

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY HELD AT THE AGRICULTURAL BUILDING OF SAID COUNTY ON THE 19TH DAY OF JUNE 1968 AT 8:00 P.M.

PRESENT: A. M. SMITH, CHAIRMAN ROHOIC DISTRICT
S. E. WINN, VICE CHAIRMAN DARVILLS DISTRICT
G. M. WATKINS NAMOZINE DISTRICT
T. H. TUNSTALL SAPONY DISTRICT
M. I. HARGRAVE, JR ROWANTY DISTRICT
H. T. WILLIAMS, III COMMONWEALTH'S ATTORNEY

IN RE: MINUTES

The minutes of the previous meeting were read and approved after one correction.

IN RE: ALLOWANCE OF CLAIMS FROM THE GENERAL FUND

On motion made and carried, it is ordered by the Board of Supervisors that the accounts against the General Fund of the County for the month of May 1968 amounting to \$7,654.90 be allowed and checks numbering 68-486 through 68-546, both inclusive be issued therefore payable out of the General Fund of the County, said claims having been audited and approved by the Board.

IN RE: SUPPLY FUND

Upon motion made and carried, it is ordered by the Board that the accounts against the Supply Fund of the County for the month of May 1968 amounting to \$18.97 be allowed and checks numbering SF-68-8 & 9 be issued, therefore payable out of the Supply Fund.

IN RE: CONSUMERS UTILITY TAX ORDINANCE ADOPTED

This being the time and date set to hold a public hearing as advertised in the Southside Virginia News to consider adoption of a consumers utility tax. The ordinance was read aloud and explained. The following statement was read and ordered entered into the official minutes:

GENTLEMEN:

My name is D. W. Poole and I am District Manager for Virginia Electric and Power Company.

Vepco is opposed to the proposed tax on utility bills unless the ordinance levying the tax provides for a reasonable rate and reasonable ceilings.

Last year 19.9¢ of each Vepco dollar of revenue was paid out in taxes. If the 10% utility tax is imposed, the tax burden on residents and business interests in Dinwiddie County will be greatly increased.

The Company incurs all the costs of collecting the tax and receives all complaints about the increased cost of utility service. We have found that when the utility tax is imposed, our customers believe their electric bills have been increased rather than their taxes. The County collects the tax with no cost whatsoever. That, however, is not the reason we are appearing here on this matter.

What troubles us most is the fact that loading taxes on electric bills makes customers reluctant to expand their service, thus retarding increased use of electricity. We depend on increased use of electricity to keep our rates low.

The tax is also a deterrent to new industry locating in any county imposing it. Other things being equal, any industry using a substantial amount of electricity will seek a location where the utility tax is not imposed or, if imposed, reasonable ceilings are placed on the application of the tax.

We believe a reasonable ceiling should be placed on the application of the tax to the monthly bill of any commercial or industrial customer in order not to deter industry and commerce from locating in Dinwiddie County.

We also believe a reasonable ceiling should be placed on the monthly bills of residential customers in order not to discourage increased use of electric service. Expansion of electric service helps not only VEPCO, but also other industry and commerce, including electric appliance dealers and electrical contractors in Dinwiddie County.

In conclusion, we feel that, if the Board of Supervisors believes the tax must be imposed, then we ask that the lowest rate possible in combination with the lowest possible ceilings on the application of the tax to customers' bills be incorporated in the ordinance.

After more discussion Mr. Winn moved the consumers utility tax ordinance be adopted as read. Mr. Watkins seconded the motion. Said motion was carried, all members voting "aye" and the following ordinance was adopted:

AN ORDINANCE LEVYING A TAX ON PURCHASES
OF UTILITY SERVICE, FIXING THE AMOUNT
OF TAX, PROVIDING FOR ITS COLLECTION AND
PRESCRIBING PENALTIES FOR THE VIOLATION
OF THIS ORDINANCE.

WHEREAS, in order to provide increased public revenues, it is deemed necessary by the County of Dinwiddie, to levy a tax on purchases of utility services.

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

Section 1. The following words and phrases when used in this ordinance shall for the purpose of this ordinance have the following respective meanings, except where the context clearly indicates a different meaning.

(a) PERSON. The word "person" shall include individuals, firms, partnerships, associations, corporations and combinations of individuals of whatever form and character.

