

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE COUNTY, VIRGINIA, ON THE 5TH DAY OF FEBRUARY, 1992, AT 7:30 P.M.

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

IN RE: MINUTES

Upon motion of Mr. Moody, seconded by Mr. Haraway, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the January 2, 1992 Regular Meeting, January 15, 1992 Continuation Meeting, January 15, 1992 Regular Meeting and January 21, 1992 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, 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 #17158 thru #17417, (void check #17295): General Fund - \$349,233.54; E911 - \$2,171.18; Self Insurance - \$1,616.63; Capital Projects - \$1,315.86; Law Library - \$38.14; for a total of \$354,375.35.

IN RE: CITIZEN COMMENTS

1. Kay Winn asked the Board where the field sheets for the reassessment were? She stated she wanted to see them and was told in the December meeting that the sheets were in Staunton, except for the ones that had been pulled for the Board of Assessors.

The County Administrator told Ms. Winn that the field sheets were now in the office of the Commissioner of the Revenue.

Ms. Winn said she was very upset with the reassessments for this year. She felt they were not done properly and were unfair. She asked the Board not to wait six years to correct the problem.

2. Mr. John Talmage, who works with Youth Leagues in the Rohoic District, with the help of volunteers, is building a practice ball field at Rohoic Elementary School using their own money. He asked the Board to help place lights at Rohoic and Midway Elementary Schools.

Mr. Haraway stated that the need has outgrown volunteer help with the influx of new growth in the area and he felt that now was the time for some capital improvements.

3. Ms. Pearline Dabney asked the Board why the County didn't have a leash law for dogs? She said she had been having problems in her neighborhood with a dog pulling clothes off the line and being destructive. She said she called the sheriff's office and the Animal Control Officer had not responded yet.

The Chairman told Ms. Dabney that the County has a leash law and that he would have the Animal Control Officer contact her.

4. Mr. Marshall Witt told the Board that there had been no appropriations for recreation for the children in the County. That Everything is geared to adults and he felt it was time to start doing something for our children.



Mr. Moody responded to Mr. Witt that when he was elected to the Board, there was no recreation department. Since he had been on the Board, a recreation department had been developed and things were progressing in the County. These things don't happen as quickly as we may want, but progress is being made.

5. Mr. Kevin Woodlief said it was time to improve on our present facilities and make them available to everyone. Keep our kids active and we would keep them out of jail. As a child growing up in the County, he stated there were no recreation facilities then and we still don't have any. Stop moving at a snail's pace; let's get going.

6. Marshall Witt suggested to the Board that they allow pay phones to be put at locations in the County where children are practicing because of possible injuries and emergencies.

IN RE: AMENDMENTS TO THE AGENDA

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", the following amendment was approved.

Add: 15. Executive Session #2 - Industrial

IN RE: 90' - 91' AUDIT REPORT

Spencer Elmore, of the auditing firm of Robinson, Farmer, Cox Associates, told the Board that prudent spending and trimming of budgets by the administration and department heads left Dinwiddie County with a \$2.8 million reserve for June 30, 1991.

The revenues exceed expenditures by \$1.1 million, with the County spending \$337,000 less than its \$22 million budget called for during the year. The School Board also underspent in expenditures which left \$76,000 in their budget for the '90-91 fiscal year.

Mr. Elmore stated the next year's report could be even better. Assessed value of taxable property rose by 3.28 percent during the last fiscal year, outpacing the 3.1 percent inflation rate.

These figures only include a partial assessment of the new businesses located in the County and do not cover anticipated taxes on new developments expected in the County.

Mr. Elmore commended the Treasurer's Office on the collection rate of 97.75 percent which is above the expected level for the State. He said an additional \$60,000 could be added to the County's budget if the tax collection rate remains consistent or improves.

IN RE: PUBLIC HEARING P-91-9 - MR & MRS JAMES M. BLAND

This being the time and place as advertised in the Progress-Index Newspaper on January 22, 1992, and January 29, 1992, for the Board of Supervisors to conduct a Public Hearing to consider a request from Mr. & Mrs. James M. Bland for a rezoning from R-1 to B-2 of Tax Parcel 98-(8)-2 which is a 1.41 acre parcel located near the intersection of Route 226 and Route 600.

