

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE MEETING ROOM OF THE PUMPKIN ADMINISTRATION BUILDING, DINWIDDIE COUNTY, VIRGINIA, ON THE 20TH DAY OF NOVEMBER, 1991, AT 7:30 P.M.

PRESENT:	CHARLES W. HARRISON, CHAIRMAN	ELECTION DISTRICT #3
	EDWARD A. BRACEY, JR., VICE-CHAIRMAN	ELECTION DISTRICT #4
	HARRISON A. MOODY	ELECTION DISTRICT #1
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	A. S. CLAY	ELECTION DISTRICT #5
	DANIEL SIEGEL	COUNTY ATTORNEY

IN RE: MINUTES

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mr. Clay, Mr. Moody, Mr. Tickle, Mr. Bracey, Mr. Harrison voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the November 6, 1991 Continuation Meeting and the November 6, 1991 Regular Meeting are hereby approved in their entirety as presented.

IN RE: CLAIMS

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mr. Clay, Mr. Moody, Mr. Tickle, Mr. Bracey, Mr. Harrison 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 #16137 thru #16333 (Void #16136): General Fund - \$82,797.05; Capital Projects - \$1,408.54; Self Insurance - \$3,964.48; Law Library - \$100.05; for a total of \$88,288.87.

IN RE: CITIZEN COMMENTS

The County Administrator was asked to explain the general reassessment to the Citizens. The County Administrator stated that the State mandates that all properties shall be assessed at 100% fair market value and that all property shall be taxed and assessed. Section 58.1-3252 - There shall be a general reassessment of real estate every four years. Any county which, however, has a total population of 50,000 or less may elect by majority vote of its board of supervisors to conduct its general reassessments at either five-year or six-year intervals. The County may use the annual or biennial assessment method also. Once that is set, the Board must hire a professional reassessment firm and appoint a Board of Assessors. The Board of Assessors took an oath of office to assess uniformly and at fair market value. There is one from each magisterial district. The reassessment is then done. The Board of Assessors reviews the assessments and signs off on the books. If you have a problem with the reassessment you may make an appointment for a hearing with the Board of Assessors. The tax payers will not know the results of the hearings until hearings are complete and the books are signed off. A notice will then be mailed to the tax payer of the decision of the Board of Assessors. At this point, if a tax payer is unhappy with the results he would then have an opportunity to take his appeal to the Board of Equalization, which is appointed by the Judge of the Circuit Court. Each board of equalization shall sit at and for such time or times as may be necessary to discharge the duties imposed and to exercise the powers conferred. The final step for the tax payers is to take their appeal to the Circuit Court Judge. The County Administrator stated that the tax rate can not increase more than 101% of the previous year's real property levies (excluding additional assessments due to new construction or improvements to property) without a public hearing. The County Administrator said that a 40% increase is the average for the County's reassessment this year.

1. Floyd Perkinson, 12008 Halifax Road, stated that he felt if problems exist when detected then they should be addressed. He said the reason he was addressing the Board was his concern related to the recent property reassessments. His concerns were:

- a. Drastic increases
- b. Buildings without any any physical changes increased as much as 31%

- c. Dwelling sites increased 140%
- d. Nonproductive land increased as much as 471%
- e. Inconsistencies in applying land and building values - four property owners joined on the back side - west, east, north, south, the range of the land nonproductive, same make-up, same vegetation - weeds, grass, fruit sage, whatever you find under rural power lines, the values ranged from \$50 to \$1,000 per acre.

Some examples he gave for the inequity: Personally observed the Board of Assessors, in a van, when they approached his property. They rode thru the circle drive and never exited the vehicle. They proceeded down the road and into another piece of property and did the same thing. At neither dwelling did they exit the vehicle; how can you say they did a good job, based on that?

Mr. Perkinson stated that he knew of the appeals procedure, however, the buck stops with the Board of Supervisors. The Board of Supervisors appointed the Board of Assessors, hired Blue Ridge Appraisal Company, and he stated he sees the Board of Assessors as an advisory committee. It is the duty of you, the Board of Supervisors to see that everyone is treated the same, get rid of the inconsistencies and apply a tax rate that is reasonable and fair to all.

