

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 5TH DAY OF JUNE, 1996, AT 7:30 P.M.

PRESENT: AUBREY S. CLAY, CHAIRMAN  
HARRISON A. MOODY, VICE-CHAIR  
EDWARD A. BRACEY, JR.  
MICHAEL H. TICKLE  
LEENORA EVERETT  
BEN EMERSON

ELECTION DISTRICT #5  
ELECTION DISTRICT #1  
ELECTION DISTRICT #4  
ELECTION DISTRICT #2  
ELECTION DISTRICT #3  
COUNTY ATTORNEY

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes for the May 15, 1996 Regular Meeting, May 22, 1996 Continuation Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay 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 #1001374 - #1001615 for Accounts Payable in the amount of \$121,661.64; General Fund \$114,436.92, E911 Fund \$368.00, Self Insurance Fund \$2,850.33, Fire Programs/EMS Fund \$2,869.90, Law Enforcement Fund \$515.77, Jail Commission Fund \$346.38, Law Library Fund \$274.34; and Payroll in the amount of \$281,282.03, General Fund \$280,935.47, E911 Fund \$346.56.

IN RE: CITIZEN COMMENTS

1. Anne Scarborough, Boydton Plank Road, Dinwiddie, VA. She came before the Board and wanted to know what the County planned to do with the two vacant schools that the County has in their possession. She stated that she would like to see the County try to use them or sell them.

She also stated that she would like to see on the agenda, when the Board has an Executive Session, the purpose for the session. She stated that she has some copies of surrounding localities agendas where they list, beside the code section, what specific topic they are going to discuss. She feels that the citizens should be kept apprised of what is going on in the County.

IN RE: VIRGINIA JUVENILE COMMUNITY CONTROL CRIME ACT --  
AUTHORIZATION TO APPLY FOR GRANT

Mr. Howard L. Parrish, Probation Supervisor, came before the Board and requested the Board's approval to apply for VJCCCA Grant Funds. He stated that Dinwiddie has the opportunity to apply for \$5,676.00 in VJCCCA Funds. The restrictions on these funds are that they must be used for a program that addresses the diversion of non-delinquent youth from the court. In addition, there is a 50% match of local funds required. He stated that he has spoken with Mrs. Troilen Seward, Superintendent of Schools, and they have come up with the following recommendation:

Apply for the \$5,676.00 in VJCCCA Funds and use \$2,837.00 from an existing Truancy Grant the school system has already received as the match. The VJCCCA Funds will help extend the planned program, supported by the existing Truancy grant, to combat Truancy in the middle school and high school.

He then stated that this plan will not call for an expenditure of additional county funds nor the hiring of additional personnel. The

Extract

VJCCCA Grant does not obligate the county to continue the program after the grant is complete.

Mr. Bracey suggested that Mr. Parrish get in writing from the School Board the agreement that he and Mrs. Seward discussed.

Mr. Parrish stated that if the funds were to fall through from the School Board, he would not come before the Board and ask for the local match; he would just not apply for the Grant.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Howard L. Parrish, III, Probation Supervisor, is authorized to apply for Virginia Juvenile Community Control Crime Act (VJCCCA) Grant Funds in the amount of \$5,676.00 with the local match of \$2,837.00 to come from an existing Truancy Grant the school system has already received.

IN RE: BOARD MEMBER COMMENT

Mr. Moody stated that he noticed that there were individuals in the audience that came before the Board at the last meeting complaining about their neighbor shooting all the time. He was wondering if they were going to get a report from Administration.

Mr. Bracey stated that he did not see the item on the agenda.

Mr. Tickle stated that it should have been on the agenda because the Board told the individuals that Administration would have a report for them at this meeting.

Mr. Clay asked Administration to have a report available for the individuals at the next board meeting and to notify them personally to let them know if the matter would be on the agenda.

IN RE: VIRGINIA ASSOCIATION OF COUNTIES -- LARRY LAND -- BRIEFING

Mr. Larry Land, Director of Policy Development for the Virginia Associates of Counties, came before the Board and presented and reviewed with the Board the services that VACo provides to its members.

Mrs. Everett asked if VACo has developed an application for municipal sewage sludge.

Mr. Land stated that they have not but he offered to suggest to VACo to continue trying to develop one.

Mr. Tickle suggested that VACo try to fight for additional funds to improve roads in smaller localities. Just because Dinwiddie may have a smaller population than other surrounding localities, the funds are greatly needed to improve the condition of the roads.

