

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 20TH DAY OF MAY, 1981 AT 8:00 P.M.

PRESENT: A.S. CLAY, CHAIRMAN ELECTION DISTRICT #4
G.E. ROBERTSON, JR., VICE-CHAIRMAN ELECTION DISTRICT #2
STEVE WEBER ELECTION DISTRICT #2
G.S. BENNETT, JR. ELECTION DISTRICT #1
M.I. HARGRAVE, JR. ELECTION DISTRICT #3

JOHN R. HODGES INVESTIGATOR

ABSENT: L.G. ELDER COUNTY ATTORNEY

IN RE: MINUTES

Upon motion of Mr. Robertson, seconded by Mr. Bennett, Mr. Robertson, Mr. Bennett, Mr. Weber, Mr. Hargrave, Mr. Clay voting "aye", the minutes of the May 6, 1981 meeting were approved as presented.

IN RE: CLAIMS

Upon motion of Mr. Weber, seconded by Mr. Hargrave, Mr. Weber, Mr. Hargrave, Mr. Bennett, Mr. Robertson, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims be approved:

General Fund checks-numbering 81-865 through 81-959 and 81-961 through 81-964 amounting to \$51,881.23.

IN RE: PUBLIC HEARING--A-81-1--AMENDMENT TO VEHICLE LICENSES ORDINANCE

This being the time and place as advertised in the Progress-Index on Wednesday, May 6, 1981 and Wednesday, May 13, 1981 for the Board of Supervisors of Dinwiddie County, Virginia to consider for adoption an ordinance to amend the Code of the County of Dinwiddie, Virginia to delete the second paragraph of the current Section 11-18 and the addition of a new paragraph to require the payment of personal property taxes owing on all vehicles before a county sticker shall be issued for any vehicle registered to said applicant.

No one spoke in support or opposition to this ordinance.

Mr. Robertson asked if information would be available at the establishments selling county stickers to verify payment of taxes. The County Administrator advised the Board that a delinquent list of names would be available for verification.

Upon motion of Mr. Hargrave, seconded by Mr. Bennett, Mr. Hargrave, Mr. Bennett, Mr. Weber, Mr. Robertson, Mr. Clay voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the Dinwiddie County Code, as adopted April 1, 1970, and as heretofore amended, be further amended by the deletion of the second paragraph of the current Section 11-18 and the addition of a new paragraph to read as follows:

Chapter 11

MOTOR VEHICLES AND TRAFFIC

Article II. Vehicle Licenses

Sec. 11-18. Licensing requirements and tags, stickers, etc., generally.

No vehicle so taxable shall be licensed unless and until the applicant for such license shall have produced satisfactory evidence that all personal property taxes upon all motor vehicles, trailers or semitrailers, which personal property taxes have been assessed or are assessable against such applicant for the taxable year 1968 and every subsequent year thereafter, have been paid.

IN RE: TRANSPORTATION SAFETY FINAL APPLICATION--FY 81-82

The Secretary to the Transportation Safety Commission presented the following projects for the Board's consideration for final application for 1981-82 Transportation Safety funding:

	Local	Federal
1. Completion of Driver Education Range (Fencing and Equipment)	14,300	14,300
2. Two Flashing School Zone Lights	1,000	1,000
TOTAL	15,300	15,300

Mr. Hargrave questioned the need for fencing at the driving range. He felt the fencing there now was adequate.

Upon motion of Mr. Weber, seconded by Mr. Bennett, Mr. Weber, Mr. Bennett, Mr. Robertson, Mr. Clay voting "aye", Mr. Hargrave abstaining,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the projects as presented above be included in the final application for Transportation Safety Funding at a total cost of \$30,600; \$15,300 local match and \$15,300 federal; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator be authorized to sign said application and all necessary information attached as the authorized official of the County.

IN RE: APPROVAL OF HIGHWAY PROJECTS--ROUTE 40

The County Administrator presented information on two highway construction projects being proposed on Rt. 40 for the Board's consideration. The projects consist of constructing a 10 x 10 box culvert carrying Route 40 over Turkey Egg Creek and widening an existing bridge at Reedy Creek.

Mr. Bennett asked if Route 40 would have to be closed for these projects. The County Administrator stated that from what he could ascertain from the information from the VDH&T, the road would not be closed.

Upon motion of Mr. Bennett, seconded by Mr. Robertson, Mr. Bennett, Mr. Robertson, Mr. Weber, Mr. Hargrave, Mr. Clay voting "aye", the projects on Route 40 as proposed by the VDH&T, to construct a 10 x 10 box culvert carrying Rt. 40 over Turkey Egg Creek and widening an existing bridge at Reedy Creek, were approved.

IN RE: LAND USE ORDINANCE--DISCUSSION OF AMENDMENT

Mr. Robertson and Mr. Weber asked that this item be placed upon the agenda for discussion.