The Chairman asked the Commissioner of the Revenue to explain to Mr. Perkinson what control the Board has over the reassessment.

The Commissioner of the Revenue stated, "first of all, I have no control over the reassessment, I have nothing to do with it." My official duties start when the reassessment books are handed to me. She asked the Chairman, what exactly he was speaking of.

The Chairman said that Mr. Perkinson stated that the "buck stops with us", he said he knew that the tax rate does, but the reassessment is controlled by the State Code.

Mr. Perkinson stated that was what he was referring to. He said he felt it is the Board's responsibility in the end results, bottom line, to apply and tax the citizens of this county in a means which is reasonable and fair.

2. Margie Ingram, 8321 Brills Road, McKenney, Virginia, stated as a concerned citizen she had several concerns:

- a. What happened to E911?
- b. Wants to know what has happened to education? Read recently that private schools are way ahead of public schools in everything except sports.
- c. Why are there so many County vehicles on the road? Is it cheaper to pay mileage instead?
- d. Why does the County have to hire consultants to do the jobs of the employees? When the employees were hired they weren't promised a bed of roses, they weren't promised anything - so if they can't do the job get rid of them.
- e. Tax bills - the bills need to be itemized so the tax payer can tell exactly what they are being taxed on.
- f. Travel request by the County Administrator - why does the County have to train an employee for a job he is supposed to already know how to do?

Ms. Ingram said the County just needs to use good old common sense before any money is spent.

3. Mr. Ray Hanks, Chairman, Dinwiddie County School Board, told the Board that the School Board had budgeted for the removal of five tanks. But on-going expenditures connected with the gasoline spill at the Maintenance Shop behind Dinwiddie Elementary and the recent developments at Midway Elementary made them feel that the Board should be kept abreast of these expenditures, which have not been included in the 91-92 budget. He said the School Board would need an additional \$39,092.00 for the expenditures at the Maintenance Shop and the Midway Elementary School expenditures are unknown at this time. They, therefore, wanted to keep the Board informed of the situation.

Dr. Vaughn stated that it had been recommended that all tanks underground be removed and placed above ground, surrounded by a catch basin that would hold the amount of fuel in the tank, so that if it does spring a leak it would be self contained.

Mr. Bracey asked for an estimated cost on getting all of the tanks above the ground for budget time.

Anne Scarborough said she had recently read in the newspaper that the School Board was to receive \$56,000 in funds not expected for this year. If the funds do come in to the School Board she asked Dr. Vaughn if they would be returned to the general fund if the Board of Supervisors advanced the additional funds needed for the gas spill clean-up? Will the citizens know if the School Board does receive the funds.

Dr. Vaughn said he couldn't count on the funds until they actually came in and that the School Board would have to come before the Board for authorization to expend the funds.

4. Margaret Spivey asked the Board if they would explain if the State ordered a reassessment would it cause the taxes to double every six years as it did this year; and who says what the land is worth?

The Chairman stated that the land had to be reassessed.

The County Administrator stated that at this time there was no way to determine what the tax rate will be. He said the tax assessment may have increased dramatically but if it went up, the law provided for the tax rate to be adjusted to compensate for that. It is called truth in taxation. Once the tax base is set, then the Board of Supervisors comes back and looks at the those values of the properties and at that point the tax rate cannot be brought above 101% of the revenues collected from the last time taxes were set; without a public hearing. The County cannot experience more than a 1% windfall from any tax reassessment in any case without bringing it to a public hearing.

5. David Hale, 1303 Sutherland Road, Church Road, stated his concern with the reassessment was the elderly people who now live on a fixed income. What is going to happen to them and what is going to happen to me when I become of a retirement age?

