

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA ON THE 21ST DAY OF AUGUST, 1985 AT 7:30 P.M.

PRESENT: M.I. HARGRAVE, JR., CHAIRMAN ELECTION DISTRICT #3  
A.S. CLAY, VICE-CHAIRMAN ELECTION DISTRICT #4  
G.S. BENNETT, JR. ELECTION DISTRICT #1  
H.L. CLAY, JR. ELECTION DISTRICT #2  
G.E. ROBERTSON, JR. ELECTION DISTRICT #2  
  
L.G. ELDER COUNTY ATTORNEY  
SAM SHANDS DEPUTY SHERIFF

IN RE: MINUTES

Upon motion of Mr. H. Clay, seconded by Mr. Bennett, Mr. Clay, Mr. Bennett, Mr. Clay, Mr. Robertson, Mr. Hargrave voting "aye", the minutes of the July 17, 1985 regular meeting and the July 31, 1985 special meeting were approved as presented.

IN RE: TRANSFER OF FUNDS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Treasurer be authorized to transfer \$224.63 from the General Fund to the Law Library Fund.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims be approved and funds appropriated for same:

General Fund checks-numbering 85-1558 through 85-1701 amounting to \$127,944.57; County Construction Fund check #CCF-85-13 in the amount of \$1638.50; Law Library Fund checks-numbering LF-85-10 through 12 amounting to \$348.58; Radio Fund check - #RADIO-85-6 in the amount of \$837.61.

IN RE: PUBLIC HEARING--P-85-8--LONE STAR CEMENT, INC.

This being the time and place as advertised in the Progress-Index on Wednesday, August 7, 1985 and Wednesday, August 14, 1985 for the Board of Supervisors to consider for adoption an ordinance to amend the district classification of Section 20, Parcels 4 and 6 from Agricultural, General A-2 to Industrial, General, M-2.

Mr. W.C. Scheid, Director of Planning, reviewed the material and action taken by the Planning Commission, wherein they recommended approval at their August 14, 1985 meeting.

Mr. Clement M. Llewellyn, Jr., Resource Manager with Lone Star Industries of Norfolk, was present to represent Lone Star.

No one appeared in opposition.

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

BE IT ORDAINED by the Board of Supervisors, Dinwiddie County, Virginia, that the district classification of section 20, parcels 4 and 6, containing approximately 61.6 acres and 44.1 acres respect-

tively, be changed from Agricultural, General, A-2 to Industrial, General, M-2. Said parcels are more specifically described herein:

Starting at a point located at the intersection of the applicant's property with that of the Norfolk & Western Railroad and State Route 632, heading in a northerly direction along Route 632 approximately 1700 feet to a point where it intersects with the property of Mr. C.W. Brown; then heading N 81° 16' W a distance of 959.25' to a point; then heading S 70° 37' W a distance of 595.25' to a point; then heading S 79° 35' W a distance of 1015.75' to a point; then heading N 80° 01' W a distance of 1395.3' to a point; then heading N 84° 53' W a distance of 177.2' to a point; then heading N 84° 56' W a distance of 1318' to a point; then heading S 50° 04' W a distance of 507.8' to a point in the middle of the branch; then heading in an easterly direction along the centerline of the branch a distance of 575'; then heading S 70° 58' E a distance of 1794' to a point; then heading S 83° 16' E a distance of 1036.2' to a point; then heading N 77° 41' E a distance of 160.4' to a point; then heading S 85° 14' E a distance of 1143 ± feet to the point of beginning.

In all other respects said zoning ordinance is hereby reordained.

IN RE: CLERK'S OFFICE ADDITION--ADDITIONAL SURVEY WORK

Mr. Bill Porter, representing the firm of Hayes, Seay, Mattern and Mattern, appeared before the Board to present the cost proposal for additional survey work needed for the addition to the Clerk's Office. The work consists mainly of a physical survey of the building, a topographical survey to identify the physical features on the site and the location of the existing water main and underground tanks and utility lines. The cost proposal for the work is \$1400.

Mr. H. Clay moved that the additional survey work be approved. Mr. Bennett seconded the motion.