Mr. Robertson stated that when the Land Use Ordinance was approved last year, the information used was based on experience from other localities and the County had no experience of its own to base a decision on. He stated that based on the experience and figures the County has now, Land Use is placing a 10¢ per \$100 burden on homeowners. He further stated that he has had considerable input from citizens throughout the County and feels it was an unwise decision to allow all categories under Land Use. He felt it was time to hear the citizens' feelings on Land Use.

Mr. Robertson moved that a public hearing be advertised for 7:30 P.M., June 4, 1981 to receive public input on an amendment to the Land Use Ordinance to eliminate all categories except Agricultural Use.

Mr. Weber seconded the motion stating that he agreed with Mr. Robertson. He further stated that he felt the County doesn't need Land Use; however, if it remains, only the Agricultural category should be allowed. He stated that he felt after hearing the citizens, the Supervisors would change their minds. He further stated that farmers were already getting a tax break and the forest category, especially, was not needed.

Mr. Bennett stated that he disagreed with Mr. Robertson and Mr. Weber. He stated that the County had only been under Land Use for six months and if it were changed now, it would be a hastily made decision. He stated that timber companies had only 23% in Land Use whereas 77% was made up of private timber owners. He stated that he realized that the timber companies were causing the greatest concern but he questioned what they were actually costing the County. He further stated that he felt they were providing a service to the County by preserving open space and feared the change in Land Use would encourage the timber companies to go into the real estate business. He, therefore, opposed a public hearing.

Mr. Robertson stated that the time schedule set by the State required action by June 30 to be effective January 1, 1982 and taxes realized would not be able to be included in the 1982-83 budget. Also, he stated a reassessment would be done in 1984 and coupled with the Land Use damages, the County would be in such hot water, it couldn't come out. He stated he felt it was time to hear the citizens and do everything possible to ease their tax burden. He felt it was time to have a public hearing to hear what the citizens wanted. He also stated that even if Land Use was a good thing, it was a luxury Dinwiddie County could not afford. He stated they were proposing a large real estate tax increase and personal property was one of the highest in the area. He stated that the original intent of Land Use was to protect the owners of large blocks of land so they wouldn't have to sell it off, but only those landowners near the urban area of the County were benefitting. Those deeper in the County were being hurt the most. He felt the homeowners should not have to pay all the burden.

Mr. Bennett stated that taking away Land Use would not reduce the tax rate. The only way to reduce taxes is to reduce expenditures. He stated Land Use is only a redistribution of where the tax money is coming from.

Mr. Robertson stated that it is not equal taxation when certain areas are given preferential treatment, and if the only way to reduce taxes is to cut expenses, maybe the Board needs to look at the budget again.

Mr. Hargrave stated that he agreed with Mr. Bennett that taking away Land Use would not reduce taxes; it's merely a redistribution. He further stated that land is not market-valued like a car or a home. It is being valued by the State based on sales that are happening and that land is being outpriced. He also stated that no one has tried to understand and study Land Use more than the Board. They held several public information hearings and the results are within 2¢ in change of what occurred in Prince George and was predicted for Dinwiddie County. He, therefore, felt there was no need for another public hearing, but would support a change in the application fee if it was not covering costs.

Mr. Weber stated that what the Board was doing was raising the taxes of the homeowner and giving a tax break to the big timber companies. He stated he wanted Agricultural use only included. The farmers were already getting two tax breaks. He further stated that they were not treating the citizens equally, and he did not think the County needed Land Use. If so, then Agricultural use, only, should be included.

Mr. John Sowers stated that the biggest issue was the loss in tax revenues. He felt that with taxes going up 10¢, the Board should reduce expenditures by 10¢ instead to make up the revenue loss caused by Land Use, not penalize the citizens.

Mr. Andie Perdue agreed that the budget should be reduced. He had talked with a number of citizens and they were unhappy. He felt the timber companies did not need a big tax break and the citizens deserve another chance to express their feelings on Land Use now that they know the facts.

Mr. Bolte stated that so far, fees collected for Land Use have amounted to \$16,000 and expenses to date have been \$11,000. He estimated that a good bit of the expenses will not be reoccurring. He felt his office would probably get by with \$5,000 for the coming year; therefore, funds seem adequate.

Mr. Robertson asked Mr. Bolte about an additional position for Land Use and a request for a new position next year. Mr. Bolte stated that additional part-time help was included, but the new position was turned down. Mr. Robertson asked Mr. Bolte about the adequacy of the \$10 fee because he had understood it was not covering expenses. Mr. Bolte stated that the costs had not been more than the \$10 fee charged, so far.

Mr. Clay stated that he had not had alot of input except one individual from the Northern end that supported Land Use. He stated that he couldn't understand the statements made that land use was not fair, because he paid for his lot and one acre of land also. He stated that the Board knew all taxes would have to go up some when it was approved. He stated that he agreed with Mr. Hargrave that public hearings have been held and there hasn't been enough time to really test it. He stated that about half of the Counties have adopted Land Use and only 1 or 2 have backed out, so it must be a good thing.

