
202 – Chesdin Grace Baptist Church, 23814 River Rd. (St. Rt. 601)

ELECTION DISTRICT 3

301 – Reams Oak Grove Church, 12715 Acorn Dr. (St. Rt. 1101)
302 – New Hope St. John's Recreation Hall, 7310 Squirrel Level Rd. (St. Rt. 613)

ELECTION DISTRICT 4

401 – Dinwiddie Dinwiddie Fire & EMS Bldg., 13516 Boydton Plank Rd. (Rt. 1)
402 – Little Zion Little Zion Church, 24603 Old Stage Rd. (St. Rt. 670)
403 – Cherry Hill Old Hickory Hunt Club, 18105 McKenney Hwy. (St. Rt. 40)

ELECTION DISTRICT 5

501 – Courthouse Pamplin Administration Bldg., 14016 Boydton Plank Rd. (Rt. 1)
502 – McKenney McKenney Fire & EMS Bldg., 10507 Doyle Rd. (St. Rt. 40)
503 – Rocky Run Rocky Run Ruritan Bldg., 14929 Glebe Rd. (St. Rt. 646)

Sec. 8-4. Precincts - Boundaries.

The boundaries of the precincts are described and shown in the map, which is attached to this Ordinance and is hereby adopted by reference and described as follows. The distances in miles are approximate:

Rohoic Precinct No. 101

Beginning at a point where Hatchers Run flows under Claiborne Road (State Route 631); thence south along Claiborne Road to its intersection with White Oak Road (State Route 613); thence east along White Oak Road to its intersection with Boydton Plank Road (U.S. Highway 1); thence south along Boydton Plank Road to its intersection with Dabney Mill Road (State Route 613); thence east along Dabney Mill Road to a point where Interstate Highway 85 passes beneath; thence northeasterly along Interstate Highway 85 to a point where Norfolk Southern Railroad track passes beneath; thence west along said railroad right of way to a junction with a second Norfolk Southern Railroad track; thence northeast along the second railroad track to a point where the quarry road (unnamed) crosses the railroad track; thence along the unnamed quarry road as it travels north; then west, then north then west to a point where an unnamed creek passes beneath; thence north along the unnamed creek to where the same flows under River Road (State Route 601); thence westerly along River Road to its intersection with Namozine Road (State Route 708); thence northwest along Namozine Road to its junction with Sutherland Road (State Route 623) and Station Road (State Route 623); thence south along Station Road to its intersection with Cox Road (U.S. Highway 460); thence east along Cox Road to its intersection with Rocky Branch Road (State Route 636); thence south along Rocky Branch Road to its intersection with a driveway/farm road; thence east along the driveway/farm road to its intersection with Claiborne Road (State Route 631); thence south along Claiborne Road to the point of beginning.

White Oak Precinct No. 102

Beginning at the point in the southern boundary of Dinwiddie County on the Nottoway River, a boundary with Brunswick County, said point being at the point at which Gills Bridge Road (State Route 613) crosses the Nottoway River; thence northwardly along Gills Bridge Road to its intersection with an unnamed farm road located ½ mile south of Darvills Road (State Route 40); thence east along said unnamed farm road to its intersection with another unnamed farm road; thence north along said second unnamed farm road to intersection with Darvills Road (State Route 40); thence southeasterly along Darvills Road to its intersection with Brills Road (State Route 644); thence northeasterly along Brills Road to its intersection with Continental Road (State Route 642); thence northerly along Continental road to its intersection with White Oak Road (State Route 613); thence easterly along White Oak Road to its intersection with Hawkins Road (State Route 700); thence north along Hawkins road to its intersection with Boze Road (along shown as State Route 700); thence east along Boze Road to its intersection with Baltimore Road (State Route 622); thence north along Baltimore Road to its intersection with Cox Road (U.S. Route 460); thence northeasterly along Cox Road (U.S. Route 460); approximately 0.8 miles to its intersection with an unnamed farm road; thence north along the unnamed farm road across the Norfolk Southern railroad track and continuing in a northerly, then westerly direction along the unnamed farm road to its intersection with an unnamed creek; thence north along the flow of the unnamed creek to its intersection with Namozine Creek; thence southwesterly along the Namozine Creek being the boundary line between Dinwiddie County and Amelia County and between Dinwiddie County and Nottoway County, the northwestern most point of Dinwiddie County, thence southwardly along the boundary line between Dinwiddie County and Nottoway County to the Nottoway River; thence southeastwardly along the flow of the Nottoway River to the point of beginning.

Church Road Precinct No. 103

Beginning at a point where Hatchers Run flows under Claiborne Road (State Route 631); thence north along Claiborne Road approximately 1.8 miles to its intersection with an unnamed farm road /driveway; thence west along the unnamed farm road/driveway to its intersection with Rocky Branch Road (State Route 636); thence north along Rocky Branch Road to its intersection with Cox Road (U.S. Highway 460); thence west along Cox Road to its intersection with Station Road (State Route 623); thence north along Station Road to its intersection with Namozine Road (State Route 708) and Sutherland Road (State Route 623); thence northwardly along Sutherland Road to the point at which Whipponock Creek flows beneath Sutherland Road; thence northwardly with the flow of Whipponock Creek to the boundary line between Dinwiddie and Chesterfield Counties in the Appomattox River; thence westward up the Appomattox river being the boundary line between Dinwiddie and Chesterfield Counties, to Namozine Creek; thence southwesterly along Namozine Creek to a point of intersection with an unnamed creek; thence south up the creek to its intersection with an unnamed farm road; thence east and south along the unnamed farm road to its intersection with Cox Road (U.S. Highway 460); thence northeasterly along Cox Road to its junction with Colemans Lake Road (State Route 624); New Cox Road (U.S. Highway 460) and Cox Road (State Route 751); thence northeasterly along New Cox Road to its intersection with Courthouse Road (State Route 627); thence south on Courthouse Road to its intersection with Anderson Mill Road (State Route 629); thence northeasterly along Anderson Mill Road to its intersection with Bobcat Road (State Route 689); thence southeasterly along Bobcat Road to its intersection with Tranquility Lane (State Route 628); thence southeasterly along Tranquility Lane to a point where Hatcher's Run flows beneath it; thence east along the flow of Hatcher's Run to the point of beginning.

Edgehill Precinct No. 201

Beginning at a point on the northeastern most boundary of Dinwiddie County at the point where Dinwiddie County, Chesterfield County and the City of Petersburg converge; thence south along the line marking the boundary between Dinwiddie County and the City of Petersburg to its intersection with Washington Street (U.S. Highway 1); thence westward along Washington Street to its junction with Boydton Plank Road (U.S. Highway 1) and Cox Road (State Route 226); thence southwest along Cox Road to its intersection with Sterling Road (State Route 603); thence southeast along Sterling Road to the point where Interstate Highway 85 passes overhead; thence southwest along Interstate Highway 85 to a point where Norfolk Southern Railroad track passes beneath; thence west along said railroad right of way to a junction with a second Norfolk Southern railroad track; thence northeast along the second railroad track to a point where it passes over Ferndale Road (State Route 600); thence north on Ferndale Road to a point where the Appomattox River passes beneath Ferndale Road being on the boundary line between Dinwiddie County and Chesterfield County; thence eastwardly along the boundary line between Dinwiddie County and Chesterfield County to the point of beginning.

Chesdin Precinct No. 202

Beginning at a point of junction between Station Road (State Route 623); Sutherland Road (State Route 623) and Namozine Road (State Route 708); thence easterly along Namozine Road to its intersection with River Road (State Route 601); thence easterly along River Road to a point approximately 0.2 miles east of Olgers Road (State Route 632) where an unnamed creek passes beneath River Road; thence south up the flow of the unnamed creek to a point where an unnamed quarry road passes overhead; thence in an east and south direction along the unnamed quarry road as it intersects with the Norfolk and Southern Railroad tracks; thence northeast along the Norfolk and Southern Railroad track to a point where Ferndale Road (State Route 600) passes beneath; thence north on Ferndale Road to a point where the Appomattox River passes beneath Ferndale Road being on the boundary line between Dinwiddie County and Chesterfield County; thence westward along the boundary line between Dinwiddie County and Chesterfield County up the Appomattox River to a point where Whipponock Creek intersects the boundary line between Dinwiddie County and Chesterfield County; thence southwesterly up the flow of Whipponock Creek to a point where it passes beneath Sutherland Road (State Route 623); thence southward along Sutherland Road to a point of beginning.

Reams Precinct No. 301

Beginning at a point on the eastern boundary of Dinwiddie County where Carson Drive (State Route 677) intersects the boundary line between Dinwiddie County and Prince George County; thence southwardly along the boundary line between Dinwiddie County and Prince George County to the southern most point where Haligan Park Road (State Route 618) intersects the previously referenced boundary line; thence southwest along Haligan Park Road to a point where Rowanty Creek passes beneath Haligan Park Road; thence northwest up Rowanty Creek as it passes beneath Carson Road (State Route 703) to Old Stage Road (State Route 669); thence northwest up Rowanty Creek to where Hatcher's Run flows into it; thence northeast up Hatcher's Run to where Arthur Swamp flows into it; thence north up Arthur Swamp to a point where an unnamed creek flows into Arthur Swamp; thence east and north up the unnamed creek to a point where it passes beneath the abandoned CSX railroad track; thence eastwardly along the CSX railroad bed to its intersection with a second CSX railroad track; thence south along the second CSX railroad track to a point where it passes beneath Halifax Road (State Route 604); thence north along Halifax Road to its intersection with Carson Drive (State Route 677); thence east along Carson Drive to the point of beginning.

New Hope Precinct No. 302

Beginning at a point on the northeastern boundary of Dinwiddie County where Dinwiddie County and Prince George County; thence southwardly along the boundary line between Dinwiddie County, Prince George County and the City of Petersburg converge; thence southwardly along the boundary line between Dinwiddie County and Prince George County to a point where Carson Drive (State Route 677) intersects said boundary; thence west along Carson Drive to its intersection with Halifax Road (State Route 604); thence south along Halifax Road to a point where the CSX Railroad track passes beneath the Halifax Road; thence north on the CSX Railroad track to a point where the abandoned CSX Railroad bed intersects the CSX Railroad tracks; thence southwesterly along the abandoned CSX railroad bed to a point where an unnamed creek passes beneath; thence southwesterly with the flow of the unnamed creek to the point of intersection with Arthur Swamp; thence northwesterly up Arthur Swamp to the point where Arthur Swamp passes beneath Vaughan Road (State Route 675); thence southwest along Vaughan Road to a point where Hatcher's Run passes beneath Vaughan Road; thence northeast up Hatcher's Run to where Picture Branch flows into it; thence northeast along Picture Branch to a point where it passes beneath Interstate Highway 85; thence northeast along Interstate Highway 85 to a point where it passes over Sterling Road (State Route 603); thence northwest along Sterling Road to its intersection with Cox Road (State Route 226); thence northeast along Cox Road to its junction with Boydton Plank Road and Washington Street (US Highway 1); thence along Washington Street to the boundary line between Dinwiddie County and the City of Petersburg; thence south and east along the boundary line between Dinwiddie County and the City of Petersburg to the point of beginning.

Dinwiddie Precinct No. 401

Beginning at the point of intersection of Dabney Mill Road (State Route 613) and Boydton Plank Road (U.S. Highway 1); thence southwest on Boydton Plank Road to its intersection with Turkey Egg Road (State Route 740); thence south on Turkey Egg Road to its intersection with Chigger Creek Road, a private road; thence north on Chigger Creek Road to an unnamed pond; thence north along the pond shoreline to an unnamed creek; thence north along the unnamed creek to its intersection with Gravelly Run; thence west up Gravelly Run to a point where it passes beneath Boisseau Road (State Route 661); thence south along Boisseau Road to its intersection with Courthouse Road (State Route 627); thence south along Courthouse Road to its intersection with Boydton Plank Road (U.S. Highway 1); thence southwesterly along Boydton Plank Road to the point where Stony Creek passes beneath Boydton Plank Road; thence north up Stony Creek to a point where it passes beneath Nash Road (State Route 647); thence westerly along Nash Road to its intersection with Keelers Mill (State Route 657); thence southwest along Keelers Mill Road to its intersection with an unnamed farm road; thence northwest along the unnamed farm road to its intersection with Nash Road (State Route 647); thence westerly along Nash Road to a point where Rocky Run Creek passes beneath Nash Road; thence south up Rocky Run Road Creek to a point where it passes beneath Glebe Road (State Route 646); thence southeast along Glebe Road to its intersection with Pine Drive (a private road); thence southwest along Pine Drive to the underground telephone cable right of way; thence southwest along the underground telephone cable right of way to its intersection with Low Jones Road (State Route 650); thence east along Low Jones Road to its intersection with Snap Lodge Road (State Route 649); thence south along Snap Lodge Road to its intersection with Boydton Plank Road (U.S. Highway 1); thence northeast along Boydton Plank Road to its intersection with First Street (State Route 650); thence east along First Street to its intersection with Shippings Road (State Route 709); thence south along Shippings Road to its intersection with Branches Road (State Route 658); thence southeasterly and east along Branches Road to its intersection with Courthouse Road (State Route 619); thence north along Courthouse Road to a point where Hawkins Run passes beneath Courthouse Road; thence northeast

along the flow with Hawkins Run to its intersection with Stony Creek; thence northwest up the flow of Stony Creek to a point where it passes beneath Courthouse Road (State Route 619); thence north along Courthouse Road to its intersection with Hardiways Mill Road (State Route 660); thence northeasterly along Hardiways Mill Road to its junction with Carson Road (State Route 703) and Old Vaughn Road (State Route 660); thence northeasterly along Old Vaughn Road to its intersection with Quaker Road (State Route 660); thence north along Quaker Road to its intersection with an unnamed dirt road located 0.1 miles west of Interstate Highway 85; thence northeasterly, then southeasterly then north along the unnamed dirt road to its intersection with Dabney Mill Road (State Route 613); thence northwest along Dabney Mill Road to its intersection with the CSX Railroad bed; thence northeasterly along the CSX Railroad bed to a point where Hatchers Run passes beneath the railroad bed; thence northwesterly up Hatchers Run too where Picture Branch flows into it; thence northwest along Picture Branch to a point where it passes beneath Interstate Highway 85; thence south along Interstate Highway 85 to the Dabney Mill Road (State Route 613) overpass; thence west along Dabney Mill Road to the point of beginning.

Little Zion Precinct No. 402

Beginning at a point on the southeastern boundary of Dinwiddie County where Dinwiddie County and Prince George County where the southern most portion of Haligan Park Road (State Route 618) intersects said boundary line; thence southwest along Haligan Park Road to a point where Rowanty Creek passes beneath Haligan Park Road; thence northwest up Rowanty Creek as it passes beneath Carson Road (State Route 703) to Old Stage Road (State Route 669) thence northwest up Rowanty Creek to where Hatcher's Run flows into it; thence northeast up Hatcher's Run to where Arthur Swamp flows into it; thence north up Arthur Swamp to a point where it passes beneath Vaughan Road (State Route 675); thence southwest along Vaughan Road to a point where Hatchers Run passes beneath Vaughan Road; thence northeast up Hatchers Run to the point where it passes beneath the abandoned CSX Railroad tracks; thence southwesterly along the CSX Railroad bed to its intersection with Dabney Mill Road (state Route 613); thence southeast along Dabney Mill Road to its intersection with an unnamed dirt road located approximately 0.3 miles south of Steers Road (State Route 758); thence along the unnamed dirt road in a south direction, then northwesterly, then southwesterly direction to its intersection with Quaker Road (State Route 660); thence south along Quaker Road to its intersection with Old Vaughan Road (State Route 605); thence southwesterly along Old Vaughan Road to its junction with Hardiways Mill Road (State Route 660) and Carson Road (State Route 703); thence southwesterly along Hardiways Mill Road to its intersection with Courthouse Road (State Route 619); thence south on Courthouse Road to a point where Stony Creek passes beneath Courthouse Road; thence easterly along the flow of Stony Creek to a point where it merges with Hawkins Run; thence southwesterly up Hawkins Run to a point where it passes beneath Courthouse Road (State Route 619) thence south on Courthouse Road to its intersection with Old Stage Road (State Route 609); thence northeast along Old Stage Road to a point where Rita Branch passes beneath Old Stage Road; thence south along the flow of Rita Branch to its intersection with Sapony Creek; thence east and southeast with the flow of Sapony Creek to a point where Sapony Creek passes beneath Walkers Mill Road (State Route 665); thence northeast along Walkers Mill Road to its junction with Flatfoot Road (State Route 626) and Black Branch Road (State Route 665); thence southeasterly along Black Branch Road to A point where said road intersects the boundary line between Dinwiddie County and Sussex County; thence northeast along the boundary line between Dinwiddie County and Sussex County to the point of convergence between the Dinwiddie County, Sussex County and Prince George County; thence north along the boundary line between Dinwiddie County and Prince George County to the point of beginning.

Cherry Hill Precinct No. 403

Beginning at a point where Branches Road (State Route 658) intersects with Shippings Road (State Route 709); thence south along Shippings Road to a point where Sapony Creek passes beneath Shippings; thence southeast along the flow of Sapony Creek to a point where an unnamed farm road converges with Sapony Creek; thence south and west and southeast along the unnamed farm road to its intersection with Cherry Hill Road (State Route 609); thence southwest along Cherry Hill Road to its intersection with McKenney Highway (State Route 40); thence south on Cherry Hill Road to its intersection with Ridge Road (State Route 616); thence east and south along Ridge Road to its intersection with Bolsters Road (State Route 617); thence east along Bolsters Road to its intersection with Hardwood Creek Road (State Route 662); then south and east along Hardwood Creek Road to a point where an unnamed creek passes beneath Hardwood Creek Road; thence south along the flow of the unnamed creek to the boundary line between Dinwiddie County and Sussex County; thence northeast along said boundary line to a point where Black Branch Road (State Route 681) intersects the boundary line between Dinwiddie County and Sussex County; thence northwesterly along Black Branch to its junction with Flatfoot Road (State Route 626) and Walkers Mill Road (State Route 665); thence southwesterly along Walkers Mill Road to a point where Sapony Creek passes beneath Walkers Mill Road; thence northwesterly up Sapony Creek to a point where Rita Branch intersects Sapony Creek; thence northerly up Rita Branch to a point where it passes beneath Old Stage Road (State Route 609); thence southwesterly along Old Stage Road to its intersection with Courthouse Road (State Route 619); thence north along Courthouse Road to its intersection with Branches Road (State Road 658); thence west and northwesterly along Branches Road to the point of beginning.

Courthouse Precinct No. 501

Beginning at the point of intersection between Trinity Church Road (State Route 611) and New Cox Road (U.S. Route 460) thence easterly along New Cox Road to its intersection with Courthouse Road (State Route 627); thence south along Courthouse Road to its intersection with Anderson Mill Road (State Route 629); thence northeasterly along Anderson Mill Road to its intersection with Bobcat Road (State Route 689) thence southeasterly along Bobcat Road to its intersection with Tranquility Lane (State Route 628); thence southeasterly along Tranquility Lane to a point where Hatchers Run Road flows under it; thence along the flow of Hatchers Run east to where the same flows under Claiborne Road (State Route 631); thence south along Claiborne Road to its intersection with White Oak Road (State Route 613); thence east along White Oak Road to its intersection with Boydton Plank Road (U.S. Highway 1); thence southwest along Boydton Plank Road to its intersection with Turkey Egg Road (State Route 740); thence south on Turkey Egg Road to its intersection with Chigger Creek Road, a private road; thence north on Chigger Creek Road to an unnamed pond; thence north along the unnamed creek to its intersection with Gravelly Run; thence west up Gravelly Run to a point where it passes beneath Boisseau Road (State Route 661); thence south along Boisseau Road to its intersection with Courthouse Road (State Route 627); thence south along Courthouse Road to its intersection with Boydton Plank Road (U.S. Highway 1); thence southwesterly along Boydton Plank Road to the point where Stony Creek passes beneath Boydton Plank Road; thence north up Stony Creek to a point where it passes beneath Wheelers Pond Road (State Route 645); thence north on Wheelers Pond Road to its intersection with Hills Drive (State Route 624); thence west on Hills drive to a point where White Oak Creek passes beneath Hills drive; thence northwesterly up the flow of White Oak Creek to a point where it passes beneath

White Oak Road (State Route 613); thence northwesterly along White Oak Road to its intersection with Trinity Church Road (State Route 611); thence northwesterly along Trinity Church Road to the point of beginning.

McKenney Precinct No. 502

Beginning at the point in the southern boundary of Dinwiddie County on the Nottoway River, a boundary with Brunswick County, said point being at the point at which Gills Bridge Road (State Route 613) crosses the Nottoway River; thence northward along Gills Bridge Road to its intersection with an unnamed farm road located ½ mile south of Darvills Road (State road 40); thence east along said unnamed farm road to its intersection with another unnamed farm road; thence north along said second unnamed farm road to its intersection with Darvills Road (State Route 40); thence southwesterly along Darvills to its intersection with Brills Road (State Road 644); thence northeasterly then southeasterly along Brills Road to its intersection with Old White Oak Road (State Route 610) and Depot Road (State Route 644); thence southeasterly along Depot Road to its intersection with Lew Jones Road (State Route 650); thence east along Lew Jones Road to its intersection with Southern Avenue (State route 1021); thence south along Southern Avenue to its intersection with Seaboard Drive (State Route 1020); thence west along Seaboard Drive to its intersection with Depot Road (State Route 644); thence southerly along Depot Road to its intersection with Asbury Road (State Route 652); thence southeasterly along Asbury road to its intersection with an unnamed farm road located approximately 0.15 mile north of the abandoned CSX Railroad bed; thence northeasterly along the unnamed farm road to its intersection with Sapony Creek ; thence east and southeast and south along the flow of Sapony Creek as it passes beneath Boydton Plank road (U.S. Highway 1), Interstate Highway 85 and Shippings Road (State Route 709) to a point where an unnamed farm road converges with Sapony Creek; thence south and west and southeast along the unnamed farm road to its intersection with Cherry Hill Road (State Route 609); thence southwest along Cherry Hill Road to its intersection with McKenney Highway (State route 40); thence south on Cherry Hill Road to its intersection with Ridge Road (State Route 616); thence east and south along Ridge Road to its intersection with Bolsters Road (State Route 617); thence east along Bolsters Road to its intersection with Hardwood Creek Road (State Route 662) ; then south and east along Hardwood Creek Road to a point where an unnamed creek passes beneath Hardwood Creek Road; thence south along the flow of the unnamed creek to the boundary line between Dinwiddie County and Sussex County; thence southwest along said boundary line to a point where Dinwiddie County, Sussex County and Greensville County converge also being at the Nottoway River; thence north and west up the flow of the Nottoway River which forms the boundary line between Dinwiddie County and Greensville County to a point in the Nottoway River where Dinwiddie County, Greensville County and Brunswick County converge; thence northwest up the flow of the Nottoway River forming the boundary line between Dinwiddie County and Brunswick County to the point of beginning.

Rocky Run Precinct No. 503

Beginning at the point of intersection between Trinity Church Road (State Route 611) and New Cox Road (U.S. Route 460); thence southeasterly along Trinity Church Road to its intersection with White Oak Road (State Route 613); thence southwesterly along White Oak Road to a point where White Oak Creek passes beneath White Oak Road; thence southwesterly along the flow of White Oak Creek to a point where it passes beneath Hills Drive (State Route 624); thence east along Hills Drive to its intersection with Wheelers Pond Road (State Route 645); thence south along Wheelers Pond Road to a point where Stony Creek passes beneath Wheelers Pond Road; thence easterly and southeasterly along the flow of Stony Creek to a point where Stony Creek passes beneath Nash

Road (State Route 647); westerly along Nash Road to its intersection with Keelers Mill Road (State Route 657); thence southwest along Keelers Mill Road to its intersection with an unnamed farm road; thence northwest along the unnamed farm road to its intersection with Nash Road (State Route 647); thence westerly along Nash Road to a point where Rocky Run Creek passes beneath Nash Road; thence south up Rocky Run Creek to a point where it passes beneath Glebe Road (State Route 646); thence southeast along Glebe Road to its intersection with Pine Drive (a private road); thence southwest along Pine Drive to the underground telephone cable right of way to its intersection with Lew Jones Road (State Route 650); thence east along Lew Jones Road to its intersection with Snap Lodge Road (State Route 649); thence south along Snap Lodge Road to its intersection with Boydton Plank Road (U.S. Highway 1); thence northeast along Boydton Plank Road to its intersection with First Street (State Route 650); thence east along First Street to its intersection with Shippings Road (State Route 709); thence south along Shippings Road to a point where Spony Creek passes beneath Shippings Road; thence up Spony Creek as it passes beneath Interstate 85, Boydton Plank Road (U.S. Highway 1) and the abandoned CSX Railroad bed to its intersection with an unnamed farm road ; thence southwesterly along the unnamed farm road to its intersection with Asbury Road (State Route 652); thence northwesterly along Asbury Road to its intersection with Depot Road (State Route 644); thence north along Depot Road to its intersection with Southern Avenue (State Route 1020); thence easterly along Southern Avenue to its intersection with Seaboard Drive (State Route 1021); thence north Seaboard Drive to its intersection with Lew Jones Road (State Route 650); thence southwesterly along Lew Jones Road to its intersection with Depot Road (State Route 644); thence northwesterly along Depot Road to its intersection with Old White Oak Road (State Route 613) and Brills Road (State Route 644); thence northwesterly along Brills Road to its intersection with Continental Road (State Route 642); thence northerly along Continental Road to its intersection with White Oak Road (State Route 613); thence easterly along White Oak Road to its intersection with Hawkins Road (State Route 700); thence north along Hawkins Road to its intersection with Boze Road (also shown on State Route 700) thence east along Boze Road to its intersection with Baltimore Road (State Route 622); thence north along Baltimore Road to its intersection with Cox Road (U.S. Route 460); thence northeasterly along Cox Road to its junction with Colemans Lake Road (State Route 624); New Cox Road (U.S. Route 460) and Cox Road (State Route 751); thence northeasterly along New Cox Road to the point of beginning.

Sec. 8-5. Effective date of chapter.

This chapter shall become effective October 3, 2001 and will apply to elections occurring after December 31, 2001 or when pre-cleared by the U.S. Department of Justice under Section 5 of the Voting Rights Act whichever, but shall otherwise remain in full force.

AND BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County Virginia, that should any portion of this Ordinance be found to be in violation of the law and therefore be declared invalid by a court of competent jurisdiction, the remaining portions shall remain in full force and effect.

AND BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that The County Attorney shall submit this Ordinance and accompanying materials to support this Ordinance to the proper authorities for pre-clearance comes later.

AND BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that any other Ordinances that conflict with this Ordinance shall be repealed to the extend necessary to give full force and effect to this Ordinance and notification purposes.

IN RE: PUBLIC HEARING – C-01-6 – AMERICAN AND UNISITE

This being the time and place as advertised in the Dinwiddie Monitor on September 19, 2001 and September 26, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on and to propose for the issuance of a conditional use permit submitted by American Tower / Unisite, who are seeking a conditional use permit to construct, operate, and maintain a two hundred fifty (250) foot lattice telecommunications tower, related equipment and improvements for the purpose of mounting wireless telecommunications antennas. The proposed site is located on the north side of Harpers Road at its intersection with Old Beaver Pond Road and Harpers Bridge Road. The site is identified as Tax Map 78, Parcel 10(C) by the Commissioner of the Revenue's Office and is owned by James and Lena Byrd. The property is used for timber production.

Mr. Guy Scheid, Director of Planning, read the following excerpt.

Planning Staff Summary Report

File: C-01-6 (amended)
Applicant: American Tower / Unisite
Property Address:
Intersection of Harpers Bridge Road and Old Beaver Pond Rd.
Magisterial District: Darvills
Acreage: 10.9 acres (a portion leased)
Tax Map Parcel: 78-10C
Zoning: Agricultural, General, A-2
Water Source: N/A
Sewer Disposal: N/A

The applicants, American Tower / Unisite, are seeking a conditional use permit to construct, operate, and maintain a two hundred fifty (250) foot lattice telecommunications tower, related equipment and improvements for the purpose of mounting wireless telecommunications antennas. The proposed site is located on the north side of Harpers Road at its intersection with Old Beaver Pond Road and Harpers Bridge Road. The site is identified as Tax Map 78, Parcel 10(C) by the Commissioner of the Revenue's Office and is owned by James and Lena Byrd. The property is used for timber production.

The Planning Commission heard this case in July and August. The Commission voted to delay action on the case at their July meeting until further information from the consultant, George Condyles with Atlantic Technologies, was made available.

Mr. Condyles, President of Atlantic Technologies, came forth at the August meeting to state that he secured the additional information that the Commission needed. After analyzing the information, Mr. Condyles recommended that the Planning Commission approve the tower to a maximum height of 240' with conditions noted by the planning staff.

Ms. Ashley Harwell, attorney with McGuire Woods, speaking on behalf of the applicant stated that they agreed with the consultant's recommendation and accepted the conditions set forth by the planning department. Additionally, she

suggested that a condition be added such that no building permit be issued until a signed lease with an authorized FCC carrier is produced by the applicant.

The Commissioners, legal counsel and planning staff discussed several changes and/or additions to the conditions previously noted. Upon conclusion of their discussions, the Planning Commissioners voted 4-0 (Mr. Lee, Mrs. Stewart and Mr. Wood absent) to recommend approval of C-01-6 with conditions noted. Since this is a zoning matter, the Board must read the following statement as part of your motion:

BE IT RESOLVED that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that the Board of Supervisors (disapprove C-01-6) OR (approve C-01-6 with the following conditions and waiver:

1. The tower proposed by UNisite shall not exceed 240 feet in height;
2. A building permit shall not be issued until the applicant provides the Planning Department with a contract from a service provider stating that they will locate their wireless telecommunications equipment on the tower;
3. If lighting is required, the lighting will be accomplished with a dual-flashing system with red at night and white during the day utilizing fresnel lenses that deflect at least 90% of the light toward the horizon and upward. This requirement may be modified in the future to a more restrictive type of lighting approved by the FAA if agreed upon by the County;
4. The applicant, UNisite, shall allow at least four (4) other wireless telecommunications providers to locate on the tower and site and shall provide the County, upon request, verifiable evidence of having made a good faith effort to allow such location;
5. UNisite shall construct the tower as shown in the plans drawn consistent with these conditions;
6. The County shall have co-location rights on the tower at no cost to the County; and
7. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions. This CUP automatically expires at the end of two (2) years from the date of approval if construction on the tower has not begun.)

As permitted by section 22-274, a waiver of 44 feet (264' to 220') on the western side and 19 feet (264' to 245') on the southern side from each property line is granted as part of this conditional use permit.

Mr. Moody asked if the applicant would like to come forward and speak.

Ms. Ramona Sein, McGuire Wood, Richmond, VA, attorney representing the applicant, stated that Unisite constructs wireless telecommunications utilities and provides space to service providers. Mr. Kevin Dey, Site Development Manager for Unisite, was here also if anyone had any questions. She stated the applicant was asking for a 250' self-supporting lattice tower on property owned by James and Lena Byrd of Old Beaver Pond Road. She stated that the company was not in the business of building speculative towers but wanted to be able to provide structures to serve the needs of carriers in areas where coverage was low. Ms. Sein asked the Board if they had any questions she would be glad to answer them.

Mr. Moody opened the public hearing for citizen comments or questions.

Mr. Jim Whitaker, Site Technician with Atlantic Technologies, stated if the Board had any technical questions he would address them.

No one came forward to speak for or in opposition to the case.

Mr. Moody closed the public hearing.

Mr. Bracey asked if the maximum height was indeed 240' he did not want the applicants to come back in the future and request an increase.

Mr. Dey responded there was no way of knowing whether the height would need to be increased in the future or not. The height is based on the need of the carrier to connect from one tower to the next one. In his opinion the height of towers were getting lower and the distance apart was a lot closer than in the past. However, each tower foundation is designed for the height needed. It would be too expensive to reconstruct a tower just to increase the height.

Mr. Bracey moved that rezoning case C-01-6 be approved; to include the following statement:

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the conditional use permit request C-01-6 submitted by American Towers and Unisite, as stated above, is hereby approved with the conditions recommended by the Planning Commission; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following condition is hereby added:

8. The applicants, American Towers and Unisite, shall notify the County or its successors or assignees no later than March 1st of each year of the name, address, and telephone number(s) for the tower owner and each lessee of the tower owner and the registered agent for each.

The motion was seconded by Mr. Haraway, Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye".

**IN RE: PUBLIC HEARING – P-01-7 – GERALD B. ROGERSON –
REZONING REQUEST**

This being the time and place as advertised in the Dinwiddie Monitor on September 19, 2001 and September 26, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a rezoning request from Gerald Rogerson to rezone six (6) acres of a sixty-five (65) acre tract from Agricultural, General, A-2, to Residential, Rural, RR-1. It is the intention of the applicant to create at least one (1) additional building site on this 6-acre parcel, if rezoned. The property is identified as tax map parcel 71-(2)-D by the Commissioner of the Revenue and is located at the intersection of Courthouse Road (Route 619) and Branches Road (Route 658).

Mr. Guy Scheid, Director of Planning, read the following excerpt.

Planning Staff Summary Report

File: P-01-7
Applicant: Gerald B. Rogerson
Property Address: Intersection of Branches Rd. (Rt. 658) & Courthouse Rd. (Rt. 627)
Acreage: 6.0 acres
Tax Map Parcel: 71-(2)-D

Zoning: Agricultural, General A-2 district

Water Source: On-site well

Sewer Disposal: On-site septic

The applicant, Gerald Rogerson, is seeking to rezone six (6) acres of a sixty-five (65) acre tract from Agricultural, General, A-2, to Residential, Rural, RR-1. It is the intention of the applicant to create at least one (1) additional building site on this 6-acre parcel, if rezoned. The property is identified as tax map parcel 71-(2)-D by the Commissioner of the Revenue and is located at the intersection of Courthouse Road (Route 619) and Branches Road (Route 658).

The Planning Commission heard this request at their September 12, 2001 public meeting. The applicant, Mr. Rogerson, addressed the Planning Commission regarding his request. Upon concluding his comments, the Chairman opened the public comment portion of the meeting. No one in attendance spoke in support of, or opposition to, the rezoning request. It was noted by the Commissioners during their discussions that previous actions and/or statements by the Board of Supervisors and the Planning Commission were to discourage this type of development. Upon a vote of 7-0, the Planning Commission recommended disapproval of rezoning request P-01-7.

Mr. Moody asked the applicant Mr. Rogerson to come forward for any comments he might have.

Mr. Gerald Rogerson, 18901 Courthouse Road Dinwiddie, VA 23841 came forth to speak on behalf of P-01-7. He stated that he hoped the Board would approve the rezoning. He commented that the County has too many rules and regulations and he did not understand why a person can't do what he wants to with his own land. He further added that he has paid taxes on the property for approximately sixty-five (65) years and selling this piece of land is worth while and the county will get more taxes from six (6) acres with a home on it, than in its present zoning of Agricultural.

Mr. Bracey asked why the Planning Commission turned down this rezoning request?

Mr. Scheid stated Mr. Rogerson had a larger piece of property in the past and he divided it, in the last year or so, and the property has been divided up into the maximum number of allowable lots without having the property rezoned. There is a proviso that is available on the sixty-five (65) acre tract. If the applicant chooses, he can divide the property into twenty (20) acre tracts by the ordinance and the applicant is aware of that provision but it is not his desire. The request before you is for RR-1. While the applicant states that only one home site will go on the property, the property has a lot of road frontage and as you are well aware, RR-1 requires two (2) acres and two hundred (200) feet of road frontage. If the property is rezoned, it could be divided into three (3) lots.

Mr. Bracey stated just so you won't be out in the cold, Mr. Rogerson, are you going to build on only one site? Mr. Rogerson replied he couldn't say what the new owner might want to do.

Mr. Moody opened the public hearing for citizen comments.

No one spoke for or in opposition to the case.

Mr. Moody closed the public hearing.

Mr. Bowman asked Mr. Rogerson if this was his land? Mr. Rogerson replied he has owned the land for 65 years and has paid taxes on it for 50 years. Mr. Bowman continued and stated this is a six-acre piece of property and this

case was no different than a previous spot zoning case that the Board approved. He has been a resident of the county all his life and once we made the exception to the Comprehensive Land Use Plan for that case, I don't feel we have the right to deny anyone.

Mr. Moody disagreed with Mr. Bowman and commented, we are not spot zoning. There was quite a bit of discussion between Mr. Moody and Mr. Bowman regarding the Comprehensive Land Use Plan, growth reserves and fairness for all the citizens of the County.

Mr. Scheid mentioned that staff's other concerns including the denial of similar cases and if Mr. Rogerson is granted the rezoning, he still has more property and it seems very difficult to us if he came forth with a similar request. The property does not meet the criteria set forth by the Planning Commission in the past.

Mr. Bowman asked if there were any proffers offered to the applicant. Mrs. Katz cautioned the Board stating that proffers had to be stated before the Public Hearing. Mr. Scheid stated that staff did not offer any to the applicant.

Mr. Moody stated that we do like to help tax payers in this county especially ones that have been in the county all their lives, but in this situation it would be opening up the whole county to rezone a piece here and there. I have some property up my way that I would love to do that way but I don't think it is something we should deal with at this time.

Mr. Haraway stated he did not vote for the Henshaw's case and he certainly could not vote for this one either.

Mr. Bracey stated he thought the Board should go back and read the text and it would make a difference. Mr. Rogerson was already allowed to cut his land and he felt that was fair. He commented he could not vote against the Planning Commission's recommendation.

Mr. Haraway read the following statement:

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning case P-01-7 be denied by the Board of Supervisors.

The motion was seconded by Mr. Bracey, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", Mr. Bowman voting "Nay", the rezoning case P-01-7 is denied by the Board of Supervisors.

IN RE: APPOINTMENT – CONSUMER REPRESENTATIVE FOR DISTRICT 19 CENTRAL VIRGINIA HEALTH PLANNING AGENCY, INC.

Wendy Weber Ralph stated as you may recall, a request has been received through District 19 to make a nomination for an appointment to the Central Virginia Health Planning Agency, Inc., for a consumer representative for District 19. The nominee can be anyone not affiliated with a health care institution or a licensed health care profession. She asked the Board if anyone had a nomination or consideration for the appointment. Mr. Haraway stated he had someone in mind but he had not taken the time to contact her. But he would call her and ask if she might be interested in serving on the committee.

IN RE: GASOLINE AND FUEL OIL - CONTRACT

Mrs. Ralph stated the two bids for gasoline and fuel oil were received at 11:00 A.M. yesterday and are as follows:

GASOLINE	UNLEADED		DIESEL	
<u>COMPANY</u>	<u>PROPOSAL/ALT #1</u>		<u>PROPOSAL/ALT #1</u>	
Parker Oil	.7467	.7471	.7583	.7222
James River Petroleum	No Bid	.8087	No Bid	.7831
2000 Prices	.6990		.6490	

Alternate #1 is a fluctuating Price

FUEL OIL #2

Parker Oil	.7645 (fixed)
James River Petroleum	.9550 (fixed)
2000 Prices	.6490

Upon Motion of Mr. Bracey, Seconded by Mr. Bowman, Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", authorization is granted for Administration to enter into a contract with Parker Oil the low bidder, to supply gasoline at the fixed rate of \$.7467 per gallon, diesel at the fixed rate of \$.7583, and #2 fuel oil at the fixed rate of \$.7645 per gallon to the county.

IN RE: AUTHORIZATION TO ENTER INTO A CONTRACT FOR APPLICATION FORM DEVELOPMENT AND ORDINANCE ENHANCEMENT – ATLANTIC TECHNOLOGY

Mrs. Wendy Weber Ralph stated at the June 6th meeting, the Board approved a contract with Atlantic Technology for Application Technical Review and Co-location application review services. An additional service was offered for Application Form Development and Ordinance Enhancement for \$4,500. The Committee met Wednesday afternoon with the consultant and is recommending that the Board authorize Atlantic Technology to proceed with this project.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to enter into a contract addendum with Atlantic Technology to proceed with the Application Form Development and Ordinance Enhancement in the amount of \$4,500.

IN RE: REQUEST FOR REIMBURSEMENT FOR EXPENSES – JUDGE SOUTHALL

Mrs. Ralph stated there is a request from Judge Southall for additional expenses he incurred attending a conference in August. His budget request was approved at \$500 and he is requesting \$693. Staff recommends approving the \$500 and taking the additional funds of \$193 from the General District Courts budget and if there is a need in the future they can come back and request additional funds.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the request from Judge Southall for the additional travel expenses in the amount of \$500 is approved with the additional funds of \$163 to come from the General District Court budget.

IN RE: BILLING FOR SERVICES - UPDATE

Mrs. Ralph informed the Board that the Public hearing for billing for services is scheduled for November 7, 2001, and we would like to proceed with the preparation of a flyer for distribution to the public before that date. A draft flyer and the minutes from the meetings that were held with the volunteer agencies were presented to the Board for their review. We would also like to proceed with setting up training for our providers so we would be ready to institute billing once the ordinance is approved. If for some reason the ordinance is not adopted, we will not lose anything. Our provider numbers last for two years and our personnel will be trained.

Mr. Bracey suggested that we use the same method that the Redistricting Committee used for reaching the citizens. The Board agreed.

IN RE: AUTHORIZATION TO HIRE -MS. LASHON WASHINGTON - CUSTODIAN POSITION

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", authorization is granted for Administration to hire Ms. LaShon Washington for the position of Custodian I, at Grade 1, Step J, at an annual salary of \$14,687, effective September 24, 2001.

IN RE: AUTHORIZATION FOR CHANGE ORDER # 3 - PHASE II ASBESTOS ABATEMENT - HISTORIC COURTHOUSE AND SHERIFF'S OFFICE

Mr. Donnie Faison, Buildings and Grounds Superintendent, stated the bids for the Phase II Old Courthouse Asbestos Abatement and the Sheriff's Office Carpet and Asbestos Abatement are as follows:

	OLD COURTHOUSE	SHERIFF'S OFFICE
<u>COMPANY</u>		
Arizona, LTD. (1 ST)	\$1,555.00	\$8,776.00
SUB-TOTAL		\$10,331.00
ADD TESTING		?
TOTAL		?
Arizona, LTD. (2 ND)	NO BID	NO BID
WALKER -HUDSON	\$ 750.00	\$6,925.00
SUB-TOTAL		\$ 7,675.00
ADD TESTING (Phase I & II)		600.00
TOTAL		\$ 8,275.00
HORIZON	\$1,100.00	\$6,400.00
SUB-TOTAL		\$ 7,500.00
ADD TESTING (Phase I & II)		1,000.00
TOTAL		\$ 8,500.00

FLOOR COVERING REPLACEMENT FOR SHERIFF'S OFFICE

SUPERIOR FLOOR COVERING

QUANTITY	STYLE/COLOR	UNIT PRICE	EXTENDED TOTAL
274.0 SY	J&J Assertion/914	\$13.95 SY	\$3,822.30
540.0 SF	Armstrong VCT #51928	1.25 SF	675.00
740.0 LF	4" Cove Base Cb 37	1.00 LF	740.00
184.0 SY	Remove Existing Carpet	2.00 SY	368.00
24.0 LF	Transition Strip	1.25 LF	30.00
<u>TOTAL</u>			\$5,635.30
<u>ADD ALTERNATE:</u> ENDURE CUSHION BACKING			\$1,575.50
<u>GRAND TOTAL</u>			\$7,210.80

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Buildings and Grounds Superintendent to proceed with change order # 3 for asbestos removal at the Old Courthouse and Sheriff's Office as presented and enter into a contract with Walker-Hudson in the amount of \$8,275.00; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Buildings and Grounds Superintendent to proceed with change order # 3 for floor covering at the Sheriff's Office as presented and enter into a contract with Superior Floor Covering at a cost not to exceed \$7,210.80.

IN RE: AUTHORIZATION FOR CHAIRMAN TO CAST VOTE AT ANNUAL BUSINESS MEETING OF THE VIRGINIA ASSOCIATION OF COUNTIES

Mrs. Ralph informed the Board that the Virginia Association of Counties is holding the 2001 Annual Business Meeting of the Virginia Association of Counties on Tuesday November 13, from 10:30 A.M. to Noon at the Homestead in Bath County. According to the Bylaws of VACo each county must designate a representative of its Board of Supervisors to cast its vote(s) at the Annual Business Meeting.

Upon motion of Mr. Haraway, seconded by Mr. Bracey, Mr. Bowman, Mr. Haraway, Mr. Bracey, voting "aye", Mr. Moody "abstaining", Mr. Moody is hereby authorized to cast its vote(s) on all matters at the Annual Business Meeting of the Virginia Association of Counties on Tuesday November 13.

IN RE: TRAVEL REQUEST – DIRECTOR OF PLANNING

Mr. Guy Scheid, Director of Planning requested authorization to attend the Rural Planning Caucus on October 18th – 19th, 2001 in Mountain Lake, Virginia. He commented that this request would replace the travel request that David Thompson made at the last Board meeting for travel to Portsmouth.

Upon motion of Mr. Haraway, seconded by Mr. Bracey, Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted for the Planning Director to attend the Rural Planning Caucus on October 18th – 19th, 2001 in Mountain Lake, Virginia at an estimated cost of \$175.00, from fund 101-81400-5540.

IN RE: LETTER OF SUPPORT AND ENDORSEMENT FOR U.S. PARK SERVICE EFFORTS IN DINWIDDIE COUNTY

Mrs. Ralph commented that Mr. Bob Kirby had appeared before the Board several months ago requesting a letter of support for the planned activities within the County with regard to preservation of national battlefields. A letter has been prepared in response to his request and she asked for comments and authorization to send the letter to Mr. Kirby.

Upon motion of Mr. Haraway, seconded by Mr. Bracey, Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes the Chairman to sign the letter to Mr. Bob Kirby, Superintendent of the Petersburg National Battlefields, with regard to preservation of national battlefields.

IN RE: COUNTY ADMINISTRATOR COMMENTS - CONTINUED

1. Mrs. Ralph reminded the Board they need to come in at 10:00 A.M. for the dedication of the Eastside Community Enhancement Center on October 17, 2001. We tentatively set that date to also discuss the FY ending fund balances. By October 17th we should have an ending fund balance and a draft audit if the Board wanted to wait until then for the meeting. Lunch will be brought in and after lunch we will be returning to the Administration Building to meet with VDOT at 1:00 P.M. The Board agreed to come in early for that day meeting.
2. Mrs. Ralph informed the Board that a job advertisement for the E911 Communications Director would be appearing in the Richmond Times Dispatch Sunday, October 8, and the Dinwiddie Monitor Wednesday, October 10. She provided copies of the job ad and description to the Board.

IN RE: BOARD MEMBER COMMENTS

- | | |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mr. Bowman | No comments |
| Mr. Haraway | No comments |
| Mr. Bracey | He stated he would like an answer to the following questions at a later date: <ol style="list-style-type: none">1. Information on the Registrar's finances.2. Signs on private roads – can EMS-Fire providers enter these roads in case of an emergency?3. Office supplies claims for certain agencies are using the same supplier all the time. Is this good business?4. Clean up violations; why are they given so much time in the county? |
| Mr. Moody | No comments |

IN RE: SHERIFF'S DEPARTMENT- AUTHORIZATION TO HIRE TIMOTHY M. SEITZ – COUNTY DEPUTY POSITION

Sheriff Samuel H. Shands came forward stating his department had advertised, interviewed and had a recommendation for a vacant County Deputy

position. He stated he did not have the name with him but he would get it to Administration tomorrow. This gentleman was ready to start work on Tuesday, October 9, 2001. He requested authorization to hire the individual for the County Deputy position.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Sheriff's Department to employ Mr. Timothy M. Seitz for a County Deputy position, effective Tuesday, October 9, 2001 at an annual salary of \$23,329.

IN RE: CLOSED SESSION

Mr. Bracey moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

The purpose of the closed meeting is to discuss subject matters identified as Personnel and Business or Industry.

- **Personnel Matters, § 2.1-344 A - 1 of the Code of Virginia,**
(candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Planning Department
- **Prospective Business or Industry, § 2.1-344 A-5 of the Code of Virginia;**

Mr. Haraway seconded the motion. Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 9:10 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10: 09 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, for the purpose of Personnel - Planning Department; and § 2.2.1-3711 A.5 of the Code of Virginia for the purpose of Industry;

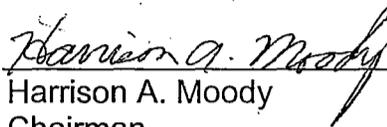
And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

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

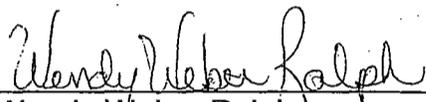
Upon Motion of Mr. Haraway Seconded by, Mr. Bracey, Mr. Bowman, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", this Certification Resolution was adopted.

IN RE: ADJOURNMENT

Upon Motion of Mr. Bowman, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 10:19 P.M. to be continued until 10:00 A.M., October 17, 2001, at the Eastside Community Enhancement Center for the dedication, followed by a workshop to discuss year ending fund balances, followed by lunch, followed by a workshop with VDOT at 1:00 P.M. in the board meeting room at the Pamplin Administration Building.



Harrison A. Moody
Chairman



Wendy Weber Ralph)
Assistant County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT THE EASTSIDE COMMUNITY ENHANCEMENT CENTER IN DINWIDDIE COUNTY, VIRGINIA, ON THE 17th DAY OF OCTOBER, 2001, AT 10:00 A.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

IN RE: DEDICATION OF EASTSIDE COMMUNITY ENHANCEMENT CENTER

Mr. Timothy Smith, Recreation Director, thanked everyone for being present for the dedication of the Eastside Community Enhancement Center. He gave special thanks to Mrs. LeeNora Everett past Board member for her insight and help in getting the center off the ground. Mr. Aubrey Clay gave the invocation, followed by a speech by Mr. Moody, Chairman of the Board. Mr. Koutnik, Executive Director, Appomattox Regional Library, thanked the Board and other county department heads for all their hard work and for bringing the facility to fruition, especially Mrs. Everett. The Board members planted a dogwood tree and unveiled the sign on the building. Mr. Smith invited everyone inside for a tour, coffee and donuts.

IN RE: CALL TO ORDER

Mr. Harrison A. Moody, Chairman, called the continuation meeting to order at 10:10 A.M.

IN RE: WORK SESSION – FY-2001 FUND BALANCE/REVENUE RECAP

The Board invited the Commissioner of Revenue and Treasurer to meet with them in a workshop session to discuss the FY01 actual revenues compared to the budget estimates provided. The major categories and the increase over budget are provided below:

\$3,000,000

Breakdown

Real Estate - \$235,000
*Public Service - \$200,000 (FY 00)
*Personal Property - \$1,346,571
*Non-filing - \$31,500
Penalties - \$45,000
*Consumer Utility - \$175,000
*Business License - \$90,000
*Utility Franchise - \$66,600
Motor Vehicle License/Cable TV Franchise - \$33,000
Bank Stock Tax - \$35,500
*Interest - \$314,000
*Mobile Home Titling Tax - \$346,000
Miscellaneous - \$50,000

There was quite a bit of discussion between Mrs. Ralph, the Board members, Commissioner of the Revenue, and the Treasurer regarding how the county could get a better handle on the revenues.

Mrs. Deborah Marston, Commissioner, advised the Board that she was working on a spreadsheet that, would, hopefully, allow her to provide more accurate estimates on personal property taxes. She also stated that the mobile home titling tax represented 3 years collections, and she was going to start filing for this reimbursement on a regular annual basis.

When asked about the June 5 billing for Public Service, Mrs. Marston stated that was sent out July 5.

There was discussion with the Treasurer about the increase in interest collected.

Mr. Bracey asked if all the admission fees are being collected. Mrs. Marston stated they were. Mr. Bowman asked if we could expect this type of increase next year and whether Mrs. Marston had compared the estimates with the actual assessments. Mrs. Marston stated, at this time, she had not.

IN RE: FY-2001 FUND BALANCE/CAPITAL PROJECTS UPDATE

Mrs. Ralph stated the draft audit for FY 2001 would be available the middle of next week but she had a snapshot of where the county is financially. She commended the Board on their vision for the county. Since 1995 we have built a state-of-the-art Courthouse, renovated four schools, renovated the Health Department, in the process of renovating the Historic Courthouse, built the new Dinwiddie Volunteer Fire -EMS Station, built McKenney Fire-EMS Station, increased the much needed office space by adding the Treasurer's wing to the Administration building, put in a new HVAC system in the Sheriff's Department, and renovated the Eastside Elementary School which now houses the recreation department and the Rohoic Library. The Board has also increased the starting salary for teachers from \$25,000 to \$30,000, which has enabled the School Board to keep existing teachers and attract new ones. Overall the county's financial picture looks very positive she commented. Continuing she presented the following information to the Board and citizens:

FY01 FUND BALANCE UPDATE

9,628,919 - Beginning Balance FY01
4,281,862 - FY01 Gain*
115,000 - Return - Social Services
14,025,781 - Ending Fund Balance

(6,100,000) - 10% Reserve
(600,000) - VBF Escrow
(2,500,000) - Reserved Taxes (Recycling Abatement)
(716,892) - FY01 CIP & Budget Designations
Public Safety Bldg. - \$110,000 + \$142,500 add'l. needed
GIS - \$148,392
Convenience Center - \$66,000
Dinwiddie Elem. Generator - \$175,000
Mobile Command Unit - \$25,000
Comp. Plan Balance - \$50,000
(483,200) Dinwiddie Fire Truck - \$223,000
2 Ambulances - \$130,200 (County Share)
Trash Truck - \$130,000
(165,000) Historic Courthouse Balance Needed
(12,000) Namozine Roof
3,448,689 Undesignated/Uncommitted Balance

(550,000) E911 Communications Center/Equipment
(252,500) Northside Roof
2,646,189 - Balance

(120,000) Additional Capital Request – School Board

(851,576) FY02 CIP Projects Submitted (without Fire/Rescue)

(306,120) FY02 CIP – Fire/Rescue (without vehicles)

(366,500) FY03 CIP – Ford VFD Improvements

1,001,993 - Balance

(1,636,000) FY02 Fire/Rescue Vehicles Submitted

Other Considerations:

1. Historic Courthouse Overage
2. Shortfall – Revenue Recovery for 2nd Unit
3. Shortfall – E911 Center
4. Walk-thru Fire Departments
5. Any other budget shortfalls

(675,000) Recommendation: McKenney- \$425,000
 Ford First Responder -\$120,000
 Old Hickory Medium Duty Squad – \$130,000

326,993 Balance

IN RE: CAPITAL PROJECTS UPDATE

Mrs. Ralph gave the following recommendations to the Board.

1. Let CIP Committee continue to work on a recommendation for the FY02 and 03 projects.
2. Purchase McKenney Rescue Engine before November 15 to avoid \$12,000 price increase. Bids presented November 7 (requested in 1997).
3. Purchase 1st Responder for Ford VFD (requested in 1997). They are presently using David's old vehicle. Because it is too small to carry all the necessary equipment, they are using their engine which makes it overweight.
4. Purchase a Medium Duty Squad for Old Hickory. Their present vehicle is in need of replacement and it is used all over the County because it carries the air supply. They are presently looking at being able to get a satisfactory vehicle for \$75,000.
5. Postpone further fire/rescue equipment purchases until a unified recommendation can be made. David is holding a strategic planning session for all the departments on October 28. You have your billing for services public hearing on November 7. And we still have a Unification ordinance on the table. David has been trying to finalize the policies for that ordinance with the volunteers for the past few months.
6. With the interest rates like they are, we would not recommend financing if you have available cash to purchase equipment. We might consider leasing the communications equipment, simply because of the changing technology.

Mr. David Jolly, Director of public Safety, advised the Board that he and the Chairman of the Apparatus Committee made a trip to Fairfax to review a used vehicle that they feel might work out to be a good deal for Old Hickory.

IN RE: CLOSED SESSION

Mr. Bracey moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

- The purpose of the closed meeting is to discuss subject matters identified as: Consultation with Legal Counsel – Potential Litigation
- **Consultation with Legal Counsel, §2.2-3711 A. 7 of the Code of Virginia**, (consultation with legal counsel and briefings by staff members and consultants about actual or probable litigation and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice) Potential Litigation.

Mr. Bowman seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the Board moved into the Closed Meeting at 11:55 P.M.

IN RE: RECESS

Mr. Moody called for a recess at 12:39 P.M. The meeting reconvened at the Pamplin Administration Building.

A vote having been made and approved the meeting reconvened into Open Session at 1:04 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, for the purpose of Consultation with Legal Counsel - possible litigation;

And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

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

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

IN RE: VDOT WORKSHOP – SIX-YEAR SECONDARY ROADS PLAN FY 2002-2008

Mr. Richard Caywood, Resident Engineer for the Virginia Department of Transportation came before the Board and presented the draft for the six-year secondary road plan for FY2002-2008. Mr. Caywood stated a lot of partial reconstruction was being done on the roads instead of doing new construction to save money. He asked for feedback from the Board on the draft plan.

Mr. Moody questioned if he had found any more funds in the budget for the County? He replied no.

Mr. Moody commented that from looking at the draft, the carry over money from last year for Ridley Road was a wash. That is correct replied Mr. Caywood, but not all of it has been spent yet.

Mr. Moody asked if any petitions have been filed with VDOT? He stated he could not recall, but he would check on it.

Mr. Caywood noted the lower portion of Oxford Road needs to be repaired off Route 708.

Mr. Moody stated Butterwood Road, Rt. 632, received a lot of traffic due to its location between Claiborne Road and Rt. 460 for workers from Wal-Mart Distribution Center.

Mr. Bowman asked about the start date for Halifax Road. He commented it is in terrible condition and there have been a lot of complaints and numerous deaths on the road. Mr. Caywood stated it is proposed to start in July of 2008, but he would check that date.

Mr. Bowman asked if VDOT was going to stop the extension of Blue Tartane before it connects to Duncan Road. Mr. Caywood replied yes, also VDOT was trying to find out about the proposed development for that area too.

Mr. Moody stated there are roads in the county that have been built to standards but they don't have any guardrail. Mr. Caywood stated VDOT was in the process of checking on that.

Mr. Moody brought up the fact that there is still one railroad crossing on Rt. 623 that does not have crossing arms. Mr. Caywood informed the Board that the county is not responsible for funding for the arms. The funding comes from the railroad safety funds and he feels certain we can get that money. He also mentioned that there was going to be some maintenance done at the railroad track crossings where trucks drag going over the tracks.

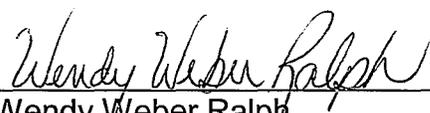
Mr. Caywood stated the public hearing for the six-year secondary plan was set for November 7, 2001 at 7:30 P.M. The more we can make this the county's plan the better we are going to be.

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 1:56 P.M.



Harrison A. Moody
Chairman



Wendy Weber Ralph
Assistant County Administrator

/abr

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 17th DAY OF OCTOBER, 2001, AT 2:00 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 2:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

Mrs. Wendy Ralph, Assistant County Administrator, stated there was a need to add Personnel, Administration §2.2-3711 A. 1 of the Code of Virginia under Item 12 – Closed Session.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the October 3, 2001 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody 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 1027165 through 1027299 (void check(s) numbered 1027159 – 1027165, 1027201, 1020550, 1027251, and 1019684) for:

Accounts Payable:

(101) General Fund	\$ 261,781.17
(103) Jail Commission	\$ 141.48
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 2,773.38
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 94.90
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$.00

(304) CDBG Grant Fund	\$ 173.92
(305) Capital Projects Fund	\$ 56,054.90
(401) County Debt Service	\$ <u>35,908.00</u>
TOTAL	\$ 356,927.75

Mr. Bracey asked if all of the departments were up to date with the payment of their claims? Mrs. Glenice Townsend stated there was a possibility that some of the departments had not submitted some invoices but the ones that have been submitted would be paid up to date today.

Mr. Moody stated we needed to make sure to keep our vendors paid because the county needed a keep a good rapport with our vendors.

**IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATION
PROJECT – REQUISITION NUMBER 34 (IDA1999A-#26)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 34 (IDA1999A - #26):

SOUTHWOOD BUILDERS, INC. Payment #19	\$ 34,935.00
SOUTHWOOD BUILDERS, INC. Payment #20	11,334.00
MICRO COMPUTER RETAIL SOLUTIONS	595.00
SCHOOL SPECIALTY	1,130.00
TIDMORE FLAGS	317.00
TRI-CITY OFFICE PRODUCTS, INC.	5,933.00
TRI-CITY OFFICE PRODUCTS, INC.	1,798.56
TRI-CITY OFFICE PRODUCTS, INC.	2,419.52
TRI-CITY OFFICE PRODUCTS, INC.	2,340.47
VIRCO INC.	1,180.71
VIRCO INC.	2,323.80
VIRCO INC.	4,741.44
VIRCO INC.	837.75
TOTAL REQUISITION #34	\$ 69,886.25

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 34 (IDA99A - #26) in the amount of \$69,886.25 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Renovation Project Fund.

**IN RE: SCHOOL COMPLETION PROJECT ACCOUNT
– REQUISITION NUMBER 63 (IDA1998A-#28)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 63 (IDA1998A - #28):

Mrs. Ralph stated this invoice has been reviewed and approved by the Superintendent.

B.P. SHORT & SON PAVING CO. INC.	\$30,214.00
TOTAL REQUISITION #63	<u>\$30,214.00</u>

Mr. Bracey stated I keep seeing this, is this ever going to be done? Mr. Scott Warner replied there is \$17,000 left in the fund for a couple of items and that will close out this project. Mr. Bracey requested a notification when these projects are completed.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 63 (IDA1998A - #28) in the amount of \$30,214.00 be approved and funds appropriated for CIP expenses from the School Completion Project Account.

IN RE: CITIZEN COMMENTS

The following citizens signed up to comment.

1. Mr. Kenneth Thomson came before the Board stating, the Board built one of the finest buildings for EMS that the public has ever seen. He asked the Board to go on record as to what their intent is about building a medical center for citizens. He expressed his concerns about not having a medical building and asked the Board where they stood on the issue.

Mr. Moody responded that the Board does not have anything to do with building for private individuals. The physicians who would be providing the services would build the medical building.

Mrs. Ralph stated it is a nonprofit organization that is working toward building the medical facility and that it is not a county activity.

Mrs. Sandra Mason stated she was at the Helping Hands Carnival which is trying to raise funds for the building. A meeting was held which she attended because there were some issues about Dr. Ashby leaving the practice. However Dr. Neff has agreed to stay in the county but there are some staffing issues. The Medical Building is looking at leasing the basement in the building where James Ritchie is located and the contract is underway. Presently the patients are still being seen in the trailer.

Mr. Moody asked that Staff look into the situation and see what can be done to help out.

**IN RE: CRATER DISABILITIES SERVICES BOARD
PRESENTATION – MS. SANDRA COOK**

Ms. Sandra Cook, Chairperson, Crater Disabilities Services Board came before the Board and made the following presentation.

Seeking to address the needs of individuals with physical and sensory disabilities.

Crater Disability Services Board

History AKA Formally the Beyer Commission

Now the Disability Commission

Commission on the Coordination of the Delivery of Services to Facilitate the Self-Sufficiency and Support of Persons with Physical and Sensory Disabilities.

In 1992, the General Assembly established the Disability Services Boards.

What are the DSBs? A partnership of consumers, local government and businesses working to increase access and develop consumer-oriented, community-based services for persons with physical/sensory disabilities.

Structure

41 Disability Services Boards throughout the Commonwealth of Virginia
Some boards are inactive

Single and multi-jurisdictional

Multi-Jurisdictional

Purpose

The purpose of Crater Disability Services Board (CDSB) is to provide input to state/local agencies on service needs and priorities of persons with physical/sensory disabilities

The CDSB provides information and resource referral to local governments regarding the Americans with Disabilities Act (ADA). Other assistance and advice to local governments is provided upon request.

What does the CDSB do?

Review local services for persons with physical/sensory disabilities.

Identify unmet needs.

Provide input to appropriate state/local agencies and governing bodies.

Promote access to programs and facilities in accordance with the ADA.

Provide information and referral about assistive technology.

What does the CDSB do?

Support individuals in their efforts to obtain needed services pertaining to:

- Transportation
- Assistive technology
- Employment services
- Family support services
- Case management
- Personal assistance services
- Accessible housing
- Medical/therapeutic services
- Independent living services
- Training
- Education
- Counseling
- Committees

ADA/Community Awareness Committee
Sandra Cook, Chairperson

(h) 804-733-8259 (w) 804-353-6503

- Provide information and resource referral to local governments regarding the ADA.

- Exchange information with other local boards regarding services to persons with physical/sensory disabilities and best practices in the delivery of services.

- Provide such other assistance and advice to local governments as requested.

Needs Assessment Committee

Sandy Mason, Chairperson
804-469-4524

- Develop and make available for public comment an assessment of local needs and priorities of people with physical/sensory disabilities. This is updated every three years.

Rehabilitative Services Incentive Fund (RSIF) Committee

Sean Gleason, Chairperson
804-520-9224

- Purpose

- Providing grants to address unmet needs and develop community programs for people with physical/sensory disabilities.

- Grants can be multi-year
Available to public, for-profit and non-profit organizations through the local DSB.

- Each DSB is allocated a certain amount of money.

RSIF

- Local DSB must have match money in order to receive their allocation.

- This match can be given by local government, private or a sub-grantee

RSIF Guidelines

- Must serve people with physical/sensory disabilities.
- Funds may not be used to meet requirements under ADA Individuals with Disabilities Education Act (IDEA).
- Funds can be used for the following:

- Improve coordination in service delivery
- Support innovative programs
- Address gaps in services
- Promote public awareness

RSIF Grant Examples

- Home Modifications
- Assistive Technology
- Independent Living Services
- Transportation

How to Apply for RSIF Funds?

- Request for Proposal goes out
- Proposals are submitted to CDSB
- CDSB reviews and approves proposals
- CDSB sends RSIF proposals to Disability Services Council
- DSC does final approval for funding
- Program can begin requesting funding reimbursement

Contact Us

Ms. Cook stated the Disabilities Services Board is here to help, but we can't help if you don't ask. There is funding available for Dinwiddie County. What can we do for you?

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Steve Hicks, Assistant Resident Engineer for the Virginia Department of Transportation came before the Board and presented a monthly update.

1. Mr. Hicks stated the Route 619 project is finishing up and VDOT is about ready to begin the rest of the work from Rt. 609 to ½ mile south of Rt. 658. A letter requesting that a speed study be performed on Patillo Road was forwarded to VDOT.

Mr. Clay asked if a letter requesting that a speed study be performed on Patillo Road was forwarded to VDOT? Mr. Hicks responded there may have been one done and he would get the information to the Board.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION – WATERFORD LANDING – SECTIONS TWO & THREE – ACCEPTANCE INTO SECONDARY SYSTEM OF STATE HIGHWAYS – LAUREL BROOK DRIVE (ROUTE 650) – WATERFORD DRIVE (ROUTE 1210) – WILDERNESS DRIVE (ROUTE 1212)

Upon motion of Mr. Haraway, seconded by Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following resolution for Waterford Landing Section 2 & 3 (Laurel Brook Drive, Waterford Drive, and Wilderness Drive) is hereby adopted:

RESOLUTION

WHEREAS, the streets described on the attached Additions form SR-5 (A), fully incorporated herein by reference, are shown on plats recorded in the Clerks Office of the Circuit Court of DINWIDDIE, and

WHEREAS, the Resident Engineer for the Department of Transportation has advised the Dinwiddie County Board of Supervisors the streets meet the

requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, requests the Virginia Department of Transportation to add the streets described on the Attached Addition Form SR-5 (A) to the Secondary System of State Highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills, and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and stated he submitted his monthly report to them in their packets.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, was ill and unable to attend the meeting.

**IN RE: APPROPRIATION OF EMERGENCY FUNDS –
COMMONWEALTH ATTORNEY'S BUDGET**

Mrs. Ralph stated she was happy to report that the Compensation Board approved Mr. Rainey's request for an exception to policy for the \$3,520 for emergency funds to pay for the part-time secretary needed in his department. She asked the Board to appropriate these funds to the Commonwealth Attorney's budget for that expenditure.

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia temporary funds in the amount of \$3,530 from the State Compensation Board are appropriated to the Commonwealth Attorney's budget for FY2002.

RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward presenting his report for the month of September 2001.

Mrs. Ralph stated your inmate population is extremely high. Is there any way you can move the State inmates out to the State? He responded the State was bringing inmates in from other States and Virginia is renting out the space.

Mr. Bracey commented if there is something someone can do, please do it; because 66 inmates were allowed with double bunking.

Mr. Moody agreed, asking if there is anything we can do?

Mrs. Ralph stated we will contact DOC if necessary requesting them to move the State inmates due to overcrowding. Continuing she asked Sheriff Shands to provide the information for the officer who took the position of Resource Officer. He stated he would get that information over to Staff. The individual needs to be approved by the Board.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of September 2001.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward presenting his report for the month of September 2001. Mr. Beville reported that he contacted the State regarding standards for animal shelters and he was told nothing is set in stone. The best thing we can do is to check with other localities and compare our standards with them.

Mr. Bracey stated he was puzzled that the State does not have a set of standards. Yet we have groups coming into the county telling us we need to fix things up. Until we get some specifications from the State I don't feel we should do anything. Why are we adding on if we don't need to and spend all that money?

Mr. Moody responded he didn't know how we get from point A to where we are, but the Board asked him to bring this back to us. I think these groups were very open to helping us with the funding.

Mrs. Ralph stated at this point the expansion is before the CIP Committee and the design and money may dictate the size, but at this time it is only on the table.

Mr. Beville stated the Friends of Animals and SOS wanted a starting point with this. The shelter has always passed inspections but space determines how long and how many animals you can keep.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning came forward and presented his monthly update for his Department. Mr. Scheid commented he attended a seminar on the Tobacco Commission Economic Development Funds - grant program and there are potential funds available to the County. There will be future action required by the Board for those funds.

The Dinwiddie Airport Authority is constructing a new access road to the airport from Route 460. This road must be named and the Authority suggested Avenger Avenue or Drive, and Avion Way. Avenger comes from one of the early aircraft (a WW II torpedo bomber) that was flown at the airport when it was first constructed by the military in 1942.

**IN RE: EXTENSION OF COMPREHENSIVE PLAN UPDATE
COMPLETION DATE – LANDMARK DESIGN GROUP**

Mr. Bill Turner sent a letter stating in order to allow for the receipt of more detailed census information to be used in the comprehensive plan update and to allow the Advisory Committee to complete its review and the Planning Commission to give the update the deliberation and review it will require, he recommended that the end date for the delivery of a draft update of the comprehensive plan be extended at least through the end of January 2002.

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted to extend the end due date for Landmark Design Group to delivery a draft update of the comprehensive plan through the end of January 2002.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER – REQUEST TO ATTEND MEETING

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his August monthly report. He requested authorization to attend the 12th Annual Virginia GIS Conference on November 1st – 2nd, 2001 in Roanoke Valley-Alleghany. He commented that this trip is replacing the one they approved for him at the last meeting and the cost was included in his budget.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted for the Senior Planner/Zoning Administrator to attend the 12th Annual Virginia GIS Conference on November 1st – 2nd, 2001 in Roanoke Valley-Alleghany, at an estimated cost of \$508.80, from fund 101-81400-5540.

IN RE: INOPERABLE VEHICLES – DRAFT ORDINANCE AMENDMENTS

Mr. Thompson informed the board that March Altman had worked on an ordinance amendment dealing with inoperable vehicles to limit the number to a maximum of 5 that may be stored on property zoned agricultural that was presented to the Board in June of 2000. The Board authorized the planning department to advertise the amendment at that time, however, Mr. Altman resigned and the matter has been dormant for a long period of time. At this time I am requesting authorization to proceed with the advertisement of it for the November 7th meeting.

Mr. Clay stated I think that anyone who owns property ought to be able to do anything he wants to do with it. If he wants to store cars on it, that is his prerogative, and I don't like people telling me what I can do on my land either.

Mr. Bowman asked Mr. Thompson if he had had the opportunity to talk to Mrs. Bonner. He replied no.

Mrs. Ralph suggested that the hearing be postponed until the December meeting in order to get more specific cases to the Board.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen came forward and presented her monthly report for September. She thanked the Board for designating Dinwiddie Elementary as the emergency shelter. This is a facility that we can truly appreciate. Not only is it beautiful, it is also functional. It has heat, lights, and running water. I certainly hope we don't have a disaster, but if we do we are prepared.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Dr. Jim Lanham, Assistant Superintendent of Schools came forward and presented an update to the Board on the School Activities.

1. The September 30th enrollment for the county was 4,309. The enrollment for March was 4,287, but the budgeted figure was set at 4,260 so we are still ok.
2. The test scores for the county have been made public and they showed some very significant improvements. I am confident we will continue to see improvements.

Mrs. Ralph stated the School Board's amended budget was enclosed in their packets with the changes outlined in the letter. Because these amendments need to reflect changes from the February 2001 budget, action on these and the Appropriation Resolution will be postponed.

**IN RE: APPOINTMENT – OFFICE ON YOUTH COMMISSION
MEMBER – MRS. ALICIA LEE**

Mrs. Francene Green appeared before the Board stating Ms. Dayle Thomas, who was appointed to the Office on Youth Commission at the May 2000 meeting, has found that she is unable to serve. Therefore, I request that, upon recommendation of the Youth Commission, you appoint Alicia Lee in her place. Mrs. Lee will finish out Mrs. Thomas' term which ends in May 2003.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. Alicia Lee is appointed to fill the unexpired term of Ms. Dayle Thomas to the Youth Commission for a three-year term expiring May 2003.

**IN RE: 2000-2001 ANNUAL REPORT COMPREHENSIVE
SERVICES ACT (CSA)**

Mrs. Francene Green told the Board she had enclosed a copy of the 2000 -2001 annual report from the Comprehensive Services Act (CSA) and would be happy to answer any questions they had about the report. She commented that 70 children had been served. The annual report is as follows:

COMPREHENSIVE SERVICES FOR AT-RISK CHILDREN

"It is the intention of this law to create a collaborative system of services and funding that is child-centered, family-focused and community-based when addressing the strengths and needs of troubled and at-risk youth and their families in the Commonwealth" (*Virginia Acts of the Assembly, Chapter 880, Section 2.5-745*).

2001-2002 ANNUAL REPORT

Dinwiddie County Community Policy and Management Team

Department of Education
Department of Health
Department of MHMRSAS
Department of Social Services

Office on Youth
Department of Juvenile Justice
Parent Representative
Virginia Cooperative Extension

INTRODUCTION

The passage of the Comprehensive Services Act for At-Risk Children by the 1992 General Assembly dramatically altered the administration and funding systems providing services to at-risk and troubled youth. The Act required that

each local government establish a Community Policy and Management Team to receive funds and to administer the Law.

Funds from the Departments of Social Services, Education, Youth and Family Services, and Mental Health/Mental Retardation were re-allocated to a central pool of state funds to be expended for services for troubled youth. Since 1993 the Dinwiddie Community Policy and Management Team and related staff have worked diligently to balance the provision of services to children with the funds available.

Central to the CSA program is a mandatory system of Utilization Management Review. The State has a contract with West Virginia Medical Institute to provide regular oversight of CSA expenditures. This includes a review of local placement and funding decisions, as well as on-site reviews of treatment facilities. There is also a mandatory process for local review and approval.

During the 2001 fiscal year procedures for accessing Medicaid were improved; our locality was successful in getting Medicaid reimbursement for several children placed in residential facilities or therapeutic foster homes. This additional funding resulted in a reduction in our CSA expenditures for the year.

Because of our efforts in preventing out-of-home placements and success in transitioning children to permanent placements such as adoption, the majority of the children we serve are older children who are severely disturbed with multiple psychiatric diagnoses, delinquent behavior, and who come from seriously dysfunctional families. As a result, these children require very specialized and expensive treatment.

We appreciate the support of the Board of Supervisors, County Administration, and the various agencies who work with us to serve at-risk children in our County.

2000-2001

CSA Expenditures

Total expenditures	\$ 530,240
Less refunds and collections	62,860
NET EXPENDITURES	\$ <u>467,380</u>

CSA and Medicaid Expenditures

	<u>Total</u>	<u>State</u>	<u>Local</u>
Net CSA expenditures	\$ 467,380	310,434	156,946
Medicaid expenditures	184,039	154,254	29,785
TOTAL	\$ <u>651,419</u>	<u>464,688</u>	<u>186,731</u>

Local Allocation

Local funds allocated	\$ 219,205
Local funds expended	<u>186,731</u>

Balance \$ 32,474

Local match for CSA .3358

Local match for Medicaid .1618

History of Expenditures

		<u>Local</u>
2000-2001	\$ 651,419 (CSA & Medicaid)	\$ 186,731
1999-2000	561,578	188,578
1998-1999	508,822	188,658
1997-1998	575,439	189,217

CSA SERVICES 1999 - 2000

TOTAL NUMBER OF CHILDREN SERVED 70

PURCHASED SERVICES # of Children served

Foster Care - (includes maintenance, medical needs, supervision, counseling, mentoring, therapeutic foster homes, group homes, independent living facilities, psychiatric treatment facilities, emergency shelter, special education) 17

Special Education - (includes specialized day school placements) 7

Prevention - (includes intensive in-home services, mentoring, counseling, emergency shelter, psychiatric/psychological evaluations, medical, emergency maintenance needs, special education) 11

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, stated he had provided the Board with his monthly report.

Mr. Smith thanked everyone for participating in the dedication of the Eastside Community Enhancement Center. Open House for all the citizens will be from 10:00 A.M. to 2:00 P.M. Saturday, October 20th. This will allow the citizens an opportunity to meet our instructors and see our facilities.

He reported that a meeting will be held on October 25, with Virginia Conservation Services and Virginia Trails at 7:00 P.M. at the Center.

Mr. Moody commended Mr. Smith and Mrs. Taylor and other staff on the dedication of the Eastside Community Enhancement Center, they have worked very hard and the building looks nice.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward to present his report for September 2001

Mr. King told the board that the berm at the Rohoic site would be hydro seeded on Thursday and all the comments about the berm have been positive. He commented that the berm stands for foresight on behalf of the county.

IN RE: CHECK FOR NEW TRASH TRUCK

Mr. King reported that the new trash truck should be in sometime before the end of October and he would need authorization to issue a check for it probably before the next Board meeting.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, authorization is granted for a check to be issued for the new trash truck for the Waste Management Department if delivery is made before the next Board meeting.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his September update.

IN RE: BIDS AND AUTHORIZATION TO PURCHASE - PUBLIC SAFETY REPLACEMENT VEHICLE

Mr. Jolly stated we solicited bids for the replacement 2002 Ford Expedition vehicle that was approved in the budget. The results are as follows:

VENDOR	BID PRICE
State contract	\$28,340.00
Petersburg Ford	28,110.00
Richmond Ford	27,699.35
Sheehy Ford	27,195.00

Mr. Jolly recommended that the Board accept the bid from Sheehy Ford for the 2002 Ford Expedition vehicle at a cost not to exceed \$27,195.00.

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to enter into a contract with Sheehy Ford for the purchase of a 2002 Ford Expedition vehicle for Public Safety at a cost not to exceed \$27,195.00.

IN RE: FIRE AND RESCUE ASSOCIATION - REPORT

There was no report from the Fire and Rescue Association.

IN RE: COUNTY ATTORNEY – REPORT

Ms. Phyllis Katz, County Attorney, stated she had nothing to report.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and he stated he had nothing new to report and his monthly update for September was sent in the packages.

IN RE: PAYMENT APPLICATION # 3 – ARIZONA LTD

Mr. Faison stated he did not submit a claim by the 5th of October for a payment to Arizona LTD, which needs to be paid, in the amount of \$65,740.00 for Application # 3 for the Historic Courthouse. He requested that the Board approve the claim and authorize the issuance of that check.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, authorization is granted to Administration to issue a check in the amount of \$65,740.00 to Arizona LTD for payment of Application # 3 for the Historic Courthouse.

IN RE: RECOMMENDATION FOR THE NOMINATING COMMITTEE OF THE CENTRAL VIRGINIA PLANNING AGENCY BOARD OF DIRECTORS – CONSUMER REPRESENTATIVE

Mr. Haraway stated he contacted Mrs. LeeNora Everett concerning her willingness to serve on the Central Virginia Health Planning Agency Board as a consumer representative. She agreed to serve on the Board if the nominating committee appoints her.

Upon motion of Mr. Haraway, seconded by Mr. Bowman, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. LeeNora Everett is hereby nominated to serve on the Central Virginia Health Planning Agency Board as a consumer representative to represent the Planning District 19. Her name is to be submitted to the nominating Committee of the Central Virginia Health Planning Agency Board for their consideration.

IN RE: APPOINTMENT – RC& D COUNCIL

Mrs. Ralph stated Mr. Granville Maitland sent a letter of resignation from the RC & D Council because he wants to serve regionally and an appointment is needed for that Board. A list of possible nominees was distributed. The Chairman stated he would contact the individuals. Action was postponed until the next meeting.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mrs. Ralph informed the Board that the Department of Criminal Justice Services sent an announcement of the availability of grants for School Resource Officers. Funding is available for new SRO positions in secondary schools, and existing secondary school SRO positions not currently supported with funds from the local government budget. The grant period for awards will be January 1, 2002 until June 30, 2002. Eligibility for continuation funding for the period after June 30, 2002 will be dependent on the availability of funds and on project performance. DCJS grant funds may be used to support any SRO no longer than 48 months. This information has been provided to the Sheriff and Superintendent of Schools.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman He stated Mr. Jason Gray from Senator Randy Forbes' office contacted him to see if a county seal or flag could be sent to them to be displayed in his new office.

Mr. Bracey He stated all the things that are going on in our Country, are we prepared or are we just sitting? Do we have any plans in case anything happens here in the county? This issue is very important and we need to have agencies ready or prepared in the event there is a disaster. Mrs. Ralph commented that just yesterday we received a notice telling us what to do if a powdery substance is mailed to us. Mr. Jolly replied we do have a plan. Mr. Bowman asked if the Sheriff's Department was driving through the airport at night. He also suggested that we might be able to coordinate something with the National Guard and the Sheriff's Department. Mr. Jolly stated his office was keeping in close contact with the State Police. Mr. Bracey stated all he wanted was for the county to be ready, just in case something does happen. People are very concerned about what is happening.

Mr. Haraway He stated last month we received some information regarding a company that might be making an application to the county.

Mr. Moody He stated we did get some information in our Board packet about a company that might be making application to the county; and this month we got a letter from our attorney that addressed that issue. In the future, when we ask our attorney to do work for us I feel we should do it on an official basis and vote on it. Mr. Bracey stated he had the same understanding the Board did ask our attorneys to give us the bottom line on that issue. Mr. Clay agreed. Mr. Moody stated in the future when we spend the county's money he felt it would be good to take action on it.

IN RE: CLOSED SESSION

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

- **Personnel Matters, § 2.2-3711 A.1, of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) County Administration

Mr. Haraway seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 4:03 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 4:39 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, for the purpose of Personnel – County Administration;

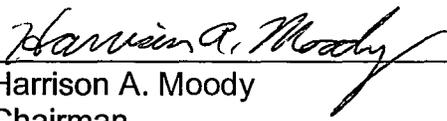
And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

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

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 4:43 P.M. to be continued until 5:00 P.M., October 31, 2001, for a Closed Session, under § 2.2-3711 A.1, of the Code of Virginia, for Personnel Matters, County Administration.



Harrison A. Moody
Chairman



Wendy Weber Ralph
Assistant County Administrator

/abr

VIRGINIA: AT THE CONTINUATION 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 31ST DAY OF OCTOBER, 2001, AT 5:00 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

IN RE: CALL TO ORDER

Mr. Harrison A. Moody, Chairman, called the continuation meeting to order at 5:00 P.M.

IN RE: CLOSED SESSION

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

- **Personnel Matters, § 2.2-3711 A.1, of the Code of Virginia,**
(candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) County Administration

Mr. Clay seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 5:03 P.M.

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

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, for the purpose of Personnel – County Administration;

And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

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

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

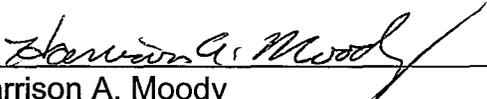
**IN RE: EXTENSION OF LEAVE – COUNTY ADMINISTRATOR –
R. MARTIN LONG**

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

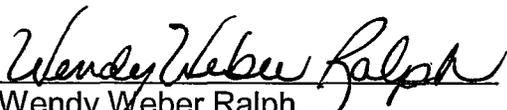
BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby authorizes the continuation of leave for the County Administrator through December 2, 2001. Consistent with the Family and Medical Leave Act this leave will be without pay.

IN RE: ADJOURNMENT

Upon Motion of Mr. Bowman, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 6:16 P.M.



Harrison A. Moody
Chairman



Wendy Weber Ralph
Assistant County Administrator

/abr

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 7 TH DAY OF NOVEMBER, 2001, AT 7:30 P.M.

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

OTHER: JACK CATLETT, JR. COUNTY ATTORNEY
WILL HAZEL COUNTY ATTORNEY

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 7:30 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

Mrs. Ralph stated there is a need to add Item 11 – Closed Session: Consultation with Legal Counsel §2.2-3711 A. 7 of the Code of Virginia for Employment Issues.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the October 17, 2001 Continuation Meeting, October 17, 2001 Regular Meeting, and the October 31, 2001 Continuation Meeting, are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody 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 1027961 through 1028104 (void check(s) numbered 1027961 -1027960, 1027961,1027868 and 1027967) for:

Accounts Payable FY 2001- 2002:

(101) General Fund	\$ 164,894.85
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 1,288.47
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 5,298.75
(226) Law Library	\$ 831.58

(228) Fire Programs & EMS	\$ 5,656.00
(229) Forfeited Asset Sharing	\$ 1,032.91
(304) CDBG Grant Fund	\$ 203.47
(305) Capital Projects Fund	\$ 113,849.69
(401) County Debt Service	\$ <u>.00</u>

TOTAL \$ 293,055.72

PAYROLL – October 31, 2001

(101) General Fund	\$ 395,968.37
(304) CDBG Grant Fund	\$ <u>3,269.44</u>

TOTAL \$ 399,237.81

IN RE: CITIZEN COMMENTS

The following citizens signed up to comment.

1. Mr. Michael Bratchi, 23500 Cutbank Road, appeared before the Board with his concerns about the attitudes of personnel in the Courts division, and the phone system at the Courthouse. He asked the Board to remind personnel employed by the County that they are “public servants”. I have called and left messages on the answering machine and never got a reply, and sometimes they will call back very late in the afternoon or the next day. Please get someone to take a look at the phone system. Mr. Moody stated the phone system is on the county laundry list to check into.

IN RE: VDOT ADOPTION OF SIX-(6) YEAR SECONDARY ROAD CONSTRUCTION PLAN 2002 – 2008 AND FY 2002-2003 BUDGET

This being the time and place as advertised in the Dinwiddie Monitor on October 24, 2001 and October 31, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comments on and to propose for adoption the six (6) year road improvement plan for the 2002-2008 period and the FY 2003 Budget

Mr. Richard Caywood, Resident Engineer for the Virginia Department of Transportation came forward to present the proposed Six- (6) Year Secondary Road System Plan for FY 2002-2008 and the proposed budget for FY 2002-2003 for adoption.

He read the proposed plan for those citizens in attendance. Mr. Steve Hicks, Assistant Resident Engineer distributed copies of the proposed plan to those in attendance wishing a copy.

Upon his finishing the review with the Board and citizens, Mr. Caywood continued that he was recommending that we get the citizens and Board’s input and then he would bring the plan back for adoption on the 21st at the next Board meeting.

Mr. Moody called for Board comments on this case. There were no comments from the Board.

Mr. Moody opened the Public Hearing for the Virginia Department of Transportation Six-Year Plan.

The following citizens came forward to speak:

1. Mr. David Abby, 7901 Brills Road, McKenney, Virginia, came forward representing the citizens in his area and presenting the Board with a letter/petition asking that Brills Road (RT. 644) be included into the six-year plan for paving. There were 10 additional persons present in support of the request.

There being no other citizens wishing to speak on the Six-Year Secondary Road Construction Plan, Mr. Moody closed the Public Hearing at 7:59 P.M.

IN RE: PUBLIC HEARING – A-01-06 – REVENUE RECOVERY

This being the time and place as advertised in the Dinwiddie Monitor on October 24, 2001 and October 31, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comments regarding the imposition of fees for the delivery of emergency medical services and transportation to hospitals.

Mrs. Ralph, Assistant County Administrator, stated I would like to thank everyone for coming out for this hearing tonight. We are proposing this ordinance because you as citizens have requested an additional service—a second full-time paid ambulance to serve Dinwiddie County. As a local government, we only have a few revenue sources—local taxes being the main one. So, it is incumbent upon us to investigate every funding source available to try to minimize the fiscal impact of a new service on the citizens of the county. One of those revenue sources we found is 'revenue recovery' or billing for services—this is the money from the insurance premiums that you pay but up this point has gone back to the insurance company as a profit. We feel like it should be returned to your emergency medical service providers here in the county. We have a brief presentation we would like to make and then the chairman will open the floor for comments and questions. This program is new to us—we don't profess to have all the answers. So it is important that we receive your comments/suggestions and try to find the answers to your questions.

Mrs. Ralph commented Mr. David Jolly, Public Safety Officer, is going to do a brief presentation tonight on Revenue Recovery or Billing for Services.

Mrs. Ralph also announced we have with us tonight Ms. Diane Vick and Mr. Gary Matthews from Diversified Ambulance Billing who can answer any questions you may have about the billing for services.

Mr. David Jolly, Public Safety Officer, gave the following presentation:

Revenue Recovery

What is Revenue Recovery?

Billing health insurance to supplement operating expenses

The Need for Revenue Recovery

Continuous funding for second paid unit

Continue to maintain volunteer base which significantly reduces cost to local government – minimize requested increases to the county

Minimizes fiscal impact on the residents of the county

This will provide only supplemental funding to that already received from the local government, donations, and grants

A Brief History. . .

1990 Statistics

685 EMS calls run by DVRS

Supported by annual fund drives and memorial donations, and
State and local government support
Insurance costs were lower
Training classes were provided at no charge except for books
Cost of specialized equipment
Ambulance type III \$70,000 to \$80,000

1994 Statistics

2,081 EMS calls for service

DVRS staffing primarily on nights and weekends

Namozine staffing one ambulance primarily on nights and weekends

June 1994 - Addition of Daytime Career staff

November 1995 - Addition of 6 Full-time providers to provide 24 hour
coverage

2000 Statistics

2,800 EMS calls (400% increase since 1990)

Bingo, house to house fund drive, local government support

Cost of specialized equipment

Cardiac heart monitor \$25,000

Ambulance type III \$92,000 to \$115,000

Insurance \$ 48,500

Maintenance \$ 60,000

Training expense \$ 20,000

Uniforms \$ 5,000

EMS Calls by Location

Today's EMS Operation

Additional 24 hour crew planned for FY 2002 to augment the system.

Cost of equipment, insurance, maintenance and training continues to rise

Apparently donations have decreased

Employee salaries have increased (necessary to maintain quality providers)

Volunteerism is down especially during the daytime – few businesses allow employees to leave; this is a fact of today's economy-it is not anyone's fault.

Challenges

Increase donations and bingo profits or seek alternative funding

Continue to provide a quality prehospital EMS system – Dinwiddie County provides assistance to our area as well as surrounding counties

Recruit and retain quality staff and volunteers

Continue to move EMS providers to the ALS status – necessary to provide the best possible emergency response to the community

Decrease responses times to outer areas of the County

Volunteer vs. Career EMS Providers

No differentiation between volunteer and paid providers for training requirements

■ *First Responder (40 hours – general, CPR, airway, and other basic life saving procedures)*

■ *Emergency Medical Technician (110 hours – initial care of medical and trauma situations, airway, patient assessment, OB, medication administration)*

Volunteer vs. Career EMS Providers

■ *Cardiac Technician (142 hours – advanced pharmacology, cardiovascular system, cardiac arrest treatment, chest decompression, pediatrics, intraosseous therapy)
\$590 plus books*

■ *Paramedic (444 hours – extensive clinical rotations in surgery, recovery, burn center, pediatrics, labor and delivery, psychiatric treatment, catheterization lab, needle and surgical cricoidthyrotomy) \$ 2,000 plus books*

Status of Emergency Vehicles

•6 Advanced Life Support Ambulances

- *1991 (226,306 miles) Namozine*
- *1992 (180,000 miles) DVRS*
- *1995 (50,000 miles) DVRS*
- *1995 (82,000 miles) DVRS*
- *1999 (72,066 miles) DEMS*
- *1997 (115,000 miles) DEMS*

Cost of Equipment

Why Should a Volunteer Organization Charge for Services?

•No differentiation in training

•No differentiation in required equipment

•No differentiation in personnel requirements

•No differentiation in costs to run organization with exception of salaries

Proposed Fee Schedule

- BLS transport \$350
- ALS \$385
- Mileage \$7.50 per loaded mile

How were these rates chosen?

•Administration and Public Safety looked at three items:

rates of surrounding jurisdictions
rates paid by other third party insurances
proposed rate increases by Medicare

The Billing Process

THE LOCAL CHOICE
Dinwiddie County
Emergency Ambulance Coverage Fiscal Year 2001-02

Key Advantage

1. Pre-Authorization required
2. Services must be Medically Necessary
3. Subject to approval, reimbursed under major medical; After \$100 cal. yr. deductible; 80% AC paid; balance billing possible
4. If hospitalized, paid under basic at 100% AC if pre-certified at high tier

Cost Alliance

1. Pre-Authorization required
2. Services must be Medically Necessary
3. 100% AC, No co-payment or co-insurance is applied; balance billing possible

THE LOCAL CHOICE
Dinwiddie County
Emergency Ambulance Coverage Fiscal Year 2001-02

CIGNA

1. Must be as result of life threatening emergency with life support documented
2. Paid at 100%

How are the funds distributed?

•Assumption: Out of total call volume, approximately 80% are transported, and we hope to collect 60% of that amount.
•Assumption: The billing company charges a 10% fee and Administration will collect a 10% fee for other associated costs, 15% for First Responders, 65% Transporting agency.*
** After we have some experience with the program and if we find that administrative costs are less, then adjustments can be made.*

How Will Revenue Recovery Be Used?

Funding for additional 24 hour crew, for DEMS

Supplemental Funding for volunteer agencies in accordance with the number of calls run.

Dependent upon amount of funding, possible equipment upgrades
to ensure the most up to date and reliable equipment

Questions and Answers

- Why Revenue Recovery?
 - *Rising operational costs – maintenance and cost of vehicles, equipment, insurance, and increasing call volume*
 - *People deserve the best service they can get – this takes money*
 - *Paid staff to augment volunteers*
 - *Donations decreasing and rising costs*
 - *Replacement of outdated vehicles*

Questions and Answers

•What other EMS agencies are billing for services?

- *Richmond Ambulance Authority
City of Richmond*
- *Southside Virginia Emergency Crew
City of Petersburg*
- *Norfolk Fire & Paramedical Services
City of Norfolk*
- *Lynchburg Fire & EMS
City of Lynchburg*
- *Cape Charles Rescue Squad, Inc.
Cape Charles, Virginia*
- *Northampton Fire & Rescue, Inc.
Northampton County, Virginia*

Questions and Answers

What other EMS agencies are billing for services?

- *Marion Lifesaving crew, Inc.
Marion, Virginia Smyth County*
- *Southside South Hill Rescue Squad
Mecklenburg County*
- *Halifax County Rescue Squad, Inc.
Halifax County*
- *Pulaski County Rescue Squad, Inc.
Pulaski County*
- *Melfa Volunteer Fire & Rescue
Melfa, Virginia*
- *Dahlgren Rescue Squad
King George County*

Questions and Answers

Agencies In Virginia looking at billing for services

- *Colonial Heights Fire & EMS*
- *Chesterfield EMS Division*
- *Prince George County*

Summary of Revenue Recovery

- *Can utilize money from an untapped resource: Insurance companies*
- *Provide a supplement to funds received from the State and from grants*
- *Can provide increased funding needed to off-set the decrease in donations*
- *Can provide a financial base for increasing career staffing*

Mr. Moody opened the Public Hearing for the Revenue Recovery at 8:29 P.M.

The following citizens came forward to speak:

1. Richard Hawthorne, 10610 Reeves Ave., McKenney, Virginia, came before the Board and voiced his concern about residents who

Dependent upon amount of funding, possible equipment upgrades to ensure the most up to date and reliable equipment

Questions and Answers

- Why Revenue Recovery?
 - *Rising operational costs – maintenance and cost of vehicles, equipment, insurance, and increasing call volume*
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Pulaski County
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Mr. Moody opened the Public Hearing for the Revenue Recovery at 8:29 P.M.

The following citizens came forward to speak:

1. Richard Hawthorne, 10610 Reeves Ave., McKenney, Virginia, came before the Board and voiced his concern about residents who

don't have insurance and it would be a burden for them to pay for the services. He presented petitions with 1,055 signatures that are opposed to the billing for services.

2. Sheri Roberts, 17314 Old Cryors Road, McKenney, Virginia, stated it only cost a small amount in taxes for everyone in the county. But if the county started charging for ambulance services the cost of insurance would go up. It would also be a burden on folks who don't have insurance. We don't have enough information to act yet.
3. Norman Jefferson, McKenney, Virginia, came before the Board voicing opposition to the billing for services because elderly people will be the ones most affected. If they need an ambulance they won't call simply because they can't afford it. Also, a lot of people in this area only receive minimum wages and they certainly can't afford the cost of insurance or a ride in the ambulance.
4. Kim Kidwell, 23709 River Road, Petersburg, Virginia, stated she was opposed to the billing for services. She asked Mr. Jolly what would happen if a resident couldn't pay?
5. Junious Tucker, 20412 Depot Road, McKenney, Virginia, commented he was opposed for several reasons. He asked the Board to really consider the facts and figures before they took action on this issue.
6. Linda Ozmar, 7700 Duncan Road, Petersburg, Virginia, appeared before the Board and stated I am a citizen of the county and a member of DVRS. There has been a lot of contradictory information given out about billing for services. We at DVRS will go along with the county as far as billing but we will do it under our own license. The money we recapture will be used to offset the cost of ambulances and supplies only. The volunteers will not receive any compensation for our services.
7. Alma Smith, 19809 Manson Church Road, asked the Board if we have to pay \$350 to \$400 for ambulance services will our taxes decrease? Will it improve service for people located in the southwest, southeast, and southern end of the county? Ms. Smith commented that \$7.50 per mile was a lot of money for anyone to pay especially the elderly on a fixed income without insurance.
8. Anne Scarborough, Boydton Plank Road, Dinwiddie, Virginia, spoke in opposition of billing for services. I have encountered a lot of people and not one of them is in favor of this. The county spends too much money on other things including the Board going to the VACo Conference this weekend at The Homestead. Our tax rate is one of the highest in the state. There are only 22 other counties who have a higher tax rate. But don't try to charge me and not charge my neighbor she stated.
9. Mack Atkinson, 17406 Cox Road, Petersburg, Virginia, appeared before the Board stating as Chairman of DVRS we are confused and puzzled with the hearings that have been held. We agreed to get cohesion with all of the volunteers. He commented DVRS was against billing for services but if the county does then we will use our own company independent of the county unless the county pulls our license. The volunteers are not giving up; we are being made.

Mr. Moody closed the public hearing at 9:07 P.M.

Mr. Moody called for Board comments.

Mr. Haraway stated that according to information received at the hospital less than 1 out of 10 people do not have any insurance coverage. Continuing he stated 45% of the elderly have Medicare and pay \$50 per month for it. He said he feels that if a person could not pay the charges for services the county should send them a financial form and they should have to meet state standards to be exempted from paying the fees.

Mr. Bowman asked Mr. Jolly to explain what the estimated \$400,000 billing for services funds would be used for? Mr. Jolly responded the county intends to add a second full-time crew at the cost of \$300,000 to keep up with the demand for services. Some of the funds generated would be used to pay the operating costs for the crew and the equipment and supplies needed by the squads. Funds would also be used to pay for radio and dispatch upgrades which range between \$800,000 to 1 million dollars. Mr. Bowman commented that the \$400,000 revenue really would not cover the expected expenses. That is correct replied Mr. Jolly.

Mrs. Ralph asked Ms. Diane Vick to address the confusion about the billing. Ms. Vick explained under federal law every patient must be treated equally. Every patient must be billed 3 times for services rendered. Most localities which use a billing for services program do not use wage garnishments, liens, or legal action to collect money from the uninsured who are unable to pay for services. However, the county makes that decision, not the billing agency.

Mr. Bracey asked Mr. Haraway to explain again his earlier statement about insurance coverage. Mr. Haraway replied 93% of the people admitted to the hospital between January and October had some type of insurance. Out of those 45% had Medicare coverage and 90% of the patients paid something.

Mr. Moody thanked the citizens and volunteers who came to the meeting. He commented that any time something new is started people are fearful of the unknown. I as a Board member do not want to put any undue burden on the citizens of the county and we are going to be gathering more information before making a decision. We must wait at least 10 days before we can vote on this issue.

Mr. Clay stated the Board needed to take some more time to think about the issues brought forward tonight and work things out.

Mr. Moody stated the Board probably would not take any action until January.

IN RE: RECESS

Mr. Moody called for a recess at 9:11 P.M. The meeting reconvened at 9:28 P.M.