Mr. Leonard Ponder, Director of Planning, stated that due to increased traffic in the area and the expansion of the strip mall containing Brother's Pizza, P & R Business Machines and Movie Time, the Blands contend that their house on this site is becoming less desirable as a residence and more compatible with the aforementioned commercial uses.

Staff Report: The property on the south side of Route 226 all the way to the intersection of Route 226 and U. S. Route 1 is currently zoned B-2 & B-3 and is being used commercially. On the north side of Route 226 there is currently commercial zoning (B-2 & B-3) from the intersection of U. S. Route 1 and Route 226 to within one hundred seventy (170) feet of Lee Boulevard. The developer of Westwind Subdivision on Route 600 (Ferndale Road) is also not developing several lots (3) as residences in anticipation of some more commercial needs in this area. There is also some commercial zoning (B-1) at the intersection of Sterling Road and

Route 226 and two sections of B-2 zoning near the intersection of U. S. Route 460 and Route 226 at both on the north and south sides of Route 226.

The ever-increasing population demands and traffic flow on Route 226, Route 600, and U. S. Route 1 seem to portend the inevitability of commercial growth in this area to provide the services that will be demanded. The recent rezoning by the Board of the Pierce property for a mall behind Safeway is an example of the market responding to pressure for commercial activity in this area.

The Planning Commission at its January 8, 1992 meeting voted 5-2 to recommend denial of this rezoning. Their rationale was that a commercial use was probably reasonable for this parcel but they would have been more comfortable with a conditional rezoning that would force proffered conditions that would have restricted uses to professional offices, i.e. doctors, lawyers, accountants etc. The Blands felt that this was too restrictive and asked for a straight rezoning to B-2.

Mr. Ponder told the Board that the following list were some important issues raised that needed consideration:

1. Is Cox Road the dividing line between current and future residential and commercial uses? If so, is any rezoning request on the south side of Cox Road to be approved as a matter of fact and is any rezoning request on the north side of Cox Road perfunctorily turned down?

2. Has the population density on the northern part of the County not changed dramatically and doesn't this change demand more services?

3. Is there not an argument to be made that good zoning principles recognize that times and situations change? Furthermore, isn't the rezoning process in place to accommodate these changes?

Staff Recommendation: Although staff is inclined to go along with the recommendation of the Planning Commission, in this case we have to differ. We feel that the precedent for more commercial zoning along Route 226 has been set by the Board in the past and that with the advent of more residential development in this area - Walker's Landing subdivision, Westwind Subdivision, Cedar Heart subdivision, Mount Pleasant subdivision, and the continuing development in the Brickwood area - that the demands for commercial service delivery will increase in the 226 corridor. As the pressures increase we feel it is better to serve these needs from this central location rather than stringent commercial development along Route 226 and Route 600. Staff recommends that this rezoning be approved by the Board of Supervisors.

Mr. Jerry Cook spoke for the zoning request.

Mr. Calvin Milton spoke against the zoning request and presented the following petition with 78 signatures.

We, the undersigned citizens of Rohoic District, Dinwiddie County, Virginia do hereby petition the planning commission of said county recommend denial of the request for rezoning of the James Bland residence on Cox Road from residential to commercial or business users.

Cox Road is the present boundary between a commercial and a residential district, and this boundary must be maintained in order to preserve the integrity of the residential uses on the north side of Cox Road. No mistake was made when that boundary was originally established and no change in circumstances has occurred to require rezoning. Accordingly, approval of the rezoning request would be inconsistent with good zoning principles and the law relevant thereto.

Mrs. Ellen Perdue spoke against the zoning request.

Upon motion of Ms. Everett, seconded by Mr. Haraway, Ms. Everett, Mr. Haraway, Mr. Moody, voting "aye", Mr. Clay, Mr. Bracey voting "nay", the rezoning request P-91-9 by Mr. & Mrs. James M. Bland at the intersection of Route 226 and 600 was denied.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION - REVISION OF SIX-YEAR PLAN

This being the time and place as advertised in the Progress-Index Newspaper on January 22, 1992, January 26, 1992 and January 29, 1992 and in the Dinwiddie Monitor on January 22, 1992, and January 29, 1992 for the Board of Supervisors to conduct a Public Hearing for the revision of the six-year road plan for secondary road improvements --1992-93 through 97-98.