(b) UTILITY SERVICES. The phrase "utility services" shall include local exchange telephone service, electrical service, and gas service, furnished within the boundaries of the County of Dinwiddie.

(c) PURCHASER. The word "purchaser" shall include every person who purchases a utility service.

(d) SELLER. The word "seller" shall include every person who sells or furnishes a utility service.

(e) RESIDENTIAL USER. The term "residential user" shall mean the owner or tenant of private residential property who pays for utility service in or for said property.

(f) COMMERCIAL OR INDUSTRIAL USER. The term "commercial or industrial user" shall mean the owner or tenant of property used for commercial, industrial and all other purposes, who pays for utility service for said property.

Section 2. There is hereby imposed and levied by the County of Dinwiddie upon each and every purchaser of a utility service, a tax in the amount of ten per centum (10%) of the charge (Exclusive of any Federal Tax thereon) made by the seller against the purchaser with respect to each utility service, which tax in every case shall be collected by the seller from the purchaser and shall be paid by the purchaser unto the seller for the use of the County of Dinwiddie at the time the purchase price or such charge shall become due and payable under the agreement between the purchaser and the seller. Provided, however, that in case any monthly bill submitted by any seller for residential service shall exceed Ten Dollars (\$10.00) for a residential user, there shall be no tax computed on so much of said bill as shall exceed Ten Dollars (\$10.00); except that there shall be no tax computed on bills submitted for electric service for heating water and space heating where a separate meter is used solely for water heating and space heating service or on bills submitted for unmetered electric service. In the case of any apartment house or other multiple family dwelling using gas service through a master meter or master meters, the sum of Ten Dollars (\$10.00) shall be multiplied by the number of dwelling units served, and for electric service the sum of Ten Dollars (\$10.00) shall be multiplied by the number of dwelling units served. In case any monthly bill submitted by any seller for commercial or industrial service shall exceed One Hundred Dollars (\$100.00) there shall be no tax computed on so much of said bill as shall exceed One Hundred Dollars (\$100.00). Provided further, that there shall be no tax computed on bills submitted on sales of utility service for resale. Bills shall be considered monthly bills if submitted twelve (12) times per year for periods of approximately one month each.

Section 3. In all cases where the seller collects the price for utility services other than on a monthly basis, the tax hereby imposed and levied may be computed on the aggregate amount of purchases during the period billed for, provided that the amount of tax to be collected shall be the nearest whole cent to the amount computed, and such tax shall not exceed the sum of One Dollar (\$1.00) for residential user of electricity, gas or telephone service, or Ten Dollars (\$10.00) for commercial or industrial users, multiplied by the number of months, or portion thereof, covered by bill.

Section 4. It shall be the duty of every seller in acting as the tax collecting medium or agency for the County of Dinwiddie to collect from the purchaser for the use of the County the tax hereby imposed and levied at the time of collecting the purchase price charged, and the taxes collected during each calendar month shall be reported by each seller to the Commissioner of Revenue and each seller shall remit the amount of tax shown by said report to have been collected to the County Treasurer on or before the last day of the first calendar month thereafter, together with the name and address of any purchaser who has refused to pay his tax. The required reports shall be in the form prescribed by the Commissioner of the Revenue. The tax levied or imposed under this ordinance with respect to the purchase of any utility service, shall be come effective on charges first appearing on bills rendered on July 1, 1968, and thereafter.

Section 5. Each and every seller shall keep complete records showing all purchases in the County, which records shall show the price charged against each purchaser with respect to each purchase, the date thereof, and the date of payment thereof, and the amount of tax imposed hereunder, and such records shall be kept open for inspection by the duly authorized agents of the County at reasonable times, and the duly authorized agents of the County shall have the right, power and authority to make transcripts thereof.

Section 6. The United States of America, the State of Virginia and the political subdivisions, boards, commissions and authorities thereof, are hereby exempted from the payment of the tax imposed and levied by this ordinance with respect to the purchase of utility services used by such governmental agencies.

Section 7. The tax hereby imposed and levied on purchasers with respect to local exchange telephone service shall apply to all charges made for local exchange telephone service, except local messages which are paid for by inserting coins in coin operated telephones.

Section 8. The tax hereby imposed and levied shall not apply to the purchase of bottled gas.