**IN RE: PUBLIC HEARING A-01-7 – ORDINANCE AMENDMENT
TO THE CODE OF THE COUNTY OF DINWIDDIE –
CHAPTER 19 – ENTERPRISE ZONE**

This being the time and place as advertised in the Dinwiddie Monitor on October 17, 2001 and October 24, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on and to propose for adoption of an Ordinance amending 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.

Mrs. Ralph stated that the proposed changes in the ordinance were requested by the Commissioner of Revenue to assist her in administering the ordinance.

AN ORDINANCE OF THE COUNTY OF DINWIDDIE, VIRGINIA TO AMEND THE DINWIDDIE COUNTY CODE BY ADDING ARTICLE XIV TO CHAPTER 19 OF THE COUNTY CODE TO BE KNOWN AS THE ENTERPRISE ZONE ORDINANCE, SPECIFICALLY ENACTING SECTION 19-166 OF THE COUNTY CODE RELATING TO A FIVE YEAR, ONE HUNDRED PERCENT TAX EXEMPTION ON THE INCREASED ASSESSED REAL PROPERTY VALUE RESULTING FROM REHABILITATED COMMERCIAL AND INDUSTRIAL REAL ESTATE LOCATED WITHIN AN ENTERPRISE ZONE, ENACTING SECTION 19-167 OF THE COUNTY CODE RELATING TO A FIVE YEAR, ONE HUNDRED PERCENT EXEMPTION OF NEW BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE FEES FOR QUALIFIED BUSINESSES LOCATING IN A NEWLY CONSTRUCTED BUILDING IN AN ENTERPRISE ZONE AND TO QUALIFIED BUSINESSES LOCATED IN AN EXISTING BUILDING IN AN ENTERPRISE ZONE THAT MAKE IMPROVEMENTS TO THE STRUCTURE, IN ALL CASES IMPROVEMENTS RESULTING IN A TWENTY-FIVE PERCENT INCREASE IN REAL PROPERTY ASSESSED VALUE, REPEALING PRESENT COUNTY CODE SECTION 19-124 AND ENACTING SECTION 19-168 OF THE COUNTY CODE TO PROVIDE THAT CERTIFIED POLLUTION CONTROL EQUIPMENT AND FACILITIES LOCATED IN AN ENTERPRISE ZONE SHALL BE PARTIALLY EXEMPT FROM LOCAL TAXATION BY THE COUNTY AND ENACTING SECTION 19-169 OF THE COUNTY CODE TO PROVIDE THAT CERTIFIED RECYCLING EQUIPMENT LOCATED IN AN ENTERPRISE ZONE SHALL BE PARTIALLY EXEMPT FROM LOCAL TAXATION

This being a Public Hearing Mr. Moody opened the floor for citizen comments. There being none, Mr. Moody closed the Public Hearing on A-01-7.

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

BE IT ORDAINED by the Board of Supervisors of the County of Dinwiddie, Virginia that the Code of the County is amended by enacting Sections 19-166, 19-167, 19-168 and 19-169 as Article XIV of Chapter 19 of the Code of the County as set forth below:

Sec. 19-166 Partial tax exemption for certain rehabilitated commercial and industrial real estate located within an Enterprise Zone

A. Real estate located within an area designated as an Enterprise Zone by the Commonwealth of Virginia which has been substantially rehabilitated shall be partially exempt from taxation subject to the conditions and limitations contained in this section.

1. Any real estate upon which there is an existing commercial or industrial structure shall be deemed to have been substantially rehabilitated when such a structure 15 years or older has been improved so as to increase the assessed value of the structure by 25 percent or more.
2. The base value of the commercial or industrial structure (**the "Base Value"**) shall be the assessed value of the structure prior to the commencement of rehabilitation as determined by the Commissioner of the Revenue upon receipt of an application for the Rehabilitation Exemption (defined below).
3. The tax exemption provided in subsection A. 1. shall apply when the rehabilitation is completed and the amount exempt from tax (**the "Rehabilitation Exemption"**) shall be equal to the increase in assessed value over the Base Value, if any, resulting from the rehabilitation of the

assessed commercial or industrial structure, as determined by the Commissioner of the Revenue. The Rehabilitation Exemption shall commence on January 1 of the year following completion of the rehabilitation.

4. The Rehabilitation Exemption shall run with the real estate for five years.
5. Nothing in this section shall be construed to allow the Commissioner of the Revenue to list upon the land book any reduced value or any reduced taxes due to the Rehabilitation Exemption provided herein.
6. No improvements made upon vacant land nor total replacement of structures shall be eligible for the Rehabilitation Exemption. New detached structures shall not qualify for the Rehabilitation Exemption.
7. No property rehabilitated utilizing any public grant funds shall be eligible for the Rehabilitation Exemption under this section.

B. Prior to beginning the rehabilitation, the owner of any real estate meeting the criteria stated in this section shall apply to the Commissioner of the Revenue for the Rehabilitation Exemption on a form provided by the County. Such an application shall be submitted no later than the time that an application for a building permit for such rehabilitation is submitted, and shall be accompanied by a payment of a non-refundable fee of fifty dollars (\$50.00) which fee shall be applied to offset the cost of processing the application and making the determinations required hereunder. Upon receiving the application, the Commissioner of the Revenue shall determine the base value of the structure. This base value determination shall be effective for three years from the date of determination, and if by such expiration date the rehabilitation has not progressed to such a point that the assessed value of the structure is at least said minimum percentage greater than the base value of such structure, the approved application shall become null and void and no Rehabilitation Exemption shall be allowed hereunder.

C. Upon completion of the rehabilitation, the Commissioner of the Revenue shall be notified in writing and shall inspect the property to determine the assessed value of the structure and the amount, if any, of the Rehabilitation Exemption for that structure. No property shall be eligible for Rehabilitation Exemption unless the appropriate building permits have been acquired, and the Commissioner of the Revenue has verified that the rehabilitation indicated on the application has been completed and meets the requirements of this section. In determining the base value and the increased value resulting from the substantial rehabilitation, the Commissioner of the Revenue shall employ usual and customary methods of assessing real estate. The owner of property qualifying for the Rehabilitation Exemption under this section shall be issued a tax bill in the amount of the actual taxes based on assessed value reduced by the Rehabilitation Exemption allowed.

D. Whenever the owner of real property which has qualified for Rehabilitation Exemption under this section shall fail to timely pay the non-exempted amount of real estate taxes on the property for any tax year, the Rehabilitation Exemption from real property taxation shall be forfeited for the remainder of the five year Rehabilitation Exemption period. However, if the failure to pay the real estate tax was not in any way the fault of the taxpayer, the Commissioner of the Revenue may reinstate the Rehabilitation Exemption.

[State law reference: Va. Code Sections 58.1-3221 and 59.1-283]

Sec. 19-167 Reduction of business, professional and occupational license tax for qualified businesses located in an Enterprise Zone

A. Any business required to obtain a license based on gross receipts or purchases pursuant to Chapter 13 of the County Code which is located in a

newly constructed building or makes improvements to an existing building so as to increase the assessed value of the structure by 25 percent or more (as further set forth below) which building is within an area designated as an Enterprise Zone by the Commonwealth of Virginia, on or after the date on which the Enterprise Zone was established, may receive relief during the tax and fee relief period, of those taxes and fees which are calculated on the increase in gross receipts or purchases over the business' gross receipts or purchases during the Base Year. The Base Year under this section shall be the calendar year immediately preceding the year that the business initially qualifies for the tax and fee relief under this section. For a newly established business, a new branch or a business relocating from outside Dinwiddie County, the Base Year amount shall be zero and the tax and fee relief period shall begin in the tax year that the business qualifies for tax and fee relief and shall last for four additional tax years, or for as long as the business remains within any Enterprise Zone in Dinwiddie County, whichever period is shorter. For existing businesses which are already located in Dinwiddie County, the tax and fee relief period shall begin in the tax year after the business qualifies for the relief and shall last for four additional tax years, or for so long as the business remains within any Enterprise Zone in Dinwiddie County, whichever period is shorter.

B. A business shall qualify for the tax and fee relief provided for in subsection A as follows:

1. If the business builds a new building within an Enterprise Zone in Dinwiddie County which building receives its certificate of occupancy after the date on which the Enterprise Zone is established, it shall qualify for the tax and fee relief immediately upon occupying the building.
2. If the business makes improvements to an existing building within an Enterprise Zone so as to increase the assessed value of the structure by 25 percent or more, as determined by the Commissioner of the Revenue, it shall qualify for the tax and fee relief immediately upon the completion of the improvements.

[State law reference: Va. Code Section 59.1-283]

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

Section 19-124 of the County Code is hereby repealed and replaced by the following:

- 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.
- 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 value for the first \$15,000,000 of value, and thereafter, the remaining value shall be taxed at rates generally applicable to those type of real property, personal property and machinery and tools, as applicable within the County. 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 type of real property, personal property and machinery and tools, as applicable, within the County.

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

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

A. Pursuant to Section 58.1-3661 of the Code of Virginia of 1950, as amended, certified recycling equipment, facilities or devices, 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 Recycling Equipment**"), 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 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.

B. Upon receipt of Commissioner of the Revenue of the County of the certification described in Section A, the Commissioner of the Revenue shall determine or redetermine the value of such Certified Recycling Equipment.

C. 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 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, 1997. The exemption 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 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, subject to the limitation that this partial exemption shall only be effective as to the first \$280,000,000 of value and thereafter, shall be taxed at rates generally applicable to those type of real property, personal and machinery and tools, as applicable within the County. The exemption 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 four- years, except that the partial exemption shall be at the rate of 50% rather than 65%, subject to the limitation that this partial exemption shall only be effective as to the first \$280,000,000 of value and thereafter, shall be taxed at rates generally applicable to those type of real property, personal and machinery and tools, as applicable within the County.

D. The partial tax exemption set forth herein shall be offset by the costs of the County or the County Water Authority providing significant governmental services or facilities to the business applying for the exemption. Significant governmental services or facilities shall include, but not be limited to, the costs of providing water and wastewater facilities and services, road improvements and similar such services and facilities. Such costs to be offset shall be determined by the County Administrator and provided to the Commissioner of Revenue.

E. In order to qualify for the partial exemption provided herein, such business must be a manufacturing business located in a newly constructed building, and make a minimum investment of \$5 million and provide for 50 jobs at such location or if located in an existing building additionally such investment must

resulting in minimally a 25% increase in the assessed value of such existing building. This partial exemption will be in the form of a grant.

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

This Ordinance shall become effective immediately.

**IN RE: PUBLIC HEARING – A-01-8 – TRAFFIC LAW -
RECODIFICATION**

This being the time and place as advertised in the Dinwiddie Monitor on October 17, 2001 and October 24, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on an ordinance amending Sections 14-3 and 14-4 of the Dinwiddie County Code to incorporate provisions of state law related to the control of traffic and to driving under the influence of alcohol or other intoxicants.

Mrs. Ralph stated this is an amendment to the ordinance amending Sections 14-3 and 14-4 of the Dinwiddie County Code to incorporate provisions of State Law related to the control of traffic and to driving under the influence of alcohol or other intoxicants. This is a yearly revision to coincide with the action taken by the General Assembly amending certain sections. It was pointed out that the amendment had been drafted by the County Attorney and was enclosed in the Board's packet.

This being a Public Hearing Mr. Moody opened the floor for citizen comments. There being none, Mr. Moody closed the Public Hearing on A-01-8 at 9:30 P.M.

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

WHEREAS, Section 46.2-1313 of the Code of Virginia 1950, as amended, authorizes the incorporation of provisions of state law into local ordinances; and

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia deems it in the best interest of the County to effectively incorporate such provisions of state law into Dinwiddie County Code Sections 14-3 and 14-4 to reflect the County's adoption of such statutes;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that Sections 14-3 and 14-4 of the Dinwiddie County Code should be amended as follows:

Sec. 14-3 Adoption of state law as to motor vehicles and traffic and driving under the influence of alcohol or drugs.

- (a) Pursuant to the authority of Section of 46.2-1313 of the Code of Virginia, all of the provisions and requirements of the laws of the Commonwealth contained in Title 46.2 and in Article 2 (Section 18.2-266 et seq.) of Chapter 7, Title 18.2 of the Code of Virginia, as amended except those provisions and requirements which, by their nature, can have no application to or within the County, and except those provisions of law which may not be adopted or incorporated, are hereby adopted and incorporated mutates mutandis in this Ordinance by reference and made a part of this Chapter as fully as though set out herein and are herein and hereby applicable within Dinwiddie County.
- (b) References to "highways of the state" contained in such provisions and requirements adopted by this Section shall be

deemed to refer to the streets, highways, and other public ways within the County.

- (c) The provisions and requirements referred to the subsection (a) of this Section are hereby adopted, mutates mutandis and made a part of this Section as fully as though set forth at length herein, and it shall be unlawful for any person within the County to violate, or fail, neglect, or refuse to comply with, any such provision or requirement; provided, however, that, in no event shall the penalty imposed for the violation of any such provision or requirement exceed the penalty imposed for a similar offense under the state law hereby adopted.

Sec. 14-4. Adoption of state law as to the operation of motor vehicles.

Pursuant to the authority of Section of 46.2-1313 of the Code of Virginia, the following provisions and requirements of Title 46.2 of the Code of Virginia, as amended, are hereby adopted and made a part of this chapter as fully as though set out therein and are hereby applicable within Dinwiddie County: sections 46.2-100, 46.2-103, 46.2-300 to 46.2-302, 46.2-341.1 to 46.2-341.34, and 46.2-800 through 46.2-946.

This Ordinance shall become effective immediately.

IN RE: APPOINTMENT – RC & D COUNCIL

Mr. Moody asked if any of the Board members had contacted any of the persons who had been recommended for the appointment. No one had been contacted therefore the appointment was postponed.

IN RE: APPOINTMENTS – ABIDCO – MILTON HARGRAVE, JR., DONALD HARAWAY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Donald L. Haraway and Mr. Milton Hargrave, Jr., are hereby reappointed to the ABIDCO Board, retroactive to September 30, 2001, for a one-year term expiring on September 30, 2002.

IN RE: AMENDMENTS TO THE FY 2002 - BUDGET

Mrs. Ralph presented the following FY 2001 – 2002 budget amendments:

General Fund

1. Transfer an additional \$200,000 to School Fund
2. Transfer \$110,000 to Capital Projects Fund for Historic Courthouse renovation
3. Increase the Crater Detention Home allocation from \$100,000 to \$150,000

Designations from Undesignated Fund Balance

1. Planning- \$50,000 for Corridor Study
2. Transfers to Capital Projects Fund
 - a. \$25,000 - Mobile Command Unit
 - b. \$130,200 - (2) Ambulances
 - c. \$223,000 – Dinwiddie Fire Truck
 - d. \$130,000 – Trash Truck
 - e. \$165,000 – Balance for Historic Courthouse

- f. \$110,000 – Public Safety Building*
- g. \$148,392 – GIS – 1st year*
- h. \$66,000 – Convenience Center* *Represent 1st year of CIP

School Fund – Changes from County Budget

- 1. Instruction - \$304,851 Decrease
- 2. Administration, Attendance, Health - \$181,859 Increase
- 3. Pupil Transportation - \$68,607 Increase
- 4. Operation & Maintenance - \$216,676 Increase
- 5. Facilities - \$267 Increase
- 6. Special Projects - \$2,542 Decrease
- 7. School Debt Service – No change
- 8. Textbooks – No change
- 9. Cafeteria – No change
- 10. OYCS - \$11,458 Increase
- 11. School Capital – No change
- 12. Head Start – No change

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the amendments, as outlined above, to the FY 2001 – 2002 Budget are approved as presented.

IN RE: APPROPRIATIONS RESOLUTION – FY 2001-2002

Mrs. Ralph presented the Appropriations Resolution for FY 2002.

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

APPROPRIATIONS RESOLUTION

WHEREAS, the final 2001-2002 budget has been adopted by the Board of Supervisors; and

WHEREAS, in order for the various departments and agencies to make expenditures within this budget, an appropriation of funds must be authorized by the Board of Supervisors;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the total General Fund budget in the amount of \$22,354,723 will be appropriated on a monthly basis, beginning July 1, 2001, as claims are approved; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following funds are appropriated beginning July 1, 2001:

Law Library	\$ 6,500
Fire Programs Fund	\$ 42,262
Virginia Public Assistance Fund	\$2,557,216
CSA Fund	\$ 685,423
E911 Fund	\$ 429,849
Courthouse Maintenance Fees	\$ 110,000
Forfeited Asset Fund	\$ 6,000
OYCS Fund	\$ 109,806
Meals Tax Fund	\$ 400,000
VJCCCA	\$ 55,570
Jail Phone Commission	\$ 3864

County Debt Service	\$2,003,660
Head Start Fund	\$ 146,018
School Cafeteria Fund	\$1,269,807
School Capital Projects Fund	\$ 100,000
School Textbook Fund	\$ 275,925 and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the CDBG Fund, as State funds become available, be appropriated on a monthly basis as claims are presented; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board budget be appropriated by category as follows, beginning July 1, 2001:

Instruction	\$20,335,845
Administration, Attendance & Health	\$ 929,842
Pupil Transportation	\$ 1,943,928
Operation & Maintenance	\$ 3,104,154
Facilities	\$ 101,202
Special Projects (Federal Programs)	\$ 987,902
School Debt Service	\$ 2,990,150
(includes \$400,000 transfer from Meals Tax); and	

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following reappropriations to the FY02 budget be approved effective July 1, 2001: \$50,000 in remaining funds in the Planning Dept. Budget; \$25,000 in FY01 undesignated fund balance for Mobile Command Unit; \$834,000 present balance in the Capital Projects Fund; \$110,000 transfer from General Fund to Capital Projects Fund for Historic Courthouse; and \$972,592 from the FY 01 Undesignated Fund Balance be reappropriated to the Capital Projects Fund for projects committed to in FY01 as follows:

Public Safety Building	\$110,000
GIS	\$148,392
Convenience Center	\$ 66,000
Dinwiddie VFD Fire Truck	\$223,000
2 Ambulances (County Share)	\$130,200
Trash Truck	\$130,000
Historic Courthouse	\$165,000

IN RE: YEAR 2002 LEGISLATIVE ISSUES FOR DINWIDDIE COUNTY

Mrs. Ralph stated she had enclosed a synopsis of information regarding the legislative issues, which had been identified by the Board over the past year. She requested the Board review these items and advise her of additions or deletions before contacting the legislators to introduce legislation. She stated they were attending the VACo Conference this weekend and stated they might want to wait on taking action until after they had an opportunity to hear what was adopted there.

Year 2002 Legislative Issues for Dinwiddie County

The following information represents significant issues identified by the Dinwiddie County Board of Supervisors over the past year. The Dinwiddie Board of Supervisors respectfully requests any assistance you may provide on the following items:

1. Dinwiddie County and the Richmond District of VDOT do not receive a proportionate share of the six-year improvement plan for secondary roads

or the unpaved road allocation. The Richmond District ranks sixth out of nine VDOT districts in the allocation of unpaved road funds.

2. The County supports the continued funding by the state for school infrastructure needs, as well as any initiative to assist localities in the funding of school construction and school renovation projects.
3. Dinwiddie County supports any legislation that will establish the right of the County to require cash proffers.
4. Dinwiddie County supports a reduction in the ratio of state funded deputies to population from 1 deputy per 1,500 population to 1 deputy per 1,200 population in Counties with a population of less than 35,000.
5. Dinwiddie County supports the concept of the Commonwealth reimbursing localities for providing assistance with completing and mailing state income tax forms.
6. Dinwiddie County opposes the closure of any portion of Central State Hospital.
7. Dinwiddie County supports the current definition of "mandated services" under the comprehensive Services Act. If the definition is expanded, the County requests the Commonwealth cover 100% of the cost of services which were formerly "non-mandated."
8. Dinwiddie County supports the concept of any assistance from the Department of Mental Health, Retardation and Substance Abuse for the implementation of CSA Services.
9. Dinwiddie County opposes any change in the County's authority to collect Meals Tax.
10. Dinwiddie County opposes any change in the County's authority to impose the E-911 Tax.
11. Dinwiddie County requests funding support/reimbursement for EMS/Fire Service provided to State Agencies/Facilities located within the County.
12. Dinwiddie County opposes any unfunded mandates from the Commonwealth. This item is more specifically in reference to any mandates required of the local school divisions.
13. Dinwiddie County requests additional funding support for localities for the centerline striping of secondary roads. It is the County's position that the addition of centerline markings will enhance traffic safety on many narrow secondary routes.

Additional Legislative Items to Consider:

1. Dinwiddie County opposes any further dilution of the zoning and land use authority of local governments as it pertains to manufactured housing.
2. Dinwiddie County supports amendments to Sec. 56-484.16 of the Code of Virginia to extend the deadline for wireless E-911 implementation for localities operating a wireline E-911 system as of July 1, 2000, from July 1, 2002 to July 1, 2003.
3. Dinwiddie County supports greater flexibility and additional funding to ensure success of the pave-in-place program and requests that VDOT

work cooperatively with local governments to ensure the success of this program.

4. The General Assembly should require the Virginia Department of Corrections to remove "state-responsible" inmates from local and regional jails in a timely manner and should seek ways to reduce the escalating burden of inmate medical care on such jails.
5. Dinwiddie County supports legislation that would require the Virginia Department of Transportation to maintain and make all repairs to drainage easements both on and off highway right-of-way for any permanent drainage easement acquired by the Department in connection with or as a precondition to the construction or reconstruction of any highway until such time as each easement shall have been terminated.

Mrs. Ralph also stated there is a letter from Francene Green, Director, Office on Youth Community Services, requesting your support for funding for the Office on Youth be included as a line item in the state budget this year.

The Board concurred that they would like to delay action until after the conference.

IN RE: RESOLUTION – SUPPORT OF FOUNDERS OF AMERICA COMMUNITIES

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

WHEREAS, Dinwiddie County is an exceptional tourism destination, and

WHEREAS, many of the persons and events that founded the United States are associated with Dinwiddie County, and

WHEREAS, the Founding of the United States is a story deserving greater recognition and would provide the basis for additional tourism opportunities in the Commonwealth, and

WHEREAS, communities have an opportunity to share in the Commonwealth's 2007 Rediscovery through the Founders program,

BE IT HEREBY RESOLVED that the Dinwiddie County Board of Supervisors supports the Founders of American Communities in Virginia program in order to foster recognition of the Commonwealth's unique role in the creation of the American Republic, and

BE IT FURTHER RESOLVED that the Legislature be encouraged to pass such resolutions as necessary to create and fund such a program.

IN RE: AUTHORIZATION TO BID - PUBLIC SAFETY BUILDING

Mr. Donald Faison stated we enclosed copies of the floor plans for the renovation of the Public Safety Building in your packets. To keep on schedule, we are asking for authorization to bid the project for presentation to the Board at the December 19, 2001 meeting. He presented the plans and reviewed the changes with the Board.

Mr. Bracey questioned the placement of the bathroom and shower opening out into the kitchen area. Mr. Faison showed him the proposed change in the plans.

Mr. Haraway asked Mr. Faison to take a look at what the cost would be to add the center to the existing Dinwiddie Volunteer Fire Station and bring the estimates back before proceeding any further. Mr. Faison stated he would.

**IN RE: PUBLIC COMMENT SESSION – SOUTHEAST HIGH
SPEED RAIL**

Mrs. Ralph presented the following information to the Board regarding the potential Southeast high-speed rail S-Line proposed location. She commented that Staff wanted to hear from the Board before taking a position. There is a meeting scheduled at the Governor's School in Petersburg on November 8th at 5:00 p.m. As previously discussed, there is a possible location of a high-speed rail line through Dinwiddie County along the abandoned CSX line. This matter has been discussed with staff during the past 1-1/2 years by such organizations as the Crater Planning District, the Virginia Rails staff, the Virginia Department of Transportation and the North Carolina Rails Division. There have been public hearings held on the Tier I study as well as group meetings endorsing this project.

The following memo was sent to you from Mr. Guy Scheid. While there is general support for alternative transportation modes on a regional basis, the Dinwiddie planning staff is concerned with this proposal for several reasons:

1. Portions of this line have been studied as a East Coast Greenway trail and have received State and National recognition as such;
2. The State Comprehensive Outdoor Recreation Plan has shown portions of this abandoned track as serving recreational needs for County residents and connecting historically significant sites;
3. Several County citizens have purchased portions of this railroad property to access their property and/or have built structures within the abandoned rail line;
4. The line traverses some major Civil War Battlefields identified as such by the National Park Service. The Board of Supervisors has endorsed the Park Service's Battlefield Epicenter Plan (October 2001) and is in the process of reflecting this action in the update of the County's Comprehensive Land Use Plan;
5. The line is located in close proximity to properties which have been developed since the line was abandoned and will adversely impact many of these properties;
6. There are considerable at grade rail crossings with the County's secondary roads. There are safety concerns with this situation. It is understood that grade separation is expensive to construct and, generally, considered as a "last resort". Obviously, road closures will occur which will cause inconveniences to the citizens of Dinwiddie County;
7. There are environmental considerations which will impact on adjacent properties;
8. The County will not receive any long-term benefit from the rail line and will lose any option for alternative uses of the line in the future. As explained by representatives from the North Carolina and Virginia Rail Divisions, ownership of the line will be vested with the State and tax revenue will not be derived by the County. During initial discussions there were statements made that clearly established this as a passenger service line and not for industrial purposes. Recent discussions have softened on this matter to the point there is confusion. Also, some comments have been offered regarding train stop(s) and/or station(s) as enticements for support of the line;

Mr. Haraway asked Mr. Faison to take a look at what the cost would be to add the center to the existing Dinwiddie Volunteer Fire Station and bring the estimates back before proceeding any further. Mr. Faison stated he would.

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9. There is an active rail line located to the east. A parallel line, alternate "A", could be built with much less impact on adjacent property owners and the community; and

10. There is considerable concern with the line location in the northern portion of the County as it relates to Chaparral Steel and the County's Enterprise Zone. Clearly, this matter must be addressed before the County considers endorsement of this project.

I believe there are sufficient concerns for Dinwiddie County that warrant us voicing an objection to the project until some "concessions" are made. Rails and trails are not incompatible. Grade separations must be guaranteed at certain "key" locations. Continuous (annual) funding increases must be provided for the increased number of at grade railroad crossings. The above are offered as some suggestions to issues the County should demand as reasonable "trade offs" for the abandoned rail line being activated. It is not staff's intention to appear unreasonable on this regional issue but it is our evaluation that Dinwiddie County will be subjected to shouldering an unreasonable burden while other jurisdiction will be deriving significant benefits from this rail line.

Mr. Haraway asked if there was any advantage to Dinwiddie County if the high-speed rail is permitted to come through the county? Mrs. Ralph replied no.

The Board agreed with the responses Mr. Scheid prepared for the public comment session on the Southeast High Speed Rail.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Wendy Ralph told the Board that Martha Burton sent a memo concerning proposed legislation that would allow manufactured housing in every zoning district. At this point we are attempting to gather information on the financial impact this legislation would have and work together with surrounding localities to have a unified front on the issue.
2. Mrs. Ralph stated the VACo Agenda was enclosed in your packets and she has highlighted some sessions that might be very beneficial if any of you have an opportunity to attend them.
3. At the last meeting Mr. Kenneth Thomson came before the Board with his concerns about the Dinwiddie Medical Center. You asked Staff to look into the situation. Mrs. Ralph said she spoke with Carolyn Bagley of the Lunenburg Medical Center and she said they are going to be opening for business in the basement of the Dinwiddie Office Building off Courthouse Road the first of November. It is being renovated to accommodate them and they plan to have an open house in December.
4. Mrs. Ralph reported that a copy of the deficiencies on the jail inspection from the Department of Corrections was enclosed in your packets. Mr. Bracey commented that a deadline needed to be set on getting the deficiencies corrected because the county is responsible if something happens. The next inspection has been set for November 13, 2001.

IN RE: SHERIFF'S OFFICE – NEW APPOINTMENTS – 3 STATE – RESOURCE OFFICER – COUNTY DEPUTY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Sheriff's Department to employ the following: Kenneth C. Powell effective October 2, 2001, Joseph Hartley Jones effective October 9, 2001, and Whalen A. Whitmore to be hired November 8, 2001, in State Positions at an annual salary of \$23,329, Grade EC7, Step 1; Timothy M. Seitz as a County Deputy effective Tuesday, October 9, 2001 at an annual salary of \$23,329, Grade C07, Step 1; and Jeffrey Rhodes, County Deputy as the Resource Officer effective September 1, 2001 at an annual salary of \$28,501 Grade C08, Step 6.

IN RE: MCKENNEY FIRE ENGINE – AUTHORIZATION TO NEGOTIATE WITH LOW BIDDER

Mr. Jolly stated the bids for the fire engine for the McKenney Volunteer Fire Department were received and have been reviewed. He reported that he received two bids and one was rejected because there was no bid bond included. He requested permission from the Board to negotiate with the low bidder. The bids received are as follows:

Bid Tabulation Form

2002 Rescue Engine

Vendor	Bid Bond	Insurance Certificate	Bid Amount
Keplinger Repair	No Response		
4 Guys Inc.	No Response		
Slagle Fire Equip.	Letter of No Bid		
Performance Specialty Vehicle	No Bid Bond	Yes	428,844.00
Singer Fire Equipment	Yes	Yes	429,848.00

The Board requested that Mr. Jolly contact the bidders who did not respond to see why they did not bid.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that acceptance of the bid is postponed 2 weeks to investigate why the other bidders did not respond to the request.

IN RE: PUMP REPAIRS – FORD VFD – ENGINE 22

Mr. Jolly stated he received the estimate for the parts and labor required to re-build the pump and transfer case to the Ford VFD, 1987 Engine 22. To install new bearings, seals, gaskets, pump shaft, impeller, shifter fork and shaft and other parts required to return it to like new condition the estimated cost is \$12,462.05. The work will require an estimated 3 to 4 weeks to complete. He asked for authorization to proceed with Singer Associates Fire Equipment, Inc. for the repairs to Engine 22 to be paid out of the Capital Volunteer Fire Fund.

Mr. Bracey stated in the future he wanted to see proof that the Volunteers don't have the money to pay for these repairs.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above stated repairs to the Ford VFD, Engine 22 are approved and funds appropriated for same from the Volunteer Fire Departments Capital Improvements Fund.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman He stated he received a call from Mr. Robert Ragsdale regarding the letter sent to his daughter about the Special Entertainment Permit for the function she held at Lake Jordan. He asked if there were other letters of warning sent to violators? Mrs. Ralph responded yes and she would fax him a copy tomorrow. Mr. Bowman commented he had met with representatives from West Petersburg who wanted to do whatever needs to be done to apply for another grant. Mrs. Ralph stated we are still obligated to another grant and until the 5 houses are built and the grant is finished we can't apply for another one. He also stated he had requested to be apprised of all meetings which are directly related to anything happening in his District and he reiterated again that he wanted to know in advance when meetings are scheduled.

Mr. Haraway He stated he received several calls about the cars starting before the scheduled time at the racetrack on the weekends. He asked staff to please notify Virginia Motorsports and ask for adherence to the conditional use permit.

Mr. Clay He stated people go the racetrack to race and it didn't matter what time it was.

Mr. Moody No comments

Mr. Bracey stated I move to close this meeting in order to discuss matters exempt under section 2.2-3711 A. 7:

- Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia

Consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town - OR - consultation with legal counsel regarding specific legal matters that require legal advice for Employment Issues.

Mr. Haraway seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 11:11 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 11:34 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.7, for the purpose of Consultation with Legal Counsel; Employment Issues.

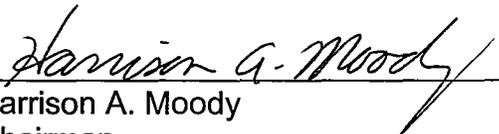
And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

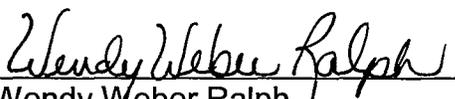
Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 11:34 P.M. to be continued until 11:00 A.M., November 21, 2001, for a Work Session.


Harrison A. Moody
Chairman


Wendy Weber Ralph
Assistant County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 21ST DAY OF NOVEMBER, 2001, AT 11:00 A.M.

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

PHYLLIS KATZ COUNTY ATTORNEY

IN RE: CALL TO ORDER

Mr. Harrison Moody, Chairman, called the continuation meeting to order at 11:04 A.M.

IN RE: DISCUSSION OF INTERNET SERVICE

Ms. Cathy Carwile, Data Processing Coordinator, gave the following presentation:

INTERNET AND E-MAIL ACCESS

\$10,000 in funding was approved for FY 2002 to implement internet and e-mail access. The project will involve setting up access for the 22 personal computers currently in use by various departments in the Pamplin Building.

I have included an overview of the project and a cost comparison for the four most likely vendors.

My recommendation is the solution proposed by the Virginia Department of Information Technology. This solution would provide both DMV and internet access. We are currently paying approximately \$180 per month for DMV access alone; this charge would be eliminated. The Enterprise Solutions Division would coordinate most aspects of the project, providing an almost "turn-key" solution. The services currently provided for DMV access have been very reliable and problem resolution has been swift. I would describe our working relationship as very good.

Although the solution offered by the Dinwiddie County School Board could be implemented quickly and with little or no initial cost, I think it fails to address the need for the continued growth of our network infrastructure and does not allow for full management and problem resolution by staff. As of today's date, access to their e-mail server is available.

The following is a breakdown of the pricing:

INTERNET AND E-MAIL ACCESS 128K TO 256K T1 CONNECTION	UUNET / MCI	Networking Technologies & Support Net Telcos	Virginia Department of Information Technology	Dinwiddie County School Board
Equipment				
Router	1,525	2,196	monthly	-
Firewall	monthly	in router	85	-
Installation/Set-Up				

On-Site Installation / Configuration	no	yes ²	yes ³	yes ⁴
Install/Configure Router	pre-configured	495	560	-
Install/Configure Firewall	500	in router	included	-
Leased Line	405	-	863	-
Set-Up Charge	3,000	1,125	2,000 ³	-
Domain Name Registration	included	included	included	charges may apply
Monthly Recurring Charges				
128K - 256K T1	995 ¹	345	198	-
Verizon Local Loop Charge	1,050	450	270	-
Router	-	-	74	-
Firewall	759	-	-	-
E-Mail / 25 users	included	68	81	-
E-Mail / Each Additional	included	5	3	-
Virus Protection	no	no	yes	no
User Monitoring / Filtering	no	no	no	yes
Cost				
Equipment / Installation / Set-up	5,430	3,813	3,508	-
Monthly Recurring Charges	2,803 ¹	863	623	-
Estimated total for FY2002	26,000 ¹	10,000	8,000	less than \$500
Estimated total for FY2003	35,000 ¹	11,000	8,000	less than \$500

¹ UUNET's monthly charges for bandwidth would vary based upon usage (95% of sustained use over two consecutive months) and could vary as much as \$900 per month. Special offers are sometimes available, negotiation may be possible.

² NTS on-site installation and configuration for router, firewall and up to 10 pc's. Additional charges billable at \$75-\$125 hourly

³ DIT project estimate for installation, configuration, and pc set-up. Additional charges billable at \$73 hourly

⁴ School Board staff will provide set-up and configuration

Mr. Bracey moved to go forward with the recommendation of Ms. Carwile. Mr. Haraway seconded the motion. Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", the Board authorized the Administrative Staff to execute an agreement with the Virginia Department of Information Technology for the County's Internet/e-mail access at an estimated cost of \$8,000 per year.

IN RE: AUTHORIZATION TO DEVELOP WEBSITE

Ms. Cathy Carwile, Data Processing Coordinator, gave the Board an overview of information that could be accessible if the County developed a website. Continuing she stated most of the surrounding counties presently do have a website and people are accustomed to going on-line to gather information they need.

WEBSITE DEVELOPMENT

Website development, also budgeted for FY 2002, is progressing. I would estimate the initial draft to be 60 percent complete. The site is being designed to provide information on county offices and services, recreational activities, agendas and meeting minutes, employment opportunities and economic development. Sample web pages are included for your review.

I am in the process of obtaining price quotes. Of the four vendors being considered for internet access, all are currently providing web-site hosting.

There was a lot of discussion regarding information which could be accessible via the website including: tax maps, agendas for meetings, minutes of board meetings, board e-mail, special entertainment permit applications,

building permit applications, applications for employment, employment opportunities, and possibly future tax payments. Mr. Bracey was very interested in getting information back on the cost involved in the interaction of maps in the Commissioner of Revenue's Office. The Board concurred.

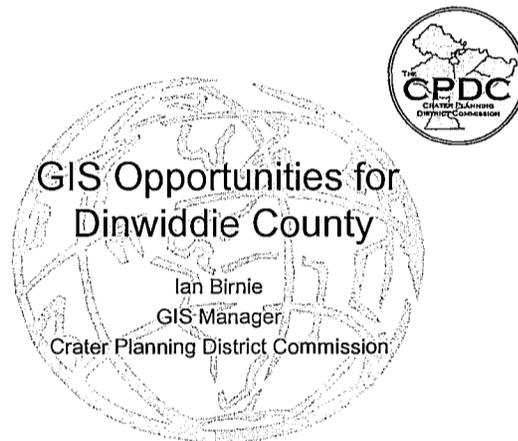
Upon Motion of Mr. Bracey Seconded by, Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization was granted for the Data Processing Coordinator to bring back costs and additional information on the development of a website for the County.

**IN RE: GEOGRAPHIC INFORMATION SYSTEM –
AUTHORIZATION TO ISSUE RFP**

Mrs. Ralph stated Ian Birnie, GIS Manager, Crater Planning District Commissioner, is here today for a brief presentation on the Geographic Information System.

Mr. Birnie gave the following presentation:

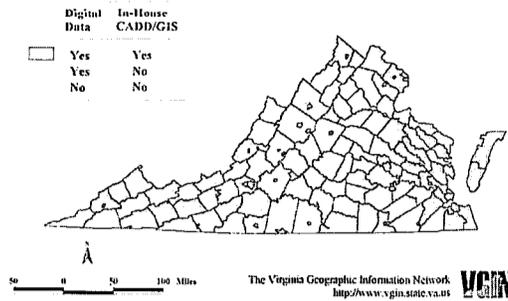


Why GIS?

- GIS is Flexible
 - Can Extend to All County Departments Dealing With Geographic Information
- Properly Designed, GIS is Easily Expanded
 - System & Data Can Grow with the County's Needs
 - GIS Can be Web-enabled, if Desired
- This is a Non-proprietary Solution
 - Does Not Tie County to One Vendor or Solution
- Many Specialized Solution Vendors
- GIS Can Significantly Improve County Responsiveness & Level of Public Service

Virginia Local Governments Are Embracing GIS

Status of Digital Geographic Data Use 2001



No Better Time

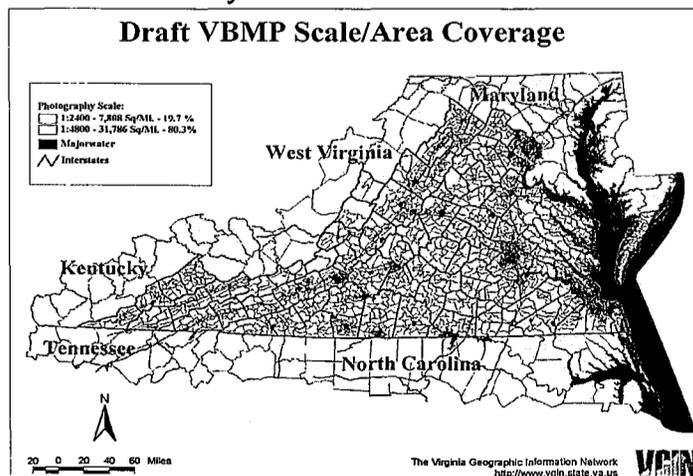
- VGIN's Statewide Digital Orthophoto Program
 - VBMP (Virginia Base Mapping Program)
 - Statewide True Color Digital Orthophotography
 - Funded Through Wireless 911 Program
 - High Resolution
 - Urban at 1" = 200' (1 : 2,400)
 - Rural at 1" = 400' (1 : 4,800)
 - All Required Materials to Generate GIS Data
 - Planimetrics (Ground features identifiable from digital photography)
 - Hypsography (Elevation contours)
 - Free to All VA Government Organizations
 - Licensing and redistribution restrictions apply
 - To Be Flown 2/2002; Final Delivery 2/2003

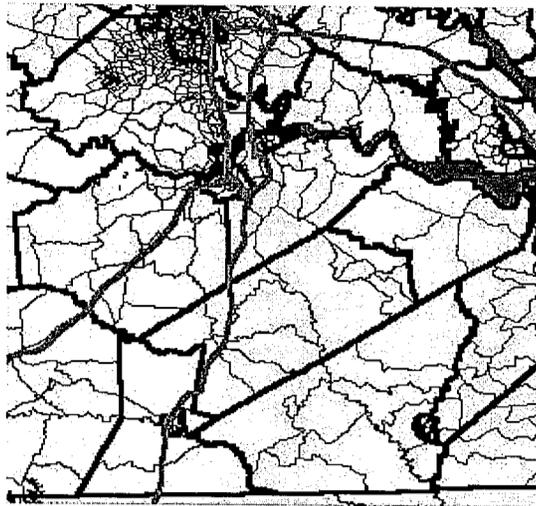
Proposed Digital Imagery Specifications

- True Color Photography (Not Color IR)
- Two Resolutions
 - Urban: 1" = 200' (1 : 2,400); 1' Pixels
 - Rural: 1" = 400' (1 : 4,800); 2' Pixels
- Horizontal Accuracy +/- 3 feet
 - Plans for Little or No Monumentation Make this Specification Somewhat Suspect
- Spatially Referenced For GIS Overlay
- GIS Development Source Materials

*These are Preliminary Specifications.
Final RFP Specs will be Released Next Month*

Preliminary Rural/Urban Breakdown

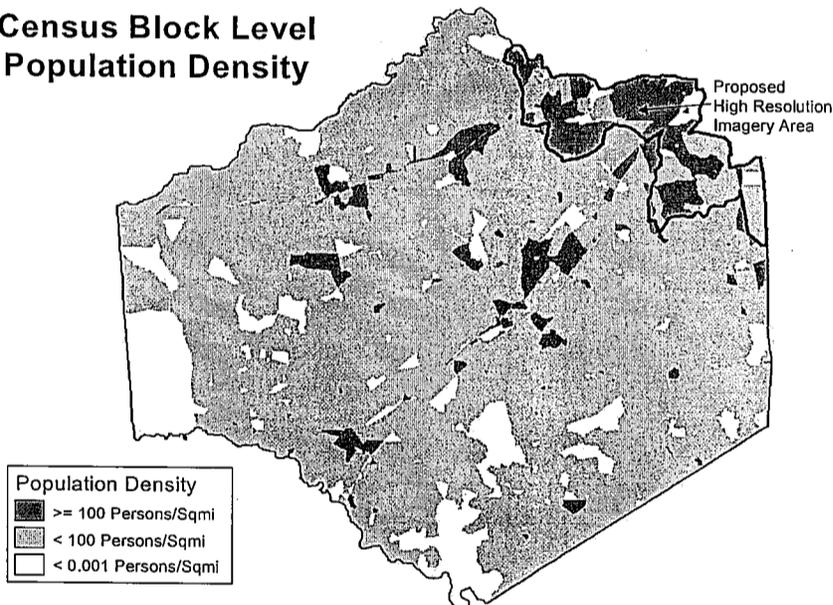




A Special Opportunity

- Greenville County Just Spent \$90,000 for B&W Imagery at Lower Resolution & for a Smaller Area
- Dinwiddie GIS Needs Assessment (12/98) Estimated a Cost of \$103,000 for Countywide Colors Digital Orthophotos at 1" = 400' (1 : 48,000)
- Equivalent of VBMP Imagery Would Cost the County Well Over \$100,000
- Regular Update Program Will be Sought
 - Entire State Re-flown on 4 to 10 Year Cycle
- County Can Pay Cost Difference for Imagery Resolution Upgrades
 - 1" = 200' Countywide
 - 1" = 100 Urban, 1" = 200' Rural, etc

Census Block Level Population Density



VBMP Issues to Consider

- County Will Have About 30 Days to Commit to Upgrades, if Desired
 - VGIN is Working On Delayed Payment Options
- Upgraded Imagery Will Still Have Licensing/Redistribution Restrictions
- Need to Have GIS Data Developed
 - Imagery is of Limited Value Without GIS
 - Qualified Vendor Services May be Harder to Find and/or More Costly as Imagery Delivery Date Approaches and Other VA Localities Take on GIS Development Projects
- GIS is Not Just Data
 - Need Qualified Staff, Hardware and Software to Effectively Utilize the GIS

Potential GIS Layers to Develop

- Planimetrics
 - **Transportation** — Road Centerline, Edge of Pavement, Rail, Airports, Driveways, Parking Lots, Bridges, Tunnels
 - **Utilities** — Water/Sewer Infrastructure, Power/Gas Transmission
 - **Structures** — Building Footprints, Storage Tanks, Bridges, Fences, Walls, Monuments, Statues, Silos, Communications Towers
 - **Recreation** — Parks, Recreation Fields, Swimming Pools, Rest Areas, Foot Paths, Tennis Courts, Race Tracks
 - **Hydrography** — Rivers, Streams, Creeks, Lakes, Ponds, Swamps, Ditches, Drainage Ponds
- Cadastral
 - Parcels, Zoning, Rights-of-Way, Easements
- Elevation
 - Digital Elevation Model, Elevation Contours

Existing Data to Integrate

- Census/Political Boundaries
- VDOT Roads
- Economic Development Sites & Enterprise Zones
- National Wetlands Inventory
- USDA Soils
- Adjacent Counties' GIS Data
- The List Goes On...

Systems Integration

- Assessor's Office – Computer Aided Mass Appraisal (CAMA / CAMRA)
- Emergency Services – Computer Aided Dispatch (CAD)
- Scanned & Linked Parcel Plats
- Digital Photos of Houses/Buildings
- Utility As-builts
- Others?

Who Should Benefit?

Department	Time*
Planning	80%
County Administrator	20%
Commissioner of Revenue	45%
Emergency Services	10%
Schools	10%
Law Enforcement	50%
Registrar	29%
Treasurer	5%
Recreation	8%
Buildings & Grounds	10%
Building Inspection	90%

*Figures Taken from Dinwiddie GIS Needs Assessment 12/98

Planning

- Streamline New Address Assignment
- Automated Production of Updated Parcel Maps
- Faster Parcel Splits/Joins
- Direct Integration Between Parcel Maps and CAMRA System Speeds Information Requests
- Direct Overlay of Parcel Map on High Resolution Imagery
- Improved Handling of Public Information Requests Through Spatial Queries
- Rapid Ad-hoc Development of Hard and Soft Copy Maps
- Powerful Tool for Land Use Planning

Law Enforcement & Emergency Services *When Seconds Count!*

- Improved Response Time
 - Via GIS-CAD Interface
 - Linked Digital Photos Could Aid Address Identification
- Reduced Address Search Time
 - GIS Equipped Dispatchers, and Later In-vehicle GIS, can Route Responders to Driveway and Structure
- Increased Address Location Accuracy
- Regularly Updated Map Books
- Routing Optimization
- Identify Potential Alternate Access Points

Commissioner of the Revenue

- Automated Parcel and Tax Map Data
 - Faster Updates = More Revenue
 - Improved Access & Efficiency
- Online Zoning Information
- Identification of Improvements and Assets Not Included in Assessments
- Better Resolution of Geographically Related Conflicts and Problems
 - GIS Data
 - Orthophotography
- Rapid Production of Color Maps
 - Hard- and/or Softcopy

Building Inspector

- Updated Parcel Maps Can Assist Inspectors Searching for Sites Before Address Assignment
- Inspectors Could Eventually Use Handheld GPS & GIS to Capture New Building Footprints & Update GIS/CAMRA
- Digital Photos of Structures Can be Shot & Linked in GIS

The Process

- Commit Institutionally and Financially to the Project
 - Does the County Want Upgraded Imagery / Monumentation?
- Identify Project Lead / Champion
- Establish GIS Advisory Committee
 - Appoint Representatives from Stakeholder Departments
- Review, Revise and Update Needs Assessment
- Develop RFP Based on Revised Needs Assessment
 - Multi-phase Project with Standalone Deliverables
 - Each Subsequent Phase is at the Discretion of the County
- Review Proposals & Interview Vendors
- Select Vendor & Negotiate Contract
 - Contract Should be Contingent on Completion of VBMP
- Select Area for Pilot Project
 - Prime Economic Development Areas Are a Popular Choice

The Process (Continued)

- Review & Approve Project Scope, System Design & Delivery Schedule Documents
- Prepare, Update & Deliver Required Source Materials (e.g., Parcel Mylars, CAMRA Updates)
- Receive and Review Project Pilot
 - Fine Tune Project Deliverables and System Design if Needed
- Scrutinize All Project Deliverables Before Acceptance
- Maintenance Agreement?
- User Training
- GIS Department & Staff — Manager & Technician(s)
 - This Project Represents a Substantial Investment; Qualified Staff Will Allow the County to Take Full Advantage of it

The Crater PDC Will Provide GIS Consultation When/If Desired Throughout the Project & System Life Cycle



Mr. Birnie explained to the Board that the Virginia Information Network (VGIN), with funding from the Wireless E-911 Services Board, has issued an RFP for the development of a State wide digital orthophotography dataset, known as the Virginia Base Mapping Program (VBMP). This data, once developed, will be made freely available to all state and local government agencies, and is ideal for the development of Geographic Information System (GIS) base map data. The County had a GIS needs assessment developed by Timmons in December of 1998, which specified the acquisition of digital orthophotography and GIS data. The VBMP's digital orthophotography represents a savings in excess of \$100,000 to the County, but still only makes up a part of the overall GIS development process. However, this provides a prime opportunity for the County to take advantage of this savings while the imagery is up-to-date.

Mr. Birnie stated that the VGIN's VBMP RFP was issued November 16th, 2001, and all proposals must be received by December 10th, 2001. After VGIN selects a vendor to provide the imagery, localities will be given the opportunity to

commit to purchase certain imagery resolution upgrades, if desired. VGIN plans to develop the vendor contract in such a way as to allow localities to pay for the imagery at a later date, perhaps at the time of final product delivery. Currently, the State is to be flown in February of 2002, with final digital orthophotography to be delivered no later than February 2003. Although the final delivery dates for the imagery are more than a year off, it was suggested that the County begin its search for a GIS vendor as soon as possible to avoid a scarcity of qualified vendors, increased prices and/or lengthy data development delays.

Mrs. Ralph emphasized that the GIS System would require additional personnel to implement it.

Mr. Birnie also recommended that a GIS Department be established with a minimum of a GIS Manager and a technician. He stated in the presentation that a GIS Manager's salary should start in the neighborhood of \$35,000 to \$40,000, but this can vary considerably, depending on experience, and a Technician should range from \$25,000 to \$30,000.

There was discussion by the Board about who would be responsible for data input to keep the GIS current, how it would interact with other county offices, how it would benefit the County, the costs involved and how it would be implemented.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Planning Department is authorized to proceed with the issuance of an RFP for the development of a County Geographic Information system with the option of the assistance of VBMP imagery provided by VGIN.

IN RE: DISCUSSION OF PUBLIC – PRIVATE PARTNERSHIP

The Board met with representatives from VEDP and ABIDCO and discussed the concept of a public/private partnership for developing industrial sites. The development of an industrial site is one of the projects being considered for the use of the Tobacco Commission funds designated for Dinwiddie County.

IN RE: CLOSED SESSION

Mr. Clay moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

- The purpose of the closed meeting is to discuss subject matters identified as §2.2-3711 A. 3 Real Property; §2.2-3711 A.1 Personnel – County Administration.

Real Property - §2.2-3711 A. 3 of the Code of Virginia

Acquisition of real property for public purpose OR the disposition of government owned property where public discussion would jeopardize the County's or Town's bargaining or negotiating position

Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia

Candidates for employment or the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees

Mr. Haraway seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the Board moved into the Closed Meeting at 1:24 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 2:14 P.M.

IN RE: CERTIFICATION

- Whereas, this Board convened in a closed meeting under § 2.2-3711 A.3, for the purpose of Real Property; and §2.2-3711 A.1 Personnel – County Administration.

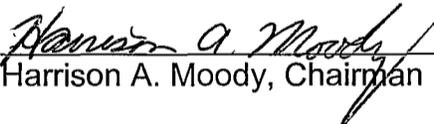
And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

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

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

RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the meeting adjourned at 2:15 P.M.


Harrison A. Moody, Chairman

ATTEST: 
Wendy Weber Ralph
Assistant County Administrator

/abr

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 21ST DAY OF NOVEMBER, 2001, AT 2:00 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 2:15 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

Mrs. Wendy Ralph, Assistant County Administrator, stated there was a need to add Personnel, Administration and Planning §2.2-3711 A. 1 of the Code of Virginia under Item 14 – Closed Session.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the November 7, 2001 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody 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 1028106 through 1028328 (void check(s) numbered 1027966 and 1028105) for:

Accounts Payable FY 2001- 2002:

(101) General Fund	\$ 161,271.49
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 2,312.24
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 2,935.00
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$ 4,252.17
(229) Forfeited Asset Sharing	\$.00

(304) CDBG Grant Fund	\$ 136.60
(305) Capital Projects Fund	\$ 226,380.20
(401) County Debt Service	\$ 56,495.38
TOTAL	\$ 453,783.08

**IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATION
PROJECT – REQUISITION NUMBER 35 (IDA1999A-#27)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 35 (IDA1999A - #27):

BALLOU JUSTICE UPTON	\$ 4,800.00
LUCAS ELECTRIC	176.00
WESCO	244.79
SANDS, ANDERSON, MARKS & MILLER	186.00
D.M. JEFFERS INC.	994.50
TRI-CITY OFFICE PRODUCTS, INC.	1,557.24
TRI-CITY OFFICE PRODUCTS, INC.	1,145.96
TRI-CITY OFFICE PRODUCTS, INC.	561.00
TRI-CITY OFFICE PRODUCTS, INC.	995.00
VIRCO INC.	1,643.87
VIRCO INC.	<u>1,734.10</u>
TOTAL REQUISITION #34	\$ 14,038.46

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 35 (IDA99A - #27) in the amount of \$14,038.46 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Renovation Project Fund.

**IN RE: SCHOOL COMPLETION PROJECT ACCOUNT
– REQUISITION NUMBER 64 (IDA1998A-#29)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 64 (IDA1998A - #29):

Mrs. Ralph stated this invoice has been reviewed and approved by the Superintendent.

JOHNSON CONTROLS	\$30,000.00
JOHNSON CONTROLS	<u>22,892.00</u>
TOTAL REQUISITION #64	\$52,892.00

Mr. Haraway asked if either of these systems were installed in the new section. Mr. Scott Worner replied they were for the Business Wing at the High School.

Mr. Haraway stated the system never did work properly and there was a problem from day one with that HVAC system. The school had kept a \$5,000 retainer when this wing was built. Mr. Scott Worner replied he would check on it.

Mr. Bracey asked hasn't this project been closed yet? Why hasn't this account been closed? He asked that this be investigated and that a report be brought back on why it is still open. It just keeps going on and on.

Mrs. Ralph asked Mr. Scott Worner if it would be a problem if action were deferred for two weeks on this requisition. He replied no.

The Board deferred action on this claim until the next meeting.

IN RE: CITIZEN COMMENTS

The following citizens signed up to comment.

1. Mr. N. B. Ingram, Brills Road, appeared before the Board with his concern about the paving of Brills Road. He stated he and his family owned road frontage land and they were opposed to paving the road because he didn't want traffic to increase and the hazards associated with the road. He commented that his family would not give any land for the right-of-way. He presented the Board with a petition against the proposed paving.
2. Mr. David Abbey, Brills Road, voiced his concerns of the maintenance cost of grading and maintaining the dirt road compared to the cost of paving the road which in the long run would probably be cheaper. He commented that all of the mail carriers had signed his petition to have the road paved too. He cited Mr. Caywood's estimation of paving the road at around \$850,000 without opposition of right-of-ways; but if there is opposition it will cost approximately one-half a million dollars more. He asked the Board to pave the road and save the county some money.

IN RE: FY 2001 AUDIT PRESENTATION – ROBINSON, FARMER, COX & ASSOICATES

Mrs. Ralph stated Mr. Paul Lee with Robinson, Farmer, Cox Associates is here to present the FY01 County audit and answer any questions you may have. A copy of the audit was enclosed in your packet.

Mr. Paul Lee from Robinson, Farmer, Cox & Associates came forward to present the results of the FY2001 audit. He stated the county ended up in very good fiscal position. The undesignated general fund was right at 13.26 million dollars that is about 20% of the total budget. That is right in the area your financial advisors want you to be.

Mr. Lee pointed out in planning and performing our audit of the financial statements of the County for the year ended June 30, 2001, we considered the County's internal control structure to plan our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control structure.

He commented a letter was issued dealing with getting better numbers from the Commissioner of Revenue. County officials rely heavily upon estimates from the Commissioner of Revenue as to the value of property in order to set tax rates and estimate annual revenue. For fiscal 2001, part of the County's budget underestimated revenue resulted from getting back public service tax collections on a half-year cycle; however, the bulk of the variance resulted from using incomplete assessment data. We recommended that the Commissioner of Revenue make every effort to provide accurate original and supplemental assessment data to the County finance office for use in preparing the County's budget.

He also stated the other area that was addressed with the School Fiscal Officer was accrued revenue from federal program reimbursements which were neither filed nor received within 60 days of the fiscal year-end. For improvements in cash flow as well as reporting, we recommend that all accrued revenues be both measurable and collectible within 60 days of the year-end.

He pointed out that tax collections were around 98½% to 99% which makes it a lot easier to do a budget.

Continuing he commented that the Governmental Accounting Standards format GASB 34 will be effective for Dinwiddie County as of June 30, 2003, and it will require fixed asset accounting. The auditors recommended using the same as a target date for inclusion of fixed asset accounting on the County's financial statements.

Mrs. Ralph commented we would like to work with you if there is some information that you could share with us to get that started.

Mr. Lee stated that the audit showed the County to be in good financial standing.

Mr. Haraway stated he noticed the County is paying 5% interest rates on loans. He asked if it would be prudent to refinance since interest rates are down. Mr. Lee responded you can't refund VPSA loans. However, IDA loans can be refinanced at any time. Mr. Haraway stated he would like Administration to work with the financial auditors to see if the County could save some money.

Mrs. Ralph stated Mr. Bowman had asked about it earlier and of course there are some costs involved in refinancing. She commented that Staff would look into it.

Mr. Bracey asked how much is it going to cost to go out and refinance? Will that be wise? Mrs. Ralph stated the Administrative Staff would work with our financial consultants to see if it would be feasible to refinance at this time.

Mr. Haraway also requested that the Commissioner of Revenue and the School System give a written response to the items the auditors addressed in the management letter.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the Board requested that the Commissioner of Revenue and the School Board give a written reply to the issues addressed by the auditors.

IN RE: HISTORICAL SOCIETY RESTORATION OF DINWIDDIE COUNTY CALVARY FLAG – AUTHORIZATION TO DISPLAY AT PAMPLIN PARK

Mr. John Chappell, representing the Dinwiddie County Historical Society, came before the Board stating in March the Historical Society made some recommendations and requests about the restoration and preservation of the Dinwiddie County Calvary flag. The Historical Society was unaware that the flag had already been evaluated and an estimate made on the cost of restoration/preservation and consequently, the flag would not have to be transported to be evaluated.

The estimated cost of restoration/preservation is roughly \$8,000. The Historical Society is not in a position to pay that amount but could fund \$4,000 of that amount. Mr. Chappell stated they would like to make a proposal in conjunction with Pamplin Historical Park regarding the flag. The Historical Society will pay one-half of the cost of restoration/preservation and Pamplin Historical Park will pay the other half. Pamplin Historical Park will provide transportation for the flag to and from the restorers, Textile Preservation Associates in Keedysville, Maryland. Pamplin Historical Park has insurance which will cover the flag during transportation. In consideration of its efforts and expenditures herein, Pamplin Historical Park would have the right to display the restored flag for five years.

The display of the flag under proper conditions is a significant concern; all parties that we have talked with have emphasized this. Exposure to direct sunlight is extremely detrimental to silk fabric. Exposure to any light, even artificial light, is detrimental. Changes or extremes in temperature and humidity are also detrimental. Even after restoration, unless the flag is displayed in proper conditions, it will soon deteriorate. The Historical Society has been interested in displaying the flag at the historic courthouse but it may or may not prove to be a desirable location. Our interest is to see that the flag is restored and then displayed in a proper setting so as not to cause deterioration to the flag. Pamplin Park is in agreement with this proposal.

Mr. Bracey stated the flag belongs to Dinwiddie County not Pamplin Park and he had a real problem with allowing a private entity to display the flag. He commented he really didn't know that the Board had the right to even agree to this proposal.

Mr. Bowman questioned how much it would cost the county to maintain and display the flag. Continuing he stated \$8,000 is a lot of money for the County to pay just to restore it. He felt Pamplin Park was the ideal place to display the flag because of the number of visitors and the setting.

Mr. Clay commented he was in agreement to have the flag displayed at Pamplin Park for 5-years.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that they authorize the County Attorney to investigate the legality of the proposed agreement between the County of Dinwiddie, Pamplin Historical Park and the Dinwiddie County Historical Society regarding the restoration/preservation and display of the 3rd Virginia Cavalry Flag; and

BE IT FURTHER RESOLVED by the Board of Supervisors of the Dinwiddie County, Virginia, the agreement may be executed by the County Administrator, pending the outcome of the legality of the agreement and advice of legal counsel.

IN RE: VDOT ADOPTION OF SIX-(6) YEAR SECONDARY ROAD CONSTRUCTION PLAN 2002 - 2008

Mr. Richard Caywood, Resident Engineer for the Virginia Department of Transportation came forward and presented the updated Six- (6) Year Secondary Road System Plan for FY 2002-2008 and the proposed budget for FY 2002-2003 for adoption.

He stated there is no change in the priority of the six-year plan but there were some date adjustments. He recommended leaving Brills Road off the plan this year to give VDOT an opportunity to get some cost comparisons and engineering done. He stated it would cost approximately \$300,000 to \$500,000 additional funds for right-of-ways if there are landowners who object to paving the road.

Mr. Moody commented there has to be a certain number of gravel roads included in the plan or we lose those state funds. Mr. Caywood stated that is correct and if funding is not used the county would loose funding for paving gravel roads. In order for a gravel road to be put in the plan there has to be at least 50 vehicles a day using the road. Mr. Moody suggested evaluating it anyway.

Mr. Bracey stated he had been on the Board quite a few years and this is the first time anyone did not want their road paved. He commented he didn't

understand an individual not wanting to help better other citizens. Mr. Clay said this was a first for him also.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye",
BE IT RESOLVED by the Board of Supervisors of the Dinwiddie County, Virginia that they officially adopt the FY 2002-2003 through FY 2007-2008 Six-Year Plan for Secondary Systems Construction Program for Dinwiddie County as presented this date.

**IN RE: VDOT - ADOPTION OF FY 2002-2003 SECONDARY
ROADS IMPROVEMENT BUDGET**

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia adopts the FY 2002-2003 fiscal budget for the Six-Year Plan for Secondary Systems Construction Program for Dinwiddie County through priority #8 as presented.

IN RE: VDOT – REPORT

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

1. Mr. Bowman stated residents on Spain Road, Rt. 678, at the end are requesting to pave that portion of the road at their expense. Mr. Caywood stated he would look into the maintenance issue, but the drought has hampered maintenance on gravel roads the maintenance is not being done because the roads are so hard it doesn't do any good to try and grade them. As soon as we get some rain, maintenance will be started again.
2. A letter has been received by VDOT from Mrs. Wells on Acorn Drive off Halifax Road about closing a road to cut down on traffic. The road they are requesting to close is a side road that people are using as a cut through. Mr. Caywood stated he told Mrs. Wells to find out who the other property owners are and then send a request to VDOT to close the road.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and stated he had nothing new to report to them. He presented his report for the month of October.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, came forward and stated he had nothing to report to them.

Mr. Bracey asked Mr. Rainey what constitutes a legal petition? Mr. Rainey stated there is no such thing as a legal petition. A petition is a formal written request made to an authority for a specific cause.

RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward and presented his report for the month of November 2001. Mrs. Ralph commented that the inmate figures had dropped.

**IN RE: SHERIFF'S DEPARTMENT REQUEST TO PURCHASE
LAW ENFORCEMENT VEHICLES**

Sheriff Samuel Shands stated in his budget he requested \$192,000 for the purchase of six vehicles, one van, and one 4-wheel drive vehicle. The Board approved six vehicles and appropriated \$155,000 for this purchase. In order to fund the county's portion of the School Resource Officer grant, I agreed to give up one vehicle to fund that position.

He pointed out on State Contract, the price is \$20,845 for each vehicle, therefore, I am requesting the authorization to purchase six white Crown Victoria police vehicles off State Contract 0000001436, at a cost not to exceed \$122,970. He assured the Board he would still have sufficient funds to cover the School Resource Officer.

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

BE IT RESOLVED by the Board of Supervisors of the Dinwiddie County, Virginia that authorization is granted for the Sheriff's Department to purchase six white Crown Victoria police vehicles off State Contract 0000001436, at a cost not to exceed \$122,970.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of October 2001.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward presenting his report for the month of October 2001.

IN RE: AUTHORIZATION TO HOLD RABIES CLINIC

Mrs. Ralph stated every year we hold rabies clinics in the county and Chesdin Animal Hospital is requesting authorization to proceed with them again in 2002.

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

BE IT RESOLVED by the Board of Supervisors of the Dinwiddie County, Virginia that authorization is granted for the Chesdin Animal Hospital to hold five clinics in Dinwiddie County at the following places and dates:

MCKENNEY
Wallaces Supermarket

SATURDAY, JANUARY 12
2:00 – 4:00 P.M.

DINWIDDIE ADMINISTRATION
Parking Lot

SATURDAY, JANUARY 19
2:00 – 4:00 P.M.

HAWKES PHARMACY
Sutherland Parking Lot

SATURDAY, JANUARY 20
2:00 – 4:00 P.M.

CHESDIN ANIMAL HOSPITAL

SATURDAY, JANUARY 26
2:00 – 4:00 P.M.

J.B.'s GROCERY
Formerly B&B Grocery

SUNDAY, JANUARY 27
2:00 – 4:00 P.M.

Rabies Shots for cats and dogs are \$6.00 each.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning came forward and presented his monthly update for October 2001.

IN RE: VIRGINIA HOUSING STUDY COMMISSION – PROPOSED LEGISLATION

Mrs. Ralph stated if you recall we received a memo from Martha Burton regarding a manufactured housing bill to be considered by the Virginia Housing Study Commission.

Mr. Bowman moved to recommend disapproval of passage of this bill and to authorize Mr. Guy Scheid, Director of Planning, to attend the meeting at the General Assembly Building on November 28th 2001. Mr. Scheid was also requested to get in touch with our legislators to voice the County's concerns with this proposed legislation.

Mr. Haraway seconded the motion. Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye".

The following is the endorsement of the Board.

It is noted that the Board endorses the MEMORANDUM dated November 9, 2001 by Mr. Jacob P. Stroman in which he presents "An Opposing View" to the draft legislation requiring counties, cities and towns to equate doublewide mobile homes with single-family homes.

Additionally, the following points are made as they reflect directly on Dinwiddie County:

1. Affordable housing is readily available throughout most of Dinwiddie County;
2. It is estimated that 60% of the County is properly zoned for single and multi-sectioned manufactured homes. In the remaining residentially zoned districts, multi-sectioned manufactured housing (modular) is permitted. This accounts for approximately 30% of the County's land. The remaining 10% of land is zoned for uses that do not permit residential structures.
3. Since January 1996 manufactured housing accounts for approximately 40% of the housing permits issued by the County.
4. There is a cost factor associated with housing that is largely borne by the local jurisdiction. The most obvious cost is related to increased student populations.
5. Zoning is intended to be a local land use control intended to be applied in the best interests of citizens in that jurisdiction. The local elected body appears to be the best judge of their citizens' needs; and
6. Citizens in Dinwiddie County have made investment decisions regarding their housing based on regulations adopted by the Board of Supervisors. Zoning was a major consideration when making their decision and they

placed their trust in the Board to enforce the zoning regulations in a fair and consistent manner. This public trust will be breached if the proposed legislation is adopted by the State.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his October monthly report.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen came forward and stated she had nothing to report. She wished the Board a Happy Thanksgiving.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Dr. Scott Worner, Assistant Superintendent of Schools, came forward and stated he had nothing new to present to the Board on the School Activities.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, stated he had provided the Board with his monthly report. He commented that our Congressman, Randy Forbes, has agreed to be the Grand Marshall for the Christmas Parade.

IN RE: AUTHORIZATION TO PURCHASE COPIER – EASTSIDE COMMUNITY ENHANCEMENT CENTER

Mr. Smith stated he received the following bids to lease a copier for Eastside:

<u>COMPANY</u>	<u>TOTAL LEASE MONTHLY</u>
PITNEY BOWES	\$138.98
LANIER	\$203.60
ELECTRONIC SYSTEMS	\$209.60

He requested authorization to enter into a four-year lease agreement with Pitney Bowes under the State Contract.

Mr. Haraway asked if he had gotten bids to purchase instead of leasing the copier? Mr. Smith replied an outright purchase would be around \$3,003 without maintenance fees on the Pitney Bowes machine. Mr. Haraway asked him to check and see if it would be more feasible to buy it rather than leasing it.

Mr. Bracey stated he felt the Board wasted too much time micro managing. Once the Board approves the budget, Administrative Staff needs the authority to make the decisions on these items without having to bring them back to us.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward to present his report for October 2001. He told the Board the new trash truck is outside if any of them wanted to take a look at it. Mr. Bracey commented it looks nice.

Mr. Haraway complimented Mr. King on the improvements at the Rohoic site.

Mrs. Ralph complimented Mr. King on the successful inspection report he received from the State on the landfill.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his October update.

IN RE: PUBLIC SAFETY OFFICER - REPORT ON RESCUE ENGINE FOR MCKENNEY

Mr. Jolly stated as was requested, please find below the reasons each vendor either did or did not bid on the new rescue engine for the McKenney VFD.

Singer Fire Equipment did provide a complete bid package and has been reviewed.

Performance Specialty Vehicles was contacted about not providing the bid bond as required. They stated that they had overlooked that and would be willing to provide the bond, if required.

Slagle Fire Equipment stated that they were not interested in bidding on the vehicle that we specified and that is why they responded with the letter. They did state that they would be interested in future projects.

4 Guys Inc. also was contacted and they stated that they were unable to meet the bid requirements of a single source manufacturing. This was placed in the specification to allow for the County to have only one vendor to work with in order to resolve concerns, problems and/or maintenance needs for the life of the vehicle.

Keplinger Repair was contacted but the sales representative was not available. I have left two messages for them to contact us. As of this date, they have not responded to our request. I will continue to attempt contacting them to determine their reasons for not bidding.

Mr. Jolly requested authorization to move forward with the previously submitted bid from Singer and Associates.

The Board members stated their concerns with purchasing the rescue engine. They asked the County Attorney to take a look at bids from some of the other localities' requiring equipment meeting the NFPA Standards to compare our bids to see if they are compatible. The Board was concerned about the overpricing of safety equipment.

IN RE: RECESS

Mr. Moody called for a recess at 3:43 P.M. The meeting reconvened at 3:59 P.M.

IN RE: SURPLUS VEHICLES – DIRECTOR OF PUBLIC SAFETY

Mr. Jolly stated we have several vehicles that need to be declared surplus and sent to the School Bus Garage for auction. Below is a list of each vehicle and the reason it has been removed from service.

- 1976 Ford Engine, VIN # F75FVC42461 – This unit was last at Dinwiddie Fire Station and experienced engine problems. We advertised for sealed bids but did not receive any.
- 1979 Chevrolet Panel Van, VIN # CPL3593327661 – This unit was used by the Namozine Fire Station for a mobile air unit. It has not been in service since I came to work for the County. I am requesting to auction the unit because of the number of years that it has been inoperable.

- 1985 Ford Van, VIN # 1FTFS24Y3FHB22927 – This unit was used by the Ford Fire Department to respond to medical calls. This is the unit that we took out of service for motor problems and replaced with the Blazer that was assigned to Public Safety.

He requested the Board's approval to declare the vehicles surplus and allow them to be relocated to the bus garage for auction.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to declare the above listed vehicles as surplus to be included in the next School Board auction; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is also granted for Administration to sign for the transfer of title for said vehicles when sold.

IN RE: FIRE AND RESCUE ASSOCIATION - REPORT

There was no report from the Fire and Rescue Association.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and he stated he provided his monthly update for October in the Board packages.

IN RE: AUTHORIZATION TO PROCEED WITH PUBLIC SAFETY BUILDING BIDS

Mr. Donald Faison, Buildings and Grounds Superintendent, reported that he had done the project price comparisons that the Board requested for the Public Safety Building. They are as listed below:

COST ESTIMATES

	Option #1	Option #2	Option #3
Architectural Engineering	28,000	21,786	22,080
Site Improvements	3,000	6,000	6,000
Construction	175,000	13,610	138,000
Utility Connections	5,000	5,000	5,000
Purchase of Equipment	15,000	15,000	15,000
Telecommunications	7,000	7,000	7,000
Construction Management (4%)	7,000	5,447	5,520
Contingency (10%)	<u>17,500</u>	<u>13,616</u>	<u>13,800</u>
TOTALS	257,500	210,009	212,400
SQUARE FEET	2,696	1,184	1,200
PRICE PER SQUARE FOOT	95.33	177.37	177.00

Mr. Faison requested authorization to move forward and bid the project as originally presented in Option 1. This option is to renovate the old Dinwiddie VFD Station.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Buildings and Grounds Superintendent to advertise for bids for the Public Safety Building project.

IN RE: COUNTY ATTORNEY – REPORT

Ms. Phyllis Katz, County Attorney, came before the Board stating she had contacted the Department of Justice on the status of the Redistricting Ordinance. It had an effective date of December 31, 2001 at latest date or if Justice approves thereafter. I have been in touch with them and they have started looking at the submission documents and they told me yesterday they will probably have a letter out by December 13. They have asked no questions about the districts; I am assuming the districts will be ok. However, they do have some concerns regarding the precinct and polling places. There were some significant changes that were effectuated with the adoption of the 2001 Redistricting Ordinance. The Justice Department is requiring a supplemental submission and to clarify the changes they have asked for an additional 60 days. She stated she had met with the Registrar this morning and she is going to write a letter to the Justice Department to endorse what the Board has done. But you will know on your districts by December 13th.

Mr. Bracey stated he had received some calls from Mr. Michael Pitts from the Justice Department. I intend to call him back because I am concerned about the polling places. Mrs. Katz stated Mr. Pitts was treating the polling places as a new submission. Continuing she asked Mr. Bracey to speak with her privately about his concerns and she could address the issues in the submissions. That would help expedite it.

Mrs. Katz stated she was asked to review the requirements for appointments on Boards and Commissions by Districts. There are some terms expiring in December. First of all, you are in your districts that you currently sit until December 31; or until Justice approves the whole thing, whichever is later. So you would continue to make your appointments as your districts exist today. She commented that she did a quick research and there is nothing in the State Law or County Code which requires you to make appointments by voting districts. Although by practice the appointments have been done by districts there is nothing in State or Local Law which required you to do so. Therefore, the district appointments are really not that important; you can do whatever you please. The Board concurred that this has been our practice in the past. Mr. Clay stated that is what has been done in the past, but it is not the law.

IN RE: APPOINTMENT – RC& D COUNCIL

Mrs. Ralph stated Mr. Granville Maitland sent a letter of resignation from the RC & D Council because he wants to serve regionally and an appointment is needed for that Board. A list of possible nominees was distributed.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. George Rapp is hereby appointed to serve on the RC& D Council, to fill the unexpired term of Mr. Granville Maitland, for a four-year term expiring June 30, 2005.

IN RE: RESOLUTION OF SUPPORT FOR THE RE-QUALIFICATION OF THE CRATER REGIONAL PARTNERSHIP UNDER VIRGINIA'S REGIONAL COMPETITIVENESS PROGRAM

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

WHEREAS, the Crater Regional Partnership originally qualified under Virginia's Regional Competitiveness Act (Sections 15.1-1306 through 15.1-1310 of the Code of Virginia (1950), as amended) for a five-year period in 1997; and

WHEREAS, during the Partnership's first five years its efforts have focused upon the Partnership Board's identified regional issues of workforce development, education and regional cooperation; and

WHEREAS, representatives of the County of Dinwiddie have actively participated in and supported the work of the Crater Regional Partnership, including the Board of Supervisors, County Administrator, Superintendent of Schools, along with representatives of the private sector.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Dinwiddie County hereby supports and encourages the re-qualification of the Crater Regional Partnership, including the same ten member localities: the Cities of Colonial Heights, Emporia, Hopewell, and Petersburg, and the Counties of Chesterfield, Dinwiddie, Greensville, Prince George, Surry and Sussex; and

BE IT FURTHER RESOLVED, that the County of Dinwiddie agrees:

1. That the Crater Regional Partnership is authorized to carry out the provisions of the Regional Competitiveness Program on behalf of the County of Dinwiddie; and
2. That the Crater Regional Partnership is authorized to continue to receive Commonwealth of Virginia regional incentive funds from the Virginia Department of Housing and Community Development on behalf of the County of Dinwiddie upon state approval of re-qualification.

IN RE: 2002 LEGISLATIVE ISSUES FOR DINWIDDIE COUNTY

Mrs. Ralph stated approval of the Legislative issues for the county was postponed at the last meeting pending the outcome of any issues that may have come from the VACo conference. Mrs. Ralph continued by asking if there were any additions to this list. She asked for a consensus and/or authorization to send the package on to our representatives.

Year 2002 Legislative Issues for Dinwiddie County

The following information represents significant issues identified by the Dinwiddie County Board of Supervisors over the past year. The Dinwiddie Board of Supervisors respectfully requests any assistance you may provide on the following items:

1. Dinwiddie County and the Richmond District of VDOT do not receive a proportionate share of the six-year improvement plan for secondary roads or the unpaved road allocation. The Richmond District ranks sixth out of nine VDOT districts in the allocation of unpaved road funds.
2. The County supports the continued funding by the state for school infrastructure needs, as well as any initiative to assist localities in the funding of school construction and school renovation projects.
3. Dinwiddie County supports any legislation that will establish the right of the County to require cash proffers.
4. Dinwiddie County supports a reduction in the ratio of state funded deputies to population from 1 deputy per 1,500 population to 1 deputy per 1,200 population in Counties with a population of less than 35,000.

5. Dinwiddie County supports the concept of the Commonwealth reimbursing localities for providing assistance with completing and mailing state income tax forms.
6. Dinwiddie County opposes the closure of any portion of Central State Hospital.
7. Dinwiddie County supports the current definition of "mandated services" under the comprehensive Services Act. If the definition is expanded, the County requests the Commonwealth cover 100% of the cost of services which were formerly "non-mandated."
8. Dinwiddie County supports the concept of any assistance from the Department of Mental Health, Retardation and Substance Abuse for the implementation of CSA Services.
9. Dinwiddie County opposes any change in the County's authority to collect Meals Tax.
10. Dinwiddie County opposes any change in the County's authority to impose the E-911 Tax.
11. Dinwiddie County requests funding support/reimbursement for EMS/Fire Service provided to State Agencies/Facilities located within the County.
12. Dinwiddie County opposes any unfunded mandates from the Commonwealth. This item is more specifically in reference to any mandates required of the local school divisions.
13. Dinwiddie County requests additional funding support for localities for the centerline striping of secondary roads. It is the County's position that the addition of centerline markings will enhance traffic safety on many narrow secondary routes.

Additional Legislative Items to Consider:

1. Dinwiddie County opposes any further dilution of the zoning and land use authority of local governments as it pertains to manufactured housing.
2. Dinwiddie County supports amendments to Sec. 56-484.16 of the Code of Virginia to extend the deadline for wireless E-911 implementation for localities operating a wireline E-911 system as of July 1, 2000, from July 1, 2002 to July 1, 2003.
3. Dinwiddie County supports greater flexibility and additional funding to ensure success of the pave-in-place program and requests that VDOT work cooperatively with local governments to ensure the success of this program.
4. The General Assembly should require the Virginia Department of Corrections to remove "state-responsible" inmates from local and regional jails in a timely manner and should seek ways to reduce the escalating burden of inmate medical care on such jails.
5. Dinwiddie County supports legislation that would require the Virginia Department of Transportation to maintain and make all repairs to drainage easements both on and off highway right-of-way for any permanent drainage easement acquired by the Department in connection with or as a precondition to the construction or

reconstruction of any highway until such time as each easement shall have been terminated.

Mrs. Ralph also stated there is a letter from Francene Green, Director, Office on Youth Community Services, requesting your support for funding for the Office on Youth be included as a line item in the state budget this year.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above referenced legislative package is hereby approved.

IN RE: 2001 HOLIDAY SCHEDULE

Mrs. Ralph stated she had received a release from the Governor's Office regarding the 2001 Holiday Schedule. Governor Gilmore announced the following Thanksgiving, Christmas and New Year holiday schedules for State employees. Mrs. Ralph asked the Board to consider adopting the same schedule. For the Thanksgiving, Christmas and New Year holidays, the additional time given to the State employees, other than current County policy, is that the state offices will close at 12:00 Noon on Wednesday, November 21, 2001; state offices will be closed on Monday, December 24, 2001 and will also be closed on Monday, December 31st. Mrs. Ralph stated she instructed the Departments to maintain a skeleton crew to have the administrative offices open today until 5:00 P.M. Those who choose to work will be given one-half a day at another time.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above described additional holiday time is hereby approved.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Ralph informed the Board that the County's pay and classification plan review will be completed by Virginia Tech December 1st and we would like to schedule a separate meeting for presentation on December 12th at 3:00 P.M. Our suggestion is to continue the meeting on December 5th. The Board agreed.
2. Mrs. Ralph commented that the Board had requested more information on Revenue Recovery before making a decision. She asked what information they needed so Administration could present it to them. Unless you tell us not to, we will continue with training our providers in anticipation of a decision in January. Mr. Bracey commented that he and Mr. Moody needed to meet with Mack Atkinson.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman He stated a gentleman called him regarding a garage he wanted to build on Squirrel Level Road. He said he has four acres but the zoning department wouldn't allow him to build the garage. What could he do? Mr. Moody responded he could take it to the Board of Zoning Appeals.

Mr. Bracey No Comments

Mr. Haraway No Comments

Mr. Moody No Comments

IN RE: CLOSED SESSION

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

- **Personnel Matters, § 2.2-3711 A.1, of the Code of Virginia,**
(candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) County Administration, Planning

Mr. Haraway seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 4:47 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:42 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, for the purpose of Personnel – County Administration; Planning

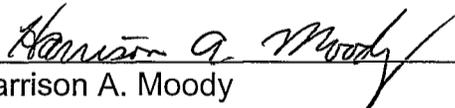
And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

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

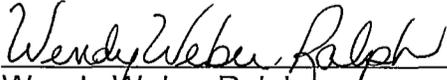
Upon Motion of Mr. Haraway Seconded by, Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", this Certification Resolution was adopted.

IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 5:43 P.M.



Harrison A. Moody
Chairman



Wendy Weber Ralph
Assistant County Administrator

/abr

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 5TH DAY OF DECEMBER, 2001, AT 7:30 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 7:35 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody asked if there were any amendments to the Agenda.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the November 21, 2001 Continuation Meeting, and November 21, 2001 Regular Meeting, are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody 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 1028329, 1028418 through 1028533 (void check(s) numbered 1028134, 1028229, 1028294, 1028328, 1028331 and 1028417) for:

Accounts Payable FY 2001- 2002:

(101) General Fund	\$ 137,641.01
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 734.99
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 4,362.50
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$ 518.58
(304) CDBG Grant Fund	\$ 85.23
(305) Capital Projects Fund	\$ 215,689.73
(401) County Debt Service	\$ 136,474.95
TOTAL	\$ 495,506.99

PAYROLL – October 31, 2001

(101) General Fund	\$ 374,860.09
(304) CDBG Grant Fund	\$ <u>3,504.44</u>
TOTAL	\$ 378,364.53

IN RE: SCHOOL COMPLETION PROJECT ACCOUNT
- REQUISITION NUMBER 64 (IDA1998A-#29)

Mrs. Ralph stated the following invoices are included in Payment Request Number 64 (IDA1998A - #29):

Mrs. Ralph stated this invoice has been reviewed and approved by the Superintendent.

JOHNSON CONTROLS	\$30,000.00
JOHNSON CONTROLS	<u>22,892.00</u>
TOTAL REQUISITION #64	\$52,892.00

The pay request presented to the Dinwiddie County Board of Supervisors on November 21, 2001 (Requisition #64 – IDA1998A -#29), for \$52,892.00 was placed on hold to address some concerns about the age and reason for replacement of the former Business wing HVAC system.

- The former “shop” areas of the high school were modified to accommodate the current Business wing (completed in 1988).
- A 30 ton HVAC system was installed as part of this modification project.
- Former Superintendent, Mrs. Troilen G. Seward requested and was granted approval from the Dinwiddie County Board of Supervisors to use prior C.I.P. funds to replace the 1988 HVAC system (June 20, 2001).

Reasons:

- 1) 1988 HVAC system was constantly “breaking down”;
- 2) Parts no longer available for the 1988 HVAC system;
- 3) 1988 HVAC system was inadequate for current climate control needs of the business computer labs.

Other considerations:

- 1) Installation of two 15-ton HVAC systems due to unavailability of a 30-ton system (Johnson Controls).
- 2) \$58,758 was requested and approved. Of this \$52,892.00 was requested with a \$5,876.00 retainage to insure appropriate installation and performance (during colder months).

Mr. Bracey asked when are we going to close on these projects. They just keep going on and on....

Mr. Haraway commented he was on the School Board back in 1988 when the HVAC system was installed in the Business wing. It is a shame that we have to spend all this money on a new HVAC system when that one never worked properly.

Upon Motion of Mr. Clay, Seconded by Mr. Bowman, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Moody voting “Aye”, Mr. Bracey voting “Nay”,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 64 (IDA1998A - #29) in the amount of \$52,892.00 be approved and funds appropriated for CIP expenses from the School Completion Project Account.

IN RE: CITIZEN COMMENTS

The following citizens signed up to comment.

1. Mr. Charles Lewis, Fire Chief, DVFD, came forward thanking the Board for the new 3,000 gallon tanker. This is something we have needed for a long time and it shows you are listening to us. The volunteers purchased a plaque with all of the Board members' names on it which will be placed on the truck to show our appreciation. Continuing he stated he would have the truck here for the Board to see at the December 19th meeting around 1:30 P.M.
2. Mrs. Ann Scarborough came forward addressing the following issues:
 - a. There was an article in the newspaper about a proposed ordinance which would require citizens of Chesterfield County who are convicted of an accident resulting in injuries to pay all the costs resulting from the incident. In her opinion this makes more sense than the revenue recovery being considered by the County. She commented that the volunteer rescue squads in Chesterfield will have the option of participating in their billing program.
 - b. She also questioned the Board about the summary she requested on the sessions they attended at the VACo Convention held at the Homestead. You aren't any different from the Department Heads under you and you require a summary from them.

IN RE: APPOINTMENTS

Ms. Alma Russell, Administrative Secretary/Clerk, stated that several appointments were needed by December 31, 2001 and a list was provided in their packets. Mrs. Ralph stated the County Attorney had informed us that they can continue to serve until the Redistricting Plan is approved. She suggested that the Board may want to defer the appointments until the redistricting plan is approved. The Board concurred.

IN RE: APPROVAL OF TENTATIVE 2002 -2003 BUDGET CALENDAR

Mrs. Ralph stated she had included in the Board's packets a tentative 2002-03 Budget Calendar. She asked for the Board's authorization to adopt this calendar.

DECEMBER 3	BUDGET MATERIALS DISTRIBUTED TO AGENCIES AND DEPARTMENTS
JANUARY 3	AGENCIES/DEPARTMENTS SUBMIT BUDGET REQUESTS
WEEK OF JANUARY 7	2002 VALUE ESTIMATES SUBMITTED BY THE COMMISSIONER OF THE REVENUE
WEEK OF JANUARY 29	PROPOSED BUDGET SUBMITTED TO THE BOARD OF SUPERVISORS
MONTH OF FEBRUARY	BOARD OF SUPERVISORS BUDGET WORK SESSIONS
MARCH 20	BUDGET PUBLIC HEARING
APRIL 3	ADOPTION OF BUDGET

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above 2002-03 Budget Calendar is hereby adopted and approved.

IN RE: PRESENTATION OF OPTIONS FOR NEW FIRE ENGINE FOR MCKENNEY

Mr. David Jolly, Public Safety Director, stated I would like to take this opportunity to provide the Board with some information that hopefully will explain the reasons and the process that we have been through to get to this stage with the proposal for a new Rescue Engine for McKenney VFD.

During my review of the system, back in 1999/00 we identified several areas of concern. The first concern, particularly to the Board, was that the aerial ladder at Namozine was being used to provide lighting, ventilation, salvageⁱ, and overhaulⁱⁱ throughout the entire County. This practice was in place because of two reasons. The first was because the current fleet of apparatus does not have the compartment space to allow for the equipment needed to perform the above functions. The second was that not all agencies are equipped to handle some of the above functions. Third was the decline in the number of personnel that are available to answer calls, particularly during the daytime hours. With that being identified, I wanted to develop a master plan that would address those concerns and at the same time prepare the County for the future. As I have indicated in the recent discussion, when you purchase fire apparatus it has a life expectancy of twenty-years. With this in mind, I asked Dick Singer of Singer Associates to assist me with a review of our fleet and prepare some recommendations.

In December 2000, Mr. Singer provided a report that demonstrated how we could provide or improve the delivery of services and reduce the cost of maintenance and repairs. This report was provided to you and he gave an overview of the information during the recent Board retreat in Wakefield. At that time, we indicated the need to purchase several pieces of apparatus, which could be done either as a package or over time, to address the concerns noted above.

He went over the following options for the new fire engine:

OPTIONS FOR NEW FIRE ENGINE FOR MCKENNEY

OPTION 1

Provide Rescue Engine that would be able to perform most of the functions necessary for that area of the County. This would eliminate the need to run the aerial ladder from Namozine as much as we currently do.

COST \$428,000.00

This option is the recommendation of staff and the Fire Rescue Association. It is our opinion that this will serve the County best over the life cycle of the unit.

OPTION 2

Design a Structural Engine that would be similar to units purchased in 1994 for Namozine and Dinwiddie Fire Departments. This unit would allow for the suppression of fires and limited vehicle extrication. This option would not allow for the delivery of vehicle extrication, lighting, ventilation, salvage or overhaul to the extent that the Rescue Engine would. We would need to continue to respond the aerial ladder on all fire structural fires and other times that the above services were needed.

COST \$302,000.00

OPTION 3

Purchase a demonstrator Engine from a manufacturer that would address some of the needs of the department. This option would provide a unit that has been driven 5 to 15,000 miles and is designed not necessarily to meet the needs of the County.

COST \$285,000.00

OPTION 4

Accept the bid that was received and negotiate down to the Structural Engine specifications as would be specified in option 2. This option would have to be reviewed by legal counsel to ensure compliance with the procurement laws.

COST \$302,000.00

Mr. Jolly presented comparative pictures of the Rescue Engine and the Structural Engine to the Board. He described the major differences in the two vehicles.

Mr. Bowman had questions about the equipment on the rescue engine and if the rescue engine was included in the CIP. He was also concerned about the ladder truck that was in the CIP for Namozine. Mr. Jolly responded that the rescue engine was included in the CIP and would have to be equipped. He commented that the ladder truck for NVFD has not been taken out of the CIP. However, the replacement of the 1972 Aerial Ladder truck has been removed because Namozine now has a 1990 model. The CIP committee will need to re-evaluate where the replacement should go.

Mr. Haraway stated his concern was the bid specifications. These specs were written with all of the features that the department wanted. However, only one company could supply some of these features. For example, automatic fold down steps. Also, brand names were specified, a Douglas battery, a Ramco mirror, and Goodyear tires. The County needs to be sure when we write specifications that they are open enough to allow all vendors an opportunity to bid.

Mrs. Ralph asked how the specifications were put together for the Rescue Engine. Mr. Jolly replied the Volunteers and the Fire and Rescue Association came together and worked on them.

Mr. Bracey questioned how much the engine would cost if some of the brand specific specifications were deleted and the county went out for re-bids. Mr. Jolly stated it would probably end up costing the County \$21,000 more than the bid we received mainly due to factory increases.

Mr. Moody stated he understands Mr. Haraway's concerns, but he felt it would be to the County's benefit to move on with this bid.

Mr. Clay commented he hated to spend that much money but would vote for it.

Mr. Bowman requested a component list for the rescue engine from Mr. Jolly. He wanted to discuss them with some of the smaller companies.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes Administrative Staff to negotiate a contract with Singer and Associates for the purchase of a new rescue engine; with the following

conditions:

1. that the unit is to be titled to the County; and
2. assigned to the McKenney VFD but will be made available for use elsewhere in the County if needed; and
3. to be operated within the guidelines and policies approved by the County.

**IN RE: AUTHORIZATION TO PURCHASE EQUIPMENT FOR -
TWO NEW AMBULANCES**

Mr. David Jolly, Public Safety Director, stated the two new ambulances will be delivered around December 15, 2001. As you know, one unit will go to Namozine to replace the current unit and the other is a new unit for the system.

I sent a list of the equipment needed to stock both units to you in the packets. I have broken it down for each unit. The Namozine unit will be brought up to the current County standard. This is needed due to our paid personnel riding this unit during the day. The other unit will need to be completely stocked. The list provided is not 100% but is close to the requirements needed.

Mr. Jolly requested approval to bid and purchase the equipment, which would cost no more than \$46,000.00 to complete this project. The additional cost not shown on the sheets is for the radios. This would allow for the new units to be brought to the same standard that our two current units are. Mr. Jolly asked for authorization to proceed with the advertisement for bids for the equipment.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Public Safety Director is authorized to advertise for bids and to purchase the equipment for the two new ambulances, as presented, at a cost not to exceed \$46,000.00.

**IN RE; AUTHORIZATION TO PAY INVOICES FOR PURCHASE
OF TWO NEW AMBULANCES**

Mr. David Jolly, Public Safety Director, stated we have received the invoices for the two new ambulances. The invoice for each unit is \$105,994. I will be going to the factory on December 19, 2001 for the final inspection and delivery is anticipated within the following week.

As you are aware, the County has received two grants to apply towards the total amount. The State EMS Grant is in the amount of \$48,836.00 and the John Randolph Foundation Grant is in the amount of \$50,000.00. Once those grants are applied the County will have contributed \$113,162.00 toward the purchase of these two units.

I am requesting that the Board approve these invoices in the amount of \$105,994 each for a total of \$211,998. The funding for these invoices will be from line 305-94200-8205. These invoices were approved with the claims.

**IN RE: AUTHORIZATION TO LEASE COPIER – DINWIDDIE
RECREATION DEPARTMENT**

Mr. Tim Smith, Director of Recreation, came forward and presented the following information which was requested by the Board on the financial analysis of purchasing versus leasing a Pitney Bowes copier for the recreation department.

LEASE @ \$139.98 per month	LEASE @ \$157.03 per month
48 Month Lease Option \$4,368.96	36 Month Lease Option \$3,890.52

48 Months maintenance \$2,350.00 36 Months maintenance \$1,762.56

PURCHASE

PRICE \$3,409.00 PRICE \$3,409.00

48 Months maintenance \$2,350.00 36 Months maintenance \$1,762.56

LEASING COST 36 MONTHS WITH MAINTENANCE \$5,653.08

PURCHASE COST 36 MONTHS WITH MAINTENANCE \$5,171.56

TOTAL DIFFERENCE \$ 481.52

LEASING COST 48 MONTHS WITH MAINTENANCE \$6,719.04

PURCHASE COST 48 MONTHS WITH MAINTENANCE \$5,759.00

TOTAL DIFFERENCE \$ 960.04

To lease the Pitney Bowes copier for the remainder of this fiscal year 2001 the Recreation Department's cost will be \$839.88 based on the four-year lease; or \$942.78 under the three-year lease.

Mrs. Ralph advised the Board that there is a dollar buy-out for the copier at the end of the term. While there is a slight savings by purchasing the copier, for budget purposes, Mr. Smith is recommending the lease.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Recreation Department to enter into a contract with Pitney Bowes for the copier under the three-year lease including maintenance not to exceed \$5,653.08.

IN RE: CIRCUIT COURT CLERK'S OFFICE - PLAT CABINET GRANT - APPROPRIATION TO CAPITAL OUTLAY

Mrs. Ralph stated the County received a letter from the Clerk of the Circuit Court regarding two grants approved by the State Library for her office in the amount of \$25,749. The first grant is for a Plat Cabinet and Ms. Williams is requesting that the funds be appropriated to the Capital Outlay Category in her budget for a Plat Cabinet, at a cost of \$10,916.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Grant from the State Library in the amount of \$10,916.00 for the purchase of a plat cabinet be appropriated to the Capital Outlay Category of the FY 02 budget of the Clerk of the Circuit Court.

IN RE: CIRCUIT COURT CLERK'S OFFICE - HISTORICAL SOCIETY GRANT - APPROPRIATION TO CAPITAL OUTLAY

Mrs. Ralph stated the grant received from the State Library for the Historical Society is to arrange, process, index, and re-house Dinwiddie County Chancery Records for the years 1870 - 1949. The processing and indexing of these documents will provide greater access to these unique and valuable records. The re-housing of the cases from the bundles to acid-free folders and boxes will help to ensure their preservation. After these documents are microfilmed it will prevent damaging the records by handling. The actual work will be done on an hourly base. The funds in the amount of \$14,833.00 should be appropriated to the Capital Outlay Category of the budget of the Circuit Court Clerk.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Grant approved by the State Library, as outlined above, is appropriated to the Capital Outlay Category of the budget of the Circuit Court Clerk in the amount of \$14,833.00.

Mr. Bracey stated he hoped these records would be kept at the courthouse and not farmed out to someone else.

IN RE: DISCUSSION OF CHANGES IN POLLING PLACES FOR PROPOSED 2001 REDISTRICTING PLAN

Mrs. Ralph commented that some of you had some questions and concerns about the precincts and polling places for the redistricting plan for 2001. It was suggested that the Planning Department hold a workshop for the Board members to review all the changes in each district. Because some of the Board members indicated they did not need a presentation, it was suggested that those that did would meet with the Planning Department on an individual basis. In the meantime Mr. Scheid would provide a summary of the changes in detail and the County Attorney would provide a copy of the supplemental submission that was sent to the Justice Department.

It was discussed that all polling places were in compliance with handicapped accessible facilities.

Ms. Phyllis Katz commented that the supplemental documents have already been filed with the State Justice Department.

Mr. Bracey said he would like the Planning Director to drive the lines with him so he could inform the citizens in his district about the changes.

Mr. Bowman stated his concern is that one of his polling places would have twice as many people and we may want to consider adding another one in Namozine.

Mr. Scheid stated that the district lines on the large map in his office were very easy to see and read and he would put it back up for them.

Ms. Katz stated she would send them a copy of the supplemental plan and then they could meet individually with the Planner if they needed to.

Mr. Scheid commented that the Electoral Board and Redistricting Committee did not want additional polling places. Our voting machines are quite old and we don't want the expense of purchasing new ones

IN RE: REQUEST FOR APPROVAL OF INTERIOR COLORS – HISTORIC COURTHOUSE

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and presented the Architect's recommendations for the color scheme for the interior of the Historic Courthouse. He requested authorization to proceed with the recommendation of the Architect as presented.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, the color scheme presented by the Architect and approved by the Department of Historic Resources is approved.

**IN RE: GIS SYSTEM – AUTHORIZATION TO EXTEND AREA
FOR STATE FLY-OVER**

Mrs. Ralph stated at the last meeting the Board was presented in the GIS presentation a proposed map of Dinwiddie County, which included the area that would be flown as an urban destination (1"=200"). The flyover is part of a statewide initiative to help localities implement GIS and to meet the requirements of the Wireless 911 Board. The map also showed an additional 90+ square miles of area that the Planning Department would like to see flown at 1"=200" as opposed to the proposed 1"=400". The additional area is the growth area of the county and includes a portion of Boydton Plank Road and Route 460.

The Virginia Geographic Information Network (VGIN) was requesting a verbal approval from Dinwiddie County so we could be placed in the category with localities that want to have additional urban areas flown. The Board gave its verbal approval to extend the urban area at an additional cost to be paid by the County. The State needs to know by Friday which resolution you would like to be considered for the 1"=200" or 1"=400". This does not commit Dinwiddie County to fly the additional area or pay anything at this time. The cost of the additional flying will be made available in two (2) weeks at which time we will review it and make a decision.