Mr. A. Clay stated that he questioned the need and the cost for this work when the County just paid a local surveyor for a survey. Mr. Porter pointed out that the survey done by the local surveyor did not provide the information needed to complete the design specifications for the addition to the Clerk's Office.

Mr. Hargrave asked if the survey provided by the local surveyor could be expanded to accomplish the architect's needs. Mr. Porter stated he did not know. Mr. Hargrave suggested that the motion be amended by approving the survey but requesting that the architect first approach the local surveyor to see if his survey can be expanded to provide the information needed.

Mr. H. Clay and Mr. Bennett accepted the amendment.

Mr. Clay, Mr. Bennett, Mr. Clay, Mr. Robertson, Mr. Hargrave voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the cost proposal of \$1400 submitted by Hayes, Seay, Mattern & Mattern for survey work for the addition to the Clerk's Office be accepted; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the architect contact the surveyor contracted by the County to see if his original survey work can be expanded upon to provide the information they need before sending their own crew to do the job.

IN RE: HEALTH CENTER RENOVATION--ARCHITECT & ENGINEERING SERVICES

Mr. Bill Porter, representing the firm of Hayes, Seay, Mattern and Mattern, appeared before the Board to present a cost proposal for architectural and engineering services for the reno-

vation of the Health Center. The cost submitted is \$10,800 which includes all services through construction and completion of the renovation work.

Mr. Hargrave asked if the items in the proposed work had been approved by the Director of the Crater Health District and agreed to be included in the rental fee. The County Administrator stated that had been accomplished.

Mr. A. Clay asked what the total cost of construction would be. Mr. Porter replied approximately \$80,000. Mr. Clay asked if the architectural fee was 12 to 13%. It seemed awfully high to him. Mr. Porter stated their fees in are in line with what is allowed in state contracts.

Mr. Robertson asked if the bid goes out and should be beyond what the Board expects or the Board drops the project, is the County still obligated to the architectural fees. Mr. Porter stated the County would be obligated to 70% or \$7,000, which is basically the design work.

Mr. H. Clay moved that the cost proposal for architectural and engineering services for the renovation of the Health Center be approved and the Architect be authorized to proceed with bidding the project. Mr. Bennett seconded the motion. Mr. Clay, Mr. Bennett, Mr. Clay, Mr. Robertson, Mr. Hargrave voted "aye".

IN RE: EASTSIDE ELEMENTARY ROOF & SOCIAL SERVICES ROOF -- CHANGE ORDERS

Mr. Bill Porter, representing the firm of Hayes, Seay, Mattern and Mattern, presented the following change orders for the Eastside Elementary and Social Services roof replacements:

1. Change gravel stops and fascia cap finish from clear to natural anodized to standard mill finish - Social Services - cost Credit of \$500.
2. Add 8 spill out scuppers -- Social Services Building - Cost - \$670.
3. Add wood nailer along roof edge - Social Services Building Cost - \$653.
4. Add additional framing - Cost - \$92.00.
5. Additional 75 squares of roofing -- Eastside Elementary School - Cost \$18,618. Mr. Porter stated that the floor plan did not show an additional change to the building which occurred at the time of construction. Also, the drawings provided had been reduced by 25%, and they failed to verify the field measurement. This resulted in the additional area not being included in the original design; therefore, the contractor did not include this work in his bid. Mr. Porter added that the additional work was negotiated at the same per square foot rate as the original work.

Mr. Hargrave pointed out that the cost is only what it would have been in the beginning if the measurements had been accurate. Mr. Porter said that was correct.

Mr. Robertson asked why the County would be obligated when it had paid for the professional services of an architect. He felt the payment should come from the architectural firm's bond. Mr. Porter stated that was a possibility, but the courts usually did not consider it that way if the amount was the same you would have paid anyway. It would have to be above and beyond that amount.

Mr. A. Clay stated he agreed with Mr. Robertson. The County paid for professional services it did not get.

Mr. Hargrave stated it was a shame that a physical check wasn't made on the dimensions. The County provided the drawings. Also, money is owed the contractor and he was asked to do more than what he bid on.

Mr. Robertson moved that payment for the change order for the additional 75 squares on the Eastside Elementary school roof be denied. Mr. Clay seconded the motion.