Ms. Penny Forrest, Resident Engineer of the Virginia Department of Transportation, presented the six-year road plan for Dinwiddie County. With two new additions proposed by the Board of Supervisors. These additions are: Route 604 and Route 622 .

1. Mrs. George Scott questioned whether or not Route 615 has been in the six-year plan and requested it be included.
2. Mr. Carl Pierce asked if Route 694 was eligible for hard surfacing.
3. Mrs. Overton of Route 674 (Wheaton Road) asked the Board if they could move the road up on the list. She stated that she would willingly give up her land.
4. Mr. Harvey Rivers told the Board that in 1958 he was told Route 674 was going to be hard surfaced, and it was still not done.
5. Mr. Joe Dillon stated that Wheaton Road had had no improvements made to the road.
6. Mr. Floyd Perkinson of Halifax Road gave a list of complaints regarding the conditions of Halifax Road. He stated that on the average 1,077 vehicles traveled the road in a 24 hour period.
7. Ms. Mary Ascuye told the Board Route 632 from Route 631 to Route 460 was highly traveled and it was extremely dangerous with curves and dips.
8. Mr. Edward Titmus stated he owned property adjacent to Route 636 and he would like for it to stay where it is on the six-year plan.
9. Mr. Mark Stevens, with the Association for the Preservation of Civil War Sites, told the Board that he understood that Route 613 was due to be widened and he would like the Board to keep in mind their efforts to preserve the earthworks near the intersection of Route 613 and Route 631.
10. Mr. Franklin Zitta said he owned land adjacent to Route 615 which is used as a short cut between Route 615 and 670. He asked that the road be either maintained by the State or blocked off due to the high usage.

Ms. Everett made a motion to move Route 674 up on the six-year plan. It was seconded by Mr. Haraway. Ms. Everett, Mr. Haraway, voting "aye", Mr. Clay, Mr. Moody, Mr. Bracey voting "nay". Motion was not approved.

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", the six-year plan for 1992-93 thru 1997-98 was approved as presented by the Virginia Department of Highways with the two additions of Route 604 and 622.

IN RE: RECESS

The Chairman of the Board declared a recess at 9:38 P.M. The meeting reconvened at 9:44 P.M.

IN RE: PUBLIC HEARING A-91-18 - PROHIBITION OF DUMPING FROM OUTSIDE COUNTY

The Public Hearing on amendment A-91-18, prohibition of dumping from outside the County, was continued until this meeting for further input and revision by the County Attorney and Commonwealth Attorney.

The County Attorney told the Board the dumping ordinance was finalized for their approval with some changes that would give law enforcement officials better enforcement powers. He explained that property owners and residents would have to prove that trash was generated from the County in order to use the landfill or dumpsters. He stated that the Commonwealth Attorney had spoken with the sheriff's office and they said the ordinance was enforceable.

Ms. Everett asked if the landfill employees could write summons?

The County Attorney stated that they certainly could be given enforcement authority.

Ms. Kay Winn stated that when the ordinance went into effect that there would be more dumping on private property which should be addressed.

No one spoke for or against the ordinance.

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", the following ordinance was adopted:

WHEREAS, the County of Dinwiddie, Virginia (the "County") has adopted Chapter 17 of the Dinwiddie Code (the "Code") which relates to the disposal of solid waste in the County and in the County landfill; and

WHEREAS, nonresidents of the County have been abusing the County's solid waste disposal system by dumping solid waste in the County's landfill or in County receptacles which derived outside of the County without authorization; and

WHEREAS, the Board of Supervisors of Dinwiddie County (the "Board") desires to amend the Code to clarify that such actions are illegal and unauthorized in the County;

NOW, THEREFORE, BE IT ORDAINED, that the Board hereby adopts the following amendments to Chapter 17 of the Code:

Chapter 17-6 shall be amended by replacing the current provisions therefore with the following:

"17-6 (a) A public sanitary landfill shall be available only to county residents or owners of real property in the County for the disposal of garbage and trash generated within the County during such hours and upon such conditions as the Board of Supervisors may direct.