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, approval is hereby granted to advise the Virginia Geographic Information Network that the County would like to extend the flyover area by an additional 90+ square miles to be flown at 1"=200" resolution as opposed to the proposed 1"=400". This does not commit the County to fly the additional area or pay anything at this time. The cost of the additional area will be made available in two (2) weeks at which time the Board will review it and make a final decision.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Ralph passed out an analysis from Davenport the County's financial advisor, on refunding the bonds the County has. At this time, they did not see that the County would save any money. However, they will review the status on a monthly basis.
2. Mrs. Russell stated she had received verification from Mr. Bracey and Mr. Bowman that they would be attending the VACo Supervisors Forum January 4 – 6, 2002 at the Richmond Marriott. She asked if any of the other members were planning to attend because she needed to register them for the forum. Mr. Moody asked if any of the Board members wanted to attend to let Ms. Russell know.
3. Mrs. Ralph informed the Board that Mr. Faison and Mr. Beville are planning to visit two Animal Shelters at Augusta County and Rockbridge on Tuesday, December 11, at 8:00 A.M. These sites were recommended by the State Veterinarians Office as a guide for the renovations at our Shelter. She asked if any of the members would care to tour those facilities with him. Mr. Bracey and Mr. Clay have agreed to go at this time.
4. Mrs. Ralph distributed a copy of the calendar for the submission of bills for the General Assembly Session for 2002. Continuing she stated Mr. Moody is hosting the Mayors and Chairs Quarterly meeting on December 17, at 6:30 P.M., at the Mayfield Inn, and the area legislators are invited to the meeting. The Legislative issues will be presented to them at that time.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman

1. He stated someone called him about the fencing at the car wash at Edgehill. He asked Mr. Scheid to take a look at the Conditional Use Permit for the Edgehill Car Wash to see if there is a requirement for fencing there.

2. He also stated he was talking to several people who were in charge of grants at the Homestead and they commented they rarely see Dinwiddie County on these lists. Mr. Bowman stated he felt the County is missing out on a lot of money because we are not applying for them. Since the County does not have a grant writer to apply for these grants they suggested that the County contract with a company to apply for the grants, for a percentage of the amount received. If it is profitable enough it may be beneficial for the County to hire a full time grant writer. Mr. Bowman said he got some companies and names, which he will supply, to Administration. He suggested that the Administrative Staff please check into it. Mrs. Ralph stated if he would get them to us we would look into it.

3. He asked if we were going to discuss the racetrack tonight because Mr. Paul Coleman was present. Mr. Moody stated this is the time if any Board member has any comments. Mr. Bowman commented he had some concerns about it. Is this expansion covered under the original conditional use permit and if it wasn't why weren't we notified of the issuance of the permit. I want to be made aware of any special projects going on in the County before they hit the paper. So if citizens call I will know what they are talking about. He stated he wanted to be kept informed. Mr. Clay commented he discussed that this afternoon with Mr. Scheid and in the future he will be contacting the Board about these issues. Mr. Scheid was asked to brief the Board on what was passed in 1992. Mr. Scheid told the Board this all came from the construction of a motor-cross track which is being built at the Virginia Motorsports Park. He commented that he was not an employee of the County when this permit was issued. Mr. Coleman approached the Planning Department about a year ago about the possibility of constructing a motor cross track. At that time, I took a look at the conditional use permit to see exactly what was approved. In March 18, 1992 the Board approved the application by Picture Lake Associates for a conditional use permit, C-92-2, for the construction and operation of a motor sports complex on a 462 + acre parcel of land. The application initially issued to Picture Lake Associates was for a ¼ mile drag strip and support facilities. Under the recommendation from the Planning Commission the first condition was: 1. A "Motor Sports Complex" shall be defined as an outdoor sports facility containing a drag strip and/or race track(s) suitably constructed to provide for public viewing of motor vehicle racing, accessory uses such as shops or testing facilities, and other special events such as auto shows or concerts, subject to the requirements of Section 3 of the Dinwiddie County Code. Per our Dinwiddie County Code, Section 3-43 the definition is as follows: For the purposes of this article, the term "racing track" shall mean and include any automobile racing track and any racing track for any other type of motor vehicles, including motorcycles, which is

constructed, maintained or operated within the county. Mr. Scheid explained whenever anyone has a large project which is very expensive. They don't build the whole thing in the first year. It is a multi-year project. Usually they start with the project that will profit them the most. Then they continue with the cycle. Mr. Scheid commented that he did not think this was going to turn into an issue, so I didn't do any further research. But after receiving several calls I did look at the schematics for the project. It showed an oval track, a road racing course, and a moto-cross track in addition to the drag strip. In doing my research, it became quite obvious that this is a Motor Sports Complex. When the Board passed this there were several facilities that were envisioned. Whether the Board had full knowledge of it or not, I can't say. But it did become obvious to me in doing my research and that is what the conditional use permit indicates. With that in mind I did issue a land disturbance permit to the Virginia Motorsports people to construct a motor-cross course. Which is permitted under the conditional use permit approved by the Board in 1992. Mr. Scheid apologized for his oversight for not contacting them about the issuance of the permit. He stated he was sorry if it caused any embarrassment to the Board. It certainly was not intentional. There was discussion about the motor-cross track, the noise levels, the dirt issue, and how many races there would be in a year. There was also discussion of when and if the oval track would be constructed. Mr. Robert Ragsdale addressed the Board about his concerns about another track being constructed and the noise levels involved.

Mr. Moody He expressed his appreciation to the Fire Departments, neighborhood hunt club, inmates, and Blackstone for their assistance with the fire he had a couple of weeks ago. It was a windy day and there could have been a lot of damage done if they hadn't come to his rescue. He asked Mr. Jolly to convey that to the Volunteers.

IN RE: CLOSED SESSION

Mr. Clay stated I move to close this meeting in order to discuss matters exempt under section 2.2-3711 A.3 and section 2.2-3711 A.1

• **Real Property - §2.2-3711 A. 3 of the Code of Virginia**

Acquisition of real property for public purpose OR the disposition of government owned property where public discussion would jeopardize the County's or Town's bargaining or negotiating position

• **Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia**

Candidates for employment or the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees: County Administration, Appointments

Mr. Haraway seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 9:23 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:46 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.7, for the purpose of Consultation with Legal Counsel; Employment Issues.

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

IN RE: COUNTY ADMINISTRATOR - TERMINATION OF CONTRACT

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

BE IT RESOLVED, with deep regret, the Board of Supervisors of Dinwiddie County, Virginia, terminates the employment contract with the County Administrator, R. Martin Long effective immediately. Mr. Long has been on a medical leave of absence beginning September 10, 2001 and has been unable to return to work.

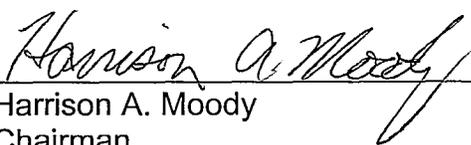
IN RE: SUPPLEMENTAL SALARY INCREASE – ASSISTANT COUNTY ADMINISTRATOR - FISCAL OFFICER

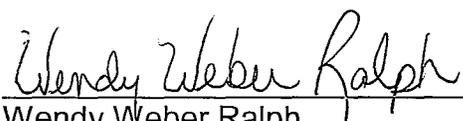
Upon Motion of Mr. Clay, Seconded by Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the salaries of the Assistant County Administrator and Fiscal Officer are supplemented to bring their salaries to be in line with the County Administrator and Assistant County Administrator from the period beginning September 10, 2001 until the position of the County Administrator is filled.

IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 10:54 P.M., to be continued until 11:00 A.M., December 19, 2001, for the presentation and discussion of the Pay and Classification Plan Review by Pam Gibson and Don Lacy with Virginia Tech, Department of Agriculture and Applied Economics at the Eastside Community Enhancement Center.


Harrison A. Moody
Chairman


Wendy Weber Ralph
Acting County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE EASTSIDE COMMUNITY ENHANCEMENT CENTER, DINWIDDIE COUNTY, VIRGINIA, ON THE 19TH DAY OF DECEMBER, 2001, AT 11:00 A.M.

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

PHYLLIS KATZ COUNTY ATTORNEY

IN RE: CALL TO ORDER

Mr. Harrison Moody, Chairman, called the continuation meeting to order at 11:06 A.M.

IN RE: PRESENTATION OF THE PAY AND CLASSIFICATION PLAN REVIEW – PAMELA GIBSON AND DONALD LACY

The Board met with Ms. Pamela D. Gibson, Program Manager, Institute of Innovative Governance, Virginia Cooperative Extension, Department of Agriculture and Applied Economics, and Mr. Donald P. Lacy, State Leader, Government and Community Services, Ohio State University Extension, for the presentation and discussion of the Pay and Classification Plan Review.

Ms. Gibson presented and discussed the wage and salary survey results with the Board. She also provided the following draft personnel classification study:

Personnel classification systems and pay plans are used by organizations as a means to differentiate between jobs and to provide a consistent system for compensation. A sound classification/pay plan is based upon four fundamental principles.

A. Internal Equity – Jobs that involve comparable work load, experience responsibility, skill, training, and complexity are classified and compensated with approximately equal pay.

B. Competitive with the Market – The pay for employees is competitive with and comparable to similar jobs within the labor market for which the organization must compete for employees.

C. Reflects Organizational Values and Goals – The classification and pay plan adequately reflects the “values” of the employer as to the worth or value of each job, i.e. the value that an organization places on particular jobs or functions must be reflected in the plan. Further, the plan must be designed to help the organization achieve its policy and fiscal goals.

D. Employee “Buy-In” – The classification and pay plan conveys to all employees the basic idea that their work will be appropriately rewarded with pay, benefits, and opportunities for advancement. Plans are developed to provide room for income growth so new positions can be added and pay scales can remain in effect for three to five years. Further, plans are designed to provide opportunities for advancement so that an employee can expect to move to a higher grade if his/her performance level meets expectations and if he/she satisfies the requirements for the higher grade.

A classification system is used to place jobs within grades. Similar jobs are placed within the same or adjacent grades, whereas different jobs are placed

at higher or lower grades depending upon job related factors. Pay scales are developed with sufficient grades and steps to accommodate the organizational structure, fit within the fiscal constraints of the organizations, and provide differentiation between and among jobs with similar and very different characteristics, skills, or responsibilities. Each grade or classification is associated with steps on the pay scale that provide pay ranges to accommodate employee pay increases during the life of the scale. The purposes of a pay scale are to achieve internal equity, leave room for growth, establish a competitive wage, provide a degree of fiscal certainty for budget planning purposes, and to recruit and retain a quality workforce.

Ms. Gibson stated in the development of the Job classification Plan for Dinwiddie County, four categories of analyses were used. From these four categories, a point system (called a "point factor analysis") was constructed. Job descriptions, employee questionnaires, and desk audits (interviews with employees) were used to develop a numerical ranking for each job. The ranking was based on four factors: (1) level of job complexity; (2) level of responsibility; (3) decision band – the organizational level of the job within the county positional hierarchy; and (4) the educational/training level (KSAs) needed to perform the job tasks. These four factors were assigned different weighted values to help place jobs within appropriate grades.

Mr. Donald P. Lacy presented the following Organizational Review and Management Study for Dinwiddie County:

The study of the organization and management of Dinwiddie County government was developed as part of the wage/salary/classification and pay plan for the county. This part of the study was designed to look toward the future of Dinwiddie County government and provide some recommendations on organizational issues and management practices that will serve the county well during the next decade. Thus, we have prepared a report and developed recommendations relating to the current and future organization, operations and staffing for Dinwiddie County government. During the study we were guided by several basic principles. These principles are identified below.

1. Find the most effective and efficient ways to deliver services and manage programs for the residents of Dinwiddie County.
2. Develop an organizational structure that would, over a period of five years, achieve cost savings for the county without reducing services.
3. Protect the valuable and dedicated employees of the county from any negative impacts that might arise from our recommendations for reorganization.
4. Develop an organizational structure that would provide adequate opportunity for advancement and promotion for county employees through a career path.

As a basis for our study we reviewed the existing organization and operations of Dinwiddie County government, examined staffing patterns, reviewed job tasks for each employee, interviewed each employee, obtained data and information from employees through a job tasks list, surveyed employees for their perceptions about county operations, and interviewed all current department heads to listen to their thoughts and ideas concerning reorganization and potential cost savings.

The study is divided into four parts.

Part 1 -- Recommendations for the future organizational structure of the county.

Part 2 -- Recommendations for future staffing needs.

Part 3 -- Recommendations for changes in management practices.

Part 4 -- Recommendations for policy changes relating to personnel practices.

Mr. Lacy presented and discussed with the Board the recommendations for the future organizational structure of the county government.

The Board will follow up with future meetings and discussions.

IN RE: LUNCH BREAK

The Board took a lunch break at 12:30 P.M. The meeting reconvened at 1:05 P.M.

IN RE: COUNTY ADMINISTRATOR - AMENDMENT TO TERMINATION OF CONTRACT

At the request of Mr. R. Martin Long, the Board was asked to amend the action they took to terminate his contract.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that due to his physical disability the contract of Mr. R. Martin Long, County Administrator, was terminated October 31, 2001.

IN RE: CLOSED SESSION

Mr. Clay moved that the Board now convene in a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act:

- The purpose of the closed meeting is to discuss subject matters identified as §2.2-3711 A. 3 Real Property; §2.2-3711 A.1 Personnel

Real Property - §2.2-3711 A. 3 of the Code of Virginia

Acquisition of real property for public purpose OR the disposition of government owned property where public discussion would jeopardize the County's or Town's bargaining or negotiating position

Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia

Candidates for employment or the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees, Administrative Staff

Mr. Haraway seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the Board moved into the Closed Meeting at 1:06 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 2:00 P.M.

IN RE: CERTIFICATION

- Whereas, this Board convened in a closed meeting under § 2.2-3711 A.3, for the purpose of Real Property; and §2.2-3711 A.1 Personnel - Administrative Staff.

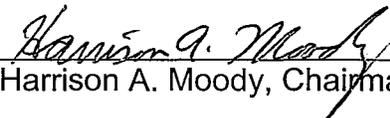
And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

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

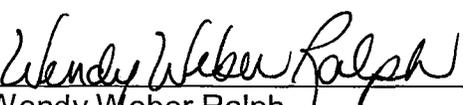
Upon Motion of Mr. Bowman Seconded by, Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody voting "Aye", this Certification Resolution was adopted.

RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye", the meeting adjourned at 2:01 P.M.



Harrison A. Moody, Chairman

ATTEST: 

Wendy Weber Ralph
Acting County Administrator

/abr

VIRGINIA: AT THE REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 19th DAY OF DECEMBER, 2001, AT 2:00 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 2:14 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

There were no amendments to the Agenda.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the December 5, 2001 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody 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 1028106 through 1028328 (void check(s) numbered 1027966 and 1028105) for:

Accounts Payable FY 2001- 2002:

(101) General Fund	\$ 207,529.82
(103) Jail Commission	\$ 169.70
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 6,825.18
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$ 615.00
(228) Fire Programs & EMS	\$ 2,411.75
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$.00
(305) Capital Projects Fund	\$ 162,652.50
(401) County Debt Service	\$ 85,000.00
TOTAL	\$ 465,204.69

IN RE: CITIZEN COMMENTS

The following citizen(s) signed up to comment.

1. Mr. James Ritchie, Chairman of the Electoral Board, appeared before the Board and introduced Mrs. Linda Brandon the new Registrar for the County. He commented that Mrs. Brandon lives here on Hudgins Road in DeWitt. You may recognize her because she worked at the Signet Bank across the street and also at the Virginia Federal Savings Bank in Petersburg. Mr. Ritchie also thanked Mrs. Betty Jeter for her many years of service and wished her much happiness and fulfillment as she enters her new endeavors in life.

IN RE: WORKFORCE DEVELOPMENT PROGRAM – MR. DENNIS K. MORRIS AND MRS. TROILEN SEWARD

Mrs. Ralph stated Mrs. Troilen Seward and Mr. Dennis Morris are here to present the Workforce Development Program and to answer any questions you may have about the program.

Mr. Morris gave an update of the Tobacco Commission, which was formed under Governor Gilmore that provides dollars to Southwest and Southside, Virginia to assist in the economic revitalization of the regions. Basically the program started off last year requesting proposals or applications for funding. This project is in the second phase of a workforce development effort begun in 2001. Through the Crater Regional Partnership we submitted a proposal in October to establish some workforce training targeted mainly in the metals industry. It was submitted as a three-year proposal and it was accepted in that regard. The Tobacco Commission sets some guidelines on what they are looking for in proposals. This is the second-year in this proposal and there is roughly 16 million dollars available throughout Southside. Because we are in our second year, the Tobacco Commission requires we submit a second year application. Out of all the applications they received in the first round, ours was rated the second highest. They encourage a regional approach to economic development by making funds available within the tobacco dependent communities based on the viability of the plan of action and its regional approach. Since the location of Chaparral Steel in Dinwiddie County in 1997, this region has become a "hub" for the metals industry. Additionally, there have been several locations of new metals companies in the Dinwiddie County to Greensville County corridor. Thus, there is a vital need to ensure there is a workforce capable of meeting the specific skill requirements of not only the companies that are currently located within the region, but also new metals industries that are anticipated to locate in the region in the future.

In the initial phase of the project, information was provided to area residents and those involved with growing tobacco, on a skills building program developed for the region. So in that regard working with John Tyler Community College, we crafted a "Skills Stream Training Program" at Rowanty Technical Center in Prince George County. Mr. Morris stated, with that, I will turn the program over to Mrs. Troilen Seward whom you all know. She has come on board with John Tyler Community College and basically she was one of the architects who developed this program. Mrs. Seward will explain where we've been and where we hope to go in this round. The applications will be due on January 15, 2002.

Mrs. Seward stated we completed the first semester in October. We did get a late start but we had two of the three streams running last semester. It was very successful but the Work Keys results are not in because we just assessed them last Thursday. We are now getting ready for the next semester and we will be providing all the Skill Streams again. The program will probably double in size this coming semester. At the Wakefield Career Center, John Tyler Community College will be providing credited computer classes, which were requested by

some of the farming communities. Those classes will begin on January 2, 2002. Our next big project is to have John Tyler Community College come down to Rowanty Technical Center and offer some of their credited classes there. Our objective is to provide a workforce for the industries located here and to attract new business to our area by providing a well-trained workforce.

Continuing she stated there were 15 alternative students enrolled in the first semester mostly from Dinwiddie County. We will have at least 30 students in the spring semester, and there are enough teachers for the three Skill Streams. The State has a program called, ISAEP, Individual Student Alternative Educational Planning Program; this is a program for young people, aged 16, who know they will not have enough credits to graduate from high school by the time they are 20. They can now go into a GED Program but there is a vocational requirement along with that. Students are pre-tested and selected out for this program. Hopewell and Dinwiddie students were involved last semester and hopefully Petersburg will be involved next semester. Mrs. Seward stated they were very pleased with the program.

Mr. Morris addressed how the funding is arranged. There is an allocation made based on tobacco acreage and allotment holders that are set up by jurisdiction. These jurisdictions are asked to work together and that is why we are here today. The application, which we are going to submit on January 15, 2002, is totally separate from the application the County may submit. These are two freestanding applications. What we are trying to work out with everyone is to be sure that all the numbers add up. What the Commission does not want to face is applications coming in where there is more money requested than available. They ask the regions to work together so that won't happen. The total allocation per jurisdiction is: \$1,651,193 – Dinwiddie County; \$184,152 – Sussex County; \$133,181 – Greensville County. Broken down by growers: 446 Dinwiddie County; 134 - Sussex County; 191 – Greensville County. At the recommendation of the Tobacco Commission Staff, they suggested that we go on a percentage basis and that is what we have done. So basically we are asking for 4.9% or \$97,000 that would be in our region with those three jurisdictions going in a pot. That would be our total until our next year's allocation. Dinwiddie's percentage of the 1.6 million is \$81,286. The remainder of the \$97,000 would be provided by Sussex and Greensville based on their percentages.

Mrs. Ralph requested authorization from the Board to sign a letter of support for the Tobacco Commission 2002 application for year two of the "Skill Streams to Success" project, which is a Workforce Development Project, designed to leverage existing training facilities and resources to provide entry level skills.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes the County Administrator to sign a letter in support of the Tobacco Commission 2002 application for year two of the "Skill Streams to Success" project.

IN RE: VDOT – REPORT

Mr. Richard Caywood, Resident Engineer Virginia Department of Transportation, came forward and presented his monthly updates.

1. Halifax Road project is rapidly nearing completion – should be completed today.

2. The Route 619 – Courthouse Road is approximately 15% complete; work has been shutdown for the winter; work will resume in the spring.
3. Route 615 – Blue Tartane Road - final pavement on that road is being done today. The project has progressed very well. It should be 100% completed by the next Board meeting.
4. Route 711 – Ridley Road – archeological and historical work that was necessary on that project has been completed. The environmental work is almost done. VDOT is in the process of setting up a time and location to have a meeting with the residents in that area for the donation of the right-of-ways for that project.

Mr. Caywood told the Board he would be off for the next two weeks and Mr. Steve Hicks would be responsible for the Residency if anyone needed him. He wished the Board and the County Staff a Happy and safe Holiday Season and reminded everyone to exercise a great deal of caution over the holidays.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, was not present but the Board received his report for the month of November.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, came forward and stated he had nothing to report to them. He wished everyone a Happy, Safe and Prosperous Holiday Season.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward and presented his report for the month of November 2001.

Mr. Moody commented that the inmate population was up again this month. He asked if there had been any progress made with the State for moving the inmates. Sheriff Shands responded the only time the State moved them is when they have medical problems.

Mr. Bowman stated he had a real problem with having this many inmates in the jail. This is creating a liability for the County. He asked if the paper work is the problem. If it is, then we need to determine whether it is the State or the County and make some corrective actions to have these inmates moved.

Mrs. Ralph stated she would work with the Sheriff to encourage the State to get the inmates they are responsible for transferred.

Mr. Bracey asked staff to contact our elected officials in Richmond and ask for a meeting to see what we can do. This is a disturbing number to have in our facility.

Sheriff Shands wished the Board a Merry Christmas and a Happy New Year.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of November 2001.

Mr. Haraway commented that this is an unusually high number of building permits for the county. He asked if the new houses were in any particular area. Mr. Abernathy replied no. They are all over the County. Mr. Abernathy also commented that the average cost is \$100,000 and the average square footage is 1,500 to 2,000 at \$70 per square foot. The building industry is going on very strong. Last year we had 4 dwellings for the month; this year we have 23 permits for this month. However, the commercial building is down.

Mr. Abernathy stated he and his staff appreciated the extra days off for the holidays and wished the Board a Merry Christmas.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward presenting his report for the month of November 2001. Mr. Beville stated Mr. Clay, Mr. Bracey, Mr. Faison and he visited two shelters and got some good ideas that may help us in the future. We also talked with people in the private sector who help the shelters in that area. He commented he would like to see that happen here in our County. He wished everyone a Happy Holiday.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning came forward commenting he had submitted his monthly report for November 2001 and he had nothing new to report.

Mr. Haraway stated in his District II there is a problem with one resident who is raising pit bulls. Keep in mind, this is a subdivision and the average lot is ½ acre or less. He commented this would be different if the person lived on a farm with 5 to ten acres. He stated he would like to see the Board have Mr. Scheid look into establishing some regulations on how to handle this situation. It is a danger for residents who have small children who can't go outside because their neighbor is raising 10 pit bulls. He asked Mr. Scheid to bring some recommendations to the Board in January.

Mr. Bracey stated he felt the Commonwealth Attorney should be called to see if anything could be done.

Mrs. Ralph stated under the present code, unless the dogs don't have tags, or are running at large, or bite someone there is nothing we can do.

Mr. Bowman asked what the code is now. Mr. Scheid replied there is no code on regulating the number.

Mr. Scheid recommended amending the code to require that those subdivisions located and platted in residential zoned districts not allow this situation. But land not located in residential areas would not be affected.

Mr. Scheid thanked the Board for the extra days off and wished them a Happy Holiday Season.

Mr. Bowman asked Mr. Scheid if he was planning to go to the Route 460 Corridor meeting tomorrow in Suffolk. Mr. Scheid responded he had a commitment to the High Speed Rail hearing and would not be able to attend.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner, came forward and presented his November monthly report.

IN RE: AUTHORIZATION FOR PUBLIC HEARING- ORDINANCE TO AMEND SECTION 15-4 OF CHAPTER 15 RELATING TO THE STORAGE OF INOPERATIVE VEHICLES

Mr. David S. Thompson, Zoning Administrator/Senior Planner, requested authorization to advertise an ordinance to amend Section 15-4 of the Code of the County of Dinwiddie relating to open storage of inoperative vehicles.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Zoning Administrator is authorized to advertise an ordinance to amend Section 15-4 of the Code of the County of Dinwiddie relating to open storage of inoperative vehicles.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT CON'T.

Mr. David S. Thompson, Zoning Administrator/Senior Planner, stated he would supply his year-end report at the 2nd Board meeting in January. He thanked the Board for allowing him to go to the GIS conference. He wished everyone a very Merry Christmas.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen, Social Services Director, came forward and stated she is on the Board for the Christmas Sharing Foundation and she felt this was an appropriate time to give a report from that group. We had a wonderful response this year. The businesses, churches, schools and volunteer groups in the community were so generous. We received over \$12,000 this year in donations. There were over 400 applications but some of the individuals were determined to be ineligible. But we were able to serve 309 families. The Chairman of the group this year was Patsy Barnes and everything worked very smoothly. It is a good organization-serving people in the County. She wished the Board a Merry Christmas and a Happy New Year.

IN RE: SOCIAL SERVICES BUILDING - WATER PURIFICATION SYSTEM - TRIAL

Ms. Peggy McElveen, Social Services Director, asked the Board for authorization to try out a water purification system in the Social Services Building. She commented that presently they were using the bottled water from Diamond Springs, but it is difficult to lift the bottles and place them in the dispensers. The new system would attach to the existing water line and purify the water without having to use bottles, and the monthly cost is supposed to be close to the same.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Social Services Department is authorized to try out a water purification system.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Dr. Lee Wise, Superintendent of Schools, was not present.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, stated he had provided the Board with his November monthly report. He commented that the Christmas Parade was a success, even with the breakdowns, and he appreciated the Board's patience. I am hoping to improve on the parade next year and have some bands to participate.

Mr. Bracey reminded Mr. Smith that the Center still does not have a flag-pole. Mr. Smith replied he and Mr. Faison would work on it after the Christmas Holidays.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward to present his report for November 2001.

Mr. King stated he was still having difficulties with the electric compactor motors at Rohoic. He commented that he needed a three-phase motor but had not been able to get Virginia Power to supply the power at the site. He reported he would continue to work with them to see if they would supply the 240 voltage needed.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his November update.

IN RE: AUTHORIZATION TO PURCHASE RESCUE ENGINE FOR MCKENNEY

Mr. David M. Jolly stated the price of the rescue engine for McKenney VFD has been negotiated down from \$429,848.00 to \$415,583.00 with Singer Associates. He requested authorization to enter into a contract with Singer Associates for the purchase of the unit. McKenney VFD asked to keep the Federal Q siren at a cost of \$3,000 on the unit at their own expense. Mr. Jolly advised if the Board would consider purchasing multiple units before the contract is signed we could get a discount of \$19,000.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes Administrative Staff to enter into a contract with Singer and Associates for the purchase of the new rescue engine at the negotiated price of \$415,583.00 to include the Federal Q siren to be paid for by the McKenney VFD at a cost of \$3,000.

IN RE: COUNTY ATTORNEY - REPORT

Ms. Phyllis Katz, County Attorney, came before the Board stating the Department of Justice contacted her regarding the concerns they have about the changes in the precincts and polling places. They did not have any problems with the new districts. As you all are aware, we need to move quickly for any primaries that may be held in the spring. If any of you still have any questions or concerns you need to let Mrs. Ralph or Mr. Scheid know right away. The new submissions should be in by mid-January for the precincts and polling places. One of the problems was the decision to eliminate Cutbank Hunt Club as a polling place. Ms. Katz will be meeting with the Electoral Board and the Planning Department to prepare a response.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and stated he provided his monthly update for November in the Board packages.

1. He commented that he had received a fax with the test results from John Owens on the Conductivity Test for the geo-thermal wells for the Historic Courthouse. The results show additional wells will not be required to support the average 15-ton mechanical load. The last well should be grouted and used as part of the geothermal system. The short well will require a flow restriction device to insure that its flow matches the 400-foot wells.

2. He met with Jack Zehmer of the Dept. of Historic Preservation, and the sample for the paint for the ceiling at the Historic Courthouse is not blue enough and will be changed.

**IN RE: NORTHSIDE - AUTHORIZATION TO PROCEED WITH
REMOVAL OF ASBESTOS TILE AND MOBILE
CLASSROOM DEMOLITION**

Mr. Donald Faison, Buildings and Grounds Superintendent, reported that he had received the bids for the removal of the asbestos tile from the mobile classrooms at Northside and the demolition of the units. They are as listed below:

ASBESTOS ABATEMENT IN THE THREE MOBILE CLASSROOMS

CONTRACTOR

Rocky Hill Contracting, Inc.	\$1,900.00
Waco, Inc.	\$1,930.00
Special Renovations, Inc.	\$2,400.00

DEMOLITION OF FOUR MOBILE CLASSROOMS

CONTRACTOR

Rocky Hill Contracting, Inc.	\$ 8,975.00
Horace Hill Contracting, Inc.	\$ 9,300.00
Southern Construction Co.	\$19,400.00
Southern Construction Co. (burn on site)	\$15,400.00

Mr. Faison requested authorization to enter into a contract with Rocky Hill Contracting, Inc., for the asbestos abatement in the amount of \$1,900.00 and Rocky Hill Contracting, Inc., for the demolition in the amount of \$8,975.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to enter into a contract with Rocky Hill Contracting, Inc., for the asbestos abatement in the amount of \$1,900.00 and Rocky Hill Contracting, Inc., for the demolition in the amount of \$8,975.00.

Mr. Faison also asked the Board to let staff know what they would like to see Northside used for in the future to assist the CIP Committee in establishing priorities.

IN RE: RECESS

Mr. Moody called for a recess at 3:43 P.M. The meeting reconvened at 3:59 P.M.

IN RE: DINWIDDIE COUNTY JAIL STATE INSPECTION

Mr. Donald Faison, Buildings and Grounds Superintendent, reported that he toured the jail facility with a number of painting, electrical and plumbing contractors. He said he asked Mr. De Stefano his opinion on what should be done to meet the Health Department requirements for the floors, walls, showers and other areas in the facility. Mr. De Stefano is in agreement with the same procedure I came up with. In order to take care of the floors, walls, halls, corridors, walkways, and showers the method of correction is to sandblast all the areas to get rid of all the dirt, paint, soap film, wax and any other chemicals which might be on the floors. The Health Department wants a sound floor that's easily maintained and cleanable. Mr. Faison stated he was proposing to sand blast everything then come back with an epoxy system and apply a primer and two coats of epoxy on the floors and turn it 8" up the wall; which will seal it.

There are inmates sleeping on mattresses on the floors. Because of the overcrowding issues and the requirements of the Health Department this is something we need to take care of immediately. I took the liberty to get a cost estimate, which is \$38,751 to clean all the floors, showers, provide appropriate lighting and heating. It will not take care of the miscellaneous areas where pipes and electrical conduits pass through the walls. These items should be enclosed caulked or otherwise sealed. Mr. Faison stated he felt to take care of the mechanical, electrical, and plumbing and miscellaneous items the cost is going to be pretty close to \$50,000. He commented he knew there would be a problem to get bids back in a timely fashion to meet the 90-day time frame for the next inspection in March. He asked if the County could do an emergency procurement to meet the deadline.

Mrs. Ralph stated there is a possibility that the Health Department might come in and do another inspection. If we are in there working at least it will show we are trying to take care of the problems. Mrs. Ralph asked Mr. Shands and Mr. Booth if they had any comments.

Mr. Alvin Booth, Lieutenant, stated the overall problem with the Jail is in the State Budget. We requested 3 additional correctional officers in our budget. Our average inmate population was 75 but as you know the State froze its positions. The rational for the State is 3 to 1 ratio funding. Our Jail Facility is rated at a 32-bed capacity with 10 correctional officers, with a 5 to 1 ratio for overcrowding. When we reached a total of 75 inmates we should have had 7 officers. We have 4. The State refused to fund the 3 additional correctional officers. At the present time our average population is 99 for the year 2001 and we will be asking the State again for 6 additional officers. That does not eliminate the bed space problem though or the Health Department problem when you have people sleeping on the floor. That is why the Health Department is so concerned. The jail was put into use in the late 1970's and it has never been refurbished. The concrete has never been redone. We have cleaned, sealed, waxed and painted it. The Health Department says if we are going to have inmates sleeping on the floor it has to be cleaned properly, sealed, and painted.

Mr. Booth stated he has been trying to get rid of prisoners since I spoke with Mrs. Ralph about the situation several months ago. We have been giving them away. Prisoners have been taken to other jurisdictions with low numbers. We just sent out 9 more. People ask why the jail has such a high population. It is mainly due to the mandatory sentencing for specific offenses that the Legislators passed such as domestic violence and project exile. But the overall cause is economics. When economics go down crime rates go up. This doesn't address the two other problems. We have seven females, which are housed in

other facilities. We don't house juveniles we contract with Crater Juvenile Detention Home. So, in the short term, what we are talking about is a fix it for the building.

If you recall there was some discussion about expanding the jail facility to three stories. We were running about the same numbers and making money for the County. We hired 4 additional correctional officers and the County paid for them. But they have been moved to the new Courthouse and the County is not funding any of the correctional officers at this time. The State dictates what we have to do, but they won't fund those mandates. So then we have to come to the Board because we don't have a choice in the matter. We are going to do what the law dictates. It isn't that we haven't tried to clean the jail because we have. It just won't come clean anymore. It needs to be done professionally. Mr. Booth stated he didn't have any idea it would cost this much to refurbish the jail, but it has to be done.

Mrs. Ralph asked Mr. Booth, if the Board could accomplish what needs to be done in the jail, could he get the inmates moved. Mr. Booth replied Southside can accommodate 30 prisoners and we can take care of the rest. The cost is \$14 dollars per day, per inmate. Mrs. Ralph commented that was another reason for the urgency, space is available right now for the inmates. Mr. Booth replied yes.

There was a lot of discussion between the Board and Staff about the costs involved and the necessary steps to ensure the work could be done in a timely fashion.

Upon Motion of Mr. Bracey, Seconded by Mr. Bowman, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Moody, voting "Aye", the Board authorized the Buildings and Grounds Superintendent to proceed with the refurbishing of the Jail Facility at a cost not to exceed \$50,000.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Ralph passed out the comments from the County Attorney regarding the Redistricting Plan for the Board to read at their pleasure.
2. Mrs. Ralph commented just as a reminder the Board had indicated it would like to have more information on Revenue Recovery before making a decision. Mr. Moody and Mr. Bracey met with representatives from DVRS, and we will have some recommendations for you. If you need further information or have questions, please let David Jolly or me know so we can begin preparing that information for your review. Since Mr. Moody will not be here for the January night meeting, I would suggest that you postpone bringing the Revenue Recovery program back when you have a full Board. However, we need to let the public know when we plan to put it back on the agenda. The Board agreed. The Revenue Recovery will be on the agenda for the February 6, 2002. Mr. Bowman suggested inviting someone from the Southside Emergency Crew to explain to the Citizens how well it has worked and how happy they are with it. Mr. Haraway commented he still wanted to come up with a procedure for people who can't pay. The County needs to send them a financial form to fill out. Then they would send it back to the County for them to be declared indigent. There needs to be a policy in place for people who can't pay. Mrs. Ralph stated Staff would look into that.

**IN RE: AUTHORIZATION TO HIRE – MRS. BETTY BOWEN –
PART-TIME POSITION FOR THE RESTORATION OF
RECORDS – CLERK OF THE CIRCUIT COURT**

Mrs. Ralph stated enclosed in your packets was a follow-up of the Grant we approved for the Clerk of the Circuit Court at the last meeting for the restoration of the County records. There was one complication and that was trying to figure out some way to contract with someone to do the work. So the County Attorney took a look at it and felt the easiest and best way to do this is to hire the individual on an hourly basis and placed on the County payroll. The cost of placing the individual on the pay roll is included in the Grant. The individual has been in and agreed to all of the terms so far as the payroll. The grant was awarded in the amount of \$14,833.00. The individual the Clerk has selected is Mrs. Bowen at an hourly rate of \$7.00 per hour. Mrs. Ralph requested authorization to place Mrs. Bowen on the payroll for the duration of the Grant only.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Mrs. Betty Bowen to be placed on the County payroll at an hourly rate of \$7.00 per hour for the duration of the grant for the restoration of the records in the office of the Clerk of the Circuit Court.

IN RE: COUNTY ADMINISTRATOR COMMENTS – CONT'

1. Mrs. Ralph stated VACo, VML 2002 Legislative Day is scheduled the afternoon of January 31, 2002 at the Richmond Marriott. She asked if any of the Board would like to attend let Mrs. Russell. Mr. Moody, Mr. Bracey, and Mr. Moody stated they would attend.
3. Mrs. Ralph stated she had enclosed the information on the use of the County Van and she is still working on it. Court Services has just gotten back to me on that and I think we can work it out. Mr. Haraway stated usually the names of the drivers are sent to the insurance company and they approve the drivers and it is good for a year. But if I understand this, a list has to be sent each time the van is used. Mrs. Ralph commented it isn't the name of the driver we are concern about it is the type of event they are doing that day. There are different exposures for different events. Mr. Haraway asked if this is a requirement of the insurance company. Mrs. Ralph stated it was a suggestion at this time since this is a new venture for the county and we don't have any policies in place. It is to protect the Board in case something happens. Mr. Bracey stated he felt whoever is responsible for the event to make sure the person responsible for driving is on the list of approved drivers for the insurance coverage.
4. Mrs. Ralph stated as a follow-up to our earlier meeting at 11:00 A.M. I think you would like to get back together as soon as possible on our pay plan discussion. Staff will be contacting you to schedule some dates to get back together as soon as possible.

IN RE: BOARD MEMBER COMMENTS

- Mr. Clay He wished everyone a Merry Christmas and Happy New Year.
- Mr. Bowman 1. He stated we need to recognize the people who serve the Board. I feel real bad that we did not recognize the football team and they were State Champions last year. We need to

make sure people receive certificates of appreciation for their work.

2. He stated a citizen faxed him a copy of the Federal Law Mandate for low-income minority population areas. The study was mandated by the Federal Government on noise. The citizen who sent it to me said Chaparral Steel has not done this. He asked the County Attorney to investigate it.

- Mr. Bracey He stated he hoped everybody has a Merry Christmas.
- Mr. Haraway He asked what the schedule is for the offices for the holidays and the regular working hours. Mrs. Ralph stated the offices are closed December 24 – 25th and December 31st and January 1, 2002. The normal business hours are 8:30 A.M. to 5:00 P.M. with an hour for lunch.
- Mr. Moody He stated it has been a pleasure working with everyone and serving as Chairman this year. He wished everyone a Merry Christmas and a Happy New Year.

IN RE: CLOSED SESSION

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

Personnel Matters, § 2.2-3711 A.1, of the Code of Virginia, (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees)
County Administration

Real Property - §2.2-3711 A. 3 of the Code of Virginia
Acquisition of real property for public purpose OR the disposition of government owned property where public discussion would jeopardize the County's or Town's bargaining or negotiating position

Mr. Bracey seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody voting "Aye" the Board moved into the Closed Meeting at 4:31 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:04 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, for the purpose of Personnel – County Administration and § 2.2-3711 A.3, Real Property

And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

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

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

IN RE: AUTHORIZATION TO HIRE CLERICAL ASSISTANCE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to hire clerical assistance as needed.

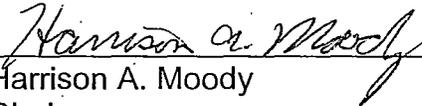
**IN RE: TOBACCO COMMISSION GRANT APPLICATION-
APPROVAL**

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

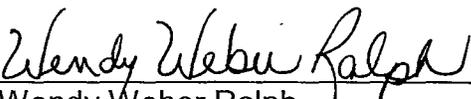
BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes the Planning Department to pursue the Tobacco Commission grant application submittal for two (2) industrial sites. This request is for funding to do a "due diligent" environmental analysis to include a geo technical study on both sites.

IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the meeting adjourned at 5:43 P.M.



Harrison A. Moody
Chairman



Wendy Weber Ralph
Acting County Administrator

/abr

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 2nd DAY OF JANUARY, 2002, AT 7:30 P.M.

PRESENT: HARRISON A. MOODY (absent) ELECTION DISTRICT #1
DONALD L. HARAWAY ELECTION DISTRICT #2
ROBERT L. BOWMAN IV, Vice-Chair ELECTION DISTRICT #3
EDWARD A. BRACEY, JR., Chairman ELECTION DISTRICT #4
AUBREY S. CLAY ELECTION DISTRICT #5

OTHER: DANIEL SIEGEL COUNTY ATTORNEY

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

Mrs. Wendy Ralph, Interim County Administrator, called the regular meeting to order at 7:30 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: TERM OF CHAIRMAN AND VICE-CHAIRMAN

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Clay voting "Aye", the Chairman and Vice-Chairman for the Board of Supervisors will serve a one (1) year term of office.

IN RE: ELECTION OF CHAIRMAN - 2002

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", Mr. Bracey "Abstaining", Mr. Bracey was elected Chair for the Board of Supervisors for the year of 2002 or until his duly elected successor assumes office.

IN RE: ELECTION OF VICE-CHAIRMAN - 2002

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bracey, voting "Aye", Mr. Bowman "Abstaining", Mr. Bowman was elected Vice-Chair for the Board of Supervisors for the year of 2002 or until his duly elected successor assumes office.

IN RE: SCHEDULE OF MEETINGS AND DATES FOR 2002

Mrs. Ralph stated a proposed meeting schedule for 2002 had been included in the Board's packet for their review and consideration.

<u>MONTH</u>	<u>FIRST WEDNESDAY</u>		<u>THIRD WEDNESDAY</u>
	<u>7:30 P.M.</u>		<u>2:00 P.M.</u>
JANUARY	2ND	_____	16TH
FEBRUARY	6TH	_____	20TH
MARCH	6TH	_____	20TH
APRIL	3RD	_____	*17TH
MAY	1ST	_____	15TH

JUNE	5TH	_____	*19TH
JULY	3RD	_____	17TH
AUGUST	7TH	_____	21ST
SEPTEMBER	**4TH	_____	18TH
OCTOBER	2ND	_____	16TH
NOVEMBER	6TH	_____	20TH
DECEMBER	4TH	_____	18TH

Mrs. Ralph stated the proposed calendar included the days for special events being held in the County during the regular scheduled Board meeting times and dates. Those changes are April 17th, June 19th and September 4th meeting times. April 17th and June 19th meeting would be rescheduled for 10:00 A.M. and the September 4th meeting rescheduled to meet at 1:00 P.M.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following meeting schedule is established for the regular meetings of the Board of Supervisors for the calendar year of 2002.

THE FIRST MEETING OF EACH MONTH, HELD ON THE FIRST WEDNESDAY, WILL BE AT 7:30 P.M.

*APRIL 17th AND JUNE 19th MEETINGS WILL BE HELD AT 10:00 A.M.

**SEPTEMBER 4th MEETING WILL BE HELD AT 1:00 P.M.

THE SECOND MEETING OF EACH MONTH, HELD ON THE THIRD WEDNESDAY, WILL BE AT 2:00 P.M.

ALL REGULAR AND MAKEUP MEETINGS WILL BE HELD IN THE PAMPLIN ADMINISTRATION BUILDING, BOARD MEETING ROOM, 14016 BOYDTON PLANK ROAD, DINWIDDIE, VIRGINIA 23841.

IN RE: AUTHORIZATION FOR COUNTY TO ADOPT STATE HOLIDAYS APPROVED BY THE GOVERNOR

Mrs. Ralph passed out a copy of the approved State holidays. In order to simplify things for the year, she asked the Board to adopt the State calendar to include authorizing any additional holidays the Governor may designate. The holidays are the same as last year. This calendar includes Friday, January 18, for Lee-Jackson Day and Monday, January 21, for Martin Luther King Day. Those two- (2) holidays were incorporated into the Personnel Policies last year so long as the State holidays remain that way. If the Friday holiday is at any time eliminated by the State, the County will also eliminate it. We would like to get those holidays approved along with any other days the Governor might declare. Then we can do our planning for the County Offices and we won't have to wait and bring them back to you for approval each time.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County employees will be allowed to observe State holidays, along with days granted by the Governor in addition to the approved State Holidays.

MR. EDWARD A. BRACEY, JR., ASSUMED THE CHAIR.

IN RE: ACCEPTANCE BY CHAIRMAN

Mr. Bracey thanked the Board for their vote of confidence and stated he would try to do the best job he could during the coming year.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda.

Mrs. Ralph stated she would like to move Item 9 – Public Safety Building Bids after Closed Session and add, under Agenda Item 12, Closed Session the following:

- **Personnel Matters, § 2.21-344 A.1 of the Code of Virginia**
(Candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) **Administration and Public Safety**
- **Consultation with legal counsel, § 2.21-344 A. 7 of the Code of Virginia,**
(consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice) **Public Safety Building Bids**
- **Real Property - §2.2-3711 A. 3 of the Code of Virginia**
Acquisition of real property for public purpose OR the disposition of government owned property where public discussion would jeopardize the County's or Town's bargaining or negotiating position

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above amendments to the Agenda are hereby approved.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the December 19, 2001 Continuation Meeting and the December 19, 2001 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Mr. Bracey questioned why a payment to Wheel Service on page 4 would be charged for "investigative supplies" and under the description it is for "wrecker service". He asked the County Administrator to check to see if the charge had been miscoded. Mrs. Ralph stated she would look into it.

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Bracey 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 1028726 through 1028929 (void check(s) numbered 1028725, 1028807, 1028876, 1028895, and 1028898) for:

Accounts Payable:

(101) General Fund	\$ 320,477.49
(103) Jail Commission	\$ 190.62
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 450.81
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 5,108.69
(226) Law Library	\$ 186.38
(228) Fire Programs & EMS	\$ 69.00
(229) Forfeited Asset Sharing	\$ 401.95
(304) CDBG Grant Fund	\$ 33.78
(305) Capital Projects Fund	\$ 68,644.77
(401) County Debt Service	\$.00
TOTAL	\$ 407,565.31

PAYROLL 12/21/01

(101) General Fund	\$ 382,252.87
(222) E911 Fund	\$.00
(304) CDBG Fund	\$ 3,390.42
TOTAL	\$ 385,643.29

IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATION PROJECT – REQUISITION NUMBER 36 (IDA1997A- TRANSFERRED PROCEEDS – #12/18/02)

Mrs. Ralph stated the following invoices are included in Payment Request Number 36 (IDA1997A - #Transferred Proceeds – 12/18/02):

Southwood Builders	\$ 17,574.00
Lucas Electric	1,089.00
CWD&G	24,865.00
Joiner's Service	275.79
TOTAL REQUISITION #36	\$ 43,803.79

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 36 (IDA1997A - Transferred Proceeds – #12/18/02) in the amount of \$43,803.79 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Project Account.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting.

The following citizens came forward to address the Board:

1. Ms. Merlin Howerton, McKenney, Virginia, came forward and voiced her concerns about the Board adopting the Revenue Recovery Program. She commented there are a lot of elderly citizens in the McKenney area and this extra expense would be a hardship on them. She stated there were ways the County could cut costs and not charge citizens for ambulance service. She also presented the Board a petition with 300 names in opposition to it.
2. Mrs. Anne Scarborough came forward and commented on the following issues:
 - a. The cost of removal and demolition of the mobile units at the old Northside Elementary School.
 - b. The charges for the Board members rooms for the VACo Convention at The Homestead.

There being no additional names Mr. Bracey closed the Citizen Comments and moved forward.

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

Mr. William C. Scheid, Planning Director, came forward to make the following statement prior to the Public Hearings.

“As previously requested by the Board of Supervisors, Draft copies of the Planning Commission Meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting room. The purpose of doing so is to expedite the hearing process without compromising the publics’ access to pertinent information. It is noted that the Board has been given various information on all of the hearing(s) to include, the application, zoning map, adjacent property owner list, locational map(s), proffers (if applicable), soils data, comprehensive land use maps and references, etc. With this information noted, I will proceed with the case(s).”

**IN RE: PUBLIC HEARING – P-01-9 – HANS SPOHR
– REZONING REQUEST**

This being the time and place as advertised in the Dinwiddie Monitor on December 19, 2001 and December 26, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a rezoning application submitted by Hans Spohr. Mr. Hans Spohr, is seeking a rezoning of approximately 1.6 acres of his 11 acre tract of land from Agricultural, general A-2 to Business, general, B-2. The applicant is requesting the rezoning for the purpose of re-establishing a restaurant (The Georgian Rathskeller) on the property.

Mr. Scheid read excerpts from the following Summary Staff Report on P-01-9:

Planning Staff Summary

File Number:	P-01-9
Applicant:	Hans W. Spohr
Property Address:	9222 Boydton Plank Road, Petersburg, VA 23803
Acreage:	1.6 acres
Tax Map Parcel:	33A-(1)-12
Zoning:	Agricultural, general A-2

The applicant, Mr. Hans Spohr, is seeking a rezoning of approximately 1.6 acres of his 11 acre tract of land from Agricultural, general A-2 to Business, general, B-2. The portion of the land sought for rezoning is more specifically defined as lot #17 and a 25' strip of lot #18 adjacent to lot #17 as shown by a plat entitled "Map showing subdivision of the Gregory Farm", recorded March 16, 1984. The property address is 9222 Boydton Plank Road and is designated as tax map/parcel 33A(1)12 by the Commissioner of the Revenue's maps. This parcel contains the restaurant, only. The applicant is requesting the rezoning for the purpose of re-establishing a restaurant (The Georgian Rathskeller) on the property. This use is not permitted under the current zoning. While Mr. Spohr is refurbishing the restaurant, he intends to temporarily locate a modular (mobile) food cart on site. The Planning Commission heard this request at their November 11th public meeting. During the meeting several issues were raised. In view of the concerns raised, Mr. Spohr agreed to meet with planning staff on site to address the concerns. A meeting was held at the property of Mr. Spohr shortly thereafter. On November 26th Mr. Spohr submitted a letter in which he offered proffers addressing the issues raised (a copy of the letter is attached to this report). The Planning Commission reviewed the rezoning request with proffers at their December 12th public meeting. After a brief discussion involving the temporary modular food structure, the Planning Commissioners voted 7-0 to recommend approval of the rezoning with proffers to the Board of Supervisors.

No one came forward to address the Board during the Public Hearing on P-01-9:

There being no citizens wishing to speak Mr. Bracey closed the Public Hearing.

Mr. Bowman stated, be it resolved, that in order to assure compliance with the Virginia Code Section 15.2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good fiscal practice. I move to approve, rezoning request P-01-9.

The motion was seconded by Mr. Clay, Mr. Haraway Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that rezoning request P-01-9, as stated above, is hereby approved, with the following proffers and conditions recommended by the Planning Commission.

(65) lot #17 and a 25' strip of lot #18 adjacent to lot #17 - This property contains the large structure (restaurant and a few attached motel rooms)

(66) With the following proffers to limit the use of this property to the two (2) uses contained in section 22-185 as follows:

- (65) restaurants; and
- (66) hotels and motels

IN RE: PUBLIC HEARING – A-01-1 & A-01-12 AMENDMENT – GROUP HOMES

This being the time and place as advertised in the Dinwiddie Monitor on December 19, 2001 and December 26, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on an ordinance to amend the Code of Dinwiddie County to revise the definition of family and adopting definitions for a group home, family day care and a day care center and to place them in the appropriate zoning districts.

Mr. Scheid read excerpts from the following Summary Staff Report on A-01-1 and A-01-12:

File Number:	A-01-1 & A-01-12
Applicant:	Planning Department
Property Address:	N/A
Acreage:	N/A
Tax Map Parcel:	N/A
Zoning:	This is a zoning code (text) amendment

These amendments are "house keeping" matters addressing a revised definition of family and adopting definitions for a group home, family day care and a day care center. Additionally, these uses are placed in the appropriate zoning districts. The matter was thoroughly reviewed by legal counsel and is compliant with federal and/or state regulations. The Planning Commission has reviewed this matter for many months and voted to recommend approval to the Board of Supervisors.

Mr. Bracey stated this is a Public Hearing and asked if any citizens wished to speak for or against A-01-1 and A-01-12.

No one came forward to address the Board.

Mr. Bracey closed the Public Hearing for A-01-1 and A-01-12.

Mr. Clay stated, be it resolved, that in order to assure compliance with the Virginia Code Section 15.2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good fiscal practice. I move that zoning ordinance amendments A-01-1 and A-01-12 be approved.

The motion was seconded by Mr. Haraway, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the ordinance amendments A-01-1 and A-01-12, as stated above, are hereby amended as follows:

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of the County of Dinwiddie, that Chapter 22 of the Code of the County of Dinwiddie, Virginia, as amended, be amended and reenacted to read as follows:

Section 22-1. Definitions shall read as follows:

Family: One or more persons **related by blood, marriage and / or adoption** occupying a premises and living in a single dwelling unit, as distinguished from an unrelated group occupying a boarding house, lodging house, tourist home or hotel. **The term "Family" shall also include unrelated persons occupying a single unit so long as the number of such persons does not exceed four (4).**

Group Home: A residential facility in which no more than eight (8) mentally ill, mentally retarded, developmentally disabled, or handicapped persons (as handicap is defined in the Federal Fair Housing Amendments Act of 1988, 42 U.S.C. – 3601, et seq.) reside, with one or more resident counselors or other staff persons. For the purposes of this section, mental illness, developmental disability and handicap shall not include current, illegal use of or addiction to a controlled substance as such substances are defined in Virginia Code section 54.1-3401 and/or 21 U.S.C. – 3601. For purposes of this section, and unless otherwise required pursuant to 42 U.S.C. – 3601, et seq., the term "residential facility" means any group home or other residential facility for which the Virginia Department of Mental

Health, Mental Retardation and Substance Abuse Services, and the Virginia Department of Social Services, the Virginia Department of Medical Assistance Services, or any other duly-authorized state or federal agency, is the licensing authority.

Family Day Care: A dwelling unit in which the provider resides that is used to provide care for no more than six (6) children exclusive of the provider's children and children who reside in the home for a portion of the 24-hour day, only.

Day Care Center: Any facility, other than a family day care, operated for the purpose of providing care, protection and guidance to a group of six (6) or more individuals separated from their parents or guardians during a part of the day, only.

The following shall be permitted uses in the appropriate zoning districts:

Section 22-59, (A-1)	Group Home
Section 22-71. (A-2)	Group Home Family Day Care
Section 22-83. (R-R)	Group Home Family Day Care
Section 22-96. (RR-1)	Group Home Family Day Care
Section 22-114. (R-1)	Group Home Family Day Care
Section 22-127 (R-1A)	Group Home Family Day Care with conditional use permit
Section 22-140 (R-2)	Group Home Family Day Care with conditional use permit
Section 22-154 (PRD)	Group Home Family Day Care with conditional use permit Day Care Center with conditional use permit

This ordinance shall become effective immediately. In all other respects said zoning ordinance shall remain unchanged and in full force and effect.

**IN RE: PUBLIC HEARING – A-01-10 & A-01-11 – CEMETARY
AND CREMATORY DEFINITION**

This being the time and place as advertised in the Dinwiddie Monitor on December 19, 2001 and December 26, 2001, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on zoning code amendments to define cemetery, pet cemetery and crematory (pet) as well as providing for their use (with the issuance of a conditional use permit) in the agricultural, general and limited districts, A-1 and A-2.

Mr. Scheid read excerpts from the following Summary Staff Report on A-01-10 & A-01-11:

Planning Staff Summary

File Number: A-01-10 & A-01-11
Applicant: Planning Department

Property Address: N/A
Acreage: N/A
Tax Map Parcel: N/A
Zoning: This is a zoning code (text) amendment

These amendments define cemetery, pet cemetery and crematory (pet) as well as providing for their use (with the issuance of a conditional use permit) in the agricultural, general and limited districts, A-1 and A-2. A resident of Dinwiddie County requested this matter for review several months ago. The Planning Commissioners have discussed the matter at several meetings and a few members visited a crematory operation in November. After a brief discussion in their November and December meetings, the Planning Commission voted unanimously to recommend approval to the Board of Supervisors.

Mr. Bracey opened the Public Hearing on A-01-10 and A-01-11. There being no citizens signed up to speak for or against A-01-10 and A-01-11, Mr. Bracey closed the Public Hearing.

Mr. Bracey called for a Motion.

Mr. Haraway stated, be it resolved, that in order to assure compliance with the Virginia Code Section 15.2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good fiscal practice. I move that zoning ordinance amendments A-01-10 and A-01-11 be approved.

The motion was seconded by Mr. Clay, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the ordinance amendments A-01-10 and A-01-11, as stated above, are hereby adopted as follows:

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of the County of Dinwiddie, that Section 22-1 of the Code of the County of Dinwiddie, Virginia, as amended, be amended and reenacted to read as follows:

Section 22-1. Definitions

Cemetery: A place where human dead and/or human remains are interred whether above or below ground and whether or not in burial plots or a mausoleum.

Cemetery, pet (limited): A place where animal dead and/or remains are interred whether above or below ground and whether or not in a burial plot or a mausoleum. If cremation is performed on site, only one (1) cremation unit shall be permitted, and said unit shall not be capable of exceeding two hundred (200) pounds of animal dead at one time.

In the Agricultural, General, A-2 district, add the following permitted use.

Section 22-71. Permitted Uses.

(65) Cemetery, pet (limited) with a conditional use permit.

This ordinance shall become effective immediately. In all other respects said zoning ordinance shall remain unchanged and in full force and effect.

IN RE: VDOT – ESTABLISHMENT OF A SNOW REMOVAL REIMBURSEMENT ACCOUNT

Mrs. Ralph stated she received a letter from Mr. Richard L. Caywood, Resident Engineer, VDOT, about establishing an accounts receivable with the County to cover the expense of snow removal and minor maintenance items at County facilities. VDOT can no longer provide these services to the County at no cost. VDOT will continue to provide emergency snow removal at County facilities from which emergency vehicles are deployed such as firehouse entrances. This will be done on a request basis.

If the County is open to this arrangement, Mr. Caywood would like to establish a standing accounts receivable for all "off-system" requests for maintenance that VDOT performs at County owned facilities. The work that is performed for the County will be completed at the lowest practical cost. VDOT's primary goal is to be in full compliance with policy and State law, not to generate revenue. The billing will only be for the immediate cost of the work that is performed.

Mrs. Ralph commented if the Board is agreeable to the establishment of this account, she would write a letter of agreement to Mr. Caywood. The account will function in the same manner as the account that was recently established for the paving work at the new County Recreational facility except that the new account will be a standing account. VDOT will generate billings on an as needed basis since the account will not be utilized on a monthly basis.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to write a letter to VDOT to establish a standing accounts receivable for all "off-system" requests for maintenance that VDOT performs at County owned facilities.

IN RE: AUTHORIZATION FOR SHERIFF'S DEPARTMENT TO ACCEPT GRANT FOR CRIMINAL JUSTICE RECORD SYSTEM IMPROVEMENT

Mrs. Ralph stated the Sheriff's Department has been awarded a grant in the amount of \$24,750 in Federal Funds for the Criminal Justice Record System Improvement Program. The Sheriff's Department will be responsible for the \$8,250 local cash match. She requested authorization to sign the grant.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to sign the above stated grant request for the Sheriff's Department. The Sheriff's Department will be responsible for the \$8,250 local cash match within his existing FY02 budget.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Ralph stated that the County Attorney has reviewed the Historical Society's Agreement to display the flag at Pamplin Park and there is nothing that will legally prevent the County from entering into this agreement. The agreement contains a blank space for the amount of insurance coverage the County may want Pamplin Historical Park to obtain on the flag while it is in its possession.

Mrs. Ralph stated there is only one concern that should be noted. The only role that the Historical Society will have will be to contribute up to \$4,500 for the cost of the restoration. The care, possession, and management of the

restoration of the flag will be in the hands of Pamplin Historical Park. If the Board wishes to entrust the flag to the Historical Society instead of Pamplin Park modifications will have to be made to the agreement. The Board concurred that the agreement is to be with the Historical Society and the County Administrator may sign the agreement.

2. Mrs. Ralph stated Mr. Bowman has requested certificates of appreciation be given to citizens who serve on committees and volunteer their time to the County. She asked whether all the Board members wanted to sign the certificates or if they wanted the Chairman and County Administrator to sign them. The Board replied it would be ok for the Chairman and County Administrator to sign the certificates.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman He asked Mr. Scheid, Director of Planning if he had an opportunity to check on the conditional use permit for Edgehill Car Wash to see if there was a requirement for a fence. Mr. Scheid replied he had and there was no requirement for fencing at the car wash. However, the owner was going to replace the section of fence that had been removed. Mr. Bowman thanked Mr. Scheid for looking into the matter.

Mr. Clay No Comments

Mr. Haraway No Comments

Mr. Bracey No Comments

IN RE: CLOSED SESSION

Mr. Clay stated I move to close this meeting in order to discuss matters exempt under section: **§ 2.1-3711 A.1; § 2.1-3711 A.7; §2.2-3711 A. 3**

The purpose of the closed meeting is to discuss subject matters identified as Personnel, Consultation with Legal Counsel and Acquisition of Real Property. Matters to include Administration, Public Safety, Appointments and Public Safety Building Bids.

Personnel Matters, § 2.1-3711 A.1 of the Code of Virginia,
(candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Administration, Public Safety, and Appointments;

Consultation with Legal Counsel, § 2.1-3711 A.7 of the Code of Virginia,

(consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town – OR – consultation with legal counsel regarding specific legal matters that require legal advice) Public Safety Building

Real Property - §2.2-3711 A.3 of the Code of Virginia

Acquisition of real property for public purpose OR the disposition of government owned property where public discussion would jeopardize the County's or Town's bargaining or negotiating position

Mr. Haraway seconded the motion. Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye" the Board moved into the Closed Meeting at 8:40 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:09 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, for the purpose of Personnel – County Administration; Public Safety, and Appointments; § 2.2-3711 A.7 – Legal Counsel – Public Safety, and § 2.2-3711 A.3 – Real Property,

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.

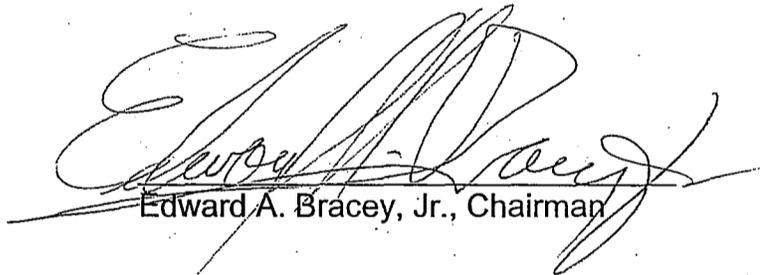
Upon Motion of Mr. Clay, Seconded by Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", this Certification Resolution was adopted.

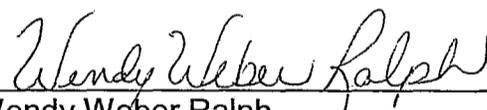
IN RE: PUBLIC SAFETY BUILDING BIDS

Action on the Public Safety Building bids was postponed to investigate other options and to provide additional information to the Board.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 10:13 P.M. to be continued until 11:00 A.M. on Wednesday, January 16, 2002 in the Multi-purpose Room of the Pamplin Administration Building.


Edward A. Bracey, Jr., Chairman

ATTEST: 
Wendy Weber Ralph
Interim County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 16TH DAY OF JANUARY, 2002, AT 11:00 A.M.

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

OTHER: JACK CATLETT COUNTY ATTORNEY

Mr. Edward A. Bracey, Jr., Chairman, called the continuation meeting to order at 11:06 A.M.

IN RE: REVIEW OF ONGOING PROJECTS

Mrs. Wendy Ralph, Interim County Administrator, gave the following overview of ongoing projects:

COMMUNICATIONS/E911 DISPATCH

July 1985 – Adopted .55 cents tax
Streets named, houses numbered, equipment purchased
Early 1990's until present – continue to address problems with dispatch
Agreement with Sheriff to provide County funded positions

Dispatchers were hired, but EMD not provided
1999 Retreat – discussed updating equipment
1994 – part-time daylight crew hired
1995 – 24-hour crew hired
Daylight crew at Namozine

April 2000 – increased tax to \$2.00
August 2001 – Sheriff requested separating fire & rescue dispatch
State Police announced localities must receive wireless calls by July 2002
New equipment needed – 90-day lead time
Wireless providers need 6 month lead time

Applied for Phase II funding
Applied for new frequencies
Researched options for location of new equipment
Presented bids on renovation of old VFD
We have 2 choices

Stop project because of cost
Proceed with understanding there will be additional cost – building, equipment, personnel
If we move forward, must decide on location
Old VFD options
Eastside options
Total picture – costs/savings

Mrs. Ralph stated her concern has been and continues to be the liability of the County if something were to happen under the existing arrangements with the Sheriff. She asked Mr. Donald Faison, Buildings and Grounds Superintendent, to present the options to locate the Public Safety Building at Eastside and the Old Company One VFD.

Mr. Faison presented the plans for both locations and discussed the cost involved and the pros and cons for each site. He asked the Board if they were looking mainly at cost or location. The Board concurred it was the cost. The options presented for Eastside would be more expensive.

After a lot of discussion about the plans and costs of each option Mrs. Ralph asked if the Board wanted to stop now or if they wanted to move forward with the project. The Board members stated we promised the County a service and we need to provide that service. However, they wanted the public to understand the costs involved by the Sheriff requesting that his five (5) State-funded positions remain at the Sheriff's Department location. At such time that the existing equipment located in the Sheriff's Department needs to be replaced, and/or the Sheriff feels he needs personnel beyond the five allocated by the Compensation Board, then the Sheriff needs to understand the Dispatchers will be combined at the new Dispatch Center.

Mr. Faison commented that he would like to negotiate the price of the Old VFD with the low bidder to see if he could get a lower price.

The Board members discussed their concerns regarding the quality of the materials and the expectations of the Citizens to have a functional building rather than a building that looks good and costs a lot of money.

**IN RE: AUTHORIZATION TO ENTER INTO NEGOTIATIONS WITH
LOW BIDDER FOR THE PUBLIC SAFETY BUILDING AT
THE OLD VFD**

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby authorizes the Buildings and Grounds Superintendent to enter into negotiations with the low bidder Specialty Mechanical Co., to see what can be done to lower the bid price for the renovation of the Old DVFD building.

IN RE: REVIEW OF ONGOING PROJECTS - CONT

Mrs. Ralph continued her review of the ongoing projects.

2nd FULL TIME CREW

Darvills couple presented case

Board instructed staff to proceed with putting on 2nd – 24-hour crew

Ambulance purchased and delivered

Applications solicited and reviewed

Revenue Recovery Program presented

We have 2 choices –

Continue with present crew

Hire new crew and continue with Revenue Recovery

Revenue Recovery recommendations: Advertise ordinance to implement subscription program and include provision for sliding scale fees

Put together information to show where unit will be needed

The Board asked Mr. David Jolly, Public Safety Director, which part of the County most of the calls came from and who provided the services. He gave the following stats:

FY 2001 RESCUE CALLS – TOTAL CALLS 2,753

CALLS	VFD
895	NAMOZINE
641	DINWIDDIE
340	MCKENNEY
307	FORD

The Board asked if we had requested or received mutual aid from any of the other counties. Mr. Jolly responded we received mutual aid 463 times. He was asked how many times we were asked to give mutual aid. He commented he didn't have that count. He stated we assisted when we could but we don't have enough people or units to cover our own County.

Mrs. Ralph asked the Board if they still wanted to put the second full time crew and unit on.

Mr. Haraway stated we promised the citizens we were going to add the second unit and he felt the Board should do it. The Board agreed.

IN RE: LUNCH RECESS

Mr. Bracey called for a lunch recess at 12:29 P.M. The meeting reconvened at 1:02 P.M.

IN RE: CLOSED SESSION

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

- **Personnel Matters, § 2.2-3711 A.1, of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Administrative Staff and Code Compliance

Mr. Clay seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 1:03 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 1:57 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, for the purpose of Personnel – Administrative Staff and Code Compliance

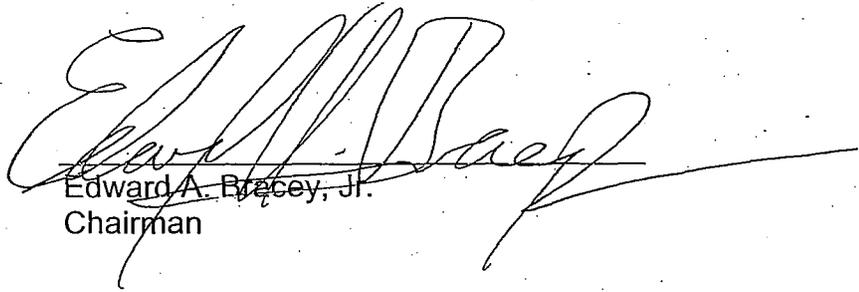
And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

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

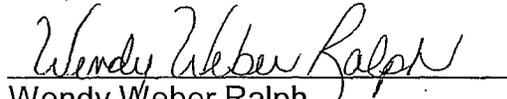
Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", this Certification Resolution was adopted.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 1:58 P.M.



Edward A. Bracey, Jr.
Chairman



Wendy Weber Ralph
Interim County Administrator

/abr

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 16TH DAY OF JANUARY, 2002, AT 2:00 P.M.

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

OTHER: JACK CATLETT COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 2:05 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the Agenda. There were no amendments to the Agenda.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the January 2, 2002 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mr. Bowman stated he was not accustomed to paying bills before the services were done. He questioned if the payment for the Pay Plan Adjustment to Virginia Tech was for the total bill. Mrs. Glenice Townsend stated this payment was for the first phase of the study.

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, 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 1028942 through 10289082 (void check(s) numbered 1028630 - 1028941) for:

Accounts Payable FY 2001-2002:

(101) General Fund	\$ 215,215.94
(103) Jail Commission	\$ 540.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 2,648.27
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$.00
(305) Capital Projects Fund	\$ 60.00

(401) County Debt Service	\$ 781,831.60
TOTAL	\$1,000,295.81

IN RE: CITIZEN COMMENTS

The following citizen(s) signed up to comment.

1. Mrs. Anne Scarborough came before the Board and stated Mrs. Betty Mayes, the County's representative on the Appomattox Regional Library Board, made a motion to cut out service to Fort Lee because they aren't paying for the services anymore. However, the Library Board voted to continue serving Fort Lee even though they aren't paying. Mrs. Scarborough asked the Board to write a letter supporting Mrs. Mayes and ask them to explain why.

IN RE: RESOLUTION OF SUPPORT FOR THE CIVIL WAR PRESERVATION TRUST'S TEA-21 - BATTLE OF HATCHER'S RUN APPLICATION

Mrs. Ralph stated Mr. Steve Palumbo, Battlefield Preservation Coordinator, with the Civil War Preservation Trust Department is here to ask for your support for a TEA-21 application. A copy was enclosed in your packet.

Mr. Steve Palumbo, Battlefield Preservation Coordinator came forward stating the Civil War Preservation Trust and the Department of Conservation and Recreation are in the process of submitting a Transportation Enhancement Proposal for the Richmond District to the Department of Transportation (VDOT). He commented we intend to pursue preservation opportunities on land associated with the battle of Hatcher's Run, which the Civil War Sites Advisory Commission has listed as a Priority II site and are asking the Board to pass a resolution of support for consideration of our application by VDOT.

Mr. Palumbo pointed out that they intend to acquire 118 acres of land on the site of the 1865 Battle of Hatcher's Run. Here, Confederate Brigadier General John Pegram was killed as Union forces gained ground and extended their siege lines around the beleaguered City of Petersburg. The subject property consists of two noncontiguous boundaries lying along both sides of Duncan Road in Dinwiddie County. The property is presently being used for rural residential and agricultural purposes and may, at best, be used for rural residential development.

This project is eligible for Transportation enhancement funds under two categories of selection criteria including the "Acquisition of Scenic Easements and Scenic or Historic Sites" and "Historic Preservation."

He commented once this land is acquired it will be held in perpetuity as open space, highlighting Virginia's culture and historic landscape as seen from its roadways, thus helping to preserve Dinwiddie County's scenic view-sheds. Our proposal will complement the work of both public and private entities such as the Petersburg National Battlefield Park, Pamplin Park Civil War Site and the nationally recognized Virginia Civil War Trails program and will, likewise, contribute to other land preservation efforts currently afoot, leading to a heightened public awareness of the need to preserve the scenic beauty of Virginia's surface transportation system. By cultivating this awareness, we can appreciate this visual resource for generations to come and take confidence in the fact that such worthwhile goals can be accomplished.

He also stated the Civil War Preservation Trust is the largest battlefield preservation organization in the United States. We are a non-profit group with more than 36,000 members nationwide. To date, we have preserved more than 13,000 acres of endangered battlefield land at 77 sites in 18 states. Given our

preservation accomplishments as well as the significance of the Hatcher's Run battlefield, where 2,700 men fell fighting for their vision of freedom as the Union Army moved ever closer to victory in Virginia just two months later, he urged the Board to pass the resolution in support of their application.

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

WHEREAS, in accordance with the Commonwealth of Transportation Board procedures, letters of support from local governments or state agencies supplement Transportation enhancement applications; and

WHEREAS, the Civil War Preservation Trust has applied for Transportation Enhancement funding in Dinwiddie County to acquire a battlefield site on Duncan Road where the Battle of Hatcher's Run was fought; and

WHEREAS, the acquisition of historic Civil War battlefield property provides increased heritage tourism attractions that provide economic benefits to Dinwiddie County;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia supports the Civil War Preservation Trust's Transportation Enhancement application; and

BE IT FURTHER RESOLVED that the Board of Supervisors of the Dinwiddie County, Virginia, understands that it is not being asked to serve as fiscal agent for this project or provide matching funds and that any funds committed by the Board of Supervisors would be on a voluntary basis, as it deems appropriate.

IN RE: VDOT – REPORT

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

1. Met with Citizens on Ridley Road and VDOT has all of the right-of-ways except for the owners of the timber company. He commented that Mr. Bracey was going to contact them for VDOT.
2. The Blue Tartane Road project is complete and under the projected cost.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and stated he had nothing new to report to them. He presented his report for the month of December 2001.

IN RE: TREASURER'S REQUEST TO ADD MS. CATHERINE BISHOP- BONDED AGENT FOR DISTRIBUTION OF COUNTY VEHICLE LICENSE

Mr. William E. Jones, Treasurer, came forward requesting authorization to add Ms. Catherine Bishop to the current list of agents who are bonded, in the amount of \$10,000, for the distribution of vehicle and automobile licenses for the County.

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

BE IT RESOLVED that the Board of Supervisors of the Dinwiddie County, Virginia authorizes the Treasurer to add Ms. Catherine Bishop to the current list of agents who are bonded, in the amount of \$10,000, for the distribution of vehicle and automobile licenses for the County.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, was not present.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands, was not present.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of December 2001 and his 2001 yearly value and occupancy report. The total yearly value for homes for 2001 was - \$29,979,713. The permit fees collected for 2001 was - \$154,308.91. The yearly value of the certificate of occupancies for 2001 was - \$12,330,044.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward presenting his yearly report and his monthly update for December 2001.

IN RE: PRESENTATION OF PRELIMINARY ESTIMATES -- ANIMAL SHELTER ADDITION

Mr. Beville stated in December of 2001, Mr. Faison, Mr. Bracey, Mr. Clay and I visited shelters in Augusta and Rockbridge counties. We saw first hand a lot of options to consider as we enter into our process of shelter expansion and improvements.

Mr. Faison, Mr. DeSteffano and I have met numerous times and I believe we have come up with some very practical and affordable plans for the expansions.

This expansion will go a long way towards relieving overcrowding and other problems that we have had in the past couple of years. Mr. Beville stated he felt this added space will satisfy the complaints we have received from concerned citizens and organizations. He presented the Board with the plans and asked for authorization to move forward with the project. The estimated construction cost is \$120,000 for the 48' X 24' expansion.

There were a lot of questions from the Board about the size and cost to construct the building. Mr. Bracey directed Mr. Faison to review the plans and get more details and information together and bring it back to the Board.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning came forward and presented his monthly update for December 2001.

1. Mr. Scheid reported the Advisory Committee for the Comprehensive Land Use Plan, of which Mr. Bowman, Mr. Moody and Mr. Whitman who are present, met and there were some minor adjustments that were suggested before the plan is presented for the Public Hearing. Mrs. Ralph asked the Board if

they would like a work session to discuss the plan before holding the Public Hearing. The Board replied yes.

2. The Grant application for the Economic Development Grant Program of the Virginia Tobacco Indemnification and Community Revitalization Commission has been completed. Mr. Scheid commented he would provide a copy to the Board members.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his December 2001 monthly report.

**IN RE: AUTHORIZATION TO ADVERTISE – PUBLIC HEARING -
ORDINANCE LIMITING NUMBER OF DOGS IN
RESIDENTIAL AREAS**

Mr. Thompson, Zoning Administrator/Senior Planner, requested authorization to advertise for a Public Hearing an ordinance limiting the number of dogs in a residential area of the county. A copy of the proposed ordinance was included in your packets. This ordinance will be placed in the Animal Control Section of the County Code and will be under the charge of the Animal Wardens. Petersburg and Hopewell limit the number of dogs to three (3) and Colonial Heights' limit is four (4). He suggested limiting the number to three (3) for Dinwiddie County.

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

BE IT RESOLVED that the Board of Supervisors of the Dinwiddie County, Virginia authorizes the Zoning Administrator/Senior Planner to advertise for a Public Hearing on this proposed amendment.

**IN RE: AUTHORIZATION FOR PLANNING COMMISSION TO
DRAFT OFF-STREET-PARKING ORDINANCE**

Mr. Thompson stated he prepared a rough draft of an off-street truck-parking ordinance for the Board's review. Since this is a zoning matter the ordinance amendment must be advertised and heard by the Planning Commission and the Board. He asked the Board for direction on this matter.

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

BE IT RESOLVED that the Board of Supervisors of the Dinwiddie County, Virginia authorizes the Zoning Administrator/Senior Planner to work with legal counsel and with the Planning Commission to refine the off-street truck-parking ordinance for public hearing.

IN RE: AUTHORIZATION FOR UPGRADE -- GIS FLYOVER

Mr. Thompson stated he received the price from Bob Rike, VGIN Representative, for the flyover upgrade for digital orthophotography. The price to do the 120 Square mile area at a 1 to 200 scale is \$21,856. However, we will not have to pay this amount right away but we do have a small window of opportunity to accept the proposal. Mr. Thompson asked for authorization to contract for the flyover to upgrade the scale for the digital orthophotography.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Planning Department is authorized to proceed with the flyover upgrade for the digital orthophotography of the 120 Square mile area as outlined at a 1 to 200 scale at a cost not to exceed \$21,856.

IN RE: PUBLIC NUISANCE – PRECEDENCE TO INCUR COST

Mr. Thompson reported that Mr. Bracey had a complaint on a residence located on Old Stage Road. When he went out to check out the complaint he was not aware of the magnitude of the problem. At this point the work should be completed shortly and the funding for that came out of the Public Nuisance Fund. The property is in an estate and the County had to pay to have it cleaned up. Mr. Thompson commented he was going to place a lien on the property to recoup the money since there was no one to charge in this instance; except an 80-year old woman who has a 20% interest in the property. It was not feasible to waste more time to go to court for this case. Mrs. Ralph commented the point being that this project will use a hefty amount of the \$5,000 budgeted for this purpose and this did set a precedence. We hope to get our money back but there is a cost associated with this.

Mr. Thompson stated he took Mr. Clay around his new district and he would be doing the same with Mr. Bracey soon. If any of the other Board members wanted him to drive them around just let him know.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen came forward and stated when the State talks about budget cuts what that usually means is more local money. One thing on the table is to consolidate some of the local Social Services Departments. It was in Governor Gilmore's budget. She commented that this issue came up about 12 years ago. In that scenario our County was consolidated with 9 other localities. Because of many things and a lot of opposition from local jurisdictions it failed. It has gotten put back as an issue again. Mrs. McElveen stated she just wanted the Board to be aware of it and if it stays there, she would come back to the Board for a formal response for that issue. There is one local budget increase in the Comprehensive Services Act from 33.58% to 50% and it would be a significant amount. Mrs. Ralph stated VACo was working on those issues and we have provided information to them. She asked Mrs. McElveen if anything comes up to let us know.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Dr. Leland Wise, Jr., Superintendent of Schools, came forward and stated he wanted to thank the road crews for their help during the inclement weather. He thanked the fire department for taking care of the fire across from his house on Wilkinson Road. The situation could have been very bad but they did a good job curtailing the blaze.

Dr. Wise stated he would be getting the material for the school budget shortly to the Board. Governor Warner will be sending his budget out on Tuesday with his modifications and hopefully it won't be much of a change. We will try to keep you apprised and go over everything with you in the budget. There is still a shortage of school bus drivers.

Mr. Haraway asked how the daily student count is compared to what was budgeted. Dr. Wise replied it is 40 to 80 above the budget. The growth is in the Middle School.

Mrs. Ralph commented the Governors budget is contemplating some big budget cuts in construction funds and we would need to take a close look at that.

Mr. Bracey stated several months ago he asked Dr. Worner when the school projects were going to be closed and he did not have an answer yet. Dr.

Wise reported the projects were close to being completed. There are a couple of problems with molds behind some of the wood. It is difficult to locate black mold, but we want to make certain it is taken care of before we close the projects.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, stated he had provided the Board with his December monthly report.

Mr. Haraway stated most Recreation facilities have a picnic pavilion and a lot of businesses rent them. He asked if we were considering one for our center. Mr. Smith stated there is one in the CIP.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward to present his report for December 2001. At the last meeting the Board asked me to check on the 3-phase power at the Rohoic site. We contacted Dominion Power. The cost ranges from \$15,000 to \$20,000 to bring power to Rohoic. He stated he was continuing to work on a remedy by attempting to reduce the load on the systems with some electrical protections as well as procedural changes.

Mr. Haraway stated he received a lot compliments on how nice the workers are at the Rohoic site by helping the ladies unload their trash. He commented that going to a manned site there is one of the best things the County has done.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his December 2001 update. He also complimented VDOT, Mr. King, and Mr. Faison for keeping the roads clear and traffic moving smoothly during the snow.

Mr. Jolly stated Namozine was going to have a dedication on February 3, 2002 at 2:30 P.M., for the new aerial truck and to recognize the Volunteers who served their country on September 11, 2001. He told the Board they would be getting their invitations in the mail.

IN RE: REQUEST TO ATTEND STATE FIRE CHIEF'S CONFERENCE – DIRECTOR OF PUBLIC SAFETY

Mr. Jolly requested authorization to attend the State Fire Chief's Conference in Virginia Beach on February 20-24, 2002 at a cost not to exceed \$587.00. The conference was budgeted for and funds are available.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Public Safety Officer to attend the State Fire Chief's Conference in Virginia Beach on February 20-24, 2002, at a cost not to exceed \$587.00.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Jack Catlett, County Attorney, came before the Board stating he had nothing to report.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and he stated he provided his monthly update for December 2001 in the Board packages.

IN RE: REVIEW OF BIDS -- CHAIRS FOR ADMINISTRATION BUILDING

Mr. Faison stated he received the following bids for 24 chairs for the Administrative Offices and Board Room as listed below:

COMPANY	PER EACH	COST
TRI-CITY OFFICE PRODUCTS	\$155	\$3,720
QUILL'S FURNITURE DEPT	\$235.49 + S&H	\$5,806.46
A. P THINGS & INC.	\$288	\$6,912
NATIONAL BUSINESS FURN	\$212.43 + S&H	\$5,598

Mr. Faison reported he was ready to make a recommendation to proceed with the purchase of the chairs from Tri-City Office Products but learned the fabric on the show and tell chair was not holding up. The fabric is already beginning to fray according to Mrs. Townsend who has been trying out the chair. Mr. Faison stated he was going to continue his search at this time.

IN RE: AUTHORIZATION TO PROCEED WITH RENOVATIONS OF JAIL

Mr. Faison, Buildings and Grounds Superintendent, reported that he had received the project prices for the Jail. They are as listed below:

COST ESTIMATES

COMPANY

M. P. BRADEN & SONS	\$43,851 (Porter Paint Products)	1% VOC
CLAYTOR CREATIONS	\$47,375 (Porter Paint Products)	1% VOC
NPB PAINTING SERVICES	\$49,800 (Porter Paint Products)	1% VOC
MATNEY, INC.	\$44,514 (Perma Coat 3000)	0% VOC

VOC=VOLATILE ORGANIC COMPOUND

Mr. Faison stated the following is a list of costs in addition to the above prices, which are associated with the renovations needed at the facility:

Relocating Inmates	\$20,000
Removing Old Heating Pipes	\$ 5,000 plus or minus
Removing Electrical Conduit & Light Fixtures	\$ 5,000 plus or minus

He requested authorization to proceed forward with the project with the additional costs associated with the renovations. He recommended the contract be awarded to Matney, Inc.

The Board questioned Mr. Faison about the Perma Coat 3000 product being as good as the Porter Paint Products. He replied that the warranty was better because the Porter Paint Products required that the concrete be completely dry before applying it or the warranty is void. A test would have to be performed to determine the amount of moisture in the concrete. If the moisture exceeded 12% the concrete would have to have a sealer applied to it before the

product could be applied. But the Perma Coat 3000 product can be put on a damp floor and it has a 1-year warranty regardless.

Mr. Faison also pointed out that if we went with the Perma Coat 3000 product it could shorten the time frame for the work by 2 weeks. We would realize a cost savings for inmate care at another facility.

The Board concurred that they felt it is the Sheriff's responsibility to take care of the other cost. Mrs. Ralph stated she had advised the Sheriff he would be responsible for the additional cost out of his existing budget.

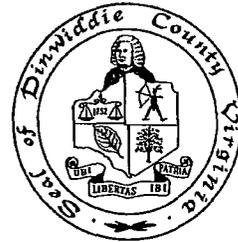
Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Buildings and Grounds Superintendent to award the contract to Matney, Inc., to proceed with the jail project at a cost not to exceed \$44,514.

IN RE: RESOLUTION – DR. CHARLES C. ASHBY, SR.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following resolution is adopted.



Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

JANUARY 16, 2002

IN RECOGNITION OF

DR. CHARLES C. ASHBY, SR.

WHEREAS, Dr. Charles C. Ashby, Sr., has served as a physician, counselor and friend of the citizens of Dinwiddie County, Virginia for 42 years; and

WHEREAS, Dr. Ashby is a Graduate of Waverly High School, Hampden Sydney College, and the Medical College of Virginia Medical School. He also served his internship at Mercy Hospital, Springfield, Ohio and was a Flight Surgeon for two years in the United States Air Force; and

WHEREAS, Dr. Ashby married Martha Thomlinson on August 20, 1952 and is the proud Father of four and Grandfather of eight; and

WHEREAS, Dr. Ashby has been very civic minded; serving as a Member and past Master of the Dinwiddie Masonic Lodge, Member and past President of the Dinwiddie Ruritan Club, Active member of Smyrna Baptist Church, where he teaches Sunday School and serves as Chairman of the Board of Deacons; and

WHEREAS, Dr. Ashby was active on the Hospital Staff at Southside Regional Medical Center from 1959 –1996; and

WHEREAS, Dr. Ashby started his outstanding career in Dinwiddie County as a Physician in September of 1959; he was the Medical Examiner in the County from 1959 – 2001; he also served on the Dinwiddie County School Board from 1978 - 1990; and

WHEREAS, Dr. Ashby has touched the lives of many in a kind and loving way; and his service to his fellow man is a radiant and shining example for our youth to follow.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia on this 16th day of January 2002 desires to express their appreciation to Dr. Charles C. Ashby, Sr., for his outstanding dedication, loyalty and service to Dinwiddie County and wishes him much happiness and fulfillment as he enters his new endeavors in life; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Dr. Ashby, and a copy spread upon the minutes of this meeting.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Ralph stated the draft letter on the appointments was enclosed in their packets. If there aren't any changes, we will send that letter out to all the citizens who serve on the various boards, committees, commissions, and authorities. The list of all the reappointments due for December, January and February was also included for review.
2. Revenue Recovery is presently scheduled to come back to the Board in February. Mrs. Ralph suggested postponing that until March 6 because the agenda for the February meeting is rather full. Staff strongly suggests that the Board consider the subscription program for Revenue Recovery along with a sliding scale for those who cannot pay. This will also provide staff with sufficient time to research both of these issues and provide you with our recommendations; if that is agreeable with the Board. The Board agreed.
3. Mrs. Ralph remarked, just to let the public know, at our earlier meeting, Staff was authorized to negotiate with the low bidder on the Public Safety Building and come back to the Board with those negotiations to see how far down we can go for the renovations on the Old Company One Volunteer Fire Station.
4. The last item is the budget situation. Our schedule set the 28th of this month to have a draft budget to you and we are not going to be able to have it to you. We have not received the new Governor's budget nor do we have any revenue projections yet from the Commissioner. Staff will be meeting with the Department Heads and Superintendent within the next two weeks to review their budgets and probably have a draft budget by the second week in February. She asked the Board when they would like to meet to go over the budgets. The Board agreed to meet one day once the initial meetings are finished. Mrs. Ralph commented she would arrange a list and let them know.
5. Mrs, Ralph stated the 2002 Legislative Day meeting is going to be held at the Marriott in Richmond on January 31 at 11:00 A.M. I will be attending to pick up the literature and if any of you would like to attend please inform us. Mr. Moody and Mr. Bowman stated they would attend the meeting.

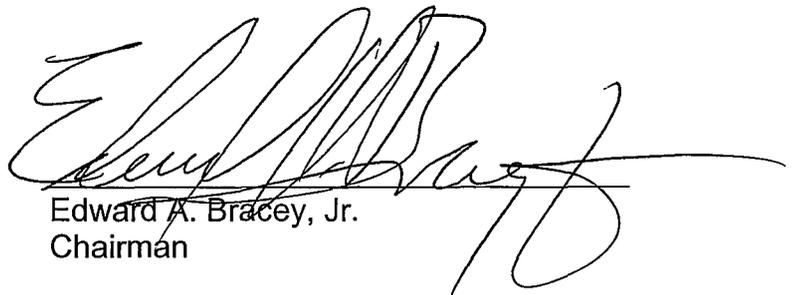
6. Mrs. Ralph informed the Board that the Department of Environmental Quality sent a letter requesting any comments you might have on the environmental impact review for the Lake Chesdin Boat Storage Facility. The purpose of the proposed project is to provide Law Enforcement personnel (who utilize watercraft in their duties) with an administrative facility to store, secure, and maintain watercraft. The proposed on the water covered storage enables quick response and provides secure, adequate and accessible boat storage on Lake Chesdin. The State code requires each state agency to prepare a report for any construction or acquisition for construction project that exceeds \$100,000. In order for them to complete their comments in a timely manner the County must send their comments to DEQ by February 4, 2002.

IN RE: BOARD MEMBER COMMENTS

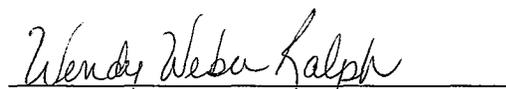
Mr. Clay	No Comments
Mr. Haraway	No Comments
Mr. Moody	No Comments
Mr. Bowman	No Comments
Mr. Bracey	No Comments

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 4:06 P.M. to be continued until 7:00 P.M. on Wednesday, January 23, 2002 in the Multi-purpose Room of the Pamplin Administration Building.



Edward A. Bracey, Jr.
Chairman



Wendy Weber Ralph
Interim County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 23RD DAY OF JANUARY, 2002, AT 7:00 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

Mr. Edward A. Bracey, Jr., Chairman, called the continuation meeting to order at 7:00 P.M.

IN RE: AMENDMENTS TO THE AGENDA

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Moody Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the agenda was amended to add: Review of Negotiations – Public Safety Building and County Administrator Comments.

IN RE: PUBLIC SAFETY BUILDING – AWARD OF CONTRACT

Mr. Donald Faison, Buildings and Grounds Superintendent, presented the Board with the minutes from the meeting on January 17, 2002 with the contractor, which included a list of suggested changes or options for the Public Safety Building. He reported he met again this morning and as a result of the meeting, the contractor is proposing to reduce the cost of this bid by \$10,410, which is a 5% discount.

Mr. Faison advised the Board that the second bathroom is a requirement by the ADA because of the possible use of the building and occupancy load requirement and can't be deleted. Some of the Board members expressed opposition to having to have the second bathroom. The County Attorney, Ms. Phyllis Katz, clarified that this is a government building and we have to comply with ADA requirements.

Continuing, Mr. Faison stated at first we felt we would have some credit due to items, which were originally suggested by the contractor. At the meeting this morning, the contractor withdrew those items from the bid price.

After a lengthy discussion about how the negotiated price was reached, Mr. Faison recommended that we enter into a contract with Specialty Mechanical Company, LLC for the original base bid for \$208,200 and issue change order one (1) in the amount of a credit of \$10,410. With a net cost of \$197,790.

Mr. Haraway moved to approve \$197,790 for the Public Safety Building with the understanding that the classroom will be used for office space, if needed, by Administration or the Social Services Department; it is not dedicated to Public Safety.

The motion was seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye",

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby authorizes the Buildings and Grounds Superintendent to enter into a contract with Specialty Mechanical Co., in the amount of \$208,200, with

the changes as presented and the above stipulations, for the renovation of the Old DVFD building; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorizes Change Order Number One (1) for a credit in the amount of \$10, 410, which is a 5% discount.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. HB1212 - Wendy Ralph, Interim County Administrator, advised the Board that she thought the Committee on Counties, Cities and Towns would be hearing HB1212 on Wednesday, January 30, 2002 at 8:00 A.M. When this is confirmed, she will let the Board know.
2. Mrs. Ralph showed the Board copies of a picture of the Historic Courthouse taken by Mr. Tom Van Pelt. The Board instructed her to get prices on a 13X19 picture for the Courthouse and a smaller size (8X10) for individual use.
3. Mrs. Ralph distributed a draft copy of a Certificate of Appreciation for the volunteers, which the Board members approved.

IN RE: CLOSED SESSION

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

- **Personnel Matters, § 2.2-3711 A.1, of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Administrative Staff, Appointments and Code Compliance.

Mr. Bowman seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 7:45 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 9:55 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, for the purpose of Personnel – Administrative Staff and Appointments

And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

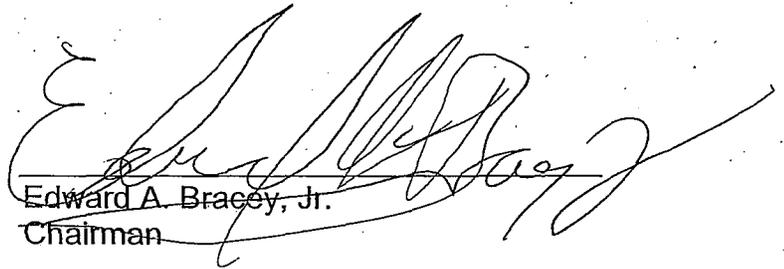
Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

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

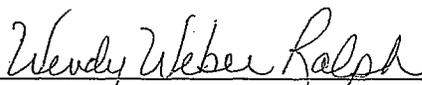
IN RE: ADJOURNMENT

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

adjourned at 9:58 P.M. to be continued until Wednesday, January 30, 2002, at 5:00 P.M., in the Multi-purpose Room of the Administration Building.



Edward A. Bracey, Jr.
Chairman



Wendy Weber Ralph
Interim County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 30th DAY OF JANUARY, 2002, AT 5:00 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

Mr. Edward A. Bracey, Jr., Chairman, called the continuation meeting to order at 5:06 P.M.

IN RE: AMENDMENTS TO THE AGENDA

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Moody Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the agenda was amended to add: Discussion of Proposed Dog Restrictions and Draft Press Release – Communications Center.

IN RE: DISCUSSION OF PROPOSED DOG RESTRICTIONS

Mr. Guy Scheid, Director of Planning, stated the Animal Control Department is responsible for the enforcement of the proposed ordinance limiting the number of dogs in residential areas. The Planning Department will assist with zoning issues and parcel identification.

Legal Counsel raised some issues concerning the ordinance including the health, safety, and welfare of citizens; Grandfathering dogs licensed by a particular date; keeping dogs in doors; and kennel licenses.

IN RE: RECESS - DINNER

The Board recessed for dinner at 5:43 P.M. and reconvened at 6:20 P.M.

IN RE: CLOSED SESSION

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

- **Personnel Matters, § 2.2-3711 A.1, of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Administrative Staff

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 6:20 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 9:40 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, for the purpose of Personnel – Administrative Staff

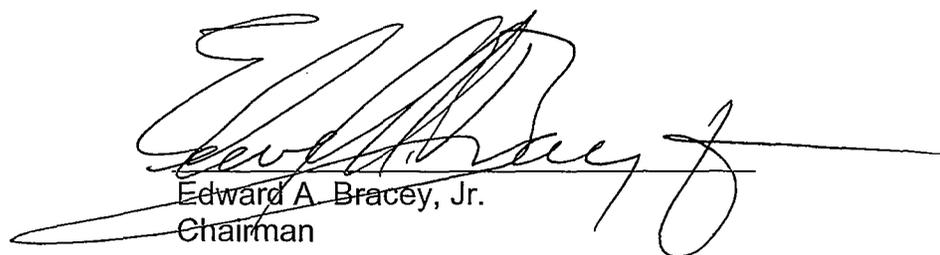
And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

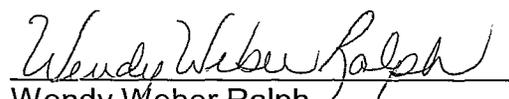
Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 9:41 P.M. to be continued until Wednesday, February 6, 2002, at 5:00 P.M., in the Multi-purpose Room of the Administration Building.


Edward A. Bracey, Jr.
Chairman


Wendy Weber Ralph
Interim County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 6TH DAY OF FEBRUARY, 2002, AT 5:00 P.M.

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

OTHER:	PHYLLIS KATZ	COUNTY ATTORNEY
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Mr. Edward A. Bracey, Jr., Chairman, called the continuation meeting to order at 5:00 P.M.

IN RE: RECESS - DINNER

The Board recessed for dinner at 5:00 P.M. and reconvened at 5:40 P.M.

IN RE: CLOSED SESSION

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

- **Personnel Matters, § 2.2-3711 A.1, of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Administrative Staff; Appointments; Public Safety
- **Real Property - §2.2-3711 A. 3 of the Code of Virginia**
Acquisition of real property for public purpose OR the disposition of government owned property where public discussion would jeopardize the County's or Town's bargaining or negotiating position. Acquisition of Property – Industrial Site

Mr. Moody seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 5:40 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:21 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, for the purpose of Personnel – Administrative Staff; Appointments; and Public Safety and Real Property - §2.2-3711 A. 3 of the Code of Virginia for Acquisition of Property – Industrial Site

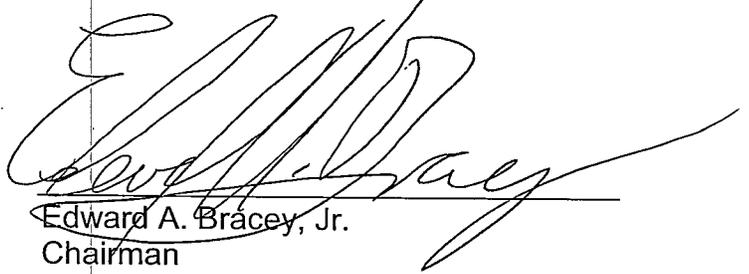
And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

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

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 7:24 P.M.



Edward A. Bracey, Jr.
Chairman



Wendy Weber Ralph
Interim County Administrator

/abr

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 6TH DAY OF FEBRUARY, 2002, AT 7:30 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., called the regular meeting to order at 7:30 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the January 16, 2002 Continuation Meeting, January 16, 2002 Regular Meeting and the January 23, 2002 Continuation Meeting are approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Bracey 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 1029083 through 1029304 (void check(s) numbered 1029084, 1029007, 1029050 and 1029169) for:

Accounts Payable:

(101) General Fund	\$ 156,793.38
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 1,294.50
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$ 4,508.00
(229) Forfeited Asset Sharing	\$ 415.81
(304) CDBG Grant Fund	\$.00
(305) Capital Projects Fund	\$ 19,897.71
(401) County Debt Service	\$ 14,012.50

TOTAL \$ 192,912.90

PAYROLL 01/31/02

(101) General Fund	\$ 388,557.49
(222) E911 Fund	\$.00
(304) CDBG Fund	\$ 3,390.42

TOTAL **\$ 405,957.41**

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting.

The following citizens came forward to address the Board:

- (1) Mrs. Anne Scarborough came forward requesting explanations about the following issues:
 - a. County policy for County tax dollars paying for room service.
 - b. County policy on reporting information when people attend courses, conventions (VACo) etc... What the Citizens get for taxes spent and cost of employees being away from their offices.
 - c. \$3,000,000 more revenue than anticipated by the County – have any of the funds been spent; if so, for what?
- (2) Mr. George Whitman appeared before the Board questioning:
 - d. Why there was only 1 Redistricting Map for the County, which he had seen on the wall in the Planning Department. Were there any available to the citizens. Do the Board Members know where the districts are? Why the Citizens didn't get to have any input in the process. Mrs. Ralph responded that the Redistricting Plan has not been approved by the Justice Department yet. Mr. Scheid reported that the maps were made available to the Citizens. The Districts were also advertised in the newspapers before the Public Hearing was held.
 - e. Legal firm – Do they represent the County or the Citizens. When do the Citizens get the opportunity to talk to them?
 - f. When was the Comprehensive Land Use Plan approved by the Advisory Committee? He was a member of the committee and he stated he did not recall them approving the Plan.

- (2) Robert Langford, 6005 Trinity Church Road, Church Road, Virginia came forward asking the Board when the County was going to come up to standards and provide public parks for our children. Mr. Bracey asked Staff to have Mr. Smith, Director of Parks and Recreation, get in touch with Mr. Langford.

There being no additional names Mr. Bracey closed the Citizen Comments and moved forward.

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

Mr. David S. Thompson, Senior Planner/ Zoning Administrator, came forward to make the following statement prior to the Public Hearings.