6. Rick Fisher, 5002 Glendale Ave., Dinwiddie Gardens, asked if the Board of Supervisors could decline the reassessment?

The County Attorney stated that the State ordered the reassessment and there was nothing the County could do because it has been six years since the last reassessment. The State has penalties if the County does not have a reassessment every six years.

Mr. Fisher asked if the Board has to accept the reassessment? The County Attorney stated that the County has nothing to do with the reassessment. It is not presented for their approval. The Board only sets the rate for taxation. Mr. Fisher said he hoped that we would see a tremendous reduction in the tax rate especially for the elderly and also a reduction in the personal property tax rate, because it is one of the highest in the State.

The County Administrator stated that he would like to make one point. There are some provisions in the County's tax codes and in the local codes for some exemptions for seniors. He asked the Commissioner of Revenue to confirm this.

The Commissioner of Revenue told the citizens that an ordinance for a tax relief for the elderly over the age of 65 had been adopted by the County. Also, any person permanently or totally disabled under the age of 65 could receive tax relief in the County. A person must have an income of no greater than \$23,000 a year; their personal assets cannot exceed \$55,000 exclusive of one-acre and house site. If you can meet that criteria, you can qualify for tax relief for the elderly. Filing must be done February 1st to May 1st annually for the tax relief.

The Commissioner of Revenue also told the citizens that for farm land or larger properties that the County has a land-use property for

helping tax payers too. Qualifying for land use is during the period of September 1st to November 1st.

IN RE: RECESS

The Chairman declared a recess at 8:48 p.m. The meeting reconvened at 9:00 p.m.

IN RE: AMENDMENTS TO THE AGENDA

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Clay, Mr. Moody, Mr. Tickle, Mr. Bracey, Mr. Harrison voting "aye", the following amendments were added:

- Delete - 7. Resolution of Appreciation
- Delete - 10. West Petersburg and Vicinity Awareness, Inc.

IN RE: PUBLIC HEARING -- C-91-6 -- CHESDIN ANIMAL HOSPITAL

This being the time and place as advertised in the Progress-Index Newspaper on October 6, 1991 and October 13, 1991, for the Board of Supervisors to conduct a Public Hearing to consider a request for a conditional use permit to allow Chesdin Animal Hospital to have indoor-outdoor runs for their animal hospital.

Mr. Leonard Ponder, Director of Planning, told the Board that Richard and Sharon Grenoble have submitted an application requesting a conditional use permit to allow them to have indoor-outdoor runs for their animal hospital. In 1984, the Grenobles applied for and were approved for a conditional use permit to locate and operate an animal hospital on 29.9 acres situated in the Namozine District and designated as Tax Parcel 9-23A. The application submitted by Mr. & Mrs. Grenoble is for the same parcel of property.

The request is for a change in their original conditions to allow outdoor runs for the new hospital when it is built. The rest of the conditions have been requested to remain the same.

Dr. Grenoble states that the outside runs are necessary to provide exercise for the animals and the required time to clean the inside kennels. These seem to be reasonable justifications for allowing outside runs.

There have been a few calls about this conditional use permit from neighbors. They have specifically requested that it be moved further back into the property. Several neighbors showed up at the Planning Commission meeting and they agreed to the amendment as recommended by the Planning Commission.

Planning Commission Recommendation:

This is a difficult case to decide as you have the neighborhood interests competing with the interest of a business that provides a very necessary service to the neighborhood and County. The Planning Commission at its October 9, 1991 meeting, voted to modify condition #8 to read:

8. The veterinary hospital should be sound proofed and odor proofed. The outside runs will be allowed with the stipulation that they be concrete and all drainage be directed into the public sewage system. It is also stipulated that the outside runs be used only between the hours of 8:00 a.m. and 6:00 p.m. daily and that they be cleaned by 6:00 p.m. on a daily basis.

With this modification, we recommend C-91-6 to the Board for approval.

No one spoke for or against the conditional use permit.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Clay, Mr. Moody, Mr. Tickle, Mr. Bracey, Mr. Harrison voting "aye", Dr. Richard Grenoble was granted a conditional use permit to allow them to have indoor-outdoor runs for their animal hospital with the conditions as recommended by the Planning Commission.