Section 9. The County Treasurer may extend, for good cause shown, the time of filing any return required to be filed by the provisions of this ordinance; provided, however, no such extension shall exceed a period of ninety days.

Section 10. Any purchaser failing, refusing or neglecting to pay the tax hereby imposed or levied and any seller violating the provisions hereof, and any officer, agent or employee of any seller violating the provisions hereof, shall upon convictions, be subject to a fine of not more than Twenty-Five Dollars (\$25.00). Each failure, refusal, neglect or violation and each day's continuance thereof, shall constitute a separate offense.

Section 11. Upon passage this ordinance becomes effective 12:01 A.M. July 1, 1968.

IN RE: BUDGET 1968-69 ADOPTED

This being the date and time set to hold a public hearing to consider adoption of an annual budget for fiscal planning purposes and information as advertised in the Southside Virginia News. It appeared to the Board no one appeared to make comments or suggestions.

Mr. Watkins moved the advertised budget be adopted for the year 1968-69. Mr. Tunstall seconded. Motion was carried. (The Budget as approved appears on page 281 of this book).

IN RE: TAX LEVY RATE FOR 1968

Upon motion made by Mr. Tunstall, seconded by Mr. Hargrave and carried.

BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of Dinwiddie, Virginia, that there be, and is hereby levied, for the year 1968, a tax of \$3.00 per one hundred dollars of assessed valuation on all taxable real estate located in this County, and that there be, and is hereby levied for the year 1968, a tax of \$3.00 per one hundred dollars of assessed valuation of all taxable machinery and tools located in this County on January 1, 1968, and that there be, and is hereby levied, for the year 1968 a tax of \$3.00 per one hundred dollars of assessed valuation of all taxable tangible personal property located in this County on January 1, 1968, the respective levies hereby ordered being also applicable to the real estate and tangible personal property of public service corporations, based upon the assessment thereof fixed by the State Corporation Commission and duly certified.

IN RE: DINWIDDIE COUNTY CIVIC LEAGUE

Mr. Ralph A. Shands, President of the Dinwiddie County Civic League read the following statement:

"We are aware that the members of the Board of Supervisors of our County are men of integrity with a deep concern for the educational well-being of all the people in the County, and we feel that we share in your zeal for this great undertaking; that of education in Dinwiddie County.

"As we view the educational situation in our County, we are dissatisfied with the potential loss of federal funds for education. The news media has stated that 98 per cent of the people in Dinwiddie County are satisfied with the present school situation, but we are sure that this is an erroneous statement. Therefore, we are requesting reasons for the County being placed on the deferred list.

"In the light of the foregoing statements, it is our thinking that the leadership of the County should take whatever steps necessary to regain our position with the Department of Health, Education and Welfare in order to insure the retention of funds so that education may move forward in the County without further disturbance!"

There was lengthy discussion concerning the anticipated cut off of federal funds and the freedom of choice method of desegregation of the schools.

The Chairman stated these problems should be brought before the School Board. No action was taken.

IN RE: LICENSED PRACTICAL NURSE PROGRAM

Mr. George Bokinsky, Administrator of Petersburg General Hospital appeared before the Board and stated the Licensed Practical Nurse Program at the Hospital was available to adults and students of Dinwiddie County. Mr. Bokinsky stated the cost to enroll amounted to approximately \$380 per applicant with other cost and services absorbed by the Hospital and the program. Mr. Bokinsky requested the Board of Supervisors to participate in the tuition cost either by a scholarship fund or direct loans. The Chairman stated this might be considered as a Ruritan Club project.

Mr. Hargrave moved, Mr. Tunstall seconded, and the motion carried asking the Commonwealth's Attorney to study the legality of the Board establishing a scholarship or loan fund to enable citizens to participate in this program.

IN RE: MR. G. M. HODGE - STATEMENT OF THANKS

Mr. George M. Hodge, Superintendent of Schools stated on behalf of the School Board he appreciated the cooperation given to the School Board and himself by the Board of Supervisors during the past fiscal year.

IN RE: RESOLUTION OPPOSING RELOCATION OF WXEX-TV MAIN STUDIOS.