"As previously requested by the Board of Supervisors, Draft copies of the Planning Commission Meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting room. The purpose of doing so is to expedite the hearing process without compromising the publics' access to pertinent information. It is noted that the Board has been given various information on all of the hearing(s) to include, the application, zoning map, adjacent property owner list, locational map(s), proffers

(if applicable), soils data, comprehensive land use maps and references, etc. With this information noted, I will proceed with the case(s).”

**IN RE: PUBLIC HEARING – A-02-1 – CODE AMENDMENT –
LIMITING NUMBER OF DOGS IN RESIDENTIAL ZONING
DISTRICTS ON PLATTED SUBDIVISION LOTS**

This being the time and place as advertised in the Dinwiddie Monitor on January 23, 2002 and January 30, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on an amendment to Article II of Chapter 4, Section 24 of the Code of Dinwiddie County relating to the number of dogs in a residential area.

Mr. Thompson read excerpts from the following Summary Staff Report on A-02-1:

PLANNING DEPARTMENT STAFF REPORT

TO: BOARD OF SUPERVISORS
FROM: PLANNING DEPARTMENT
**SUBJECT: CODE AMENDMENT – NUMBER OF DOGS IN RESIDENTIAL
ZONING DISTRICTS ON PLATTED SUBDIVISION LOTS**
DATE: JANUARY 31, 2002

The attached ordinance is submitted to the Board as the result of a situation that occurred this past summer as well as other complaints of a similar nature called into our office. Obviously, the Animal Control Officer and the Sheriff's Department receive many more calls than the Planning Department on this matter. The Planning Department was requested by Administration to research this subject and prepare an ordinance that would address the situation. Staff has reviewed ordinances prepared by other political jurisdictions within Central Virginia. Many of these jurisdictions have ordinances that control the number and/or location of dogs within their boundaries. This ordinance reflects much of what other jurisdictions have adopted regarding dogs within residential subdivisions. Some ordinances are more restrictive but staff concluded that the ordinance proposed to the Board is more suited for Dinwiddie County. It must be stated clearly that the proposed ordinance will affect only the residential zoning districts of the County (not the Agricultural areas which comprise approximately 60% of the land area) and only those lots that are contained within a recorded residential subdivision. Additionally, it will allow up to 3 dogs on an individual residential lot within a recorded residential subdivision.

Mr. Thompson distributed statistics he gathered from other localities that have ordinances limiting the number of dogs allowed on lots and calls answered by the Animal Control Department in 2000 and 2001. There was a lengthy discussion regarding these issues.

Mr. Bracey opened the Public Hearing.

The following citizens came forward to address the Board in support of the Ordinance during the Public Hearing on A-02-1:

- i. Betty Bowen, 5110 Sterling Road, Petersburg, Virginia, stated her contention was the number of dogs per lot size but she was in favor of the ordinance.
- ii. Rebecca Crumpler, 24017 Fieldshire Drive, Petersburg, Virginia, came before the Board and voiced her concerns about: noise, odors, and the safety of children and adults. She presented the Board with pictures of her neighbor's yard with 14 Pit Bull dogs in it. Mrs. Crumpler commented she could not allow her daughter to play in her yard because she feared for her safety.

- iii. Myrna Eley 5109 Sterling Road, Petersburg, Virginia commented she was in favor of the ordinance but it needed to be spelled out more clearly.
- iv. Linda Slaughter, Petersburg, Virginia, stated her granddaughter couldn't play outside because of the situation with the Pit Bulls mentioned by her daughter Ms. Crumpler. She told the Board on several occasions the dogs had gotten out of the fenced yard but nothing was done about it. I fear for the safety of my granddaughter she stated.
- v. Millie Anderson Mulder, 5115 Sterling Road, Petersburg, Virginia, stated she supported limiting the number of dogs to 3 in a residential area.

The following citizens came forward to address the Board in opposition to the Ordinance during the Public Hearing on A-02-1:

1. Dwayne Person, 3900 Shoreview Drive, Sutherland, Virginia, came forward opposing the ordinance because he felt it is not the number of dogs that is the problem, it is the irresponsible owner. He commented the ordinance we have is not being enforced. He asked the Board to table this ordinance or disapprove it.
2. John Talmage, 5819 Lewis Road, Petersburg, Virginia, stated the ordinance is too restrictive for property owners. He commented the lot size, how much land you have; how the animals are kept; and whether or not the animal is vicious; should be considered.
3. William Haney, 3615 Shoreview Drive, Sutherland, Virginia, came forward commenting that he hunts, owns, and raises Bird Dogs. He opposed the ordinance because he felt it was being used to address the problem in Mansfield where the owner is breeding Pit Bull dogs. There are laws already on the books to prohibit dogs running loose, and not under the control of the owner. If an owner is irresponsible there are laws already on the books to take care of those problems. This ordinance will not solve the number of complaints you receive.
4. Betty Haney, 3615 Shoreview Drive, Sutherland, Virginia, stated there is too much variance in lot sizes in the subdivisions in the County to limit the number to 3. The County already has existing laws to deal with illegal kennels, leash laws and licenses requirements. She commented this is not the right ordinance.
5. Joseph Brooks, 4814 Olgers Road, Sutherland, Virginia, stated hold the owners responsible. Don't punish all the citizens because a few people aren't doing what they should. Dogs are special to people and if you start telling us how many we can have, what else are you going to limit.
6. Bryant Wray, 8915 Northwood Drive, Petersburg, Virginia, opposed the ordinance and commented the responsibility of the dog is the owner.
7. Tom Prince, Sutherland, Virginia, told the Board they were trying to pass an ordinance that will affect 100% of the people. However, he felt just a small percentage of the Citizens are not being responsible animal owners.

Mr. Bracey closed Public Hearing A-02-1.

Mr. Haraway asked Sheriff Shands if there were laws on the books to take care of the situation and help this lady who lives next door to these Pit Bulls, before anyone gets hurt. Mr. Shands responded yes. He commented he didn't feel a person had to wait until someone was hurt before something could be done. He said he would send an officer to talk to them tomorrow. If that didn't help, then a warrant could be issued and the Judge would make the decision as to what would or could be done about the situation.

Mr. Bowman commented he didn't feel we have a law to enforce situations like this. He asked Mr. Steve Beville, Animal Warden, if he had contacted the owner about the situation. He replied he had not talked to him personally but he left a note on his door about the dogs running loose about a year ago. He stated he had not caught the dogs off the property yet. Mr. Beville stated, with the present ordinance in place, he could not do anything unless he saw the dogs outside of the yard or if the dog attacked someone.

Mr. Bracey stated the dog owners have to be held responsible for their animals.

Mr. Beville stated 3 dogs on a small lot less than an acre was enough.

Mr. Clay made a motion to postpone action on this ordinance.

Mr. Thompson commented he has responded to complaints in subdivisions about the number of dogs a person could have. The first thing they ask is how many can I have? The County needs an ordinance that limits the number of dogs allowed depending on the size of the lot.

Mr. Bowman commented he is concerned that the present ordinance is not sufficient enough to protect the citizens in situations where there are vicious or threatening animals. He commented that there are restrictions in the County on the number of chickens, cows, horses, and hogs a household could have and this ordinance is no different.

The Motion was seconded by Mr. Moody, Mr. Moody, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye", action on A-02-1 was postponed.

Mr. Bowman asked the Citizens who were having problems to get with the Sheriff to see if anything could be done.

IN RE: RECESS

Mr. Bracey called for a recess at 8:55 P.M. The meeting reconvened at 9:07 P.M.

**IN RE: PUBLIC HEARING – A-01-9 AMENDMENT –
STORAGE OF INOPERATIVE VEHICLES**

This being the time and place as advertised in the Dinwiddie Monitor on January 23, 2002 and January 30, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on an amendment to Chapter 15 of the Code of Dinwiddie County. The amendment clarifies the number and conditions under which inoperative vehicles may be kept upon property zoned for agricultural or residential purposes.

Mr. Thompson read excerpts from the following Summary Staff Report on A-01-9:

PLANNING DEPARTMENT STAFF REPORT

TO: BOARD OF SUPERVISORS
FROM: PLANNING DEPARTMENT
SUBJECT: CODE AMENDMENT – STORAGE OF INOPERATIVE VEHICLES
DATE: JANUARY 31, 2002

The attached ordinance is submitted to the Board in order to clarify an existing ordinance. The Code Compliance Officer within the Planning Department is enforcing this Code and some confusion arises with citizens with the existing language. Reference must be made to other sections of the County Code (ie definition of automobile graveyard, permitted uses within zoning districts, etc.) in order to properly cite the basis of the violation. This amendment essentially codifies the other sections into one section that can be easily read and referenced. Additionally, the term "inoperative motor vehicle" is defined in such a way as to eliminate debating the current "status" of a vehicle.

Mr. Haraway asked if a cover over the vehicle would qualify as screening? Mr. Thompson replied no. The vehicle has to be completely covered.

Mr. Bracey stated this is a Public Hearing and asked if any citizens wished to speak for or against A-01-9.

Mr. George Whitman came before the Board and stated the County needs to do more studies before passing all these ordinances. If the County continues to take privileges away from the Citizens there are going to be a lot more problems.

Mr. Bracey closed the Public Hearing for A-01-9.

Mr. Haraway stated, be it resolved, that in order to assure compliance with the Virginia Code Section 15.2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good fiscal practice. I move that zoning ordinance amendment A-01-9 be approved.

The motion was seconded by Mr. Moody, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", Mr. Clay, voting "Nay",

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF DINWIDDIE, VIRGINIA, AS AMENDED, BY AMENDING SECTION 15-4 OF CHAPTER 15 RELATING TO THE STORAGE OF INOPERATIVE VEHICLES

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of the County of Dinwiddie, that Section 15-4 of the Code of the County of Dinwiddie, Virginia, as amended, be amended by deleting and/or adding text to the existing Section 15-4 as follows:

Section 15-4. Open storage of inoperative vehicles on residential property.

- (1) It shall be unlawful and a Class 1 misdemeanor for any person to keep, on any property zoned for agricultural or residential purposes, any motor vehicle, trailer or semi-trailer, as such as defined in section 46.1-1 of the Code of Virginia, which is inoperative, except that:
- a. Such vehicles may be kept within a fully enclosed building; ~~and~~
 - b. A maximum of two (2) such vehicles to be restored may be stored upon the property zoned for residential purposes, if they are screened from public view by a suitable fence, vegetation or a combination thereof; and
 - c. A maximum of five (5) such vehicles may be stored upon property zoned for agricultural purposes, if they are screened

from public view by a suitable fence, vegetation or a combination thereof.

- (2) As used in this section, the term "inoperative motor vehicle" shall mean any motor vehicle which is not in operating condition or which, for a period of ninety (90) days or longer, has been partially or totally disassembled by removal of tires and wheels, the engine or other essential parts required for operation of the vehicle; or on which there are displayed neither valid license plates nor a valid inspection decal.
- (3) Remains the same.
- (4) In the event the owner of the residential property fails to comply with a notice given pursuant to subsection (c) above, the county, through its own agents or employees, may remove the inoperative motor vehicle, trailer or semi-trailer. The County may dispose of the motor vehicle, trailer or semi-trailer so removed, after giving fifteen (15) days notice to the owner of the vehicle.
- (5) Remains the same.

(NOTE: The language that is underlined and in italics is the proposed additions to Section 15-4 of the County Code, and the language that is ~~struck through~~ are the proposed deletions from Section 15-4. The authority for the proposed amendments is found in the Code of Virginia, Section 15.2-904.)

This ordinance shall become effective upon the date of adoption by the Board of Supervisors and in all other respects said Chapter 15 shall remain in full force and effect.

IN RE: PUBLIC HEARING – P-01-6 – NOTTOWAY LUMBER COMPANY – REZONING REQUEST

This being the time and place as advertised in the Dinwiddie Monitor on January 23, 2002 and January 30, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment for a rezoning application submitted by George Ragsdale on behalf of Nottoway Lumber Company. Mr. George Ragsdale, is seeking to change the district classification of a portion of Tax Map/Parcel 18-32 A containing approximately 37.4 + acres from Agricultural General District A-2 to residential, rural RR-1.

Mr. Scheid read excerpts from the following Summary Staff Report on A-01-9:

Planning Summary Report

File:	P-01-6
Applicant:	Nottoway Lumber Co. (George Ragsdale)
Property Address:	Tranquility Lane, Church Road area
Magisterial District:	Namozine
Acreage:	40 Acres
Tax Map Parcel:	18-32A
Zoning:	Agricultural, general A-2
Water Source:	On-Site
Sewer Disposal:	On-Site

The applicant, Nottoway Lumber Company, is seeking to rezone tax parcel 18-32A containing 40 acres from agricultural, general A-2 to residential, rural RR-1 in order to provide eight (8) single family residential lots for development purposes. Under the current ordinance, the maximum number of parcels under 20 acres have been subdivided from the original parcel. The property has considerable road frontage on Tranquility Road and Bobcat Road. It is noted that Bobcat Road is not hard surfaced. The parcel is located in the Rural

Conservation Area as defined by the Comprehensive Land Use Plan. There are many homesites in this area. The general land uses found in this area are timber production and large residential lots. The applicant has offered proffers if the rezoning is granted. The original rezoning case was reviewed by the Planning Commission (P-00-3) in November 2000 and by the Board of Supervisors in January 2001. The rezoning request was disapproved.

Since the initial review of this case, the Advisory Committee has developed the Comprehensive Land Use Plan update with the assistance of the Landmark Design Group. The proposed plan was introduced to the Planning Commission in November and December of 2001. The Planning Commission held a public hearing on the Comp Plan update on January 9, 2002 and unanimously voted to recommend adoption of the Plan to the Board of Supervisors. The Plan is pending review by the Board for final action. The Plan update amends the previous comprehensive land use plan in many ways. Of primary importance is the recognition that this area is now designated as an agricultural/residential growth area.

Mr. Ragsdale, owner of Nottoway Lumber, submitted a revised application for rezoning on this land in August 2001 and was scheduled for public hearing by the Planning Commission in September 2001. He decided to request a postponement of his request until the Planning Commission could review the updated Comprehensive Land Use proposal and its projected land use for this area. In view of the above, Mr. Ragsdale requested that the Planning Commission hear his request in January 2002. The Planning Commission heard the rezoning request, P-01-6, at their January 9th meeting. Mr. Ragsdale, the applicant, presented his request and reviewed the proffers, dated March 8, 2001, with amendment dated June 19, 2001. Upon conclusion of Mr. Ragsdale's comments, the Chairman opened the public hearing portion of the meeting. No one in attendance spoke in opposition to the request. The Chairman closed the public portion of the hearing and requested comments from the Commissioners. The Commissioners noted that growth in outlying areas must be monitored and this request was reviewed previously. In light of the revised comprehensive land use data and mapping, they believe the request for rezoning is now appropriate. Upon a vote of 7-0, the Planning Commission recommended to the Board of Supervisors that P-01-6 with proffers be approved.

Mr. Bracey opened the Public Hearing.

Mr. Bryant Wray spoke in opposition to the rezoning request. He stated Bob Cat Road is a dirt road and the dust is going to be bad once it is developed. He also expressed concern about the water in the wells in the area.

Mr. Bracey closed the Public Hearing.

Mr. Bracey called for a Motion.

Mr. Moody stated, be it resolved, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning case P-01-6 be approved with proffers accepted by reference as set forth in the attachment to the rezoning application.

The motion was seconded by Mr. Clay, Mr. Moody, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that rezoning request P-01-9, as stated above, is hereby approved, with the following proffers and conditions recommended by the Planning Commission.

(Copy of letter from Mr. George Ragsdale)

March 8, 2001

Nottoway Lumber Co., Inc.
P. O. Box 147
Blackstone, VA 23824

RE: Voluntary Proffers
Tax Map/Parcel #18/32A

- (1) The attached schematic shall become a part of the proffers and will be followed with the following noted:
 - a. Each lot shall have a minimum of 300' frontage as measured at the front property line adjacent to the State road;
 - b. Each lot, with the exception of lot #6, shall have front yard setback for all structures of 100' from the front property line or 125' from the centerline of the State road, whichever is greater;
 - c. Each lot, with the exception of lot #6, shall have a minimum side setback for the main structure of 35';
 - d. Each lot, with the exception of #6, shall have a minimum rear yard setback for the main structure of 100';
 - e. No lot shall be less than 3 acres.

- (2) The lots shall be used for private residential purposes only and no building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling, not to exceed two stories in height, a private garage and such other outbuilding needed as appurtenances to the residence.

- (3) The minimum living area of each single-family dwelling, exclusive of open porches, car ports, decks and garages, shall be as follows:
 - a. For one story dwellings One Thousand Five Hundred (1,500) square feet;
 - b. For two story dwellings One Thousand Seven Hundred and Fifty (1,750) square feet.
 - c. For one and one half Story dwellings One Thousand Seven Hundred Fifty (1,750) square feet.

- (4) **No Trailers or doublewides.**

- (5) No house trailers, mobile homes, modular homes, shacks, tents, or temporary dwellings of any kind whatsoever shall be erected, placed or maintained on the lot.

- (6) No noxious or offensive trade or activity shall be permitted or allowed to remain on the lot or portion thereof, and no use shall be made thereof which will constitute a nuisance or injure the value of the neighboring lands. No commercial operation of any kind will be allowed.

- (7) No cows, pigs, chickens or other animals that may be offensive or of any any announces or nuisance to the neighborhood shall be allowed, except that dogs, cats or other household pets totaling no more than three (3) may be kept, provided that they are not kept, bred, or maintained for any commercial purpose, and do not become offensive or any annoyance or nuisance to the neighborhood.

- (8) No dwelling or other above-grade structure may be placed or constructed within 100 feet of the western edge of State Route 628 (the "building set-back line").
- (9) No motor vehicles, including trailers, or "junk card" which do not have a valid inspection sticker or license to permit its operation upon the highways of the State of Virginia, shall be allowed to remain on the lot for longer than sixty (60) days, unless it is parked in a garage or enclosed carport. No motor vehicle shall at any time be worked on or overhauled on the premises except in the owners garage, and likewise, no motor vehicles shall at any time be worked on or overhauled on any street in said subdivision.
- (10) No fence shall be erected, placed or allowed to remain on the lot nearer to State Route 628 than the rear of the dwelling.
- (11) These covenants, restrictions, conditions, reservations and limitations are to run with the land and shall be binding on all parties and persons claiming under them and having any right title or interest in any of the lots, or any part thereof, until December 31, 2020, at which time they shall be automatically extended for successive periods of ten (10) years.
- (12) Should any covenant, restriction, condition, reservation or limitation herein contained, or any part thereof, be declared to be void, invalid, illegal or unenforceable, for any reason, by the judication of any court or other provision, or part thereof, of these covenants, restrictions, reservations and limitations, which are to be severable and which shall remain in full force and effect.

This conveyance is also made expressly subject to all conditions, restrictions, reservations, and/or easements of record or apparent on the ground to the extent that they may lawfully apply.

- (13) There will be a maximum of eight (8) residential lots developed and will be laid out in the manner shown on the schematic attached,
 (14) which is made a part of these proffers.

G. B. Ragsdale
 June 2001

IN RE: PUBLIC HEARING – C-01-8 – VOICE STREAM WIRELESS

This being the time and place as advertised in the Dinwiddie Monitor on January 23, 2002 and January 30, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment for a Conditional Use Permit from Voice Stream Wireless in order to extend the existing tower height of the communications tower located at 10613 Quaker Road from 220' to 236'.

File:	C-01-8
Applicant:	Voice Stream Wireless
Property Address:	10613 Quaker Road, Dinwiddie, VA 23841
Acreage:	Existing leased site
Tax Map Parcel:	33-33
Zoning:	Agricultural, general A-2

The applicant, Voice Stream Wireless, is seeking an amendment to Conditional Use Permit C-97-6 in order to extend the existing tower height of the communications tower located at 10613 Quaker Road from 220' to 236'. The additional tower height of 16' is needed so that Voice Stream may provide wireless communications in this area and connect their sites located to the north and south of this area. The property is owned by Warren and Nancy Bain and is

designated as tax parcel 33-33 by the Commissioner of the Revenue. Atlantic Technology Consultants reviewed this application and in their Report dated December 31, 2001 recommended approval of the request. Mr. Dave Ploeger of the Dinwiddie Airport commented on the proposal by stating that the extension of 16' above the existing tower height would not adversely affect future airport operations. He further stated that the tower must not be extended any higher than the requested 16 feet.

The Planning Commissioners reviewed this request at their January 9, 2002 public meeting. Representatives from Voice Stream Wireless and Atlantic Technology were present to review their information with the Commissioners. Discussions were held regarding structural strength of the tower, height restrictions relative to the Dinwiddie Airport and the existing lighting system on the tower. No one spoke in opposition to the request. Upon conclusion of the public hearing, the Planning Commissioners voted 7-0 to recommend approval of C-01-8 with conditions in addition to those noted in C-97-6.

Mr. Bracey commented that the tower on Quaker Road is already a monstrosity. He asked Mr. Scheid if there were conditions set forth for approval of the permit that required the owner to plant shrubs around the base of the tower. Mr. Scheid replied yes. He stated there had been shrubs planted there on several occasions but the plants had not been taken care of and died. He asked Mr. Nathan Holland representing Voice Stream Wireless if he would comment about this issue.

Mr. Holland stated if it is a condition to have the shrubs he would see that they are planted. Crown Castle is the owner of the tower and we have an agreement to place an antenna on the existing structure.

Mr. Clay stated be it resolved, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice I move that conditional use permit C-01-8 be approved with additional conditions to C-97-6 as noted below.

The motion was seconded by Mr. Moody, Mr. Moody, Mr. Haraway, Mr. Clay, Mr. Bowman, voting "Aye", Mr. Bracey voting "Nay",

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that rezoning request P-01-9, as stated above, is hereby approved, with the following conditions recommended by the Planning Commission.

1. An air hazard determination should be performed with a finding of "no hazard to air navigation" and "no obstruction in a terminal area" for the height proposed. The height of the structure shall be verified by a qualified individual, such as a licensed professional engineer;
2. The structural analysis indicates that the structure is capable of supporting the proposed loading, contingent upon certain structural upgrades and installation requirements. All structural recommendations shall be implemented and adhered without deviation unless authorized by a qualified professional and agreed to by the County Building Official;
3. FCC rules require that a RF exposure analysis be performed on the new antenna configuration. Based upon the results, appropriate signs must be posted and/or other actions taken pursuant to this requirement;
4. The tower owner must submit to the Planning Department by March 31st of each year the name of the tower owner, a contact person, a telephone number and a mailing address. In addition, the tower owner must submit a

listing of each service provider located on the site, the name of a current contact person, a telephone number and mailing address; and

5. The dual lighting system consisting of red light at night and flashing white light during the day shall continue but such lighting system shall be modified to use fresnel lenses designed to focus approximately 98% of the light generated towards the horizon and upward to minimize the amount of light visible from the ground.

**IN RE: RESOLUTION ADOPTING JOINT POWERS
ASSOCIATION AGREEMENT – TO FORMALIZE
COMMITTEE - VIRGINIA ENERGY PURCHASING
GOVERNMENTAL ASSOCIATION**

Mrs. Ralph stated in the past, the County has participated in the VML/VACo negotiation of power rates for localities, which has been very beneficial to us. With the deregulation of the electric power generation power market, localities will now have to competitively procure electric generation service. The Steering Committee conducted a pilot program in 2001 with a sampling of localities to procure service, which they feel was a success. They are now offering to be the vehicle to enable localities to jointly purchase electric power generation service. To do so, certain legal action must be taken to formalize the Committee, which will be called the Virginia Energy Purchasing Governmental Association (VEPGA). In turn, the County needs to: a. Adopt the Resolution Approving Joint powers Association Agreement b. Authorize the payment of the assessment c. Designate the County Administrator as the contact for information.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administration is authorized to pay the assessment in the amount of \$854.00; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby authorizes the County Administrator to be the designated contact for information; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following Resolution is hereby adopted.

RESOLUTION

Approving Joint Powers Association Agreement

WHEREAS, the VML/VACo Virginia Power Steering Committee (the "Committee"), composed of representatives of the Board of Supervisors of Dinwiddie County, Virginia and other local governments and political subdivisions of the Commonwealth, has for over several decades negotiated on behalf of such governmental units a standard form contract for their purchase of electricity supply and delivery service from Virginia Electric and Power Company ("Virginia Power") as a sole source provider; and

WHEREAS, political subdivisions of the Commonwealth of Virginia are authorized under Virginia law to exercise jointly powers that they otherwise are authorized to exercise independently, and the terms and conditions of such authorization are currently set forth in Sections 15.2-1300, et seq. of the Virginia Code (the "Joint Powers Act"); and

WHEREAS, the Virginia Electric Utility Restructuring Act (the "Restructuring Act") further authorizes municipalities and other political

subdivisions in the Commonwealth to aggregate their electricity supply requirements for the purpose of their joint purchase of such requirements from licensed suppliers, and the Restructuring Act provides that such aggregation shall not require licensure; and

WHEREAS, the Virginia Public Procurement Act (the "Procurement Act") exempts from its competitive sealed bidding and competitive negotiation requirements (the "Requirements") the joint procurement by public bodies, utilizing competitive principles, of electric utility services purchased through member associations under the conditions set forth in the Procurement Act; and

WHEREAS, the Committee recommends that the aggregation and procurement of electric supply, electric delivery, and other energy-related services ("Energy Services") be effectuated as provided in the Joint Powers Association Agreement, a copy of which is attached to and made part of this Resolution (the "Joint Powers Agreement"), in accordance with applicable provisions of the Procurement Act, such as the utilization of competitive principles pursuant to an exemption from the Requirements; and

WHEREAS, the Committee also recommends that the other services provided by the Committee to its members be effectuated as provided in the Joint Powers Agreement, with such services consisting of (i) assistance in implementing standard form contracts for the purchase of services from incumbent electricity utilities, (ii) education of members regarding electricity procurement issues, (iii) monitoring of legal and regulatory developments affecting the provision of electricity service to local governments, and (iv) hiring of consultants and legal counsel to assist in its provisions of the foregoing services ("Steering Committee Services").

WHEREAS, it appearing to the Board of Supervisors of Dinwiddie County, Virginia that the joint procurement of the Energy Services pursuant to the Joint Powers Agreement and the provision of Steering Committee Services pursuant to the Joint Powers Agreement is otherwise in the best interests of Dinwiddie County, Virginia

NOW, THEREFORE, BE IT HEREBY ORDAINED that:

- (1) Competitive sealed bidding and competitive negotiation for the procurement of Energy Services are not fiscally advantageous to the public because the procurement process for Energy Services must be flexible enough to respond to quickly changing market conditions in which energy prices can fluctuate considerably on a daily or even hourly basis.
- (2) The aggregation and joint procurement of the Energy Services pursuant to the Joint Powers Agreement is hereby approved.
- (3) The provision of Steering Committee Services pursuant to the Joint Powers Agreement is hereby approved.
- (4) The Joint Powers Agreement and the performance of the terms and conditions thereof on behalf of Dinwiddie County are hereby authorized and approved.
- (5) The Chairman of the Board of Supervisors is hereby authorized and directed to execute and deliver the Joint Powers Agreement on behalf of Dinwiddie County in substantially the form presented to this meeting.

- (6) The payment obligations of Dinwiddie County pursuant to the provisions hereof and the Joint Powers Agreement shall be subject to annual appropriation of requisite funds therefore by the Board of Supervisors of Dinwiddie County, Virginia.
- (7) This Resolution shall take effect immediately upon its adoption or passage.

It was pointed out that this action might need to be in the form of an ordinance. The County Attorney will research this and let the Board know.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Ralph commented that she spoke with Chuck Koutnik, Director, Appomattox Regional Library, concerning the issue of Library Services for Ft. Lee. That issue is not closed; they are monitoring the attendance and trying another day for the bookmobile to go to that area. The Library Board felt Ft. Lee is an important part of the community and a lot of the children attend Prince George Schools; therefore the decision was made to continue the service. Mr. Koutnik said he would keep the County updated on the progress.
2. Mrs. Ralph stated she would like to establish a date to meet with the School Board on their budget. She suggested having dinner on the 20th after the regular meeting. The Board agreed.
3. If you want to hold the Comprehensive Plan Workshop in February, we could come in early on the 20th for it before we meet at 2:00 P.M. The Board felt it would be too long of a day. Mrs. Ralph stated she would arrange another date.

IN RE: AUTHORIZATION TO HIRE – CODE ENFORCEMENT OFFICER – MR. PHILLIP HARRIS

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", authorization is granted for Administration to hire Mr. Phillip Harris as Code Enforcement Officer, at Grade 12, at an annual salary of \$31,420, effective February 25, 2002.

IN RE: AUTHORIZATION FOR SHERIFF'S DEPARTMENT TO REPLACE VACANT COUNTY POSITION – JAILOR

Sheriff Shands stated he had tested and interviewed eight applicants for (1) vacant County position. He requested authorization to place Mr. John Dorman on payroll effective February 10, 2002.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Sheriff is authorized to fill the vacant County Jailor position. Mr. John Dorman will be placed on the County payroll, effective February 10, 2002.

Mr. Bracey asked the Sheriff what was the name and type of test that is given for this type of a position. Sheriff Shands stated he would provide that information to him on Monday.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay He asked Mr. Faison to give a report on how the repairs are coming along at the Jail. Mr. Faison responded everything is going as planned and the repairs should be finished by the 28th.

Mr. Haraway He asked Mr. Faison if the restroom, which was damaged some time ago at the Courthouse, has been repaired. Mr. Faison replied no. Mr. Haraway requested that it be repaired. Mr. Moody asked Mr. Faison to talk with the Commonwealth Attorney about collecting for the repairs.

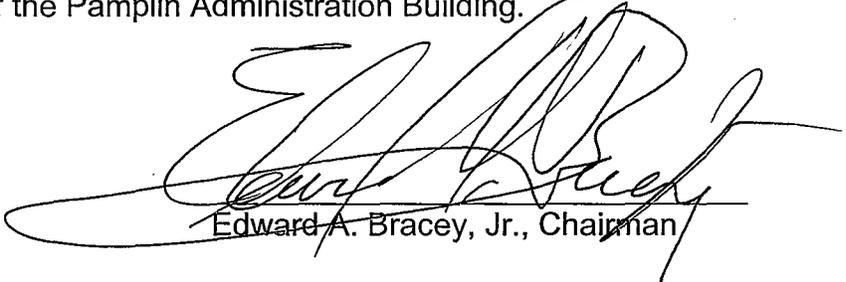
Mr. Bowman He stated he went to the dedication Namozine VFD had Sunday for the ladder truck and volunteers. He remarked that he would like to see the County use some of the \$3 million "surplus" funds to help pay off the loan the volunteers' signed for the truck.

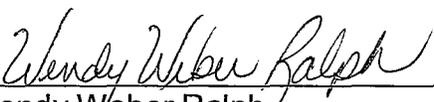
Mr. Moody He stated he had received an invitation to attend a driving tour on Friday, February 22, 2002 of the active mining and tailing operations as well as active reclamation areas from the management and staff of Iluka Resources Inc. He asked if any of the Board members or County Administrator would like to take the tour. Mr. Bracey, Mr. Bowman and Mr. Moody will attend.

Mr. Bracey He requested that Mrs. Ralph meet with Mr. Bowman to explain the \$3 million "surplus" in the budget from the last FY. Mrs. Ralph commented she intended to cover this on the 13th of February when the Board meets if that is ok with the Board. The Board also requested that Mrs. Ralph send a letter to the Commissioner to find out what the tax revenue the County is receiving from Iluka and Vulcan Minerals.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 10:13 P.M. to be continued until 8:30 A.M. on Wednesday, February 13, 2002 in the Multipurpose Room of the Pamplin Administration Building.


Edward A. Bracey, Jr., Chairman

ATTEST: 
Wendy Weber Ralph
Interim County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 13TH DAY OF FEBRUARY, 2002, AT 8:30 A.M.

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

Mr. Edward A. Bracey, Jr., Chairman, called the continuation meeting to order at 8:39 A.M.

IN RE: CLOSED SESSION

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

- **Personnel Matters, § 2.2-3711 A.1, of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Administrative Staff, and Public Safety

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 8:40 A.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:49 A.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, for the purpose of Personnel – Administrative Staff; and Public Safety

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

IN RE: DISCUSSION OF GRANTS

Wendy Weber Ralph, Interim County Administrator, stated the Board requested Staff to check on some companies who write grants and report to you. Ms. Cindy Timko, Secretary, Public Safety, contacted Capital Development Services about writing grants and she has some information to share with you.

Ms. Timko passed out copies from Capital Development Services to the Board. She commented that this agency primarily helps non-profit agencies obtain fund raising dollars and apply for grants. The fees for their services are based on an hourly rate plus expenses. Ms. Timko reported there is a directory on corporate and foundation giving for grant seekers that is available at the Library but it can't be checked out.

The Board had a lengthy discussion regarding whether to hire a company to write grants or hire a full time employee to write grants for the County. They decided to investigate this issue further before making any decisions.

IN RE: DISCUSSION OF FUND BALANCE

Mrs. Wendy Weber Ralph, Interim County Administrator, presented the following list of funds that have been committed or spent to date from the undesignated fund balance:

FUNDS SPENT/COMMITTED TO DATE

\$ 287,642	Public Safety Building – committed
43,000	GIS – 1 st year – flyover- committed
25,000	Route 1 Corridor Study – committed
223,000	Dinwiddie Fire Truck – purchased
130,000	Trash Truck- purchased
130,200	2 Ambulances – County share – purchased
165,000	Balance – Historic Courthouse – committed
12,000	Namozine Roof – completed
418,000	McKenney Rescue Engine - purchased
50,000	Jail Repairs - in progress
\$1,483,842	TOTAL

In addition to these items, there is some monumentation that needs to be put in place before the GIS flyover and the Historic Courthouse is going to have a change order that Mr. Faison will be presenting to you. One of them is the ceiling in the Courtroom, which has to be maintained in the same style and color. This is a total of \$1.5 million of the surplus, which has been spent or committed to as of this date.

*Note - The CIP Committee is presently working with \$1,000,000 from this fund for FY02.

Mrs. Ralph commented that the draft list the CIP Committee is working on for planning purposes is also attached. We are working on the projects listed and we try to set aside \$1 million for those projects. Now we will have to go back and try to fit them into the money. The Board has not committed any funds for these projects yet, Mrs. Ralph stated. She commented she was trying to give the Board some idea of what the committee is doing and the projects that have been submitted to the Committee for their consideration.

There was a lengthy discussion about the undesignated fund balance and what funds have and have not been set aside. Mrs. Ralph explained the funds have to be designated or the auditor treats it as a total balance of undesignated money. The Board asked for a list of all the funds that have been designated to this point. Mrs. Ralph commented that list was the list she distributed. She pointed out that Staff wanted to let the Board know some of the other things that are being considered for these funds, so you could see that the money could be used up fairly quickly if the Board takes action. But that decision, of course, is up to the Board.

IN RE: GIS FLYOVER -- ADDITIONAL MONUMENTATION

Mr. David Thompson, Zoning Administrator/Senior Planner, stated the State is placing some temporary monuments in the County for the scheduled fly over for the GIS. These monuments are aerial panel points used to identify parcels of land in the northeast portion of the county for the fly over. Mr.

Thompson stated those aerial points will be removed once the State completes the flyover. He stated he had received 2 out of 3 bids for survey services required for the placement and coordination of 20 aerial panel points and 20 monument pairs to be placed in the northeast section of the county in addition to those set by the State.

The aerial panels will be set in time for a fly over which will take place on or after February 28, 2002. Data from the GPS coordination will be completed by March 15, 2002. These monuments will enhance surveying and mapping data and other capabilities for future GIS use.

The monuments consist of a #5 rebar set in concrete with an aluminum disk stamped "Dinwiddie County Control Monument" with an identifying number. A recovery card for each monument will be created with references for recovery and datum both horizontal and vertical. There will also be developed an index map of the points showing their general location for use in conjunction with the recovery cards.

Mr. Thompson stated the cost for the monuments will not exceed \$20,500. He commented he was still waiting for a bid to come in but he was certain the cost would not exceed \$20,500. Mr. Thompson asked for authorization to proceed with the monumentation for the 1 to 200 scale area in the northeast portion of the county.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes the Zoning Administrator/Senior Planner to proceed with the contract for survey services required for the placement and coordination of the 20 pairs of monuments in the northeast portion of the county for the GIS fly over at a cost not to exceed \$20,500.

IN RE: BUDGET REVIEW

The Board of Supervisors met with the following Agencies to discuss their proposed 2002-2003 budget:

CRATER DETENTION

Mrs. Ralph commented, as you are aware we had to add \$50,000 to the budget for the Crater Detention Home last year. She stated she was afraid this year that amount could be \$200,000 to \$250,000. This money is not all for our kids; however, we are in the Regional Detention Home and the County has to pay our portion of the costs. The children are mainly from Petersburg and Hopewell and they have recognized that. We are in the process of taking a big step that will help the County. We are working on a formula now where each locality will only pay extra funds when we exceed our designated bed space. When the home is full, the locality that needs the space will be responsible for paying the costs. Also, they are taking steps to try and reduce the amount of time the kids have to stay in detention. Through Judges – working with them to help them realize not all of the kids need to go to detention there are other ways of dealing with them. Mrs. Ralph commented, until that time we will have to deal with what our judges do and what these people can do.

COURT SERVICES

Mrs. Ralph asked Mr. H. L. Parrish, Probation Supervisor, to present his budget and briefly explain to the Board the possible legislative changes that may affect his agency.

Mr. Parrish stated we have been very fortunate in Dinwiddie County. When we were placed in the Regional Detention System we decided that we needed 4 beds and that was 12 to 15 years ago. We have not had to increase that number in fifteen years which is remarkable. But all of the other participants have tripled, five times, seven times their number of beds. What's killing Dinwiddie County is the fact that we have not abused the system. Dinwiddie is having to pay \$28,000 per month for Petersburg's and Hopewell's kids to be housed somewhere else. Mr. Parrish commented that the judge is the factor, which we have no control over. He is going to do what he feels is necessary. We can show him that something less than detention is appropriate and have good results from it.

The budget for the County this year has some additions in it for travel and training. This is primarily to help us get better trained to find services other than detention to help our kids. There is a proposal before the General Assembly to cut the VJCCCA Program, which is a grant of \$54,570. Six million dollars has already been cut out of the program. Every locality in the state has been categorized and given a ranking. The ranking determines what percentage the match for each locality is going to be from 10 % to 50%. Dinwiddie came in with an above average stress, high stress being the most. Mr. Parrish stated it is my guess; but we could be looking at between a 10% to 20% match for the County. Presently there is no match required for the County. If we have a 20% match the program will cost us \$11,000 to keep it in place. He commented he felt this was a small amount compared to having to send a kid to Culpepper.

Mrs. Ralph asked Mr. Parrish and Mrs. Marie Grant to explain their programs and give examples of cases with good results.

Mr. Parrish commented, there are 3 basic programs to divert kids from going to court at all for minor offenses: 1) 12 Week Program – (Parenting Classes) VJCCCA 2) First Offender Program – child has to go to court – this is a 6 Month Program with intensive intervention 3) Community Service Program – child needs some punishment for their offense – keeps kids from going to detention. The extra money we ask the County to spend to keep this program in place, to make up for the State's withdrawal, is going to be well worth what you might have to pay if they are sent to detention.

IN RE: VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT

Mr. Parrish asked Ms. Marie Grant to give some examples of the kids that went through the programs and helped to keep them out of detention.

Ms. Grant stated there have been hundreds of kids who have come through the programs in the last 3 to 4 years. She commented there was one young man who went through both the 1st Offender Program and the Community Services Program who stuck out as a good example of how VJCCCA works. One young man stuck out in her mind about 3 years ago; he successfully completed the programs. She stated about 2 weeks ago he came to her and asked if he could work with some of the Community Services kids as a result of him being in our program.

Mrs. Ralph asked Ms. Grant to comment on the Mentoring Program. The Mentoring Program is used when we see a child who needs positive role modeling contact. This is a child who is in a single parent household who might be stagnant or need one-on-one help. What we try to do is contract with a private provider to work one on one with that child. We try to match them with

someone who has similar interests. They work with the child to give them special attention and to help build their self-esteem.

Mr. Parrish reiterated if legislation changes they would need some additional funding from the County for their programs.

IN RE: LUNCH RECESS

Mr. Bracey called for a lunch recess at 12:29 P.M. The meeting reconvened at 1:02 P.M.

IN RE: BUDGET REVIEW – SHERIFF’S DEPARTMENT

The Board of Supervisors met with the Sheriff’s Department to discuss their proposed budget.

Captain Alvin Booth gave an overview of the changes in their proposed FY 2002-2003 budget.

IN RE: SHERIFF’ S DEPARTMENT – REQUEST TO PURCHASE AUTOMATIC FINGERPRINTING MACHINE

Mr. Alvin Booth, Captain, stated last year the Board approved the purchase of an automatic fingerprinting machine. The LiveScan Network System was implemented in Virginia in 1994. Within 15 minutes of an arrest, LiveScan prints are processed, arrest data added to CCH, arresting agency notified of results and electronically sent to FBI. However, before they could order the machine the Compensation Board deleted it from the budget. He stated last Wednesday he received a call from the State Police and the Comp Board has reinstated funding for the machine in the amount of \$29,277. Mr. Booth stated there was a letter sent to us from the Compensation Board to that effect but he could not locate it. The good news is the cost of the machine has decreased from \$38,400.00 to \$28,853.00. The County will not have a match and we will actually make some money. Mr. Booth commented he would get a copy of the letter from the Compensation Board. He asked for authorization to purchase the machine.

Mrs. Ralph asked the Board to make the motion contingent upon receipt of a letter of verification from the State Compensation Board. Mr. Booth stated he would get a copy of the letter from the Compensation Board and present the request to the Board at the next meeting.

IN RE: AUTHORIZATION TO USE JAIL PHONE COMMISSION FUNDS – FOR PERSONAL PROPERTY BAGS

Captain Alvin Booth remarked that the jailors were experiencing problems keeping inmates personal belongings together. He showed the Board a meshed bag that could be locked that he would like authorization to purchase. He commented that the cost of the bag is \$10 and the funds would be taken out of the jail phone commission money.

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bracey, voting “Aye”, (Mr. Bowman was not present at roll call)

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes the Sheriff’s Department to purchase the personal property bags for the inmates with funds from the Jail Phone Commission Fund.

IN RE: SHERIFF’S DEPARTMENT – AUTHORIZATION TO PURCHASE SURVEILLANCE CAMERA’S FOR JAIL WITH FORFEITED ASSET SEIZURE FUNDS

Continuing Captain Booth requested authorization to replace the camera's in the Jail at a cost not to exceed \$2000 from the drug asset seizure fund. He showed the Board the old camera and explained the problems they were experiencing with it.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the use of \$2,000 from the Forfeited Asset Sharing Fund for the purchase of the surveillance cameras for the jail, as described by Captain Booth.

IN RE: SHERIFF'S DEPARTMENT – AUTHORIZATION TO PURCHASE BOB BARKER DRYING RACKS WITH JAIL PHONE COMMISSION FUNDS

Continuing Captain Booth requested authorization to purchase 32 collapsible racks for the inmates to hang wet towels on, at a cost of \$69.00 each. These funds would be expended from the jail phone commission funds for a total cost of \$2,208. He demonstrated how the rack would collapse for safety reasons.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to purchase 32 collapsible racks for the inmates at a cost not to exceed \$2,208 from the jail phone commission funds.

IN RE: BUDGET WORKSHOP SESSION CONTINUED

PUBLIC SAFETY

Mr. David Jolly, Director of Public Safety, presented his proposed FY03 budget and reviewed the new line item requests with the Board.

Mr. Jolly stated he requested two new full time positions. One position is for a grant writer. He commented that he felt this position could pay for itself over a period of time. Continuing he pointed out the other position is for a Fire Prevention Officer. Several years ago the County adopted the Fire Prevention Code and to ensure the enforcement of that code an Officer is going to be needed.

EMS

Mr. David Jolly presented the FY 2002-2003 budget for the EMS Department. The County Administrator pointed out that the board has authorized hiring the second crew, which would bring the total of EMT's to 16. He also suggested cross training so they could help the Volunteer Fire Departments if needed.

DINWIDDIE VOLUNTEER FIRE DEPARTMENTS

Mr. Jolly stated he put an extra \$11,000 in the budget this year for maintenance for the Volunteer Fire Departments. He commented with the new buildings now; it is important to maintain them. We have never included funding for maintenance for the buildings in the past. If the County provides for one VFD it would not be fair not to include all of them in the request.

The issue of helping the volunteers with the ladder truck for the NVFD was discussed. It was agreed that the County Administrator would talk with the

County Attorney to see what the County can legally do. She voiced her concern about not following County guidelines and the other agencies doing the same.

IN RE: APPOMATTOX REGIONAL LIBRARY

Mr. Charles Koutnik, Executive Director, Appomattox Regional Library, gave an update on patron usage of the libraries. There has been a significant increase over the past year. He thanked the Board for the new facilities the County has built. The library received 30 new computers from the Gates Foundation that helped increase usage also.

Mr. Koutnik provided the following copy of the fact sheet on the proposed reduction of State aid by 25% to the Public Libraries.

THE EFFECT ON THE APPOMATTOX REGIONAL LIBRARY SYSTEM

Below are facts based on an analysis of how the Appomattox Regional Library System's financial plans for FY 2002/2003 would be effected by Governor Gilmore's budget. If his budget were passed, the result would be a reduction of funding for the library of \$91,523.

IF THE CUT HAPPENS:

Only \$64,128 will be available form State Aid for professional salaries and wages according to state law formulas. To remain at local staffing levels and maintain present hours and services, \$22,800 in local funding will have to be removed from other budget lines including \$16,541 from the Books and Materials Budget. All resources used by the public for research and reading come from this budget line.

The planned Books and Materials Budget for next year was budgeted at \$179,775, only a \$270 increase from the previous year. This was possible due to funds from the State Infopowering Program to pay for an online periodical database and the addition of local funds. Due to the proposed reduction in state funds and the relocating of local funds to the personnel budget, only \$112,271 will be available for books and materials.

This represents a decrease of 37.5% for books and other reader materials.

This amount of a decrease is possible only by the Library receiving an asked for 5.52% increase in funding from the local jurisdictions (Hopewell, Prince George County, Dinwiddie County). Otherwise the decrease will be much larger than 37.5%.

This current year we are buying about 857 books, audiotape sets, videos, etc. per month. With the proposed cut we will only be able to buy about 521 of these items per month.

We ask that Virginia Public Libraries not take such a disproportionate cut in their budgets. People depend on information and reading more than ever. We want your library to be the best, with all the latest innovations, yet keeping all the traditional services that people have come to expect from their libraries. We are part of the educational system and education is the key to our future.

There was also a discussion concerning continuing to allow Ft. Lee residents to use the library services since they no longer contribute financially. With the financial status of the State funding, the Board felt everyone should contribute to be able to use the system.

IN RE: CLOSED SESSION

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

- **Personnel Matters, § 2.2-3711 A.1, of the Code of Virginia,** (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Administrative Staff

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 5:11 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:41 P.M. .

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, for the purpose of Personnel – Administrative Staff

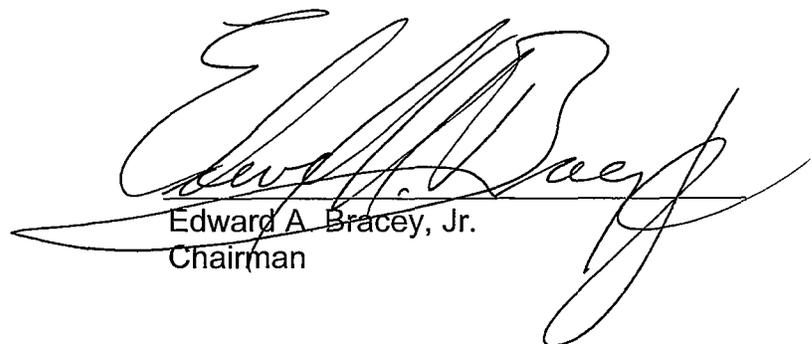
And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 5:42 P.M.


Edward A. Bracey, Jr.
Chairman


Wendy Weber Ralph
Interim County Administrator

/abr

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 FEBRUARY, 2002, AT 2:00 P.M.

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

OTHER: DANIEL SIEGEL COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 2:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the Agenda. Mrs. Wendy Weber Ralph, Interim County Administrator, stated there was a need to add an item under Closed Session – Personnel - Public Safety.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the January 30, 2002 Continuation Meeting, February 6, 2002 Continuation Meeting, February 6, 2002 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, 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 1028942 through 10289082 (void check(s) numbered 1028630 - 1028941) for:

Accounts Payable FY 2001- 2002:

(101) General Fund	\$ 243,393.45
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 1,786.42
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 5,309.59
(226) Law Library	\$ 108.44
(228) Fire Programs & EMS	\$ 6,314.50
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$ 800.00

(305) Capital Projects Fund	\$ 59,491.42
(401) County Debt Service	\$ <u>87,831.17</u>
TOTAL	\$ 405,034.99

**IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATION
PROJECT – REQUISITION NUMBER 37 (IDA1997A-
TRANSFERRED PROCEEDS – #1/28/02)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 37 (IDA1997A - #Transferred Proceeds – 1/28/02):

JAMES E. & ROBERT M. LEWIS	\$ 7,893.00
VIRCO, INC.	6,871.45
TRI-CITY OFFICE PRODUCTS, INC.	605.35
TRI-CITY OFFICE PRODUCTS, INC.	900.00
TRI-CITY OFFICE PRODUCTS, INC.	185.32
ELECTRONIC SYSTEMS, INC.	5,654.37
LAWERENCE SANITARY CO., INC.	<u>8,679.00</u>

TOTAL REQUISITION #37 \$ 30,788.49

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

Mr. Bracey asked Dr. Worner if the claim for James & Robert Lewis for remodeling 4 rooms in the old maintenance shop and the communications cabling being done by Electronic Systems, Inc., was in the original CIP for the Dinwiddie Elementary School Project. Continuing he questioned if this work was being done for the Elementary School or if it is for some other department. He requested Dr. Worner to submit the original CIP for this work in writing to be given to our Attorney's to look at before these two claims are paid. He also asked for a written report on when the projects were going to be closed out.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 37 (IDA1997A - Transferred Proceeds – #1/28/02) in the amount of \$30,788.49 be approved with the condition that our County Attorney takes a look at the original CIP to make sure the claims for James & Robert Lewis and Electronic Systems, Inc., are in the original CIP for the Dinwiddie Elementary School Renovation Project Fund.

**IN RE: DINWIDDIE HIGH SCHOOL GYMNASIUM BLEACHER
PROJECT – REQUISITION NUMBER 38 (IDA1998A-
TRANSFERRED PROCEEDS – #1/28/02)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 38 (IDA1998A - Transferred Proceeds – #1/28/02):

STEPP CONTRACTING	\$ 3,800.00
J.H. PENCE COMPANY	<u>62,340.00</u>
TOTAL REQUISITION #38	\$ 66,140.00

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 38 (IDA1998A - Transferred Proceeds – #1/28/02 in the amount of \$66,140.00 be approved and funds appropriated for CIP expenses from the School Completion Project Account.

IN RE: CITIZEN COMMENTS

The following citizen(s) signed up to comment.

1. Reverend Robert Rowland, 18404 Bonneville Lane, Dinwiddie Virginia, came forward and offered his and other ministers services to open the meetings in prayer. He commented that most Churches have mid-week services on Wednesday nights. He asked the Board to consider changing their meetings to another night so more citizens could attend the meetings.
2. Michael W. Bratschi, 23500 Cutbank Road, McKenney, Virginia, came before the Board requesting that the School Resource Officer position at the Middle School be kept in the budget. He also expressed his concerns about the Sheriff's Department handling of the demotions and firing of the Deputies at the jail. Continuing he commented on the safety issues involved with the deputies driving small cars instead of a larger safer car like the Crown Victoria.

Mr. Bracey commented that the Sheriff is an elected Official. He does not come under the supervision of this Board. If anyone has a complaint or praise he would be the one to set up the appointment with.

IN RE: VDOT – REPORT

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

Mr. Caywood presented the Board with copies of three handouts from VDOT's website. He commented after taking office in January 2002, Governor Warner directed VDOT to develop a plan to reshape the six-year plan as a result of the economic downturn. Mr. Caywood commented on the three handouts:

1. VDOT's Illustrative Six Year Highway Construction Program Details for All Systems and All Programs
2. Secretary Clement's Remarks
3. Factors to Consider When Comparing Secondary System Allocations

He stated he will work on the issues with the County but will not be able to get too deep into this process until the allocation numbers are final; after the General Assembly completes their budget work. Maintenance should not be impacted significantly in the long run under this scenario. There will be some short-term cash issues this fiscal year. The long-term growth rate of 4% is forecasted.

Mr. Caywood reported Route 619 - winter shutdown will be extended through the 1st of April due to the cash flow situation. Anticipate resumption of work at that time – this will delay some of the expenditures into next year.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and stated he had nothing new to report to them. He presented his report for the month of January 2002.

He requested that the Board approve the Investment Policy. Mrs. Ralph asked if he had provided it to the Board. He replied the draft was provided in January and there are no changes to it. She requested that he resubmit it next month. Mr. Jones replied he would be happy to.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, came forward stating he had nothing to report, but would answer any questions the Board may have.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands, came forward presenting his report for the month of January 2002.

1. Reported that the contractors were making very good progress on the jail. He commented it looked almost as good as it did in 1972 when it first opened. He invited the Board over to take a look at it.
2. Mr. Haraway asked for an update on the dog situation at Mansfield. Sheriff Shands stated Mr. Beville has that information.

IN RE: SHERIFF' S DEPARTMENT – GRANT FOR PURCHASE OF AUTOMATIC FINGERPRINTING MACHINE

Sheriff Samuel Shands stated he had received a letter from the State Compensation Board indicating they have approved \$29,277 for the purchase of the LiveScan automatic fingerprinting machine in this budget year. He requested authorization to purchase the machine.

Mrs. Ralph stated there is a requirement that the County Administrator write a letter concurring with the request and stipulating to the following:

1. The funds must be expended by June 15, 2002
2. The Compensation Board will not be responsible for any additional operating costs
3. The Compensation Board will not be responsible for any maintenance costs
4. The Compensation Board will not be responsible for any additional personnel to operate the equipment

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Sheriff's Department to accept the funds in the amount of \$29,011.00 for the purchase of the automatic fingerprinting machine, with no local match required, and the County Administrator is authorized to sign any paperwork required to accept the grant.

IN RE: SHERIFF'S DEPARTMENT – REPORT – CON'T

Mrs. Ralph informed Sheriff Shands that the grant information for the School Resource Officer would be sent to him and it had to be returned by April 1, 2002.

Mrs. Ralph also commented that Mr. Chris Smith called to compliment him for visiting his site and taking care of the problem.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of January 2002.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward presenting his monthly update for January 2002.

Mr. Beville gave an update on the dog situation at Mansfield. Friday, February 8 – made a site visit and met with owner – Dogs on site -10 Pit Bulls – 1 Rottweiler – 2 puppies (3 months old). All but 2 dogs were chained and confined in a fenced in area. He had a discussion with Mr. Underwood regarding the proposed ordinance limiting the number of dogs to 3, being considered by the County and the problems that have been reported by the neighbors. Mr. Beville stated the vet records indicated the dogs were all vaccinated – tags and license are up to date and he is not selling the puppies. The site was relatively clean for that number of dogs. Another site visit was made last week and the number of adult dogs was reduced to 8.

Mr. Haraway asked if the owner indicated whether or not he would reduce the number of dogs to 3. Mr. Beville responded no. But he is putting up some wood privacy fence across the back of the property, which should help the situation some.

Mr. Haraway requested Mr. Beville to continue with follow up site visits. Mr. Beville commented he had done all he legally could and both he and the Sheriff agreed that the safety factor has been met. He replied he would continue to make site visits.

Mrs. Ralph asked Mr. Beville and Sheriff Shands if they did everything they could under the laws in our County Code now. Both replied yes.

Mr. Bowman asked if the County needed to limit the number of dogs permitted depending on the lot size. Mr. Beville stated yes.

Mr. Bowman asked about the complaint on Sterling Road that had 20 dogs on a lot. Mr. Beville replied that situation was completely different. Those dogs are small and if you drove by that home you wouldn't know they were there. Mr. Bowman commented but the neighbors do.

Mr. Haraway asked Sheriff Shands if he agreed with the information Mr. Beville presented. He replied yes.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning came forward and presented his monthly update for January 2002.

1. Mr. Scheid reported a committee was set up by the Planning Commission last Wednesday night to work on the proposed dog ordinance. Two citizens will be asked to serve on the committee.

**IN RE: REQUEST TO ATTEND 2002 ANNUAL VIRGINIA
AMERICAN PLANNING ASSOCIATION CONFERENCE –
DIRECTOR OF PLANNING & ZONING ADMINISTRATOR**

Mr. Scheid requested authorization for himself and the Zoning Administrator to attend the 2002 Annual Virginia American Planning Association Conference in Roanoke on March 25-27, 2002 at a cost not to exceed \$560.00. The conference was budgeted for and funds are available.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Director of Planning and Zoning Administrator/Senior Planner to attend the 2002 Annual Virginia American Planning Association Conference in Roanoke on March 25-27, 2002, at a cost not to exceed \$560.00.

IN RE: DIRECTOR OF PLANNING – REPORT – CON'T

Mr. Scheid continued his report.

2. Workshop scheduled for Planning Commission and Board of Supervisors to discuss major projects affecting future land use in the County – March 13, 2002 at 2:30 P.M. – Eastside Community Enhancement Center

Mr. Bowman commented that he wanted to know about meetings in his district. He requested that the Interim County Administrator send the Board members a schedule of her weekly appointments. He asked if the Board is responsible for the bills the elected officials make with the County Attorney. Mr. Bowman also asked for a report next month for the claim, which was approved today, for the meeting the Commissioner of Revenue had with the County Attorney.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his January 2002 monthly report.

1. A committee was formed by the Planning Commission to work on the off-street truck-parking ordinance as well.

IN RE: RECESS

Mr. Bracey called for a recess at 3:28 P.M. The meeting reconvened at 3:37 P.M.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen came forward and gave an update on the conversion from Food Stamp coupons to Electronic Benefit Transfer effective May 1, 2002, which is mandated for use by October 1, 2002. She also reported they received a cash award for the Food Stamp Payment Accuracy Award.

IN RE: SOCIAL SERVICES – REQUEST AND APPROVAL OF APPROPRIATION OF FUNDS FROM DONATIONS

Ms. McElveen requested a resolution to appropriate funding received by her department through donations. The funds received are as follows:

- Calvary Episcopal Church \$ 375.00
- Titmus Foundation 400.00
- Dinwiddie Ruritan Club 100.00
- St. John's Catholic Church 1,000.00
- Concord Presbyterian Church (youth group) 48.00

• Poole Christian Church	243.41
• Dinwiddie Middle School (student group)	69.00
TOTAL	\$ 2,235.41

Mrs. McElveen stated that no local match funds would be required.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that supplemental appropriations from donations in the amount of \$2,235.41 for the FY 2002 Social Services are hereby approved.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Dr. Scott Worner, Assistant Superintendent of Schools, came forward and stated he had nothing new to report, but would answer any questions the Board might have.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, stated he had provided the Board with his January 2002 monthly report.

1. Dinwiddie Diamonds recently received a grant from Chaparral Steel for furnishings in their Senior room but they haven't found out the amount.

IN RE: REQUEST FOR FUNDING FOR DINWIDDIE COUNTY'S 250TH CELEBRATION

Mr. Smith presented a request for funding the County's 250th Celebration. It is going to cost \$10,000 for the 25 events. The 25 events will begin in May 2002 and conclude May 2003. The majority of this would be going towards the pyrotechnic/fireworks display for the kick-off event and Holiday Parade. The Board asked the Interim County Administrator her opinion of the agenda and funding. Mrs. Ralph commented overall the agenda and the concept are very good because a lot of the events are already ongoing. The funding would be spread over a two-year budget, which would help. Mr. Smith stated one of the vendors would help sponsor the celebration also.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the proposed agenda is hereby approved for the Dinwiddie County's 250th Celebration; and funding is appropriated in the amount of \$10, 000 to be spread over this year and the FY 2002-2003 budget year.

IN RE: SOUTH CENTRE CORRIDORS RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL

Mr. Smith presented the request from RC&D's Council to help with the start up cost for the local office. The funds will be used for letterhead, postage, training, and travel for the council. They are requesting that each locality contribute \$1,000 of un-appropriated funds to carry them forward until June 30, 2002. The council also requested funding for the full fiscal year starting July 1, 2002 in the amount of \$3,000 from each locality. The \$3,000 will be an annual request.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby appropriates funds in the amount of \$1,000 to the RC&D Council for start-up costs; contingent upon participation by the other localities in an equal amount.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward to present his report for January 2002.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his January 2002 update.

IN RE: AUTHORIZATION TO HIRE – EMT - MR. RYAN CRUTCHFIELD

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", authorization is granted for Administration to hire Mr. Ryan Crutchfield as an Emergency Medical Technician, at Grade 10, Step A, at an annual salary of \$23,507, effective March 1, 2002.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Daniel Siegel, County Attorney, came before the Board stating he would like to start today with updating the Board on litigation matters on a monthly basis in Closed Session.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and stated he provided his monthly update for December 2001 in the Board packages.

IN RE: DINWIDDIE COUNTY HISTORIC COURTHOUSE RENOVATION – CHANGE ORDER #2

Mr. Donald W. Faison, Superintendent of Buildings and Grounds came forward to request approval of change order Number 2 on the Dinwiddie County Historic Courthouse Renovation. Change Order Number 2 is for the additional well casing pipe, replacement of deteriorated steam pipe, deleting the exterior water line and the time extension which are being finalized, for a sum not to exceed \$3,472.93

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Change Order Number 2, described above, is hereby approved and authorization is granted for the County Administrator to execute same.

IN RE: DINWIDDIE COUNTY HISTORIC COURTHOUSE RENOVATION – CHANGE ORDER #3

Mr. Donald W. Faison, Superintendent of Buildings and Grounds came forward to request approval of change order Number 3 on the Dinwiddie County Historic Courthouse Renovation. Change Order Number 3 is to paint the ceiling in the courtroom with a faux finish to match the old finish for a sum not to exceed \$8,000. Mr. Faison commented; he, the Architect, and Subcontractor believe that the faux finish proposed for the courtroom ceiling will closely match the old

finish. This is a very unique finish and it will make the ceiling stand out. The color has been reviewed by the Department of Historic Resources and they recommend that this method be used on the ceiling.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above described, Change Order Number 3, is hereby approved and authorization is granted for the County Administrator to execute same.

IN RE: AUTHORIZATION TO PURCHASE CHAIRS FOR ADMINISTRATION BUILDING

Mr. Faison stated he received the following bids for 25 chairs for the Administrative Offices and Board Room as listed below:

COMPANY	PER EACH	COST
TRI-CITY OFFICE PRODUCTS	\$329	\$8,225
STAPLES	\$189	\$4,725
A. P THINGS & INC.	\$305	\$7,625
NATIONAL BUSINESS FURN	\$433.05	\$10,826.25

Mr. Faison requested authorization to proceed with purchasing the 25 chairs at a cost not the exceed \$8,000. Administration is still trying to insure the chairs selected will be of suitable quality.

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", authorization is granted for Administration to proceed with purchasing the 25 chairs at a cost not the exceed \$8,000.

IN RE: AUTHORIZATION TO PURCHASE DOOR LOCKS FOR JAIL

Mr. Faison, Buildings and Grounds Superintendent, reported that six Mortis locks for the doors at the jail have to be replaced. He stated he had received three bids. The lowest one was from Pleasant's Hardware for \$1,614.00. He requested authorization to proceed with the purchase so the doors could be refinished and replaced at the jail.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Buildings and Grounds Superintendent to proceed with the purchase of the six Mortis locks for the doors at the jail at a cost not to exceed \$1,614.

IN RE: AUTHORIZATION TO REPAIR RESTROOM - COURTHOUSE

Mr. Faison reported pursuant to instructions from the Board he had received two bids for the repairs to the men's restroom at the Courthouse. The faucet and sink repairs are not included in the bid these repairs will be done by Colonial Plumbing.

COMPANY	BID
J.D.N. Enterprises	\$1,185
Arizona Limited	\$2,200

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Buildings and Grounds Superintendent is authorized to proceed with the contract with J.D.N. Enterprises for the repairs of the men's restroom at the Courthouse at a cost not to exceed \$1,185.

IN RE: AUTHORIZATION TO REPLACE FENCE – WELL HOUSE AND WATER STORAGE TANK BEHIND THE SOCIAL SERVICES BUILDING

Mr. Faison presented bids to replace the fence around the well house behind the Social Services Building, which was damaged by a windstorm:

COMPANY	BID
J.D.N. Enterprises (PVC)	\$4,385
Russell Fence Co, Inc. (PVC)	\$7,175
Russell Fence Co, Inc. (wood)	\$2,858
Arizona, LTD (PVC)	\$6,600
Arizona, LTD (wood)	\$6,200

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Buildings and Grounds Superintendent is authorized to proceed with the contract with J.D.N. Enterprises for the replacement of the fence around the well house behind the Social Services Building with a PVC Vinyl at a cost not to exceed \$4,385.

Mr. Moody made the comment to make sure it is a good quality PVC Vinyl.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Ralph reminded the Board of the Old Hickory Mine Field Day for Friday, February 22, 2002. If any of you would like to meet here, the van will leave the Administration Building at 8:45 A. M.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay	No Comments
Mr. Haraway	He stated to follow up on the request during Citizens Comments period - Wednesday is the accepted night for worship and he had no objection to changing the meeting to another night or for the Pastors to have the invocation.
Mr. Moody	No Comments
Mr. Bowman	He stated he would like to address the issue of the ladder truck for Namozine. Mrs. Ralph commented it will be discussed under Closed Session tonight.
Mr. Bracey	He stated he felt the Citizens would object to changing the meeting days.

IN RE: CLOSED SESSION

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

- **Personnel Matters, § 2.2-3711 A.1, of the Code of Virginia,**
(candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Appointments, and Public Safety

- **Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia**
Consultation with legal counsel and briefings by staff members and consultants about actual or probable and public discussion would adversely affect the negotiating or litigating posture of the County or Town - OR – consultation with legal counsel regarding specific legal matters that require legal advice - Procurement

Mr. Bowman seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 4:40 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:03 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, for the purpose of Personnel – Appointments; and Public Safety and § 2.2-3711 A.7, Legal Counsel - Procurement

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

IN RE: RECESS

Mr. Bracey called for a recess at 5:04 P.M. The meeting reconvened at the Home Place Restaurant at 5:15 P.M. for the School Board to present their FY 2002-2003 budget.

IN RE: SCHOOL BOARD – FY 02-03 BUDGET PRESENTATION

Dr. Leland Wise, Jr., Superintendent of Schools, presented the following outline of the proposed school budget for FY 2002-2003.

Dinwiddie County Public Schools

FY2003 Budget

Dinwiddie County Public Schools - New Teachers

There will always be a need to hire some replacement teachers. Had to hire 22% of our teaching force this year.

Included in the budget are:

- Two teachers @ High School**
- Two teachers @ Middle School**

- Three elementary teachers
- One elementary music
- One technology trainer
- One program assistant – Special Education
- Changes in Support Staff Personnel-Additional Staff
- One additional LPN and upgrading one current LPN to 25 hours/week
- Two elementary clerical positions
- One central office secretary
- One desktop support technician
- One School Resource Officer at the High School

Other Personnel

Key personnel have been enticed away from Dinwiddie by significant salary and benefit increases. Many administrative personnel make \$15,000 to \$20,000 more in surrounding districts for the same or less responsibility.

Other Personnel – cont'd.

This budget provides for increasing school maintenance, custodial, and transportation salaries.

All support and administrative scales have been adjusted and modified to 10 steps. These increases are necessary to retain quality personnel and to be able to recruit in these areas.

FY2003 Revenue Budget

The FY2002 - 2003 local composite index for Dinwiddie county is .2877 compared to .2940 for 2001-2002.

The FY2003 budget is based on an average daily membership of 4280. This is an increase of 20 students from FY2002.

State Revenue

Local Revenue

Local money needed to fund proposed budget would increase

From: \$9,070,897.

To: \$10,370,897.

Taking into account the increased number of students, this is a local per pupil increase of: \$293.79

Expenditure Budget

Teacher salary scale has been modified to reflect a starting salary of: \$31,000 with 23 steps.

This will cost about: \$600,000

Adjustments to Other Scales

Support and administrative scales have been adjusted and modified to 10 steps

Other scales have been adjusted upward, with the bus driver scale averaging a 12.9% increase

Employer costs have been adjusted to reflect salary increases

Other Items

School Capital Projects Fund/restored to original amount of \$222,000

- ❖ Technology
- ❖ Library books or software
- ❖ Maintenance Utilities
- ❖ Personnel advertisements/recruitment costs
- ❖ Employee Health Insurance Costs = 25%
- ❖ Debt service payments are down

Other Funds

- The Textbook Fund is budgeted at \$335,703.
- The Cafeteria Fund = \$1,314,374.
- Head Start = \$160,642. (July-Nov)
- OYCS = \$110,180.
- Litter Grant = \$6,500.

Total FY2003
School Board Budget

\$33,897,300

RFP INFORMATION

• Components of proposal

- Attendance Zone

• Enrollment Projections

• Create GIS Student Database

• Create Scenarios

• Preparation and presentation to public

• Components of proposal cont'd

- Facilities Study

• Elementary Schools

• Middle School

• High School

• Components of proposal cont'd

- CIP Planning

- Presentation

- Scope of Work

• Enrollment Projection

* Fall Membership Projections

Year	Students	@ HS	@ MS
2001-02	4,340	1,183	1,111
2002-03	4,507	1,345	1,119
2003-04	4,501	1,460	1,079
2004-05	4,504	1,522	1,098
2005-06	4,500	1,467	1,062
2006-07	4,718	1,478	1,000

*2-20-02

• Potential Funding Sources:

1995A School Construction Bond	\$ 99,752
1997A School Construction Bond	\$ 2,718
1999B School Construction Bond	\$ 93,000
Total =	\$ 195,470

**IN RE: SCHOOL BOARD – SUPPLEMENTAL APPROPRIATION
REQUEST FOR THE PURCHASE OF BUSES**

Dr. Wise presented the following written request to the Board for approval:

“As you are aware, the FY2001 audit report revealed ending balances in several of the School Division accounts as indicated below. All of this was not anticipated, due to additional grants, etc. being received and, therefore, was not included as beginning balances in our approved FY2002 budget for these accounts. See the chart below for details:

Fund	FY2001 Ending Balance	FY2002 Budgeted Beginning Balance	Supplemental Appropriation Requested
Head Start Fund	\$ 25,416.38		\$ 25,416.38
Textbook Fund	\$208,126.49	\$15,000.00	\$193,126.49
Cafeteria Fund	\$ 17,820.06		\$ 17,820.06
School Capital Fund	\$ 94,885.26		\$ 94,885.26
OYCS Fund	\$ 11,216.50	\$10,000.00	\$ 1,216.50
Litter Fund	\$ 1,708.95		\$ 1,708.95
TOTAL			\$344,173.64

The Dinwiddie County School Board reviewed this information at its January 8 meeting, voted to amend its FY2002 Budget for these funds and to seek the supplemental appropriation from the Board of Supervisors.

Also, the audit report confirmed our calculations of an ending balance of \$249,373.36 in the School Fund. In reviewing our records for numerous years past, it appears that there has been an unwritten consensus between the two Boards that this balance could possibly be re-appropriated to purchase school buses and maintain our bus fleet annually. It is the desire of the School Board and Administration to continue this practice so the Board authorized the Superintendent to request a supplemental appropriation of the ending balance of \$249,373.36 for the School Fund and amend the School Board Budget for FY2002 to apply this amount toward the purchase of four or five school buses.”

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia approves the request from the School Board for the supplemental appropriations as listed above which includes the ending balance of the of \$249,373.36 for the School Fund for FY 2001 to purchase four or five school buses.

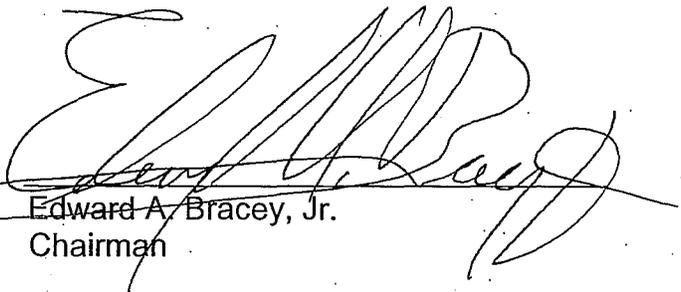
There was discussion regarding the use of these funds and Mr. Bracey voiced he would like to see the buses in the budget each year.

**IN RE: OFFICE ON YOUTH SERVICES COMMISSION – BUDGET
SESSION**

Mrs. Francene Green, Director, Office on Youth Services Commission, commented that the Governor's proposed budget is no longer funding this program and she requested that the Board provide the \$50,000 for the FY03 budget year. She distributed information on the OYSC programs and grants she has been able to obtain.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 7:45 P.M. to be continued until 2:00 P.M. on Wednesday, March 6, 2002 in the Conference Room of the Pamplin Administration Building.



Edward A. Bracey, Jr.
Chairman



Wendy Weber Ralph
Interim County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 6TH DAY OF MARCH, 2002, AT 2:00 P.M.

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

Mr. Edward A. Bracey, Jr., Chairman, called the continuation meeting to order at 2:05 P.M.

IN RE: CLOSED SESSION

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

- **Personnel Matters, § 2.2-3711 A.1, of the Code of Virginia,**
(candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) Administrative Staff, Public Safety, and Buildings and Grounds
- **Real Property - §2.2-3711 A. 3 of the Code of Virginia**
- **Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia,** Taxation Issue, Meeting Procedures and Procurement
- **Business and Industry Development - §2.2-3711 A. 5 of the Code of Virginia**

Mr. Bowman seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 2:10 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:31 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, for the purpose of Personnel – Administrative Staff; Public Safety and Buildings and Grounds; § 2.2-3711 A.3, Acquisition of Property; § 2.2-3711 A.7, Legal - Taxation Issue, Meeting Procedures and Procurement; and § 2.2-3711 A.5; Industry

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

**IN RE: SCHOOL BOARD – EDUCATIONAL FACILITY STUDY
AND ATTENDANCE ZONE REVISION – PRESENTATION
BY CONSULTANT FIRM – BOND, COMET,
WESTMORELAND & HINER**

Dr. Wise introduced Mr. Douglas Westmoreland with BCWH representing the firm that the School Board would like to contract with to provide the Educational Facility Study and Attendance Zone Revision for the School System. Mr. Westmoreland gave the following presentation:

Presentation to Board of Supervisors
Dinwiddie County

Dinwiddie County
Public Schools
Educational Facility Study and
Attendance Zone Revision

March 6, 2002

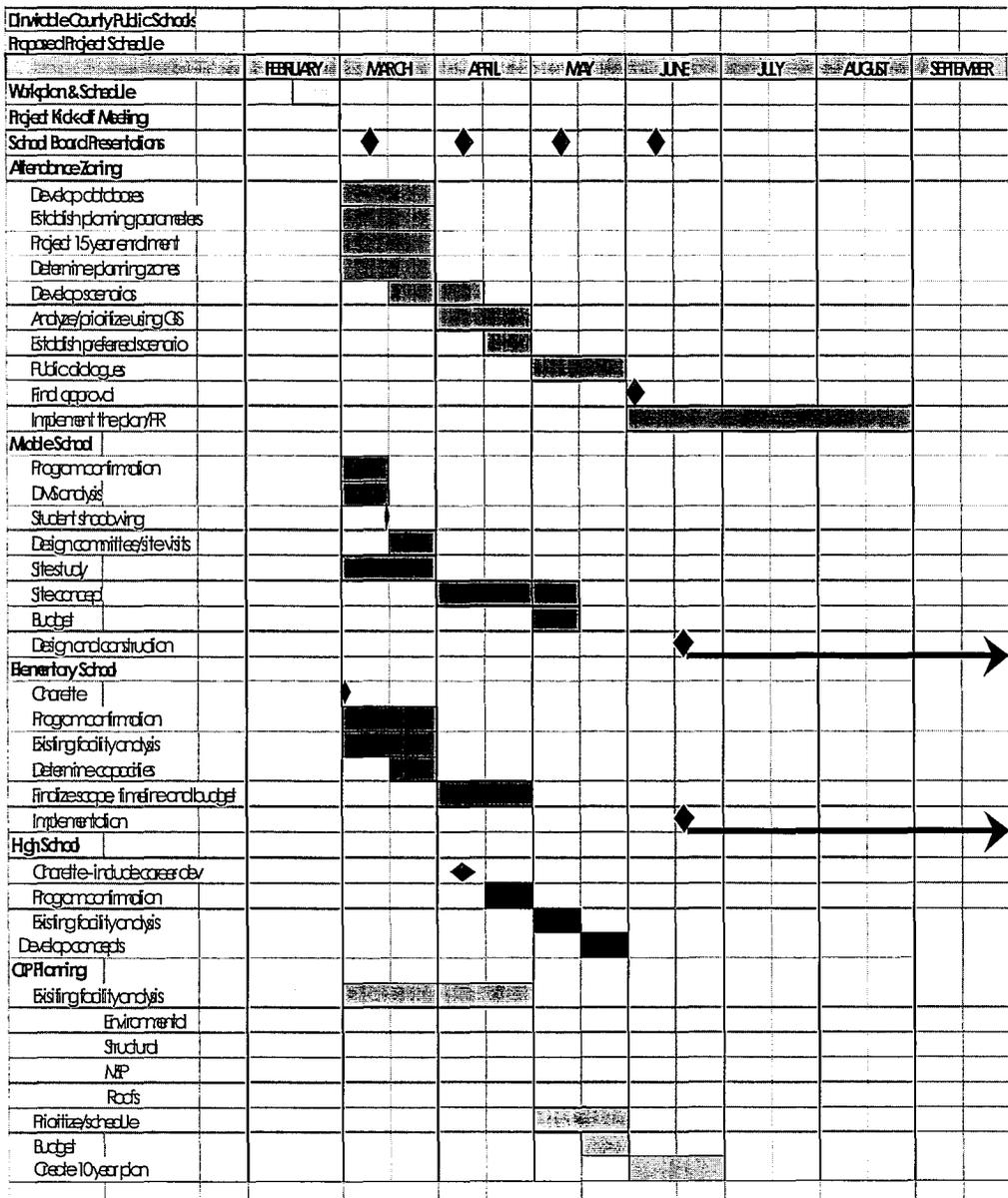
BCWH

Architecture
 Interiors
 Planning
 Consulting

	Educational Facilities Study & Attendance Zone Revision	March 6, 2002
	Study Objectives	
	<ul style="list-style-type: none"> • Complete elementary school K-5 realignment through rezoning • Validate the need for a new middle school - plan for redefined middle school attendance zones when new middle school opens • Identify facility improvements to accommodate projected growth • Provide for ongoing system-wide maintenance with a long-range CIP for planning and budgeting purposes 	
		

Benefits of Strategic Planning

- Predict the future
- Anticipate the needs
- Eliminate surprises
- Process, not single point in time
- Tools for yearly updates



	Educational Facilities Study & Attendance Zone Revision	March 6, 2002
	Zoning Organization	
	Steering Committee School Personnel and County Planning Consultant Team Eperitus BCWH Timmons, Information Services Dr. Carl Chafin, Enrollment Projections/Analysis Ken Poore, Demographics The Community	
		

	Educational Facilities Study & Attendance Zone Revision	March 6, 2002
	Role of Steering Committee	
	<ul style="list-style-type: none"> • To provide working knowledge of Dinwiddie County and its schools • To establish meaningful parameters by which alternatives can be evaluated • To analyze possible boundary scenarios based on parameters • To facilitate community dialogue regarding alternatives • To select and rank top alternatives • To recommend attendance boundaries to the School Board 	
		

	Educational Facilities Study & Attendance Zone Revision	March 6, 2002
	Attendance Zone Project Scope	
Enrollment Projections	<ul style="list-style-type: none"> • Gather Data <ul style="list-style-type: none"> – 2000 Census – Triennial School Census – School District History and Projections – County Planning • Creation of Database • Analysis and Compilation of Data • Workshops with Steering Committee <p>Schedule: March</p>	
		

Attendance Zone Project Scope

Redistricting Master Plan Using GIS

- GIS Database Development
 - ID natural boundaries
 - Locate and map existing and proposed schools, possibilities of capacity expansion
 - School Planning coordination – student body information, including enrollments
 - County Planning coordination – planned development
 - Incorporate all data into GIS system

Schedule: March



Attendance Zone Project Scope

Redistricting Master Plan Using GIS

- Create and Evaluate Attendance Zone Scenarios
- Public Presentations
- School Board Workshop
- Public Hearing/School Board Approval

Schedule: Develop Scenarios – April
 School Board Workshop – May 7
 Public Hearings – Week of May 27
 Final Approval – June 11
 Parent Communication – June 12



Enrollment Projections

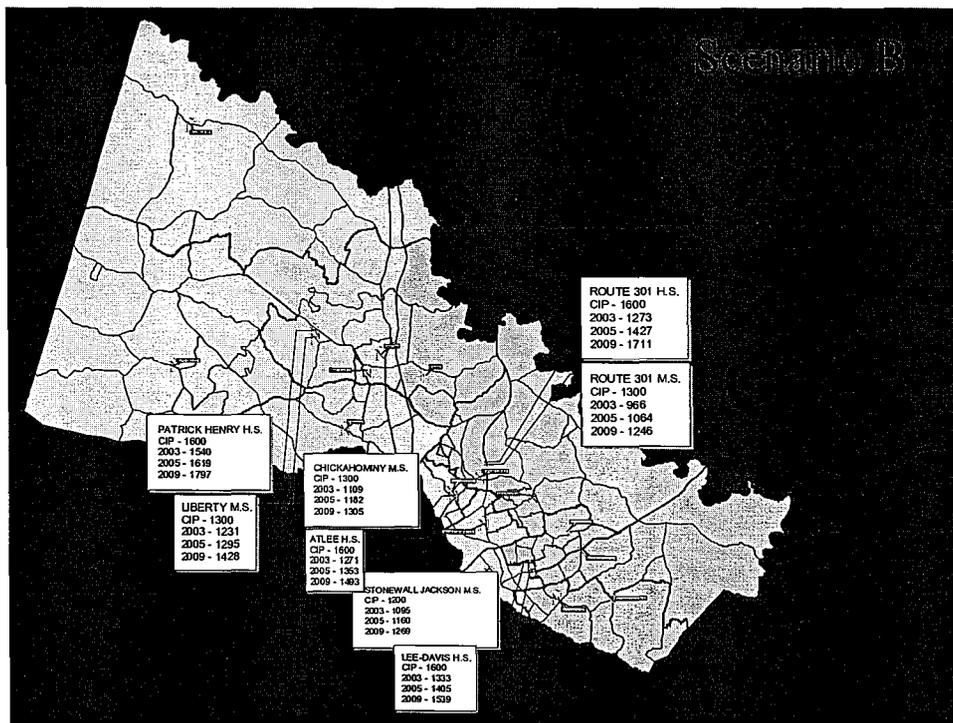
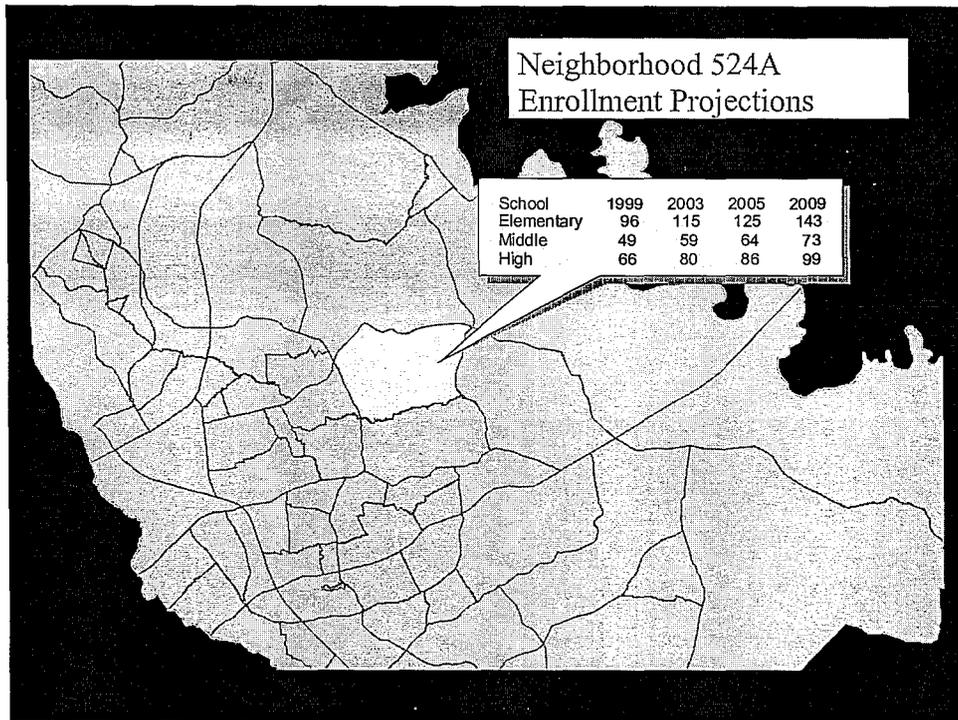
1999 Census			Population By School Group			Growth Projections			Elementary			Middle			High School				
ES	MS	HS	POP	%ES	%MS	%HS	2003	2005	2009	2003	2005	2009	2003	2005	2009	2003	2005	2009	
TASZ	Kids	Kids	99	KIDS	KIDS	KIDS	1,534	1,630	1,804	107	114	126	51	54	60	75	80	89	
521D	94	45	67	1,347	7.0%	3.3%	4.9%	352	355	388	23	23	25	19	20	21	17	18	19
522	21	18	16	327	6.4%	5.4%	4.8%	619	640	678	63	65	69	30	31	33	30	31	33
523	53	29	29	579	10.2%	4.8%	4.8%	915	993	1,135	115	125	143	59	64	73	80	86	99
524A	96	49	66	762	12.6%	6.4%	8.7%	628	707	848	47	53	64	30	34	41	37	41	50
524B	32	24	29	476	7.5%	4.8%	5.9%	461	533	673	74	86	108	29	34	43	37	43	54
525A	50	23	29	347	16.1%	6.4%	8.0%	654	809	1,116	53	66	91	27	34	47	53	66	91
525B	25	15	29	344	8.1%	4.2%	8.1%												

School Census Results

School Age Population Distribution

School Age Population Projections





Educational Facilities Study & Attendance Zone Revision March 6, 2002

Enrollment Projections

	1999 Census			Population By School Group			Growth Projections			Elementary			Middle			High School			
	ES	MS	HS	POP	%ES	%MS	%HS	2003	2005	2009	2003	2005	2009	2003	2005	2009	2003	2005	2009
521D	94	45	67	1,347	7.0%	3.3%	4.9%	1,534	1,630	1,804	107	114	126	51	54	60	75	80	89
522	21	18	16	327	6.4%	5.4%	4.8%	352	365	388	23	23	25	19	20	21	17	18	19
523	53	29	29	579	10.2%	4.8%	4.8%	619	640	678	63	65	69	30	31	33	30	31	33
524A	96	49	66	762	12.6%	6.4%	8.7%	915	993	1,135	115	125	143	59	64	73	80	86	99
524B	32	24	29	476	7.5%	4.8%	5.9%	628	707	848	47	53	64	30	34	41	37	41	50
525A	50	23	29	347	16.1%	6.4%	8.0%	461	533	673	74	86	108	29	34	43	37	43	54
525B	25	15	29	344	8.1%	4.2%	8.1%	654	809	1,116	53	66	91	27	34	47	53	66	91

School
Census
Results

School Age
Population
Distribution

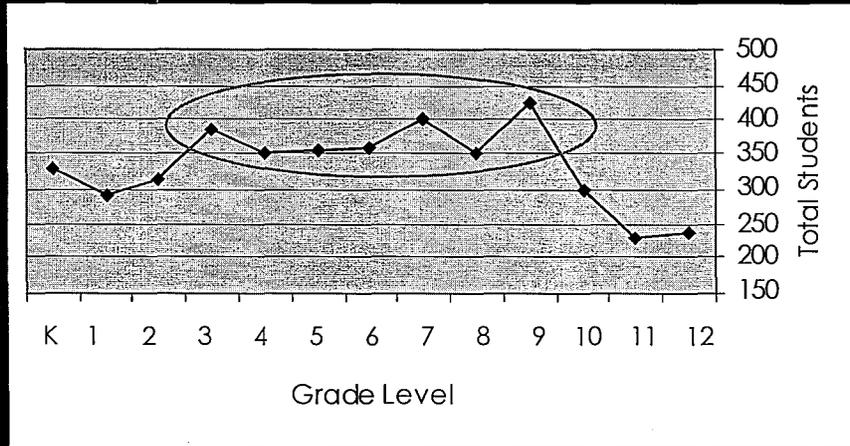
School Age
Population
Projections

	<p>Programming And Concept Design</p> <ul style="list-style-type: none"> • Review and verify existing middle school program and projected growth • Architectural/Educational programs • Technology plan • Develop project budget and schedule • Needs at Dinwiddie Middle – party and transition <p>Schedule: April/May</p>
<p>Middle School</p>	<p>Educational Facilities Study & Attendance Zone Revision March 6, 2002</p>

	<p>Site Analysis</p> <ul style="list-style-type: none"> • Topography and site characteristics • Water/sewer options • Stormwater management analysis • Environmental/geotechnical • Meeting w/ county review agencies • Conceptual site design and layout • Analyze location in relation to rezoning <p>Schedule: March</p>
<p>Middle School</p>	<p>Educational Facilities Study & Attendance Zone Revision March 6, 2002</p>

	<p>Impact of growth and K-5 alignment</p> <ul style="list-style-type: none"> • Review educational, architectural programs and floor plans of existing elementary schools • Provide a comparative analysis of existing capacity and programs to growth and programs for K-5 delivery • Analyze sites • Confirm programs and determine expansion options and schedules • Provide budgets for each option • Rohoic – options for continued use <p>Schedule: March/April</p>
<p>Elementary Schools</p>	<p>Educational Facilities Study & Attendance Zone Revision March 6, 2002</p>

Your Current Enrollment Picture



High School

Programming
And Concept
Design

- Review and verify existing high school program and projected growth – include career development on-site and off-site
- Architectural/Educational programs
- Technology plan
- Develop project budget and schedule

Schedule: April - June



Facilities Study

- Existing Facility Analysis for educational adequacy and long term maintenance
 - Site review
 - Building review
 - MEP review
- Other facilities: school board office, maintenance, etc.
- Prioritize and budget maintenance activities

Schedule: April/June



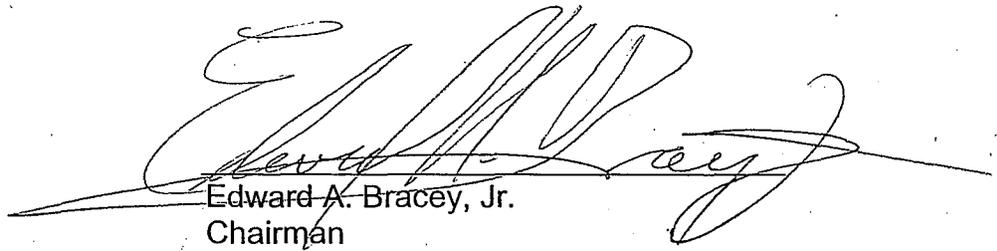
Educational Facilities Study & Attendance Zone Revision		March 6, 2002
Long Range CIP		
<ul style="list-style-type: none"> • Compilation of Ten Year Plan • Project priorities matched to enrollment projections • Budgets and cash flow 		
Schedule:		Summer, 2002 for November budgets
BCWH		

Educational Facilities Study & Attendance Zone Revision		March 6, 2002
Project Costs		
• Attendance Zone		\$ 66,310
• Elementary Study		\$ 19,300
• Middle Schools		deferred payment
• High School Study		\$ 13,560
• Facilities Study		\$ 78,150
• Long-Range CIP		\$ 4,800
• Presentations		\$ 13,350
Total Study Costs		\$195,470
BCWH		

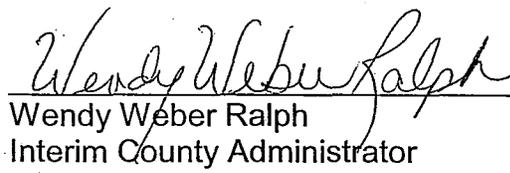
After a lengthy discussion between the Board members, Mr. Westmoreland, and Dr. Leland Wise, the Board felt it needed more information before they could make a decision to fund the study. The Board instructed staff to work with the consultant and school Board staff and review the proposal to see what shared costs might be included and what benefit the County might derive.

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 7:33 P.M.



Edward A. Bracey, Jr.
Chairman



Wendy Weber Ralph
Interim County Administrator

/abr

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 6TH DAY OF MARCH, 2002, AT 7:30 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., called the regular meeting to order at 7:38 P.M. Rev. Robert L. Rowland opened the meeting in prayer which was followed by the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Weber Ralph, Interim County Administrator, stated there was a need to add a Closed Session - Legal Counsel for Procurement.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the February 13, 2002 Continuation Meeting, and the February 20, 2002 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Bracey 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 1029499 through 1029725 (void check(s) numbered 1029498, 1029576 through 1029577, 1029579, 1029582 and 1029627) for:

Accounts Payable:

(101) General Fund	\$ 141,103.18
(103) Jail Commission	\$ 3,231.19
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 445.52
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 9,612.06
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$ 427.24
(304) CDBG Grant Fund	\$.00

(305) Capital Projects Fund	\$ 30,826.05
(401) County Debt Service	\$ <u>.00</u>
TOTAL	\$ 185,645.24

PAYROLL 02/28/02

(101) General Fund	\$ 377,594.18
(222) E911 Fund	\$ 384.85
(304) CDBG Fund	\$ <u>3,390.42</u>
TOTAL	\$ 381,369.45

PAYROLL SUPPLEMENT 02/28/02

(101) General Fund	\$ 1,550.05
TOTAL	\$ 382,919.50

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting.

The following citizens came forward to address the Board:

1. Michael W. Bratschi, 23500 Cutbank Road, McKenney, Virginia, came before the Board expressing his concern with the manner in which the Chairman brushed off his request at the last meeting regarding his concerns about the Sheriff's Department handling of the demotions and firing of the Deputies at the jail. He presented a copy of the State Code citing the Board's ability to usurp authority over elected officials in the County. Mr. Bratschi commented that he felt the County should have a Police Department then the Sheriff's Department could take care of the jail. He asked the Board to petition the court to have a referendum on the next election ballot. Mr. Bracey asked the County Attorney to respond to Mr. Bratschi.
2. Reverend Robert Rowland, 18404 Bonneville Lane, Dinwiddie Virginia, came forward thanking the Board for allowing him to open in pray and commenting that most Churches have mid-week services on Wednesday nights. He asked the Board to consider changing their meetings to another night so more citizens could attend the meetings.
3. Mrs. Anne Scarborough came forward requesting that the Board set a policy against paying for room service for employees and Board members. She reiterated that she felt the citizens should get a report from anyone who attends a conference stating what sessions they attended and how it benefited the County.
4. Mrs. Geri Barefoot came forward requesting that the Board contact Mayor Roslyn Dance to try to get her support to keep Southside Regional Hospital from moving. She reported that there is going to be a meeting in April to discuss whether or not to move the hospital. Mrs. Barefoot stated she felt it would be devastating to the county and Petersburg if SRH does move.
5. Mr. Haraway stated he does not normally respond to citizen comments but he felt there had been enough said about his room service charge. Three Board members rode up to the meeting in the van to save the County money. He stated he took 2 of his vacation

days so that he could go to the conference. We also bought our own breakfast and lunch and that certainly outweighed the \$6.35 the County paid for my room service. Personally I feel I was within my rights to have room service. Continuing he stated, surely you realize the same policies do not apply for employees and Board members. An individual on a Board would not be asked to provide a written report on a meeting they attended.

IN RE: PUBLIC HEARING – C-02-1 – LYNN L. BAUN

This being the time and place as advertised in the Dinwiddie Monitor on February 20, 2002 and February 27, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment for a Conditional Use Permit from Lynn L. Baun to establish a “pet crematory” on a 3 acre portion of his 23.5 land parcel.

Mr. David Thompson, Senior Planner/Zoning Administrator, read the following excerpt:

Planning Staff Summary Report

CASE NUMBER C-02-1

The applicant, Lynn Baun, is seeking a conditional use permit to establish a “pet crematory” on a 3-acre portion of his 23.5 land parcel. The property is identified as Tax Map Parcel 81-42 by the Commissioner of the Revenue and is located at 12530 Sapony Church Road, McKenney, Virginia. The property is zoned Agricultural, General, A-2. The county recently amended the zoning ordinance such that a pet crematory (limited) is permitted in an Agricultural, General, A-2 District with a conditional use permit. The applicant intends to provide crematory services for veterinary offices and animal hospitals throughout the tri-city area along with crematory services for individual patrons.

The Planning Commission heard this case at their February 13th public meeting. After receiving the staff report, the meeting was opened for public comments. Mr. Philip Johnson of 12770 Sapony Church Road, McKenney, spoke regarding his concerns with the request. He is an adjacent property owner. Upon concluding his comments and a brief discussion with the Planning Commission, the Chairman asked if anyone else in attendance wished to speak. There being no one else wishing to speak, the public comment portion of the meeting was closed.

The Planning Commission discussed this matter amongst themselves to include those concerns raised by Mr. Johnson. Upon concluding their discussion, the Planning Commission voted (6-0), with Mr. McCray absent, to recommend approval of the conditional use permit C-02-1 with the following conditions.

1. The cremation unit shall be in a fully enclosed permanent structure.
2. Minimum setbacks for side yards shall be fifty (50) feet on each side and the minimum rear setback shall be one hundred (100) feet
3. The cremation unit (and operation of the unit) must conform to all state and federal regulations pertaining to environmental quality and any other health and public safety requirements.
4. A one-year review is placed on the conditional use permit to consider the hours of operation.
5. All animals must be kept frozen until cremation.

Mr. Bracey opened the Public Hearing for citizen comments. There being no one present to speak for or in opposition to the request, he closed the Public Hearing.

Mr. Thompson stated the EPA regulates the cremation unit.

The applicant, Lynn Baun, came forward and explained the size and effectiveness of the unit.

Mr. Clay stated be it resolved, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that conditional use permit C-02-1 be approved with the conditions recommended by the Planning Commission listed above.

The motion was seconded by Mr. Haraway, Mr. Moody, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye".

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Ralph stated that she would like to set a date to meet with the Board for a couple of hours to discuss the budget. The Board agreed to meet Wednesday, March 13th at 7:00 P.M. after the Planning Commission and Board finished their work session at Eastside.
2. Mrs. Ralph asked for a Board member to sit on the audit review panel. We have two firms to meet with and she suggested coming in on March 13th at 11:00 A.M. before the workshop. Mr. Clay commented he would come for the review.
3. Mrs. Ralph said we would like to schedule the volunteer certificates be handed out at the regular meeting on April 3, 2002.
4. She commented she would like to have Mr. Luke Matthews from Adelphia attend the meeting on March 20th to provide an update on the progress they are making on the cable television upgrades.

**IN RE: DINWIDDIE COUNTY HISTORIC COURTHOUSE
RENOVATION – REVISED CHANGE ORDER #3**

Mr. Donald W. Faison, Superintendent of Buildings and Grounds came forward to request approval of the negotiated amount for the revised change order Number 3 on the Dinwiddie County Historic Courthouse Renovation. Change Order Number 3 is for the following items:

1. MDP Panel Breaker (2) 225 amp 3 breakers	\$1,000
2. HVAC – (2) 25 amp & (1) 45 amp breaker	720
3. "Faux" finish for courtroom & stairwell ceiling	7,178
4. Installation of back sidewalk	336
5. Change (4) Lavatories @ credit of 62.68 each	<250.72>
6. Install (2) fire rated access doors	519.95

TOTAL CHANGE IN CONTRACT PRICE \$8,743.23

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above described, Revised Change Order Number 3, is hereby approved and authorization is granted for the County Administrator to execute same.

IN RE: PROPOSED SIGNAGE FOR GOVERNMENT COMPLEX

Mr. Donald Faison, Buildings and Grounds Superintendent, presented the

following bids for directional signs for the rear entrance of the Social Services Building and the Administration Building. He commented that Mr. Moody requested the bid for the signage.

<u>COMPANY</u>	<u>BID FOR 10"</u>	<u>BID FOR 12"</u>
HOLLYWOOD	\$1,186.90	\$1,260.00
WYATT	1,759.70	
HERITAGE	1,281.72	

He requested authorization to proceed with the low bidder for the signage of the two buildings using Size 12" letters for the first letter, followed by 10" letters.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Buildings and Grounds Superintendent is hereby authorized to proceed with the signage of the Government Buildings described above and enter into a contract with Hollywood Signs in the amount of \$1,186.90.