IN RE: UPDATE ON REQUEST FOR FIRE TRUCKS

Mr. Donald Porter, Fire Chief, Namozine Volunteer Fire Department, told the Board that the chief's have agreed upon minimum specs that should apply to all fire departments for fire pumbers. He said he could have detailed specs by next week if the Board is ready to bid the trucks out. The company told him there would be a good discount if two trucks were ordered at the same time.

Mr. Bracey asked if the fire departments were sure these trucks were what the County needs.

Mr. Porter said yes, these minimum requirements will meet all the departments needs. He also said he was asking for a 20-year guarantee.

The Chairman commended the fire departments response to the call from the Produce Center. He said many times people were quick to criticize but failed to let people know when someone does a good job.

The Board asked Mr. Porter to get the specs to the County Administrator and he would pass the information on to the Board for their review before authorizing a bid proposal.

IN RE: ORDINANCE TO PROHIBIT OUTSIDE USE OF TRASH DUMPSTERS

Mr. Daniel Siegel, County Attorney, asked the Board for authorization to advertise for a public hearing, an ordinance which the Board had requested, to prohibit outside use of the trash dumpsters in the County. He told the Board that he also wanted to talk with the Commonwealth Attorney to make sure there would be no problem enforcing the ordinance which had been drafted.

Mr. Moody said he felt the ordinance should be amended to include property owners also, not just residents.

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Clay, Mr. Moody, Mr. Tickle, Mr. Bracey, Mr. Harrison voting "aye", the County Attorney was authorized to proceed with the advertisement for a public hearing the proposed ordinance to amend the Dinwiddie Code to prohibit dumping of solid waste from outside of the County.

The County Administrator told the Board that the signs they discussed had been purchased for the dump sites.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator reminded the Board of the VDOT notices dealing with speed limit reductions, had been included in the packet.

IN RE: PURCHASE OF MONROE COPIER

The Assistant County Administrator told the Board that there were five copiers on State contract that meet the County's requirements for 30,000 to 50,000 copies per month. (We have been averaging 30,000).

Monthly Minimum	Per Copy	Company
\$345	.0115	Pitney Bowes - D743 - discontinued
\$447	.0149	A.B. Dick - 2042B - local distributor cancelled 2 appointments
\$486	.0162	Minolta - EP5400 - 12 month rental - demonstrated in Richmond
\$357	.0119	Monroe - RL945DX - 36 month rental - demon. at Central State
\$480	.016	Canon - (Select) - 4170 - 12 months rental - demonstrated in Richmond

Extract

The State bid out the copies this year on a cost per copy basis -- to include rental/lease, maintenance and supplies in the cost per copy.

After reviewing our evaluation criteria, which was about 23, for the various machines and checking references as well as independent buyer reports, our recommendation is to select the Monroe RL945DX - which is low bid. We are still gathering information on the various purchase options.

The outright purchase price is \$6,620. The rental price is \$357 per month for 36 months - \$12,852. The lease/purchase price is \$241.22 for 36 months with a \$679.50 buy-out - \$9,363.42. This does not include maintenance at .0066/per copy = \$198/month. No matter which method we select, the funds are budgeted. We would, therefore, request authorization to move forward with obtaining the Monroe RL945DX with the purchase or rental option that will be most economical to the County.

Mr. Clay, Mr. Bracey and Mr. Harrison said they felt it would be more economical to purchase the copier rather than to lease or rent it.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Clay, Mr. Moody, Mr. Tickle, Mr. Bracey, Mr. Harrison voting "aye", the County Administrator was authorized to proceed with the purchase of the Monroe RL945DX copier off State contract.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Clay stated that in the past the County had entertained our legislators in order to get acquainted and let them know the needs of the County. He asked if the consensus of the Board was to do the same this year.

Mr. Bracey said he felt we should send our want-needs list this year instead of entertaining them.