Mr. Weber asked if the County was losing \$250,000 to \$300,000 a year in taxes due to Land Use. The County Administrator stated that this year, the County would lose \$274,000. Mr. Weber stated that he felt the County couldn't afford to lose this money.

Mr. Raymond McCants spoke in support of a public hearing.

Mr. Robertson, Mr. Weber voting "aye", Mr. Hargrave, Mr. Bennett, Mr. Clay voting "nay", the motion to hold a public hearing on an amendment to the Land Use Ordinance to delete all categories except Agricultural was defeated.

IN RE: CANCELLATION OF SUMMER DAY MEETINGS

Upon motion of Mr. Hargrave, seconded by Mr. Weber, Mr. Hargrave, Mr. Weber, Mr. Bennett, Mr. Robertson, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the meetings scheduled for the first Wednesday in the months of July, (July 1), August (August 5), and September (September 2), 1981, be cancelled.

IN RE: CHANGE IN MID-JUNE MEETING DATE

Upon motion of Mr. Hargrave, seconded by Mr. Bennett, Mr. Hargrave, Mr. Bennett, Mr. Weber, Mr. Robertson, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the meeting scheduled for June 17, 1981 be rescheduled to be held Wednesday, June 24, 1981 at 8:00 P.M.

IN RE: DISCUSSION OF COUNTY ATTORNEY

Mr. Raymond McCants asked if the County Attorney was supposed to attend all meetings by law or just at request by the

Board. Mr. Hargrave stated that the Board as a group had not required the County Attorney to attend all meetings but maybe that was something they should consider.

IN RE: REVIEW OF METHOD USED TO DISPOSE OF ANIMALS

Mr. Hargrave requested that in light of the recent publicity received by the County on its method of disposing of dogs, that the County Administrator briefly review the facts leading up to the newspaper articles and what method the County does use. Mr. Hargrave felt the County has been misjudged and poorly viewed due to the articles.

The County Administrator reviewed the events leading up to the letter received from the Virginia Federation of Humane Societies accusing the County of not following guidelines put out by the Animal Welfare Officer, Dr. Leroy Bowen. Dr. Bowen listed three recommended methods and stated that other methods would continue to be monitored for addition later on. The County Administrator stated that prior to this, there had never been a list of approved methods and the method used by the County was considered unfavorable, only by the Virginia Federation of Humane Societies.

He stated that the County now uses T-61, a drug, which if administered properly, is just as humane as any other method. Dr. Leroy Bowen, however, disagrees stating that it is not a listed recommended use. However, a list has not been published stating those methods disapproved for use.

The County Administrator stated that when T-61 was selected for use by the County, it was selected upon recommendation of local veterinarians and supported by the Dinwiddie SPCA.

Since receipt of the letter from the Humane Society, which did not come to the County Administrator, the use of T-61 has been under discussion by the County. The Progress-Index stated that the County was facing a suit, which the County Administrator stated was incorrect, as he knew of no suit filed against the County.

He further stated that the County will assess the situation.

As to the recommended methods, the County Administrator stated that carbon monoxide was not necessarily the best way. He further stated that sodium pentobarbital is a controlled drug and permits must be obtained from the State and Federal governments accompanied by strict regulations. The drug must be kept in a locked vault which is inspected by the federal government. He stated it would be very costly to the County but the County has not ruled out its use.

IN RE: NOTIFYING OWNERS OF DEAD DOGS WHEN FOUND

Mr. Raymond McCants asked what the State Highway Department and the Animal Warden does about notifying the owner of a dead animal found on the road.

The County Administrator stated that the Animal Warden tries to notify the owner and will turn the tag over to the owner if he desires. He stated that he did not know the exact procedure followed by the Highway Department but would discuss it with them at the next day meeting when they would be in attendance.

IN RE: DISCUSSION OF 1981-82 BUDGET

Mr. John Sowers appeared before the Board to discuss areas of the proposed budget that he felt could be cut. The three areas he mentioned were the School Bus Garage, the Appomattox Regional Library, and Land Use.

He stated that people were very unhappy about the proposed tax increase and felt that the Board was going to have to do some real searching to cut the budget. He suggested that the County use

the \$60,000 for the Appomattox Regional Library to put into the library at the Senior High and pay a librarian here. The Board advised him they considered that in the beginning but it was not allowed by State law.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Hargrave, seconded by Mr. Bennett, Mr. Hargrave, Mr. Bennett, Mr. Weber, Mr. Robertson, Mr. Clay voting "aye", pursuant to Sec. 2.1-344(6) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 9:25 P.M. to discuss "legal matters". The Board reconvened into Open Session at 10:03 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Weber, seconded by Mr. Robertson, Mr. Weber, Mr. Robertson, Mr. Bennett, Mr. Hargrave, Mr. Clay voting "aye", the meeting adjourned at 10:03 P.M.

ATTEST:


W.C. KNOTT


A.S. CLAY, CHAIRMAN