IN RE: COUNTY ADMINISTRATOR COMMENTS – CON'T

5. The Planning Commission invited the Board of Supervisors to attend a workshop to discuss major projects affecting future land use in the County. It is to be held on March 13, 2002 at 2:30 P.M. at the Eastside Community Enhancement Center; dinner will be served. The following topics will be discussed:
 - Update on projects at airport – David Ploeger
 - High Speed Rail – information by several groups and departments
 - Route 460 Corridors – Sam Hayes
4. Virginia Motorsports Park – Brian Pierce/Paul Coleman
Mr. Moody, Mr. Clay, and Mr. Bowman stated they would be attending.
4. The Civil Rights Education Heritage Trail is making progress, and Tim Smith will be working on securing the necessary easements for the signage. This trail received Tea-21 funding similar to the Wilson Kautz Trail.

IN RE: BOARD OF SUPERVISOR - REQUEST TO ATTEND 2002 ANNUAL VIRGINIA AMERICAN PLANNING ASSOCIATION CONFERENCE

Mrs. Ralph stated Mr. Bowman has expressed an interest in attending the VAPA Workshop on Land Use Planning. Mr. Bowman commented that Mr. Scheid prepared a travel request for him to attend the conference. It is the 2002 Annual Virginia American Planning Association Conference that is in Roanoke on March 25-27, 2002 at a cost of \$496.40. Continuing he commented he would like to attend if the other Board members did not object.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia approved the travel request of Mr. Bowman to attend the 2002 Annual Virginia American Planning Association Conference in Roanoke on March 25-27, 2002, at a cost not to exceed \$496.40.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman He stated about one year ago the Board had asked the Commissioner of Revenue to put every effort into checking the County Code to see if we could tax mining companies. He felt the Board did not get a sufficient answer and he would like to have an answer within the next week, from the Commissioner of Revenue, at the work session on whether or not we are taxing these mining companies. Mrs. Ralph suggested inviting the Commissioner to be the first item on the budget session on the 13th to give us a report.

Mr. Moody He stated on that issue, if he recalled, the County Attorney worked on it and he thought things were in place. The County Attorney commented she would supply that information to the Board.

Mr. Haraway No comments.

Mr. Clay He commented a citizen called and complained about the litter on Courthouse Road near the Ruritan Building. Mr. Clay stated it should be cleaned up. If the Sheriff's Department wrote a few tickets it wouldn't take long for the word to get around and it would stop.

Mr. Bracey He asked the Board to look in the information tab and read the letter from the State Auditor regarding the Circuit Court Clerk.

IN RE: ITEMS UNDER INFORMATION TAB

1. Virginia Motorsports Park – Hours of Operation
2. Virginia Motorsports Park's 2002 schedule of events
3. Budget Overview prepared by a consultant who formerly worked for the Senate Finance Committee – sent by Martha Burton
4. Old Hickory VFD Open House Invitation
5. VDOT response from Richard Caywood – to add Buck Lane (private road) to secondary system
6. Memo from Director of Planning – response to add Buck Lane to secondary system
7. State Auditor Report – Clerk of the Circuit Court – for period of July 1, 2000 – September 30, 2001

IN RE: CLOSED SESSION

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

- **Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia, Procurement**

Mr. Bowman seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 8:29 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 8:55 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.7, Legal - Procurement

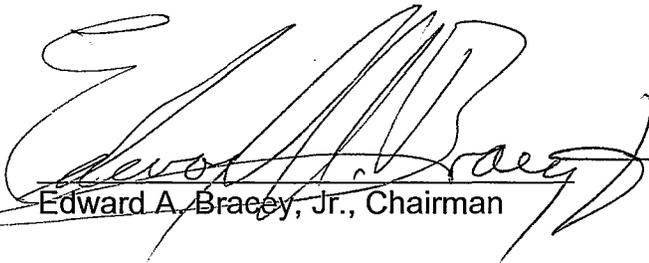
And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 9:01 P.M. to be continued until 2:30 P.M. on Wednesday, March 13, 2002 at the Eastside Community Enhancement Center for a workshop with the Planning Commission.



Edward A. Bracey, Jr., Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
Interim County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE EASTSIDE COMMUNITY ENHANCEMENT CENTER IN DINWIDDIE COUNTY, VIRGINIA, ON THE 13TH DAY OF MARCH, 2002, AT 2:30 P.M.

PRESENT: EDWARD A. BRACEY, JR., CHAIRMAN ELECTION DISTRICT #4
ROBERT L. BOWMAN, IV, VICE-CHAIR ELECTION DISTRICT #3
HARRISON A. MOODY ELECTION DISTRICT #1
(arrived 5:00) DONALD L. HARAWAY ELECTION DISTRICT #2
(arrived 4:49) AUBREY S. CLAY, ELECTION DISTRICT #5

Mr. Edward A. Bracey, Jr., Chairman, called the continuation meeting to order at 2:37 P.M.

IN RE: WORKSHOP SESSION – TO DISCUSS MAJOR PROJECTS AFFECTING FUTURE LAND USE IN COUNTY

The Board and the Planning Commission met in a workshop session to receive updates on major projects affecting future land use in the County. The participants and their topics are listed below:

- Update on projects at airport – David Ploeger
- High Speed Rail – George R. Conner, Assistant Director for Rail, Thomas F. Stewart, Rail Passenger Programs Manager
Richard Caywood, Resident Engineer, VDOT
Sam Hayes, Resident, Dinwiddie County
Bob Kirby, Superintendent, Petersburg National Battlefields
Will Greene, Director, Pamplin Historical Park
Scott Palumbo, Battlefield Preservation Coordinator, Civil War Preservation Trust

IN RE: RECESS

Mr. Scheid called for a recess at 4:01 P.M. the meeting reconvened at 4:15 P.M.

IN RE: WORKSHOP SESSION CONT'

- Rails to Trails - Timothy Smith, Director, Parks & Recreation
- Virginia Rails to Trails Barbara Nelson, Executive Director
- Rails to Trails Conservancy, Hugh Morris, Research Director,
- Route 460 Corridors – Sam Hayes, Assistant State Location and Design Engineer
- Virginia Motorsports Park – Brian Pierce, Manager
Paul Coleman, Owner

IN RE: DINNER RECESS

The Board recessed for dinner at 6:18 P.M. the meeting reconvened at 7:00 P.M.

IN RE: BUDGET WORKSHOP

The Board of Supervisors met to discuss the proposed FY 2002-2003 budget.

COMMISSIONER OF REVENUE

Mrs. Ralph stated at the direction of the Board she had invited Ms. Deborah Marston, Commissioner of Revenue, to speak on the taxation of mineral lands in the County.

Ms. Marston explained the process for the taxation of mineral lands. There was a lengthy discussion and due to the time factor, Mr. Haraway requested that the Commissioner submit a sample of the method she used to derive what the taxes would be for the minerals and land taxation.

**IN RE: REQUEST FOR FUNDS FOR MINERAL TAXATION
SOFTWARE PROGRAM - COMMISSIONER OF REVENUE**

Ms. Marston stated at the present time the software which is currently being used by her department does not have the capability to build a separate book for mineral lands for taxation purposes. Bright and Associates can develop a program that will build the book for \$2,400. The Commissioner's have a users group that will meet in June and she felt they would share in the cost of the program. However, Bright and Associates requires a 20% deposit of \$600 before they will begin the process. She requested that the Board authorize the Interim County Administrator to sign the work order for the software program and send a check to Bright and Associates in the amount of \$600. Mrs. Ralph recommended that the funding come from the Commissioner's budget until she met with the users group to see if they would reimburse her for the software. If agreeable with the group the funds would then be returned to Ms. Marston's budget. The check would be issued at the next regular Board meeting.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorize the Interim County Administrator to sign the work order for the software program change as requested by the Commissioner of Revenue at a cost of \$2,400 to be funded within her FY02 budget.

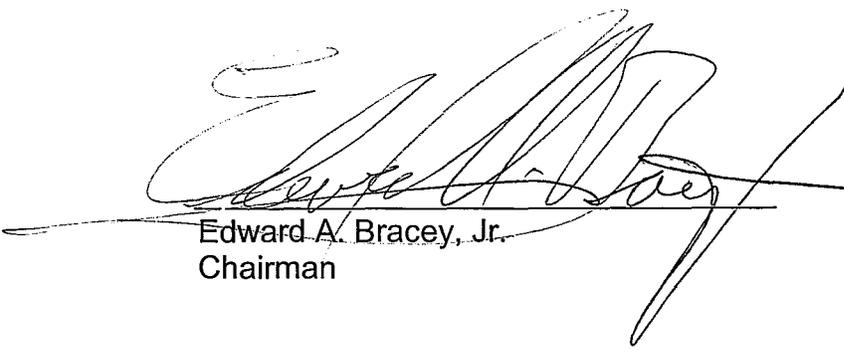
IN RE: BUDGET SCHEDULE

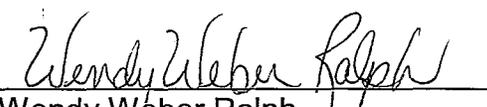
The Interim County Administrator presented the following schedule for adoption of the FY 03 budget and tax rates:

PUBLIC HEARING	WEDNESDAY, APRIL 17 TH	7:00 P.M.
ADOPTION	WEDNESDAY, APRIL 24 TH	7:00 P.M.

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 9:58 P.M.


Edward A. Bracey, Jr.
Chairman


Wendy Weber Ralph
Interim County Administrator

/abr

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 MARCH, 2002, AT 2:00 P.M.

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

OTHER: DANIEL SIEGEL COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 2:06 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the Agenda. Mrs. Wendy Weber Ralph, Interim County Administrator, stated there was a need to add an item under Closed Session – Personnel – Administrative Staff.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the March 6, 2002 Continuation Meeting, March 6, 2002 Regular Meeting, and the March 13, 2002 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Clay, Seconded by Mr. Bowman, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, 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 1029728 through 1029898 (void check(s) numbered 1029727 and 1029865) for:

Accounts Payable FY 2001- 2002:

(101) General Fund	\$ 185,022.68
(103) Jail Commission	\$ 1,156.75
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 1,796.38
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 882.30
(226) Law Library	\$ 9.24
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$ 1,099.89
(304) CDBG Grant Fund	\$ 875.70

(305) Capital Projects Fund	\$ 135,539.95
(401) County Debt Service	\$ <u>85,278.99</u>
TOTAL	\$ 411,661.88

**IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATION
PROJECT – REQUISITION NUMBER 37 (RESUBMITTED)
(IDA1997A-TRANSFERRED PROCEEDS –#1/28/02)**

Mrs. Ralph stated the following invoices were submitted last month and the recommendation is that the School Board pay the vendors from the School Fund. If there are sufficient funds when the Dinwiddie Elementary project is completed the invoices may be resubmitted for consideration by the Board.

JAMES E. & ROBERT M. LEWIS	\$ 7,893.00
ELECTRONIC SYSTEMS, INC.	<u>5,654.37</u>
TOTAL REQUISITION #37	\$ 13,547.37

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 37 (IDA1997A - Resubmitted – #1/28/02) in the amount of \$13,547.37 shall be paid from School funds until the Dinwiddie Elementary project is completed. If there are sufficient funds at that time the invoices may be resubmitted for consideration by the Board.

**IN RE: DINWIDDIE ELEMENTARY SCHOOL PROJECT –
REQUISITION NUMBER 39 (IDA1998A-TRANSFERRED
PROCEEDS –#2/20/02)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 39 (IDA1998A - Transferred Proceeds – #2/20/02):

TRI-CITY OFFICE PRODUCTS, INC.	377.58
TRI-CITY OFFICE PRODUCTS, INC.	556.23
WINDOWS 'N' WALLS	4,350.08
SHELVING DIRECT	3,593.75
JMJ CLEANING SERVICES	750.00
ELECTRONIC SYSTEMS, INC.	<u>4,629.00</u>
TOTAL REQUISITION #39	\$ 14,256.64

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 39 (IDA1998A - Transferred Proceeds – #2/20/02) in the amount of \$14,256.64 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Project Account.

**IN RE: DINWIDDIE ELEMENTARY SCHOOL PROJECT –
REQUISITION NUMBER 40 (IDA1998A-TRANSFERRED
PROCEEDS –#3/7/02)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 40 (IDA1998A - Transferred Proceeds – #3/7/02):

SHELVING DIRECT 579.63

TOTAL REQUISITION #40 \$ 579.63

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 40 (IDA1998A - Transferred Proceeds – #3/7/02 in the amount of \$579.63 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Project Account.

**IN RE: DINWIDDIE ELEMENTARY SCHOOL PROJECT –
REQUISITION NUMBER 41 (IDA1998A-TRANSFERRED
PROCEEDS –#3/11/02)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 40 (IDA1998A - Transferred Proceeds – #3/11/02):

SANDS, ANDERSON, MARKS, & MILLER 828.50

TOTAL REQUISITION #41 \$ 828.50

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 41 (IDA1998A - Transferred Proceeds – #3/11/02 in the amount of \$828.50 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Project Account.

IN RE: CITIZEN COMMENTS

The following citizen(s) signed up to comment.

1. Michael W. Bratschi, 23500 Cutbank Road, McKenney, Virginia, came before the Board with the following concerns:
 - a. He was not clear about the response from the County Attorney regarding the State Code citing the Board's ability to usurp authority over elected officials in the County.
 - b. Littering on County roads and laws not being addressed by Sheriff's Department.
 - c. Being cut-off when addressing the School Board during public comment period.
2. Reverend Kelly Hepler, 10426 Cutbank Road, Mckenney, Virginia, came before the Board commenting on an article that appeared in the Dinwiddie Monitor and Dinwiddie County's youth is above the national average for drug and alcohol abuse. Reverend Kelly stated he would be glad to help in any way he could with the youth in the County. He requested that the Board move their meetings from Wednesdays to another day after 6:00 P.M. because most people have day jobs.

**INRE: SPECIAL ENTERTAINMENT PERMIT REQUEST –
NATIONAL BIKERS ROUNDUP 25TH ANNIVERSARY –
VIRGINIA MOTORSPORTS PARK**

Mrs. Ralph introduced Mr. Charles Talley, Chief Operating Officer for Commonwealth Motorcycle Consortium, Inc. and he is here to request a special entertainment permit for a new event to be held at the Virginia Motorsports Park.

Mr. Talley came forward and gave an overview of the organization. The National Bikers Roundup 25th Anniversary event is scheduled to be held the week of July 31, - August 4, 2002. Mr. Talley stated he had already met with Mrs. Ralph, Mr. Jolly and the Sheriff's Department to find out what the requirements were for the permit. The security will be tight and no weapons will be allowed in the park whatsoever. A call center will be set up at the park and no noise will be permitted after 11:00 P.M. for any reason. Mr. Talley stated he would be holding a meeting with the families who live in close proximity of the park and would be providing a phone number to call if they had any problems with anything during the event. He commented that he would be submitting the application for the permit by the end of the month.

IN RE: ADELPHIA CABLE – STATUS OF UPGRADE – MR. LUKE MATTHEWS

Mr. Luke Matthews came forward stating the upgrade of Adelphia's cable system serving the Dinwiddie County area is nearing completion. One of the final steps is the switch over of the customer's line from the old system to the new fiber optic system, which should be completed by June 1st.

All 150 miles of our new system will be subdivided into pockets that we call nodes. Each of the nodes serves from one to two miles of cable plant. On the day a node area is cut over to the new system, splicing must be done on nearly every pole in that node area. This will cause a service interruption in that area only; however, depending on the particular location, the interruption may last from a few hours to several hours. This process should affect every customer only once. This will be on the day their node area is cut over. Depending on the layout, crews will be cutting over from one to three nodes per day.

Once the entire system is cut over in July, we will have the capability to add new channels and services. He provided the Board with the list of the new proposed services and channels, which will be offered to Adelphia customers.

The Board asked if any new locations would be added to the service areas. Mr. Matthews responded one new subdivision on River Road has been added in the service area. He commented he was not certain if any other areas were being added for new service but he find out and let them know.

IN RE: VDOT – REPORT

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

1. Rt. 623 – Signal Crossings completed
2. Rt. 226 intersection with Rt. 1 - Curb replacement work being done
3. Rt. 460 from Sutherland to Amelia line – Speed study completed - shows average speed is 61 MPH and some warning signs will be installed at Rt. 708
4. VDOT's annual meeting to prioritize items already in the plan - John Tyler Community College April 10, 2002 at 10:00 A.M. – Important that County have representation - Rt. 460 Corridor Study

IN RE: CONVEYANCE OF 2.28 ACRES - AIRPORT ENTRANCE

Mrs. Ralph stated we received the deed from the Dinwiddie Airport Authority today. This deed conveys 2.28 acres to the County for the new access

road off U.S. Route 460. The County will then turn it over to VDOT so it can be taken into the State Highway System, after it is approved. The reason the deed is critical and needs to be done today is because it has to be recorded before the State will release the reimbursement to the Airport Authority. She requested authorization for the Chairman to sign the deed and issue a check for the recording fees.

Mr. Bowman suggested that covenants and or restrictions be placed on the land to make certain the entrance road is kept up to standards. Mr. Caywood stated he wasn't sure if the county could place any restrictions on the easements or not. He commented he would run the language by VDOT's right-of-way department just to see what, if anything can be done. Mrs. Ralph stated she would have legal counsel take a look at it too. But if the Board would take action today it would expedite the process pending the outcome.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Chairman is authorized to sign the deed for a right-of-way easement for the new Airport access road contingent upon researching the legality of placing restrictions on the right-of-way before the deed is recorded.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and stated he had nothing new to report to them. He presented his report for the month of February 2002.

IN RE: APPROVAL OF INVESTMENT POLICY - TREASURER

Mr. Jones commented he had provided the Investment Policy in their packet. He requested the Board's approval of the policy.

Mr. Haraway questioned the process Mr. Jones followed for bidding out the renewal of investment instruments.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the investment policy as presented by the Treasurer is approved.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, came forward stating he had nothing to report, but would answer any questions the Board may have. Mr. Rainey requested that the County Attorney submit a proposed amendment to the County Code to reflect the new vehicle code adopted by the State effective July 1, 2002.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward presenting his report for the month of February 2002.

1. Reported that the jail looks great. He thanked Mr. Donald Faison for the wonderful job. He invited the Board over to take a look at it.

IN RE: ADDITIONAL APPROPRIATION FOR HOUSING INMATES

Mrs. Ralph stated if you recall we had a discussion about the need for an additional appropriation to cover the expense for housing inmates at the Southside Regional Jail during the recent jail renovation. That amount is \$25,290. We also discussed the need to keep four (4) inmates at that facility for the remainder of the fiscal year while Staff investigates other alternatives. That cost would not exceed \$11,000, making a total additional appropriation of \$36,290 from the undesignated fund balance.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the additional appropriation to cover the expense for housing inmates at the Southside Regional Jail in the amount of \$36,290 is approved and funds appropriated from the undesignated fund balance.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of February 2002.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward presenting his monthly update for February 2002. He commented he also visited Powhatan and took a look at the plans for the proposed shelter there.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and stated Mr. William C. Scheid, Director of Planning, is at the Tobacco Commission meeting, but the monthly report was provided in the packets. He commented if the Board had any questions he would be happy to get an answer and report back to them. He introduced Mr. Phillip Harris, the new Code Enforcement Officer.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his February 2002 monthly report.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen came forward stating she had nothing to report this month. She commended Mr. Byron Walker and Mr. Zeke Bolling for their hard work and help in keeping their building clean.

IN RE: RECESS

Mr. Bracey called for a recess at 3:34 P.M. The meeting reconvened at 3:40 P.M.

IN RE: EDUCATIONAL FACILITY STUDY & ATTENDANCE ZONE REVISION - APPROVAL OF APPROPRIATION

Dr. Leland Wise, Superintendent of Schools, came forward and stated Basically he was here to review the RFP for the school facility and attendance zone study, which was presented to the Board. He commented he had Mr.

Douglas Westmoreland here to answer any questions the Board might have regarding the study.

Mrs. Ralph stated based on the direction of the Board, Staff met with Dr. Wise and Mr. Westmoreland regarding the request from the School System for the Educational Facility Study and Attendance Zone Revision. As a result of that meeting Staff recommends approval of \$133,210 of the bond money for the study. The recommendation is based on those elements that would allow the School system to move forward with the Attendance Zone Revision. The remainder of the proposal would be delayed until the Board and citizens could see the results of the study and how the completion of the remainder of the study would be beneficial.

After a lengthy discussion between the Board members, Mr. Westmoreland, and Dr. Leland Wise, Mr. Haraway moved to appropriate \$133,210 of the bond money from the remaining school project funds for the study as recommended by the County Administrator and Staff.

The motion was seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that \$133,210 of the bond money from the remaining school project funds for the Educational Facility Study and Attendance Zone Revision is approved.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, stated he had provided the Board with his February 2002 monthly report.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward to present his report for February 2002. Mr. King stated because of the nice weather he had added a 2nd shift for the week-end due to the extensive usage of the dumpsters. Hopefully that will help alleviate the litter problems around the County.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, was not present due to a hazmat call. His report was included in the Board Packet

IN RE: APPOINTMENT – COMMUNICATIONS SUPERVISOR POSITION – MS. DENISE ABSHER

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", authorization is granted for Administration to appoint Ms. Denise Absher to the position of Communications Supervisor, at Grade 14, Step A at an annual salary of \$33,941, effective April 8, 2002.

IN RE: AUTHORIZATION TO PAY CLAIM FOR FORD VOLUNTEER FIRE DEPARTMENT PUMPER TRUCK

Mrs. Ralph commented Mr. Jolly has an invoice he would like to have the Board approve also. The primer and pump on the 1987 Ford, E-One Pumper from Ford Volunteer Department has been repaired. The cost for the repair is \$13,841. He asked for approval to pay the invoice from line item 101-032200-3310, Volunteer Fire capital line item budget.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the invoice in the amount of \$13,841 for repairs on the primer and pump on the 1987 Ford, E-One Pumper is approved and funds appropriated from the Volunteer Fire Department budget capital line item 101-032200-3310.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Daniel Siegel, County Attorney, came before the Board stating he checked on the Titanium taxation issue raised by Mr. Bowman and the County can separate the taxes on minerals and land. However, the severance tax issue is limited to coal and gas. He stated he would be glad to update the Board on litigation in Closed Session.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and stated he provided his monthly update for February 2002 in the Board packages.

Mr. Faison presented the color selections for the floors, cabinets, and counter tops for the Public Safety Building. The Board had no objections to the selections.

IN RE: ARBITRAGE REBATE CALCULATIONS – CONTRACT AWARD

Mrs. Ralph stated it is time again to perform arbitrage rebate calculations for our bond issues that fall within the 5-year timeframe. The County and the School Board have 9 bond issues together. The following companies responded to our solicitation:

COMPANY	BID	TOTAL
Trimble & Associates	\$ 475/bond issue	\$ 4,275
Robinson, Farmer, Cox Associates	1,150/bond issue	10,350

Mrs. Ralph recommended Trimble & Associates since they are the low bidder and also because they performed the last calculations.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to proceed with the contract with Trimble & Associates to perform arbitrage rebate calculations for our bond issues that fall within the 5-year timeframe at a cost not to exceed \$4,275.

IN RE: COUNTY AUDIT – AUTHORIZATION TO NEGOTIATE CONTRACT

Mrs, Ralph commented staff sent out seven and received two proposals for the County Audit contract. The two were from Robinson, Farmer, Cox Associates and Cherry, Bekaert & Holland.

The recommendation of the audit committee is to request authorization to negotiate a contract with Robinson, Farmer, Cox. Additional services will include: Landfill Assurance filing; school activity funds; GASB 34 conversion and an audit of each of our volunteer fire/ems departments. Mr. Clay stated the volunteer rescue squad should be included.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Staff to negotiate a contract with Robinson, Farmer, Cox Associates to perform the county audit renewable annually for a five-year period.

IN RE: PRESENTATION OF PAY PLAN, ORGANIZATIONAL STRUCTURE AND CREATION OF NEW POSITIONS

Mrs. Ralph stated in July of last year, the Board of Supervisors entered into an agreement with the Virginia Tech Institute for Innovative Governance to conduct a Classification and Pay Plan Review for the County. The study has been completed and the Board has a Resolution before it today to adopt; and if adopted, the effective date would be March 1, 2002.

A sound plan is based on 4 principles:

- A. Internal equity - for jobs that have a comparable work load, experience, responsibility, skill, training, and complexity
- B. Competitive with the market – to similar jobs within the labor market for which we must compete for employees
- C. Reflects the organizational values and goals – should reflect the value of the jobs and help the county achieve it's policy and fiscal goals
- D. Employee buy-in – conveys to employees that their work will be appropriately rewarded – keeps good employees

The goal is for the plan to have room for growth but stay competitive for at least 3 to 5 years. Then we looked at, how do we find the most cost effective method to deliver services to Dinwiddie County citizens?

One of the major components of this study was the development of Divisions which would be mission focused and be based upon the concept of teamwork. This will provide clustering of compatible units that would produce greater focus upon their basic mission and will improve services to county residents. Every work team will be strictly accountable for meeting the goals that are set and which have been approved by the Board. The proposed structure is shown in this chart:

DIVISION OF PUBLIC SAFETY

This division will contain the following offices:

Emergency Medical Services
Fire Services
Communications
Animal Control

The only new position proposed here is the Chief of the Division.

DIVISION OF PLANNING & COMMUNITY SERVICES

This division will contain the following offices:

Planning
Zoning
Code Enforcement
GIS
Building Inspector
Recreation

The Assistant County Administrator will also serve as the Division Chief for this division. The new position here is the GIS Manager to implement and manage the GIS System.

DIVISION OF ADMINISTRATIVE AND COMMUNITY SERVICES

This division will contain the following offices:

Purchasing
Accounts Payable
Human Resources
Information technology
Buildings and Grounds
Waste Management

The new position in this division is the Human Resources Assistant.

The Pay Plan is based on a 2 1/2% increase between steps and 8% between grades just like our present plan. All employees have been placed on the pay plan and given a one step annual adjustment. The increase for employees not involved in a re-grade is approximately 3.5%. There will not be a salary increase for county employees in the next fiscal year.

Several positions were recommended for a position re-grade or reclassification. A re-grade/reclassification occurs when the duties of a position have changed as a result of additional duties being added, duties removed, or a need for higher levels of skill and expertise.

Those re-grades are as follows:

Emergency Medical Technicians – Advanced –
(This is where the study originated. Very similar to teachers, we were having trouble recruiting and keeping EMS providers. This re-grade brings them in line with surrounding communities, but it is also the place where the majority of the cost lies for the implementation of the plan.)

Animal Control Officers
Zoning Administrator/Senior Planner
Recreation Program Coordinator
Information Systems Manager
Fiscal Technician – Step increase only
Equipment Operators
Director of Buildings and Grounds
Division Chief – Administrative and Community Services

Cost Information

The Board included \$100,000 in this year's budget to cover the plan review and recommendations. The cost to implement the plan from March 1, 2002 until the end of the fiscal year is \$77,960. The cost in FY 03 is \$212,504 which is a \$134,544 increase from FY 02.

The Communications Center staff has been authorized and will be funded through E911. The paid EMS Crew is on hold pending additional call information and action on the Revenue Recovery Program.

Mr. Bracey commented that the Board wanted to discuss the matter further before taking action.

Action was postponed on the adoption of the Resolution until after Closed Session.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Ralph reported she contacted the cogeneration plant as a viable source of power for the County. They are not on line 24 hours a day and they presently are a supplier of power for an industry. However, a representative will be calling her back.
2. The redistricting plan was approved by the Justice Department. There is a sixty-day period in which they reserve the right to request additional information.

IN RE: VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT & THE OFFICE ON YOUTH COMMISSION SERVICES

Mrs. Ralph stated there is an additional budget item that Staff needs direction on. The State has placed us in a dilemma because they have cut out the funding for the Office on Youth and the VJCCCA program has been cut 52%. The VJCCCA program would need \$17,770 from the County to continue operation and keep that person in the position. If the County will provide this amount of funding, the Supervisor has pledged to have the position become more involved in monitoring the children going to the Crater Detention Home or those with the potential for being sent to the Detention Home, thereby keeping our cost down as much as possible.

Continuing she stated, my recommendation, therefore, is to provide \$40,000 to be split between VJCCCA and OYCS with these conditions: VJCCCA will take on the duty of expediting the process for the children being sent to the Crater Detention Home to either give the judge an alternative punishment or minimize their time in the facility. OYCS will receive \$20,000 with the directive to secure the remainder through grants or from the School System with the same mission to concentrate more time on those children who have already touched the court system. Again, this is in an effort to reduce the costs the County must cover with the Detention system.

Mr. Moody stated the County has a higher rate of alcoholism and drug abuse than any other locality in the area. If they can measure that then the Board needs to see some improvements or the County will not provide future funding for the programs.

There was a great deal of discussion among the Board and the County Administrator about the funding for the programs.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that \$40,000 will be included in the FY 03 budget and shall be split between VJCCCA and OYCS with the conditions listed above.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay	No Comments
Mr. Haraway	No Comments
Mr. Moody	No Comments
Mr. Bowman	No Comments
Mr. Bracey	He stated the Board pulled two people out of the water today and put them on land. He commented he knew of a few others who needed help also.

IN RE: CLOSED SESSION

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

Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia
- Administration

Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia
- Procurement and Sale of Property

Mr. Bowman seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 5:14 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:16 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel - Administration and § 2.2-3711 A.7, Legal Counsel – Procurement and Sale of Property

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

IN RE: RESOLUTION ADOPTING PAY PLAN, ORGANIZATIONAL STRUCTURE AND CREATION OF NEW POSITIONS

Mrs. Ralph stated you have in front of you the Resolution for Adopting the Pay Plan, Organizational Structure and the Creation of New Positions and the only change in the Resolution would be that the Departments would now be called Offices and the Pay Plan would be limited to Step O.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following organization plan and new positions are adopted with an effective date of March 1, 2002:

- A. The organization of the County shall be divided into three Divisions:
1. The DIVISION OF PUBLIC SAFETY which shall consist of the Offices of EMS, Fire, Communications and Animal Control.
 2. The DIVISION OF PLANNING AND COMMUNITY DEVELOPMENT which shall consist of the Offices of Planning, Zoning, Code Enforcement, GIS, Building Inspections, and Recreation.
 3. The DIVISION OF ADMINISTRATIVE AND COMMUNITY SERVICES which shall consist of the Offices of Purchasing & Accounts Payable,

Human Resources, Information Technology, Buildings & Grounds, and Waste Management.

- B. The organizational chart as presented to the Board and filed in the Office of the County Administrator shall establish the positions that report to each Division Chief.

AND BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the pay and classification plan as presented to the Board at its meeting on March 20, 2002 and filed with the Clerk of the Board is hereby adopted with an effective date of March 1, 2002

AND BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that each employee shall be placed on the new pay plan with an annual adjustment with an effective date of March 1, 2002; said pay plan to have a maximum step of Step O;

AND BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia the following position re-grades are authorized with an effective date of March 1, 2002:

Assistant County Administrator/Division Chief – Planning and Community Development – Grade 18 to Grade 20
Emergency Medical Technician II – Grade 10 to Grade 12
Division Chief – Administrative Services – Grade 16 to Grade 18
Fiscal Technician – Grade 7C to Grade 7F
Manager, Information Systems – Grade 9 to Grade 14
Director, Buildings & Grounds – Grade 15 to Grade 16
Zoning Administrator/Senior Planner – Grade 14 to Grade 15
Animal Control Officer – Grade 10 to Grade 12
Ass't. Animal Control Officer – Grade 8 to Grade 10
Animal Control Attendant – Hourly Grade 8
Animal Control Aide (Pound) – Hourly Grade 6
Equipment Operators – Grade 5 to Grade 8
Recreation Program Coordinator – Grade 8 to Grade 10

AND BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following positions within the organization plan are authorized to be advertised and filled immediately:

Assistant County Administrator/Division Chief for Planning and Community Development
Human Resources Assistant – Grade 8;

AND BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following positions shall be advertised and filled no later than July 1, 2002:

Division Chief, Division of Public Safety – Grade 18
GIS Manager – Grade 15

This resolution shall take effect immediately.

IN RE: RESOLUTION APPOINTING COUNTY ADMINISTRATOR

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Wendy Weber Ralph is hereby appointed as County Administrator and shall assume all the responsibilities of that office on April 1, 2002.

AND BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Chairman of the Board of Supervisors is hereby authorized to enter into on behalf of the Board the Employment Agreement between Wendy Weber Ralph and the County. Such agreement, which is presented to the Board at this meeting on March 20, 2002 and a copy of which is on file with the Clerk of the Board of Supervisors.

AND BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is directed to immediately advertise for the position of Assistant County Administrator/Chief of the Division of Planning and Community Development, to interview candidates, and to recommend to the Board of Supervisors as soon as possible thereafter the best suited and qualified candidate.

AND BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Glenice Townsend shall remain in the position of Acting Assistant County Administrator until such time as an individual is appointed to the position of Assistant County Administrator/Chief of the Division of Planning and Community Development.

AND BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Glenice Townsend shall be appointed to the position of Chief of the Division of Administrative & Community Services when her services as Acting Assistant County Administrator cease.

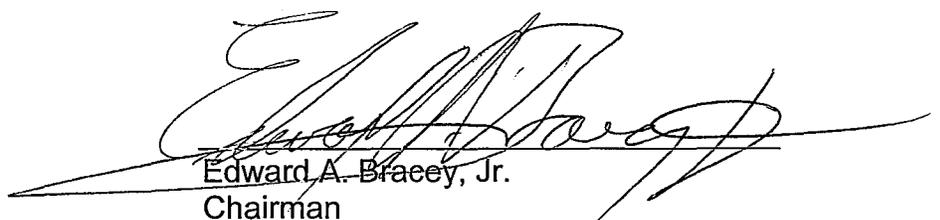
This Resolution shall be effective immediately.

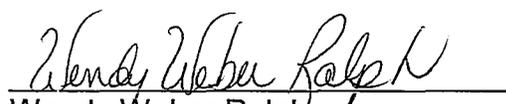
IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Appomattox Regional Library - Report
2. Letter from U.S. Department of Justice – Approving Redistricting of Dinwiddie County
3. Letter from Commonwealth of Virginia Department of Corrections – Regarding jail facility placed on Probationary Certification
4. Invitation to the Meet and Greet honoring Senator Henry Marsh, and Delegate Fenton Bland, Jr. to be held on Sunday, March 24, 2002.
5. Letter from Probation Supervisor – Regarding number of juveniles in detention and estimated costs of detention in support of the VJCCCA program

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 7:29 P.M.


Edward A. Bracey, Jr.
Chairman


Wendy Weber Ralph
County Administrator

VIRGINIA: AT THE REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 3RD DAY OF APRIL, 2002, AT 7:30 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., called the regular meeting to order at 7:30 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 there was a need to add two items under Closed Session – Investment of Public Funds and Treasurer under Personnel.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the March 20, 2002 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Bracey 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 1029900 through 1030110 (void check(s) numbered 1029960, 1029961, 1029558, 1029976 and 1029899) for:

Accounts Payable:

(101) General Fund	\$ 197,841.28
(103) Jail Commission	\$ 1,372.37
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 3,453.56
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 2,764.99
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$ 4,367.00
(229) Forfeited Asset Sharing	\$ 338.20

(304) CDBG Grant Fund	\$.00
(305) Capital Projects Fund	\$	4,364.00
(401) County Debt Service	\$	<u>2,200.00</u>
TOTAL	\$	216,701.40

PAYROLL 02/28/02

(101) General Fund	\$	391,744.30
(222) E911 Fund	\$.00
(304) CDBG Fund	\$	<u>3,390.42</u>
TOTAL	\$	395,134.72

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting.

The following citizens came forward to address the Board:

1. Reverend Robert Rowland, 18404 Bonneville Lane, Dinwiddie Virginia, came forward stating he had not received a response from the Board regarding changing their meetings to another night so more citizens could attend the meetings. He asked the Board to please respond either by letter or a phone call.
2. Mrs. Eva Bratschi, 23500 Cutbank Road, McKenney, Virginia, came before the Board with the following concerns:
 - a. The handling of duties by the Sheriff's Department, Animal Warden, Code Enforcement Officer – Is there a policy and procedure handbook for employees that describes their duties?
 - b. Do employees have periodic performance evaluations (every 3 to 6 months)?
 - c. Does the Board of Supervisors review statistics provided by the Sheriff's Department to address the crime influx in the County?
 - d. Is the Board already looking into how public servants could better serve the public, no matter who you are?
 - e. Can the Board look into the Commonwealth Attorney's Office providing better service to the victims of crime?
3. Michael W. Bratschi, 23500 Cutbank Road, McKenney, Virginia, stated the new code enforcement officer is not in compliance, at his residence, with the vehicle ordinance which was just passed by the Board. Mr. Bracey interrupted Mr. Bratschi, stating if he had problems or concerns with a county employee he should make an appointment with their supervisor or the county administrator to discuss his concerns. Those concerns should not be aired in public. Mr. Bratschi responded he felt he should be able to comment on any subject he wished to during the citizens comment period. Continuing he stated the county attorney has not responded to his questions from the last meeting regarding:
 - a. The code cited by the County Attorney regarding the State Code citing the Board's ability to usurp authority over elected officials in the County has been repealed. He wants the correct code explained.
 - b. Littering on County roads and laws not being addressed by Sheriff's Department.
 - c. Being cut-off when addressing the School Board during public comment period.

Mr. Bracey asked the County Attorney to respond to Mr. Bratschi.

4. Mrs. Anne Scarborough came before the Board and stated she had requested that the Board set a policy against paying for room service for employees and Board members. To date she has not gotten an answer from them. She reiterated that she felt the citizens should get a report from anyone who attends a conference whether they are Board members or employees stating what sessions they attended and how it benefited the taxpayers of the County. She stated she read a report that Adelphia Cable is in a shaky financial situation.
5. Reverend Rowland Powell, 6006 Tranquility Lane, Sutherland, Virginia, came forward in support of the Board changing their meetings to another night to allow more people an opportunity to attend.

IN RE: VOLUNTEER CERTIFICATES OF APPRECIATION

Mrs. Wendy Weber Ralph presented Certificates of Appreciation to the following volunteers who served on the Comprehensive Land Use Plan Advisory Council and the 2001 Redistricting Committee:

2001 Redistricting Committee

District #1

George Bennett, Jr.
Rennie Bridgman
Colonel Percell Hobbs

District #2

Peggy Hayes
James Merrick
Calvin Vaughan

District #3

Charles R. Horne
George W. Stephens
William Branch

District #4

Thomas Hooker
Enid Hepburn Lindsay
Thomas Van Pelt

District #5

Harry L. Clay
Roy L. Crittendon
Wanda J. Short

COMPREHENSIVE LAND USE PLAN ADVISORY COUNCIL

Samuel W. Hayes
Thelma B. Blackwell
Robert Bowman, IV
Robert Spiers
Bryan Cobb

George Whitman, Jr.
M. Dean McCray
Gilbert Wood
Harrison Moody

**IN RE: AMERICAN CANCER SOCIETY – RELAY FOR LIFE-
MS. JENNIFER HUGHES**

Ms. Jennifer Hughes stated she was here tonight on behalf of the American Cancer Society to ask people to participate in the Relay for Life Event. This year's event will be held at Richard Bland College on May 31 – June 1. The funds raised will be used to help find a cure for cancer. Mrs. Hughes commented she is a resident of the County and became involved in Relay for Life in honor of her grandfather, who had cancer. She admonished everyone to please come out and form a team and participate in the event.

IN RE: AUCTION – SURPLUS PROPERTY

Mrs. Ralph stated a list of items was included in your packets for you to take action to declare surplus for a joint auction with the School Board to be held Saturday, April 20, 2002.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the list of items as presented by the County Administrator is hereby declared surplus property and is authorized for sale at the joint public auction with the School Board to be held Saturday, April 20, 2002.

IN RE: 250th ANNIVERSARY CELEBRATION – DRAFT PLAN

The Board received a draft outline from Mr. Tim Smith, Director of Recreation, for the 250th anniversary for the County, for the Board to review before final plans are made on the program. The County Administrator requested the Board let staff know if they wanted any changes.

IN RE: PUBLIC SAFETY BUILDING - ADD ALTERNATE FOR REMOVAL OF ASPHALT PAVING

Mr. Donald Faison, Director of Buildings and Grounds, stated he was concerned about people using the asphalt area in front of the public safety building for parking and then having to back out on Courthouse Road, which is the safety issue. To remove the asphalt paving, restore the road shoulders, haul in top soil, and re-seed around the public safety building the additional cost would be \$5,500. He commented aesthetically it certainly would be a big improvement.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to proceed with the recommendation of the Director of Buildings and Grounds for the Add Alternate to remove the asphalt paving, restore the road shoulders and re-seed around the public safety building; contingent upon checking the cost with the Director of Waste Management to see if he can do the job cheaper than \$5,500.

IN RE: PUBLIC SAFETY BUILDING RENOVATION –CHANGE ORDER #2

Mr. Donald W. Faison, Director of Buildings and Grounds came forward to request approval of change order number 2 on the Public Safety Building renovations. Change order number 2 is for the following items:

1. Credit for sconces in communications center	-\$1,000.00
2. Extend sidewalk	580.80
3. 35' Flag pole	1,675.85
4. Delete 1" insulated glass at door/frame/wall replace w/tempered glass	- 101.64
5. Delete 1 of 2 flagpole lights	280.50
6. Delete 2 kick plated door hardware	99.00
7. Add light switches in corridor	214.50
8. Solder course above windows	165.00
9. Remove power feed to generator/main transfer switch	- 475.50
10. Add 2 dampers	389.40

11. Add 2 2/4" conduits w/sleeves	192.50
12. Add 4 conduits in CCW	121.00

TOTAL CHANGE IN CONTRACT PRICE **\$1,037.41**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above described, Change Order Number 2, is hereby approved and authorization is granted for the County Administrator to execute same.

IN RE: COUNTY ADMINISTRATOR – TRAVEL REQUEST - VIRGINIA LOCAL GOVERNMENT FINANCING CONFERENCE

The County Administrator stated she would like to attend the Virginia Local Government Financing Conference to be held May 7 and 8, 2002 at Virginia Beach. This conference will be more beneficial than the Virginia Local Government Manager's Conference in June. Especially timely are the topics of financing public safety and long term planning for capital projects.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. voting "Aye", authorization was granted to the County Administrator to attend the Virginia Local Government Financing Conference to be held May 7 and 8, 2002, estimated cost to be \$159.00.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Ms. Phyllis Katz is scheduled to conduct a training session for department heads to cover proper procedures in dealing with personnel issues leading up to the annual performance evaluation with emphasis on meeting legal requirements on Monday, April 8th, 2002 from 9:00 A.M. until 1:00 P.M.
2. Mrs. Ralph informed the Board that she had a discussion with Mr. Jim Sisk with the Department of Corrections concerning Camp 27. Basically, only state classified prisoners can be taken into Camp 27, and they will continue to stay on top of moving state responsible inmates out of our jail as soon as they can. She commented staff is still reviewing other options.
3. Mrs. Ralph commented a letter was included in your packets from Mr. David Ploeger regarding the land on each side of the new access road being constructed at the Dinwiddie County Airport. According to legal counsel the deed does not include the property on either side of the road; therefore it would not be the proper vehicle for development restrictions. Mrs. Ralph said we have two options. We could meet with the Airport Authority and develop a separate agreement to develop restrictions to be placed on the lots or when the corridor study is done, include the road in the study. The deed needs to be recorded so that the State will release our money. If there are no objections to the Chairman signing the deed, Staff will have the deed recorded this week. This was agreeable with the Board.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman He thanked all the citizens who volunteered their time serving on the committees. He would like for staff to see if they could respond in a timelier manner to citizen requests.

Mr. Moody He stated he agreed with Mr. Bowman. Continuing he commented it takes a lot of time to do volunteer work and he appreciated all those who helped. Mrs. Ralph asked for the Board's approval to hold the Comprehensive Land Use Plan Workshop on April 24th after the adoption of the budget and the tax rates. The Board agreed.

Mr. Haraway No comments.

Mr. Clay No comments.

Mr. Bracey He thanked all the volunteers for all their work also. He admonished Staff to work on the laundry list. Continuing he cautioned people to be mindful of what you say in public. No one is perfect. He thanked the citizens for their support.

IN RE: ITEMS UNDER INFORMATION TAB & HANDOUTS

1. Letter from VDOT – regarding the CTB's Regional Financial Planning and Programming Meeting scheduled for April 10, 2002 at 10:00 a.m. at JTCC
2. Memo to Sheriff Shands – Monitoring Litter – from Mrs. Ralph
3. Memo to Sheriff Shands – County funding for School Resource Officer grant/Dare Officer – from Mrs. Ralph
4. News release from Petersburg National Battlefield – Conceptual Alternatives Workshops Planned to Present & GMP Conceptual Alternatives
5. Letter from Dinwiddie County Water Authority – Water and Sewer Rate Increase – Public Hearing Notice

IN RE: CLOSED SESSION

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

Personnel Matters - §2.2-3711A.1 of the Code of Virginia Appointments; Treasurer

Business and Industry Development - §2.2-3711 A. 5 of the Code of Virginia

Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia – Procurement

Investment of Public Funds - §2.2 –3711 A. 6 of the Code of Virginia

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 8:49 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:34 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, Personnel Matters – Appointments, Treasurer § 2.2-3711 A.5, Industry, § 2.2-3711 A.7, Legal – Procurement, § 2.2-3711 A.6, Investment of Public Funds

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

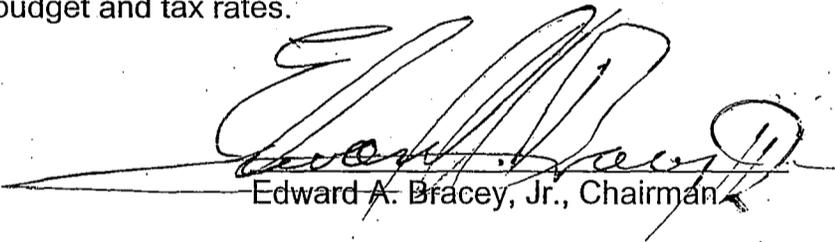
IN RE: VRS EARLY RETIREMENT - AUTHORIZATION TO PAY FILING FEE TO REQUEST A PRIVATE LETTER RULING FROM INTERNAL REVENUE SERVICE

Mrs. Ralph stated our attorney has been working on a request for a private letter ruling from the Internal Revenue Service so that the County may convert its VRS early retirement program obligation to a tax-exempt obligation. A favorable ruling could result in substantial long-term savings to the County. There is a filing fee of \$1,400, which is the County's share, required by the IRS to see if the County could save approximately \$200,000 over the life of the debt.

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye", Mr. Haraway "Abstaining", authorization to submit a check to Sands, Anderson, Marks and Miller in the amount of \$1,400 for the filing fee for the conversion was approved.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 10:43 P.M. to be continued until 7:00 P.M. on Tuesday, April 16, 2002 for the Public Hearing for the budget and tax rates.


Edward A. Bracey, Jr., Chairman

ATTEST: 
Wendy Weber Ralph
County Administrator

/abr

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 16TH DAY OF APRIL, 2002, AT 7:00 P.M.

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

IN RE: CALL TO ORDER

Mr. Edward A. Bracey, Jr., called the continuation meeting to order at 7:06 P.M. followed by the Lord's Prayer and the Pledge of Allegiance. He apologized for his tardiness and welcomed everyone to the public hearings.

**IN RE: PUBLIC HEARING – PROPOSED FY 2002-2003 BUDGET
– TAX RATES FOR 2003**

This being the time and place as advertised in the Progress Index on April 9, 2002 and the Dinwiddie Monitor on April 10, 2000, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comment on the proposed Budget for the Fiscal Year Commencing July 1, 2002 and the proposed Tax Rates for 2002.

Mrs. Wendy Ralph, County Administrator, gave the following overview of the Proposed FY 2002 – 2003 Budget and Tax Rates for 2002

SUMMARY POINTS

- ◆ 5% overall increase in budget
- ◆ Tax rates remain the same
- ◆ 8.5% increase in local revenues; State revenues down 2%
- ◆ 9.5% increase in General Fund operational budget without CIP
- ◆ \$1,000,000 from fund balance for CIP
- ◆ \$1,000,000 additional local funds transfer to Schools represents 11% increase

PERSONNEL COSTS

- ◆ No cola or merit increase for state or County employees
- ◆ Increases shown in County departments due to adoption of revised pay & classification plan in March of 2002. (\$134,544 FY03)
- ◆ Increase in local transfer for schools for purpose of increasing beginning teacher salary to \$31,000

COUNTY ATTORNEY

- ◆ Increase in litigation – with growth in development = increase in building and zoning challenges

COMMISSIONER OF REVENUE

- ◆ Extra Help represents what Compensation Board will fund – 50% County

TREASURER

- ◆ Increase in printing & binding
- ◆ Increase in advertising & postage

DATA PROCESSING

- ◆ Increase for network server
- ◆ Internet service being finalized
- ◆ Website being developed

GENERAL DISTRICT COURT

- ◆ Open Shelf Filing System

SHERIFF

- ◆ Match provided for two school resource officers – Middle & High Schools
- ◆ DARE Officer funding eliminated
- ◆ Increase in vehicle repair
- ◆ Capital - Six (6) new cars

FIRE DEPARTMENTS & RESCUE SQUAD

- ◆ Contributions remain the same - \$20,000 per dept.
- ◆ \$30,000 again provided for capital items outside the abilities of the individual fire depts. And \$30,000 included for routine vehicle maintenance
- ◆ \$25,000 for utilities (\$5,000 per dept.)
- ◆ \$25,000 provided for repair & maintenance of buildings – (\$5,000 from unused utility funding)

DINWIDDIE EMS

- ◆ Increase for a second paid crew is included under Internal Services.
- ◆ Contingent upon review of statistics to determine if, when and where
- ◆ Contingent upon adoption of revised revenue recovery ordinance
- ◆ Public hearing date to be determined

JAIL

- ◆ One of the biggest increases in the budget
- ◆ Increase in medical services, food and operational expenses due to increasing population
- ◆ Funds are available should the Board decide to purchase outside space
- ◆ All options are still under review

Jail con't.

- ◆ Change in guidelines for State responsible inmates – increased cost to locality

CRATER JUVENILE DETENTION

- ◆ The other largest increase is the Crater Juvenile Detention Home
- ◆ Outside detention costs are \$125/day
- ◆ Also reflects a cut in state funding
- ◆ Moratorium on state support for expansion or new facilities

ANIMAL CONTROL

- ◆ Includes funding for replacement vehicle

PUBLIC SAFETY OFFICER

- ◆ Funding for Division Chief in present budget but hiring postponed until July 1

WASTE MANAGEMENT

- ◆ Governor has proposed an additional \$5/ton on trash deposited in Virginia landfills
- ◆ Cost to Dinwiddie based on 2001 tonnage would be \$95,000 (not included)
- ◆ Continuing to pursue property for additional manned sites

BUILDINGS AND GROUNDS

- ◆ Additional janitor for public safety building and historic courthouse
- ◆ Accompanying increase in supplies & equipment
- ◆ Increase in purchase of water – Rate increase for ARWA expansion – 5 million gallons for Dinwiddie

PLANNING & ZONING

- ◆ GIS position funding in FY02 but hiring postponed until July
- ◆ Route 1 & Route 460 corridor study included
- ◆ Increase for meeting expenses for members Board of Zoning Appeals

RECREATION

- ◆ Expenses for Eastside Enhancement Center shown as shift to new department
Increase in Admissions with increase in programs offered (flow through)

OUTSIDE AGENCIES

- 3% increase for outside agencies
Funding for the newly created South Central RC& D

TRANSFERS

- ◆ Capital Projects Fund includes \$1 million transfer for CIP to be presented for public hearing in June.
- ◆ \$20,000 transfer to OYCS
- ◆ \$20,000 transfer to VJCCCA
- ◆ The School Transfer request was reduced by \$300,000; however, the Schools are still receiving:
 - ◆ \$1,000,000 in new operational funds
 - ◆ \$230,000 for insurance
 - ◆ \$100,000 for capital projects (roof work)
 - ◆ \$20,569 increase in debt service

DEBT SERVICE

- ◆ Debt service payments for County projects increased by \$53,197. County picked up debt service local share of Airport improvements.
- ◆ Transfer from Meals Tax for School Debt Service is \$400,000.

E911

- ◆ Increase reflects addition of ten new dispatchers and full operation of new communication center
- ◆ Possibility of having to increase fee next year from \$2 to \$3 depending upon revenue generated from new lines

TAX RATES

The County Administrator gave the following overview of the proposed 2002 Tax Rates.

Unit Levy – All Districts - - \$100 Assessed Valuations

	Proposed
Real Estate	.77
Mobile Homes	.77
Mineral Lands	.77
Public Services	.77
Personal Property	4.90
Personal Property – Volunteer Vehicles	.25
Machinery Tools	3.30
Certified Pollution Control	3.30
Heavy Construction Machinery	3.30
Airplanes	.50

Mr. Bracey opened the Public Hearing on the Proposed Budget and Tax Rates.

The following citizens came forward requesting that the Board reconsider fully funding the Appomattox Regional Library budget:

1. Charles Koutnik, Executive Director, Appomattox Regional Library, 245 E. Cawson Street, Hopewell, VA
2. Lee Nora Everett, 24309 Wedgewood Road, Petersburg, VA.
3. Betty H. Mayes, 18306 Pine Oak Lane, Dinwiddie, VA

The following citizens came forward requesting that the Board reconsider fully funding the Office on Youth Commission Services budget:

1. Odessa Winfield, 20201 Harris Drive, Sutherland, VA

2. Jessica Love, 27921 Perkins Road,
3. David Thompson, 21211 River Run Road, Petersburg, VA
4. Shekenya Chamblee, 15611 Baltimore Rd, DeWitt, VA
5. Barry Fox, 7716 Halifax Road, Carson, VA
6. Magnolia Rivers, 20109 River Road, Sutherland, VA

The following citizens came forward requesting that the Board reconsider fully funding the School Board budget:

1. Carol Fisher, 19405 Oxford Drive, Sutherland, VA
2. Lee Wise, P.O. Box 7, Dinwiddie, VA

Mr. Bracey closed the Public Hearing on the Proposed Budget and Tax Rates at 8:04 P.M.

IN RE: PUBLIC HEARING - ORDINANCE – JOINT POWERS ASSOCIATION AGREEMENT – PURCHASE OF ELECTRICAL POWER

This being the time and place as advertised in the Progress Index on April 2, 2002 and April 9, 2002 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments regarding the adoption of an ordinance authorizing the entering into with other local governments a joint powers association agreement for the purchase of electrical power.

The County Administrator explained that the Board had taken action on the agreement as a resolution at a prior meeting. However, VACo does require an ordinance adoption for the county's participation in the Joint Powers Association Agreement for the purchase of electrical power.

Mr. Bracey opened the public hearing on the Joint Powers Association Agreement.

Mr. Barry Fox, 7716 Halifax Road, Carson, VA, cautioned the Board to keep a close eye on deregulation of businesses. He commented usually that means higher prices not lower prices.

Mr. Bracey closed the public hearing at 8:11 P.M.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the following Ordinance is adopted.

AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A JOINT POWERS ASSOCIATION AGREEMENT

WHEREAS, the VML/VACo Virginia Power Steering Committee (the "Committee"), composed of representatives of the County of Dinwiddie and other local governments and political subdivisions of the Commonwealth, has for over several decades negotiated on behalf of such governmental units a standard form contract for their purchase of electricity supply and delivery service from Virginia Electric and Power Company ("Virginia Power") as a sole source provider; and

WHEREAS, political subdivisions of the Commonwealth of Virginia are authorized under Virginia law to exercise jointly powers that they otherwise are authorized to exercise independently, and the terms and conditions of such authorization are currently set forth in Sections 15.2-1300, et seq. of the Virginia Code (the "Joint Powers Act"); and

WHEREAS, the Virginia Electric Utility Restructuring Act (the "Restructuring Act") further authorizes municipalities and other political subdivisions in the Commonwealth to aggregate their electricity supply requirements for the purpose of their joint purchase of such requirements from licensed suppliers and the Restructuring Act provides that such aggregation shall not require licensure; and

WHEREAS, the Virginia Public Procurement Act (the "Procurement Act") exempts from its competitive sealed bidding and competitive negotiation requirements (the "Requirements") the joint procurement by public bodies, utilizing competitive principles, of electric utility services purchased through member associations under the conditions set forth in the Procurement Act; and

WHEREAS, the Committee recommends that the aggregation and procurement of electric supply, electric delivery, and other energy-related services ("Energy Services") be effectuated as provided in the Joint Powers Association Agreement, a copy of which is attached to and made part of this Ordinance (the "Joint Powers Agreement"), in accordance with applicable provisions of the Procurement Act, such as the utilization of competitive principles pursuant to an exemption from the Requirements; and

WHEREAS, the Committee also recommends that the other services provided by the Committee to its members be effectuated as provided in the Joint Powers Agreement, with such services consisting of (i) assistance in implementing standard form contracts for the purchase of services from incumbent electricity utilities, (ii) education of members regarding electricity procurement issues, (iii) monitoring of legal and regulatory developments affecting the provision of electricity service to local governments, and (iv) hiring of consultants and legal counsel to assist in its provisions of the foregoing services ("Steering Committee Services").

WHEREAS, it appearing to the Board of Supervisors of the County of Dinwiddie that the joint procurement of the Energy Services pursuant to the Joint Powers Agreement and the provision of Steering Committee Services pursuant to the Joint Powers Agreement is otherwise in the best interests of the County of Dinwiddie.

NOW, THEREFORE, BE IT HEREBY ORDAINED that:

(1) Competitive sealed bidding and competitive negotiation for the procurement of Energy Services are not fiscally advantageous to the public because the procurement process for Energy Services must be flexible enough to respond to quickly changing market conditions in which energy prices can fluctuate considerably on a daily or even hourly basis.

(2) The aggregation and joint procurement of the Energy Services pursuant to the Joint Powers Agreement is hereby approved.

(3) The provision of Steering Committee Services pursuant to the Joint Powers Agreement is hereby approved.

(4) The Joint Powers Agreement and the performance of the terms and conditions thereof on behalf of the County of Dinwiddie are hereby authorized and approved.

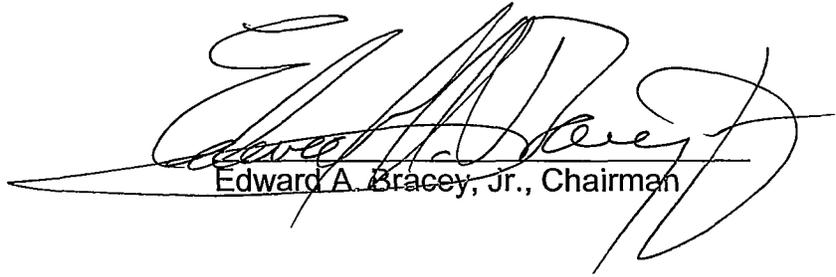
(5) The County Administrator is hereby authorized and directed to execute and deliver the Joint Powers Agreement on behalf of the County of Dinwiddie in substantially the form presented to this meeting.

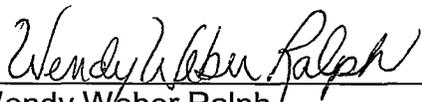
(6) The payment obligations the County of Dinwiddie pursuant to the provisions hereof and the Joint Powers Agreement shall be subject to annual appropriation of requisite funds therefore by the Board of Supervisors.

(7) This Ordinance shall take effect immediately upon its adoption or passage.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 8:14 P.M.


Edward A. Bracey, Jr., Chairman

ATTEST: 
Wendy Weber Ralph
County Administrator

/abr

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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 17TH DAY OF APRIL, 2002, AT 10:00 A.M.

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

OTHER: JACK CATLETT COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 10:00 A.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Weber Ralph, Interim County Administrator, stated there was a need to add an item under Closed Session – Industry.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the April 3, 2002 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, 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 103011 through 1030269 (void check(s) numbered 1029727 and 1029865) for:

Accounts Payable FY 2001- 2002:

(101) General Fund	\$ 228,193.47
(103) Jail Commission	\$ 28.99
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 1,798.66
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 8,227.96
(226) Law Library	\$ 57.50
(228) Fire Programs & EMS	\$ 103.67
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$ 180.67
(305) Capital Projects Fund	\$ 271,171.21
(401) County Debt Service	<u>\$ 85,919.17</u>

TOTAL

\$ 595,617.30

**IN RE: DINWIDDIE ELEMENTARY SCHOOL PROJECT –
REQUISITION NUMBER 42 (IDA1997A-TRANSFERRED
PROCEEDS –#2/20/02)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 42 (IDA1997A - Transferred Proceeds – #4/09/02):

THE APPLIANCE PLACE	429.00
VIRCO, INC.	<u>241.68</u>

TOTAL REQUISITION #42 **\$ 670.68**

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 42 (IDA1997A - Transferred Proceeds – #4/09/02 in the amount of \$670.68 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Project Account.

**IN RE: DINWIDDIE ELEMENTARY SCHOOL PROJECT –
REQUISITION NUMBER 43 (IDA1998A-TRANSFERRED
PROCEEDS - #4/09/02)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 43 (IDA1998A - Transferred Proceeds – #4/09/02):

SYDNOR HYDRO	4,674.80
J.H. PENCE COMPANY	12,060.00
JOHNSON CONTROLS	<u>5,876.00</u>

TOTAL REQUISITION #39 **\$ 22,610.80**

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

Mr. Bracey questioned whether the invoice from Sydnor Hydro for water corrosion control was a CIP expenditure or if it should be paid out of the maintenance budget.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 43 (IDA1998A - Transferred Proceeds – #4/09/02 in the amount of \$22,610.80 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Project Account.

IN RE: CITIZEN COMMENTS

The following citizen(s) signed up to comment.

1. Michael W. Bratschi, 23500 Cutbank Road, McKenney, Virginia, came before the Board with the following requests and comments:
 - a. Copy of the code "on paper" that gives power to the Board of Supervisors.

- b. Copy of the Code of Virginia "on paper" concerning the (Freedom of Speech) public comment.
 - c. All Board member salaries
2. Geri Barefoot, 7411 Frontage Road, Petersburg, VA came forward questioning the tax rates on mineral lands, airplanes and heavy construction equipment.
 3. Anne Scarborough came forward and stated if the Board is going to hold citizens to a 3- minute time limit a clock should be located in front of the speaker. This would enable the speaker to know how much time they had to finish their comments.

IN RE: VDOT – REPORT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, was not present.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and presented his report for the month of March 2002.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, was not present.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands was not present.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of March 2002.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward presenting his monthly update for March 2002.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came forward and presented his monthly update for March 2002 for the planning department.

The County Administrator asked the Board if they were interested in meeting with Bill Turner for an overview of the Comprehensive Land Use Plan for a work session on April 24th after the 7:00 p.m. meeting. The Board agreed.

Mrs. Ralph also stated the Planning Commission and the Board needed to have a joint workshop to discuss the CIP. The date of the regular meeting on May 1, 2002 was suggested. Then the Public Hearings for the Planning Commission and Board could be scheduled for June 5th and July 3rd. Mr. Scheid stated he would contact the Planning Commissioners if agreeable with the Board. The Board concurred.

Mr. Moody asked Mr. Scheid if the Tobacco Commission had approved the county's project. Mr. Scheid stated he had not received any confirmation in writing but he understood it has been approved.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his March 2002 monthly report. He asked the Board if they would be comfortable with allowing the Committee to continue to work on the Dog Ordinance until they completed it before starting work on the off-street truck ordinance. The Board agreed.

IN RE: CODE COMPLIANCE OFFICER

Mr. Phillip E. Harris, Code Compliance Officer, came forward and presented his March 2002 monthly report.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen was not present. Mrs. Ralph stated Mrs. McElveen was attending a legislative session this morning.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, stated he had provided the Board with his March 2002 monthly report. Mr. Haraway requested a financial summary of the revenue generated from the use of the center.

Mr. Smith presented an overview of the Re-dedication of the Court House and 250th Celebration kick-off event.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward to present his report for March 2002. Mr. Moody commented he talked with Nottoway County and they utilized inmates to help with trash pick-up on their roads. Mr. King commented the inmates here in the county had helped his department in the past also. He stated he would contact the Sheriff's Department about it.

Mr. Clay requested that Mr. King contact Mr. Caywood at VDOT regarding some land the county could use for dumpsters.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward to present his report for March 2002. He introduced Ms. Denise Absher, the new Communications Supervisor.

IN RE: COMMUNICATIONS SUPERVISOR – TRAVEL REQUEST – APCO VIRGINIA SPRING CONFERENCE

The Public Safety Officer stated there is an APCO Virginia Spring Conference the Communications Supervisor would like to attend May 15 -17, 2002 at Virginia Beach. He requested authorization for the Communications Supervisor to attend the conference at an estimated cost of \$285.

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", authorization was granted to the Communications Supervisor to attend the APCO Virginia Spring Conference to be held May 15 -17, 2002 at Virginia Beach, estimated cost to be \$285.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Jack Catlett, County Attorney, came before the Board stating he had nothing to report.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and stated he provided his monthly update for March 2002 in the Board packages.

The County Administrator reported that the Court House Committee met last week and they were very pleased with the renovations.

IN RE: ARBITRAGE REBATE CALCULATIONS

Mrs. Ralph stated while Trimble and Associates has certainly had more references, she felt Robinson, Farmer, Cox certainly is qualified and our bond issues should not be that complicated. The County Administrator recommended rescinding the previous resolution with Trimble and award the contract to Robinson, Farmer, Cox. She commented that the cost would be shared between the Board and the School Board.

	2002		TRIMBLE	RFC
County/School	1,625,000	1992	1,125	1,150
County	1,230,000	1993	1,125	1,150
School	495,000	1994	1,125	1,150
School	3,365,000	1995A (VPSA Notes)	1,125	1,150
County	5.5 Million	1995B	1,125	-
School	5.9 Million	1997A	1,125	1,150
County	4.1 Million	1997B	1,125	-
=====				
Subtotal Year 2002			7,875	5,750
School	6,590,000	1998A	1,125	1,150
County	875,000	1998B	1,125	-
County	4,500,000	1998C Ref.	1,125	-
School	5,500,000	1999A	1,125	1,150
School	605,000	1999B	<u>1,125</u>	<u> </u>
COST OVER 5 YEAR PERIOD			13,500	8,050

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that action on the contract with Trimble & Associates is rescinded and the County Administrator is authorized to proceed with the contract with Robinson, Farmer, Cox to perform arbitrage rebate calculations for our bond issues that fall within the 5-year timeframe at a cost not to exceed \$1,050 per transcript for all the bond issues included.

IN RE: RESOLUTION - CAPITALIZATION POLICY

Mrs. Ralph stated Robinson, Farmer, Cox Associates prepared a Capitalization Policy to establish a minimum value for reporting the County's capital assets. The recommendation is \$10,000. Anything less than that would be depreciated in a very short period of time and would not be worth the time and expense to list. She recommended adopting the policy, which was prepared by the auditors.

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

Whereas the Governmental Accounting Standards Board has issued Statement Number 34, *Basic Financial Statements and Management's Discussion and Analysis for State and Local Governments* (GASB 34), and

Whereas among other things, GASB 34 requires a new reporting model which includes compilation of capital assets as well as a basis for depreciation, and

Whereas GASB 34 will need to be implemented for external reporting for the County of Dinwiddie for the fiscal year ended June 30, 2003, and

Whereas, the County of Dinwiddie does not presently account for capital assets within its current reporting model nor does the County have an official capitalization policy for external reporting, and

Whereas, County Staff in consultation with the County's Auditor, wishes to establish a capitalization policy that sets the minimum value of a capital asset (land, buildings or equipment) to be included in the County's financial reporting model, and

Whereas, a minimum value of \$10,000 would allow for a reasonable presentation of capital assets owned by the County of Dinwiddie.

Therefore, be it resolved that the County of Dinwiddie's Board of Supervisors on this day establish a capitalization policy for external reporting purposes that sets the minimum value of a capital asset at \$10,000.

IN RE: PAYOFF LOAN – NAMOZINE VFD LADDER TRUCK

The County Administrator stated she reviewed the undesignated fund balance and there are sufficient funds to cover the payoff for the Namozine ladder truck. The amount due today is \$195,822 but there is a per diem interest due each day the loan is not paid. Mrs. Ralph also requested that it be made clear that the Board will not be honoring any requests of this kind in the future, and that all capital requests must be submitted for consideration in the County's Capital Improvement Plan process.

Mr. Haraway stated this situation had created a lot of comments from the citizens and Board members. Continuing he commented this truck is indeed a wonderful asset to the county and if it were purchased today it would cost around \$600,000. It takes a special type of individual to take on the responsibility of a loan of this magnitude. However, while we recognize that the action taken by Namozine Volunteer Fire Department to purchase this ladder truck was made in good faith to provide fire service to the County citizens, the Board will not honor this type of request in the future. All capital requests in the future for any department or agency must be submitted to the Capital Improvement Program committee for review and recommendation to the Planning Commission and Board of Supervisors.

Mr. Haraway moved to pay the amount due at payoff on the loan and to authorize Administration to issue a check for that amount. Mr. Clay seconded the motion.

Mr. Bracey stated there absolutely would not be any exceptions made in the future to the rule for anyone. He also questioned if paying this loan will affect any other request in the CIP. The County Administrator replied not in the present plan.

Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to payoff the loan for the Namozine Volunteer Fire Department, Ladder truck, and issue a check from the undesignated fund in the amount due at payoff.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay No Comments

Mr. Haraway No Comments

Mr. Moody No Comments

Mr. Bowman No Comments

Mr. Bracey No Comments

IN RE: AUTHORIZATION FOR SHERIFF'S DEPARTMENT TO REPLACE VACANT COUNTY POSITION- JAILOR

The County Administrator stated that Sheriff Shands sent a letter to the Board requesting authorization to hire Mr. Haywood R. Massenburg to fill a vacant county jailor position effective April 22, 2002. He was a Deputy Sheriff in the City of Petersburg and was not re-appointed by the present Sheriff. Mrs. Ralph requested that the Board make it contingent upon verification that this is a county position if it took action today.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that contingent upon verification that this is a county position, the Sheriff is authorized to hire Mr. Haywood R. Massenburg to fill the vacant Jailor position, at an annual salary of \$23,329, effective April 22, 2002.

IN RE: CLOSED SESSION

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

Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia
- Appointments; Parks and Recreation; Treasurer

Industry - §2.2-3711 A. 5 of the Code of Virginia

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 11:14 A.M.

A vote having been made and approved the meeting reconvened into Open Session at 12:08 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel – Appointments; Parks and Recreation; Treasurer and § 2.2-3711 A.5, Industry

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

IN RE: APPOINTMENT – PART-TIME MAINTENANCE/ATHLETIC COORDINATOR POSITION – MR. HARVEY R. JONES

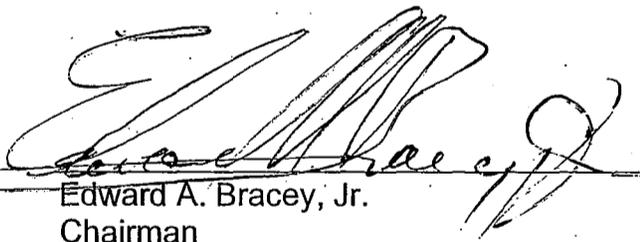
Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", authorization is granted for Administration to hire Mr. Harvey Jones for the position of part-time maintenance/athletic coordinator for the Recreation Department, at an hourly salary of \$7.94.

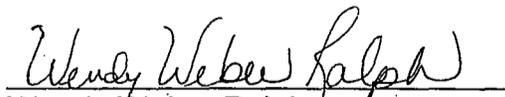
IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Appomattox River Water Authority - Notice of Proposed Issuance of Additional Bonds
2. Letter from William Scheid – Lot drainage schematic for Mr. & Mrs. Harvell
3. Appomattox Regional Library System – Monthly Report
4. DAAAlert ...on Solid Waste Issues – Publication of Draper Aden Associates – Governor Warner's SB 592 for \$5 per ton Waste Surcharge
5. The Appomattox Basin Industrial Development Corporation – Report
6. Memo to Commissioner of Revenue from County Administrator – 2002 Taxation of TXI Chaparral Steel

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 12:09 P.M. to be continued until 7:00 P.M. on Wednesday, April 24, 2002 for the adoption of the budget and tax rates and a workshop for the Board on the Comprehensive Land Use Plan.


Edward A. Bracey, Jr.
Chairman


Wendy Weber Ralph
County Administrator

/abr

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 24TH DAY OF APRIL, 2002, AT 7:00 P.M.

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

IN RE: CALL TO ORDER

Mr. Edward A. Bracey, Jr., called the continuation meeting to order at 7:13 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: DISCLOSURE STATEMENT

Mr. Bracey read the following statement prior to action being taken on the proposed 2002-2003 Budget:

"I, Edward A. Bracey, Jr., "In accordance with Section 2.1-639-14, paragraph (g) of the Code of Virginia, wish to disclose that my wife (Bernice Bracey) is employed by the Dinwiddie County School system. Employment of my wife occurred several years prior to my election to the Board of Supervisors and the results of any decision by this Board will affect my wife to no greater or less extent than other school employees with similar credentials and experiences. Therefore, I feel that I am able to participate in the actions of the Board concerning the 2002-2003 budget effectively, fairly and in the public interest."

IN RE: ADOPTION - FY 2002-2003 BUDGET

Mrs. Wendy Ralph, County Administrator, made the following statements prior to the Board taking action on the Proposed FY 2002 – 2003 Budget.

In relation to the comments you received during the public hearing on the budget, I have the following suggestions:

1. Library – I have talked with Hopewell and Prince George and neither have finalized their budgets. If there is a desire to fully fund the library based on the agreement we have, I would suggest that it be done contingent upon full funding from the other localities when their budgets are adopted.
2. OYCS – I am working with this office on some options for securing funding to keep it alive. There is a possibility that administrative funding may be available through the Comprehensive Services Act, and if so, combined with the County and School funding, the Office should be able to function with some support assistance. I have instructed Francene Green to work with H. L. Parrish and Peggy McElveen to secure any additional funding available and to formulate a program that would provide an alternative to detention. In that way, we may be able to divert funds committed to the Detention Home to this program to help keep it afloat for this coming year. The Board has provided options, now it is up to the Office on Youth to provide a proposed program.

3. Without any additional revenues from the Commissioner of Revenue, I do not see a way to fully fund the School request at this time. If additional revenues are provided we could revisit this request.
4. We will be receiving final budgets from the Compensation Board on May 1, 2002 and will let you know if any further cuts will be necessary. Equipment, travel to conferences, and office expenses have received cut from the budgets.
5. There is a correction needed on page 18 – School Fund Facilities – Reduction \$9,200 instead of \$92,000.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following budget for FY 2002-2003 is adopted:

INCOME ESTIMATES	Fiscal Year July 1, 2002 – June 30, 2003
<hr/>	
GENERAL FUND:	
Revenue from Local Sources:	
General Property Taxes	\$12,830,676
Other Local Taxes	2,770,000
Permits, Privilege & Regulatory Licenses	214,800
Fines and Forfeitures	190,000
Revenue from Use of Money & Property	414,000
Charges for Services	438,986
Miscellaneous Revenue	583,500
	<hr/>
TOTAL	17,441,962
	6,981,531
Revenue from the Commonwealth	-0-
Revenue from the Federal Government	-0-
Non-Revenue Receipts	-0-
	<hr/>
TOTAL GENERAL FUND	24,423,493
LAW LIBRARY FUND	6,500
SCHOOL TEXTBOOK FUND	335,703
SCHOOL CAFETERIA FUND	1,314,374
SCHOOL FUND:	
Revenue from Local Sources	40,500
Revenue from the Commonwealth	17,766,180
Revenue from the Federal Government	1,130,126
Transfers from Other Funds	10,070,897
	<hr/>
TOTAL SCHOOL FUND	29,007,703
VA PUBLIC ASSISTANCE FUND	2,570,187
E911 FUND	291,000
SELF-INSURANCE FUND	-0-
GENERAL CAPITAL PROJECTS FUND	1,000,000
OYCS FUND	84,711
CDBG/VJCCCA FUND	147,230

FIRE PROGRAMS FUND	43,000
FORFEITED ASSET SHARING	6,000
MEALS TAX	320,000
SCHOOL CAPITAL PROJECTS	100,000
CSA FUND	785,812
JAIL COMMISSION FUND	8,000
COURTHOUSE MAINTENANCE FUND	22,000
COUNTY DEBT SERVICE	2,019,601
SVRTC FUND	-0-
HEAD START FUND	160,642
COUNTY CONSTRUCTION FUND	-0-
SCHOOL CONSTRUCTION FUND	-0-
SCHOOL DEBT SERVICE	2,785,454

GRAND TOTAL -- ALL FUNDS	\$65,431,410
LESS INTERFUND TRANSFERS	15,854,083

TOTAL INCOME	\$49,577,327
FUND BALANCES, JULY 1	14,305,709

CASH RESOURCES	\$63,883,036
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CONTEMPLATED EXPENDITURES

GENERAL FUND:	
Board of Supervisors	\$ 65,438
County Administrator	353,479
County Attorney	7,700
Independent Auditor	32,000
Commissioner of the Revenue	260,659
Business License	20,141
General Reassessment	-0-
Land Use	19,841
Treasurer	266,606
Data Processing	99,523
Electoral Board and Officials	92,057
Circuit Court	21,300
County Court	11,630
Special Magistrates	600
Clerk of the Circuit Court	73,750
Commonwealth's Attorney	133,922
Sheriff-Law Enforcement	2,492,507
Victim Witness	48,658
Volunteer Fire Departments	294,600
Ambulance & Rescue Service	53,200
Forestry Service	11,718
Dinwiddie EMS	462,016
Sheriff-Correction & Detention	609,180
Probation Office	4,800
Other Correction & Detention	258,484
Building Inspection	204,029
Animal Control	138,806
Medical Examiner	500
Public Safety/Civil Defense	163,158
Road Administration	-0-
Street Lights	35,000
Refuse Disposal	1,154,669
Public Nuisance	5,000
Public Utilities	109,980

Maintenance of Buildings Grounds	508,372
Water Service	556,000
Health	189,653
Mental Health	53,942
Area Agency on Aging	4,225
Other Social Service	19,586
Community College	5,006
Recreation	241,335
Lake Chesdin	1,500
Regional Library	205,183
Zoning Board	4,425
Planning	768,417
Economic Development	11,000
Other Planning & Community Development	72,964
Regional Planning Commission	15,946
Soil and Water Conservation	15,500
Advancement of Agric & Home Economics	69,664
Internal Services	302,894
Insurance	125,000
Crime Solvers	250

Subtotal	10,255,813
Transfers to Other Funds	15,167,196

TOTAL GENERAL FUND	25,423,009
HEAD START	160,642
SVRTC FUND	-0-
LAW LIBRARY FUND	6,500
SCHOOL TEXTBOOK FUND	335,703
SCHOOL FUND	29,007,703
SCHOOL CAFETERIA FUND	1,314,374
VA PUBLIC ASSISTANCE FUND	2,570,187
E911 FUND	440,919
SELF INSURANCE FUND	-0-
OYCS FUND	85,711
GENERAL CAPITAL PROJECTS	1,000,000
SCHOOL CAPITAL PROJECTS	100,000
CDBG FUND/VJCCCA	147,230
FIRE PROGRAMS FUND	43,000
FORFEITED ASSET SHARING	6,000
MEALS TAX FUND	400,000
CSA FUND	785,812
JAIL PHONE COMMISSION FUND	3,864
COURTHOUSE MAINTENANCE	-0-
DEBT SERVICE	2,019,601
COUNTY CONSTRUCTION FUND	-0-
SCHOOL DEBT SERVICE	2,785,454
SCHOOL CONSTRUCTION FUND	-0-
	=====
GRAND TOTALS - ALL FUNDS	\$66,653,709
LESS INTERFUND TRANSFERS	15,854,083

TOTAL EXPENDITURES	\$50,781,626
FUND BALANCES - JUNE 30	13,101,410

TOTAL REQUIREMENTS	\$63,883,036

IN RE: ADOPTION - 2002 TAX RATES

Mrs. Ralph reviewed the proposed tax rates for those citizens in attendance as follows:

Unit Levy – All Districts - - \$100 Assessed Valuations

Real Estate	.77
Mobile Homes	.77
Mineral Lands	.77
Public Services	.77
Personal Property	4.90
Personal Property – Volunteer Vehicles	.25
Machinery Tools	3.30
Certified Pollution Control	3.30
Heavy Construction Machinery	3.30
Airplanes	.50

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above tax rates are hereby adopted for the year 2002.

IN RE: COMPREHENSIVE LAND USE PLAN – WORKSHOP FOR BOARD – LANDMARK DESIGN GROUP

Mr. Bill Turner of Landmark Design Group came before the Board and explained that a Comprehensive Plan is a document and process that examines current conditions and projected future needs and conditions which serve as a guide to decisions about the physical development of the County. A Comprehensive plan is mandated by the State every five years and is spearheaded by the Planning Commission. He commended the Board on their selection of the Advisory Committee members. Mr. Turner stated a lot of work went into updating the plan. The document is general in nature and after it is adopted implementation will be by zoning, subdivision regulations, and the Capital Improvements Plan. The County may also develop such tools as an official map, mineral districts maps, and/or agricultural and forestland district maps.

Mr. Turner commented during the process, several elements presented themselves as warranting more in-depth consideration. These include: (1) Development of Corridor Management Plans for U.S. Route 1 and U.S. Route 460; (2) Study of drainage related issues and the development of a county-wide Stormwater Management Plan (and perhaps an ordinance) or specific area plans; (3) Development of Subdivision Ordinance revisions; and (4) Zoning Ordinance revisions including the study of the practicality of cash proffers.

Mr. William C. Scheid, Director of Planning, stated he was very satisfied with the new Comprehensive Plan document. It is color-coded, user-friendly, and contains 12 chapters, 20 maps, and 32 exhibits. The highlights include: re-examination of development concept and areas where growth is expected; re-examination of County issue areas and its goals and objectives; action oriented goals and implementation strategies; more use of maps/exhibits, especially for describing initiatives/programs focusing on County assets such as the airport, and the county's historical significance. The Planning Commission held its public hearing on January 9, 2002 and recommends the update to the Board for their adoption.

The County Administrator commented that the Board could schedule the public hearing on June 5, 2002 if they were ok with the plan. The Board agreed.

The County Administrator, Board members and Mr. Turner briefly discussed the time frame needed for the 460 and U. S. Route 1 corridor study. Mr. Turner commented the corridor study would be a lot more detailed. The study would take 6 to 8 months to complete and Landmark could start on the study anytime.

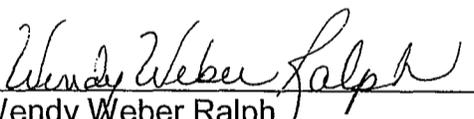
IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mr. William C. Scheid, Director of Planning, distributed information on a new business locating in the County near the East Coast Station at the intersection of Route 460 and U. S. Route 1 near Interstate 85.
2. Mrs. Ralph asked the Board if they would be willing to come in at 12:00 noon, on May 15, 2002, to meet with the Dinwiddie County Water Authority for lunch at the Home Place Restaurant. The Board had requested this meeting to discuss items of mutual interest.

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 7:56 P.M.


Edward A. Bracey, Jr., Chairman

ATTEST: 
Wendy Weber Ralph
County Administrator

/abr

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 1ST DAY OF MAY, 2002, AT 7:30 P.M.

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

OTHER: DANIEL SEIGEL COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., called the regular meeting to order at 7:37 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Ralph, County Administrator, stated there was a need to add a Closed Session for: (1) Personnel – Administration (2) Legal Counsel – Possible conflict of interest Planning Commission.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the April 16, 2002 Continuation Meeting and the April 17, 2002 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Bracey 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 1030271 through 1030450 (void check(s) numbered 1029749, 1030270 and 1030352) for:

Accounts Payable:

(101) General Fund	\$ 90,994.54
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 139.11
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 1,264.00
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$ 442.67
(304) CDBG Grant Fund	\$.00

(305) Capital Projects Fund	\$ 5,028.27
(401) County Debt Service	\$ <u>.00</u>
TOTAL	\$ 97,868.59

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting.

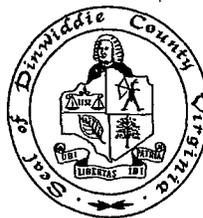
The following citizens came forward to address the Board:

1. Michael W. Bratschi, 23500 Cutbank Road, McKenney, Virginia, came before the Board and commented on the following:
 - a. A statement made by a Board member regarding a doublewide mobile home being located at the entrance of Confederate Woods.
 - b. The "question form" used by Administration to respond to citizens questions at Board Meetings.
 - c. Information contained in the Board of Supervisors packets being made available to citizens attending board meetings.
 - d. Thanked the County Administrator for responding to his requests from the last meeting; however, he would get the information off the internet rather than pay for someone to copy information contained in the State Code.

IN RE: RESOLUTION – MRS. BETTY S. JETER

Mrs. Wendy Weber Ralph, County Administrator, presented the following resolution to Mrs. Betty Jeter in recognition of her many years of service as the Registrar to the county.

Resolution



of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

MAY 1, 2002

IN RECOGNITION OF

BETTY S. JETER

WHEREAS, Mrs. Betty S. Jeter began her career in Dinwiddie County as a part-time employee working in many different positions in the Courthouse; she was hired as the General Registrar on May 9, 1956 and served until December of 2001; and

WHEREAS, Mrs. Jeter has been a dedicated employee who represented the County of Dinwiddie in a professional and helpful manner; and

WHEREAS, She served Dinwiddie County's citizens with respect and provided excellent assistance to those needing her help;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors on this 1st day of May 2002 desires to express their appreciation to Mrs. Jeter for her 45 years of loyal service to Dinwiddie County and to extend to her our warmest regards on this occasion and our very best wishes for many years of health and happiness as she enters a new phase of her life;

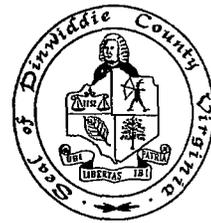
BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Betty S. Jeter, and a copy spread upon the minutes of this meeting.

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", this resolution was adopted.

IN RE: RESOLUTION - MR. JOHN CLEMENTS

The County Administrator, presented the following resolution to Mr. John Clements for his dedication and many years of service on the Dinwiddie County Electoral Board.

Resolution



of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

MAY 1, 2002

IN RECOGNITION OF

JOHN H. CLEMENTS

WHEREAS, Mr. John H. Clements has served, for 29 years, on the Electoral Board, with distinction and integrity from February 15, 1973, until February 28, 2002; and

WHEREAS, the Board of Supervisors on this 1st day of May 2002 is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Mr. John H. Clements for his contributions and devoted service to the County of Dinwiddie; and

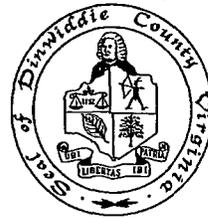
BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Mr. John H. Clements, and a copy spread upon the minutes of this meeting.

Upon motion of Mr. Haraway, seconded by Mr. Bowman, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", this resolution was adopted.

IN RE: RESOLUTION – MR. RONALD MARTIN LONG

The County Administrator presented the following resolution to Mr. R. Martin Long for his service to the Board and citizens of the County.

Resolution



of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

MAY 1, 2002

IN RECOGNITION OF

RONALD MARTIN LONG

WHEREAS, Mr. Ronald Martin Long served as the County Administrator for Dinwiddie County, with distinction and integrity from July 14, 1997, until November 1, 2001; and

WHEREAS, the Board of Supervisors on this 1st day of May 2002 is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Mr. Ronald Martin Long for his contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Mr. Ronald Martin Long, "Marty", and a copy spread upon the minutes of this meeting.

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", this resolution was adopted.

IN RE: CAPITAL IMPROVEMENT PLAN – WORKSHOP WITH PLANNING COMMISSION

Mrs. Ralph gave the following overview of the proposed Capital Improvement Plan:

"It is my pleasure to present you with the *Recommended FY 2001/02 – 2005/06 Capital Improvement Program (CIP)* for your review and consideration. Before you is a plan that focuses on the County's five (5) year capital needs. We continue to be challenged with balancing the maintenance of our existing facilities and equipment with the growing needs of our community.

While the needs of County Agencies, Constitutional Officers, and department heads continue to significantly exceed the financial resources available, we are pleased to present you with a program that provides balance between the finite resources and an ever increasing number of priorities.

The five (5) year Capital Improvement Program totals \$36,064,777. The first year of the five (5) year program, which will be referred to henceforth as the

Capital Budget, is \$1,006,103. The following is a summary of the projects that are recommended within the Capital Budget by functional area. The projects with an *asterisk represent projects that are funded by another source, i.e. bond issues, grants, etc

County Administration

Northside Roof	\$20,000
Carpet Replacement (Admin.)	\$38,500
Waste Mgt. Pickup	\$25,000
Convenience Center	\$66,000
Shelter Pavillion – Eastside	\$24,616
Countywide GIS (Yr. 2)	\$165,867
<u>County Administration Total</u>	\$339,983

Public Safety

Communications Center Relocation	\$200,000
Namozine VFD Station Improvement	\$164,120
Ford Responder 2	\$140,000
Old Hickory Generator	\$40,000
Breathing Apparatus	\$35,000
Structural Firefighting Gear	\$36,000
McKenney FD – Vehicle Extrac. (grant)	\$16,000
Replace Responder 3 – McKenney	\$35,000
<u>Total Public Safety</u>	\$666,120

Total Capital Budget **\$1,006,103**

Within the project summary, you will see those projects that are being proposed for future funding, and are not included in the five year program which total \$853,500. You will also see those projects that have already been funded or are being funded by another source.

Details for all of the projects recommended for funding in the *FY 2001/02 – 2005/06 Capital Improvement Program* can be found in the project description section of this document.

In conclusion, we are proud to present you with the *FY 2001/02 – 2005/06 Capital Improvement Program*, which we believe is both fiscally responsible and responsive to the community as we move into the new millennium.

Thank you for your careful review and consideration of this document. We are prepared to work with you as you review these recommendations and create a five (5) year Capital Improvement Program for the community. Thank you for your continued support as we pursue capital improvements that will enhance the quality of life for citizens of the County of Dinwiddie.

INTRODUCTION

Capital Improvement Programming (CIP) is a fiscal planning tool, which provides a guide for the efficient and effective expenditure of public funds for capital projects by the Board of Supervisors.

Through the CIP process, capital needs within the community are identified, evaluated, ranked by priority, and scheduled over a five (5) year period. The CIP reflects difficult decisions in the allocation of finite fiscal resources among the many capital needs.

The benefits of a capital improvement program include:

1. A sound and stable financing program of a multi-year period;
2. Implementation of the Comprehensive Plan and related policies;
3. Establishment of an annual review and prioritization of capital needs;
4. Provides a basis for the formulation of financing techniques and options or other revenue producing measures;
5. Allows for proper programming and project design;
6. Eliminates the duplication of projects;
7. Enables the County to take advantage of joint planning and shared community facilities;
8. Encourages efficient government administration; and
9. Allows the opportunity for public input in the process.

PROCESS FOR PREPARING THE CAPITAL IMPROVEMENT PROGRAM

The County of Dinwiddie prepares a five (5) year Capital Improvement Program, which is reviewed annually. The current capital improvement program represents a total investment for County and School projects of approximately \$36 million for the five (5) year planning period.

The preparation of the CIP is an interactive process, which takes approximately eight (8) months. The process begins with all County agencies, constitutional officers, and departments with capital needs submitting project requests subject to the established guidelines. Projects submitted for review are major, non-reoccurring expenditures that meet the following criteria:

1. Acquisition of land for public purpose;
2. Construction of a new facility or addition to, or extension of, such a facility;
3. Non-reoccurring rehabilitation or major repair with a cost of \$25,000 or more and a useful life of ten (10) years or more;
4. Purchase of major equipment with a cost of \$25,000 or more with a useful life of five (5) years or more; and
5. Any planning, feasibility, engineering, or design study related to an individual capital improvement project or program.

A review committee, established by the County Administrator, meets on a regular basis to review the projects submitted and consider all issues related to the Capital Improvement Program. The members of the CIP Review Committee are as follows:

Glenice N. Townsend,
Chief, Div. Of Admin. & Community Services

William C. Scheid,
Director of Planning

David M. Jolly,
Director of Public Safety

Timothy C. Smith,
Director of Parks and Recreation

Donald W. Faison,
Director of Building and Grounds

Dennis E. King,
Director of Waste Management

Dr. Leland Wise, Jr.
Superintendent of Schools

Peggy McElveen,
Director of Social Services

Wendy W. Ralph,
County Administrator

The Division of Administrative Services compiles the project requests and the Review Committee discusses and prioritizes the requests based on the merits of each project. Upon reaching a consensus on the prioritization of the projects and matching available funds with the requests, staff prepares the County Administrator's recommended CIP. The plan is then presented to the Planning Commission and Board of Supervisors at a joint work session. After the work session, the Planning Commission and Board of Supervisors conduct public hearings and once the appropriate adjustments are made, the CIP is adopted. The first year of the CIP is the Capital Budget, and upon adoption of the CIP, funds are appropriated for those projects within the first year of the plan. As our process works now, funding is provided by the undesignated fund balance from the prior year.

ESTABLISHING PRIORITIES

The initial review of the capital project requests takes place according to a set of evaluation criteria without regard to funding sources or the overall availability of funds for capital projects.

Those criteria were:

Safety Risk, systematic replacement, deteriorated facility, equitable efficiency, operating efficiency, coordination, new/expanded facility and resource conservation.

The second step is to place projects in funding priority groups as follows, also with out consideration of project cost or funding.

Group A - Safety Risk and Coordination

Group B - New/expanded Facility or Program & Operating Efficiency

Group C – Systematic Replacement

Group D – Deteriorated Facilities

The availability of funds in each year determines the number of projects that can be funded. We used \$1,000,000 as our funding limit.”

Mrs. Ralph asked if any of the members of the Planning Commission or Board had any questions or comments.

Mr. Haraway and Mr. Bracey requested further details for the pavilion at the Eastside Community Enhancement Center.

Mr. Clay asked if someone would explain the differences in the responder vehicles. He also commented there are no recreational facilities in the southern end of the County.

Mr. Bracey commented that the County doesn't have a "public" park or ball field for its citizens either.

Mrs. Stewart asked if there is an intended use for Northside Elementary School. Mrs. Ralph responded the Board has not made a decision yet.

The County Administrator explained that the County's CIP is a 5-year plan only. It is not set in stone and each year it may, and usually does, change. Public hearings will be held before the Board adopts the plan. She thanked all of the departments and agencies for their hard work and time spent in its preparation.

IN RE: RECESS

The Chairman called for a recess at 9:03 P.M. The meeting reconvened at 9:11 P.M.

IN RE: AUTHORIZATION FOR RFP TO SELECT CONSULTANT – TO PERFORM STUDY - INDUSTRIAL PARK PROJECT

The County Administrator commented enclosed in your packet was a letter from the Tobacco Commission advising the County that \$50,000 was approved for the due diligence phase of the industrial park project. The remaining funds will be available contingent upon receipt of documentation that the project can be completed for the amount requested. Our next step will be an RFP to select a consultant to perform the study. Mrs. Ralph commented the remainder of the funds would be awarded depending upon the results of the study. She stated as a condition of the award, the Commission requires its participation in any and all press conferences or announcements of this grant. The Tobacco Commission membership list, which you requested, was enclosed in your packet also. She requested authorization to proceed with the RFP to select a consultant to perform the study.

Mr. Bowman expressed his concern about spending \$50,000 on the study until a site is selected. Mrs. Ralph commented there was a site selected as our first priority; but, she would contact the property owners to discuss the details of the property and bring that back to the Board before proceeding. However, it would take some time to select a consultant and she would like to proceed with the RFP at this time.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to proceed with the issuance of an RFP to select a consultant to perform the study for the due diligence phase of the industrial park project.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Ralph commented that the Commissioner of Revenue did not want to put anything in writing but still would like to meet with the Board, a representative from the State Department of Taxation and an attorney to discuss the formula used for taxing mineral lands. The Board agreed to meet for an hour with the understanding that the representative from the taxation department is to address the Board first.
2. The list of appointments needed was supplied in your packets so you will be ready to discuss them at the meeting on May 15th.
3. If it is agreeable with the Board we need to continue this meeting until May 15, 2002 at 11:00 to tour the jail facilities followed by a 12:00 Noon joint meeting with the Dinwiddie County Water Authority to discuss any issues you may have. We will meet for lunch upstairs at the Home Place Restaurant. This was agreeable with the Board.

IN RE: AUTHORIZATION TO ISSUE RFP – RADIO SYSTEM FOR COMMUNICATIONS CENTER

The County Administrator stated the radio system for the communication center may cost the county in excess of a million dollars and no employee here has the expertise to put the proper bid proposal together. The State does have a list of vendors they are working with for the communication systems. She requested authorization to issue an RFP for a consultant to evaluate the specifications for the type of system we need for the center.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to proceed with the issuance of an RFP for a consultant to evaluate the specifications for the type of communication system needed for the E911 Communication Center.

IN RE: COUNTY ADMINISTRATOR COMMENTS – CONT'

4. Mrs. Ralph distributed information, for the Board to review from the Director of the Office on Youth on next year's budget request.
5. Copies were distributed of the comprehensive article on the implications to localities of the General Assembly's budget action in the 2002 session including the fine-tuning of the budget per the governor's budget amendments at the veto session on April 17, 2002.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman He asked how much was our budget cut this year due to the State. Mrs. Ralph replied the State revenues were cut 2% in the general fund. However, our County has not depended on the State for funding in these areas. The School Fund and a few other grant-funded offices received limited funding.

Mr. Moody No comments.

Mr. Haraway He stated he would like to know the status of the Assistant County Administrator position applications. The County Administrator stated she was prepared to discuss them in Closed Session.

Mr. Clay No comments.

Mr. Bracey No comments.

IN RE: ITEMS UNDER INFORMATION TAB & HANDOUTS

1. Memo from Martha Burton – General Assembly Update
2. Memorandum from Crater Regional Partnership – Partnership Program Update
3. Letter from VDOT – Bridge Detour on Route 625 for repairs
4. Letter of thanks for increase in salaries from the EMS Staff to the Board of Supervisors

IN RE: CLOSED SESSION

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

**Personnel Matters - §2.2-3711A.1 of the Code of Virginia
Administration**

**Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of
Virginia – Possible conflict of interest Planning Commission**

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 9:27 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:11 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, Personnel Matters – Administration § 2.2-3711 A.5, Legal – Possible conflict of interest Planning Commission

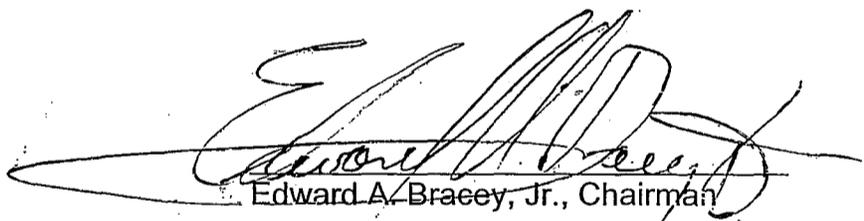
And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 10:16 P.M. to be continued until May 15, 2002 at 11:00 A.M. for a tour of the jail facility which will be followed with a 12:00 Noon joint meeting with the Dinwiddie County Water Authority for lunch upstairs at the Home Place Restaurant.


Edward A. Bracey, Jr., Chairman

ATTEST:


Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT THE HOME PLACE RESTAURANT IN DINWIDDIE COUNTY, VIRGINIA, ON THE 15TH DAY OF MAY, 2002, AT 12:00 P.M.

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

The tour of the jail to be held at 11:00 A.M. was cancelled.

IN RE: CALL TO ORDER

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the continuation meeting was called to order at 12:16 P.M.

Mr. Aubrey Clay expressed his sympathy to Mr. Joseph Patterson due to the loss of his wife, Martha. He commented that Mr. Patterson is his representative on the Water Authority Board and has done an excellent job.

IN RE: COMBINED WORKSHOP WITH THE DINWIDDIE COUNTY WATER AUTHORITY

The Board of Supervisors and the Water Authority members met in a workshop session to discuss present and future water and sewage issues affecting the citizens and industry in Dinwiddie County.

A presentation was made by Mr. Dee Hartman, Executive Director, Appomattox River Water Authority, outlining the following:

1. The historical consumption of water by localities
2. Present and future consumption of water in Dinwiddie County through the year 2025
3. The 2002 expansion of the facility.
4. The rate structure for water consumption
5. The rate history for water and sewer consumption for all of the members from 1967 to 2000
6. Future rates for water and sewer consumption in the County from 2001 to 2025

Mr. Hartman also described several ways to raise the elevation of the water and increase the safe yield of the lake. The lake could be dredged or an inflatable bladder could be purchased. However, the least expensive and preferred method is an off-site storage area, such as a pond.

Mr. Robert Harrison, Executive Director, Dinwiddie County Water Authority asked if the County would object to the Water Authority billing Central State Hospital for their water consumption instead of sending the bill to the County for collection. There was a lengthy discussion regarding whether it could be done legally. The Board directed Staff to pursue working with the DCWA to get legal advice about Central State Hospital becoming a customer of the Authority.

The County Administrator stated Mr. Roger Hart made a presentation in 1990 regarding the on going efforts to provide water to McKenney and the Dinwiddie area. As you know, the water supply in this area is limited and doesn't taste good because of the mineral content. At that time, the cost was in the neighborhood of \$3.5 million. Mr. Hart commented the estimated project cost to

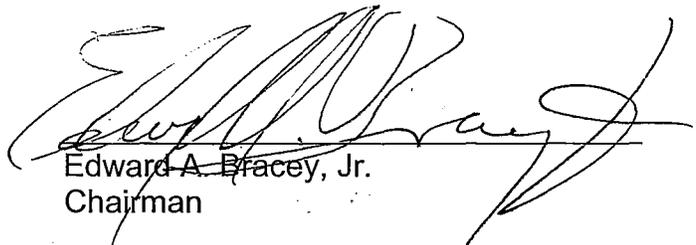
extend the 12" water line from the racetrack to Dinwiddie and McKenney now would cost around \$7.5 million.