(b) It shall be unlawful for any person to dispose of solid waste of any kind or nature, including but not limited to agricultural waste, commercial waste, hazardous waste, industrial waste, prohibited waste refuse, garbage, residential waste or trash, which solid waste was generated outside of the County, in the County's public sanitary landfill.

(c) Any person found to be using the County public sanitary landfill who is unable to exhibit for inspection (i) a current county vehicle license decal issued pursuant to Section 14-22 of the Code for a vehicle owned by that person or a member of his immediate family, (ii) a current dumping permit issued by the County or a tax bill for the current year for real property located in the County in the name of that person or a member of his immediate family, or (iii) a current County building permit reflecting the location of the site in the County where the waste originated, shall be presumed to be in violation of this section.

(d) Violation of this section shall be punishable pursuant to the penalties prescribed in Section 17-13 of this Code."

Section 17-11 shall be amended by replacing subsection (c) of said section with the following provision:

"17-11 (c) Only residents of the county, owners of real property in the county and those persons visiting or touring the county who are actual "bona fide tourist" may use bulk containers for disposal of normal household and residential wastes generated from the county.

However, no commercial, industrial, or institutional wastes shall be placed in bulk containers for public use.

Section 17-11 shall be amended by adding the following subsection to said section:

17-11 (i) It shall be unlawful for any person, other than as permitted under subsection (c) above, to dispose of solid waste of any kind or nature, including but not limited to agricultural waste, commercial waste, hazardous waste, industrial waste, prohibited waste, refuse, garbage, residential waste or trash in bulk containers.

(j) Any person found to be disposing of solid waste in bulk containers who is unable to exhibit for inspection (i) a current County vehicle license decal issued pursuant to Section 14-22 of the Code for a vehicle owned by that person or a member of his immediate family, (ii) a current dumping permit issued by the County or a tax bill for the current year for real property located in the County in the name of that person or a member of his immediate family, or (iii) a current County building permit reflecting the location of the site in the County where the waste originated, shall be presumed to be in violation of this section.

(k) Violation of this section shall be punishable pursuant to the penalties prescribed in Section 17-13 of this Code."

Section 17-13 shall be amended by adding the following subsection to Section 17-13 of the Code:

"17-13 (d) In addition to the penalties prescribed above, any person found to be in violation of this chapter shall pay to, or reimburse, the County for all costs or expense of any kind and nature associated with the clean-up and proper disposal of all materials dumped or disposed of by such person in violation of this chapter."

These provisions shall be effective as of the date of adoption.

IN RE: FIRE CHIEFS ASSOCIATION

Mr. Donald Porter of the Dinwiddie County Chiefs Association appeared before the Board to discuss repair of their Air Unit, and funding for the contract on their cascade bottles, at a total cost of \$2,474.56. He also asked the Board to pay for five people from the various fire departments to attend the Fire Chief's convention in Hampton.

Upon motion of Mr. Clay, seconded by Ms. Everett, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", funds in the amount of \$2,474.56 were appropriated from the Fire Departments Capital Improvements Fund for the repair of the Namozine Volunteer Fire Department Air Unit cost of \$924.56, and a lifetime lease of cascade bottles cost \$1,550.

Upon motion of Mr. Haraway, seconded by Mr. Moody, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", funds were approved for the travel request by the Fire Chiefs Association for five fire department members to attend the State Fire Chief's Convention in Hampton, not to exceed \$750.

IN RE: DINWIDDIE COUNTY AMBULANCE & RESCUE SQUAD

Ms. Mary Wallace, President of the Dinwiddie County Rescue Squad, asked the Board for funds to place its crash truck back in service. She stated that financial assistance was needed to build a new crash truck as well as update some of their oldest equipment. The cost to build a new truck and replace equipment is \$18,300. The Assistant County Administrator advised the Board that \$16,000 was available in the Capital Projects Fund as matching funds for a new ambulance which could be used.

Upon motion of Mr. Moody, seconded by Ms. Everett, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", funding for the crash truck for the Dinwiddie County Ambulance and Rescue Squad in the amount of \$18,300 from Capital Projects was appropriated.