The Board told the County Administrator to set the meeting up and to invite the School Board and the Social Services Department as has been done in the past. The three agencies share the expense of the meeting which is usually a dinner meeting.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Moody, Mr. Tickle, Mr. Harrison voting "aye", pursuant to Section 2.1-344 (5) Industrial, and Section 2.1-334 (6) Investment of Public Funds, of the Virginia Freedom of Information Act, the Board moved into Executive Session at 10:07 p.m. A vote having been made and approved, the Board returned into open session at 11:33 p.m.

IN RE: CERTIFICATION OF EXECUTIVE MEETING

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Bracey, Mr. Clay, Mr. Harrison, Mr. Tickle, Mr. Moody voting "aye", the following certification resolution was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an Executive Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: RESOLUTION AUTHORIZING CONSTRUCTION OF A WASTEWATER TREATMENT PLANT

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Bracey, Mr. Clay, Mr. Moody, Mr. Tickle, Mr. Harrison voting "aye", the following resolution was adopted:

Extract
WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia, (the "Board") adopted certain resolutions on August 21, 1991, which authorized the Dinwiddie County Water Authority (the "Authority") to continue with necessary engineering, permitting and construction plans for a wastewater treatment plant to be located on Rohoic Creek (the "Plant") to serve the projected needs of citizens of Dinwiddie County (the "County") given current growth patterns of the County and the Preliminary Engineering Report of the Authority's Engineers; and,

WHEREAS, representatives of the Authority have appeared before the Board and discussed plans and costs associated with the construction of such Plant and of the Authority's inability to financially support a financing for such Plant based on expected revenues from the Authority's system; and

WHEREAS, after due consideration and consultation with the Authority the Board deems that it is necessary and advisable for the health, safety and welfare of the citizens of Dinwiddie County and to promote the economic integrity of the County that the Authority construct and equip such a Plant to serve the service area with expansion thereof,

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia does hereby authorize and direct the Authority to continue with the necessary planning and expenses associated with the engineering, permitting and construction of the Plant; and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, authorizes the Authority to take such action as is necessary or appropriate to apply to the U.S. Farmers Home Administration for the sale of the Authority's revenue bonds for financing of such Plant with the intention that such bonds will be supported, in addition to available revenues from the Authority's system, by annual appropriations by the Board of any deficit in debt service amounts. The Board understands that it cannot bind future Boards of Supervisors to make such appropriations, but the Board will make such appropriations as may be necessary to pay any deficit in debt service amount on such Bonds; and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby expresses its intention to provide for the costs of any engineering, permitting and construction of the Plant, including land acquisition, with its agreement to appropriate funds necessary to provide for any deficit in debt service payments for the Authority's interim financing of such costs prior to obtaining funds from long-term financing of the Plant through the issuance of bond anticipation notes; and

PROVIDED, HOWEVER, any financing to be undertaken by the Authority which is expected to be supported by appropriations from the Board shall be so undertaken only upon the direction of and with the prior written consent of the Board. The County Administrator and the County Attorney are hereby directed to review appropriate alternatives for interim and long-term financing of the Plant and to work with the Authority's representatives on the same for review by the Board.

This resolution shall be immediately effective.

IN RE: BID TO PURCHASE OF SEVEN ACRES OF PROPERTY

Extract
Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Moody, Mr. Tickle, Mr. Harrison voting "aye", the Director of Planning was authorized to submit a bid on behalf of the County to purchase two parcels of land, a total of seven acres, north of Rohoic Elementary School for future economic development purposes.

IN RE: ADJOURNMENT

Upon motion of Mr. Tickle, seconded by Mr. Bracey, Mr. Bracey, Mr. Clay, Mr. Moody, Mr. Tickle, Mr. Harrison voting "aye", the meeting adjourned at 11:51 p.m., to be continued until 9:30 a.m. November 23, 1991.

Charles W. Harrison
Charles W. Harrison
Chairman, Board of Supervisors

ATTEST: Dewey P. Cashwell
Dewey P. Cashwell, Jr.
County Administrator