Mr. Bracey stated several residents in Bonneville Estates told him they were having problems with their septic tanks. He asked if it would be possible to hook into the sewer line that runs to the High School. Mr. Harrison commented it is possible but it would be quite expensive. He stated the county needed to be cautious of smaller lot development because in 5 or 6 years they may have these problems and they will be looking to you for solutions.

Mr. Rob Harrison congratulated Mrs. Wendy Ralph, on behalf of the Dinwiddie County Water Authority on being appointed to the position of County Administrator.

IN RE: ADJOURNMENT

Upon Motion of Mr. Bowman, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 1:46 P.M.


Edward A. Bracey, Jr.
Chairman


Wendy Weber Ralph
County Administrator

/abr

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 15TH DAY OF MAY, 2002, AT 10:00 A.M.

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

OTHER: DANIEL SIEGEL COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 10:00 A.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the Agenda. Mrs. Wendy Weber Ralph, Interim County Administrator, stated there was a need to add an item under Closed Session – Personnel – Administrative Staff.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the May 1, 2002 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Clay, Seconded by Mr. Bowman, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, 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 1029728 through 1029898 (void check(s) numbered 1029727 and 1029865) for:

Accounts Payable FY 2001- 2002:

(101) General Fund	\$ 367,278.15
(103) Jail Commission	\$ 24.97
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 576.61
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 10,327.35
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$.00
(305) Capital Projects Fund	\$ 53.97

(401) County Debt Service	\$ 83,875.27
TOTAL	\$ 462,136.32

Payroll April 30, 2002

(101) General Fund	\$ 400,410.96
(222) E911 Fund	\$ 3,275.74
(304) CDBG Grant Fund	\$ 3,368.39
TOTAL	\$ 407,055.09

**IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATION
PROJECT – REQUISITION NUMBER 44 (IDA1997A-
TRANSFERRED PROCEEDS –#4/09/02)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 44 (IDA1997A - #4/09/02):

Mrs. Ralph stated the invoice for Dempco in the amount of \$1,829.75, which is similar to the invoices that were submitted last month and the recommendation is that the School Board pay this vendor from the School Fund. If there are sufficient funds when the Dinwiddie Elementary project is completed the invoice may be resubmitted for consideration by the Board.

CDW-G	\$ 715.74
BALLOU, JUSTICE & UPTON	1,314.05
TENG & ASSOCIATES	850.00
DEMPCO	1,829.75
THE APPLICANCE PLACE	<u>20.00</u>
TOTAL REQUISITION #44	\$ 4,729.54

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 44 (IDA1997A - #4/09/02) in the amount of \$2,899.79 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Project Account.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the invoice from Dempco in amount of \$1,829.75 shall be paid from School funds until the Dinwiddie Elementary project is completed. If there are sufficient funds at that time the invoices may be resubmitted for consideration by the Board.

**IN RE: DINWIDDIE ELEMENTARY SCHOOL PROJECT –
REQUISITION NUMBER 1 (IDA1995A- 'REFUND'
\$99,752.71)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 1 (IDA1995A – 'Refund' \$99,752.71):

BCHW	\$ 6,631.00
BCHW	<u>\$14,952.00</u>
TOTAL REQUISITION #1	\$21,583.00

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to pay Requisition Number 1 (IDA1995A - 'Refund' \$99,752.71) in the amount of \$21,583.00 for professional services to BCWH.

IN RE: CITIZEN COMMENTS

The following citizen(s) signed up to comment.

1. Michael W. Bratschi, 23500 Cutbank Road, McKenney, Virginia, came before the Board with the following concerns:
 - a. He was not clear about the response from the County Attorney regarding the State Code citing the Board's ability to usurp authority over elected officials in the County.
 - b. Littering on County roads and laws not being addressed by Sheriff's Department.
 - c. Being cut-off when addressing the School Board during public comment period.
2. Reverend Kelly Hepler, 10426 Cutbank Road, Mckenney, Virginia, came before the Board commenting on an article that appeared in the Dinwiddie Monitor and Dinwiddie County's youth is above the national average for drug and alcohol abuse. Reverend Kelly stated he would be glad to help in any way he could with the youth in the County. He requested that the Board move their meetings from Wednesdays to another day after 6:00 P.M. because most people have day jobs.

**INRE: SPECIAL ENTERTAINMENT PERMIT REQUEST –
NATIONAL BIKERS ROUNDUP 25TH ANNIVERSARY –
VIRGINIA MOTORSPORTS PARK**

Mrs. Ralph introduced Mr. Charles Talley, Chief Operating Officer for Commonwealth Motorcycle Consortium, Inc. and he is here to request a special entertainment permit for a new event to be held at the Virginia Motorsports Park.

Mr. Talley came forward and gave an overview of the organization. The National Bikers Roundup 25th Anniversary event is scheduled to be held the week of July 31, - August 4, 2002. Mr. Talley stated he had already met with Mrs. Ralph, Mr. Jolly and the Sheriff's Department to find out what the requirements were for the permit. The security will be tight and no weapons will be allowed in the park whatsoever. A call center will be set up at the park and no noise will be permitted after 11:00 P.M. for any reason. Mr. Talley stated he would be holding a meeting with the families who live in close proximity of the park and would be providing a phone number to call if they had any problems with anything during the event. He commented that he would be submitting the application for the permit by the end of the month.

IN RE: VDOT – REPORT

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

1. Rt. 623 – Signal Crossings completed
2. Rt. 226 intersection with Rt. 1 - Curb replacement work being done
3. Rt. 460 from Sutherland to Amelia line – Speed study completed - shows average speed is 61 MPH and some warning signs will be installed at Rt. 708

4. VDOT's annual meeting to prioritize items already in the plan - John Tyler Community College April 10, 2002 at 10:00 A.M. – Important that County have representation - Rt. 460 Corridor Study

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and stated he had nothing new to report to them. He presented his report for the month of March 2002.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, came forward stating he had nothing to report, but would answer any questions the Board may have.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward presenting his report for the month of March 2002.

1. Reported that the jail looks great. He thanked Mr. Donald Faison for the wonderful job. He invited the Board over to take a look at it.

IN RE: ADDITIONAL APPROPRIATION FOR HOUSING INMATES

Mrs. Ralph stated if you recall we had a discussion about the need for an additional appropriation to cover the expense for housing inmates at the Southside Regional Jail during the recent jail renovation. That amount is \$25,290. We also discussed the need to keep four (4) inmates at that facility for the remainder of the fiscal year while Staff investigates other alternatives. That cost would not exceed \$11,000, making a total additional appropriation of \$36,290 from the undesignated fund balance.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the additional appropriation to cover the expense for housing inmates at the Southside Regional Jail in the amount of \$36,290 is approved and funds appropriated from the undesignated fund balance.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of March 2002..

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward presenting his monthly update for March 2002.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and stated Mr. William C. Scheid, Director of Planning, is at the Tobacco Commission meeting, but the monthly report was provided in the packets. He commented if the Board had any questions he would be happy to get an answer and report back to them. He introduced Mr. Phillip Harris, the new Code Enforcement Officer.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his March 2002 monthly report.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen came forward stating she had nothing to report this month.

IN RE: RECESS

Mr. Bracey called for a recess at 3:34 P.M. The meeting reconvened at 3:40 P.M.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, stated he had provided the Board with his March 2002 monthly report.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward to present his report for March 2002.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward to present his report for March 2002.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Daniel Siegel, County Attorney, came before the Board stating he checked on the Titanium taxation issue raised by Mr. Bowman and the County can separate the taxes on minerals and land. However, the severance tax issue is limited to coal and gas. He stated he would be glad to update the Board on litigation in Closed Session.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and stated he provided his monthly update for came forward to present his report for March 2002 in the Board packages.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Ralph reported she contacted the cogeneration plant as a viable source of power for the County. They are not on line 24 hours a day and they presently are a supplier of power for an industry. However, a representative will be calling her back.
2. The redistricting plan was approved by the Justice Department. There is a sixty-day period in which they reserve the right to request additional information.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay No Comments
Mr. Haraway No Comments
Mr. Moody No Comments
Mr. Bowman No Comments
Mr. Bracey No Comments

IN RE: CLOSED SESSION

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

Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia
- Administration

Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia
- Procurement and Sale of Property

Mr. Bowman seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 5:14 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:16 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel - Administration and § 2.2-3711 A.7, Legal Counsel – Procurement and Sale of Property

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

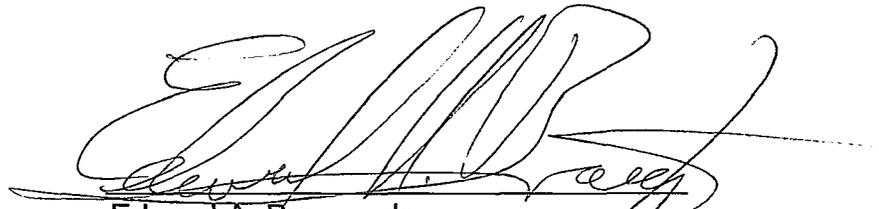
IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Appomattox Regional Library - Report
2. Letter from U.S. Department of Justice – Approving Redistricting of Dinwiddie County
3. Letter from Commonwealth of Virginia Department of Corrections – Regarding jail facility placed on Probationary Certification
4. Invitation to the Meet and Greet honoring Senator Henry Marsh, and Delegate Fenton Bland, Jr. to be held on Sunday, March 24, 2002.

5. Letter from Probation Supervisor – Regarding number of juveniles in detention and estimated costs of detention in support of the VJCCCA program

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 12:29 P.M.



Edward A. Bracey, Jr.
Chairman



Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 22nd DAY OF MAY, 2002, AT 2:00 P.M.

PRESENT: EDWARD A. BRACEY, JR., CHAIRMAN ELECTION DISTRICT #4
ROBERT L. BOWMAN, IV, VICE-CHAIR ELECTION DISTRICT #3
HARRISON A. MOODY ELECTION DISTRICT #1
Arrived 3:10 DONALD L. HARAWAY ELECTION DISTRICT #2
AUBREY S. CLAY ELECTION DISTRICT #5

IN RE: CALL TO ORDER

Mr. Edward A. Bracey, Jr., called the continuation meeting to order at 2:11 P.M.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Weber Ralph, Interim County Administrator, stated there is a need to add two items to the Closed Session – Personnel – County Administrator; and Industry Development - §2.2-3711 A. 5.

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

IN RE: CHANGE ORDER #4 – PUBLIC SAFETY BUILDING

Mr. Donald Faison, Buildings and Grounds Superintendent, requested the following change order #4 for consideration by the Board for the public safety building.

1. Security System	\$1,650
2. Add cost for two additional type "A" light fixtures	150
3. Credit for carpet substitution	<1,500>
4. Construction of portico at front entrance	3,905
TOTAL	\$4,250.40

Mr. Faison also stated the contract time will be increased by seven (7) days with the expected completion date to be June 9, 2002.

Mr. Bowman stated he really did not like seeing the electrical meter at the entrance of the building. He requested that Mr. Faison check into the cost of either moving or covering the meter.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above described, Change Order Number 4, is hereby approved and authorization is granted for the County Administrator to execute same.

IN RE: CLOSED SESSION

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

Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia –
Interviews – Assistant County Administrator and County Administrator

**Industry Development §2.2-3711 A. 5 of the Code of Virginia –
Prospective Industry**

Mr. Bowman seconded the motion. Mr. Moody, Mr. Clay, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 2:37 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:20 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel - Interviews, Assistant County Administrator, and County Administrator; and § §2.2-3711 A. 5, Industry Development - Prospective Industry

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.

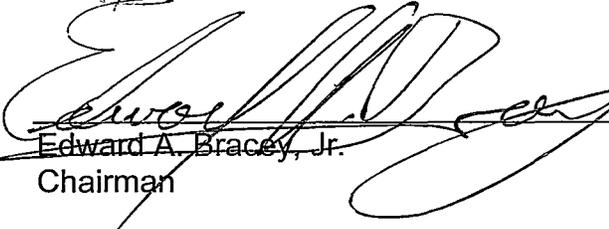
Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", this Certification Resolution was adopted.

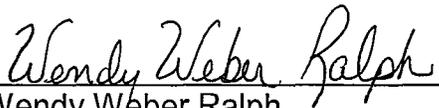
**IN RE: VIRGINIA CALVARY FLAG – TRANSFER TO PAMPLIN
PARK**

Pamplin Park has advised the County that the restoration of the Virginia Calvary Flag cannot be performed until January 2003. Until such time, they have requested that they be allowed to house the flag under appropriate conditions to further preserve the flag until it is transported to the restoration vendor. The Board agreed to this transfer.

IN RE: ADJOURNMENT

Upon Motion of Mr. Bowman, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 6:25 P.M. to be continued until June 5, 2002 at 12:00 Noon for lunch and a tour of the jail facility which will be followed by a Closed Session at 2:00 P.M. for Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia for interviews for the Assistant County Administrator position.


Edward A. Bracey, Jr.
Chairman


Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 5TH DAY OF JUNE, 2002, AT 12:00 P.M.

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

JACK CATLETT (arrived at 5:00 p.m.) COUNTY ATTORNEY
WILL HAZEL COUNTY ATTORNEY

IN RE: CALL TO ORDER

Mr. Edward A. Bracey, Jr., called the continuation meeting to order at 12:00 Noon for lunch and a tour of the Jail Facilities.

IN RE: APPROVAL OF CAPITAL OUTLAY ITEMS

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Moody, (Mr. Clay left the room temporarily), Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following items are approved for funding within the Capital Outlay category of the Sheriff's FY 2002-03 budget:

- a. Metal Detector (1) \$1,200
- b. Jumper Cables (50) 1,800
- c. Digital Cameras (5) 4,500; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to approve the replacement of computers and printers when needed within the Sheriff's Department allocation up to \$7,200.

IN RE: DISCUSSION OF RELATED ISSUES

The County Administrator advised the Board and the Sheriff of the following:

- a. Staff will work with the Sheriff's Department to pursue a one-year contract with Southside Regional Jail to house 20 Dinwiddie County inmates.
- b. The new Communications Center will not be ready to dispatch fire and rescue on July 1, 2002 mainly due to the procurement of the proper radio equipment. The County will be asking for an extension to receive wireless 911 calls.
- c. An inmate insurance program through Trigon was introduced which Mr. Haraway agreed to review.

IN RE: CLOSED SESSION

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

**Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia –
Interviews – Assistant County Administrator and Appointments
Industry - §2.2-3711 A. 5, Industry Development**

Mr. Haraway seconded the motion. Mr. Moody, (Mr. Clay left the room temporarily), Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 2:06 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:20 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel - Interviews, Assistant County Administrator, and Appointments; and §2.2-3711 A. 5, Industry Development - Prospective Industry

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. Haraway, Mr. Moody, (Mr. Clay left the room temporarily), Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", this Certification Resolution was adopted.

IN RE: DISCUSSION OF MINERALS & LAND TAXATION - DEPT. OF TAXATION AND COMMISSIONER OF REVENUE

The Board met with the Commissioner of Revenue, Mrs. Deborah Marston, and Mr. Tom Morelli, Department of Taxation to discuss the methodology of assessing mineral land in the county.

Mr. Morelli stated the accepted method of assessing mineral land in the county is the income to value approach. He stated the formula for taxation is: tons times royalties = annual income divided by the capitalization rate. If the land is being mined the landowners are taxed with this formula. If the land is not being mined it is taxed on the assessed value, which was determined by Mr. Wingate during the last reassessment for the county.

There was a lengthy discussion between the Board members, Commissioner of Revenue, County Attorney, and Mr. Morelli regarding where and how the Commissioner can get information on royalties received by the landowners; and the number of years the Commissioner can go back and tax landowners.

The County Administrator asked the County Attorney if we have everything that is needed in the County Code Book to tax the mineral land in the County? The County Attorney replied yes. The severance tax applies only to gas and coal.

Mr. Haraway asked the Commissioner, what is the time line for getting the information to the Treasurer? Mrs. Marston stated she would have it ready within two weeks. Then the Treasurer will have the tax tickets ready to send out by July 1st.

The Commissioner of Revenue stated she has 4 different sets of tonnages. Mr. Haraway suggested she pick one and bill it; then she can correct it later. We are losing interest every day the money is not in the County's account. Mrs. Marston stated there are some questions she needed to discuss

with the County Attorney tonight before she sent the information to the Treasurer.

Mr. Moody questioned how long it would take for the county to receive a check. The Commissioner replied after the bill is sent out they have 30 days to pay the taxes for 1998 – 2001. The current year taxes for 2002, second half is due by December 5, 2002.

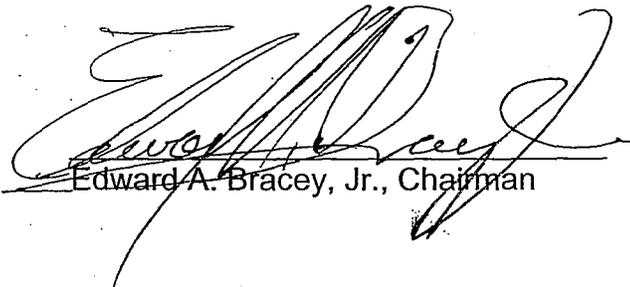
The Board members asked if there was anything they could do to assist the Commissioner in getting the tax bills out? She commented no.

IN RE: VIRGINIA MOTORSPORTS PARK REQUEST TO EXTEND PRACTICE HOURS FOR MOTORCROSS RACING

Mr. Moody stated the conditional use permit for the Virginia Motorsports Park does not allow any racing for special events until 10:00 A.M. on Saturday and Sunday mornings. The Virginia Motorsports Park wants to know if the Board would consider allowing the bikers to start practice at 8:00 A.M. on Saturday and Sunday mornings to allow the bikers to set up their bikes for the track. It was recommended that they be allowed to start practice at 9:00 A.M. on Saturday only. The majority of the Board agreed and felt the time should remain at 10:00 A.M. on Sunday's.

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 7:26 P.M.


Edward A. Bracey, Jr., Chairman

ATTEST: 
Wendy Weber Ralph
County Administrator

/abr

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 5TH DAY OF JUNE, 2002, AT 7:30 P.M.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	ROBERT L. BOWMAN, IV, VICE-CHAIR	ELECTION DISTRICT #3
	HARRISON A. MOODY	ELECTION DISTRICT #1
	DONALD L. HARAWAY	ELECTION DISTRICT #2
	AUBREY S. CLAY, (absent)	ELECTION DISTRICT #5
OTHER:	JACK CATLETT	COUNTY ATTORNEY
	WILL HAZEL	COUNTYATTORNEY

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

Mr. Edward A. Bracey, Jr., called the regular meeting to order at 7:30 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: PRESENTATION OF PLAQUE

The County Administrator presented Mr. Harrison Moody a plaque for serving as Chairman of the Board of Supervisors for the year 2001. She also extended heartfelt sympathy to the families of Mr. John Hayes and Mr. Howard Carmichael. They both made many valuable contributions to the County.

IN RE: AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the May 15, 2002 Continuation Meeting and the May 15, 2002 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey 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 1030587 through 1030821 (void check(s) numbered 1030589, 1030666 – 1030667, 1030669, 1030754 and 1030763) for:

Accounts Payable:

(101) General Fund	\$ 177,720.57
(103) Jail Commission	\$ 148.24
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 5,497.77
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 8,693.12
(226) Law Library	\$ 42.30
(228) Fire Programs & EMS	\$ 2,898.46

(229) Forfeited Asset Sharing	\$ 423.07
(304) CDBG Grant Fund	\$.00
(305) Capital Projects Fund	\$ 87,497.51
(401) County Debt Service	\$ <u>.00</u>
TOTAL	\$ 282,921.04

PAYROLL 05/31/02

(101) General Fund	\$ 406,526.41
(222) E911 Fund	\$ 3,413.52
(304) CDBG Fund	\$ <u>3,368.39</u>
TOTAL	\$ 413,308.32

**IN RE: AUTHORIZATION TO TRANSFER FUNDS FROM IDA
1995A- REFUND ACCOUNT TO SCHOOL FUND
FACILITIES ACCOUNT**

Mrs. Ralph stated at the Dinwiddie County Board of Supervisors Meeting (May 1, 2002), approval was granted for a total payment of \$21,583.00 to BCWH. However, the funds need to be transferred to the School Account # 260 001501-0100 (Facilities) from the General Fund so the School Board can make the payment to BCWH Professional Services. She requested authorization to transfer \$21,583.00 to the facilities account for that payment.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the transfer of \$21,583 from the IDA 1995A – Refund Account to the School Fund Facilities Account # 260 001501-0100 is approved.

**IN RE: SUPPLEMENTAL APPROPRIATIONS #4 AND #5 - FY02
SCHOOL BOARD**

The County Administrator stated she received the following requests from Dr. Leland Wise, Jr., Superintendent of Schools.

"Supplemental appropriation #4 represents \$255,623 in additional state funding due to our increased ADM (average Daily Membership) as of March 31, 2002. We would like to allocate these funds to maintenance. These funds will be used to complete various maintenance jobs in all division facilities including painting and cleaning, additional paving and concrete work, boiler repair and updates, playground equipment and landscaping, fencing replacement and repair, k-5 facilities updating of toilets and related equipment and replacement of maintenance vehicles. These funds will help to "catch up" on items that have been postponed or delayed due to budget limitations or reductions in the capital outlay fund requests during the past few years." The maintenance items are included in the following project list:

**Dinwiddie County Public Schools
Maintenance and Facility Budget Projects
(2002-2003)**

Dinwiddie Elementary School

Repair & Replacement

Install handicap ramp for stage (A.D.A.)	2002
Install appropriate handicapped access ramp for stage area	2002
Remove two large trees from playground area	2002

Fiscal
Year

Hang cork strips in designated areas of hallways	2002
Inspection of current playground equipment	2002
Spread sufficient layer of mulch in playground equipment area (safety)	2002
Roof inspection	2002
Clean & paint front columns	2002
Paint baseball field bleachers	2002
Cut and remove 2 trees in playground area	2002
Install additional electrical outlets in classrooms and offices	2002
Major or New Projects	
Renovate and reduce "low dividing wall" in Library	2002
Install additional playground equipment to meet needs of K - 5 program	2002
Install exterior bell system and speaker system to allow for return of students after drills	2002
Equipment	
Install age-appropriate playground equipment and landscaping	2002
Provide appropriate custodial & cleaning equipment	2002

Dinwiddie High School

Repair & Replacement

Replace damaged wall tile (ceramic) in Band Room and Gym Hall	2002
Repair concrete overhang in English wing	2002
Paint 5 classrooms	2002
Paint 2 exterior cafeteria doors	2002
Paint Field House	2002
Paint stadium restrooms	2002
Repair or replace exterior door (cafeteria hall)	2002
Repair or replace interior door (English hall)	2002
Repair or replace interior door (Girls' locker room)	2002
Repair or replace interior door (Boy's locker room)	2002
Repair or replace 4 interior doors (Gymnasium)	2002
Repair or replace 2 water fountains (Gymnasium)	2002
Replace floor electrical recepticals with pole-type (Business Rooms)	2002
Repair or replace restroom partition (Girls' Restroom - English wing)	2002
Repair or replace restroom partition (Boy's Restroom - English wing)	2002
Repair or replace restroom partition (Girls' Restroom - Cafeteria area)	2002
Replace light fixtures (Girls' restroom - English wing)	2002
Replace light fixtures (Boy's restroom - English wing)	2002
Repair Agriculture Shop brick wall (hole remains from renovation)	2002
Install steel access platform for fuel tank	2002

Major or New Projects

Pave major portion of the parking lots	2002
Replace gymnasium floor	2002
Replace fence around stadium	2002
Install fence around HVAC equipment	2002

Equipment

Replace 30 classroom telephones	2002
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Dinwiddie Middle School

Repair & Replacement

Replace carpets in modular classrooms	2002
Replace ramps and porches of modular classrooms	2002
Repair concrete library steps	2002

Major or New Projects

Install two additional mobile classrooms (Move from Midway)	2002
Paint basement hallway	2002
Create new gravel or paved parking lot (teachers/parents) SAFETY ISSUE	2002
Install "split air condition" system for "Head-In" room in Library	2002

Midway Elementary School

Repair & Replacement

Install handrails for stage steps	2002
Install appropriate handicapped access ramp for stage	2002
Install "adult sized" water fountain on second floor	2002
Install appropriate parking lot signs ("Handicapped", "Staff", "Visitors")	2002
Paint appropriate parking lines, arrows, and crosswalk area	2002
Wash second story windows	2002
Remove several large trees from playground area and from around building (roots undermining foundation)	2002
Repair or replace wooden ramps and/or steps	2002

Repair of modular classroom roofs	2002
Replace modular classroom carpet	2002
Repair or replace modular classroom skirting	2002
Spread sufficient layer of mulch in playground equipment area (Safety)	2002
Landscaping (annual)	2002
Major or New Projects	
Replace boiler	2002
Replace flooring in gymnasium restrooms	2002
Repave basketball court	2002
Install exterior security lights	2002
Equipment	
Purchase additional four additional "walkie-talkies"	2002
Install four elliptical mirrors in stairwells (security)	2002
Replace old playground equipment with new "age appropriate" equipment	2002

Rohoic Elementary School

Repair & Replacement

Replace all hallway and cafeteria ceiling tiles	2002
Repair outdoor fences and locks	2002
Repair floor tile in gymnasium	2002
Replace all toilet seats and tissue holders in hall bathrooms	2002
Repair damage due to leaks in modular #141/142	2002
Repair or replace wooden steps and ramps to all modular classrooms	2002

Major or New Projects

Install security lighting to north and west parking lot	2002
Replace all bathroom fixtures throughout building	2002
Install sidewalk between 5th grade modular classrooms and modular classroom #141/142	2002

Southside Elementary School

Repair & Replacement

Replace all broken and unsecured light covers	2002
Replace main office blinds with new mini-blinds	2002
Re-finish stage (sand and varnish)	2002
Address and repair all cracks in exterior brick walls	2002
Repaint flag pole	2002
Replace or repair outside water fountain	2002
Address all handicap ramps and rails	2002
Repair or replace wooden steps or ramps	2002

Major or New Projects

Address and replace plumbing with age-appropriate size units	2002
Install three additional mobile classrooms (HEADSTART)	2002
Install exterior security lights	2002
Address playground (add equipment to meet K-5 needs, regrade/reseed former modular area)	2002

Sunnyside Elementary School

Repair & Replacement

Replace some damaged ceiling tiles (due to past roof leaks)	2002
Replace some light fixtures in building	2002
Computer network wiring should be incased in conduit. (Some hanging from ceiling)	2002
Replace kitchen tile (safety & health hazard)	2002
Repair or replace wooden steps or ramps	2002
Repair rusted floor molding around kitchen office	2002

Major or New Projects

Install water fountains in modular classrooms	2002
Install additional electrical outlets throughout the building (Fire Marshall has cited extension cords)	2002
Install exterior security lights	2002
Repair roof	2002
Install additional mobile classroom	2002

Alternative Education Center (Old McKenny Elementary School)

Paint exterior boards covering windows to protect particle board	2002
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Maintenance Department

Equipment

Two new vehicles (trucks) *one for new plumber, **one to replace truck to be taken off road 2002

Transportation Department

Major or New Project

Repair or Replace HVAC System 2002
Repair Roof 2002
Upgrade electrical system 2002

District-Wide

2002

Major or New Project

2002

*Repair and/or replace wooden steps and ramps at all schools (total) 2002

SUPPLEMENTAL APPROPRIATION #5 - FY02

“The Dinwiddie County School Board budget for FY2002 was approved in the spring of 2001. The following appropriations (Supplemental Appropriation #5) represent revenue contributed and/or donated for specified purposes:

\$1,472	Donations	Specified for court service youth
\$4,000	Donations	Specified for Project DEAR salaries
\$ 400	Donations	Specified for mentors.
\$ 50	Fees	Specified for the “Ropes Course”
\$1,050	Donations	Specified for the volunteer conference
\$6,972	Total	

This represents additional funding of \$6,972, which we wish to allocate to O.Y.C.S.

The Dinwiddie County School Board reviewed this information at its May 14, 2002 meeting, voted to amend its FY2002 Budget for these funds and to seek the supplemental appropriation from the Board of Supervisors.”

The County Administrator recommended that the Board approve Supplemental Appropriation #4 with the contingency that none of the funds be expended on items that were included and then value engineered out of the CIP. Remaining bond funds should be used for those items.

Mr. Bracey commented the maintenance items do not include the costs. In the past, the School Board always provided an itemized list. Who is going to be handling these funds? Mr. Worner replied he would be happy to supply an itemized cost list to the Board and they would comply with the contingencies recommended by the County Administrator.

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Moody, Mr. Haraway, Mr. Bowman voting “Aye”, Mr. Bracey voting “Nay”,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board’s request for the supplemental appropriation #4 listed above is approved with the contingency that none of the funds be expended on items that were included and then value engineered out of the CIP; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board’s request for supplemental appropriation #5 listed above is approved as presented.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting.

The following citizens came forward to address the Board:

1. Michael W. Bratschi, 23500 Cutbank Road, McKenney, Virginia, came before the Board with the following comment and questions:
 - a. He supported waiting six months to adopt the Comprehensive Land Use Plan.
 - b. Why Deputies are present at Board meetings/who is paying them?
 - c. When was the CIP public hearing held?
 - d. Did the money for carpet come from the 2002-2003 budget?

IN RE: AUTHORIZATION TO NAME NEW AIRPORT ENTRANCE ROAD – BECK-CHAPPELL DRIVE

David Ploeger, Airport Manager, came forward and stated per your request I met with the agencies involved in the naming of the new airport entrance road. Mr. Caywood at VDOT stated that the Department would leave the decision of the road name to the County. We discussed the issue of naming the service road and the new entrance road "Airport Road", the same as the current entrance road. Mr. Caywood had no objection to the name, but stated that the new entrance road will have a separate route number from the current entrance road (due to the fact that the service road joining them is considered a private road). This would create a situation where "Airport Road" would have two separate route numbers associated with it. Mr. James Bland, with the Virginia Department of Aviation who funded the service road, stated that they will have no input with regard to the name of the service road. Mr. Scheid stated that, with regard to all three roads being named "Airport Road", it is unusual for a road to have a 90 degree intersection without changing names (and this road would have two such intersections). However, this situation has occurred in other roads in the County. At its meeting on May 21st the Airport Authority discussed this issue. Several variations of "Airport Road" were discussed (South Airport Road, East Airport Road, ect.) as well as other possible names. It is the belief of the Authority that there are already too many roads in the vicinity of the airport with the "Airport" or something similar associated with them and they did not wish to further complicate the situation. In order to help prevent confusion regarding road names, and to honor two men who contributed greatly to the development of the airport, the Airport Authority requests that the new entrance road be named "Beck-Chappell Drive".

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Airport Authority is authorized to name the new entrance road "Beck-Chappell Drive".

IN RE: AUTHORIZATION TO ISSUE MANUAL CHECK - AIRPORT AUTHORITY STATE REIMBURSEMENT

The County Administrator stated the Airport Authority has been waiting for VDOT to issue a check in the amount of \$230,000 for the new road. However, VDOT must send the funds to the County and then we will have to write a check to the Airport Authority. She requested authorization to issue a manual check to the Airport Authority in the amount of the check from VDOT once the County receives the funds.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Staff is authorized to issue a manual check to the Airport Authority in the amount of the check from VDOT once the County receives the funds.

IN RE: CITIZENS COMMENTS CONT'

2. Mr. Dwayne Person, 3900 Shoreview Drive, Sutherland, VA, neighborhood watch coordinator for River Road Farm Subdivision, presented the Board with a petition to pass a resolution to forward VDOT to install "Watch for Children" signs for the safety of the Children in the neighborhood. He also commented he supported waiting six months in order to provide time for the citizens to review the Comprehensive Land Use Plan.

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

Mr. William C. Scheid, Director of Planning, came forward to make the following statement prior to the Public Hearings.

"As previously requested by the Board of Supervisors, Draft copies of the Planning Commission Meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting room. The purpose of doing so is to expedite the hearing process without compromising the publics' access to pertinent information. It is noted that the Board has been given various information on all of the hearing(s) to include, the application, zoning map, adjacent property owner list, locational map(s), proffers (if applicable), soils data, comprehensive land use maps and references, etc. With this information noted, I will proceed with the case(s)."

IN RE: PUBLIC HEARING – COMPREHENSIVE LAND USE PLAN

This being the time and place as advertised in the Dinwiddie Monitor on May 22, 2002 and May 29, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on the County's Comprehensive Land Use Plan.

Mr. Scheid stated State Code requires the local planning commission to prepare and recommend a comprehensive land use plan for the physical development of the territory within its jurisdiction and every governing body shall adopt a comprehensive plan for the territory under its jurisdiction. Section 15.2-2230 of the State Code requires the review of this plan at least once every five years. With the above in mind, the Board of Supervisors chose to create an Advisory Committee to assist the Planning Commission in the review and development of an updated comprehensive land use plan. The Committee held many meetings during the past 1-½ years in which public participation was encouraged. The Advisory Committee met with the Planning Commission in December 2001 and "handed off" the plan to the Planning Commission for them to hold their public hearing. The public hearing of the Planning Commission was held on January 9, 2002. There was no one in attendance opposing the Plan. On a unanimous vote of 7-0, the Planning Commission sent the Plan Update to the Board of Supervisors with a recommendation of approval. The Board of Supervisors held a workshop on the Comp Plan update on April 17th. Mr. Turner of Landmark Design Group reviewed with the Board the Plan, in general, and summarized some of the events I have stated herein. The public hearing was advertised for this evening for the Board of Supervisors to hold its Comprehensive Land Plan Update.

Mr. Bracey opened the Public Hearing.

Mrs. Barefoot requested that the Board make available copies of the Plan to allow Citizens an opportunity to read it over and then hold meetings in each district to allow them to ask questions and clarify issues they may have about the Plan. She also requested that the Board wait six months before adopting the Comprehensive Land Use Plan.

The following Citizens supported the six months waiting period:

1. Michael Bratschi, 23500 Cutbank Road, McKenney, VA
2. Dwayne Person, 3900 Shoreview Drive, Sutherland, VA
3. Geri Barefoot, 7411 Frontage Road, Petersburg, VA,
4. Edward H. Williams, 23515 Cox Road, Petersburg, VA
5. Merry F. Williams, 23515 Cox Road, Petersburg, VA
6. Glenn Stevens, 24620 Smith Grove Road, Petersburg, VA
7. Cynthia Marshall, Wilkinson Road, DeWitt, VA
8. Julia Benner, 20214 Ann Road, Sutherland, VA
9. Odessa Winfield, 20201 Harris Drive, Sutherland, VA
10. Arthur Goodwyn, 7104 Boydton Plank Road, Petersburg, VA

Mr. Bracey closed the Public Hearing.

Mr. Bowman made a motion to table the hearing for six months and set up some meetings at the Eastside Community Enhancement Center so citizens could have the opportunity to ask questions about the plan.

Mr. Dean McCray, Chairman of the Planning Commission and member of the Advisory Committee, came forward stating the committee had numerous meetings with groups and citizens. I feel it is a good plan and so does a great number of other people. However, if the citizens wanted additional meetings held, he would have no problem being a part of them.

Mr. Moody stated he felt a couple of months would allow a sufficient period of time to delay the plan; but six months is too long.

Mr. Bracey asked Ms. Barefoot if there was a particular area or reason that she had a problem with the Plan. She responded the more she read the draft plan the more the whole document confused her. Mr. Bracey commented he didn't feel the Plan should be held up six months for review. He felt four months was reasonable.

Mr. Bracey asked Mr. Turner if he would find out how long and how much it would cost for a copy of the Plan and let the Planning Department know. Mr. Bracey asked the Citizens who were interested in purchasing a copy of the Plan to sign the sheet and they would be called when we found out what the costs would be. He stated the Planning Department and Planning Commission could set up workshops for each district to meet with the citizens to discuss the draft plan after the copies come in.

Mr. Bowman withdrew his former motion.

Upon Motion of Mr. Bowman, Seconded by Mr. Haraway, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the Comprehensive Land Use Plan is tabled for four months to allow the Citizens time to receive copies of the plan and then set up meetings to be held in each district or combined districts.

IN RE: PUBLIC HEARING – C-02-2 – L. F. HARRISON –
CONDITIONAL USE PERMIT

This being the time and place as advertised in the Dinwiddie Monitor on May 22, 2002 and May 29, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a

request from Mr. L. F. Harrison, Jr., who is seeking a conditional use permit to establish a cabinet shop at 5906 Boydton Plank Road.

Mr. Scheid read excerpts from the following Summary Staff Report on C-02-2:

Planning Summary Report

File: C-02-2
Applicant: L. F. Harrison, Jr.
Property Address: 5906 Boydton Plank Road

The applicant, Mr. L. F. Harrison, Jr., is seeking a conditional use permit to establish a cabinet shop at 5906 Boydton Plank Road. The property is designated as tax map/parcel 21-113A by the Commissioner of the Revenue's office and is located in the southwest corner of the intersection of Boydton Plank Road (Rt. 1) and Hofheimer Way. The Board of Supervisors rezoned the property to Business, general B-2 on September 4, 1996 in anticipation of a day care center being established. The property is located within the urban planning boundary as defined by the County's comprehensive land use plan. No citizens appeared in support of, or opposition to, the request. Upon a vote of 7-0, the Planning Commission recommended approval with conditions to the Board of Supervisors

1. Landscaping shall be provided and maintained within areas between adjacent residential properties and Route 1. The landscaping plan shall be submitted to the Planning Department for review and approval. The plan must be implemented prior to issuance of a certificate of occupancy;
2. Exterior lighting shall be located and directed such as to illuminate the area of the cabinet shop and not be directed toward adjacent properties;
3. A commercial entrance permit shall be obtained from VDOT if, at anytime, entrance to the property is accessed off Route 1 as opposed to Hofheimer Way;
4. The driveway entrance and parking area shall be asphalt and be constructed to County standards; and
5. The cabinet shop shall be a one- (1) story structure.

Mr. Bracey opened the Public Hearing.

No one spoke for or in opposition to the rezoning request.

Mr. Bracey closed Public Hearing C-02-1.

Mr. Moody stated, be it resolved, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning case C-02-1 be approved with the conditions recommended by the Planning Commission.

The motion was seconded by Mr. Haraway, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that rezoning request C-02-1, as stated above, is hereby approved, with the conditions recommended by the Planning Commission.

**IN RE: PUBLIC HEARING – P-02-1 – RANDOLPH H. HERRING –
REZONING REQUEST**

This being the time and place as advertised in the Dinwiddie Monitor on May 22, 2002 and May 29, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment for a rezoning application submitted by Mr. Randolph Herring.

Mr. Scheid read excerpts from the following Summary Staff Report on P-02-1:

Planning Summary Report

File: P-02-1
Applicant: Randolph H. Herring
Property Address: Hamilton Arms Road

The applicant, Mr. Randolph H. Herring, is seeking a rezoning from Business, General B-2 to Agricultural, General A-2 of a 6.1-acre parcel of land that was recently subdivided from land parcel 69-57A. The original tract of land contained 11.3 acres. The tract under consideration is located to the rear of Mr. Herring's property located at 16001 Hamilton Arms Road in DeWitt. The County's comprehensive land use plan designates this area as rural conservation. No citizen appeared in support of, or opposition to, the request. Upon a vote of 7-0, the Planning Commission recommended approval to the Board of Supervisors.

Mr. Bracey opened the Public Hearing.

No one spoke for or in opposition to the rezoning request.

Mr. Bracey closed the Public Hearing.

Mr. Bracey called for a Motion.

Mr. Haraway stated, be it resolved, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning case P-02-1 be approved.

The motion was seconded by Mr. Moody, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that rezoning request P-02-1, as stated above, is hereby approved.

IN RE: RECESS

Mr. Bracey called for a recess at 8:56 P.M. The meeting reconvened at 9:07 P.M.

**IN RE: PUBLIC HEARING – A-02-2 – FEE FOR PROCESSING
PERSONS TO JAIL**

This being the time and place as advertised in the Dinwiddie Monitor on May 22, 2002 and May 29, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on an amendment to Chapter 15 of the Code of Dinwiddie County to establish a processing fee of Twenty-Five Dollars (\$25) for persons admitted into the jail.

The County Administrator stated this ordinance is to authorize additional fees to defray the costs of processing arrested persons into the Dinwiddie

County Jail. The public hearing will be held tonight; but the Board can take no action until June 19, 2002 because there are fees involved, which require a waiting period.

Mr. Bracey stated this is a Public Hearing and asked if any citizens wished to speak for or against A-02-2.

1. Mr. Michael Bratschi spoke in opposition of the amendment.

Mr. Bracey closed the Public Hearing for A-02-2.

**IN RE: PUBLIC HEARING – A-02-3 AMENDMENT –
COURTHOUSE SECURITY FEE**

This being the time and place as advertised in the Dinwiddie Monitor on May 22, 2002 and May 29, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on an amendment to the Code of Dinwiddie County to impose a Five Dollar (\$5.00) fee on those convicted in General District or Circuit Court to assist with the funding of courthouse security as authorized by the General Assembly.

The County Administrator stated the ordinance is to authorize additional cost in criminal and traffic cases for the funding of Courthouse security personnel. The public hearing will be held tonight; but the Board can take no action until June 19, 2002 because there are fees involved, which require a waiting period.

Mr. Bracey stated this is a Public Hearing and asked if any citizens wished to speak for or against A-02-3.

1. Mr. Michael Bratschi spoke in opposition of the amendment.

Mr. Bracey closed the Public Hearing for A-02-3.

**IN RE: PUBLIC HEARING – A-02-4 – TRAFFIC LAWS -
RECODIFICATION**

This being the time and place as advertised in the Dinwiddie Monitor on May 22, 2002 and May 29, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing on an ordinance amending Sections 14-3 and 14-4 of the Dinwiddie County Code to incorporate provisions of state law related to the control of traffic and to driving under the influence of alcohol or other intoxicants.

Mrs. Ralph stated this is an amendment to the ordinance amending Sections 14-3 and 14-4 of the Dinwiddie County Code to incorporate provisions of State Law related to the control of traffic and to driving under the influence of alcohol or other intoxicants. This is a yearly revision to coincide with the action taken by the General Assembly amending certain sections. It was pointed out that the amendment had been drafted by the County Attorney and was enclosed in the Board's packet.

This being a Public Hearing Mr. Bracey opened the floor for citizen comments.

1. Mr. Michael Bratschi supported this amendment.

Mr. Bracey closed the Public Hearing on A-02-4.

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

WHEREAS, Section 46.2-1313 of the Code of Virginia 1950, as amended, authorizes the incorporation of provisions of state law into local ordinances; and

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia deems it in the best interest of the County to effectively incorporate such provisions of state law into Dinwiddie County Code Sections 14-3 and 14-4 to reflect the County's adoption of such statutes;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that Sections 14-3 and 14-4 of the Dinwiddie County Code should be amended as follows:

Sec. 14-3 Adoption of state law as to motor vehicles and traffic and driving under the influence of alcohol or drugs.

1. Pursuant to the authority of Section of 46.2-1313 of the Code of Virginia, all of the provisions and requirements of the laws of the Commonwealth contained in Title 46.2 and in Article 2 (Section 18.2-266 et seq.) of Chapter 7, Title 18.2 of the Code of Virginia, as amended except those provisions and requirements which, by their nature, can have no application to or within the County, and except those provisions of law which may not be adopted or incorporated, are hereby adopted and incorporated mutates mutandis in this Ordinance by reference and made a part of this Chapter as fully as though set out herein and are herein and hereby applicable within Dinwiddie County.
2. References to "highways of the state" contained in such provisions and requirements adopted by this Section shall be deemed to refer to the streets, highways, and other public ways within the County.
3. The provisions and requirements referred to the subsection (a) of this Section are hereby adopted, mutates mutandis and made a part of this Section as fully as though set forth at length herein, and it shall be unlawful for any person within the County to violate, or fail, neglect, or refuse to comply with, any such provision or requirement; provided, however, that, in no event shall the penalty imposed for the violation of any such provision or requirement exceed the penalty imposed for a similar offense under the state law hereby adopted.

Sec. 14-4. Adoption of state law as to the operation of motor vehicles.

Pursuant to the authority of Section of 46.2-1313 of the Code of Virginia, the following provisions and requirements of Title 46.2 of the Code of Virginia, as amended, are hereby adopted and made a part of this chapter as fully as though set out therein and are hereby applicable within Dinwiddie County: sections 46.2-100, 46.2-103, 46.2-300 to 46.2-302, 46.2-341.1 to 46.2-341.34, and 46.2-800 through 46.2-946.

This Ordinance shall become effective immediately.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Ralph commented the Governor is authorizing Friday July 5th as a holiday in addition to July 4th. She stated she wanted them to be aware of the extra day and that it was the County's policy to grant the holidays authorized by the State. There was no comment from the Board members.

**IN RE: RESOLUTION AUTHORIZING COMPETITIVE
NEGOTIATION FOR RADIO SYSTEM ENGINEERING
SERVICES**

The County Administrator commented we are ready to advertise the RFP for the consultant to assist us with the specifications for the E911 Public Safety Radio System. A resolution is required when the method of competitive negotiation is used.

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

WHEREAS, the Board of Supervisors of Dinwiddie County (the "Board") wishes to receive proposals from qualified vendors for services to assist in the design and/or review of a countywide E911 Public Safety radio system and further to negotiate specific contractual terms and conditions favorable to Dinwiddie County (the "County"); and

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

WHEREAS, the county has made this determination based on the following reasons:

1. Time is of the essence.
2. These are personal competitive services where Dinwiddie County will get the best value if it procures these services thru competitive negotiation.

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

1. Staff is authorized to issue on behalf of the County a written request for proposals for radio system engineering services;
2. This Resolution shall constitute a written determination that competitive sealed bidding is not advantageous to the public for the reasons stated above.
3. This resolution shall be effective as of June 5, 2002.

IN RE: HEALTH DEPARTMENT FEES

2. The Health Department will be initiating a fee beginning July 1, 2002 for all the permits/services they now provide. This would include approvals for Special Entertainment Permits, testing of water samples, etc. At this time, no fee schedule has been established. This will have the greatest impact on us with the sampling required on the jail well.

**IN RE: AUTHORIZATION TO ADVERTISE INMATE WORKFORCE
ORDINANCE**

The County Administrator stated a draft ordinance to establish an inmate work force in the County was enclosed in your packets. The Sheriff is working with the judges and feels if this ordinance is put in place, they can provide the manpower and equipment to put it into effect. She asked for authorization to advertise the ordinance for a public hearing to be held July 3, 2002.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to advertise the ordinance for public hearing on July 3, 2002 as described above.

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

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to sign the Letter of Agreement for the economic development grant with the Tobacco Indemnification and Community Revitalization Commission.

IN RE: COUNTY ADMINISTRATOR COMMENTS CONT'

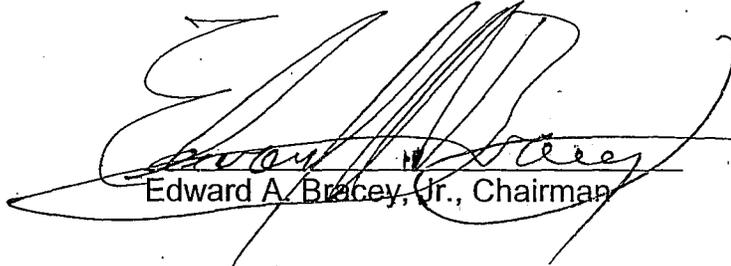
4. Vacation schedules for the Board – We have some meetings for the Board that need to be scheduled for July and/or August; therefore, if you have a vacation planned or definite weeks you would not be able to meet, please let Staff know. The tour of the County with the Planning Commission has been proposed for July 10, 2002.
5. Our next meeting, June 19th is one of the meetings, which the Board scheduled to start at 10:00 A.M. instead of the regular time at 2:00 P.M.

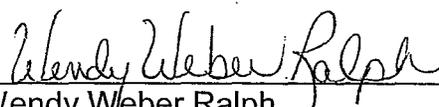
IN RE: BOARD MEMBER COMMENTS

There were no Board Member comments.

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 9:26 P.M.


Edward A. Bracey, Jr., Chairman

ATTEST: 
Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 19TH DAY OF JUNE 2002, AT 10:00 A.M.

PRESENT: EDWARD A. BRACEY, JR., CHAIRMAN ELECTION DISTRICT #4
ROBERT L. BOWMAN, IV, VICE-CHAIR ELECTION DISTRICT #3
Arrived 10:11 HARRISON A. MOODY ELECTION DISTRICT #1
DONALD L. HARAWAY (Absent) ELECTION DISTRICT #2
AUBREY S. CLAY, ELECTION DISTRICT #5

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 10:07 A.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 there was a need to add two items under Closed Session – Personnel – add Animal Control and §2.2-3711A.7 Legal Counsel – Zoning Issue

Upon Motion of Mr. Bowman, Seconded by Mr. Clay, Mr. Clay, Mr. Bowman, Mr. Bracey, voting "Aye", the above amendment (s) was approved.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the May 22, 2002 Continuation Meeting, June 5, 2002 Continuation Meeting and the June 5, 2002 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Bowman, Mr. Bracey, 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 1030822 through 1030991 (void check(s) numbered 1030754, 1030669 and 1030823) for:

Accounts Payable FY 2001- 2002:

(101) General Fund	\$ 329,114.89
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 1,813.06
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 1,972.99
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$ 44.18
(305) Capital Projects Fund	\$ 2,063.84

(401) County Debt Service \$ 17,532.06

TOTAL \$ 352,541.02

**IN RE: DINWIDDIE COUNTY PUBLIC SCHOOLS – K-5
FACILITIES STUDY – PROJECT 02203.00, PHASE I –
REQUISITION #2 (IDA1995A- REFUND - \$99,752.71)
AUTHORIZATION TO TRANSFER FUNDS**

Mrs. Ralph stated the following invoices are included in payment Requisition #2 (I.D.A. 1995A – Refund - \$99,752.71)

BCWH PROFESSIONAL SERVICES \$ 62,862.50

TOTAL REQUISITION #2 \$ 62,862.50

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to pay the claim for professional services to BCWH and to transfer funds in the amount of \$62,862.50 for Requisition #2 to the School Fund Facilities Account # 260 066200 3000 101.

Dr. Scott Worner, Assistant Superintendent for Administration, distributed color copies of the School redistricting map, which the School Board adopted Tuesday June 11, 2002.

Mr. Moody stated he understood there were still some transportation issues that needed to be addressed. Dr. Worner commented there would be transportation issues right up to the time school started. But according to Dr. Wise the redistricting map distributed is the adopted plan.

There was a lengthy discussion between the Board members regarding where the data came from, what formulas were used, and what the conclusions of the study were? The Board requested that the County Administrator meet with Dr. Wise to arrange a presentation for the Board.

IN RE: CITIZEN COMMENTS

The following citizen(s) signed up to comment.

1. Michael W. Bratschi, 23500 Cutbank Road, McKenney, Virginia, came before the Board and commented that the County is flying the flag in violation of the Federal flag laws. He respectfully requested that the County correct the situation.

**IN RE: SOUTHSIDE CENTER FOR VIOLENCE PREVENTION –
REQUEST FOR CONTRIBUTION – MS. LINDA SUE
LEWIS**

Mrs. Linda Sue Lewis, Executive Director, Southside Center for Violence Prevention, Inc., came before the Board requesting funds in an effort to keep Madeline's House in operation. "This is the only domestic violence shelter in the south central area of Virginia. It is located at Fort Pickett and serves the counties of Amelia, Brunswick, Buckingham, Charlotte, Cumberland, Dinwiddie, Halifax, Lunenburg, Mecklenburg, Nottoway, Powhatan, and Prince Edward.

In May of 1999, we requested and received from most of the 12 counties in our service area, \$7,000 each, in order to remodel the building, which is furnished to us at no charge by Nottoway County. We opened in July of 1999, and have operated since that time solely on grant funding, donations, and many fund-raising events. Our operational budget for 2001 was \$289,000; of which \$167,000 was from federal and state grants. Federal and state funds have been cut by \$20,000 and since the 9-11 terrorist attack our donations have dropped.

At the present time and for the past two months, we have operated at full capacity, 30 residents. Emergency services have been provided for 454 women and children in less than 3 years. These victims come from all walks of life, all races, and all social economic levels, but have one thing in common. They are all living in seriously dangerous situations, often life threatening. Madeline's House is there as a safe alternative."

Mrs. Lewis commented 453 people have been served since Madeline's House was opened in 1999, 14 women and children were from Dinwiddie County. These figures don't reflect persons who call our twenty-four hour hotline that rings constantly requesting information on how to keep them or loved ones safe from harm.

Mrs. Lewis requested that the Board contribute \$5,000 toward the operation of Madeline's House so they could continue to serve the victims of domestic violence in Dinwiddie County.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby appropriates funds, for FY03 only, in the amount of \$5,000 to Southside Center for Violence Prevention, Inc., Madeline's House.

IN RE: CITIZEN COMMENTS

2. Mrs. Anne Scarborough came forward requesting again that a clock be installed for citizens speaking if they are to be held to the 3-minute time limit. She also commented that 30 minutes was allotted for citizen comments. When there is a limited number of persons desiring to speak they should not be held to the 3-minute limit. The County Administrator commented the clock issue is being worked on.

IN RE: VDOT - REPORT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, came forward and thanked the County Administrator for her assistance in getting the reimbursement funds to the Airport Authority for the new entrance road. He also thanked the County Administrator, Mrs. Wendy Ralph, and Mr. William Scheid, Planning Director, for their assistance with the drainage issues on the property on West Drive. He commented Mr. Scheid came up with a great solution for a tricky problem; this is a model, which can be used for future drainage problems.

1. Reported to Mr. Bowman he would give an update at a later date on some of the items he brought forth at the last meeting. However, he commented he has set some appointments to deal with citizen concern issues Mr. Bowman brought to his attention.
2. Traffic calming – a number of citizens have raised concerns about traffic calming – VDOT does have a policy; it is fairly new, but it does require a lot of effort, support and cooperation from the local Board as well as the citizens, in addition to what VDOT does. Will send a letter to the County Administrator for the Board to review for the next meeting.

3. Squirrel Level Road project - trying to get reliable advertisement dates and VDOT is in negotiations with National Park Service for the project.

IN RE: VDOT – REVISED SECONDARY SIX YEAR PLAN

Mr. Richard Caywood stated this is probably the most difficult item I have ever had to present to a Board, which is the current Revised Secondary 6 Year Plan:

“As I know you are aware, VDOT has been directed by Governor Warner to reshape the Virginia Transportation Development Plan (VTDP). This involves taking a hard look at construction projects included in the Virginia Transportation Development Plan and the Secondary Six-Year Plans, to assure that they reflect realistic cost estimates and achievable schedules.

Revenue projections for the current fiscal year 2001/02 and future years 2002/03 through 2007/08 have been modified to reflect the Commonwealth’s current economic forecast, which unfortunately is not very optimistic. These actions have affected the current budget and the Secondary Six-Year Plan that was approved by resolution of the Board of Supervisors on November 21, 2001. The budget for fiscal year 2002/03 was reduced by \$900,259 and overall funding for the six-year period was reduced from \$13,118,998 to \$8,298,506. Therefore, we plan to adjust the allocation previously identified on the following projects:

<u>Priority</u>	<u>Project/Route</u>	<u>Allocation of Funds FY 02/03</u>	
1	0619-026-240, M502, Courthouse Road	Construction:	\$156,782
2	0613-026-177, C502, Squirrel Level Road	R/W:	\$80,270
3	0613-026-249, C501, Squirrel Level Road	PE:	\$15,000
		R/W:	\$110,600
4	0619-026-250, M501, Courthouse Road	PE:	\$150,000
5	0604-026-233, M502, Halifax Road	R/W:	\$29,100
		Construction:	\$269,900
6	0622-026-252, M501, Baltimore Road	PE:	\$27,000
7	0604-026-119, M502, Halifax Road	PE:	\$45,000

We have also re-evaluated the estimates for each project in the previously approved 2002/03 Plan to assure that they are reasonable, and we have adjusted the allocation of funds for the six-year period year based on these new projections for Dinwiddie County. We have developed a revised plan that reflects these necessary changes based on the priorities established by the Board of Supervisors in their last update. As a result, the following projects must be deleted from the Plan because we do not anticipate that there will be adequate allocations to fund them:

- 0624-026, Coleman Lake Road
- 0672-026, Church Road
- 0670-026, Shady Lane
- 0628-026, Tranquility Lane
- 0604-026, Halifax Road
- 0627-026, Courthouse Road
- 0601-026, River Road

We are planning to proceed through the normal 6 Year Plan update process with the County in the fall. However, when we review the plan and the County’s priorities in the upcoming update process, I think that we will need to consider a number of options to “stretch” every last dollar that is in the plan in order to best meet the County’s needs. This may include revaluating the scope of several projects currently in the plan as well as looking for potential VDOT/ County partnerships such as Revenue Sharing or other alternate funding sources to make additional resources available. I will prepare detailed recommendations for the County to consider as we begin this process in late summer.

A copy of the recommended revised Plan and Budget is included as an attachment to this letter. I am also including a copy of the plan and budget that was approved by the County Board on November 21, 2001 and another copy of the revised allocation figures that I provided to you at the last BOS meeting. As of the writing of this letter, it is my understanding that no further action is required by the County at this time, assuming that the County agrees that we have performed this update based on the construction priorities that the County voted to establish on November 21, 2001. Since this is an unprecedented situation, it is possible that I may need to request some form of County action in the future. If such a need arises, I will notify you as soon as possible. However, I felt that it was very important for this letter to appear in your BOS packet for the June 19th meeting in a form that was as complete as possible at this time.

We appreciate your understanding and your continued cooperation and communication with us as we work toward Governor Warner's directive to incorporate financial realities, realistic cost estimates and achievable schedules into VDOT's Six-Year Plan.

Richard L. Caywood, P.E.
Resident Engineer"

Board Member Questions/ Remarks

1. Mr. Moody – Projects that are dropped due to funding should have a different priority and be placed back on the plan.
2. Mr. Bracey – He commented he felt it is the Commissioners and VDOT's responsibility to send letters to the Citizens and explain to them that their project has been dropped by the State. How do we address the Citizens who have been taken off the 6-year Plan? It isn't fair to them.
3. Mr. Moody – These roads should not lose the priority of the projects in the plan. Mr. Caywood stated he recommended reviewing the plan and the County's priorities in the upcoming update process in the Fall.
4. Mr. Clay – It is the Board who will lose creditability with the Citizens, not the State.
5. Mr. Bowman – Northern Virginia requested additional tax revenue from the General Assembly for roads, can we do the same? Mr. Caywood commented that was done by referendum by localities in specific regions. Mr. Bowman requested to be kept abreast of what the other localities are doing about the situation.
6. Mr. Caywood stated we are being combined with the Metropolitan Statistical Area, which means there will be more State and Federal funds available for the growth area of Dinwiddie.
7. Mr. Bracey – Ditches at Stony Spring need to be cleaned.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, presented his report for the month of May 2002.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, was not present.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands was not present.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of May 2002.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward presenting his monthly update for May 2002.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came forward and presented his monthly update for May 2002 for the planning department.

1. The Planning commission will be conducting a driving tour of various subdivisions and developments within the County on July 10th at 2:00 P.M. The Board of Supervisors and the School Board is invited to accompany the Planning commission on the tour. The County Administrator asked if that date was agreeable with the Board. They indicated it was.

IN RE: RESOLUTION – COMMUNITY IMPROVEMENT GRANT – WEST PETERSBURG DEVELOPMENT OF “GREEN PROPERTY”

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Moody, Mr. Clay, Mr. Bowman, Mr. Bracey voting “Aye”, the following Resolution is adopted.

WHEREAS, the Dinwiddie County Board of Supervisors in 1992 entered into an agreement with the Virginia Department of Housing and Community Development to implement a Community Improvement Grant for improvements within the West Petersburg subdivision; and

WHEREAS, a part of the agreement required the County to develop a parcel of land entitled the “Green Property” for Low to Moderate Income Housing; and

WHEREAS, discussions were held with the Department of Housing and Community Development regarding circumstances impacting this property and its development potential; and

WHEREAS, it was mutually agreed upon that designating this property for “permanent passive open-space” was the best use for this property and in keeping with the project goals, the character of the property and the current land use regulations pertaining to the property.

NOW, THEREFORE, BE IT RESOLVED, that the Dinwiddie County Board of Supervisors directs legal counsel to prepare the proper documentation to accomplish the reservation of the “Green Property” for permanent passive open-space; and

AND BE IT FURTHER RESOLVED, that the County Administrator be authorized to sign all such documents on behalf of the Board and cause said documents to be properly filed and/or recorded.

IN RE: CODE COMPLIANCE OFFICER - REQUEST TO ATTEND EROSION & SEDIMENTATION COURSE

Mr. David S. Thompson, Zoning Administrator/Senior Planner stated Mr. Phillip Harris the Code Compliance Officer needed to get certified for erosion and

sedimentation control and a course was offered in Harrisonburg, Virginia on June 18 – 20, 2002, at a cost not to exceed \$250.00.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia approved the travel request for the Code Enforcement Officer to attend the Erosion & Sediment Course in Harrisonburg, Virginia on June 18 – 20, 2002, at a cost not to exceed \$250.00.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner presented his May 2002 monthly report.

1. The draft copies that the citizens requested for the Comprehensive Land Use Plan at the Public Hearing will be ready by the end of this week. Office Staff did not hear from one person on the list.
2. The BZA will be hearing the Russell Case the 3rd Thursday in August. The hearing was continued from the May meeting.
3. The Dog Ordinance Public Hearing is set for the July 3, 2002 Board meeting.

IN RE: SOCIAL SERVICES – REPORT

Mrs. Peggy McElveen, Director of Social Services, came forward and stated she had nothing to report.

Mr. Bracey asked Mrs. McElveen if Social Services made referrals to Madeline's House. She replied yes and to CARES, which is the regional shelter. The County Administrator asked if it would be an alternative to the Green House for Juvenile Detention. Mrs. McElveen replied no.

IN RE: SUPERINTENDENT OF SCHOOLS

Dr. Leland J. Wise, Jr., Superintendent of Schools, was not present.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, came forward and presented his monthly update.

IN RE: AUTHORIZATION TO HIRE – PART-TIME SUMMER CAMP STAFF

Upon motion of Mr. Bowman seconded by Mr. Clay, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye", Mr. Moody "Abstaining" authorization is granted for the Recreation Department to hire the following part-time Summer Camp Staff:

1. Ms. Renita Johnson – Head Counselor @ \$7.29 per hour
2. Mr. Shaun Harvell - Counselor @ \$6.15 per hour
3. Mr. Barrett Chappell - Counselor @ \$6.40 per hour
4. Ms. Brandi Simmons - Counselor @ \$6.15 per hour
5. Ms. Keri Webster - Counselor @ \$6.00 per hour
6. Mr. David Martin - Counselor @ \$6.00 per hour
7. Ms. Bridgett Mansfield – Alternate @ \$6.00 per hour
8. Mr. Grant Barnes - Alternate @ \$6.00 per hour
9. Ms. Amy Avery - Alternate @ \$6.00 per hour

IN RE: WILSON – KAUTZ RAID SITES SIGNAGE AGREEMENT

The County Administrator stated the Wilson – Kautz Trail is going to be dedicated Friday morning. We also have the Civil Rights Heritage Trail that is coming along as well. Both of these trails will have a presence at the Dinwiddie County Courthouse in the form of signs, which will be developed. We would need an agreement, for permission for a temporary easement to allow for the signs to be placed on County property. She requested authorization to sign those agreements and for the signs to be placed there.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to sign the agreement, for permission for a temporary easement to allow for the signs to be placed on County property.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward and presented his report for the month of May 2002.

Northside dumpster site – he found a new location at the old ball field at the back of the property and the road is already there. It would be very cost effective and we would move slowly on the project. We can move the dumpsters and add concrete pads and fencing at a later date, if the site worked out. Mr. Bracey voiced his concern about the investment since we don't know what the usage might be for the building. The Board agreed to try the location but at a minimal cost. It was the concurrence of the Board that the County needed to get a master plan together for dumpster sites.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward to present his report for May 2002.

Mr. Bracey asked if DVRS is running EMS calls? Mr. Jolly replied about 60% of the calls are being run by paid staff. However, NVFD has started covering about 5 nights a week with trained volunteers. If we don't have an ambulance DVRS will send someone out when they can. In 2001 DVRS provided coverage 36 days for the calendar year. Mr. Bracey commented sometimes people need help, are we helping them? Mr. Jolly stated we have offered retention, strategic planning, re-certification classes, free CPR, and the use of Eastside for training, but they haven't taken us up on our offers.

IN RE: AUTHORIZATION TO PURCHASE FURNITURE & FIXTURES FOR COMMUNICATIONS CENTER

Mrs. Denise Absher presented the following bids for the furniture, appliances, and telephone equipment for the Communications Center:

COMPANY	BIDS
<u>FURNITURE BIDS</u>	
QUILL	\$ 8,858.77
HERTZ	\$12,343.43
ATD-AMERICAN CO	\$12,099.70
<u>MICROWAVE</u>	
SEARS	\$ 159.99

REFRIGERATOR

LOWES	\$ 593.99
WHIRLPOOL CORP	\$ 738.99
SEARS	\$ 709.98

ADMINISTRATIVE TELEPHONE EQUIPMENT

CLICK-O-RAMA	\$ 185.77 x 9= \$1,671.93
LETS GO DIGITAL	\$ 189.98
ABNERS DISCOUNT BASEMENT	\$ 192.86
WENDERSONS	\$ 199.96
ALBURY & OAK	\$ 214.15

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Communications Officer to proceed with the purchase of the items listed above with the low bidder for each category.

IN RE: COUNTY ATTORNEY – REPORT

Ms. Phyllis Katz, County Attorney, stated she had nothing to report.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and stated he provided his monthly update for May 2002 in the Board packages.

IN RE: CHANGE ORDER #4 - HISTORIC COURTHOUSE

Mr. Donald Faison, Buildings and Grounds Superintendent, requested the following change order #4 for consideration by the Board for the Historic Courthouse.

1. Piping	<\$ 100>
2. Non-demolition of paneling	2,481
3. Painting Concrete Floors	<1,214>
4. Smoke detectors in elevator	< 50>
5. Install smoke activated dampers	594
6. Install 3 lights in attic	603.12
7. Install plywood around HVAC units	<25>
8. Stain front stairs & paint risers	1,360
9. Access doors	<50>
10. Install insulation	3,028
11. Install plywood sub-floor	<50>

TOTAL \$19,487.58

Mr. Faison also stated this request would include a request for an extension for substantial completion on May 28, 2002, with a final completion on June 27, 2002.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above described, Change Order Number 4, is hereby approved and authorization is granted for the County Administrator to execute same.

IN RE: PUBLIC SAFETY BUILDING – CHANGE ORDER #5

Mr. Faison requested change order #5 for consideration by the Board for the Public Safety Building. This request would also include an extension for final completion on June 28, 2002.

- | | |
|------------------------------------------------------------|----------|
| 1. Paint outside – generator, tanks, etc.. color of bricks | \$416.63 |
| 2. 2 ' of stainless steel for backsplash | 411.00 |
| 3. Add 2 combustible air vents | 444.40 |

TOTAL \$972.13

Mr. Bowman asked Mr. Faison why he didn't have the foresight to locate all of the utilities at the end of the building?

Mr. Faison commented he didn't locate everything on the end because it would be in the way if we added onto the building in the future. It would be very expensive to move. Mr. Bowman stated he hoped more foresight would be used in the future.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above described, Change Order Number 5, is hereby approved in the amount of \$972.13 and authorization is granted for the County Administrator to execute same.

IN RE: ARCHITECTURAL SERVICES - NEW EMERGENCY GENERATOR SHERIFF'S OFFICE/JAIL FACILITY

Mr. Faison requested authorization to enter into a contract with De Stefano Design Group for additional services under his present contract that he has on the Public Safety Building to do the design work and write the specifications for the new emergency generator for the jail facility, at a cost not to exceed \$4,500. He commented his intentions are to have the County's maintenance contractors install the new generator.

The County Administrator stated this is the generator we have been talking about for 3 or 4 years now and the money is in the capital budget.

Upon motion of Mr. Moody, seconded by Mr. Bowman, Mr. Moody Mr. Bowman, Mr. Bracey voting "Aye", Mr. Clay "Abstaining",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administrative Staff is authorized to enter into negotiations with De Stefano Design Group to furnish Architectural Services and write the specifications for the new generator at the Sheriff's Office/Jail Facility.

IN RE: STORAGE SHELVING – ADMINISTRATION BUILDING

Mr. Faison commented Administration has been in need of some heavy-duty storage shelving for some time now. The storage will be for all offices in the building. He stated he requested three bids and received two:

- | | |
|---------------------------|----------------------------------|
| J. D.N. Enterprises, Inc. | \$5,180 – including installation |
| Warner Board | 5,375 – including installation |

He recommended entering into a contract with J. D.N. Enterprises, Inc., at a cost of \$5,180 including materials and installation.

Mr. Moody made the Motion, there was no second to the Motion; Mr. Bracey called for the roll, Mr. Moody, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administrative Staff is authorized to enter into a contract with J.D.N. Enterprises, Inc., for the storage shelving, at a cost of \$5,180 including materials and installation.

IN RE: RECESS

The Chairman called for a recess at 12:38 P.M. The meeting reconvened at 12:45 P.M.

IN RE: ORDINANCE ADOPTION – A-02-2 – PROCESSING FEE FOR ARRESTED PERSONS

The County Administrator stated the Public Hearing was held at the last meeting but because there is a fee involved we had to wait to adopt the ordinance.

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

BE IT ORDAINED, by the Board of Supervisors of the County of Dinwiddie that pursuant to *Code of Virginia* § 15.2-1613.1, there is hereby established a processing fee of Twenty-Five Dollars (\$25.00) that shall be ordered as part of court costs imposed upon any individual admitted to the Dinwiddie County Regional Jail. The fee shall be used by the sheriff's office to defray the costs of processing arrested persons into the jail.

The foregoing ordinance shall become a part of the Code of Dinwiddie County as Chapter 1, § 1-17, effective July 1, 2002.

IN RE: ORDINANCE ADOPTION – A-02-3 – COURTROOM SECURITY FEE

The County Administrator stated the Public Hearing was held at the last meeting but since fees are involved we had to wait to adopt the ordinance.

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye", the following ordinance is adopted.

AN ORDINANCE TO AUTHORIZE ADDITIONAL COSTS IN CRIMINAL AND TRAFFIC CASES FOR THE FUNDING OF COURTHOUSE SECURITY PERSONNEL

WHEREAS, the *Code of Virginia*, 1950, has been amended to authorize counties to assess a fee not exceeding five dollars (\$5.00) against every defendant convicted of a criminal or traffic offense in the district or circuit court of the County; and

WHEREAS, the Board of Supervisors of the County of Dinwiddie believes it to be in the best interest of the County to assess such a fee to assist with the cost of courtroom security;

NOW, THEREFORE, BE IT ORDAINED, by the Board of Supervisors of the County of Dinwiddie that:

Pursuant to *Code of Virginia* § 53.1-120, there is hereby established a fee of Five Dollars (\$5.00) that shall be ordered as part of court costs imposed upon any defendant convicted in any criminal or traffic case in the district or circuit courts of the County. The fee shall be collected by the clerk of the court, who will

remit the fee to the Treasurer of Dinwiddie County. The Treasurer shall hold such fees subject to appropriation by the Board of Supervisors to the Sheriff's office for the funding of courthouse security personnel.

The foregoing ordinance shall become effective on July 1, 2002.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. There was enclosed in your packets a request from the Legal Aid Justice Center, Inc. asking if the County would like to nominate anyone to be a member of their Community Advisory Council? If we do not want to participate, we need to let them know. It is usually beneficial to have someone that knows how the agency operates on a daily basis and how it benefits the County. The Board agreed it would be beneficial.

IN RE: AUTHORIZATION TO INCREASE MILEAGE

The County Administrator stated Staff would like to increase the mileage rate from .27 to .325 per mile effective July 1, 2002. The Compensation Board has already increased the reimbursement rate for State funded positions.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the mileage rate is hereby increased to .325 per mile effective July 1, 2002.

IN RE: COUNTY ADMINISTRATOR COMMENTS CONT'

2. The Wireless Board notified the County that it should begin receiving wireless calls effective July 1, 2002. Mrs. Denise Absher, Communications Supervisor, sent a letter (which was included in your packets) to the Wireless Board requesting an extension to March 3, 2003.
3. On July 31, 2002 at 9:00 A.M. a meeting has been set for an Economic Development Planning Session with the Virginia Economic Development Partnership and Virginia's Gateway Region. The Board has been invited to the VEDP's offices in Richmond, which would include lunch and conclude around 1:00 P.M. Mr. Moody, Mr. Bowman and Mr. Clay responded they would like to go. Mr. Bracey commented he didn't know yet.

IN RE: REQUEST TO ATTEND LGOC – MR. HARRISON MOODY

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia approved the travel request for Mr. Moody to attend the Local Government Officials Conference in Charlottesville, Virginia on August 11 – 12, 2002.

IN RE: COUNTY ADMINISTRATOR COMMENTS CONT'

5. We are in the process of purging our files and trying to get rid of some of the files that are allowed by the State so we won't have to have so much storage downstairs. It has been the County's practice in the past to record and keep all Board meeting tapes. That is one item that we are not required by law to keep, but before Staff destroyed those tapes, we wanted to make sure you don't have a problem with it. Mr. Bowman stated he wanted to keep the tapes. If not,

the minutes will have to be verbatim. Mr. Moody and Mr. Clay stated the Minute Books are the official documents and there is no need in keeping the tapes. Mr. Bracey asked the County Administrator to find out what it cost to have a transcriber do verbatim minutes.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay No Comments

Mr. Moody No Comments

Mr. Bowman He commented, Mr. Wells reported to him that the paint on the back door of the Courthouse is peeling off and needs to be painted. Also, there is moisture in the records room at the Courthouse, which might destroy the records. Mr. Faison responded we can't put a dehumidifier on that HVAC unit in the Courthouse. Mr. Bowman asked if a freestanding unit could be put in that room. Mr. Faison replied since we have changed the amount of outside air that comes to that unit there doesn't seem to be a problem now. Continuing, he stated the back door was primed yesterday.

Mr. Bracey No Comments

IN RE: CLOSED SESSION

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

**Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia –
Appointments, Assistant County Administrator, and Animal Control
Industry - §2.2-3711 A. 5 of the Code of Virginia
Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia – Zoning Issue**

Mr. Clay seconded the motion. Mr. Moody, Mr. Clay, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 1:14 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 2:43 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel - Appointments, Assistant County Administrator, and Animal Control; § 2.2-3711 A.5 Industry and § 2.2-3711 A.7 Legal Counsel – Zoning Issue

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

**IN RE: APPOINTMENTS – DINWIDDIE COUNTY INDUSTRIAL
AUTHORITY – CHARLES R. JOHNSON & JOHN W.
SCARBOROUGH**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Charles R. Johnson and Mr. John W. Scarborough are hereby reappointed to serve on the Dinwiddie Industrial Authority, retroactive to February 5, 2002, for a four-year term expiring February 5, 2006.

**IN RE: APPOINTMENT – CRATER PLANNING DISTRICT
COMMISSION – WENDY WEBER RALPH**

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

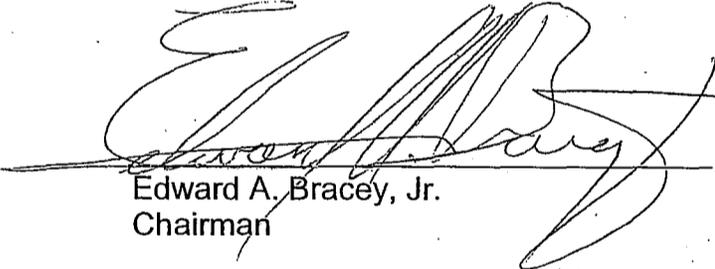
BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. Wendy W. Ralph is hereby appointed to serve on the Crater Planning District Commission, as the Board of Supervisors Representative, to fill the unexpired term of Mr. R. Martin Long, for a three-year term expiring December 31, 2003.

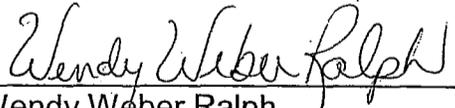
IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Southside Sheltered Workshop – Letter of appreciation for funding for FY 2002-03
2. Letter to Mr. Michael Bratschi – from County Administrator regarding FOIA questions under Citizen Comment period
3. The Appomattox Basin Industrial Development Corporation – Report
4. The Appomattox Regional Library System – Report

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Moody, Mr. Clay, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 2:46 P.M. to be continued until July 3, 2002 at 2:00 P.M. for a Closed Session for Personnel Matters - § 2.2-3711 A.1 for interviews for the Assistant County Administrator position.


Edward A. Bracey, Jr.
Chairman


Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 3RD DAY OF JULY, 2002, AT 2:00 P.M.

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

IN RE: CALL TO ORDER

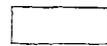
Mr. Edward A. Bracey, Jr., called the continuation meeting to order at 2:08 P.M.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator stated the County receives a lot of requests from Citizens for Resolutions for many different occasions. She asked the Board if they would have any objections to allowing Staff to write a letter for these occasions and have either the Chairman or County Administrator sign it. The Board members agreed and felt both the Chairman and Administrator should sign the letter.
2. Per your request, the School Board can give the presentation on the School Redistricting next Wednesday July 10th at 1:00 P.M. Mr. Doug Westmoreland, Architect, will give the presentation and Mr. Carl Chafin, Statistician, will be here also. If it is agreeable we can have lunch at 12:30 and the tour of the County with the Planning Commission will be at 2:00 P.M. Mr. Moody, Mr. Bowman, and Mr. Clay. Agreed; Mr. Haraway and Mr. Bracey were uncertain.
3. She commented we need some direction for dates for the additional workshops for the Comprehensive Land Use Plan. The Board members agreed to have one combined meeting on August 1st at 7:00 P.M. in the Board Meeting Room.
4. On July 31, 2002 at 9:00 A.M. a meeting has been set for an Economic Development Planning Session with the Virginia Economic Development Partnership and Virginia's Gateway Region. The Board has been invited to the VEDP's offices in Richmond, which would include lunch and conclude around 1:00 P.M. Mr. Moody, Mr. Bowman and Mr. Clay responded they would like to go.
5. The Communications Supervisor received four responses for the RFP for the Radio Consultant for the Public Safety Building. She would like a Board member to participate in on the interviews. Mr. Clay volunteered.
6. There was an article in the newspaper that Dinwiddie County received a \$200,000 Grant. However, it is to help the Civil War Preservation Trust, Virginia Department of Conservation and recreation and the Virginia Department of Historic Resources fund the acquisition of 118 acres on the site of the Battle of Hatcher's Run.
7. We need to establish a date for a work session to deal with any issues you might have with Revenue Recovery. The Board decided to wait until late September, early October.

IN RE: CLOSED SESSION

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



Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia –
Interviews – Assistant County Administrator and Appointments
Industry Development §2.2-3711 A. 5 of the Code of Virginia –
Prospective Industry
Legal §2.2-3711 A. 5 of the Code of Virginia – Review of Litigation;
Livestock Claim

Mr. Moody seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 3:06 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel - Interviews, Assistant County Administrator; Appointments; §2.2-3711 A. 5, Industry Development; §2.2-3711 A. 7, Legal – Review of Litigation; Livestock Claim

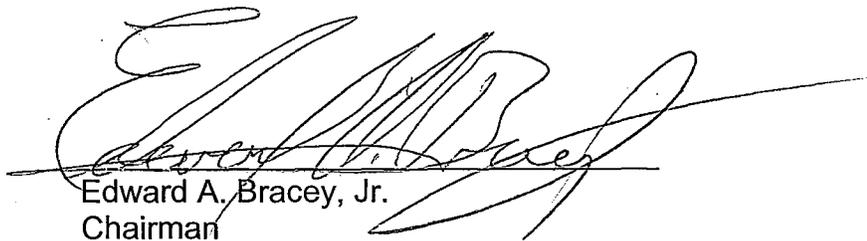
And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

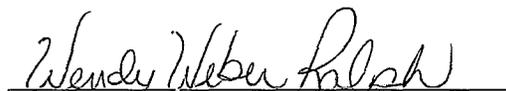
Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Certification Resolution for the continuation meeting was read and approved and the meeting was adjourned at 10:48 P.M. in the regular meeting.


Edward A. Bracey, Jr.
Chairman


Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 3RD DAY OF JULY, 2002, AT 7:30 P.M.

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

OTHER: DANIEL SIEGEL COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., called the regular meeting to order at 7:30 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 there is a need to add a Closed Session for – Personnel – Assistant County Administrator

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the June 19, 2002 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, 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 1030590 through 1031269 (void check(s) numbered 1030971, 1031073 – 1030190, 1030992 and 1031253) for:

**Accounts Payable:
June 30, 2002**

(101) General Fund	\$ 190,123.01
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 2,234.27
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 8,472.95
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$ 586.17
(304) CDBG Grant Fund	\$ 1,340.61

(305) Capital Projects Fund	\$ 3,195.04
(401) County Debt Service	\$ <u>.00</u>
TOTAL	\$ 205,952.05

PAYROLL 06/30/02

(101) General Fund	\$ 407,616.43
(222) E911 Fund	\$ 3,456.44
(304) CDBG Fund	\$ <u>3,373.95</u>
TOTAL	\$ 414,720.82

**Accounts Payable:
July 3, 2002**

(101) General Fund	\$ 129,166.26
(222) E911 Fund	\$ 368.00
(229) Forfeited Asset Sharing	\$ 586.17
(304) CDBG Grant Fund	\$ 2,200.00
(401) County Debt Service	\$ <u>62,416.33</u>
TOTAL	\$ 205,323.49

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting.

The following citizens came forward to address the Board:

1. Michael W. Bratschi, 23500 Cutbank Road, McKenney, Virginia, came before the Board with the following comment and questions:
 1. The flags in front of the government buildings are still being flown incorrectly.
 2. Department Heads hand out materials at Board meetings and the public is not privy to the material. State code requires, "all materials furnished to members of a public body for a meeting shall be made available for public inspection at the same time such documents are furnished to the members of the public body."
 3. The money for the new carpet, which has already been purchased, was in the CIP but the public had no input.
2. Anne Scarborough came forward and made the following statements:
 2. She is very disappointed that Dinwiddie County was not ready to accept wireless calls for 911 on July 1. It is wrong that the County is not abiding by the law; we had over two years to prepare. It should have been a priority for the Board to be prepared.
 3. She has not received a response from her request on March 6, 2002 for the Board to set a policy concerning the County paying for room service; taxpayers should not have to pay for room service for anyone.
 4. A new law went into effect July 1 to encourage preservation of open space particularly in rural Virginia by allowing localities to create special districts responsible for shielding land from development. Also, localities will have additional zoning authority to protect open spaces.

5. On July 1, a law went into effect to allow the Department of Motor Vehicles to block renewal of vehicle registration for persons who have not paid their local sticker fee or personal property tax. Is the county going to do this?
1. Angela Orrell, 16563 Cantrell Road, McKenney, came forward voicing her concern that the Board is not going to sponsor the DARE Program at the Elementary Schools. She commented that a petition is being circulated in the County, which will be presented to the Board within the next two weeks.

**IN RE: REQUEST FOR APPROVAL – NATIONAL BIKERS
ROUNDUP 25TH ANNIVERSARY – SPECIAL
ENTERTAINMENT PERMIT**

The County Administrator commented Mr. William Talley came before the Board a few months ago to let you know what was being planned for the roundup. He has been working with the Departments and Virginia Motorsports Park on the permit. At this time all of the Departments have signed off on the permit. So he is here tonight to give any additional information you might need or answer any questions you might have regarding the event.

Mr. William Talley stated they were on schedule and all of the requirements for the permit have been met. He requested that the Board approve the Special Entertainment Permit, for the event which will take place at the Virginia Motorsports Park on U.S. Route 1 from July 31, 2002 – August 4, 2002. He commented the expected number of attendees could be up to 25,000 over the 5- day period. There will be a food drive to help feed the hungry and the food will be distributed throughout Washington DC and Virginia by the Central Virginia Food Bank. This is a drug free event and no weapons are allowed. Mr. Talley stated he felt this would be profitable for the county and surrounding areas and he knew the event would benefit everyone involved.

After a lengthy discussion regarding the number of security officials needed for the event Mr. Haraway made the motion to approve the request for the permit. The motion was Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Special Entertainment Permit request from the National Bikers Association was approved.

**IN RE: PUBLIC HEARING – CAPITAL IMPROVEMENT
PROGRAM**

This being the time and place as advertised in the Dinwiddie Monitor on June 19, 2002 and June 26, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on the Capital Improvement Program for FY 2002-2006.

PLANNING SUMMARY REPORT

Mr. David Thompson, Zoning Administrator/Senior Planner, came forward and read the following statement.

The Code of Virginia, Section 15.2-2239, provides for the preparation and adoption of a Capital Improvement Program (CIP) by the governing body after review and public hearing(s) by the Planning Commission. The CIP Advisory Committee presented the proposed Capital Improvement Program at a joint meeting of the Board of Supervisors and the Planning Commission on May 1, 2002. The Planning Commission held a workshop on the CIP on June 12th at 3:00 p.m. at which time the CIP Committee reviewed the projects with the Commissioners. A public hearing was held by the Planning Commission at 7:30 p.m. at which time a brief discussion of the CIP was conducted. The Chairman requested comments from the public. No one in attendance spoke on this matter.

CIP 5 YR RECOMMENDATION

PROJECT LIST	FY2001/02	FY2002/03	FY2003/04	FY2004/05	FY2005/06	
1 Communications Center Relocation	200,000	200,000	200,000	200,000	200,000	1,000,000
2 Northside Roof (\$283,500)	20,000					20,000
3 Carpet Replacement	38,500					38,500
4 Countywide GIS	165,867	146,142	198,615	183,615	-	694,239
5 Pickup truck for Waste Management	25,000					25,000
6 Namozine Station Impr.	164,120					164,120
7 Replace Responder 2-Ford	140,000	-	-	-	-	140,000
8 Old Hickory Generator	40,000	-				40,000
9 Breathing Apparatus	35,000	35,000	35,000	35,000	35,000	175,000
10 Structural Firefighting Gear	36,000	36,000	36,000	36,000	36,000	180,000
11 Convenience Center	66,000	66,000		66,000	-	198,000
12 Obstruction Removal		15,000				15,000
13 Animal Shelter Improvements		89,060				89,060
14 McKenney FD - Vehicle Extrac.(Grant)	16,000		-	-	-	16,000
15 New Middle School (River Road)		*720,000	*2,000,000	*19,380,000	-	0
16 Shelter Pavillion at Eastside	24,616		-	-	-	24,616
17 Playground at Eastside		24,125				24,125
18 Rec. 15 Passenger Van	-	20,487		-	-	20,487
19 Environmental Assessment			30,000	-	-	30,000
20 Rechassis Rescue 12(1997/97) Co. Ambulance		66,000	-	-	-	66,000
21 Master Plan Update			3,000	-	-	3,000
22 Replace Squad 5(1979) Old Hickory	-		160,000			160,000
23 Building Addition/Roof - Social Service		314,330	-	-	-	314,330
24 Ford FD Building Addition	-			366,500		366,500
25 Replace Rescue 81(1992/92) DVRS						0
26 Replace Responder 3 (1988) McKenney	35,000		-	-	-	35,000
27 Rehab Rotating Beacon	-		10,000			10,000
28 New Elementary School		*500,000	*1,000,000	*10,026,000		0
29 T-Hanger Sitework		*375000		-	-	0
30 Glideslope & MALSR Runway 5			*100,000			0
31 Relocation of School Board Office			*120,000	*160,000	*1,140,000	0
32 Replace Rescue 11(1999/94) Co. Ambulance	-			66,000	-	66,000
33 Replace Engine 22(1987) - Ford	-				255,000	255,000
34 Replace Engine 32(1985)-McKenney						0
35 Replace Rescue 82(1995/95) DVRS						0

Upon concluding the public hearing, the Planning Commission voted 7-0 to recommend approval of the CIP to the Board of Supervisors.

The County Administrator stated the undesignated fund balance of \$1 million dollars was the funding basis for these projects. The department heads worked for several months prioritizing the projects and she felt it was a good plan.

The County Administrator and Department Heads gave a power-point presentation on the recommended FY 2001/02- 2005/06 Capital Improvement Program. Which included the first year's capital budget as follows:

CIP 5 YR RECOMMENDATION

PROJECT LIST		FY2001/02	FY2002/03	FY2003/04	FY2004/05	FY2005/06	
36	Replace Haz-Mat Trailer-Countywide Use	-	-				0
37	Replace Brush 1 - Dinwiddie	-	-		45,000	-	45,000
38	Eastside L.I.F.E. Enhancement Center		-	328,500	*600,250	*600,250	328,500
39	T-Hanger Construction		-	*400,000	-	-	0
40	Corporate Hanger Sitework			*80,000			0
41	Replace Tanker 4(1981) Namozine	-	-			466,000	466,000
42	Replace Brush 3(1988) - McKenney						0
43	Replace Brush 5(1982) Old Hickory						0
44	Eastside Recreational Complex	-			*331,800		0
45	Replace Brush 4(1985) - Namozine	-			-		0
46	New Fire Station					*2,310,000	0
47	Corporate Hanger Construction	-	-		*200,000		0
48	Design RW 14-32 Overlay				1,000		1,000
49	Construct RW 14-32 Overlay	-	-			11,000	11,000
		-	-			-	
	TOTAL	1,006,103	1,012,144	1,001,115	999,115	1,003,000	5,021,477
	Projects to be funded in additional years						
11	Convenience Center					**66,000	
25	Replace Rescue 81(1992/92) DVRS					**110,000	
34	Replace Engine 32(1985)-McKenney					**452,000	
35	Replace Rescue 82(1995/95) DVRS					**66,000	
36	Replace Haz-Mat Trailer-Countywide use					**20,000	
42	Replace Brush 3(1988) - McKenney					**45,000	
43	Replace Brush 5(1982) Old Hickory					**47,250	
45	Replace Brush 4(1985) - Namozine					**47,250	
	County Maintenance Facility						
	Public Safety Building (Already funded)						
	Replace Engine 33 -(1975)-McKenney (Already funded)						
	Route 1/460 Corridor Study(Included in present budget)						
	School Board Study (Other Funding)						
	Namozine Ladder Truck 1990 (Already funded)						

Mr. Bracey stated he felt the CIP is one sided, approximately 60% to 65% of the funds are earmarked for Public Safety.

Mr. Bracey opened the public hearing for Citizen comments.

Mrs. Anne Scarborough commented in the paper today it stated the State jobless rate is at a 5 year high; the Governor is asking agencies to cut their budgets 7% to 8%. But there has been no mention of our locally cutting anything in these tight times. She commented on the issues she had with the CIP: the

costs of the convenience centers, playground equipment and a van for Eastside, obstruction removal at the airport, and new schools.

Mrs. Angela Orrell spoke in support of the CIP stating having a healthy, safe, educated population is our best resource.

Mr. Bracey closed the public hearing.

The County Administrator stated the inclusion of a project does not constitute a commitment or obligation on the part of the Board of Supervisors of the County of Dinwiddie to appropriate any funds for that project. There is no designation or allocation of any Capital Improvement Program funds for any purpose until there has been an appropriation for that project by the Board of Supervisors.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Capital Improvement Plan for FY 2001/2002 - 2005/2006 is approved and funds appropriated for the Capital Improvement Budget for FY 2001/2002, as shown above.

IN RE: RECESS

Mr. Bracey called for a recess at 9:08 P.M. The meeting reconvened at 9:20 P.M.

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

Mr. David Thompson, Zoning Administrator/Senior Planner, came forward to make the following statement prior to the Public Hearings.

"As previously requested by the Board of Supervisors, Draft copies of the Planning Commission Meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting room. The purpose of doing so is to expedite the hearing process without compromising the publics' access to pertinent information. It is noted that the Board has been given various information on all of the hearing(s) to include, the application, zoning map, adjacent property owner list, locational map(s), proffers (if applicable), soils data, comprehensive land use maps and references, etc. With this information noted, I will proceed with the case(s)."

IN RE: PUBLIC HEARING – A-02-1 – TO AMEND CHAPTER 22 TO DEFINE KENNELS AND ESTABLISH A LIMIT TO THE NUMBER OF DOGS PERMITTED IN VARIOUS ZONING DISTRICTS

This being the time and place as advertised in the Dinwiddie Monitor on June 19, 2002 and June 26, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment to amend various sections of Chapter 22, Zoning as follows: by defining Kennel (private/commercial), providing for their use in various zoning districts and by limiting the number of dogs in various zoning districts depending upon lot size.

Mr. Thompson read excerpts from the following Summary Staff Report on A-02-1:

Planning Summary Report

File: A-02-1
Applicant: Planning Department
Subject: Limitation of number of dogs in various zoning districts

BACKGROUND

Early last summer the Planning Department was contacted by Mrs. Crumpler on a matter relating to a large number of dogs confined on a residential lot within Mansfield subdivision. Staff was advised that the Sheriff's Department and the Animal Control Department were contacted. They stated that they had no jurisdiction over the matter. As a result of Mrs. Crumpler's inquiry, staff visited the property and took pictures of the dogs. It was our opinion that health and safety issues were valid concerns and the County Administrator was informed of such. Additionally, the County Administrator was advised that there were no Planning ordinances in effect addressing this issue.

A letter dated November 2, 2001 from Mrs. Crumpler was received and is included in your material. Prior to receipt of this letter, a conversation was held on this matter with the Board of Supervisor member representing this area. Shortly thereafter the Board of Supervisors were involved in reviewing this situation. Portions of their meetings discussing this matter as well as those of the Planning Commission are included for your review.

As a result of citizen comments, a committee was appointed to write an ordinance addressing dogs within residential zoning districts and subdivisions. The committee consisted of three (3) Planning Commission members and two (2) interested citizens having different viewpoints. The committee met many times in March and April. Their final recommendation was completed in May and it proposed amendments to Chapter 22, Zoning Ordinance, and to Chapter 4, Animals and Fowls.

RECOMMENDATION

The Planning Commission reviewed the Zoning Ordinance amendment at their June 12, 2002 public meeting. The amendment was unanimously recommended for approval to the Board of Supervisors. Since this is a zoning matter, the Virginia Code Section statement must be read as a part of your motion.

Mr. Thompson stated under Sec. 22-1. Definitions – a correction is needed on the last sentence, take out - **are kept for (private use)** – correct it to read **are kept for (non-commercial purposes)**. Our Attorney reviewed the ordinance and this was their recommendation.

Mr. Haraway commented in 1960 and 1970 the requirement for a building lot was 20,000 S.F. Therefore the builders and developers made the lots 100 X 200. There are a multitude of subdivisions with lots, especially along River Road, which have exactly 20,000 S. F. Mr. Haraway stated it would be a lot better if the number were increased to 20,001. The lot requirements have since been changed and most of the lots are under 20,000 S.F. Mr. Edward Titmus, III, Chairman of the Dog Ordinance Committee, commented he didn't feel anyone would have a problem with changing Sec. 22-6 (a) two {2} dogs – lot size less than 20,001 square feet (S.F.) and (b) four (4) dogs - lot size between 20,001 S.F. and one (1) acre. He stated he thought that was what the Committee really intended anyway.

Mr. Moody stated that is a substantial change in what was advertised for the public hearing. Will we have to have another public hearing? The County

Attorney recommended adopting the present ordinance and then advertise for another hearing to make the amendments.

Mr. Bracey opened the Public Hearing.

The following citizens spoke in support of the ordinance:

1. Joseph Lamontogne, 4500 Wrenn Forest Drive, Petersburg, VA 23803
2. Michelle Duggan, 24023 Bancroft Drive, Petersburg, VA 23803

Mr. Bracey closed Public Hearing A-02-1.

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF DINWIDDIE, VIRGINIA, AS AMENDED, BY AMENDING SECTION 22-1, DEFINITIONS, SECTIONS 22-71, 22-84, 22-96, 22-114 AND 22-185, PERMITTED USES AND ADDING SECTION 22-243, LIMITATION ON NUMBER OF DOGS PERMITTED IN RESIDENTIAL ZONING DISTRICTS, OF CHAPTER 22, ZONING.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of the County of Dinwiddie, Virginia, that Sections 22-1, 22-71, 22-84, 22-96, 22-114 and 22-185 of the Code of the County of Dinwiddie, Virginia, as amended, be amended and Section 22-243 be added as follows:

Sec. 22-1. Definitions.

Delete the existing definition of Kennel and in its stead insert the following

Kennel, commercial: A facility and/or parcel of land where dogs are kept for boarding, breeding, care, grooming, sale or other purposes for commercial gain.

Kennel, private: A facility and/or parcel of land where more than six (6) dogs, more than four months old, are kept for non-commercial purposes.

Sec. 22-71. Permitted Uses.

Delete use (36) Kennels, with conditional use permit and add the following

Kennel, private

Kennel, commercial with conditional use permit

Sec. 22-84. Permitted Uses.

Add the following use

Kennel, private with conditional use permit

Sec. 22-96. Permitted Uses.

Add the following use

Kennel, private with conditional use permit

Sec. 22-114. Permitted Uses.

Add the following use

Kennel, private with conditional use permit

Sec. 22-185. Permitted Uses.

Add the following use

Kennel, commercial with conditional use permit

Add the following section to Article V, Supplementary District Regulations

Sec. 22- 243. Limitation on number of dogs permitted in residential zoning districts and/or residential subdivisions.

Except as otherwise provided in this ordinance, it shall be unlawful to house, board, breed, handle or otherwise keep or care for dogs in excess of the numbers established herein per lot size in residential zoned districts established by section 22-6, or in any residential subdivision.

- (a) two {2} dogs – lot size less than 20,000 square feet (s.f.)**
- (b) four {4} dogs – lot size between 20,000 s.f. and one {1} acre**
- (c) five {5} dogs – lot size between 1.01 acre to 1.5 acres**
- (d) six {6} dogs – lot size greater than 1.5 acres**

Mr. Clay stated, be it resolved, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that zoning case A-02-1 be approved with the conditions recommended by the Planning Commission.

The motion was seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that zoning amendment A-02-1, as stated above, is hereby approved, with the conditions recommended by the Planning Commission.

IN RE: PUBLIC HEARING – A-02-6 – TO AMEND VARIOUS SECTIONS OF CHAPTER 4 ENTITLED ANIMALS AND FOWLS

This being the time and place as advertised in the Dinwiddie Monitor on June 19, 2002 and June 26, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment to amend various sections of Chapter 4 entitled Animals and Fowls.

Mr. Thompson read excerpts from the following Summary Staff Report on A-02-6:

Planning Summary Report

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF DINWIDDIE, VIRGINIA, AS AMENDED, BY AMENDING SECTION 4-1, DEFINITIONS, AND SECTION 4-34, TAX IMPOSED, OF CHAPTER 4, ANIMALS AND FOWL.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of the County of Dinwiddie, Virginia, that Sections 4-1 and 4-34 of the Code of the County of Dinwiddie, Virginia, be amended as follows:

Section 4-1. Definitions

Delete the definition of kennel from this section.

Section 4-34. Tax imposed

Delete the word kennel from subsections (a)(1), (a)(2), and (a)(3) and in its stead insert multiple dog.

In subsections (a)(1), (a)(2) and (a)(3), increase the annual license tax as follows:

Subsection (a)(1), delete four dollars (\$4.00) and in its stead insert five dollars (\$5.00).

Subsection (a)(2), delete twenty-five dollars (\$25.00) and in its stead insert thirty dollars (\$30.00).

Subsection (a)(3), delete thirty-five dollars (\$35.00) and in its stead insert forty dollars (\$40.00).

Add subsection (a)(4) as follows:

Multiple dog license holders are subject to the restrictions contained in Chapter 22, Zoning Ordinance, relating to use and/or numbers of dogs permitted on lots in various zoning districts and/or residential subdivisions.

A copy of the above statement shall appear on all dog licenses issued within the County of Dinwiddie.

This ordinance shall become effective upon the date of adoption by the Board of Supervisors. In all other respects said zoning ordinance shall remain unchanged and in full force and effect.

Mr. Bracey opened the Public Hearing.

No one spoke for or in opposition to the amendment.

Mr. Bracey closed the Public Hearing.

The County Administrator commented since fees are involved action would have to be taken at the next Board meeting.

IN RE: PUBLIC HEARING A-02-7 – ORDINANCE TO ESTABLISH AN INMATE WORKFORCE

This being the time and place as advertised in the Dinwiddie Monitor on June 19, 2002 and June 26, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments regarding the proposed establishment of an inmate workforce comprised of certain persons confined in the jail.

The County Administrator commented this is an ordinance to establish an Inmate workforce comprised of every person eighteen years or older who is convicted and confined in the jail for violating a local ordinance or for failing to pay a required fine. In the title for this ordinance it had regional jail however that should be removed because the county does not have a regional jail. This is a result of an earlier request to see if we could start using the inmates to pick up trash in the County at dumpster sites, and along roads. If the inmates pick up trash on the roads, which is State property, the Judges would have to include it as a part of the sentence. It would require a little more work with the Judges but the County would still have to adopt the ordinance. The Sheriff has agreed to supervise the workforce.

Mr. Bracey opened the Public Hearing.