Upon motion of Mr. Tunstall, seconded by Mr. Winn and carried, all members voting "aye" the following resolution was adopted:

WHEREAS, WXEX-TV Channel 8 was assigned by the Federal Communication Commission to Petersburg, Virginia to better serve the public interest of Southside Virginia; and

WHEREAS, TV Channel 6 and 12 were assigned by the Federal Communication Commission to Richmond Virginia; and

WHEREAS, WXEX-TV Channel 8 owned by Nationwide Communication Inc. has now applied to the Federal Communication Commission for permission to move its main studio from Petersburg to be contrary to the public interest of the people of Dinwiddie County and Southside Virginia.

NOW THEREFORE, the Board of Supervisors of Dinwiddie County does by this resolution express to the Federal Communication its public opposition to this removal.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Federal Communication Commission in Washington, D. C. That a copy be sent to Nationwide Communication, Inc., and to Congressman W. M. Abbitt, calling upon him to convey to the Federal Communication Commission the opposition of this Board of Supervisors to the removal of the main studio of WXEX-TV from Petersburg.

IN RE: RESOLUTION CONCERNING SUTHERLAND MANOR SUBDIVISION STREETS

Upon motion of Mr. Winn, seconded by Mr. Watkins and carried the following resolution was adopted:

It appearing to the Board that Sutherland Drive, Woodland Road, and Beville Drive have been constructed and surfaced in accordance with State Highway Specifications and County Ordinance. Sutherland Drive beginning at a point on Route 460, approximately 0.60 mile east of Route 631 running in a southerly direction 0.32 mile to Dead End. Woodland Road beginning at a point on Sutherland Drive, 0.28 mile south of Route 460 running in an easterly direction 0.08 mile to Beville Drive. Beville Drive beginning at a point on Woodland Road, 0.08 mile east of Sutherland Drive running in a northerly direction 9.12 mile to Dead End.

It further appearing to the Board that plat of this subdivision showing Sutherland Drive, Woodland Road and Beville Drive to have a 50 foot right of way in width. Said plat being recorded in Plat Book 6, Page 29 with owner's consent and dedication recorded March 21, 1967, Deed Book 131, Page 92.

Added to the State Secondary System
effective July 1-68
C. J. Spindler, Clerk.

Whereas motion was duly made and carried that the State Highway Department be requested to add these streets to the State Secondary Road System in Dinwiddie County effective July 1, 1968 with the provisions that the subdivider furnish the State Highway Department with required bond.

IN RE: COMMISSION OF GAME & INLAND FISHERIES PURCHASE OF 7½ ACRES ON LAKE CHESDIN

It was brought to the Board's attention the Commission of Game & Inland Fisheries had an option to purchase 7½ acres of land adjacent to Lake Chesdin within Dinwiddie County; such parcel of land which could be used for future development as a camping area, boat launching ramp, etc.

Mr. Hargrave moved the Commission of Game & Inland Fisheries be urged and requested to exercise their option to purchase said 7½ acres for possible future development by the Commission and the Dinwiddie County Board of Supervisors does hereby concur with the purchase of said land. Mr. Tunstall seconded. The motion was carried, all members voting "aye".

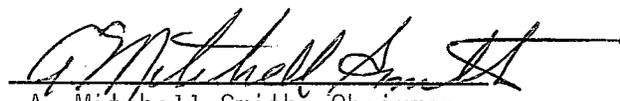
IN RE: REVISED 1967-68 SCHOOL BUDGET APPROVED

Upon motion of Mr. Winn, seconded by Mr. Hargrave and carried the 1967-68 revised school budget as presented to the Board of Supervisors on March 6, 1968 with the proposed 1968-69 school budget was approved.

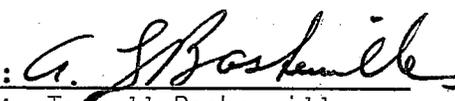
IN RE: JAIL APPLICATION TO COMMONWEALTH FOR PARTICIPATION AND CONSTRUCTION

Upon motion of Mr. Winn and seconded by Mr. Tunstall and unanimously carried all members voting "aye", the Executive Secretary was directed and authorized to make application to the Department of Welfare & Institutions requesting the State's participation in the construction of the jail facility for the County of Dinwiddie in the amount of \$25,000.00 pursuant to Section 53-133.1 of the Code of Virginia as amended.

There being no further business to be brought before the board the meeting was adjourned at 10:25 P.M.


A. Mitchell Smith, Chairman

ATTEST:


A. Terrell Baskerville
Executive Secretary