Mr. H. Clay stated he was extremely disappointed; but logically, Dinwiddie County would have had to spend the money anyway had the drawing been correct. He wondered if the Board was going too far by denying payment. He added it is our work to be paid for but it should have been presented in the beginning.

Mr. Bennett stated he agreed. They shouldn't make the contractor absorb the cost. Mr. Robertson reiterated it was not the contractor's fault and the County should not lose. It should come from the architect's bond.

Mr. Bennett stated he was going to vote to deny the payment, but he would like the County Attorney to investigate the matter further. The Chairman stated the County Administrator, County Attorney and the architect should discuss it further and it should be placed on the agenda for the next meeting.

Mr. Robertson, Mr. A. Clay, Mr. Bennett voting "aye", Mr. H. Clay voting "nay", and Mr. Hargrave abstaining, the change order for an additional 75 squares to complete the Eastside Elementary School roof was denied.

Mr. Porter then reviewed the first four change orders which cost approximately \$915.

Mr. Robertson stated that he felt these changes were also mistakes which should be absorbed by the Architect and moved they be denied. Mr. A. Clay seconded the motion.

Mr. Hargrave stated he disagreed with Mr. Robertson. These changes were found by the architect and contractor to improve the roofs, and therefore should be approved. Mr. Bennett stated he agreed. They are not mistakes. He then asked if the work had already been done and Mr. Porter stated it had. Mr. Bennett stated that he thought the change order should come to the Board before the work is done. Mr. Porter indicated generally, change orders were not handled that way because it would hold up the work. Mr. H. Clay asked what if the change order amounted to \$5,000. Mr. Porter stated probably that large an amount would come to the Board first. But the change orders listed were minor.

Mr. Hargrave suggested the Board set a limit on the cost of a change order before it has to be brought to the County Administrator and the Board. This had not been done for this job.

Mr. Robertson and Mr. A. Clay stated after hearing the discussion, they would withdraw their motions to deny payment.

Upon motion of Mr. Bennett, there being no second, Mr. Bennett, Mr. A. Clay, Mr. Robertson, Mr. Hargrave voting "aye", Mr. H. Clay abstaining, the following change orders were approved:

1. Change gravel stops and fascia cap finish from clear to natural anodized to standard mill finish - Social Services - Cost Credit of \$500.
2. Add 8 spill out scuppers -- Social Services - Cost \$670.
3. Add wood nailer along roof edge -- Social Services Building - Cost - \$653.
4. Add additional framing - Cost \$92.

IN RE:       TREASURER--ADVERTISEMENT OF DELINQUENT TAX LISTS

As requested at the last meeting, Mr. W.E. Jones, Treasurer, presented a report on the collection of delinquent taxes as a result of advertising the list in the newspaper. In 1977, Mr. Jones pointed out a large increase in collections prior to the month the ad was run. In 1980, there was not a large increase. Mr. Jones recommended that only the last year's real estate list be advertised. He estimated the cost to be \$1200 - \$1400.

Upon motion of Mr. H. Clay, seconded by Mr. Robertson, Mr. Clay, Mr. Robertson, Mr. Clay, Mr. Bennett, Mr. Hargrave voting "aye", the Treasurer was authorized to advertise the 1984 delinquent real estate tax list in the newspaper at the time he decides to be most beneficial.

IN RE:       BUILDING INSPECTOR

The Building Inspector was not present but the Chairman read his report for July, 1985.

IN RE:       ANIMAL WARDEN

Mr. L.A. Brooks, Jr. was not present but the Chairman read his report for the month of July, 1985.

IN RE:       LIVESTOCK CLAIM--ALMA WALKER

Upon motion of Mr. H. Clay, seconded by Mr. Bennett, Mr. Clay, Mr. Bennett, Mr. Clay, Mr. Robertson, Mr. Hargrave voting "aye", Mrs. Alma Walker was awarded \$60 for two (2) goats.

IN RE:       DIRECTOR OF PLANNING -- STREETNAMING AND NUMBERING SYSTEM

Mr. W.C. Scheid, Director of Planning, presented an unsolicited proposal from Mapcom to provide a hard copy location system for the County's emergency services needs. He pointed out that it did not involve posting of street names or changing addresses. It is a locator system only.