No one spoke for or in opposition to the ordinance.

Mr. Bracey closed the Public Hearing.

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

BE IT ORDAINED, by the Board of Supervisors that there is hereby established an inmate work force in the County, and that every person who is eighteen years or older who is convicted and confined in the Dinwiddie County Jail for violating any ordinance of Dinwiddie County or for failing to pay a required fine, may be required to work in the work force.

AND BE IT FURTHER ORDAINED that the work force is authorized to work on public property or works owned, leased or operated by the County; on a privately operated national park on federal land; or on any property owned by a nonprofit organization which is exempt from taxation under 26 U.S.C. § 501(c)(3) or (c)(4) and which is organized and operated exclusively for charitable or social welfare purposes whether the same is located within the County or elsewhere.

AND BE IT FURTHER ORDAINED that every person eighteen years of age or older who is confined pending disposition of nonviolent criminal offense or an offense under Chapter 5 (§ 20-61 et seq.) of Title 20 of the Code of Virginia (related to failing to pay spousal or child support payments), may work in such work force on a voluntary basis with the approval of and under the supervision of the sheriff.

AND BE IT FURTHER ORDAINED that the Sheriff of the County of Dinwiddie shall supervise the work force herein established.

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

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Donald Haraway, is hereby reappointed to the Crater Planning District Committee and Metropolitan Planning Organization, for a one-year term expiring June 30, 2003.

**IN RE: RECOMMENDATION FOR APPOINTMENT - RONNIE
ABERNATHY - BOARD OF ZONING APPEALS**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Ronnie Abernathy is hereby approved to be recommended to the Circuit Court Judge to be reappointed to serve on the Dinwiddie County Board of Zoning Appeals for a term ending December 31, 2006.

**IN RE: APPOINTMENT JAMES F. ANDREWS & WILLIAM C.
KNOTT- DINWIDDIE COUNTY AIRPORT INDUSTRIAL
AUTHORITY**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. James Andrews and Mr. William C. Knott, are hereby reappointed to the Dinwiddie County Airport Industrial Authority, retroactive to January 31, 2002, for a three-year term expiring January 31, 2005.

IN RE: APPOINTMENT - DANIEL D. LEE – DINWIDDIE COUNTY PLANNING COMMISSION

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Daniel D. Lee, is hereby reappointed to the Dinwiddie County Planning Commission, retroactive to December 31, 2001, for a four-year term expiring January 31, 2005.

IN RE: APPOINTMENT- JOYCE R. WELLS – APPOMATTOX REGIONAL LIBRARY BOARD

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. Joyce R. Wells is appointed to serve on the Appomattox Regional Library Board for a four-year term ending June 30, 2006.

IN RE: CRATER CRIMINAL JUSTICE TRAINING ACADEMY – RE-ESTABLISHMENT OF AGREEMENT

The County Administrator stated an agreement is enclosed to re-establish the Academy under the revised Section 15.1-1300 of the Code of Virginia. Basically, it establishes the academy as a separate entity and grants it the power to sue and be sued in its own name rather than involve the individual localities. The County Attorney has reviewed it and action is needed to authorize the Chairman to sign.

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the Chairman is authorized to sign the agreement as described above.

IN RE: ANIMAL CONTROL OFFICER - REQUEST TO ATTEND CHEMICAL CAPTURE CLASS

Mr. Steve Beville, Animal Control Officer, stated Ms. Mary Ellison needed to register to attend a one-day class for the chemical capture class. The class is for certification to use a tranquilizer gun. It will be held in Amelia, Virginia on July 27 2002, at a cost not to exceed \$125.00.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorization is granted to issue a check in the amount of \$125.00 for the Animal Control Officer to attend the chemical capture class in Amelia, Virginia on July 27 2002.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The Board will need to continue the meeting tonight until 12:30 P.M. on July 10, 2002 to hear the School Redistricting Plan and at

2:00 P.M. to go on a tour of the County with the Planning Commission.

2. The date for the workshop on the Comprehensive Land Use Plan, for the additional time and public information session, is August 1, 2002 at 7:00 P.M. The Board has agreed to have one joint session in this building. This date will be published in the newspaper.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman He stated he had two items. He received a call Sunday morning about the Motorsports Park starting engines too early. He requested the Deputy on duty to be given the start times and not allow people to start their engines until the posted times. Mr. Shelly Newton, a volunteer for the Namozine Volunteer Fire Department, suggested the high schools offer classes as an elective for EMS training. This would prepare them to go into the volunteer departments. Mr. Bowman suggested contacting the School Superintendent to see if the classes could be offered in the Fall.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from Adelpia regarding Company filing Chapter 11
2. Letter from Adelpia reassuring County of continued commitment of service and the investigation of the Securities and Exchange Commission of the Rigas family
3. Report from Davenport & Company regarding Adelpia Corporation's financial condition
4. Memorandum to the County Administrator from the Senior Planner/Zoning Administrator regarding code Compliance Violation Guidelines
5. U.S. Department of Commerce, Bureau of the Census - Income Data - 2000
6. Letter from Adelpia regarding the establishment of trust accounts to pay franchise fees

IN RE: CLOSED SESSION

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

Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia –Assistant County Administrator

Mr. Bowman seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 10:16 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:39 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel - Assistant County Administrator

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.

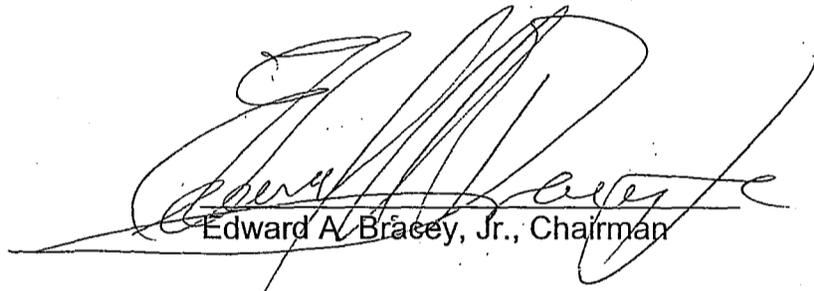
Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 10:46 P.M. to be continued until July 10, 2002 at 12:30 P.M. to hear the School Redistricting Plan and at 2:00 P.M. to go on the tour of the County with the Planning Commission.

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Certification Resolution for the continuation meeting was read and approved and the meeting was adjourned at 10:48 P.M.


Edward A. Bracey, Jr., Chairman

ATTEST:


Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 10TH DAY OF JULY, 2002, AT 12:30 P.M.

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

IN RE: CALL TO ORDER

Mr. Robert L. Bowman, IV, called the continuation meeting to order at 1:08 P.M.

IN RE: SCHOOL REDISTRICTING PRESENTATION

Mrs. Wendy Ralph, County Administrator, commented at the last Board meeting you expressed a desire to hear the School Redistricting Plan. I met with Dr. Wise, School Superintendent, and he was able to set up a presentation for us today with BCWH the Consulting Firm who did the study.

Dr. Wise stated Mr. Doug Westmoreland, Architect, and Mr. Carl Chafin, Statistician, with BCWH are here today to present the redistricting plan and to answer any questions you might have.

Mr. Westmoreland and Mr. Chafin gave the following power point presentation to the Board:

Dinwiddie County
Public Schools

Presentation to the Board of Supervisors

Approved Elementary
Attendance Zones

July 10, 2002

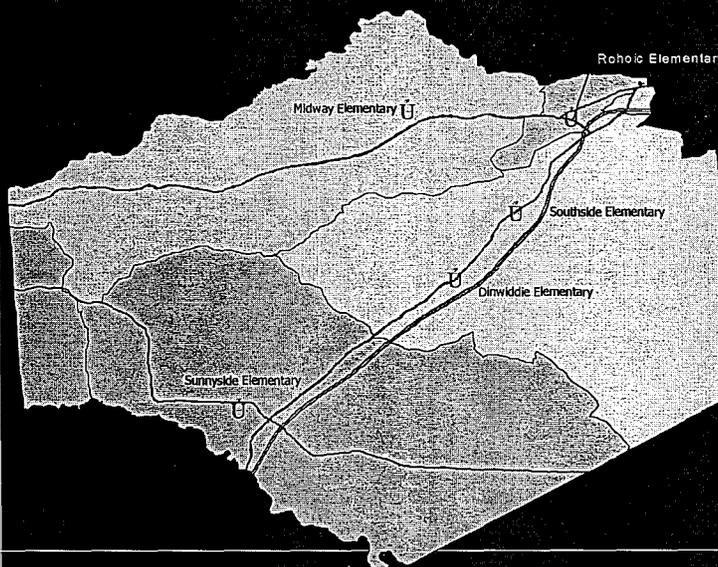
BCWH
Architecture
Interiors
Planning
Consulting



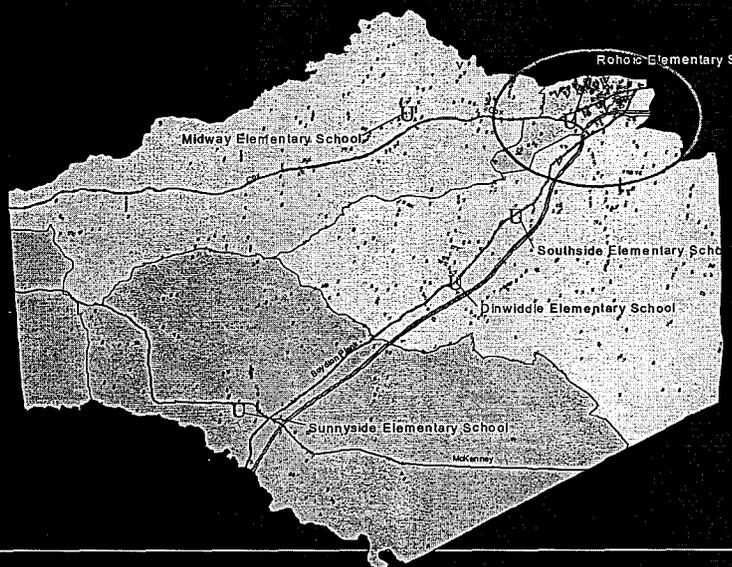
Attendance Zoning Objectives

- Complete elementary school K-5 realignment through rezoning by fall of 2002
- Establish a ten-year school rezoning master plan
- Determine the most efficient school district boundaries within given parameters
- Use the best available tools to consider rezoning scenarios
- Gain community consensus on most appropriate approach and communicate recommendations

Current Elementary School Boundaries



Elementary Enrollment Distribution



Approved Elementary Attendance Zoning July 10, 2002

Planned Development Location

- Ten new housing developments currently underway
- Range from 11 to 272 single family units
- Total of 612 new units
- Buildout next 2-10 years
- All but one in Rohoic district

Approved Elementary Attendance Zoning July 10, 2002

Enrollment Projection Analysis

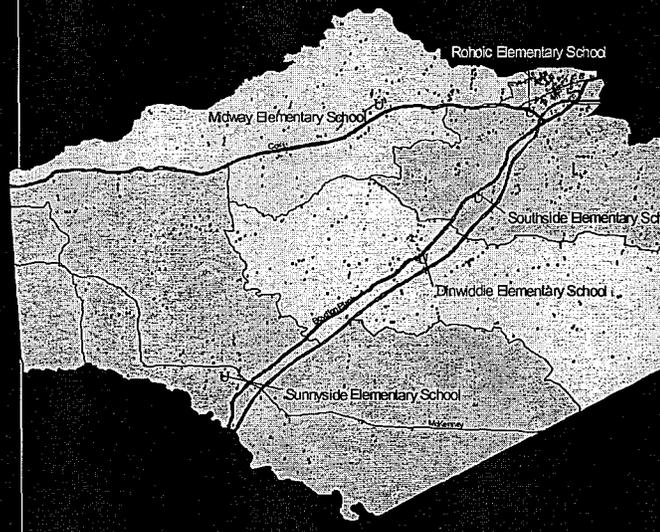
- Total enrollment history
- Birth rate trends
- Enrollment history by grades
- Cohorts from 2000 census
- Cohort comparison 1990 and 2000 census
- Cohort growth trends
- Enrollment forecast for 2006
- Elementary grade level forecast for 2006

Approved Elementary Attendance Zoning July 10, 2002

Enrollment Projections/Distribution

- For past five years, elementary enrollment trending overall about 1% change
- Forecast for elementary
 - Low trend is .7%
 - Middle trend is .1%
 - High trend is 4%
- Middle trend for most of county, high trend in northern area
- Growth trends transferred to GIS data and cross-validated

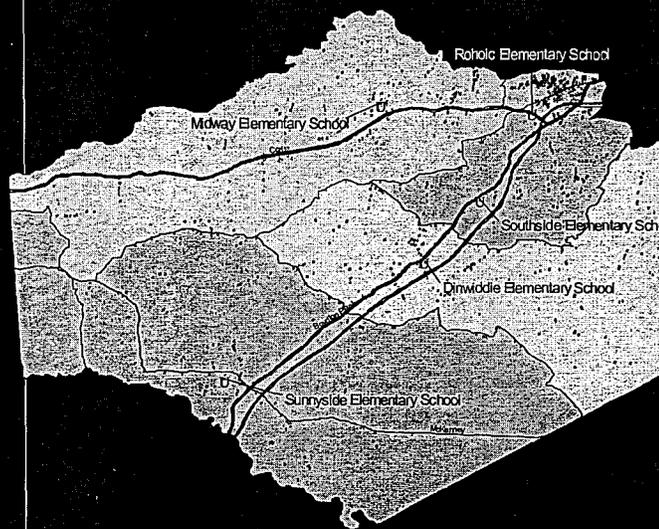
Scenario X Enrollment Distribution



Scenario X Enrollment Distribution

	Current Capacity	Possible Capacity	Current Enrollment	2002-03 Projected	2006 Projected
Dinwiddie	472	472 596 Maximum	416	446	439
Midway	356	472 596 Maximum	406	326	335
Rohoic	356 472 w/ 9 trailers	472 596 Maximum	502	529	584
Southside	472	596	393	455	449
Sunnyside	356	472	320	336	322

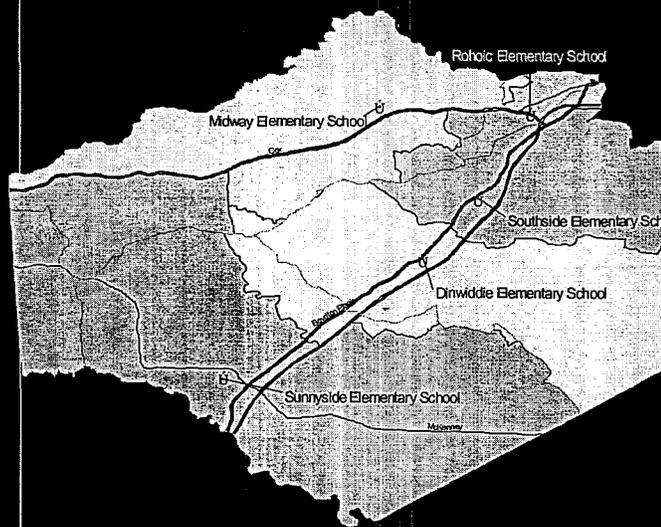
Scenario Y Enrollment Distribution



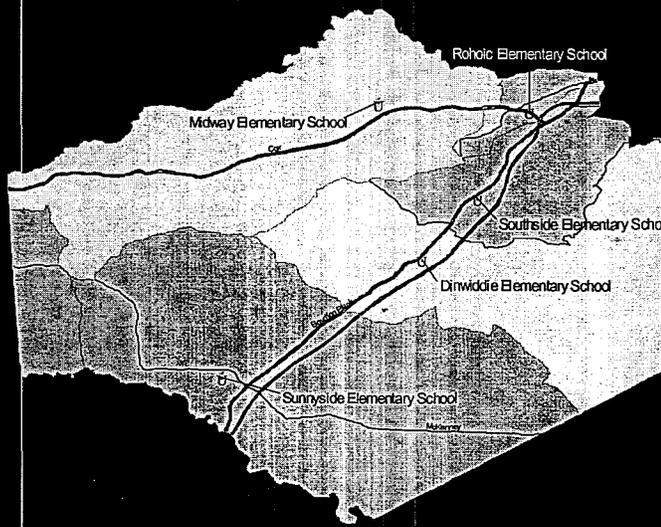
Parameters for Scenario Development

- Create K-5 elementary schools
- Accommodate growth for 10 years
- Minimize use of trailers for K-5
- Maximize utilization of all elementary schools
- Elementary school size 400-540
- Move children not more than once after initial move
- Schools define the community
- Attend school closest to home
- Bus ride less than one hour
- Use natural boundaries

Comparison of Current w/Scenario X



Comparison of Scenario Y w/Current



Scenario Y Enrollment Distribution

	Current Capacity	Possible Capacity	Current Enrollment	2002-'03 Projected	2006 Projected
Dinwiddie	472	472 596 Maximum	416	435	429
Midway	356	472 596 Maximum	406	397	396
Rohoic	356 472 w/ 9 trailers	472 596 Maximum	502	561	620
Southside	472	596	393	376	374
Sunnyside	356	472	320	323	310

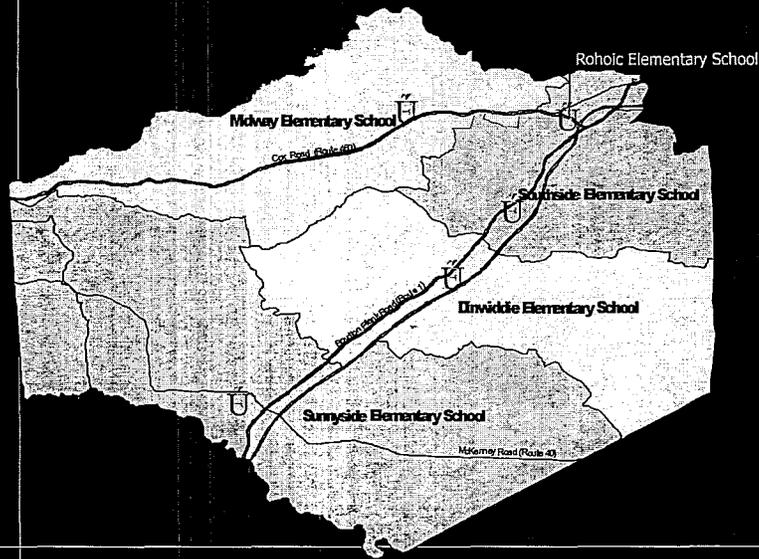
Community/Parental Feedback

- 52% prefer scenario X
- 33% prefer scenario Y
- 19% have no opinion
- Out of 128 written survey responses

Community/Parental Feedback

- Major concerns regarding transportation
- Leaving current school
- Overcrowding of Rohoic – trailers
- Policy re: babysitters, teachers
- Middle School and High School growth
- Desire to move forward with capital projects

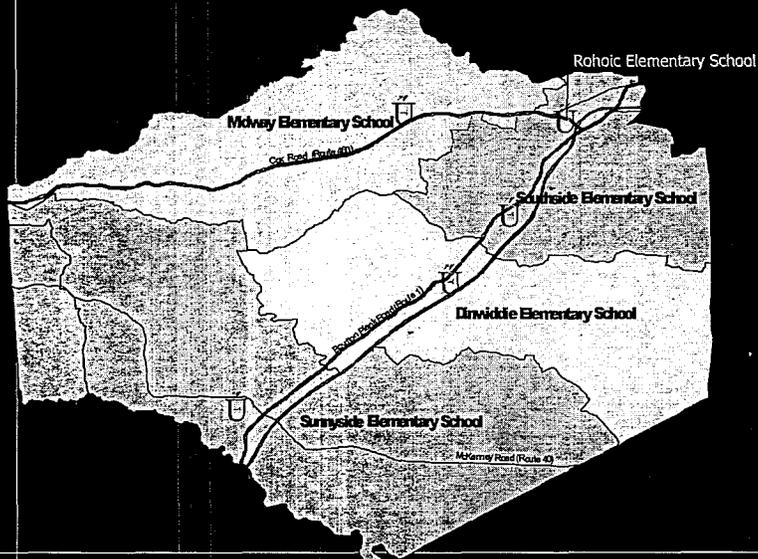
Scenario Xa



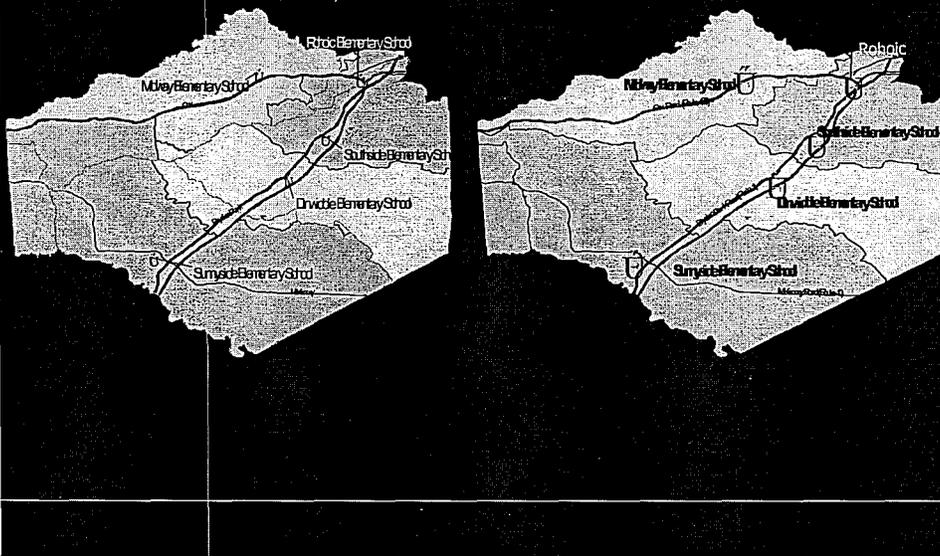
Scenario Xa Enrollment Distribution

	Current Capacity	Possible Capacity	Current Enrollment	2002-'03 Projected	2006 Projected
Dinwiddie	472	472 596 Maximum	416	440	430
Midway	356	472 596 Maximum	406	350	359
Rohoic	356 472 w/ 9 trailers	472 596 Maximum	502	529	584
Southside	472	596	393	455	449
Sunnyside	356	472	320	318	307

Scenario Xa



Comparison of Scenario X w/Xa



Scenario X/Xa Enrollment Distribution

	Possible Capacity	Current Enrollment	2002-'03 Projected X	2002-'03 Projected Xa	2006 Projected X	2006 Projected Xa
Dinwiddie	472 596 Maximum	416	446	440	439	430
Midway	472 596 Maximum	406	326	350	335	359
Rohoic	472 596 Maximum	502	529	529	584	584
Southside	596	393	455	455	449	449
Sunnyside	472	320	336	318	322	307

Zoning Steering Committee

- Dr. Lee Wise, Superintendent
- Dr. Jim Lanham, Asst. Superintendent
- Dr. Scott Worner, Asst. Superintendent
- John Sylvester/Toni Wyn, Student Information
- Wanda Short, Transportation
- Alice Jones, Assistant to Superintendent
- Guy Schied, County Planning
- David Thompson, County Planning
- Carol Fisher, School Board
- Jim Maitland, School Board

IN RE: COMBINED DRIVING TOUR OF COUNTY – BOARD OF SUPERVISORS, PLANNING COMMISSION & SCHOOL BOARD

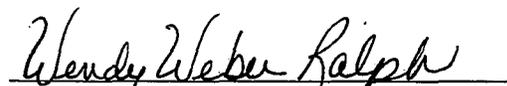
The Board took a driving tour of the County along with the Planning Commission and School Board to the following sites and locations:

1. Proposed Food Lion site (drive by)
2. Virginia Motorsports Park (arrive 2:20 p.m. – depart 2:45 p.m.)
3. Proposed Huddle House Restaurant (drive by)
4. Petersburg Industrial Park (arrive 3:00 p.m. – depart 3:15 p.m.)
5. Mini-storage warehouse site under construction (drive by)
6. Proposed County Industrial Park site (drive by)
7. Dinwiddie Airport/Industrial Park (arrive 3:35 pm – depart 4:00 pm)
8. Route 460 Convenience Center (arrive 4:05 p.m. – depart 4:10 p.m.)
9. Rohoic Elementary School (arrive 4:15 p.m. – depart 4:20 p.m.)
10. River Road subdivisions (arrive 4:35 p.m. – depart 5:00 p.m.)
(River Run, Sysonby Ridge, Mansfield, Appomattox Manor, Chestnut Gardens, Oak Knoll and Wrenn Forrest)
11. Proposed school site, River Rd (arrive 5:10 pm – depart 5:20 pm)
12. Waterford Landing subdivision (arrive 5:30 pm – depart 5:45 pm)
13. Northside Elementary (arrive 5:55 pm – depart 6:10 pm)

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye", the meeting was adjourned at 5:55 P.M.


Robert L. Bowman, IV
Vice Chairman


Wendy Weber Ralph
County Administrator

/abr

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 17TH DAY OF JULY 2002, AT 2:00 P.M.

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

OTHER: JACK CATLETT COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 2:00 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 there is a need to add an item under Closed Session for Legal – Regional Jail Contract

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the July 3, 2002 Continuation Meeting and the July 3, 2002 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, 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 1031070, and 1031271 through 1031501 (void check(s) numbered 1028991, 1031210, 1031263, 1031272, and 1031416) for:

Accounts Payable FY 2001- 2002:

(101) General Fund	\$ 296,189.01
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$.00
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 1,613.01
(226) Law Library	\$ 3,811.46
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$ 9,255.22
(305) Capital Projects Fund	\$ 159.99
(401) County Debt Service	\$.00

TOTAL \$ 311,028.69

Accounts Payable FY 2002- 2003:

(101) General Fund \$ 52,203.03
(305) Capital Projects Fund \$ 119.36
(401) County Debt Service \$ 304,886.53

TOTAL \$ 357,209.92

**IN RE: DINWIDDIE ELEMENTARY SCHOOL PROJECT –
REQUISITION NUMBER 45 (IDA1999B-TRANSFERRED
PROCEEDS – #6/12/02)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 45 (IDA1999B - Transferred Proceeds – #6/12/02):

STEVEN INDUSTRIES, INC. \$ 1,970.00
DEMPCO, INC. 657.89

TOTAL REQUISITION #45 \$ 2,627.89

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 45 (IDA1999B - Transferred Proceeds – #6/12/02 in the amount of \$2,627.89 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Project Account.

**IN RE: DINWIDDIE ELEMENTARY SCHOOL PROJECT –
REQUISITION NUMBER 46 (IDA1999A-TRANSFERRED
PROCEEDS – #7/8/02) & DINWIDDIE COUNTY PUBLIC
SCHOOLS – K-5 FACILITIES STUDY – PROJECT
02203.00, PHASE I – REQUISITION #3 (IDA1995A-
REFUND - \$99,752.71) AUTHORIZATION TO TRANSFER
FUNDS**

Mrs. Ralph stated these two requisitions are tied together. Requisition #3 is for the School Facilities Study. The attached invoice for these expenditures has been reviewed and approved. Dinwiddie County Public Schools requests that a transfer of \$8,676.21 be made to Account 260 066200 3000 101 (Facilities), by the County Treasurer. This transfer will deplete the 'Refund Account'. The remainder (\$13,902.29) will be requested from I.D.A. 1999A funds. The following invoices are included in Payment Request Number 46 (IDA1999A - Transferred Proceeds – #6/12/02) and Requisition #3 (I.D.A. 1995A – Refund - \$99,752.71):

BALLOU, JUSTICE, UPTON ARCHITECTS \$ 1,553.07
BCWH PROFESSIONAL SERVICES \$ 13,902.29

TOTAL REQUISITION #46 \$ 15,455.36

BCWH PROFESSIONAL SERVICES \$ 8,676.21

TOTAL REQUISITION #3 \$ 8,676.21

Mrs. Ralph stated due to the fact there aren't enough funds in the 'Refund' account set aside for the facilities study to pay the invoice from BCWH (\$22,578.50), the School Board is requesting that the remaining funds needed to pay BCWH be taken from the I.D.A. 1999A bond issue.

Mr. Moody commented according to the Minutes of the March 20th meeting we are only approving the remaining funds of the \$133,210 that was appropriated for the study. Is that correct? Mrs. Ralph replied that is correct. Mr. Moody stated it is just coming from two different sources. Dr. Scott Worner, Assistant Superintendent, stated, once the 'Refund' money is used the only other source that was approved by the County Attorney was the 1999B bond issue.

Mr. Bowman asked if Northside Elementary had been included in the next phase study? Mrs. Ralph responded that it would be included in the second phase study. Although it does not appear in the original documentation, it has been added, Dr. Wise will be at the August 7, 2002 meeting to present the revised request to you.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 46 (IDA1999A - Transferred Proceeds - #7/8/02 in the amount of \$15,455.36 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Project Account; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to pay the claim for professional services to BCWH and to transfer funds in the amount of \$8,676.21 for Requisition #3 to the School Fund Facilities Account # 260 066200 3000 101.

Mr. Bracey requested that the County Administrator make a special note of the transaction today for future reference.

**IN RE: DINWIDDIE COUNTY PUBLIC SCHOOLS - C.I.P. FUNDS
REQUEST - FOR DINWIDDIE & MIDWAY ELEMENTARY
SCHOOLS**

Dr. Worner commented that Dr. Wise is at an Administrative Retreat. There are three items that were value engineered from the original Dinwiddie project. Dr. Worner stated the School Board requests the approval of the use of C.I.P. Funds for the purchase and installation of a video camera security system at Dinwiddie and Midway Elementary Schools. In addition, approval is requested to purchase and install age-appropriate playground equipment at Dinwiddie Elementary School. A break down of the costs is:

Video Camera Security System - Dinwiddie Elementary School	\$9,601.00
Video Camera Security System - Midway Elementary School	\$9,200.00
Playground Equipment & Landscaping - Dinwiddie Elem. School	\$38,220.00
TOTAL	\$57,021.00

The County Administrator asked, are there sufficient funds outside of the Dinwiddie Elementary funds to take care of Midway? Dr. Worner replied yes. The 1998A School Construction Bond for the High School, Midway and Middle School project has a remainder balance of \$599,582.01. Mrs. Ralph commented that would cover the Camera System at Midway. Do you have a balance for the other two items for Dinwiddie Elementary? Dr. Worner replied yes, \$137,043.11

The County Administrator questioned if there were any other items that had been value engineered out which would be more of a priority than the video camera? Dr. Worner replied no.

Mr. Bracey commented he didn't understand why there are funds still available if these projects are complete. Dr. Worner stated there are still some value engineered out items to be done. Retainer fees are still being held for work, which has not been completed or done according to the contracts also.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board's request for the C.I.P. Funds in the amount of \$57,021.00 for the purchase and installation of a video camera security system at Dinwiddie and Midway Elementary Schools and the purchase and installation of the playground equipment and landscaping at Dinwiddie Elementary School is approved.

Mr. Bracey requested that the County Administrator make a special note of the transaction today for future reference.

IN RE: CITIZEN COMMENTS

There were no citizen(s) signed up to comment.

IN RE: SHELTERING ARMS HOSPITAL – LETTER OF SUPPORT

Mr. Michael McDonnell, Chief Operating Officer, Sheltering Arms Hospital came forward and gave a power point presentation outlining the services offered by the Sheltering Arms Hospital. He stated during the next application cycle Sheltering Arms Hospital located in Richmond, Virginia will be submitting a Certificate of Public Need application to construct and operate twenty-eight comprehensive inpatient rehabilitation beds on the Bon Secours, St. Francis Campus in Chesterfield, Virginia. Sheltering Arms has a one hundred and thirteen year history in Richmond and long ago earned the reputation of being a pre-eminent provider within the commonwealth. At the present time, there is only one provider, Chippenham-Johnston Willis, for inpatient rehabilitation. Patients, who reside on the south side of the James, generally prefer not to go North of the James for their medical care. Sheltering Arms Hospital has outpatient facilities south of the James in both Bon Air and Iron Bridge, and if we are able to locate at St. Francis both outpatient and inpatient facilities will be available in the Southside area. He requested a letter of support from the Board for the St. Francis location.

Mr. Haraway asked if the HCA had given a letter of support to them? Mr. McDonnell replied no, and most likely they will be filing a protest to the application.

Mr. Haraway commented this is a political process that will be taking place. Sheltering Arms and Bon Secours are arguing that there is a need for these 28 beds and HCA is saying there is not a need for them, and by establishing these beds it will increase the cost of health care for people south of the James River. So the State with their CON process will review the facts and determine which of you they think is correct.

There was a lengthy discussion between the Board members and Mr. McDonnell regarding the COPN.

Mr. Bowman asked if HCA provides free services to clients who need them. Mr. McDonnell replied he didn't think so; HCA is a for profit facility. He stated the amount of free care Sheltering Arms provides is significant. Mr.

Bowman commented he knew Sheltering Arms has wonderful facilities and does offer free services to people in need.

Mr. Haraway stated there is no question that Sheltering Hospitals is an excellent hospital that offers excellent services. But, he felt the Board should not get involved in the political process at this time. Mr. Moody and Mr. Bowman agreed.

Mr. Bracey called for a motion.

The County Administrator commented before a decision is made she would be happy to contact our representative on our Regional Board and get some input and report back to the Board. The Board concurred.

Mr. McDonnell stated he understood and he thanked the Board for allowing him the opportunity to provide the information on Sheltering Arms Hospital.

IN RE: APPOMATTOX REGIONAL LIBRARY – REQUEST FOR FULL FUNDING FY 2002-2003

The County Administrator commented this was placed on the Agenda because at budget time the County did not fully fund the Library's FY03 budget request. It was suggested at the time of adoption, that we wait until we knew what the other two localities were doing before considering full funding. At this time Hopewell and Prince George fully funded the library's request. The additional funds needed from Dinwiddie would be \$5,015.

Mr. Charles Koutnik, Regional Library Director, Appomattox Regional Library System came forward stating that the Library did not sustain the 25% State aid cut recommended by the Governor. The General Assembly lowered the cut to 8%. The Library also lowered the cost of living raise for employees and scratched the computer aid position due to the cut. Both the City of Hopewell and Prince George County have officially approved the Library's 2002-2003 budget requests. Both jurisdictions approved the 5.52% increase over our 2001-2002 allocations. Hopewell's allocation is 50% of the local budget. Prince George's allocation will be 26%, which leaves Dinwiddie County 24% of the total funding for the fiscal year. He requested full funding from the County. Mr. Koutnik thanked the Board for their strong support to the Library.

Mr. Haraway stated he was in no way against the Library and would continue to support it. But, he commented, I do have a problem subsidizing a 5.6% salary increase when the County employees did not receive anywhere near that amount. Mr. Haraway suggested that the Library average all the localities expected salary increases in the future for their budget request.

Mr. Koutnik responded he would do that in the future. However, it is difficult to prepare a budget in November when the counties and city don't prepare theirs until much later in the year.

The Board members asked for a recommendation from the County Administrator.

The County Administrator commented that Mr. Haraway addressed the concern she had. However, this is a regional contract and we should try to go along with what the other localities do. She commented she would hate for the citizens in the county to suffer for the cuts if we don't agree to fully fund the Library.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the request for fully funding the Appomattox Regional Library in FY03 for the additional amount of \$5,018 is approved.

IN RE: ADOPTION OF – A-02-6 - TO AMEND VARIOUS SECTIONS OF CHAPTER 4 ENTITLED ANIMALS AND FOWLS

The County Administrator stated the Public Hearing was held at the last meeting but because there is a fee involved we had to wait to adopt the ordinance.

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF DINWIDDIE, VIRGINIA, AS AMENDED, BY AMENDING SECTION 4-1, DEFINITIONS, AND SECTION 4-34, TAX IMPOSED, OF CHAPTER 4, ANIMALS AND FOWL.

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

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of the County of Dinwiddie, Virginia, that Sections 4-1 and 4-34 of the Code of the County of Dinwiddie, Virginia, be amended as follows:

Section 4-1. Definitions

Delete the definition of kennel from this section.

Section 4-34. Tax imposed

Delete the word kennel from subsections (a)(1), (a)(2), and (a)(3) and in its stead insert multiple dog.

In subsections (a)(1), (a)(2) and (a)(3), increase the annual license tax as follows:

Subsection (a)(1), delete four dollars (\$4.00) and in its stead insert five dollars (\$5.00).

Subsection (a)(2), delete twenty-five dollars (\$25.00) and in its stead insert thirty dollars (\$30.00).

Subsection (a)(3), delete thirty-five dollars (\$35.00) and in its stead insert forty dollars (\$40.00).

Add subsection (a)(4) as follows:

Multiple dog license holders are subject to the restrictions contained in Chapter 22, Zoning Ordinance, relating to use and/or numbers of dogs permitted on lots in various zoning districts and/or residential subdivisions.

A copy of the above statement shall appear on all dog licenses issued within the County of Dinwiddie.

This ordinance shall become effective upon the date of adoption by the Board of Supervisors and in all other respects said Chapter 4 shall remain in full force and effect.

IN RE: VDOT – REPORT

Mr. Richard Caywood, Resident Engineer Virginia Department of Transportation, came forward stating he had some information he would like to distribute to the Board, not for discussion today, just to save in mailing cost:

1. 2001 VDOT Daily Traffic Volumes Including Vehicle Classification Estimates where available and Jurisdiction Report

2. Traffic Calming Guide for Local Residential Streets – adopted and went into effect July 1, 2001
3. A request from Sussex for a concurring Resolution passed by the Sussex County Board of Supervisors, concerning Industrial Access funding for pavement improvement for the hauling route for Iluka Resources, Inc. The Industrial Access funding would count toward what Sussex would be allowed from the Industrial Access fund for 2002-03. If the Board concurs with the Resolution no funding would be charged against Dinwiddie County. He commented he would like to take a look at the project before making a recommendation to the Board.

He also gave the following update:

1. Mr. Bowman's request - met with Mr. Van Woodall regarding the bus traffic obstructions at the intersections of U.S. 460 West and Airport Industrial Park. He commented he didn't know what options we might have that will be cost effective. We are very limited with what can be done at that intersection. But he will continue to work on the situation.

Board Member Comments/Request

1. Mr. Clay – A culvert was installed at White Oak Road and Rt. 611; it settled and more gravel is needed. Mr. Caywood stated he would check on it.
2. Mr. Bracey – There is a bad dip in the road on Simpson Street behind I-85 near American Industry – Mr. Caywood responded it is in Petersburg and it is slated to be repaired in the near future.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and stated he had nothing new to report to them. He stated he did not have his report ready for the packets but would present it to them next month.

IN RE: VEHICLE REGISTRATION WITHHOLDING PROGRAM – REQUEST FOR APPROVAL

Mr. William E. Jones commented he was seeking approval for participation in the Vehicle Registration Withholding Program. There were changes effective July 1, 2002 to the VRW program which occurred as a result of amendments to the Code of Virginia that were enacted by the General Assembly. The changes should make the VRW a more effective tool for localities to use in collecting past due personal property taxes and local decal fees. The cost to the County is \$20 per abatement, which is an administrative fee.

Mr. Bowman stated he received calls from citizens complaining they can't get vehicles removed off their tax bills after they are sold now. If this is implemented is it going to create more problems.

The Treasurer responded this would not have any affect on the present years; it will be for 1997-1999. This is just an added tool to help with the collection process.

Mr. Haraway commented it could be an advantage in the future.

Mr. Bracey stated Chesterfield prorates their taxes on vehicles and he felt Dinwiddie County is losing money because we don't prorate.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes the Treasurer to participate in the Vehicle Registration Withholding Program.

Mr. Jones reported that effective July 1, 2002 all checks written to the County should now be made payable to "Treasurer, Dinwiddie County".

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney came forward stating he had nothing new to report.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward stating he had nothing new to report.

IN RE: CONTRACT WITH TRIGON – JAIL INMATES

The County Administrator commented that she met with representatives from Trigon, Mrs. Glenice Townsend, Chief, Division of Administrative Services, and Captain Alvin Booth on Tuesday, May 28, 2002 to hear a proposal on Administrative Services Only for medical services for our inmates. We initially thought the program would be similar to the health plan we have for our county employees. However, this proposal is much different. Representatives with Trigon will act as claims administrator for services when inmates are taken to doctors, hospitals and other medical facilities for treatment. The County will pay the reduced contracted rates Trigon has with the doctors and medical facilities. The major help will be administratively.

Enclosed in your packets was a memo from Mrs. Townsend regarding the contract and how it works. Mrs. Townsend spoke with Marilyn Brammer from Brunswick County and they are pleased with the services and the savings. The total cost for medical services in our jail this past fiscal year was \$114, 450. If we applied the same formula as was used in Brunswick, our saving could have been \$40,000 or more.

The contract has been sent to our County Attorney and contingent upon her approval; we would like for the Board to authorize the County Administrator to enter into an agreement with Trigon for these services.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes the County Administrator to enter into an agreement for Administrative Services Only for medical services for our inmates with Trigon, contingent upon the County Attorney's approval of the contract.

Mr. Bowman asked; could we see if there is anyway the County can get reimbursements from insurance from families or insurance for these inmates? Mr. Haraway responded the County would have to look into it.

Mr. Bracey stated a speedy trial would help. He also commented that condiments are now being charged for in most places. Salt and pepper are free

but if someone wants ketchup, mayonnaise, or other condiments they have to pay for them. He asked the Sheriff to check with other localities to see what they are doing. The Sheriff said he would check on it.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of June 2002.

IN RE: REQUEST FOR PARTITIONS IN BUILDING/PLANNING DEPARTMENTS

Mr. Abernathy stated both the Planning and Building Departments are in need of renovations. The front counter and desk arrangement does not provide the Secretaries with any privacy. He requested authorization to place partitions between the two desks and install glass panels in the front and back areas. This would provide some privacy and still leave them visible to the public and coworkers. These changes would increase the available workspace and enable our office to function more efficiently. The following companies submitted quotes:

COMPANY	BID
Tri-City Office Products, Inc.	\$3,938.00
Staples Office Supply	\$5,001.14
Quill Corporation	\$4,472.65

He requested authorization to proceed with the purchase and installation of the partitions using their FY2001-2002 unused funds, in the amount of \$3,938.00, to be split between the Building and Planning Departments.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes the Building and Planning Departments to purchase and install the partitions as presented and described above, using undesignated FY02 department funds.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward and stated his monthly update for June 2002 was in their packets.

IN RE: LIVESTOCK CLAIM – MR. MEADE HARRISON

Mr. Beville stated on May 7, 2002 he investigated the claim of Mr. Harrison Meade for 2 lambs and 1 ewe, which were killed by dogs. The next night May 8, 2 lambs and 2 ewes were also killed. Traps were set for the dogs but none were caught. No one witnessed the slaying of the sheep. Mr. Donald Bonner heard the dogs barking but it was so dark he couldn't see anything. Mr. Beville made the following recommendation for the value of the sheep:

4 – 30 pound lambs x .75 = \$22.50 each	\$ 90.00
3 – 2 year old Ewes = \$121.00 each	\$363.00

Mr. Beville recommended payment of \$453.00 for the livestock claim to Mr. Meade.

Mr. Meade Harrison, 7704 Quail Hollow Road, Farmer in the County, came forward and stated Dinwiddie County has a serious dog problem; in the last two years he has killed 35 dogs on his property. He also protested the Animal

Control Officer's recommended livestock payment. Mr. Meade stated he has been purchasing registered rams for years from Steels Taverns Sales registered with VPI and they are not cull sheep. The Virginia Sheep Growers Association sponsors a comparisons ewe sale every year. The sheep are taken to Steels Taverns and they are checked, screened, tested, and bred. In January of 2001, Mr. Meade said he purchased 17 sheep at a cost of \$3,150. The price that Mr. Beville quoted was for stockyard sheep, not registered stock. He valued the sheep at \$900. He stated he would prefer that the sheep be replaced rather than accept the payment offered by the Animal Control Officer.

There was a lengthy discussion between the Board members, Animal Control Officer, County Attorney, and Mr. Harrison regarding the value of the sheep, the fair market value and the State Code.

The Board requested that the County Administrator and Staff contact the professionals concerning the sheep and at the next meeting the Board will make the final decision.

IN RE: RECESS

The Chairman called for a recess at 4:18 P.M. The meeting reconvened at 4:29 P.M.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning came forward and presented his monthly update for June 2002.

1. Mr. Scheid thanked the Board for authorizing the installation of the partitions.
2. A land disturbance permit was issued to Huddle House at the intersections of U.S. 460 and I-85.
3. He stated he would be attending the Virginia Tobacco Indemnification press conference at Rowanty Technical Center on July 22, 2002.

The County Administrator complimented Mr. Scheid for the County tour he arranged for the combined Boards.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his June 2002 monthly report.

IN RE: SOCIAL SERVICES – REPORT

Mrs. Peggy McElveen, Director, was at a management seminar in Richmond. Mrs. Marjorie Cleaton stated she had nothing to report but would be happy to take any questions the Board might have to Mrs. McElveen for answers.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Dr. Leland Wise, Jr., Superintendent of Schools, was not present.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, stated he had provided the Board with his June monthly report.

He informed the Board that he was submitting an application for an award for the Enhancement Center. Mr. Smith was asked where and when the Christmas Parade is scheduled. He replied the parade will be held at the Virginia Motorsports Park on December 14, 2002

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward to present his monthly report for June 2002.

Mr. King commented there is an area that is very wooded at Northside that would be an ideal location for the dumpsters. It would not be noticeable from the school building. There is a fence on one side of the entrance road and a deep ditch on the other side. He stated he had contacted Mr. Davis about clearing a 100-yard diameter and the estimated cost was around \$3,000. It was suggested by the Board to send adjacent landowners a letter to see if there would be any objections to the site.

Mr. Bracey stated he had received complaints about rodents in the dumpsters at Rt. 703. Mr. King commented he would take care of the problem.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his June 2002 update.

He reported that the Communications Center punch list should be completed by July 28, 2002. He asked for authorization to move into the building once the list is complete. Mr. Bracey said don't move in until it is complete.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Jack Catlett, County Attorney, commented he had nothing to report.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and he stated he had provided his monthly update for June 2002 in their packages.

1. The Public Safety Building's final completion date is July 31, 2002.
2. The flagpole for the Eastside Community Enhancement Center is here and will be installed as soon as possible.
3. The Courthouse 'No Weapons Signs' have been installed.

IN RE: AUTHORIZATION TO PROCEED WITH ARCHITECTURAL SERVICES - NEW EMERGENCY GENERATOR SHERIFF'S OFFICE/JAIL FACILITY

Mr. Faison stated he contacted Mr. Frank De Stefano to see if he could negotiate a lower price for the design work at the jail facilities. The architect could not reduce the price for the work. He requested authorization to enter into a contract with De Stefano Design Group for additional services under his present contract that he has on the Public Safety Building to do the design work and write the specifications for the new emergency generator for the jail facility, at a cost of \$4,950 plus some hourly reimbursements.

When asked for a recommendation, the County Administrator stated she didn't know if it is the lowest price but the work really does need to be done and the only alternative would be to go out for bids.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administrative Staff is authorized to enter a contract with De Stefano Design Group to furnish Architectural Services and write the specifications for the new generator at the Sheriff's Office/Jail Facility at a cost of \$4,950 plus some hourly reimbursements.

IN RE: ENGINEERING SERVICES/EMERGENCY GENERATOR – OLD HICKORY FIRE DEPARTMENT

Mr. Faison stated he would also like to have authorization to enter into a contract with De Stefano Design Group to furnish Architectural Services and Engineering Services for an emergency generator for the Old Hickory Fire Department Building at a cost of \$2,000 plus some hourly reimbursements.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administrative Staff is authorized to enter a contract with De Stefano Design Group to furnish Architectural Services for the emergency generator for the Old Hickory Fire Department Building at a cost of \$2,000 plus some hourly reimbursements.

IN RE: PHYSICAL PLANT MAINTENANCE – BID RESULTS AND AUTHORIZATION TO ACCEPT

Mr. Faison stated he received the following bids for physical plant maintenance for the county buildings:

	Crew Size	Regular	Overtime	Holiday
Electrical				
Rudy Hawkins Electrical	1 Electrician / 1 Apprentice	73.00	109.50	146.00
McCray Electric	1 Electrician / 1 Apprentice	30.90 / 21.10	46.35 / 31.65	61.80 / 42.20
Specialty Electric	1 Mechanic / 1 Helper	75.00 / 25.00	112.50 / 37.50	112.50 / 37.50
David Lucas Electrical		No Bid	No Bid	No Bid
Hall Brothers Electrical		No Bid	No Bid	No Bid
Masonry				
Matney	2 Journeyman	90.00	130.00	160.00
J.D.N.	1 Mason / 1 Helper	27.50 / 15.00	40.00 / 22.50	40.00 / 22.50
Painting				
Matney	2 Journeyman	80.00	120.00	150.00
Barden & Sons	1 Painter	38.00	50.00	55.00
J.D.N.	1 Painter / 1 Helper	26.00 / 13.00	40.00 / 22.50	40.00 / 22.50
Drywall				
J.D.N.	1 Mechanic / 1 Helper	27.50 / 14.50	40.00 / 22.50	40.00 / 22.50
Door Repairs/ Personnel				
J.D.N.	1 Mechanic / 1 Helper	28.50 / 15.00	41.50 / 22.50	41.50 / 22.50

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above stated bids from J.D.N., for Masonry, Painting, Drywall, and Door Repairs; McCray Electric Company, for Electrical Work; Wall Sheet Metal, Inc., for Roof Repair; Specialty Electrical, for Plumbing Work and HVAC; Wingfield & Hundley for Elevator Repair; and Fire "X" for Hood Suppression/Fire Extinguishers are hereby accepted and authorization is granted for Administration to enter into a one (1) year contract with the option to renew the contracts for four (4) years with these firms at the cost stated above.

IN RE: REFURBISHMENT OF DINWIDDIE COUNTY WELCOME SIGNS

The County Administrator stated the Welcome signs on Rt. 460 and Rt. 40 have been removed and need to be refurbished and reinstalled.

Mr. Faison commented the low bid is \$285 for each sign. He said he also wanted to use metal posts when he puts the signs back up instead of the wooden posts that rot with age. He requested authorization to proceed with refurbishing the signs at a cost not to exceed \$570 for both signs. He commented his staff would be reinstalling the signs.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administrative Staff is authorized to refurbish and reinstall the Welcome to Dinwiddie signs at a cost not to exceed \$570.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. We will be adjourning the meeting until July 31, 2002 at 9:00 A.M. for a meeting with the Virginia Department of Economic Development in Richmond.
2. On July 22, 2002 at 2:00 P.M., there will be a press conference with Senator Ruff announcing the award of our Tobacco grant along with Greensville County and Crater Planning District Commission at the Rowanty Vo Tech Center. This is a requirement of the grant. They have requested the Chairman to be present.
3. A letter from a citizen was enclosed in your packet from a concerned citizen concerning Adelphia and the change to the Basic Service (Broadcast tier). I have asked Adelphia to make some concessions for those individuals that got caught up in the rearrangement of stations. Adelphia is going to offer those Broadcast customers an opportunity to try the standard Basic service for 30 days without any charges. At the end of the 30 days, if they want to switch back to the Broadcast only level, they will be allowed to at no charge. This will allow these customers an opportunity to try the new level of service with no obligation.
4. Mrs. Ralph asked the Board if they would be available to come in early August 7th at 5:30 for a dinner meeting for a Debt Capacity Analysis Update. Davenport and Company did the analysis and if the county is going to start building new schools we need to have this information. Mr. James Shield and Mr. David Rose will be here to make the presentation. The Board concurred.



Overhead Bay Doors

Apple Door Systems		No Bid	No Bid	No Bid
J.S. Anchor		No Bid	No Bid	No Bid
Overhead Door		No Bid	No Bid	No Bid

Plumbing

Colonial Plumbing	1 Plumber / 1 Apprentice	150.00	150.00	200.00
Specialty Electrical	1 Plumber / 1 Helper	75.00 / 25.00	112.50 / 37.50	112.50 / 37.50

Roof Repair / Sheet Metal

W.D. Wall Sheet Metal	2 Roofers	44.00	66.00	66.00
J.D. Witt & Sons		No Bid	No Bid	No Bid
Brown Brothers		No Bid	No Bid	No Bid

Crew Size Regular Overtime Holiday

HVAC Repair

Central York Corporation	1 Technician	66.00	99.00	99.00
Speciality Electrical	1 Mechanic / 1 Helper	75.00 / 25.00	112.80 / 37.50	112.80 / 37.50
Colonial Plumbing	1 Mechanic / 1 Helper	105.00	157.50	210.00
W.D. Wall Sheet Metal		No Bid	No Bid	No Bid

Elevator Repair

Wingfield & Hundley	1 Mechanic / 1 Helper	102.00 / 74.00	167.10 / 119.50	195.00 / 139.00
Virginia Elevator		No Bid	No Bid	No Bid
Thysen-Krupp		No Bid	No Bid	No Bid
Otis Elevator		No Bid	No Bid	No Bid

Hood Suppression / Fire Extinguishers

Fire "X"		75.00	112.50	112.50
Safety First		No Bid		

Fire Protection Sprinkler

Fire "X"		75.00	112.50	112.50
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(**Service not on original RFP - will rebid)

Concrete

Matney		90.00	130.00	160.00
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(**Service not on original RFP - will rebid)

We did not receive bids on the overhead doors, concrete work and the fire protection sprinkler, which was left off the original RFP. RFP's will be sent out for bids for those items. Mr. Faison requested authorization to enter into contracts with the low bidders for the services listed above. He stated the contracts would be for a period of 1 year; but the County also has the option to renew the contracts for 4 more years.

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

IN RE: BOARD MEMBER COMMENTS

Mr. Bracey He requested that staff reinstall Shady Lane Street sign that has been knocked down.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from the Department of Juvenile Justice – Regarding the VA DP&YD Act Grant #01-III-04 Dinwiddie County Office on Youth
2. Memorandum from Susan Heck, Prevention Specialist, State of Virginia – Request for FY2002 Year-End Evaluation and Annual Financial Report for programs funded through Delinquency Prevention and Youth Development Act Grant due date August 1, 2002
3. Letter of Appreciation from Mr. Wilson M. Ferrell to the Board for allowing him to serve on the Dinwiddie Airport and Industrial Authority
4. Department of Juvenile Justice letter of thanks for support of VJCCCS
5. The Appomattox Regional Library System – Report
6. Memo from County Administrator – inviting members of the Dinwiddie IDA, Dinwiddie Airport Authority and Planning Commission to the Virginia Economic Development Partnership joint education session July 31, 2002 at 9:00A.M.

IN RE: CLOSED SESSION

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

Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia – Assistant County Administrator position and Appointments
Legal §2.2-3711 A. 7 of the Code of Virginia – Zoning Issue; Regional Jail Contract

Mr. Moody seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 5:20 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel - Assistant County Administrator position; Appointments; §2.2-3711 A. 7, Legal – Zoning Issue; Regional Jail Contract

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.

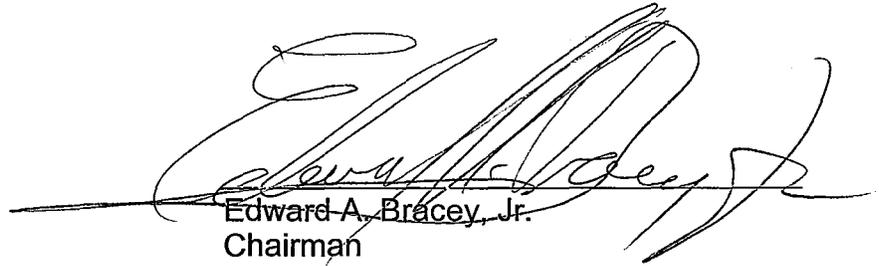
Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

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

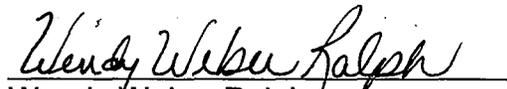
IN RE: ADJOURNMENT

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

adjourned at 7:28 P.M. to be continued until 9:00 A.M. on Wednesday, July 31, 2002 for a meeting with the Virginia Department of Economic Development in Richmond.



Edward A. Bracey, Jr.
Chairman



Wendy Weber Ralph
Interim County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT 901 EAST BYRD STREET IN THE VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP OFFICE IN RICHMOND, VIRGINIA, ON THE 31ST DAY OF JULY, 2002, AT 9:00 A.M.

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

Mr. Edward A. Bracey, Jr., called the continuation meeting to order at 9:00 A.M.

IN RE: JOINT EDUCATION SESSION ON ECONOMIC DEVELOPMENT

The Board of Supervisors, Members of the Dinwiddie Industrial Development Authority, Dinwiddie Airport & Industrial Authority, and Dinwiddie Planning Commission attended a joint Economic Development Education Session in Richmond, Virginia. The following is a list of the sessions and speakers that was presented:

The Importance of Economic Development & What it Takes to be Competitive in Today's Marketplace – *Mark Kilduff, Executive Director, VEDP*

The Myths of Economic Development – *Neal Barber, Community Assistance Director, VEDP*

The State & Local Connection – Working with Business Development – *Liz Povar, Senior Project Manager, VEDP*

The Regional & Local Connection – How Virginia's Gateway Region Markets Dinwiddie – *Jay Langston*

The Benefits of Economic Development Planning & Managed Growth – *John Sternlicht, Policy & Legislation Director, VEDP*

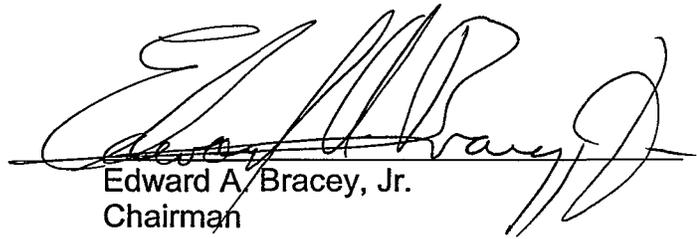
Components of a Local Economic Development Program & Analysis of the Competition – *Neal Barber & Shannon Heady, Community Assistance, VEDP*

There was a question and answer session during the lunch period.

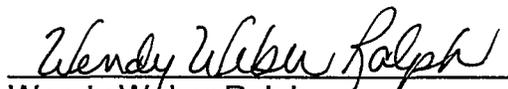
IN RE: ADJOURNMENT

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

at 1:30 P.M. to be continued until 7:00 P.M. on Thursday, August 1, 2002 for the Comprehensive Land Use Plan Public Information Session.



Edward A. Bracey, Jr.
Chairman



Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION 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 1ST DAY OF AUGUST, 2002, AT 7:00 P.M.

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

IN RE: CALL TO ORDER

Mr. Edward A. Bracey, Jr., called the meeting to order at 7:07 P.M.

IN RE: COMPREHENSIVE LAND USE PLAN PUBLIC INFORMATION SESSION

Mrs. Wendy Ralph, County Administrator, stated we would like to welcome everyone here tonight for this informational session on the proposed changes to the Comprehensive Land Use Plan. This meeting is a collective session for all the districts and no other meetings have been scheduled at this time. Since this is an information session, there is no expectation that the Board would take any action tonight. At the June meeting you tabled a decision for 4 months, which would be October 2nd. If the Board wanted to take action tonight, you would need to remove the item from the table before doing so. If the Board is ready, you could discuss when you would like to place it back on the agenda at the end of the meeting and I would be glad to make a recommendation as well.

Now we would like to set some ground rules for how we will conduct the meeting.

We ask that everyone who has a question or wishes to speak to please sign up on the roster in the back of the room. The Clerk will call the names on that list first and we will try to answer questions you may have. If we do not have an answer for you tonight, (if it requires more research) please write down the questions with your name and address, turn them into the Clerk, Ms. Russell, and we will respond back to you in a timely manner. At the conclusion of the list of names, if there are other questions, we will ask that you raise your hand and be recognized and then come to the podium to ask your question. We will not entertain questions or comments from the floor.

We will not impose a time limit because we want to give everyone an opportunity to speak; however, please try to be reasonable in your time at the podium, keep to the subject matter and respect another person's right to speak.

At this time, I will turn it over to Mr. Guy Scheid who will recognize the members of the Planning Commission and the Advisory Committee who are here tonight. Then, Mr. Bill Turner with Landmark Design will give a brief overview of the plan before we open up the public question and answer period.

Mr. William C. Scheid, Director of Planning, came forward and stated he would like to introduce the Advisory Committee that was formed over 1 year ago.

Two - Board Members:
Mr. Robert Bowman and Mr. Harrison Moody

Two - Planning Commission Members:
Mr. Dean McCray and Mr. Gilbert Wood

Five - Members from the Election Districts;
Mr. Samuel Hayes – district #1; Mr. Brian Cobb – district #2;
Mr. George Whitman – district #3; Mrs. Thelma Blackwell – district #4;
Mr. Robert Spiers - district #5;

Mr. Scheid then introduced Mr. Bill Turner with Landmark Design Group.

Mr. Turner thanked the Board for the opportunity to assist the County with the Comprehensive Plan update. "I want to start by again thanking the County for allowing LandMark Design Group to assist with the update of the County's Comprehensive Plan. I would also like to again recognize the Citizens Advisory Committee, which acted as a sounding board during part of the process. I would like to thank the Planning Commission which, certified the draft document being considered tonight by the Board after holding a public hearing.

The Citizens Advisory Committee met throughout 2001 to review data, discuss the County's current Comprehensive Plan, and to discuss general trends and general issues. The Committee did not keep detailed minutes, nor was it required to. At several meetings, consuming many hours of volunteer time, the Committee reviewed information and made suggestions which are reflected in the draft under consideration. The process was open to those choosing to attend. In many cases, persons not appointed to the Committee attended meetings.

The Advisory Committee passed the draft to the Planning Commission last year. By law, the Planning Commission is the body charged with recommending and certifying the draft of the Comprehensive Plan to the Board. A vote by the Advisory Committee was not required but I feel most, if not all members were pleased with the effort. I've worked in the planning field for over 20 years and compliment Dinwiddie County on the process it followed and the openness of the process.

During the process, the County held public forums. Advisory Committee meetings were well attended. The Comprehensive Plan process was discussed at a Farm Bureau meeting and at an annual countywide Ruritan meeting. The youth of the County even weighed in with letters to the editor. The Board decided to hold this session tonight to explain the process and the product. Let me recap the process and the product. Then, Guy Scheid and I will try to answer questions. We welcome members of the Advisory Committee and Planning Commission who may want to add their thoughts.

Mr. Turner then referred to what a Comprehensive Plan is; why and how it is updated; how the county approached it; what the document is; the highlights; and what's next.

After adoption of the plan update comes its implementation. The primary methods of implementing this plan include zoning, subdivision regulations, and the Capital Improvements Plan. The county may also develop such tools as an official map, mineral districts maps, and/or agricultural and forestall district maps.

During this process, several elements presented themselves as warranting more in-depth consideration. These include: 1) Development of Corridor Management Plans for U.S. Route 1 and Route 460; 2) Study of drainage related issues and the development of a county-wide Storm water Management Plan (and perhaps an ordinance) or perhaps specific area plans; 3) Development of Subdivision Ordinance revisions; and 4) Zoning Ordinance revisions including the study of the practicality of cash proffers.

A Comprehensive Plan is supposed to be general in nature. It is implemented by ordinances and actions taken by the County. Persons with specific issues may feel the Comprehensive Plan does not go far enough. It is not supposed to. Their remedies are in other places such as the zoning process and reviews by regulatory agencies.

The 2001 Update builds upon the 1996 Comprehensive Plan. The 2001 Update has a different format, more and better graphics, and is user friendly. It will be professionally proofread for spelling and punctuation. It will have an Executive Summary and an Index. It will be finalized once the Board of Supervisors is satisfied with its content.

The 2001 Update reiterates the goals and objectives found in the 1996 Plan but do include some additions the Planning Commission feels are worthy of consideration. These are found in Chapter XI. The 2001 Update includes a slightly expanded planning area in northeast Dinwiddie County. The Planning Commission feels this best projects the development that is likely to occur in the area in the next several years.

In the 1996 (current) Comprehensive Plan and in the 2001 (draft) Update Comprehensive Plan, the County is divided into three types of planning areas for planning purposes. The planning area types are: urban, community, and rural conservation. Urban-type planning areas are shown in northeast Dinwiddie County. Community-type planning areas are found in northeast Dinwiddie County, and in and around Dinwiddie Courthouse, and in and around the Town of McKenney. Both the 1996 Plan and the 2001 Update outline planning strategies for each of the three planning area types.

Based on available, existing infrastructure, platted lots, and development that has or is occurring since the 1996 Plan, slight increases in the estimated amount of projected urban and community type development in northeast Dinwiddie county are expected in the next several years. Thus estimates of the projected size of these areas were increased in the 2001 Update. The extent of the planning area in and around Dinwiddie Courthouse and the Town of McKenney were not changed in the 2001 Update. The table, which follows, compares the 1996 Plan and the 2001 Update by estimated land area projected for each planning area type.

Estimated Amount of Land Area Projected to be in Urban, Community, and Rural Conservation in 1996 (Current Comprehensive Plan and 2001 Update (Draft) Comprehensive Plan

Planning Area Type	1996 (Current) Comprehensive Plan	2001 Update (Draft) Comprehensive Plan
1. Urban-Type Development	Approximately 11,300 acres (4% of the County total)	Approximately 11,820 acres (4.6% of the County total)
2. Community-Type Development	Approximately 19,300 acres (6% of the County total)	Approximately 25,540 acres (8% of the County total)
3. Rural Conservation	Approximately 290,000 acres (90% of the County total)	Approximately 280,240 acres (87.4% of the County total)

Please remember that the Comprehensive Plan includes objectives that the County will want to follow. In order for the objectives to achieve the County's goals, some must be incorporated into zoning and land use regulations to have the force of law.

A Comprehensive Plan is supposed to be general in nature. Moreover, it is supposed to be referred to and used. It should be changed and updated as necessary. The document before the Board is a sound document. In my opinion, the County should adopt it, use it, and amend it, if and when necessary.”

The following persons came forward to speak in favor of/or voiced their concerns, and asked questions about the Comprehensive Plan Update:

1. Addison Varner, 22838 Dabney Mill Road, Petersburg, VA
2. Stu Hogue, 707 Okuma Drive, Chester, VA 23836
3. Geri Barefoot, 7411 Frontage Road, Petersburg, VA
4. Mrs. Lamb, 7321 Frontage Road, Petersburg, VA
5. Robert Spiers, 21018 Double Branch Road, Stony Creek, VA
6. Michelle Parker, 6812 Duncan Road, Petersburg, VA
7. Lori Stevens, 24620 Smith Grove Road, Petersburg, VA
8. Frank Kirks, 8411 Duncan Road, Petersburg, VA
9. Julia Benner, 20214 Ann Road, Sutherland, VA
10. Shelly Shipp, 7801 Squirrel Level Road, Petersburg, VA
11. Anne Scarborough, Boydton Plank Road, Dinwiddie, VA
12. Robert Bowman, IV, 6219 Boydton Plank Road, Petersburg, VA
13. Diana Parker, 10700 Chalkley Road, Richmond, VA 23237
14. Tyla Matteson, Chesterfield, VA
15. Skip Walker, Petersburg, VA
16. Thelma Blackwell, Dinwiddie, VA
17. Donald Henshaw, Church Road, VA
18. Wileen Johnson, McKenney, VA
19. Brian Cobb, Waterford Drive, Sutherland, VA

Several people requested that the Board hold some more meetings so they could get answers to the rest of the questions they had about the Plan. Mr. Bracey replied it was announced at the beginning of the meeting that this would be the only session the Board would hold. However, all things are possible but he could not speak for the rest of the Board. He stated it would be discussed at the next Board meeting and a decision would be made. He thanked everyone for attending the meeting.

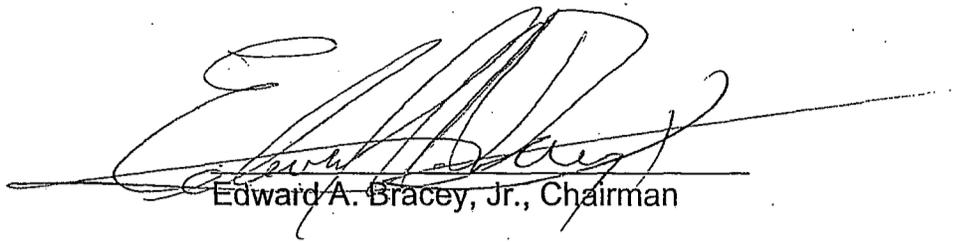
The County Administrator stated, please do not leave here if you have questions that were not answered tonight without putting them in writing and submitting them to us so we can respond; please include your names and addresses. If you are interested in receiving those questions and the answers that are provided; please write your names and addresses down so we can mail you the responses.

Mrs. Ralph stated the Board meets for the regular meeting on August 7, 2002 at 7:30 P.M. The Chairman told you this issue would be on the agenda about whether we will hold another meeting or not and it will be. Whether they make a decision or not, as to when, or if they will have another meeting, is of course up to them. If you are interested and can't attend the meeting please call the office on Thursday, August 8th and someone will let you know. If a decision to hold another meeting is made, it will be advertised in the newspaper too. If you want information back in a timely manner, we have to get your questions in a timely manner.

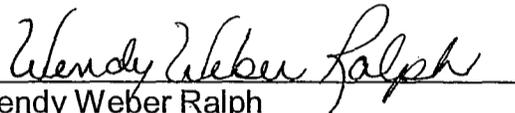
IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 9:28 P.M. to be

continued until August 7, 2002 at 5:30 P.M. for the Debt Capacity Analysis from Davenport & Company.



Edward A. Bracey, Jr., Chairman

ATTEST: 
Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 7TH DAY OF AUGUST, 2002, AT 5:30 P.M.

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

OTHER: DANIEL SIEGEL COUNTY ATTORNEY

Mr. Edward A. Bracey, Jr., called the continuation meeting to order at 6:01 P.M.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Weber Ralph, County Administrator, stated there is a need to add a Closed Session for – Legal - Livestock Claim; Cable Television Franchise

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

IN RE: UPDATED DEBT CAPACITY ANALYSIS – DAVENPORT & COMPANY

The County Administrator stated there is a possibility that the County might have to build some new schools and she felt it would be beneficial for the Board to take a look at our debt capacity so we would have an idea of how the County would finance them. Mr. David Rose, Senior Vice President and Manager of Public Finance, and Mr. Jamie Shields, Assistant Vice President, Davenport & Company are here to present the updated Debt Capacity Analysis to you.

Mr. David Rose presented the County's Updated Debt Capacity Analysis. The following topics were presented and discussed.

- Tax Rate Comparison
- Existing Debt Service
- Potential Debt Capacity – Decline in Debt Service
- Capital Improvement Plan Proposed Projects which might require funding
- Key Assumptions – Bond Funded Projects
- Debt Trends – Debt versus Total Assessed Value
- Debt Trends – Debt per Capita
- Debt Trends – Debt versus Total Personal Income
- Debt Trends – Debt Service as a % of Expenditures
- Tax Impact Analysis – History
- Revised Tax Impact Analysis – Key Assumptions
- Value and Growth of 1 (one) penny
- Revised Tax Impact Analysis – Case 1
- Revised Tax Impact Analysis – Case 2

Mr. Rose informed the Board that the County is in a stronger position today financially than we were five to ten years ago.



IN RE: CLOSED SESSION

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

Legal - §2.2-3711 A. 7 of the Code of Virginia – Livestock Claim; Cable Television Franchise

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 7:01 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:16 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.7 Legal - Livestock Claim; Cable Television Franchise

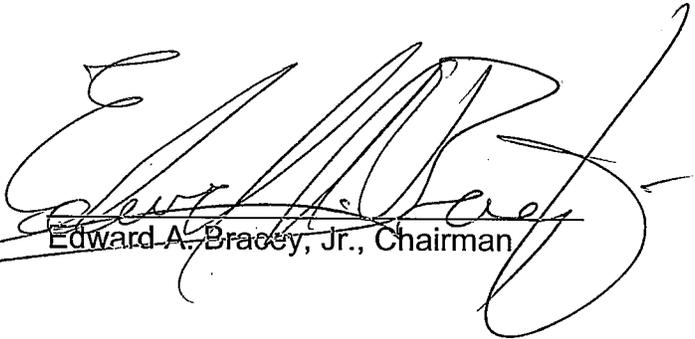
And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 7:37 P.M.


Edward A. Bracey, Jr., Chairman

ATTEST: 
Wendy Weber Ralph
County Administrator

/abr

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 21ST DAY OF AUGUST 2002, AT 2:00 P.M.

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

OTHER: BENJAMIN EMERSON COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 2:00 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 there is a need to add 4 items. Under the Closed Session add Legal – Contract Negotiations; Industry; Personnel – Receptionist; and under item #9 e. Sheriff - Grant

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the August 1, 2002 Continuation Meeting, August 7, 2002 Continuation Meeting and the August 7, 2002 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bracey, 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 1031750 through 1031925 (void check(s) numbered 1031749) for:

Accounts Payable FY 2002- 2003:

(101) General Fund	\$ 193,490.76
(103) Jail Commission	\$ 141.98
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 1,921.71
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 1,405.08
(226) Law Library	\$ 146.90
(228) Fire Programs & EMS	\$ 275.87
(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$ 45.24
(305) Capital Projects Fund	\$ 29,545.64

(401) County Debt Service \$ 80,524.47

TOTAL \$ 307,497.65

**IN RE: DINWIDDIE ELEMENTARY SCHOOL PROJECT –
REQUISITION NUMBER 47 (IDA1999B-TRANSFERRED
PROCEEDS)**

Mrs. Ralph stated the following invoices are included in Payment Request Number 47 (IDA1999B - Transferred Proceeds):

BCWH \$ 1,335.00

TOTAL REQUISITION #47 \$ 1,335.00

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 47 (IDA1999B - Transferred Proceeds) in the amount of \$1,335.00 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Project Account.

IN RE: CITIZEN COMMENTS

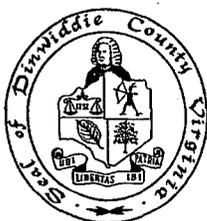
The following citizen(s) signed up to comment.

1. Geri Barefoot, 7411 Frontage Road, Petersburg, VA came forward and asked questions based on the material found in the Debt Capacity Analysis prepared by Davenport & Company dated August 7, 2002.
 - a. Is Dinwiddie's debt over extended?
 - b. Page 3 shows Dinwiddie's existing debt and existing capacity at 45 million dollars. Is this correct? If not, then what is Dinwiddie's existing debt?
 - c. Is Dinwiddie preparing to borrow an additional 45 million dollars?
 - d. Is Dinwiddie preparing to raise taxes?
 - e. Doesn't page 7 show proposed new debt over an "A" rating?
 - f. Is Dinwiddie in danger of losing their "A" rating?
 - g. Page 1 shows a .77 cents tax rate. Did the report take into consideration that the comprehensive plan shows 76% of the county is in farm and timberland, and these lands get a 20% tax reduction?

IN RE: RESOLUTION – MRS. MARY ELIZABETH WYNN

The County Administrator presented the following resolution to Mrs. Mary Wynn for her dedication and service to the Social Services Board, Staff and Citizens of the County.

Resolution



of the **BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA**

AUGUST 21, 2002

IN RECOGNITION OF

MRS. MARY ELIZABETH WYNN

WHEREAS, Mrs. Mary Elizabeth Wynn has served the County of Dinwiddie with distinction and integrity as a member of the Board of Social Services from July 1, 1994 – June 30, 2002; and

WHEREAS, Mrs. Wynn has served as Chairman and Vice-Chairman of the Board with professionalism and graceful leadership; and

WHEREAS, Mrs. Wynn has shown compassion and concern for the families, children, and adults who receive services from the Department of Social Services; and

WHEREAS, Mrs. Wynn has consistently expressed support and encouragement to Social Services employees,

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, on this 21st day of August, 2002 desires to express their appreciation to Mrs. Wynn for her service to the County; and

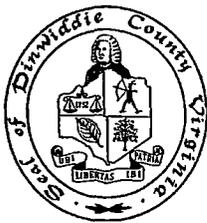
BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Mrs. Mary Elizabeth Wynn, and a copy spread upon the minutes of this meeting.

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", the above resolution was adopted.

IN RE: RESOLUTION – MR. ARLICK BROCKWELL

The County Administrator presented the following resolution to Mr. Brockwell for his dedication and service to the Social Services Board, Staff and Citizens of the County.

Resolution



of the **BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA**

AUGUST 21, 2002

IN RECOGNITION OF

MR. ARLICK BROCKWELL

WHEREAS, Mr. Arlick Brockwell has served the County of Dinwiddie with distinction and integrity as a member of the Board of Social Services from July 1, 1994 – June 30, 2002; and

WHEREAS, Mr. Brockwell has served as Chairman and Vice-Chairman of the Board with professionalism and consistent leadership; and

WHEREAS, Mr. Brockwell has shown compassion and concern for the families, children, and adults who receive services from the Department of Social Services; and

WHEREAS, Mr. Brockwell has consistently expressed support and encouragement to Social Services employees,

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, on this 21st day of August, 2002 desires to express their appreciation to Mr. Brockwell for his service to the County; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Mr. Arlick Brockwell, and a copy spread upon the minutes of this meeting.

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", the above resolution was adopted.

IN RE: DOMINION VIRGINIA POWER – MS, IRIS HOLIDAY

The County Administrator informed the Board that Mrs. Iris Holiday with Dominion Virginia Power is here to pass on some information about energy choice.

Mrs. Holiday stated over the years I have provided updates to the board on deregulation and customer choice and other matters relating to customer service, reliability and restoration.

In advance of the September 1 customer choice launch in Central Virginia, which includes this county, the State Corporation Commission initiated an extensive consumer education program. Customers in Northern Virginia began January 1. Customers in Eastern Virginia will begin choosing January 1 of 2003.

You may have seen the billboards and heard the ads about customer choice. The SCC also developed A "Consumer Guide to Virginia's Energy Choice." Dominion Virginia Power introduced a new bill format offering "unbundled information" such as the cost of supply, distribution service, state and local consumption taxes, utility tax, competitive transition charge. It provided important data to consumers on their 12-month usage.

While the robust competition is not here now, *now* is only 8 months into a 5-1/2 year transition to full competition. Customers have the opportunity to become savvy with their bills, consumption, put energy efficiency practices into their daily lives, and prep themselves for comparing prices and shopping for suppliers.

The State Corporation Commission plays an important role in consumer protection by reviewing the applications of prospective competitors and licensing those who will supply Virginia customers with electricity.

What is happening as the market develops? Restructuring is already producing big savings for consumers. Dominion Virginia Power customers are enjoying a decade of rate stability because of Virginia's efforts to restructure its

electric industry. The Virginia Electric Utility Restructuring Act caps rates for all incumbent utilities through July 1, 2007. Restructuring has ended old policies that led to frequent rate increases. For the generation component of your electric bill—which accounts for 60% of the total bill—restructuring has ended “cost of service” rate making policies.

Dominion has announced its intention to join PJM Interconnection—the world’s largest competitive wholesale energy market. This brings the Company a significant step closer to satisfying one of the mandates of the 1999 Restructuring Act. The Act requires all transmission-owning utilities to participate in regional transmission organizations. PJM is an established manager of regional transmission operations in the Mid-Atlantic region. Dominion is part of a nationwide movement to form a Regional Transmission Organization. The Federal Regulatory Commission has strongly urged utilities to join these regional organizations. She stated she would continue to update the board on developments in this area. Are there any questions or is there additional information that I can provide?

Mrs. Ralph asked Mrs. Holiday if she was familiar with a website, www.yesvachoice.com. Mrs. Holiday responded that this was the Virginia Energy Choice website developed by the State Corporation Commission. Virginia Energy Choice is the Commonwealth's statewide consumer education program. It provides a wide range of information to consumers.

Mrs. Ralph stated there is also a toll free number for those who don't have internet service and would like to get information can call 1-877-937-2004.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and stated he provided his report for June and July in their packets, but would answer any questions they might have.

IN RE: REQUEST NOT TO ADVERTISE DELINQUENT TAX LIST

Mr. Jones stated this is the time of year again for the Board to decide whether or not to advertise the delinquent tax list in the newspaper. Mr. Jones stated the collection rate is up this year and he recommended that the list not be advertised.

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody Mr. Clay, Mr. Haraway, Mr. Bracey voting “aye”,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia the Treasurer was directed not to advertise the delinquent tax list.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney was not present.

IN RE: SHERIFF’S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward and distributed the Jail report for the month through August 20, 2002. The population was down compared to previous months.

IN RE: SHERIFF - AUTHORIZATION TO ACCEPT GRANT

The County Administrator commented that Sheriff Shands distributed copies of a request to accept a one time special request for a law enforcement grant. An application was submitted for \$4,800 and the funds would be used to purchase a speed board and safety cones. The grant limit amount was \$5,000 and required no local match. Mrs. Ralph asked the Sheriff how the speed board would be utilized.

Sheriff Shands stated it would be placed in various locations in the County especially on Courthouse and Boisseau Road, in the school zone.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia the Sheriff's Department is authorized to accept the grant in the amount of \$4,800 to purchase the speed board, and safety cones.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of July 2002.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward and stated his monthly update for July 2002 was in their packets. A volunteer donated some fiberglass resting pads and a digital camera to the pound. He also reported there were some coyote sightings in the County. They are nuisance animals and can be shot any time.

Mrs. Ralph stated Ms. Mary Ellison is receiving a Guardian Angel award at the 5th Annual Save Our Shelters Banquet in Richmond.

IN RE: LIVESTOCK CLAIM – MRS. TINA WALKER

Mr. Beville stated Ms. Mary Ellison, Animal Control Officer, investigated the claim of Mrs. Tina Walker for a 4 – 5 month old Pigmy/Bush mix Billy goat, which was killed by a Pit/Chow dog. The incident occurred on August 22, 2002 and the dog has been caught. Ms. Ellison recommended payment of \$35 for the claim for Mrs. Walker.

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Moody Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", the payment of \$35 for the livestock claim for Mrs. Walker is approved.

IN RE: LIVESTOCK CLAIM – MR. MEADE HARRISON

The County Administrator commented as requested by the Board she talked with Dr. Scott Greiner on August 20, 2002 concerning the livestock claim of Mr. Meade Harrison. He was familiar with the ewes that Mr. Harrison bought. The issue is what's the value if sold on the market.

We established that the livestock market that Mr. Beville used would not be a market for the breeding stock that Mr. Harrison would use. That market is called a commercial development program sale, which is held in January. Other sales called consignment sales would be held in February, June and October. Mr. Harrison informed me that his sheep were not registered; however, they were an improved stock for breeding purpose.

Dr. Greiner stated that the closest sale to the breed Mr. Harrison has would be the sales in January. The ewe sale in January 2001 brought \$193/head. The ewe sale in January 2002 brought \$168/head.

If we used the most recent sale in January of this year of \$168/head, Dr. Greiner stated he felt the worth at this time would be between \$125 to \$150/head.

Using our proposed policy (described below) and based on this recommendation, we would recommend the payment for 3 ewes of \$150/head for \$450.

For the lambs, Dr. Greiner stated the livestock auction prices closest to the claim would be adequate. Mr. Beville's recommendation is that they are feeder lambs worth \$.75 per pound. For 30 lbs. = \$22.50 per head x 4 = \$90.00 These prices are from the June 21st Rockingham livestock auction.

Total claim \$450 + \$90 = \$540.00

Mr. Harrison stated there were five (5) lambs. Mr. Beville only viewed four (4). For five lambs, the total would be \$112.50.

Total claim \$450 + \$112.50 = \$562.50

The State Code provides for compensation for livestock or poultry killed or injured. Speculation as to future damage to "orphaned" lambs would not be considered to be injured by law.

PROCEDURE FOR LIVESTOCK CLAIM

1. Claimant signs affidavit with claim showing what the livestock is, a full description (backed up by supporting information if special breed), quantity, and proposed value.
2. Animal Control Officer goes out and verifies the claim, listing what he or she is able to verify.
3. If the livestock is of a normal variety, i.e. no special breeding, use the printed stockyard (livestock sales) price for the closest sale to the day of the event.
4. If the livestock is of a special breed or value, the ACO will try to find a like livestock sale. If this is not possible, the ACO will call pre-selected stockyards, describe the animal to the livestock manager, and ask for an estimated value in writing. If not available in writing, document all calls on a pre-printed form listing time, date, contact and price. Virginia Tech will also be included in the calls for value estimates.

The County Administrator stated Mr. Harrison was claiming damages for the "orphaned" lambs and also for 5 feeder lambs.

Mr. Beville stated on May 7, 2002 he investigated the claim of Mr. Harrison for 2 lambs and 1 ewe, which were killed by dogs. The next night May 8, 2 lambs and 2 ewes were also killed. Mr. Beville stated he could only verify the sheep he viewed. He stated he still recommended payment of \$453.00 for the livestock claim to Mr. Meade and according to the other contacts he made, this was more than any other county would pay.

Mr. Moody stated the Board has not adopted the policy yet and he made a motion to pay Mr. Harrison \$168/head for the ewes per the January 2002 sale and \$22.50/head for the lambs for a total of \$594.

Mr. Haraway commented he did not agree with paying this amount. However, entirely too much time had been spent on this claim; so, for the essence of time he would second the motion.

Mr. Bracey stated he had a problem voting for this claim.

Mr. Clay commented he agreed with Mr. Moody these sheep were a breeding stock.

Upon motion of Mr. Moody, seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway voting "Aye", Mr. Bracey voting "Nay", the payment of \$594 for the livestock claim for Mr. Harrison Meade was approved.

IN RE: POLICY FOR PAYMENT OF LIVESTOCK CLAIMS

Mr. Moody made the motion to adopt the policy for payment of future livestock claims. Mr. Haraway seconded the motion.

Mr. Bracey stated he would like for staff to work on the policy some more to add a registered description and bring it back to the September meeting for adoption.

Mr. Moody withdrew his motion; Mr. Haraway withdrew his second.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning came forward and presented his monthly update for July 2002.

**IN RE: TRAVEL REQUEST – 2002 VIRGINIA HOUSING
REHABILITATION WORKSHOP – PLANNING
DEPARTMENT**

Mr. Scheid requested authorization for Cheryl Stewart to attend the annual Virginia Housing Rehabilitation workshop from October 9 –11, 2002 at a cost not to exceed \$815.40. Ms. Stewart has attended these workshops in the past and it is a requirement that the County have representation at the workshop if the County wishes to participate in future housing programs. All costs associated with this workshop are paid from IP/R funds.

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Moody Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", authorization for Cheryl Stewart to attend the annual Virginia Housing Rehabilitation workshop from October 9 –11, 2002 at a cost not to exceed \$815.40 is approved.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his July 2002 monthly report. He informed the Board that 40 GIS - RFP's have been mailed out.

**IN RE: TRAVEL REQUEST – VAZO FALL CONFERENCE -
ZONING ADMINISTRATOR & CODE COMPLIANCE
OFFICER**

Mr. David S. Thompson requested authorization for he and Phillip Harris, Code Compliance Officer, to attend the VAZO Conference September 25 – 27, 2002 at Virginia Beach. He commented since he is the Region 6 Director his hotel room would be paid by VAZO. The estimated cost should not exceed \$658.

Upon motion of Mr. Haraway, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", authorization for David Thompson and Phillip Harris to attend the VAZO Conference September 25 – 27, 2002 at Virginia Beach at a cost not to exceed \$658 is approved.

IN RE: SOCIAL SERVICES – REPORT

Mrs. Peggy McElveen, Director, came forward and stated she had nothing new to report. She thanked the Board members for the two new appointments of Mrs. Diane Galbreath and Mrs. Pauline Bonner to the Social Services Board.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Dr. Leland Wise, Jr., Superintendent of Schools, did not present an update.

IN RE: SCHOOL BOARD REQUEST FOR FUNDS FOR PHASE II OF THE EDUCATIONAL FACILITY AND ATTENDANCE ZONE REVISION STUDY

Dr. Wise stated the Dinwiddie County Public School Division requests the approval of the use of \$79,340 from the 1999B School Construction Bond Funds (Dinwiddie Transferred Proceeds Project Account #70-02-200-7033387), for the purpose of completing Phase II of the "Educational Facility and Attendance Zone Revision Study" by the architectural firm: **BCWH**.

On March 20, 2002, the Dinwiddie County Board of Supervisors approved \$133,210 of bond money for Phase I so that the school system could move forward with the Attendance Zone Revision. The remainder of the proposal would be delayed until the Board of Supervisors and citizens could see the results of the study and how the completion of the remainder of the study would be beneficial. Phase II of this study will include:

\$41,800	Total Facilities Study (electrical, plumbing, HVAC, structural, etc.)
\$19,180	Middle School Capacity Study*
\$13,560	High School Capacity Study
<u>\$ 4,800</u>	Presentations and final Ten Year Building Maintenance Plan
\$79,340	Total

*Due to a change in the Commonwealth of Virginia's Procurement Act (July 1, 2002), and under advisement of the School Board Attorney, this fee for the middle school study may not be deferred beyond the contracted scope and sequence of this study.

Mr. Doug Westmoreland has agreed to include a review of the old Northside Elementary School building in this amount as you informally indicated you would like to have done."

Mr. Haraway commented he and Mr. Moody met with Dr. Wise and some members of the School Board Monday, August 5, 2002 and they agreed on everything, except, whether school personnel could predict future enrollment.

Mr. Moody commented he felt the money spent on this study would be recovered by not having to do emergency repairs to the buildings in the future by doing preventive maintenance.

Mr. Bracey stated he appreciated them taking their time to meet with the School Board.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Dinwiddie County Public School Division to use \$79,340 from the 1999B School Construction Bond Funds (Dinwiddie Transferred Proceeds Project Account #70-02-200-7033387), for the purpose of completing Phase II of the "Educational Facility and Attendance Zone Revision Study" by the architectural firm: **BCWH**.

Dr. Wise introduced Dr. Roger Morris the new Assistant Superintendent of Administration. Dr. Morris stated he was happy to be here and would be moving into the County soon.

IN RE: PARKS AND RECREATION – REPORT

Mrs. Charity Taylor, Director of Parks and Recreation, stated the July monthly report had been provided to the Board. But she would answer any questions they might have.

Mrs. Taylor provided draft copies of the brochure for the activities being offered in the fall at the Recreation Department. She said they would like to get the brochures made up so they could place them in local stores, the Administration Building, the Social Services Department, School Board and send them out when requested. Mr. Bracey commented the brochure looked real classy and to keep up the good work. Mr. Moody asked if it would be in color. Mrs. Taylor stated due to costs, it would be black and white.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward and presented his monthly report for July 2002.

Mr. King reported they moved the dumpsters on Rt. 40 East. The volume of trash is very high in the County but he felt they would be able to stay on top of the situation.

Mr. Moody stated he had received several calls about the Northside site and he felt it would be good to go ahead and send out the letters to the adjoining landowners. The Board members concurred.

Mr. Bracey stated he had received a call about the dumpsters at Rt. 703 and Mr. King would need to start looking for another site. Waste management is a large issue in the County now and he felt budget wise the County Administrator, Waste Management Director and the Board needed to straighten out the issue. We need to work on a plan for the County. The County Administrator commented we are in the process of working on that now.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his July 2002 update. He stated on Friday, July 26, 2002 at 1:50 A.M. Dinwiddie Fire Department was dispatched to a hazmat leak at the north bound rest area. As a result I-85 north bound had to be closed from 6:00 A.M. until 4:00 P.M.; and the incident lasted more than 14 hours and required more than 630 man-hours. He thanked everyone who had a hand in the operation.

Mr. Jolly stated he had a state travel policy for meals and would provide it if anyone would like to have a copy.

**IN RE: TRAVEL AUTHORIZATION REQUEST – PUBLIC SAFETY
– HAZARDOUS MATERIAL CONFERENCE**

Mr. Jolly stated he included a travel authorization request in their Board packets to attend the Hazardous Material Conference at Virginia Beach September 25, 2002 through September 28, 2002 at an estimated cost of \$485.00. The funding source for this conference would be line item 101-035500-5540 of the Public Safety Budget.

Upon motion of Mr. Clay, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bracey 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 Hazardous Material Conference at Virginia Beach, September 25, 2002 through September 28, 2002 at an estimated cost of \$485.00 with funds being appropriated from the Public Safety Budget.

IN RE: COMMUNICATIONS MANAGER - REPORT

Ms. Denise Absher, Communications Manager, came forward and stated she had provided her monthly update for July 2002 in their packages.

**IN RE: E-911 COMMUNICATION SYSTEM CONSULTANT –
CONTRACT AWARD – KIMBALL & ASSOCIATES**

Ms. Absher stated the results of the vendors interviewed for the radio system consultant and bids are listed below:

ATC The Atlantic Group	Phase I	\$12,500
	Phase II & III	No price was given. When asked in the interview process they advised that the price would be 8 to 10 % of the TOTAL cost of the radio.
GEOCOMM:	Phase I	\$ 18,750.00
	Phase II	\$ 12,500.00
	Phase III	<u>\$ 15,500.00</u>
	Total	\$ 46,750.00
RCC:	Phase I	\$ 44,521.00
	Phase II	\$ 26,880.00
	Phase III	<u>\$ 21,840.00</u>
	Total	\$ 93,241.00
Kimball & Associates:	Phase I	\$ 38,800.00
	Phase II	\$ 9,600.00
	Phase III	<u>\$ 33,500.00</u>
	Total	\$ 81,100.00

Phase I: Needs assessment and system recommendations

Phase II: System Procurement assistance

Phase III: Implementation and project management

Staff negotiated with **Kimball and Associates.**

After negotiations, the cost difference is listed below:

Phase I	\$ 52,450.00 + \$ 13,650.00
Phase II	\$ 9,600.00 no change
Phase III	\$ <u>14,875.00</u> - \$ 18,625.00
Total	\$ 76,925.00

This is a total difference of \$4,175.00.

Ms. Absher pointed out that ATC and GeoComm were considered non-responsive. During the negotiations, the scope of services for Phase I were expanded and reduced for Phase III. She stated the panel recommended awarding the contract for the complete Public Safety Communications System to Kimball and Associates at a cost not to exceed \$76,925.00,

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Administration to enter into a contract with Kimball & Associates for the consultant services for a complete communications system for the County's E-911 Communications Center for a price not to exceed \$76,925.00.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Benjamin Emerson, County Attorney, commented he had nothing to report.

IN RE: VDOT – REPORT

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

1. The state has a travel policy handbook and he would provide a copy to the County.
2. Baugh Road (Rt. 666) from Malones Road to Shady Lane was closed due to a pipeline failure. Funding will come from the maintenance reserve fund and will not impact County funds.
3. Met with Mrs. Ralph and Donald Faison regarding some maintenance work needed in front of the Administration Building and he will provide an estimate for the resurfacing work.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and gave his monthly update for July 2002.

IN RE: REQUEST TO SOLICIT BIDS TO REPLACE WATER PIPE LINES – HISTORIC COURTHOUSE

Mr. Faison stated a waterline going into the Historic Courthouse broke yesterday and had to be replaced. The line is an old 2" galvanized pipe, which is extremely thin and brittle. The road will have to be closed because the pipeline runs under the pavement. He commented he would like to try to get the work done after the rededication on September 14th. He asked the Board for authorization to solicit bids to replace the waterline before any further damage is done. He commented he would also check into installing separate cut-off valves for the Library and the Courthouse in case there are any problems in the future.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Buildings and Grounds Superintendent is authorized to proceed with soliciting bids for the cost of replacing the water line into the Old Courthouse.

IN RE: APPOINTMENT- MRS. LILLIAN STEWART - DINWIDDIE COUNTY PLANNING COMMISSION

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Ms. Lillian Stewart, is hereby reappointed to the Dinwiddie County Planning Commission, as the member at large, retroactive to December 31, 2001, for a four-year term expiring January 31, 2005.

IN RE: RESOLUTION - DROUGHT OF 2002

The County Administrator stated Mr. Michael Parrish, Extension Agent, sent the following letter in regard to the Drought and requested a resolution be sent to the Governor of Virginia for the declaration of an agricultural disaster in Dinwiddie County. Mrs. Ralph informed the Board the crop has to be at least a 30% loss to be considered in the damage.

"The growing season this year has been a very challenging one from the start. We had excess water following by extra dry conditions for over four weeks during planting of our major cash crops. This dry situation delayed planting and also caused poor plant populations in cotton, soybeans, and tobacco. Many acres had to be replanted to get acceptable stands. Once planted, the extremely dry conditions started which affected the majority of our crops, especially tobacco. Many growers had to start irrigation three weeks earlier than expected. In addition to dry weather, tobacco experience blue mold early and then tomato spotted wilt virus. The TSWV infestation was high in most of the county; some growers lost up to 25 percent of their plant stand to this disease. Our moisture deficiency is well over 12 inches for the last two years. This has caused a water shortage for watering/irrigation purposes for crops and livestock.

A large percentage of surface water reservoirs were already low or empty well before the 2002-growing season started.

With sufficient rain from now until harvest, the peanut crop has the potential to make one-third of a normal crop. Cotton in many areas has the potential to make one-half the yield of a normal crop. Corn has suffered the most—we expect at least 70 percent loss in both grain and silage. Our tobacco crop has also suffered even with irrigation efforts. Growers are struggling with curing the moisture-stressed leaf. In regards to soybeans, it is estimated that we could see a 60 to 70 percent loss in full season beans and 50 percent or more in double-cropped beans. Cotton, peanuts, and soybeans are under siege from three species of worms—this feeding will add to our losses even if we get rain.

In closing, we have passed the point of no return. It is my request that the county submit a request to the Governor of Virginia for the declaration of an agricultural disaster in Dinwiddie County.

Enclosed is an estimate of potential heat and drought losses to Dinwiddie County farmers for various commodities in 2002. In addition to drought conditions, insect pressure has become more critical to crop loss due to the dry weather.

All commodities are not included in the final total because it is still too early to determine commercial fruit and vegetable losses.

These estimates were derived from FSA records and the consensus of the Food and Agriculture Committee members from NRCS, FSA, RD, and VCE.”

**Estimated Potential Losses for Various Commodities
to Dinwiddie County Farmers 2002**

Commodity	Acres	Normal Yield lb./but.	2002 County Expected Yield	Est. 2002 % Loss	2002 Yield Loss	\$ Value bu./lbs.	\$ Loss
Flue	900	3,000	2,700,000	35	945,000	\$1.80	\$1,701,000
Fire Tobacco	80	1,700	136,000	27	36,770	1.64	60,221
Peanuts	2,000	2,800	5,600,000	70	392,000	.18	705,600
Cotton	3,000	650	1,950,000	45	877,500	.50	438,750
Soybeans	12,000	29	348,000	65	226,200	6.00	1,357,200
Corn	2,000	80	160,000	80	128,000	2.50	320,000
Sorghum	60	65	3,900	60	2,340	1.98	4,633
Alfalfa	1,500	6,000	9,000,000	60	5,400,000	.05	270,000
Other Hays	8,000	3,000	24,000,000	65	1,569,000	.03	468,000
Pasture	5,000	2,500	12,500,000	60	7,500,000	.03	225,000
Vegetables	240			50			80,000
Total Loss							\$5,630,404

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

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following resolution be formally drafted and filed with the Governor of Virginia:

WHEREAS, the drought conditions in Dinwiddie County have severely affected the farmers; and

WHEREAS, total losses from drought conditions in Dinwiddie County are approaching the \$5,630,404 level; and

WHEREAS, it is incumbent upon the Board of Supervisors to request the Governor to declare the County a drought disaster area.

NOW THEREFORE BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is hereby instructed to file with the Governor of Virginia a request that the County of Dinwiddie be designated a drought disaster area.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Sheltering Arms Hospital update – I talked to Mr. Eric Boden of the Division of Public Need. These requests are considered on a

Planning District basis and Chesterfield is in P.D. 15. He told me that the request had not gone to our regional health group but would probably do so in October. He also stated that if we did not provide a letter of support it would not prevent them from getting approval. My recommendation is to wait until we hear from our representative, Mrs. Mildred Spiers before considering any action.

2. Our old Courthouse Re-dedication and 250th Anniversary Celebration is scheduled for September 14, 2002 at 5:30 P.M.
3. Meeting Dates – There are several significant issues that the Board needs to review and discuss which will take time other than Board meetings. These are: 1) Revenue Recovery 2) Amendments to Special Entertainment Permits 3) Goals and objectives for County 4) Industrial Development Plan for the County – I would like to schedule these as soon after September 14, 2002 as possible so we can somewhat clear our agendas before budget time. Please review your calendars for possible dates and advise Staff as to when you will not be available.

IN RE: BOARD MEMBER COMMENTS

There were no Board member comments.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. An Economic Impact Analysis of Fort Lee – prepared by VEC
2. Virginia's Gateway Region Board of Directors Agenda
3. The Appomattox Basin Industrial Development Corporation - Report
4. VDOT road closure notice – Baugh Road from Malones Road to Shady Lane
5. The Appomattox Regional Library System – Report

IN RE: CLOSED SESSION

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

**Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia – Assistant County Administrator; Public Safety; Receptionist
Legal §2.2-3711 A. 7 of the Code of Virginia – Contract Negotiations
Industry - §2.2-3711 A. 5 of the Code of Virginia**

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 4:14 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel - Assistant County Administrator position; Public Safety; Receptionist; §2.2-3711 A. 7, Legal – Contract Negotiations; Industry - §2.2-3711 A. 5 of the Code of Virginia

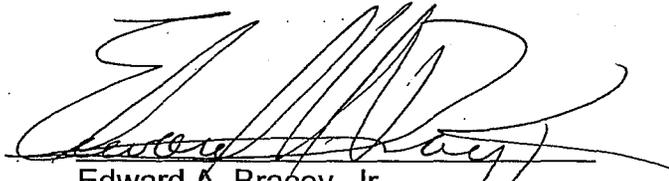
And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bracey, voting "Aye", the meeting adjourned at 4:58 P.M.