IN RE: ANIMAL SHELTER BUILDING MATERIALS - BIDS

The Assistant County Administrator told the Board she had received the bids on the materials for the animal shelter from the following:

Builder's Supply	\$7,292.46 (120 gal. water heater)
Moore's	\$7,418.88 (82 gal. water heater) (120 gal. - \$3,265.95)
Ragsdale	\$7,775.53 (120 gal. water heater)

She said B. & J. Enterprises is revising the plans to show the new shelter as an addition to the existing facility, which should result in a significant cost savings and provide more utility for the Animal Control Officer's operations.

Upon motion of Mr. Clay, seconded by Ms. Everett, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody Mr. Bracey, voting "aye", the bid from Petersburg Building Supply in the amount of \$7,292.46 for materials was accepted and B. & J. Enterprises was authorized to proceed with the construction of the animal shelter as an addition with the total cost not to exceed \$20,000, contingent upon meeting procurement law.

IN RE: INDUSTRIAL DEVELOPMENT LOAN

Mr. Daniel Siegel, County Attorney, told the Board that in October of 1991, the Board of Supervisors authorized the loaning of \$850,000 to the Industrial Development Authority of Dinwiddie County and the appropriation of funds from the County's Reserve Funds for such purpose in order to provide money to the Authority for its purchase of approximately 74 acres of land in the County owned by VEPCO across from the Hardees Restaurant on Route 1. This authorization and appropriation was a result of the interest shown by Ingram Industries, Inc. ("Ingram") in locating a 230,000 square foot distribution facility on approximately 19 acres at this location. VEPCO, however, would not agree to sell a 19 acre portion of the 74 acre tract, but only the entire tract. The Authority had previously acquired an option from VEPCO in August of 1991. The purchase price for the entire parcel under the Authority's option with VEPCO was \$850,000 or approximately \$11,500 per acre. The sales price to Ingram was approximately \$15,000 per acre or \$285,000. The closing with Ingram was structured to insure that Ingram paid for its property simultaneous with the purchase of the full parcel from VEPCO.

Extract
The County Attorney said the Board's decision to loan the money to the Authority was conditioned upon the Authority repaying the loan before the end of 1991. Prior to requesting the loan, the County had received a commitment to refinance the loan from the County's financial advisor. After the purchase of the land from VEPCO and subsequent sale of the portion to Ingram, the County Administrator initiated discussions with Peter Clements, President of the Bank of Southside, for a refinancing loan for the Authority which would be on more favorable terms than the earlier commitment received by the County. The Bank of Southside issued a commitment letter for the refinancing in December, 1991 which was on more favorable terms. Unfortunately, due to tax law concerns, the refinancing could not be accomplished on a tax exempt basis. However, the proposal from the Bank of Southside included provisions for a taxable refinancing with a rate on the loan of 9.95% per annum, and the Board felt at its December meeting that it should review its earlier decision to require repayment by the end of the year since the monies returned to the county's reserve fund from repayment of the original loan to the Authority could only be invested at a much lower rate, near 4%.

The County Attorney stated right now, the Board needs to decide whether or not to accept the commitment of Bank of Southside, to further negotiate with the Bank or to delay any refinancing decision. The advantages of delaying the decision include the elimination of the need to repay the loan by appropriations of the Board to the Authority at an interest rate far in excess of the investment rate of the funds received by the refinancing. At this time, it was felt by the Board that readily available funds would not be necessary in the Reserve Fund and that perhaps the note with the Authority would provide a higher return on Reserve Funds than the County could receive on its normal investments.

Mr. Siegel said an alternative to accepting the refinancing proposal or attempting to renegotiate the same would include entering into a note with the Authority, with the Authority paying interest to the County at prime or higher, with interest to accrue and be sufficient years to all for sale of the remaining property by the Authority. The intent would be for the note to be secured by a deed of trust on the remaining property and an assignment of all funds from the sale of any portion of the remaining property. Due to the development at this location, there is a reasonable basis to believe that the land will sell for more than its \$11,500 per acre purchase price.

The County Attorney said the disadvantage would be that the repayment would be solely dependent upon the land selling and providing funds to repay the Authority's note to the County.