Mr. Robertson asked if he had talked with the post office on timing the address changes. Mr. Scheid stated he had, and they welcomed the establishment of such a system.

Mr. Scheid also distributed copies of a request he had made to Virginia State University for a graduate student to work in his department should the Board decide the streetnaming and numbering be done in-house.

Mr. Scheid then outlined three approaches he was considering for the project, basically using a locator system he devised on the County tax maps.

He suggested the Board consider a Committee made up of Planning Commission representatives and other groups who have an interest to look at all the alternatives and make a recommendation to the Board. Mr. Robertson asked Mr. Scheid if he felt he could complete the project by 1988. Mr. Scheid stated that he would have to. He pointed out that it is very important to have the cooperation of the community.

Mr. Hargrave asked that he pass along any information he might come across on the liability to the County with the installation of the E911 system.

IN RE:       SUPERINTENDENT OF SCHOOLS--RECREATION PROGRAM

Dr. R.L. Vaughn, Superintendent, advised the Board that he was ready for the opening of school. There are a few repairs still being done.

He stated that Mr. Leo Taylor operated the summer recreation program, and he had some recommendations for improvements he would present at a later time. One item he was working on now is the repair of the tennis courts. He had secured a quote of \$24,000 from firms contacted and was looking at other alternatives.

Dr. Vaughn said the main item he wanted to discuss is the proposal for expanding the recreation area across from the high school and providing a new baseball field. He stated the Director of Planning presented a proposal for the layout of the area earlier in conjunction with application for a grant that would have to be matched by the County. Dr. Vaughn stated the School Board was interested in the status of the proposal and what the next step would be.

Mr. Hargrave stated he remembered the presentation and that the property had to be titled in the name of the County. He asked if the School Board understood and had agreed to the proposed design of the area. Dr. Vaughn stated they agreed with the total concept and their immediate need is the baseball field.

Mr. Hargrave stated nothing had been included in the County budget for this and he did not remember anything in the School Board budget. He added that he wanted to make sure they met the needs of the school system.

Dr. Vaughn stated that in the School Board's budget proposal this year, he asked the County to consider applying for the recreation grant. With the roof at Eastside and the storage addition at the High School, he did not feel there would be anything left in the bond issue. He then read a letter submitted by the School Board to the Board of Supervisors dated August, 1983, wherein they requested the Board to consider development of the area and would provide a deed to the property if the baseball field was included. He, therefore, felt everything was ready to go if the County had the money to match the grant.

Mr. Hargrave suggested the Board of Supervisors meet with the School Board to finalize the details of the area before a decision is made. He stated that he understood the Junior High field was not ready for use and he felt they should talk about it also in their discussions.

Mr. Scheid stated that the grant material must be submitted to the State by the end of October.

The Board agreed to set a date to meet with the School Board to discuss the development of the recreation area and instructed the County Administrator to arrange a date with the Superintendent.

Mr. Charlie Hawkins stated that he hoped the Board appreciates the interest that the community has in the area and its youth; that it is not just an interest in baseball. Coach Cary Parker indicated that he would like to see some concrete plans for the area because it was holding up other things that need to be done.

IN RE: ADOPTION OF UTILITY TAX--ENHANCED 911 EMERGENCY TELEPHONE SERVICE

Upon motion of Mr. H. Clay, seconded by Mr. Robertson, Mr. Clay, Mr. Robertson, Mr. Clay, Mr. Bennett, Mr. Hargrave 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 addition of Article X, Sections 8-33 through 8-37.

CHAPTER 8 - FINANCE AND TAXATION.

Article X - Utility Tax - Enhanced - 911 Emergency Telephone Service

Section 8-33. Definitions.

The following terms whenever used in this article shall have the following meanings:

E-911 System. A telephone service which utilizes computerized system to automatically route emergency telephone calls placed by dialing the digits "911" to the proper public safety answering point serving the jurisdiction from which the emergency telephone call was placed. An E-911 system includes selective routing of telephone calls, automatic telephone number identification, and automatic location identification performed by computers and other ancillary control center communications equipment.