Edward A. Bracey, Jr.
Chairman



Wendy Weber Ralph
County Administrator

/abr

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 4TH DAY OF SEPTEMBER, 2002, AT 1:00 P.M.

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

OTHER: JACK CATLETT COUNTY ATTORNEY

IN RE: INVOCATION – PLEDGE OF ALLEGIANCE – AND CALL TO ORDER – MOMENT OF SILENCE IN REMEMBRANCE OF 9-11

Mr. Edward A. Bracey, Jr., called the regular meeting to order at 1:07 P.M. followed by the Lord's Prayer and the Pledge of Allegiance. Mr. Bracey called for a moment of silence in remembrance of 9-11. The County Administrator commented that there are several services being held for 9-11 also; two in Dinwiddie that she knew of are Smyrna Baptist and West End Baptist.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Weber Ralph, County Administrator, stated there is a need under Closed Session for Personnel add - Community Service Worker; Public Safety; and Acquisition of Property - §2.2-3711 A. 3 of the Code of Virginia

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the August 21, 2002 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey, 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 1031927 through 1032136 (void check(s) numbered 1031866, 1031926, 1032010, 1031652 and 1032117) for:

**Accounts Payable:
FY 02-03**

(101) General Fund	\$ 204,686.79
(103) Jail Commission	\$ 34.12
(104) Marketing Fund	\$.00
(209) Litter Control	\$ 110.00
(222) E911 Fund	\$ 377.84

(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$ 1,666.85
(229) Forfeited Asset Sharing	\$ 417.81
(304) CDBG Grant Fund	\$.00
(305) Capital Projects Fund	\$ 41,040.55
(401) County Debt Service	\$ <u>1,328.75</u>

TOTAL \$ 249,662.71

PAYROLL 08/30/02

(101) General Fund	\$ 420,190.91
(222) E911 Fund	\$ 3,420.91
(304) CDBG Fund	\$ <u>3,373.95</u>

TOTAL \$ 426,985.77

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting. No one signed up or came forward to address the Board.

**IN RE: RESOLUTION DECLARING CONSTITUTION WEEK -
SEPTEMBER 17- 23, 2002**

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

Resolution

Whereas, the Board of Supervisors of Dinwiddie County, Virginia Proclaims September 17 - 23, 2002 **Constitution Week**, and;

Whereas, the citizens of the County are urged to join with communities across this nation to learn more about the Constitution and to fly the flag of the United States of America all week;

Therefore be it resolved, that the Board of Supervisors of Dinwiddie County, Virginia encourages the schools, churches and public buildings to join in ringing the bells at 4:00 P.M. Eastern time on September 17th so that we may hear the sound of freedom ring simultaneously from coast to coast.

IN RE: RESOLUTION DECLARING "PATRIOT DAY"

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

Resolution Declaring "Patriot Day"

Whereas, on September 11, 2001, America was suddenly and brutally attacked by terrorists, and;

Whereas, thousands of innocent Americans were killed and injured as a result of these attacks, including the passengers and crew of the four aircraft,

workers in the World Trade Center and in the Pentagon, rescue workers, and bystanders, and;

Whereas, these cowardly acts which targeted symbols of American strength and success, clearly were intended to intimidate the nation and weaken our resolve, and;

Whereas, these horrific events affected all Americans. With courage, America carried on with the regular activities of our lives. Terrorism was not allowed to break the spirit of the American people.

Therefore be it resolved, that the Board of Supervisors of Dinwiddie County, Virginia Declares September 11, 2002 **Patriot Day** in honor of the individuals who lost their lives as a result of the terrorist attacks against the United States that occurred on September 11, 2001.

Be it further resolved, that the Board of Supervisors of Dinwiddie County, Virginia display the flag of the United States at half staff on Patriot Day in honor of the individuals who lost their lives as a result of the terrorist attacks.

Be it still further resolved, that the Board of Supervisors of Dinwiddie County, Virginia recommends to its citizens to observe a moment of silence on Patriot Day in honor of the individuals who lost their lives as a result of the terrorist attacks against the United States that occurred on September 11, 2001."

IN RE: RESOLUTION DECLARING OCTOBER SEXUAL ASSAULT/DOMESTIC VIOLENCE AWARENESS MONTH

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

**RESOLUTION DECLARING OCTOBER SEXUAL ASSAULT/DOMESTIC VIOLENCE AWARENESS MONTH
IN THE COUNTY OF DINWIDDIE, VIRGINIA**

WHEREAS, sexual assault and domestic violence affects every person of Dinwiddie, Virginia as a victim or as a family member, significant other, neighbor or co-worker of a victim; and

WHEREAS, many citizens of Dinwiddie, Virginia are working to provide quality services and assistance to sexual assault and domestic violence survivors; and dedicated volunteers help staff the 24-hour crisis line at The James House and other family violence centers, respond to emergency calls and offer support, comfort, and advocacy during medical exams, criminal proceedings, and throughout the healing process; and

WHEREAS, Dinwiddie, Virginia volunteers of The James House and other family violence programs are promoting education by offering training to schools, churches, and civic organizations, as well as medical, mental health, law enforcement, education, and criminal justice personnel regarding issues of sexual assault and domestic violence; and

WHEREAS, it is vitally important that continued educational efforts to provide information about prevention and services for sexual assault and domestic violence be supported and enhanced; and

WHEREAS, it is critical to intensify public awareness of sexual assault and domestic violence, to educate people about the need for citizen involvement in

efforts to reduce sexual and family violence, to increase support for agencies such as The James House, who provide cost-free services, and to increase the awareness of the healing power of creative expression; and

WHEREAS, The James House and other family violence centers requests public support and assistance as they continue to work toward a society where all women, children and men can live in peace, free from violence and exploitation;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, does hereby proclaim the month of October as

SEXUAL ASSAULT/DOMESTIC VIOLENCE AWARENESS MONTH
in Dinwiddie County, Virginia, and commends this observance to all citizens.

**IN RE: ADOPTION OF PROCEDURE FOR LIVESTOCK AND
POULTRY CLAIMS**

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the following Policy is adopted.

PROCEDURE FOR LIVESTOCK AND POULTRY CLAIMS

1. Claimant signs affidavit with claim showing what the livestock is, a full description (backed up by supporting information if special breed), quantity, and proposed value.
2. The supporting information for a special breed is an invoice or sales slip. The supporting information for a registered breed is the registration documentation in addition to the invoice or sales slip.
3. Animal Control Officer goes out and verifies the claim, listing what he or she is able to verify.
4. If the livestock is of a normal variety, i.e. no special breeding, use the printed stockyard (livestock sales) price for the closest sale to the day of the event.
5. If the livestock is of a special breed or value, the ACO will try to find a like livestock sale. If this is not possible, the ACO will call pre-selected stockyards, describe the animal to the livestock manager, and ask for an estimated value in writing. If not available in writing, document all calls on a pre-printed form listing time, date, contact and price. Virginia Tech will also be included in the calls for value estimates.
6. For a special or registered breed, the value will be the value established at the sale closest to the date of the livestock claim.

**IN RE: REPAIR OF FORD VOLUNTEER FIRE DEPARTMENT
1995 TANKER BRAKES**

Mr. David Jolly, Public Safety Director, stated the 1995 Pierce Tanker from Ford Fire Department has had reoccurring brake problems since September 1998. It was taken to Wheel Service last Monday, August 19, for the rear brakes locking up. When they took the drums off the unit, they found both the front and rear shoes and drums had severe heat cracks, which we believe came from the brakes overheating. Because this was the third or fourth time in the last 3 years that this problem had occurred, I contacted Singer Fire Equipment, the Pierce dealer in this area and explained our concern. They in turn contacted the Pierce plant for guidance on how to prevent the problem from continuing. After looking at the specifications of the unit and the current brake drums and shoes, it has been determined that we have replaced the original

equipment parts with aftermarket parts, and the first recommendation has been to repair the truck with the original parts. These parts will be in the neighborhood of \$3,500 before labor. The second item that Pierce has suggested is to install a brake retarder on the unit. They indicated during the original design of the unit that the specifications were for a larger motor and brake retarder that was cut during the design of the unit in an effort to save money. Currently, we don't have a firm price on the retarder, but we believe that it's going to be in the neighborhood of \$4,000 and the truck will have to go to Northern Virginia to have it installed.

In an effort to repair the truck and get it back into service, I have asked for the parts to be ordered and for Wheel Service to repair the unit. The cost for the parts is \$2,800 plus the labor charges. I believe that this repair falls outside the routine maintenance items; therefore, this repair would need to be funded from the capital line item 101-032200-3310. We will monitor the performance of the unit, and if the brake retarder is needed we will look at the alternative of installing a brake retarder to eliminate future brake problems. He requested that the Board authorize the funding for the repairs to be from the capital line item.

There was a lengthy discussion about putting the brake retarder on the unit to make sure the brakes would not need to be replaced again and Mr. Jolly was instructed by the Board to please stay on top of this issue.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above stated repairs to the front and rear shoes and drums for Ford VFD, Tanker are approved and funds appropriated for same from the Volunteer Fire Departments Capital Improvements Fund.

IN RE: AUTHORIZATION TO ADVERTISE FOR BIDS - FORD VFD RESPONDER UNIT

The County Administrator informed the Board that in the CIP they approved a Responder Unit for the Ford VFD. However, we were instructed to bring all items back to the Board before moving forward. So, before we advertise it Sunday, Administration would like the Board's approval.

The Board members, Mr. Jolly and the County Administrator discussed the functions of the unit, how and where it would be utilized, why the unit is needed, and if any additional equipment would have to be purchased for the unit.

Mr. Haraway stated he certainly hoped the specifications for the unit would be open enough to allow competitive bidding on the unit. Mr. Jolly replied there would be a mandatory pre-bid meeting for all bidders.

Mr. Bracey stated going out for bids does not in any way indicate that the County is committing to purchasing this Responder unit. The County Administrator replied that is correct.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administration is authorized to advertise for bids for the Ford Volunteer Fire Department First Responder Unit.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator stated that bids for new conference chairs had been presented at an earlier meeting. Upon further

research, Quill was still the low bid. Therefore, 26 chairs have been ordered and should be delivered within 3 weeks.

**IN RE: MAINTENANCE CONTRACT FOR TYPEWRITERS –
DOMINION BUSINESS MACHINES**

The County Administrator stated P&R has gone out of business and can no longer provide maintenance for the old typewriters we have. We have solicited bids and request authorization to enter into a contract with Dominion Business Machines.

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", Administration is authorized to enter into a contract with Dominion Business Machines to provide maintenance on the County typewriters.

**IN RE: 250TH CELEBRATION & RE-DEDICATION EVENT –
SPECIAL ENTERTAINMENT PERMIT**

The County Administrator informed the Board that we need a Special Entertainment Permit for our Rededication and 250th Celebration scheduled for September 14, 2002.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Special Entertainment Permit request for the County's Rededication and 250th Celebration scheduled for September 14, 2002 was approved.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman He commented that he wanted to make it perfectly clear that the reason the meeting was moved up to 1:00 P.M. today was because Mr. Moody's district has a Ruritan function and its important for him to attend.

Mr. Moody He responded, at the beginning of the year we all discussed that there are events in the County on Wednesday's that are good times for the Board members to visit with our constituents. He stated he did agree this would be a good event for that. Mr. Bowman interrupted, kiss all the babies, shake all the hands... Mr. Moody said .. and listen to all their concerns; Mr. Bowman commented, right.

Mr. Haraway He stated he supported Mr. Moody in that endeavor. Mr. Bowman commented he did too; he was just trying to give him a hard time; but he hoped it did not create a hardship on anyone today.

**IN RE: BRUNSWICK COUNTY'S REQUEST FOR LETTER OF
SUPPORT TO KEEP PRISON OPEN**

Mr. Moody stated he received a phone call from Brunswick County regarding the closure of the Correctional Center. Brunswick County requested a letter of support due to the severe and detrimental economic impact it would have on the County, the Town of Lawrenceville and Southside Virginia. The County Administrator stated because of the County's overcrowding issue in its own jail, the closure of the Brunswick and Southampton prisons would have a detrimental effect on the County. She replied she would write the letter if the Board would authorize her to, on their behalf.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to write a letter to Governor Warner in opposition to the closure of the Brunswick Correctional Center on behalf of the Board.

IN RE: BOARD MEMBER COMMENTS CONT'

Mr. Moody He asked the County Administrator if she had received the specifics of the billion and half shortfall in the state's budget. Mrs. Ralph commented not yet; but she was sure it would be forthcoming.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from Governor Mark Warner regarding the federal drought disaster designation for the county.
2. Invitation to attend the 1st Virginia Rural Development Summit.
3. Article from Anderson & Ampersand Associates, Inc., about using GIS for orderly growth in Washington County, Virginia.
4. Newspaper article about Dinwiddie's schools for the future.
5. Newspaper article – Colonial Heights ambulance sign-up deadline.

IN RE: CLOSED SESSION

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

Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia - Assistant County Administrator, Treasurer, Community Service Worker; and Public Safety;
Acquisition of Property - §2.2-3711 A. 3 of the Code of Virginia
Legal - §2.2-3711 A. 7 of the Code of Virginia – Contract Negotiations

Mr. Bowman seconded the motion. Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 2:01 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 3:32 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel - Assistant County Administrator, Treasurer; Community Service Worker and Public Safety; § 2.2-3711 A.7 Legal – Contract Negotiations; § 2.2-3711 A.3 Acquisition of Property;

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

**IN RE: AUTHORIZATION TO NEGOTIATE CONTRACT -
TOWNES & ASSOCIATES**

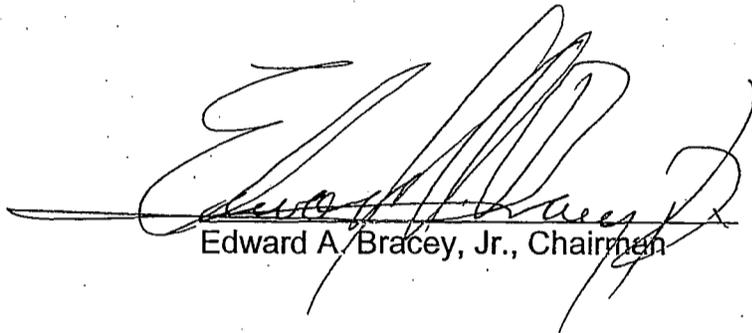
The County Administrator requested authorization to enter into a contract with Charles Townes and Associates for engineering services to perform the industrial site analysis with the funds from the Tobacco Commission.

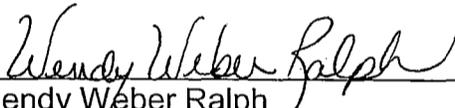
Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administration is authorized to negotiate a contract with Charles Townes and Associates for engineering services to perform the industrial site analysis.

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 3:34 P.M.


Edward A. Bracey, Jr., Chairman

ATTEST: 
Wendy Weber Ralph
County Administrator

/abr

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 SEPTEMBER, 2002, AT 2:00 P.M.

PRESENT: EDWARD A. BRACEY, JR., CHAIRMAN ELECTION DISTRICT #4
ROBERT L. BOWMAN, IV, VICE-CHAIR ELECTION DISTRICT #3
(Arrived 2:24)
HARRISON A. MOODY ELECTION DISTRICT #1
(Arrived 2:08 P.M. - Left at 4:25 P.M.)
DONALD L. HARAWAY ELECTION DISTRICT #2
AUBREY S. CLAY, ELECTION DISTRICT #5

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., 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

1. Mrs. Wendy Weber Ralph, County Administrator, stated there is a need to add under Closed Session: Personnel – Buildings & Grounds; School Personnel and under Legal remove – Contract Negotiations and add Potential Litigation

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the September 4, 2002 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bracey, 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 1032138 through 1032298 (void check(s) numbered 1032137 through 1032141, and 1032294) for:

Accounts Payable FY 2002- 2003:

(101) General Fund	\$ 192,166.92
(103) Jail Commission	\$ 20.99
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 1,826.93
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$.00



(229) Forfeited Asset Sharing	\$.00
(304) CDBG Grant Fund	\$	127.94
(305) Capital Projects Fund	\$	11,306.49
(401) County Debt Service	\$	<u>81,443.27</u>
TOTAL	\$	286,892.54

IN RE: CITIZEN COMMENTS

The following citizen(s) appeared before the Board in opposition to the removal of dumpsters located near Whippernock Marina.

1. Philip Hanley – 835 Even Keel Lane, Church Road, VA, presented a petition to the Chairman with 147 signatures. Their concerns were:
 - a. Residents will have to drive more than 10 extra miles to dispose of their trash.
 - b. The current operational hours of the Rt. 460 Transfer Station are too limited and restricted to only Dinwiddie residents.
 - c. The Whippernock site is utilized by patrons of the only two campgrounds on Lake Chesdin.
 - d. Littering along Sutherland Road (Rt. 623), Namozine Road (Rt. 708) and River Road (Rt. 601) will increase if and when the dumpsters are removed.
2. Ron Andrews – 16207 Cox Road, Church Road, VA
3. Barbara Williams – 3209 Sutherland Road, Sutherland, VA
4. Reverend Gracie Scott – 2721 Exter Mill Road, Sutherland, VA
5. Mary Davis – 1924 Sutherland Road, Sutherland, VA
6. Jo Ann Beck – Church Road, VA

IN RE: VDOT – REPORT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, was not present.

IN RE: AUTHORIZATION TO PAVE ENTRANCES & ROAD BY THE SOCIAL SERVICES BUILDING

The County Administrator presented the following proposal from VDOT to pave the entrances and road by the Social Services building. It also includes the parking area that fronts the building.

“The following estimated cost is for VDOT to pave the entrances and road by the Social Services building. It also includes the parking area that fronts the building.

Asphalt Pavement SM 12,5 136 tons @ 32.10/ton	\$4,365.60
VDOT Inspection	250.00
Contingencies 10%	436.56
Total Estimated Cost	\$5,052.16

The price for asphalt is based on the bid price in the contract. VDOT uses a price adjustment system that is based on the commodity price for asphalt binder. Therefore, the actual price VDOT pays per ton will vary over the life of the contract. Currently the adjustment is approximately +\$3.00/ton. The 10% contingency should be sufficient to cover this uncertainty. VDOT’s goal in the preparation of this estimate was to make it somewhat conservative.

In order for VDOT to perform this work, we need to get a letter from the County indicating that VDOT can bill Dinwiddie County for this work on an accounts receivable basis. The contractor has indicated that he can perform this work in September if we commit to it soon.

Included in the estimate is a \$250 inspection fee by VDOT. We do recommend that Dinwiddie County have a representative present while the work is being performed to answer any questions while the work progresses. The paving should take one day.

Timmy Overton
Project Engineer"

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administration is authorized to enter into a contract with VDOT to pave the entrances and road by the Social Services building at an estimated cost of \$5,052.16.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, came forward stating he would like to thank everyone for the help and support given to him and his staff last month during their crisis. The damaged items have been ordered and there was minimal damage done to the building due to the excellent response of the maintenance department, fire department and support staff. Continuing he stated he had nothing new to report but would be happy to answer any questions.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and presented his report for the month of August 2002.

IN RE: AUTHORIZATION TO ADVERTISE - ORDINANCE TO IMPOSE A FEE TO COVER ADMINISTRATIVE COSTS TO COLLECT DELINQUENT TAXES

Mr. William E. Jones requested authorization to advertise for an ordinance to impose a fee to cover the administrative costs associated with the collection of delinquent taxes and other charges, including reasonable attorney's fees and collection agency fees. It was pointed out that the amendment had been drafted by the County Attorney and was enclosed in the Board's packet.

The Ordinance reads as follows:

AN ORDINANCE AMENDING THE CODE OF DINWIDDIE COUNTY TO IMPOSE A FEE TO COVER THE ADMINISTRATIVE COSTS AND REASONABLE ATTORNEY'S OR COLLECTION AGENCY'S FEES UPON EACH PERSON CHARGEABLE WITH DELINQUENT TAXES OR OTHER CHARGES.

WHEREAS, §58.1-3958 of the Code of Virginia authorizes the Board of Supervisors to impose a fee to cover administrative costs associated with the collection of delinquent taxes and other charges, including reasonable attorney's fees and collection agency fees;

AND WHEREAS, the Board of Supervisors believes that the recovery of the costs so incurred is in the best interests of all taxpayers of the County.

BE IT ORDAINED, by the Board of Supervisors under the authority granted to it under §58.1-3958 of the *Code of Virginia* as follows:

If a person fails to timely pay taxes due the county, such person shall be subject to and liable for administrative costs of \$20.00 for taxes collected by the county subsequent to the filing of a warrant or other appropriate legal document but prior to judgment, and such person shall be subject to and liable for administrative costs of \$25.00 for taxes collected by the county subsequent to judgment. The administrative costs imposed by this section shall be in addition to all applicable penalties and interest. Such person shall also be liable for reasonable attorney's or collection agency's fees equal to 20 percent of the taxes or other charges so collected.

If the collection activity is to collect on a nuisance abatement lien, the fee for administrative costs shall be \$150.00 or 25 percent of the costs, whichever is less; however, in no event shall the fee be less than \$25.00.

No tax assessment or tax bill shall be deemed delinquent and subject to the collection procedures prescribed herein during the pendency of any administrative appeal under § 58.1-3980 [Code of Virginia], so long as the appeal is filed within 90 days of the date of the assessment, and for thirty days after the date of the final determination of the appeal, provided that nothing in this paragraph shall be construed to preclude the assessment or refund, following the final determination of such appeal, of such interest as otherwise may be provided by general law as to that portion of a tax bill which has remained unpaid or was overpaid during the pendency of such appeal and is determined in such appeal to be properly due and owing.

This Ordinance becomes effective upon adoption thereof.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Treasurer to advertise for a Public Hearing to amend the Code of the County of Dinwiddie, Virginia to impose a fee to cover the administrative costs associated with the collection of delinquent taxes and other charges, including reasonable attorney's fees and collection agency fees.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward and presented his jail report for the month of August 2002.

IN RE: AUTHORIZATION TO ERECT SHERIFF'S OFFICE SIGN

Sheriff Samuel Shands requested authorization to place a directional sign at the intersections of Route 1 and Courthouse Road to show location of the Sheriff's Office. A picture of the proposed sign was presented to the Board.

After a lengthy discussion Mr. Bracey requested that the County Administrator look into uniform directional signs for all of the Government buildings.

IN RE: AUTHORIZATION TO ACCEPT AND TO ADVERTISE FOR PUBLIC HEARING A LOCAL LAW ENFORCEMENT BLOCK GRANT FOR SHERIFF'S DEPARTMENT

Mrs. Wendy Ralph, County Administrator, commented the Sheriff is requesting authorization to accept grant funding in the amount of \$10,167 for a Local Law Enforcement Block Grant. The local match is \$1,130, which will have to come from the Sheriff's budget. The requirements of the grant call for a committee to be appointed which the Sheriff has provided and a public hearing, to be scheduled. Investigator Mitchell Harris explained that the request is to fund a new computer network server. He also read the committee members as follows:

Sheriff's Office – Mitchell Harris
Commonwealth's Attorney's Office – T. O. Rainey, III
Court system – Lisa Christopher
School System – Linda Ampy
Community Group – Ann Scarborough

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to accept and to advertise for a Public Hearing to meet the requirements of the Local Law Enforcement Block Grant regarding the proposed use of funds prior to the receipt and obligation of the funds; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the committee be appointed as presented.

**IN RE: AUTHORIZATION TO ENTER INTO AGREEMENT WITH
SOUTHSIDE REGIONAL JAIL**

The County Administrator stated we are finalizing the contract with Southside Regional Jail for housing a minimum of 15 prisoners (five of which are guaranteed to be spaces for females) at \$22.50/prisoner. The Regional Jail Authority has authorized the Superintendent of the Jail to sign the agreement with us. Mrs. Ralph requested authorization to enter into this agreement for one year, renewable from year to year.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator and the Sheriff to sign the contract with Southside Regional Jail for housing a minimum of 15 prisoners (five of which are guaranteed to be spaces for females) at \$22.50/prisoner, for one year, renewable from year to year.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of August 2002.

IN RE: ANIMAL WARDEN – REPORT

Mrs. Mary Ellison, Animal Control Officer, came forward and presented her monthly update for August 2002.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came forward and presented his monthly update for August 2002 for the planning department.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his August 2002 monthly report. He also informed the Board that the invitation for bids for the GIS were replaced with a request for proposals due to issues arising from the bid process by vendors at deriving a final cost. We expect to send out the RFP's within the next 4 to 6 weeks.

IN RE: CODE COMPLIANCE OFFICER

Mr. Phillip E. Harris, Code Compliance Officer, came forward and presented his August 2002 monthly report.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen, Director, Social Services Department, was not present.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, came forward and presented his August 2002 monthly report. He thanked all the newspapers for their coverage of the Re-dedication of the Courthouse. He commented the Monitor did a separate insert and it was very nicely done; he extended a special thanks to them for that article.

Mr. Smith informed the Board that 300 children are signed up for soccer for the fall. We are experiencing parking problems now and in the near future something is going to have to be done to alleviate it.

Mr. Moody commented he had received phone calls from concerned citizens about providing softball and football fields. He asked that these be included in the CIP budget process this year for the recreation department.

Mr. Bowman stated the Re-dedication of the Courthouse was one of the nicest events he has attended in the County.

Mr. Bracey thanked everyone who had a part in the event and it was a well organized event.

The County Administrator complimented Mr. Smith, Mr. Faison, and Staff who helped with the Re-dedication; everyone did a great job.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward and presented his report for August 2002.

The County Administrator stated in response to the concerns of the citizens, we are expecting a proposal from Draper Aden to perform a countywide survey to determine the best locations for manned sites.

Mr. Haraway interjected he had received several calls from residents who are in opposition to closing the dumpsters near Whippernock; but he stated he has also gotten a lot of compliments, about the staff, especially from the ladies who use the Rohoic site. They are so appreciative of the help they receive with the removal of their trash.

Mr. Moody asked if the proposal from Draper Aden would be objective. Mr. Bowman asked if there were other firms who could provide the study. The County Administrator commented she felt the company was familiar with the County and its needs and that is the reason we chose them. The proposal will give us an idea of what the cost will be.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, was not present but provided his report in the packets.

IN RE: COMMUNICATIONS SUPERVISOR – REPORT

Ms. Denise Absher, Communications Supervisor, came forward to present an update for August 2002. She reported that the Virginia State Wireless Board approved the funding request in the amount of \$147,197.00. The first payout should be issued on or before October 1, 2002 for approximately \$73,599.00.

Mr. Bowman commented he had to call 911 Monday and he wanted to personally compliment the EMS for their high degree of professionalism. The response time was excellent and they did a wonderful job. He said his wife was at home and doing well.

IN RE: COMMUNICATIONS SUPERVISOR TRAVEL REQUEST – ASSOCIATION OF PUBLIC SAFETY COMMUNICATIONS OFFICIAL FALL CONFERENCE

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", authorization was granted to the Communications Supervisor to attend the APCO Virginia Fall Conference to be held October 1 - 4, 2002 in Roanoke, Virginia, at an estimated cost of \$322.

IN RE: COUNTY ATTORNEY – REPORT

Mrs. Phyllis Katz, County Attorney, stated she had nothing to report.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and stated he provided his monthly update for August 2002 in the Board packages.

IN RE: NORTHSIDE ROOF – BID TO REPAIR NORTH WING & CAFETERIA

Mr. Donald Faison stated he received the bid for the roof at Northside from Wall Sheet Metal, which includes: removal of loose gravel, install mechanically fastened reclaim board and base sheet, install torched down Modified Bitumen roofing system, approximately 40 squares and 20 squares in another area, remove bent stack and cover opening, repair areas around six roof drains. Mr. Wall feels this should secure the roof and prevent any further leaking. Mr. Faison stated the bid is \$14,000 and he requested authorization to proceed with the work.

There was a lengthy discussion between the Board members, the County Administrator and Mr. Faison regarding the report from the School Board's consultants to determine whether Northside could be renovated and used for an elementary school. It was the consensus of the Board to hold off on spending the \$14,000 until the school report has been completed.

Mr. Bowman requested that Mr. Faison provide him with a cost per square foot for the renovation of the Eastside Community Enhancement Center for comparison, since it has the same floor plan as Northside.

IN RE: AUTHORIZATION TO BID GENERATORS FOR SHERIFF'S OFFICE/JAIL AND OLD HICKORY FIRE DEPARTMENT

Mr. Donald Faison reported that the engineering design for the generators for the Sheriff's Office/Jail and Old Hickory Fire Station is about 95% complete. The engineer discovered that it would be cheaper, because of the separate power supply for the Sheriff's Office and Jail to purchase two generators instead of one. He commented \$40,000 was set-aside in the CIP for the three generators. He requested authorization to advertise for bids for the generators.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Buildings and Grounds Superintendent was authorized to advertise for bids for the three generators for the Sheriff's Office/Jail and the Old Hickory Fire Department.

**IN RE: APPOINTMENT – MR. EDWARD A. BRACEY, JR., -
LEGAL AID JUSTICE CENTER ADVISORY BOARD**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Edward A. Bracey, Jr., is appointed to serve on the Advisory Board for the Legal Aid Justice Center.

IN RE: APPOINTMENTS – VIRGINIA'S GATEWAY REGION

Ms. Alma Russell, Administrative Assistant, stated we have two appointments for Virginia's Gateway Region Board, which are due by September 30, 2002. Mr. Milton Hargrave, Jr., and Mr. Donald L. Haraway have been serving on this Board and are seeking re-appointment.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Milton I. Hargrave, Jr., and Mr. Donald L. Haraway be reappointed to the Virginia's Gateway Region Board for a term ending September 30, 2003.

**IN RE: APPOINTMENT OF COMMUNITY SERVICES WORK
COORDINATOR – MR. MATTHEW T. GOWIN**

Mrs. Ralph stated Court Services is requesting approval of the appointment of Mr. Matthew T. Gowin for the Community Services Work Coordinator at \$16/hour. This is a part-time position for a one year period with no county benefits.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Matthew T. Godwin is appointed to fill the part-time position of Community Services Coordinator at a salary of \$16/hour.

**IN RE: CONTRACT AUTHORIZATION – CHARLES L. TOWNES –
ENGINEERING, PLANNING AND SURVEY SERVICES
DINWIDDIE COUNTY INDUSTRIAL SITE PLANNING
STUDY**

Mrs. Wendy Ralph stated she and Mr. Guy Scheid met with Mr. Charles Townes the consultant for the Industrial Site Engineering Services to negotiate a

contract and the cost for his services is \$11,000. She requested authorization to proceed with the contract because of the short timeframe involved in the use of the funding from the Tobacco Commission.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administration is authorized to proceed with the contract with Charles L. Townes and Associates for geotechnical analyses, preliminary engineering reports, environmental assessments and industrial site design for the County of Dinwiddie at a cost of \$11,000.

IN RE: COUNTY ADMINISTRATOR COMMENTS

- 1) Reported to the Board she had talked with Rob Harrison, Executive Director, Dinwiddie County Water Authority regarding what we are doing to enforce the water restrictions set forth in the Governors state wide emergency ordinance. The Appomattox River Water Authority is meeting today and she will check with him to see what they recommend.
- 2) She distributed copies of Governor Warner's budget cuts for FY 2002-2003. The State Agency budgets will have to be submitted monthly to the Department of Planning and Budget. The Governor directed state agencies to prepare and submit separate plans, which reduce their general fund budgets for FY 2003-2004 by 7%, 11% and 15%. We will have to wait until next month to see what effects it will have on each department.
- 3) The Forestry Department has requested authorization to purchase a cell phone under the County's plan with Alltel. She commented the department would be responsible for the payment of the minutes they used. The State refused to provide them with the phone. The Board agreed to authorize one phone under the County's plan.
- 4) Mrs. Ralph asked the Board if they would come in early on October 2nd at 4:00 P.M. to devote some time to Revenue Recovery and for any Closed Session items that needed to be discussed. There are 4 public hearings scheduled for that evening. The Board agreed.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay	No Comments
Mr. Moody	No Comments
Mr. Bowman	He stated he had requested that Administration contact the Superintendent regarding the possibility of the high school offering EMS classes this fall. The County Administrator replied, Dr. Wise informed her that they are already looking into the classes.
Mr. Bracey	He requested the County Administrator write a letter to the Dinwiddie County School Board regarding the closing of the projects. Continuing he commented he had already requested the information from Dr. Worner but has still not received anything. The money needs to be accounted for and the County is going to get into trouble sooner or later over this situation.

IN RE: CLOSED SESSION

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

Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia
- Assistant County Administrator; Receptionist; Buildings and Grounds

Legal - §2.2-3711 A. 7 of the Code of Virginia – Potential Litigation

Mr. Bowman seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 3:55 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 4:51 P.M. (Mr. Moody left at 4:25 P.M.)

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel – Assistant County Administrator; Receptionist; Buildings & Grounds; § 2.2-3711 A.7, Legal - Potential Litigation

And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

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

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

IN RE: AUTHORIZATION TO HIRE – CUSTODIAN I – MS. BARBARA ANN PRITCHETT

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", authorization is granted for Administration to hire Ms. Barbara A. Pritchett for the position of Custodian I, at Grade 1, Step H, at an annual salary of \$14,835.

IN RE: APPOINTMENT – SECRETARY/RECEPTIONIST POSITION – MRS. DEBA WHITT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administration is authorized to hire Mrs. Deba Whitt to fill the position of Administrative Services Secretary/Receptionist, at Grade 6, Step 1, at an annual salary of \$18,337, effective September 23, 2002.

IN RE: BOARD MEMBER COMMENTS – CONT'

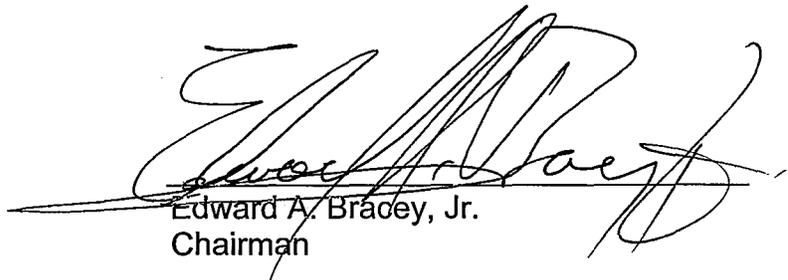
Mr. Haraway He stated if you will recall, during the discussion for the funding for the Phase II study for the School Board, I was rather vocal about the school staff being able to project enrollment figures. He distributed copies of a letter he wrote to Dr. Wise with his own projections for the FY 2006-2007 school year enrollment.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

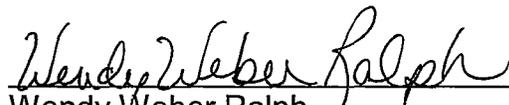
1. Letter from John M. Bennett – Addressing Governor Warner's expected revenue shortfall for FY 2002-2004
2. Appomattox Regional Library System – Monthly Report
3. Notification of a rally planned on the courthouse steps for September 26th from 10:00 A.M. – 5:30 P.M.
4. Anderson & Associates, Inc. & Ampersand – GIS Article about "Robert Parker: Information and Access in a Well Wired County"
5. NACo – Article – "Rural Strategic Investment Program (RSIP) Funding Threatened"

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 4:55 P.M. to be continued until 4:00 P.M. on Wednesday, October 2, 2002 for a work session for Revenue Recovery and any Closed Session Items.



Edward A. Bracey, Jr.
Chairman



Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PUBLIC SAFETY BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 2ND DAY OF OCTOBER, 2002, AT 4:00 P.M.

PRESENT: EDWARD A. BRACEY, JR., CHAIRMAN ELECTION DISTRICT #4
Arrived 5:13 ROBERT L. BOWMAN, IV, VICE-CHAIR ELECTION DISTRICT #3
HARRISON A. MOODY ELECTION DISTRICT #1
DONALD L. HARAWAY ELECTION DISTRICT #2
AUBREY S. CLAY, ELECTION DISTRICT #5

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

Mr. Edward A. Bracey, Jr., called the continuation meeting to order at 4:10 P.M.

IN RE: REVENUE RECOVERY WORK SESSION

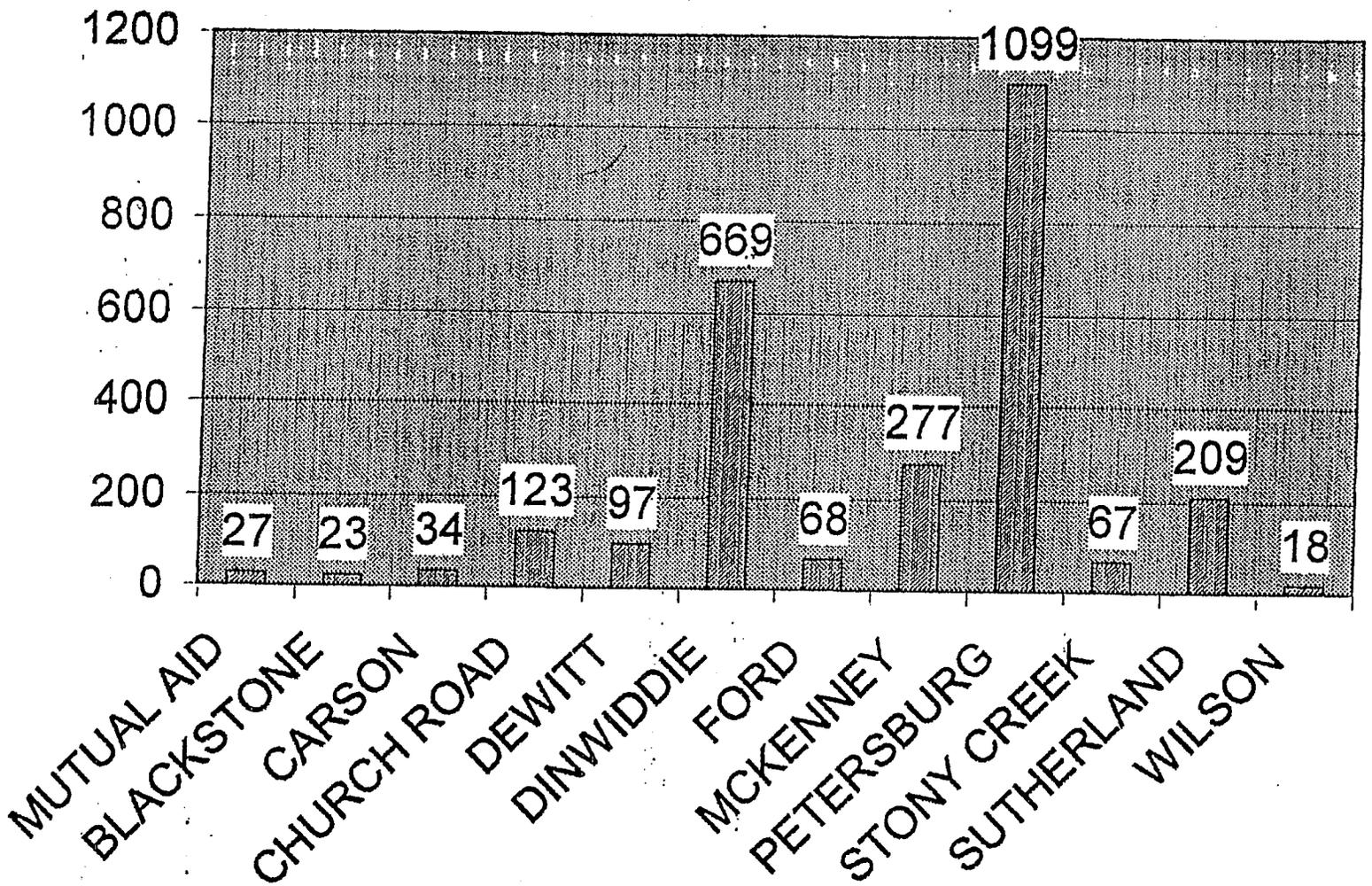
The County Administrator stated we are having the work session to supply the information and answers to the questions that were brought forth from previous meetings.

Mr. David Jolly, Director of Public Safety, presented the following information:

- The first item is the statistical data from both calendar year 2001 and 2002. I have enclosed, by location in the County, the distribution of calls for calendar year 2001. In addition, I have provided six months of data from 2002. Within this data, I broke the information down by time of day, day of week and where the transport unit has responded from to answer those calls. Lastly, I included a realistic run load by the four locations that we could run transport services from.

**THE REMAINDER OF THIS SHEET IS
INTENTIONALLY LEFT BLANK**

Rescue Calls 2001



EMS Call Recap for January - June 2002

Day of Week	January-02	February-02	March-02	April-02	May-02	June-02	Total	%
Monday	30	40	25	32	37	27	191	13.83%
Tuesday	33	36	29	23	38	28	187	13.54%
Wednesday	23	37	23	49	46	27	205	14.84%
Thursday	40	29	27	31	37	24	188	13.61%
Friday	26	33	45	33	46	31	214	15.50%
Saturday	32	28	44	29	29	41	203	14.70%
Sunday	35	35	31	30	34	28	193	13.98%
Total for Month	219	238	224	227	267	206	1381	

Day Calls	139	153	136	124	158	119	829	60.03%
Night Calls	80	85	88	103	109	87	552	39.97%

Location call answered from							Total	%
Dinwiddie	144	167	147	161	175	131	925	66.98%
Ford	0	0	0	5	0	0	5	0.36%
McKenney	11	5	3	3	5	3	30	2.17%
Namozine	49	58	67	48	73	64	359	26.00%
Dinwiddie Rescue	15	8	7	10	14	8	62	4.49%

Day calls are from 6:00 AM until 5:59 PM
 Night calls are from 6:00 PM until 5:59 AM

EMS Call Recap for January - June 2002

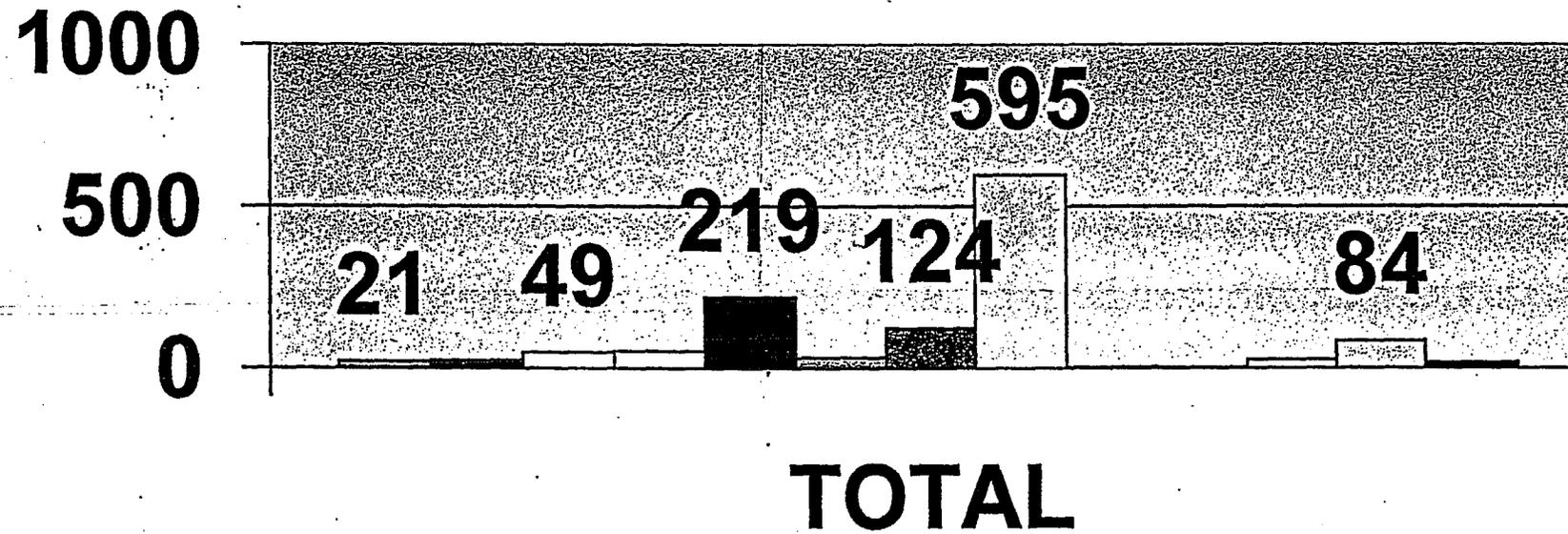
Blackstone	7	4	1	2	5	2		21
Carson	6	5	3	3	6	1		24
Church Road	9	14	5	10	8	3		49
Dewitt	8	5	5	12	11	12		53
Dinwiddie	32	48	25	35	46	33		219
Ford	7	4	2	6	7	7		33
McKenney	24	15	10	25	35	15		124
Petersburg	102	88	73	109	118	105		595
Prince George	0	1	1	1	1	0		4
Rawlings	0	0	1	0	0	0		1
Stony Creek	0	4	2	11	5	5		27
Sutherland	15	13	14	9	17	16		84
Wilsons	1	4	1	3	3	4		16

Breakdown of Calls by Areas of the County

January - June 2002

Dinwiddie Area		296	23.68%
Dinwiddie	219		
Dewitt	53		
Carson	24		
Namozine Area		641	51.28%
Petersburg	595		
Prince George	4		
1/2 of Sutherland	42		
Ford Area		161	12.88%
1/2 Sutherland	42		
Church Road	49		
Ford	33		
Wilson	16		
Blackstone	21		
McKenney Area		151	12.08%
McKenney	124		
Stony Creek	27		

CALLS BY AREA OF COUNTY JAN - JUNE 2002



■ Blackstone	■ Carson	□ Church Rd	□ Dewitt	■ Dinwiddie	■ Ford	■ McKenney
■ Petersburg	■ Prince George	■ Rawlings	□ Stony Creek	■ Sutherland	■ Wilsons	

At the conclusion, the Board asked for additional information to include statistics on the time of day the call was received, and define what hours are included in day and night. Mr. Bowman asked if we could contract with an outside vendor.

- The next section provides information on the ability to pay scale that has been developed. We have spoken to both Chesterfield and Colonial Heights. We have included a proposed chart and samples of several forms that we could use to develop the final format for an applicant to apply for hardship status.

CHESTERFIELD FIRE & EMS REVENUE RECOVERY ABILITY TO PAY SCALE

ANNUAL HOUSEHOLD GROSS INCOME / FAMILY SIZE

DISC	Consumer Amount	Consumer Pymt. %	1	2	3	4	5	6 (Over)
	Enter Amount Owed							
0%	\$0.00	100%	25,500	34,200	42,900	51,600	60,300	69,000
5%	\$0.00	95%	24,500	32,900	41,300	49,700	58,000	66,400
10%	\$0.00	90%	23,600	31,600	39,700	47,700	55,800	63,800
15%	\$0.00	85%	22,600	30,300	38,000	45,800	53,500	61,200
20%	\$0.00	80%	21,700	29,000	36,400	43,800	51,200	58,600
25%	\$0.00	75%	20,700	27,800	34,800	41,900	48,900	56,000
30%	\$0.00	70%	19,700	26,500	33,200	39,900	46,700	53,400
35%	\$0.00	65%	18,800	25,200	31,600	38,000	44,400	50,800
40%	\$0.00	60%	17,800	23,900	30,000	36,000	42,100	48,200
45%	\$0.00	55%	16,900	22,600	28,300	34,100	39,800	45,600
50%	\$0.00	50%	15,900	21,300	26,700	32,200	37,600	43,000
55%	\$0.00	45%	14,900	20,000	25,100	30,200	35,300	40,400
60%	\$0.00	40%	14,000	18,700	23,500	28,300	33,000	37,800
65%	\$0.00	35%	13,000	17,400	21,900	26,300	30,800	35,200
70%	\$0.00	30%	12,000	16,200	20,300	24,400	28,500	32,600
75%	\$0.00	25%	11,100	14,900	18,600	22,400	26,200	30,000
80%	\$0.00	20%	10,100	13,600	17,000	20,500	23,900	27,400
85%	\$0.00	15%	9,200	12,300	15,400	18,500	21,700	24,800
90%	\$0.00	10%	8,200	11,000	13,800	16,600	19,400	22,200
95%	\$0.00	5%	7,200	9,700	12,200	14,600	17,100	19,600
99%	\$0.00	1%	6,280	8,420	10,560	12,700	14,840	16,980

It was pointed out that the questionnaire used by Chesterfield appears to be the simplest form to obtain the necessary income information. There was discussion about whether or not there would be any action pursued beyond the 3 invoices an individual would receive for services not covered by insurance. Up to this point, the position of the Board would be not to pursue collection of unpaid fees through a collection agency. It was decided that during the first year the issue would be evaluated and a decision on any further collection would be postponed until a later date.

Mr. Bracey stated since a person will now be paying for the service, will they be able to request the specific hospital or doctor to be transported to? Mr. Jolly stated the policy in effect now is to take the patient to the nearest medical facility. The purpose is to keep the ambulances in service in Dinwiddie County. If we have more than one ambulance in service and the provider feels like they can manage transporting the patient to the patient's requested hospital, then we will transport them to that facility. However, the insurance company is going to evaluate if that transport was medically necessary to a hospital other than the closest hospital.

- We have done the research on the subscription program and have included in the ordinance a proposed fee of \$59.00. Included in this section are the letter, brochure and sign-up forms from both Chesterfield and Colonial Heights. It is our recommendation to implement a subscription program that would be on an annual year, beginning January 1, 2003.
- Lastly, is the proposed ordinance for your consideration. After speaking with several different groups and jurisdictions we are proposing one fee for transport, \$385.00, instead of the original submittal of two fees. We believe this will simplify the process and make it better understood by both the citizens as well as providers.

AN ORDINANCE AMENDING THE CODE OF DINWIDDIE COUNTY TO IMPOSE A FEE FOR EMERGENCY MEDICAL SERVICES AND TO AUTHORIZE FOR THE COLLECTION OF SUCH FEES

WHEREAS, the Board of Supervisors has appropriated tax revenues for the provision of Emergency Medical Services to the residents of Dinwiddie County;

AND WHEREAS, many of such residents have health plans or insurance that covers the cost of such services;

AND WHEREAS, the Board of Supervisors believes that the revenue recovery of the cost of such emergency medical services is in the best interests of all taxpayers of the County.

BE IT ORDAINED, by the Board of Supervisors under the authority granted to it under §32.1-111.14 of the Code of Virginia that as of _____, 2003, the following fees will be imposed for emergency medical services:

Basic and Advanced Life Support	\$385.00
EMS Transport	\$ 7.50 per mile from
patient pick-up to hospital	
Annual Subscription Fee	\$ 59.00

AND BE IT FURTHER ORDAINED, that the County Administrator is authorized to enter into a contract with Diversified Ambulance Billing, Inc. for the billing of such fees on behalf of the County.

It was the consensus of the Board members to go ahead with the Revenue Recovery public hearing on October 30, 2002 at 7:30 P.M. However, they requested that the Public Safety Director narrow down the peak periods of the evening in which EMS calls are made so a determination could be made whether or not to add another full time EMS crew.

IN RE: AGREEMENT WITH CENTRAL STATE – REVENUE RECOVERY

The County Administrator stated a draft copy of the agreement with Central State for Revenue Recovery was enclosed in your packets. The purpose of the agreement is to provide emergency medical services to the Facilities' employees, patients, clients/residents, contractors, and visitors. The County will bill the third party payers of employees and patients who have coverage for the emergency transport services under rates established by the County. In return Central State agrees to pay a subscription fee based on an estimated number of patients who are not covered by Medicaid, Medicare, Private Insurance or other third party coverage (non-covered patients). The subscription fee per patient will be \$59 per person. This will be based on an estimated average annual campus census. The census will not include short-term jail transfers who normally stay less than one week. The current estimated number of long-term non-covered patients is 267. The County will bill the employees and visitors who are transported for emergency services and who have health care coverage the costs of the emergency transport not paid for by a third party payer. In addition, to the annual capitation rate, every six months beginning on January 1, 2003, the number of patient transports during the preceding six months or any portion thereof for which the costs of the transport were not reimbursed by a health care plan will be multiplied by the subscription fee of \$59 per patient. The amount of this calculation will be remitted to the County no later than forty-five days after the Facilities and the County agrees that calculation is correct. The County Administrator stated at this time we are asking for authorization to execute this agreement.

Upon Motion of Mr. Bowman, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the County Administrator was authorized to execute the agreement between the County and the Commonwealth of Virginia Department of Mental Health, Mental Retardation, and Substance Abuse Services for Emergency Medical Services.

IN RE: RECESS FOR DINNER

The Board took a recess for dinner from 6:00 P.M. – 6:30 P.M.

IN RE: CLOSED SESSION

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

**Privacy of Individuals - §2.2-3711 A. 4 of the Code of Virginia –
County Citizen**

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 6:35 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:46 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.4 – Privacy of Individuals - County Citizen

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

IN RE: DINWIDDIE VOLUNTEER RESCUE SQUAD - BUDGET

The Public Safety Director included a copy of the FY 2003 budget submitted by Dinwiddie Volunteer Rescue Squad in the Board packet. In keeping with the current policy, quarterly contributions would be re-instated for DVRS. After a brief discussion, the Board instructed staff to investigate the fuel usage compared to the number of calls being answered. The Board was also advised that DVRS was receiving a new ambulance.

IN RE: CLOSED SESSION

Mr. Clay 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 – Candidates for Assistant County Administrator

Legal - §2.2-3711 A. 7 of the Code of Virginia – Litigation

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 6:50 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:12 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel - Candidates for Assistant County Administrator; § 2.2-3711 A.7 – Legal – Litigation.

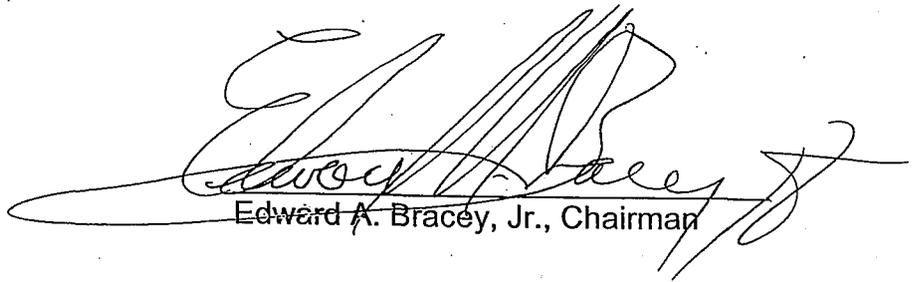
And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

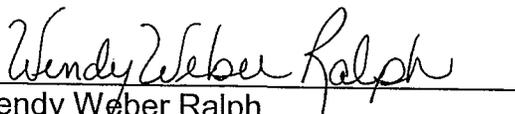
Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 7:15 P.M.


Edward A. Bracey, Jr., Chairman

ATTEST: 
Wendy Weber Ralph
County Administrator

/abr

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 2ND DAY OF OCTOBER, 2002, AT 7:30 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., called the regular meeting to order at 7:34 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the September 18, 2002 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Clay, Seconded by Mr. Bowman, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, 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 1032299 through 1032500 (void check(s) numbered 1032300 and 1032373) for:

**Accounts Payable:
FY 02-03**

(101) General Fund	\$ 162,397.87
(103) Jail Commission	\$ 208.29
(104) Marketing Fund	\$.00
(209) Litter Control	\$.00
(222) E911 Fund	\$ 378.00
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$.00
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$ 603.92
(229) Forfeited Asset Sharing	\$ 406.30
(304) CDBG Grant Fund	\$ 91.57
(305) Capital Projects Fund	\$ 427,466.84
(401) County Debt Service	\$.00

TOTAL \$ 591,552.79

PAYROLL 09/30/02

(101) General Fund	\$ 397,416.94
(222) E911 Fund	\$ 3,420.91
(304) CDBG Fund	\$ 3,373.95
TOTAL	\$ 404,211.80

IN RE: SCHOOL BOARD REQUISITION # 1 – 1997A (70-02-200-7018821) – PAVING MIDWAY & HIGH SCHOOL

Mrs. Ralph stated the following invoices are included in Payment Requisition #1-1997A (70-02-200-7018821):

B.P. Short	Construction - Paving at Midway Elementary	\$7,975.60
B.P. Short	Construction – Paving at Dinwiddie HS (Partial Payment)	\$5,113.33
Total		\$13,088.93

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

Please note that the paving for Dinwiddie High School will need to be paid with this request and a future request from the 1998A Construction Bond. Also note that this request should close out the 1997A bond.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number #1-1997A (70-02-200-7018821) in the amount of \$13,088.93 be approved and funds appropriated for CIP expenses from the School Project Account.

IN RE: SCHOOL BOARD REQUISITION # 2 – 1998A (70-02-200-7019743) – PAVING HIGH SCHOOL

Mrs. Ralph stated the following invoices are included in Payment Requisition #2 -1998A (70-02-200-7019743):

B.P. Short	Construction – Paving at Dinwiddie HS (Partial Payment)	\$4,048.67
Total		\$4,048.67

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

Please note that the paving for Dinwiddie High School will need to be paid with this request and a request from the 1997A Construction Bond which you approved prior to this request.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number #2 -1998A (70-02-200-7019743) in the amount of \$4,048.67 be approved and funds appropriated for CIP expenses from the School Project Account.

IN RE: SCHOOL BOARD REQUISITION # 1 – 1998A (70-02-200-7019743) – HIGH SCHOOL GYM FLOOR REPLACEMENT

Mrs. Ralph stated the following invoices are included in Payment Requisition #1-1998A (70-02-200-7019743):

Wayne D. Joyce Floors, Inc. Gym Floor Replacement for High School \$105,000.00

Total \$105,000.00

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition #1-1998A (70-02-200-7019743) in the amount of \$105,000.00 be approved and funds appropriated for CIP expenses from the School Project Account.

IN RE: SCHOOL BOARD REQUISITION # 1 – 1999B (70-02-200-7033387)

Mrs. Ralph stated the following invoices are included in Payment Requisition #1-1999B (70-02-200-7033387):

Virco, Inc. Furnishings – Dinwiddie Elementary \$3,244.80

Total \$3,244.80

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition #1 -1999B (70-02-200-7033387) in the amount of \$3,244.80 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Project Account.

IN RE: SCHOOL BOARD REQUISITION # 2 – 1999B (70-02-200-7033387) – FURNISHINGS DINWIDDIE ELEMENTARY

Mrs. Ralph stated the following invoices are included in Payment Requisition #2-1999B (70-02-200-7033387):

School Specialty Furnishings – Dinwiddie Elementary \$ 718.52
School Specialty Furnishings – Dinwiddie Elementary \$ 223.72

Total \$ 942.24

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County,

Virginia that Requisition #2 -1999B (70-02-200-7033387) in the amount of \$942.24 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Project Account.

IN RE: SCHOOL BOARD REQUISITION # 3 – 1999B (70-02-200-7033387) - ATTENDANCE ZONE STUDY PHASE I

Mrs. Ralph stated the following invoices are included in Payment Requisition #3-1999B (70-02-200-7033387):

BCWH	Architect Attendance Zone Study Phase 1	\$12,083.50
Total		\$12,083.50

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition #3 -1999B (70-02-200-7033387) in the amount of \$12,083.50 be approved and funds appropriated for CIP expenses from the School Project Account.

Mr. Bracey commented to Dr. Morris, Assistant Superintendent of Administration, for several years now I have been asking when these projects are going to be completed. It is our duty to keep the taxpayers informed about these bond issues and to make sure they are disbursed properly. He requested that Dr. Morris check on the projects and report back to the Board as to when completion can be expected. Dr. Morris responded that there is going to be a meeting on this issue and he would have a response in short order.

Mr. Bracey also commented that for many years there was a parking fee charged to the students who drove to school to pay for paving at the high school. He questioned Dr. Morris if those funds were in an account and if not, what was the money spent on? Mr. Moody stated he remembered that also. Mr. Bowman asked where is the money that was collected for parking fees. Dr. Morris replied he would find out and report back to the Board.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting. No one desired to address the Board.

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

Mr. William C. Scheid, Planning Director, came forward to make the following statement prior to the Public Hearings.

"As previously requested by the Board of Supervisors, Draft copies of the Planning Commission Meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting room. The purpose of doing so is to expedite the hearing process without compromising the publics' access to pertinent information. It is noted that the Board has been given various information on all of the hearing(s) to include, the application, zoning map, adjacent property owner list, locational map(s), proffers (if applicable), soils data, comprehensive land use maps and references, etc. With this information noted, I will proceed with the case(s)."

**IN RE: PUBLIC HEARING – A-02-5 – AMEND CHAPTER 22,
ZONING ARTICLE IX, TELECOMMUNICATIONS
ANTENNA AND TOWERS - REVISED
TELECOMMUNICATIONS ORDINANCE**

This being the time and place as advertised in the Dinwiddie Monitor on September 18, 2002 and September 25, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on and to establish general guidelines for the siting and design of wireless telecommunication facilities

Planning Summary Report

File:	A-02-5
Applicant:	Planning Department
Subject:	Revised telecommunications ordinance
Date:	October 2, 2002

When the Atlantic Group was hired on June 15, 2001 to be the County's consultant to review telecommunication tower applications, they were requested to submit a cost for the review of the current tower ordinance. During the past winter, the County determined that several changes were needed in the existing ordinance, thus a contract was executed with the Atlantic Group to revise the current ordinance. The Board of Supervisors referred this matter to the Planning Commission. The Planning Commission decided to appoint a committee to review the ordinance with the consultant. During the past several months, the committee reviewed the existing ordinance and, with the assistance of the consultant, developed a revised ordinance. The revised ordinance was recommended for approval to the Planning Commission.

The Planning Commission reviewed the ordinance at their June 12th meeting and discussed section 22-275(14) at length. It was generally decided that this paragraph be expanded to require additional information that would be helpful to the Commissioner of the Revenue in collecting taxes. It is suggested that the revised paragraph 14 be further revised as follows:

"The owner of the antenna support structure shall provide in writing to the Planning Department the name, address and telephone number of a contact person during the approval process and shall notify the Department of any changes during this process. Upon issuance of the conditional use permit, the owner of the antenna support structure shall provide in writing to the Planning Department and the Commissioner of the Revenue the name, address and telephone number of a contact person for the tower owner and the name and address of each registered agent for each lessee of tower space. This list shall be kept current and a revised list submitted to the County Departments noted above each time a change is made."

The Planning Commission resumed discussions on the Telecommunications Ordinance at their August 14th public meeting. At this time, two (2) additional items were addressed to provide for recovery of expenses associated with the use of consultant services for application review services and construction inspection review services. These paragraphs are highlighted in the draft minutes attached to the summary review.

Mr. Scheid also presented the following changes upon discussion and recommendation by legal counsel.

Sec.22-270. Conditional use permit required.

1. A conditional use permit shall not be required for the placement of antennas on an existing *secondary support*

structure provided that the antenna does not increase the overall height of the structure by more than ten (10) feet.

2. Extensions to an existing antenna support structure to accommodate the placement of antennas will require a conditional use permit.

Sec.22-271. Administrative review process

(3) Co-location of antenna by a telecommunications service provider on an existing antenna support structure shall be approved provided that:

1. There is no increase in height of the existing tower.
2. The number of service providers on the tower does not exceed the number permitted by this Article.
3. The structural design of the tower and site is adequate to support the additional antenna.

Sec. 22-272. Pre-application meeting required.

Prior to submitting an application *under the provisions of section 22-270 or 22-271*, the applicant shall meet with the Director of Planning or his/her designee to discuss all aspects of their proposal. Failure to schedule and attend a pre-application meeting shall preclude the acceptance and processing of an application for *administrative review* or conditional use permit.

RECOMMENDATION

The Planning Commission voted 6-0 (Mr. Wood absent) to recommend **approval** of this ordinance to the Board of Supervisors. Since this is a zoning matter, the attached statement must be read as a part of your motion to the Board of Supervisors.

Mr. Bracey opened the public hearing. No one spoke in support or in opposition to the revisions for the telecommunications ordinance.

Mr. Clay stated be it resolved, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that amendment case A-02-5 be approved by the Board of Supervisors.

The motion was seconded by Mr. Haraway, Mr. Moody, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of the County of Dinwiddie, Virginia, that Article IX, Telecommunications Antenna and Towers, of Chapter 22, Zoning, be deleted and in its stead the following adopted:

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF DINWIDDIE, VIRGINIA, AS AMENDED, BY AMENDING SECTION 22, ARTICLE IX, TELECOMMUNICATIONS ANTENNA AND TOWERS

ARTICLE IX. WIRELESS TELECOMMUNICATION FACILITIES

Sec. 22-268. Definitions.

For the purpose of interpreting Article IX of the Dinwiddie County Code, the following definitions shall apply:

1. Abandonment. Any component of a wireless telecommunication facility (e.g., antenna support structure, antenna, cable, equipment shelter, etc.) is deemed abandoned when not utilized for the provision of wireless service for a period of twelve (12) consecutive months.
2. Above Ground Level (AGL). Refers to the distance measured from ground level at the base of a structure to the highest point or an object on the structure.
3. Antenna. Any exterior electronic device used for the transmission or reception of radio frequency signals designed for telephonic, radio, satellite, or television communications.
4. Antenna Support Structure. Any structure designed for the primary purpose of supporting one or more antennas including but not limited to self-supporting lattice towers, guyed towers, and monopoles.
5. Applicant. Any entity requesting approval to construct/install wireless telecommunication facilities through the County's permitting process.
6. Balloon Test. A technique utilizing a balloon to demonstrate the height above ground of a proposed antenna support structure.
7. Co-location. The shared use of an antenna support structure by two or more wireless service providers or other entities operating antennas.
8. Entity. Any natural person, firm, partnership, association, corporation, company, or other legal entity, private or public, whether for profit or not for profit.
9. Existing Facility. Any existing or proposed wireless telecommunication facility for which a valid County permit has been issued.
10. Fall Zone. An area within a radius equal to the height of the antenna support structure within which there is a potential hazard from falling debris or collapsing material. A fall zone is distinct from a setback.
11. Federal Aviation Administration (FAA). An agency of the federal government that regulates all activities affecting air navigation.
12. Federal Communications Commission (FCC). An agency of the federal government that regulates all intrastate, interstate, and international wire, wireless, satellite, and cable communications.
13. Mini/Micro Cell. An antenna support structure not exceeding 80 feet in height.
14. Mitigate. To reduce or eliminate adverse impacts.
15. Property Owner. Any entity with fee simple title to any plot of land within the County.
16. Secondary Support Structure. Any structure designed primarily for other purposes that can be utilized to support antennas including but not limited to buildings, power transmission towers, church steeples, light poles, water storage tanks, smoke stacks, and silos.
17. Stealth Technique. Any technique designed to conceal or disguise wireless telecommunication facilities.
18. Structural Engineer. An individual or firm licensed to practice structural engineering by the Commonwealth of Virginia.

19. Tower Developer. Any entity that develops structures for the purpose of leasing space to entities operating antennas.
20. Wireless Service Provider. Any entity providing commercial mobile radio services.
21. Wireless Telecommunication Facility. All infrastructure and equipment including but not limited to antenna support structures, antennas, transmission cables, equipment shelters, equipment cabinets, utility pedestals, ground systems, fencing, signage and other ancillary equipment associated with the transmission or reception of wireless transmissions.

Sec. 22-269. Purpose and intent.

The purpose of this article is to establish general guidelines for the siting and design of wireless telecommunication facilities. The goals of this ordinance are to:

1. Accommodate the provision of wireless telecommunication services to County residents, businesses, visitors, and travelers;
2. Facilitate the location of wireless telecommunication facilities in areas where the adverse impact on the community is minimal;
3. Maximize the use of existing structures;
4. Make available public property to facilitate the deployment of wireless telecommunication facilities;
5. Minimize adverse visual effects of wireless telecommunication facilities through careful siting and design; and
6. Minimize adverse impacts on the natural, scenic, environmental, historic, cultural, and recreational resources of the County.

Sec. 22-270. Conditional use permit required.

1. Except as provided below in paragraph (2), all wireless telecommunication facilities require a conditional use permit, obtained in accordance with the provisions of this chapter.
2. A conditional use permit shall not be required for the placement of antennas on an existing *secondary support structure provided that the antenna does not increase the overall height of the structure by more than ten (10) feet.*
3. *Extensions to an existing antenna support structure to accommodate the placement of antennas will require a conditional use permit.*
4. The regulations set forth herein shall govern the siting and design of all wireless telecommunication facilities unless specifically excluded.

1. Amateur Radio. The requirements set forth in this ordinance shall govern amateur radio station operations in accordance with § 15.2-2293.1 of the Code of Virginia.
2. Television Reception Antennas. The requirements set forth in this ordinance shall not govern television reception antennas that are less than thirty-five (35) feet AGL and used exclusively for non-commercial purposes.
3. Satellite Earth Station Antennas. The requirements set forth in this ordinance shall not govern ground-mounted satellite earth station antennas that are less than ten (10) feet AGL, are less than six (6) feet in diameter, and used exclusively for non-commercial purposes.

4. Public Safety/Service Radio. County owned or operated wireless facilities are exempt from the requirements of this ordinance but are expected to adhere, to the extent reasonably possible, to the goals described herein.

(Ord. No. 4-1-98)

The Board of Supervisors, shall consider as a minimum, the following factors in determining whether to issue a conditional use permit:

1. Structure height;
2. Structure design;
3. RF coverage objectives;
4. Compatibility with surrounding land uses;
5. Surrounding topography;
6. Surrounding tree cover and foliage;
7. Design of wireless facilities (Design characteristics that have the effect of reducing or eliminating adverse visual effects are preferred.);
8. Site access;
9. Utilization of existing structures;
10. Co-location policy;
11. Proximity to airports, airfields, or landing strips;
12. Impact on natural, scenic, environmental, historic, cultural, and recreational resources; and
13. Consistency with the comprehensive plan and the purposes to be served by zoning.

(Ord. No. 4-1-98)

Sec. 22-271. Administrative review process

The applicant shall submit a preliminary site plan to the Department of Planning for administrative review. Scaled drawings showing plan and elevation view, signed and sealed by appropriate licensed professionals, showing the location and dimensions of all improvements, including information concerning the structure, equipment, utilities, grounding, topography, setbacks, drives, parking, fencing, landscaping, adjacent uses, and other information deemed necessary to assess the siting and design shall be included.

1. The site plan shall be approved only if the following minimum standards are met:
 - a. Antennas attached to a secondary support structure shall not increase the overall height of the structure by more than ten (10) feet.
 - b. Antennas and mounting brackets shall be of a color and/or screened to blend with the structure or surrounding environment, as determined by the Director of Planning or his/her designee.
 - c. A statement from an electrical engineer licensed by the Commonwealth of Virginia that the cumulative effect of all existing and proposed antennas will not result in a ground level exposure of non-ionizing electromagnetic radiation (NIER) which exceeds the lowest applicable exposure standards established by the FCC.
 - d. Structural analysis performed by a structural engineer licensed engineer by the Commonwealth of Virginia certifying the structural capacity to support the proposed loading in accordance with the latest revision of ANSI EIA/TIA-222.
2. Replacement or modification of an existing antenna support structure shall be approved through the administrative review process provided that:
 - a. The antenna support structure, as replaced, does not exceed the height of the existing structure.

- b. All landscaping requirements in this article are met.
 - c. All new structures and buildings installed in conjunction with the replacement of the tower meet all applicable standards for this chapter.
 - d. The application for approval of the site plan contains all applicable information, reports, and evidence required under Section 22-273.
3. *Co-location of antenna by a telecommunications service provider on an existing antenna support structure shall be approved provided that:*
- a. *There is no increase in height of the existing tower.*
 - b. *The number of service providers on the tower does not exceed the number permitted by this Article.*
 - c. *The structural design of the tower and site is adequate to support the additional antenna.*

(Ord. No. 4-1-98)

Sec. 22-272. Pre-application meeting required.

Prior to submitting an application *under the provisions of section 22-270 or 22-271*, the applicant shall meet with the Director of Planning or his/her designee to discuss all aspects of their proposal. Failure to schedule and attend a pre-application meeting shall preclude the acceptance and processing of an application *for administrative review or conditional use permit.*

(Ord. No. 4-1-98)

Sec. 22-273. Required information.

In addition to other information required for a conditional use permit, any application for wireless telecommunication facilities shall include the following:

1. Scaled drawings showing plan and elevation view, signed and sealed by appropriate licensed professionals, showing the location and dimensions of all improvements, including information concerning the structure, equipment, utilities, grounding, topography, setbacks, drives, parking, fencing, landscaping, adjacent uses, and other information deemed necessary to assess the siting and design.
2. Photographs of the site from a minimum of five (5) points surrounding the site as designated by the Director of Planning or his/her designee that include a simulated photographic image to scale of the proposed wireless telecommunication facility. The photograph with the simulated image shall include the foreground, mid-ground, and the background of the site. A map shall be provided indicating the location and distance from the point at which the photograph was taken to the proposed site.
3. A statement from an electrical engineer licensed by the Commonwealth of Virginia that the cumulative effect of all existing and proposed antennas will not result in a ground level exposure of non-ionizing electromagnetic radiation (NIER) which exceeds the lowest applicable exposure standards established by the FCC.
4. An inventory of the applicant's (structure owner and wireless service provider) existing facilities that are either within the jurisdiction of Dinwiddie County or within five (5) miles of the border thereof, including specific information about the location and height of each antenna and/or antenna support structure.
5. A radio frequency engineer's statement which specifically describes the coverage area objective, the "hand-off" sites, equipment

specifications, methodology, assumptions, constraints and other factors used in the design. The engineer's statement shall be supported by propagation maps, which include a legend identifying signal strength. At a minimum, the following coverage maps shall be presented:

- a. Existing network coverage (minimum ten (10) mile radius surrounding the proposed site)
 - b. Estimated coverage from the proposed site
 - c. Composite network coverage (existing and proposed sites)
 - d. Composite network coverage (existing and proposed sites) demonstrating the effect on coverage as the height of the proposed structure is reduced at 20-foot increments to a minimum height of 80 feet AGL
6. Verifiable evidence in written form demonstrating the inadequacy or unavailability of other structures within a three (3) mile radius of the proposed site capable of achieving the coverage objective. In assessing the adequacy of existing structures, the applicant should consider the use of one or more existing structures or a combination of an existing structure and a new structure at a lower height as a means to achieve coverage objectives.
 7. Certified mailing of verification forms provided by the County, known as "Standard Letter of Contact with Existing Tower Owners," to the owner or operator of all existing antenna support structures or secondary support structures in excess of 80 feet within a three-mile radius of the proposed site. The owner or operator of said structures shall be given a minimum of fourteen (14) days after certification of delivery to respond.
 8. An engineering report by a structural engineer licensed by the Commonwealth of Virginia describing the structure height, design, and capacity of the proposed antenna support structure including the number and type of antenna which could be accommodated in accordance with the requirements set forth in the latest revision to ANSI EIA/TIE-222.
 9. Applications proposing antenna support structures shall include a copy of their co-location policy.
 10. An FAA Air Navigation Hazard Determination report. A consultant study will not be accepted as a substitute to this requirement.
 11. FCC Environmental Compliance report identifying the impact on environmental resources, prepared in accordance with the National Environmental Policy Act of 1969 (NEPA).
 12. Report describing the impact on historic resources prepared in accordance with Section 106 of the National Historic Preservation Act of 1966 (NHPA). This report should be accompanied by written comment by the State Historic Preservation Office.
 13. A copy of the FCC license for each wireless service provider included in the application.
 14. An engineering report certifying that the proposed structure is capable of supporting similar users, including the primary user, in accordance with the table below.

Structure Height (AGL)	Minimum Number of
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	Antenna Positions
80 ft. or Less	1
81 ft. to 100 ft.	2
101 ft. to 120 ft.	3
121 ft. or Greater	5

This requirement shall not apply to applications to extend structures.
(Ord. No. 4-1-98)

Sec. 22-274. General standards.

The following are general standards for telecommunications antennas and towers:

1. The site shall be a minimum of two thousand (2,000) square feet excluding vehicular access areas.
2. Setbacks: The following setback requirements shall apply to all towers and antennas for which a conditional use permit is required, however, the Board of Supervisors may reduce the standard setback requirements if the goals of this article would be better served thereby.
3. All antenna support structures must be setback two hundred (200) percent of the height of the structure to the nearest residential structure, and in no case less than four hundred (400) feet.
4. All antenna support structures shall be setback one hundred ten (110) percent of the height of the structure from all property lines.
5. All wireless telecommunication facilities must satisfy the minimum zoning district setback requirements for primary structures.
6. Speculative structures are not permitted. Applications to construct new antenna support structures will not be considered unless evidence is presented of a legally binding commitment by at least one (1) wireless service provider agreeing to install his equipment on the proposed structure upon its construction for a minimum period of one (1) year.
7. All antenna support structures shall be enclosed by security fencing not less than six (6) feet in height and shall be equipped with an appropriate anti-climbing device.
8. Landscaping: The following requirements shall govern the landscaping surrounding wireless telecommunications facilities:
 - a. Any combination of landscaped vegetative buffers, landscaped earthen berms, or preservation of existing vegetation shall be provided around the perimeter of the site of any wireless telecommunications facilities to effectively screen the view of the equipment compound from adjacent parcels. The standard buffer shall consist of a mix of native trees and shrubs planted in a landscaped area at least fifteen (15) feet wide outside the perimeter of the compound.
 - b. Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible. In some cases, such as wireless telecommunication facilities sited on large, wooded lots, the Board of Supervisors may determine that the natural growth around the perimeter may be sufficient buffer.
 - c. All living and diseased-free trees eight (8) inches or larger in diameter, measured four and one-half (4½) feet from the base shall be preserved and protected during construction of wireless telecommunication facilities, except where clearing is required to accommodate the proposed facilities and vehicular access.
 - d. The wireless telecommunication facility owner is responsible for maintaining all plant material in a healthy condition. Dead plants shall be removed and replaced in-kind.

9. The treatment, color, and lighting system for wireless telecommunication facilities shall be as follows:
 - a. Antennas or antenna support structures shall either maintain a galvanized steel finish, or subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness. Dish antennas will be a neutral, non-reflective color with no logos.
 - b. At a facility site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and the built environment.
 - c. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
 - d. Antenna support structures shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the Board of Supervisors may review the lighting alternatives and approve the design, in accordance with applicable requirements, that would cause the least disturbance to the surrounding views.
9. Commercial advertising is not permitted on any component of the wireless telecommunication facility.
10. The County shall be provided co-location opportunities without compensation as a community benefit to improve radio communication for County departments and emergency services. The County shall be granted the right of first refusal on any available position on the structure. Prior to submitting an application for co-location, the structure owner shall provide written notice of their intent to co-locate to the Department of Public Safety and the Department of Planning. The Department of Public Safety shall inform the structure owner within 14 days upon receipt of written notice of their intention to locate County-owned equipment on the structure.
11. Wireless telecommunication facilities shall be designed and installed so as not to interfere with the Dinwiddie County Public Safety Communications System. Any entity operating wireless facilities determined to interfere with the Public Safety Communications System shall take corrective action immediately upon notification.
12. All wireless telecommunication facilities must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate their operation. If such standards [and] regulations are changed, then the owners of the facilities shall bring such facilities into compliance with such revised standards and regulations as required. Failure to comply shall constitute grounds for the removal of the facility at the owner's expense.
13. At such time that any component of the wireless telecommunication facility ceases to be operated for a continuous period of twelve (12) months, it shall be considered abandoned, and the owner of such facility shall remove same within ninety (90) days of receipt of notice from the Department of Planning of the removal requirement.
14. The applicant shall post a bond, equivalent to the cost of removal of the antenna support structure with the Director of Planning.
15. The owner of each antenna support structure shall have a safety inspection conducted annually by a registered professional engineer licensed by the Commonwealth of Virginia and a copy of the inspection report shall be filed with the Department of Planning by March 30th. The report shall state the current user status of the antenna and/or tower, and the structural condition of the facility.
16. The owner of the antenna support structure shall provide in writing to the Planning Department the name, address and telephone number of a contact person during the approval process and shall notify the

Department of Planning of any changes during this process. Upon issuance of the conditional use permit, the owner of the antenna support structure shall provide in writing to the Planning Department and the Commissioner of the Revenue the name, address and telephone number of a contact person for the tower owner and the name and address of each registered agent for each lessee of tower space. This list shall be kept current and a revised list submitted to the County Departments noted above each time a change is made.

17. Application review fees shall be paid at the time that the application is submitted. Any additional costs relating to additional reviews, errors, omissions, discrepancies, delays, extensions, as the result of actions or requests by the applicant, shall be reimbursed by the applicant in order to recover all use of an outside consultant to provide:

18. technical review services, a review fee will be charged at the time an application is filed;

19. construction inspection services, a construction inspection fee shall be charged at the time the building permit is requested. The fee amount shall be established by resolution of the Board of Supervisors.

(Ord. No. 4-1-98)

Sec. 22-275. Accordance with applicable regulations.

This article shall be interpreted in accordance with all applicable federal, state, and local statutes, ordinances, and regulations. In the event that a court of competent jurisdiction determines that a provision of this article is invalid, the remaining provisions of this article shall be interpreted as if such unenforceable provisions(s) were not included.

(Ord. No. 4-1-98)

This ordinance shall become effective upon the date of adoption by the Board of Supervisors. In all other respects said zoning ordinance shall remain unchanged and in full force and effect.

IN RE: PUBLIC HEARING – A-02-10 – DOG ORDINANCE - TO AMEND CHAPTER 22 ZONING SEC. 22-243, PARAGRAPHS (a) & (b) TO CHANGE THE SQUARE FOOTAGE REQUIREMENT FROM 20,000 TO 20,001

This being the time and place as advertised in the Dinwiddie Monitor on September 18, 2002 and September 25, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on and to propose an amendment to change the square footage requirement contained in section 22-243, paragraphs (a) & (b) from 20,000 to 20,001.

Mr. Scheid read excerpts from the following Summary Staff Report on A-02-8.

Planning Summary Report

File: A-02-8

Applicant: Planning Department

SUMMARY

This amendment, submitted by the Planning staff on behalf of the Board of Supervisors, seeks to change the square footage requirement contained in section 22-243, paragraphs (a) & (b) from 20,000 to 20,001. The Board recently adopted an amendment (A-02-1) addressing the limitation of the number of dogs by square footage of lot area and it was decided that a slight change was needed as noted above.

RECOMMENDATION

The Planning Commission reviewed this amendment at their August 14th meeting and on a vote of 6-0, Gilbert Wood absent, they recommended approval. Since this is a zoning matter, the attached statement must be read as a part of your motion:

Mr. Bracey opened the public hearing. No one spoke in support or in opposition to the amendment addressing the limitation of the number of dogs by square footage of lot area.

Mr. Haraway stated be it resolved, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that amendment case A-02-8 be approved by the Board of Supervisors.

The motion was seconded by Mr. Clay, Mr. Moody, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of the County of Dinwiddie, Virginia, that that the amendment to change the square footage requirement contained in section 22-243, paragraphs (a) & (b) from 20,000 to 20,001 is approved.

**IN RE: PUBLIC HEARING – C-02-4 – JOHN L. PUCKETT –
KENNEL FOR BREEDING AND SELLING OF WALKERS
AND BEAGLE DOGS**

This being the time and place as advertised in the Dinwiddie Monitor on September 18, 2002 and September 25, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a conditional use permit for John L. Puckett to establish a kennel for breeding and selling of Walkers and Beagle dogs.

Planning Summary Report

File:	C-02-4
Applicant:	John L. Puckett
Property Address:	6744 Luther Drive Church Road, VA 23833
Acreage:	3.2 Ac.
Tax Map Parcel:	17-9-4
Zoning:	Agricultural, General, A-2

The applicant, John L. Puckett, is seeking a conditional use permit to establish a commercial dog kennel for selling of Walkers and Beagles. The property is located on the south side of Luther Drive, which is a private road, off of Cox Road (Route 751). The Commissioner of the Revenue's Office identifies the property as Tax Map/Parcel 17-(9)-4. The Planning Commission heard this request at their August 14, 2002 public meeting. After introduction of the case by planning staff, the applicant came forth to answer several questions regarding

the kennel operation. The meeting was opened for public comment. Mr. Chuck Horne came forth in support of the applicant. With no further public comment, the Chairman closed the public comment portion of the meeting. It was noted to the Commissioners that the Planning Commission and Board of Supervisors have reviewed similar requests in the past for commercial kennels. The cases were C-96-1 (Eva Bratschi) and C-97-3 (Katherine Dodge). After a lengthy discussion among the Planning Commissioners, several conditions were established governing the operation of the commercial kennel. Upon concluding discussions, the Planning Commission voted unanimously (6-0) to recommend approval of the conditional use permit with conditions.

Mr. Bracey opened the public hearing. No one spoke in support or in opposition to the conditional use permit.

Mr. Bowman stated be it resolved, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that C-02-4 be approved with the conditions recommended by the Planning Commission.

The motion was seconded by Mr. Clay, Mr. Moody, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of the County of Dinwiddie, Virginia, that that C-02-4 be approved with the conditions listed below:

1. The entire kennel shall be enclosed with wire-mesh type fencing of a design and height subject to approval of the planning department. Kennel facilities or runs shall not be located closer than 100 feet to any property line or well, not closer than 50' to a surface water body, and not closer than 25' to a drainage way, natural or man-made.
2. All signs erected on or in conjunction with the facility are subject to approval of the Zoning Administrator.
3. Copies of any local and state permits or licenses must be on file with the Planning Department prior to the issuance of a Certificate of Occupancy.
4. All canine feces shall be disposed of pursuant to applicable County and Health Department guidelines.
5. No more than twenty (20) dogs shall be permitted at the facility at any one time.
6. The existing vegetation between the pens and the side property line and the front property line shall remain. If disturbed, it shall be replaced by suitable vegetative plantings of sufficient height and density to adequately screen the kennels from view. The Planning Department shall be consulted on this matter if replacement vegetation is proposed.
7. The applicant or future landowners shall maintain their permanent residence on-site. Failure to do so shall render this conditional use permit null and void.

IN RE: PUBLIC HEARING – C-02-5 – PARKER OIL COMPANY

This being the time and place as advertised in the Dinwiddie Monitor on September 18, 2002 and September 25, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a request from Parker Oil Company to amend a previously issued conditional use permit (AP-97-1) in which they are seeking to install a third

30,000 gallon propane storage tank on their property located at 25501 Weakley Road.

Planning Summary Report

File: C-02-5
Applicant: Parker Oil Company, Inc.
Property Address: 25501 Weakley Road
Magisterial District: Rohoic
Acreage: 1.0 acres
Tax Map Parcel: 21(5)3A
Zoning: Industrial, Heavy M-2

The applicant, Parker Oil Company, is seeking an amendment to previous cases AP-97-1 and P-95-4. This request seeks to amend proffer #4 by allowing the applicant to install a third (3rd) 30,000 gallon propane tank on their property located at 25501 Weakley Road. Staff reviewed the previous applications with the Commissioners with emphasis upon screening at the front and east side of the property and the need for additional shrubbery at the front of the property. The applicant's representative, Mr. Oscar Edwards, came forth to answer questions of the Commission. After a discussion on the need for the additional tank and the screening criteria, the Chairman opened the meeting for public comment. No one present spoke on the matter. After a brief discussion, the Planning Commission voted unanimously to recommend approval of the request to amend proffer #4 to allow a third (3rd) 30,000 propane tank. But they noted proffer #4 should require slants woven into the chain link fence on the front, west and east side of the property to aid in screening. Also, proffer #9 should be clarified to require additional shrubs to be planted along the front of the property adjacent to Weakley Road.

Since this is a request to amend a previously accepted proffer (case P-95-4) which was amended by case # AP-97-1, the language of the proffer must be amended as indicated at the end of this summary.

Mr. Bracey opened the public hearing. No one spoke in support or in opposition to the conditional use permit.

Mr. Haraway stated be it resolved, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice I move that case number C-02-5 be approved, with the proffers recommended by the Planning Commission.

The motion was seconded by Mr. Clay, Mr. Moody, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of the County of Dinwiddie, Virginia, that that C-02-5 be approved with the proffers listed below:

Proffer # 4 - a six (6) foot high Cyclone type fence with barbed wire shall be constructed so as to enclose the entire facility that consists of 3 – 30,000 gallon tanks with accessories. Said fence shall not be located closer than twenty-five (25) feet to the property line along State Route 603. The fence shall include at least one fence gate constructed and located to provide access for fire and rescue vehicles. Said gate(s) shall be closed and locked at all times when the

facility is not being utilized. The chain link fence located on the north, east and west side of the property shall be interwoven with metal slats to provide screening.

Proffer #9 - is clarified to require additional shrubs to be planted along the front of the property adjacent to Weakley Road.

**IN RE: PROCLAMATION – DECLARING OCTOBER
“DISABILITIES AWARENESS MONTH”**

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting “Aye”, the following proclamation is adopted.

PROCLAMATION

Whereas, according to the most recent U.S. census figures, some 50 million Americans, including some 6 million Virginians, have a disability, and;

Whereas, some 30,818 Crater District area households include one or more persons with a disability; and;

Whereas, this is the twelfth anniversary of the American with Disabilities Act; and

Whereas, attitudes and structural barriers still prohibit people with disabilities from participating in the full range of life activities; and

Whereas, it is the purpose of this month to increase Dinwiddie residents' awareness of the value and the necessity of including people with disabilities in everyday activities;

Now Be It Hereby Resolved by the Board of Supervisors of Dinwiddie County, Virginia that October 2002 is hereby proclaimed Disability Awareness Month.

**IN RE: CONTRACT AWARD – PARKER OIL COMPANY -
GASOLINE, DIESEL & FUEL OIL**

Mrs. Ralph commented we received the following gas and fuel oil bids on Monday September 30, 2002:

GASOLINE	UNLEADED		DIESEL	
COMPANY	PROPOSAL/ALT. 1		PROPOSAL/ALT. 1	
PARKER OIL	\$.9170	\$.9265	\$.8570	\$.9311
JAMES RIVER	no bid	\$.9629	no bid	\$.9700
2001 PRICES	\$.7467		\$.7583	

*Alternate 1 is Fluctuating Price

FUEL NO. 2

PARKER OIL	\$.8710
JAMES RIVER	\$.90
2001 PRICES	\$.7645

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes the Administrative Staff to enter into a contract with Parker Oil Company the low bidder, to supply gasoline at the fixed rate of \$.9170 per gallon, diesel at the fixed rate of \$.8570, and #2 fuel oil at the fixed rate of \$.8710 per gallon to the county, effective October 5, 2002 through October 4, 2003.

**IN RE: MR. HARRISON MOODY - DESIGNATED VAGO
REPRESENTATIVE TO VOTE AT ANNUAL 2002
BUSINESS MEETING**

The County Administrator stated the 2002 Annual Business meeting of the Virginia Association of Counties will be held on Tuesday, November 12, from 10:30 a.m. to Noon at the Homestead in Bath County. Each county needs to designate a representative of its board to cast its votes at the meeting.

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", Mr. Moody, "Abstaining", Mr. Moody is appointed to be the designated representative to cast the Board's vote(s) at the 2002 Annual Business meeting of the Virginia Association of Counties.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. A request for extra travel money for the Extension Service employees was enclosed in your packets. With all State budgets being cut at this time, I cannot recommend that the County pick up the reductions. In addition, with only three months into the new fiscal year, I would recommend that additional funding for any department be postponed until other sources of funding have been depleted and we receive our final end of year financial report. The Board agreed. However, Mr. Moody commented agriculture is very important in the County and he felt assistance should be given to the Extension Service employees if needed.

IN RE: EMERGENCY ORDINANCE – WATER RESTRICTIONS

The County Administrator commented at the last meeting we discussed the fact that we have not adopted an ordinance in response to the Governor's water restrictions. I have been working with Mr. Rob Harrison and Ms. Phyllis Katz our County Attorney on the emergency ordinance, which was included in the packets. We can adopt it tonight as an emergency ordinance and hold a public hearing within 60 days if you want to make it permanent.

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the following emergency water restriction ordinance is adopted:

EMERGENCY ORDINANCE

To Establish Provisions Relating to Mandatory Restrictions on the Use of Surface and Ground Water in the County, Including Provisions to Restrict the Use of Water for Irrigation Purposes, to Establish Certain Other Restrictions on the Use of Water, and to Establish Criminal Penalties and fines of Fifty Dollars for the Second Violation and One Hundred Dollars for Each Subsequent Violation of the Restrictions, Pursuant to Title 15.2, Chapter 21 of the Code of Virginia, Including Specifically Virginia Code §§15.2-924(A), 15.2-1429 and Title 44, Chapter 3.2, Including Specifically Virginia Code §§ 44-146.17(1), 44-146.19, and 44-146.21.

WHEREAS, stream flows and ground water have reached historic low levels that necessitate limiting use of the public water source for the protection of the health, safety and general welfare of the citizens of the County; and

WHEREAS, on August 30, 2002, the Governor of the Commonwealth of Virginia issued Executive Order Number 33, entitled Declaration of a State of Emergency Due to Extreme Drought Conditions throughout the Commonwealth (the "Executive Order"), in which he proclaimed a state of emergency throughout the Commonwealth due to drought conditions, instituted mandatory restrictions on certain uses of surface and ground water in the County and in other localities in the Commonwealth, mandated agencies of both state and local governments to render appropriate assistance to address drought conditions, and authorized local governments to establish, collect, and retain fines for violations of the water restrictions.

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

That the following Ordinance is hereby adopted to read in its entirety as follows:

Sec. 1. Finding of an Emergency.

It is hereby determined and found that a state of emergency exists, as proclaimed in the Executive Order of the Governor of the Commonwealth, due to extreme drought conditions in the County and throughout the Commonwealth, and that a water supply emergency continues to exist in the County, due to the current water levels of the County's water supply sources for its public water system and anticipated demand in the immediate future, which together necessitate the adoption of this Ordinance mandating restrictions on the use of water in the County under the terms and conditions set forth in this Ordinance.

Sec. 2. Definitions.

The following words and phrases, when used in this Ordinance, shall have the meaning ascribed to them below, except in those instances where the context clearly indicates a different meaning:

Assessment date: The date of the water bill on which a fine for violation of this Ordinance is imposed.

Fountain: A water display where water is sprayed strictly for ornamental purposes.

Lawn: Grass areas of any property, including residential, commercial or industrial areas, but excluding agricultural fields and athletic fields.

Person: Any individual, corporation, partnership, association, company, business, trust, joint venture or other legal entity.

Vegetable garden: Any "non-commercial" vegetable garden planted primarily for household use; "non-commercial" includes incidental direct selling of produce from such a vegetable garden to the public.

Sec. 3. Mandatory Surface and Ground Water Use Restriction Measures.

All persons and households in the County shall limit their use of surface water, which includes water from the public water system, and ground water consistent with the Executive Order, and in accordance with this section:

- a) Lawns. Watering of lawns is prohibited at all times. New and replanted or resodded lawns may be watered for a period not to exceed 30 days.
- b) Vegetable Gardens, Flowers, Trees and Shrubs. Watering is limited to three (3) days per week by address. Addresses ending with an odd number may water only on Tuesday, Thursday and Saturday. Addresses ending with an even number, or with no number, may water only on Wednesday, Friday and Sunday. Watering is prohibited on Mondays. Watering with buckets that have a capacity of 5 or fewer gallons is permitted at any time.
- c) Vehicle Washing. Vehicle washing by persons other than commercial car washes is prohibited at all times. Commercial car washes, auto dealers, body shops and car rental agencies are permitted to operate under normal conditions, except that such businesses may not wash corporate fleet vehicles.
- d) Swimming Pools. Filling is prohibited at all times, with the exception of pools used by health care facilities for patient care and rehabilitation, which are permitted to operate under normal conditions. New or repaired pools may be filled as necessary to maintain the structural integrity of the pool. Indoor pools may be filled as necessary to ensure swimmer health and safety.
- e) Golf Courses. Watering of tees and greens is permitted daily between the hours of 8:00 p.m. and 8:00 a.m. All other watering is prohibited at all times, except that new and refurbished fairways may be watered for a period not to exceed 30 days.
- f) Fountains. Water use is prohibited.
- g) Paved Areas. Washing is prohibited except for health and safety requirements.
- h) Restaurants. Water shall be served to customers only upon request.
- i) All Other Businesses. Water use is limited to uses essential for business use and human hygiene.

Sec. 4. When Restrictions Go Into Effect.

- j) The water use restrictions set forth in this Ordinance shall take effect immediately.
- k) The water use restrictions shall remain in effect so long as the Executive Order remains in full force and effect.

Sec. 5. Notice.

Notice of these public water use restrictions shall be published in the Progress-Index and the Dinwiddie Monitor during the time in which the restrictions are in force under the emergency ordinance.

Sec. 6. Violation.

It shall be a violation of this Ordinance and a Class 1 misdemeanor pursuant to Va. Code § 15.2-1429 for any person to use water, or allow or cause the use of water, in violation of the provisions of this Ordinance after the first publication required by Section 5 of this Ordinance.

Sec. 7. Penalty.

- l) Any person who violates any provision of this Ordinance shall be subject to the following penalties in addition to:
 - 1) For the first offense, violators shall receive a written warning by certified mail, delivered in person or posted by a representative of the Dinwiddie County Water Authority or Sheriff's deputy.
 - 2) For the second offense, violators shall be fined \$50.00.
 - 3) For the third and each subsequent offense, violators shall be fined \$100.00 for each offense.
 - 4) For users of water supplied by the Dinwiddie County Water Authority, the fine will be imposed on the violator's next water bill.
 - 5) Each violation by a person shall be counted as a separate violation by that person, irrespective of the location at which the violation occurs.

- a) Persons who do not have water supplied by the Dinwiddie County Water Authority and who have been assessed a penalty shall have the right to challenge the assessment by providing a written notice to the County Administrator within ten (10) days of the date of the assessment of the penalty. The County Administrator shall determine whether the penalty was properly assessed and notify the complaining person in writing of his determination. The County Administrator may waive the penalty if she/he determines that the violation occurred due to no fault of the person.

- b) Persons who have water supplied by the Dinwiddie County Water Authority and who have been assessed a penalty shall have the right to challenge the assessment by providing a written notice to the Executive Director of the Water Authority within ten (10) days of the date of the assessment of the penalty. The Executive Director of the Water Authority shall determine whether the penalty was properly assessed and notify the complaining person in writing of his determination. The Executive Director of the Water Authority may waive the penalty if she/he determines that the violation occurred due to no fault of the person.

2. That this Ordinance shall not be set out in the Code of the County of Dinwiddie, Virginia.

3. That the provisions of this Ordinance are severable, and the unenforceability of any provision in the Ordinance, as determined by a court of competent jurisdiction, shall not affect the enforceability of any other provision in the Ordinance.

4. That this Ordinance shall take effect immediately.

IN RE: COUNTY ADMINISTRATOR COMMENTS – CONT'

2. Use of County Buildings – The policy which was adopted by Chesterfield for use of their Library was enclosed in your packets. In light of the recent event, they have added C.4. and 5., to try to recover some of their costs. The County Administrator stated she would like to pursue the policy a little further and also see what Chesterfield does in addition to this before bringing it back to the Board for review. I definitely think we should adopt some type of policy for Eastside because it is open to the public. Our other County buildings are restricted to County department activities. The Schools might have the same problem.

3. The County Administrator distributed draft copies of VACo's 2003 legislative program and policy statements and the county's legislative issues for 2002. She requested that the Board advise her of any issues they would like to add to the list.
4. Mrs. Ralph stated she enclosed the latest communications from the Governor's Office regarding the budget cuts. She commented she would be sending a similar notice to all departments that they need to be preparing for these cuts as well and operating statements will be monitored on a monthly basis. If monthly appropriations become necessary, we will be asking the Board for that authority.
5. We need to adjourn the meeting today to be continued on Friday, October 4, 2002 at 7:30 A.M. for the Board retreat to be held at the Pamplin Park Operations Building on Duncan Road.
6. Mrs. Ralph commented, there is going to be a public hearing on Wednesday, October 30, 2002 at 7:30 P.M. for the Revenue Recovery Ordinance.

IN RE: BOARD MEMBER COMMENTS

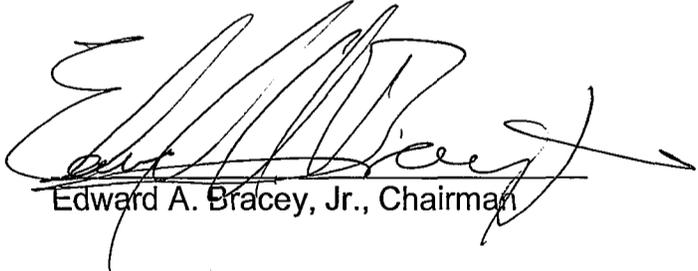
- Mr. Bowman He requested that the County Attorney perform a research to find out what the original agreement between Central State Hospital and the County was regarding payment for services.
- Mr. Moody He stated Mr. Gauldin, one of our representatives on the Crater Disabilities Services Board, called him and asked him to advise the Board that there is going to be a meeting this week. If any of them have any issues they would like for him to discuss, please give him a call.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter to Dr. Wise requesting an update on the closure of the projects that the School Board has outstanding at the present time.
2. Draper Aden Associates – Article – "Water! It's not trivial".
3. Cost for the study of the personnel system in Dinwiddie County.
4. Draft of VACo's 2003 legislative program and policy statements.
5. Year 2002 legislative issues for Dinwiddie County.

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 8:47 P.M. to be continued until 7:30 A.M. on Friday, October 4, 2002 for a Board Retreat at the Operations Building at Pamplin Park on Duncan Road, Petersburg, Virginia.


 Edward A. Bracey, Jr., Chairman

ATTEST: 
 Wendy Weber Ralph
 County Administrator

/abr