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody Mr. Bracey, voting "aye", approval of financing the Industrial Development Authority's loan of \$850,000 is extended on the following terms. The loan should have a term of 5 years, with interest accrued but not paid until maturity. The interest rate on the loan should match the current 5 year U.S. Treasury rate and be fixed to maturity. Net proceeds from the eventual sale of any portion of the remaining land of the Authority shall be used to repay the principal balance of the loan. The loan should be secured by a first deed of trust on the remaining land. Any profits from the sale of the remaining land after repayment of the County's loan shall be returned to the County and used as determined by subsequent resolution of the Board of Supervisors of Dinwiddie County, Virginia. Any funds remaining from the sale of land to Ingram Distribution Group, Inc., after payment of infrastructure improvements to the VEPCO site, costs and other appropriations authorized by the Board, shall be returned to the County for reduction of the loan balance.

IN RE: PUBLIC SAFETY OFFICER - VEHICLE

The County Administrator told the Board that the Public Safety Officer had received the bids on a new vehicle for the County for his department. He asked Mr. Nichols to present them to the Board.

Mr. David Nichols told the Board he needed the vehicle to carry out the functions and responsibilities of the position of Public Safety Officer.

He said the following was a list of bid prices and specifications from three different dealers. These three are the lowest prices of each respective manufacturer.

1. CHESTERFIELD DODGE \$20,750.00
1992 Dodge Ramcharger
2 Door 4 Wheel drive utility vehicle
2. PETERSBURG FORD \$18,659.00
1992 Ford Explorer
4 Door 4 Wheel drive utility vehicle
3. R.K. CHEVROLET, VA BEACH \$15,189.00
1992 Chevrolet S-10 Blazer
4 Door 4 Wheel drive utility vehicle

The Public Safety Officer told the Board he would recommend the approval of the Chevrolet S-10 Blazer based on State contract.

Upon motion of Mr. Moody, seconded by Ms. Everett, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody Mr. Bracey, voting "aye", the State Contract bid for \$15,189.00 from R.K. Chevrolet for the 1992 S-10 Blazer vehicle for the Public Safety Officer was accepted.

IN RE: POSITION ANNOUNCEMENT -- PART TIME ANIMAL SHELTER CUSTODIAN

The County Administrator stated that the Assistant County Administrator and the Animal Control Officer had interviewed three people for the part-time position for the Animal Shelter Custodian and recommended Mr. Kevin Brown be hired at the rate of \$5.77 per hour.

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody Mr. Bracey, voting "aye", Mr. Kevin Brown was appointed to the position of Animal Shelter Custodian, at a rate of \$5.77 per hour, effective immediately.

IN RE: APPOINTMENTS -- INDUSTRIAL DEVELOPMENT AUTHORITY

Mr. Clay nominated Mr. Wayne Barnes for reappointment to the Industrial Development Authority. Mr. Moody seconded the motion. Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye",

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, that Mr. Wayne Barnes is hereby reappointed to the Industrial Development Authority for a term of four years, expiring February 5, 1996.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey, voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344(a) (1) personnel; and Section 2.1-344(a) (5) industrial matters, the Board moved into Executive Session at 11:06 P.M. A vote having been made and approved, the meeting reconvened into Open session at 11:59 P.M.

IN RE: CERTIFICATION OF EXECUTIVE MEETING

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

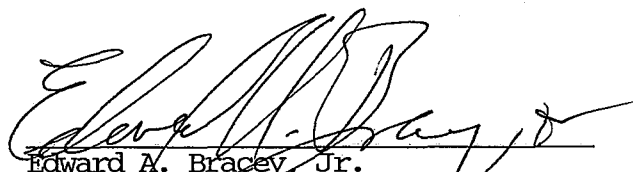
WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

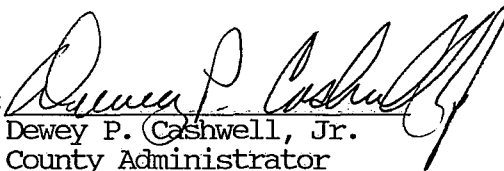
WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

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: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Clay, Ms. Everett, Mr. Haraway, Mr. Moody, Mr. Bracey voting "aye", the meeting adjourned at 12:02 A.M. to be continued until February 12, 1992 at 4:00 P.M. for an Executive Session at the Pamplin Administration Building for acquisition of property and legal matters.


Edward A. Bracey, Jr.
Chairman, Board of Supervisors

ATTEST: 
Dewey P. Cashwell, Jr.
County Administrator