A public safety answer point is a communications facility operated on a twenty-four hour basis which first receives E-911 calls from persons in an E-911 service area which may, as appropriate, directly dispatch safety services or extend, transfer, or relay E-911 calls to appropriate public safety agencies.

Local exchange telephone system. As it applies to an E-911 system, local telephone service shall mean switched local exchange access service.

Purchaser. Every person who purchases a local exchange telephone service.

Seller. Every person who sells or furnishes local exchange telephone service within the county.

Utility services. Local exchange telephone service furnished within the corporate limits of the county.

Section 8-34. Amount of tax on telephone service.

Pursuant to the authority set forth in Sec. 58.1-3813 of the Code of Virginia, 1950, as amended, there is hereby imposed and levied by the county upon each purchaser of local exchange telephone service a tax in the amount of fifty-five cents per telephone line per month. This tax shall be paid by the purchaser to the seller of local exchange telephone service for the use by the county to pay the initial capital, installation and maintenance costs and recurring maintenance costs of its E-911 system.

Section 8-35. Exemptions.

The following persons shall be exempt from the payment of the tax provided for herein:

(a) The United States of America, the Commonwealth of Virginia, and all political subdivisions, boards, agencies, commissions and authorities of the state.

(b) Purchasers or lessees of local exchange telephone service who utilize coin operated telephones.

Section 8-36. Collection and remittance by seller.

It shall be the duty of every seller in acting as the tax collection agency for the county 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 imposed, levied and collected during each calendar month shall be reported and paid by each seller to the treasurer on or before the fifteenth (15) day of the second calendar month thereafter, together with the name and address of any purchaser who has refused to pay the tax. The required report shall be in a form prescribed by the county administrator.

Section 8-37. Records of sellers.

Each seller shall keep complete records showing all purchases in the county, which shall show the price charged against each purchaser with respect to each purchase, the date thereof, the date of payment thereof and the amount of tax imposed hereunder. Such records shall be kept open for inspection by the county and the county shall have the right to make transcripts thereof during such time as it may desire.

This ordinance shall become effective upon sixty days written notice by certified mail to the registered agent of C&P Telephone Company.

IN RE: HYDROELECTRIC FACILITY OPERATION AT BRASFIELD DAM--MOTION TO INTERVENE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Attorney be authorized to file a motion to intervene before the Federal Energy Regulatory Commission regarding the application of Brasfield Development, Ltd. to operate a hydroelectric facility on Brasfield Dam.

IN RE: REAMS RURITAN CLUB--REQUEST TO SELL VEHICLE LICENSES

Mr. Hargrave stated he had received a copy of a letter to the Treasurer from Reams Ruritan Club requesting permission to act as an agent to sell vehicle licenses. He felt it would be a good location because there were no agents in that area. The Treasurer indicated he had arranged to meet with the Club to discuss it further and would make a recommendation to the Board.

IN RE: GRAVEL TRUCKS--ROUTE 226 and ROUTE 1310

Mr. Robertson stated he has recently received several complaints about gravel trucks using Rt. 226 and Rt. 1310. He added that Lone Star has been very cooperative in the past about regulating their trucks, but he thought a reminder would be appropriate at this time. He asked that the County Administrator write a letter to Lone Star asking them to contact their truck drivers, as well as independents who drive for them, concerning the use of Rts. 226 and 1310.

IN RE: NAMOZINE VFD--AUTHORIZATION TO ACCEPT TITLE AND INSURE NEW BRUSH TRUCK

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia accepts title to and agrees to insure a 1985 Toyota truck to be used as a brush truck by the Namozine VFD.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. H. Clay, seconded by Mr. Bennett, Mr. Clay, Mr. Bennett, Mr. Clay, Mr. Robertson, Mr. Hargrave voting "aye", pursuant to Sec. 2.1-344 (6) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 10:07 P.M. to discuss legal matters. The meeting reconvened into Open Session at 11:25 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Robertson, seconded by Mr. A. Clay, Mr. Robertson, Mr. Clay, Mr. Clay, Mr. Bennett, Mr. Hargrave voting "aye", the meeting was adjourned until Tuesday, September 3, 1985 at 7:00 P.M.