Mr. Land suggested that they take their concerns to the next Transportation Steering Committee meeting at the Charlottesville Omni on August 11, 1996.

IN RE: COMPREHENSIVE LAND USE PLAN -- PUBLIC HEARING

This being the time and place as advertised in the Dinwiddie Monitor on May 15, 1996 and May 22, 1996 for the Board of Supervisors to conduct a public hearing to consider adopting the revised Comprehensive Land Use Plan which shall be used as a guide for future land use decisions by the Planning Commission and the Board of Supervisors.

Mr. W.C. Scheid, Director of Planning, came before the Board and presented the Plan with several additions. One specific addition that he wanted the Board to be aware of is Mr. and Mrs. James Bland, the owners of the property at the intersection of Cox Road (Rt 226) and Ferndale Road (Rt 600), spoke with Mr. Scheid regarding the proposed use of their property. The proposed Land Use Plan suggests that this parcel be used

for medium density residential purposes. They spoke with him in terms of the property being used in a commercial (business) sense. The property is currently zoned for single family residential use. Mr. Scheid stated that it appears that there is some merit to their suggestion and he recommended that the Board approve their parcel being used for commercial purposes.

Mr. Moody asked if this addition is included in the Comprehensive Plan as proposed; would it still have to go through the zoning process with a public hearing?

Mr. Scheid stated that it would. The Comprehensive Land Use Plan does not have any basis with the law as being an enforcement document. It is an advisory document. The current zoning on the property would remain and it would only change at such time as the owner or the County chose to initiate a change of the zoning. One of the items that staff looks at whenever a rezoning is requested, is the Comprehensive Land Use Plan. The main reason that the property was rejected from being rezoned in the past was because the current Comprehensive Land Use Plan states that the property should be used as a residential use. Things have changed since then and the revised Comprehensive Land Use Plan should reflect the changes of the area to business. It does not seem appropriate for that parcel to remain residential.

Mr. Bracey stated that the property is sitting right in the middle of several businesses and this one little piece is sitting there and the County has control over it. If we leave it like this then it is the individuals who are being denied the right to be a part of that particular community. He stated that he is having a problem with this because this seems very unique that five little acres are sitting among all those businesses. If those people want to change it to commercial he feels that this should be done in the Comprehensive Plan instead of letting it sit there and then tell the individuals that they are at the mercy of the Board. He doesn't feel that is fair.

This being a public hearing the Chairman opened the floor for public comment:

1. Mr. Joe Daniels came before the Board and stated that he felt that the speed limit is too high on Route 226 where it intersects with Route 600.

The Board stated that they have no control over that and that the Virginia Department of Transportation is the one that regulates that.

Mrs. Everett stated that she feels that the Board should go ahead with Mr. Scheid's suggestion.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Comprehensive Land Use Plan is approved as presented with the proposed additions from a letter dated April 29, 1996 from Victor Liu and with the proposed addition presented by Mr. Scheid in reference to Mr. and Mrs. James Bland.

IN RE: APPOINTMENT -- PROFESSIONAL ASSESSOR

Mr. Charles W. Burgess, Jr., County Administrator, stated that pursuant to Section 58.1-3275 of the Code of Virginia, it is necessary for the Board of Supervisors to appoint a Professional Assessor, who must then be approved by the Department of Taxation.

Mr. Burgess recommended Mr. Dan K. Cooley to be appointed as the Professional Assessor.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Dan K. Cooley be appointed as the County's Professional Assessor.

IN RE: AUTHORIZATION FOR FORD VOLUNTEER FIRE DEPARTMENT TO REPAIR  
HEAT EXCHANGER ON THEIR RESERVE PUMPER

Mr. Charles W. Burgess, Jr., County Administrator, stated that Ford Volunteer Fire Department is requesting funds to repair the heat exchanger on their reserve pumper. Slagle's Fire Equipment and Supply Co., Inc. has submitted a repair estimate in the amount of \$739.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Ford Volunteer Fire Department is authorized to proceed with repairing the heat exchanger on their Reserve Pumper with the monies to come from the Volunteer Fire Department/Motor Vehicles and Equipment line item (32200-3311).

IN RE: SOCIAL SERVICES BOARD -- APPOINTMENT

Mr. Burgess stated that Mr. Edward Bracey's term on the Social Services Board expires on the 30th of June and the appointment needs to be a Board member and that Mr. Bracey will no longer be eligible to serve.

Mr. Bracey nominated Aubrey S. Clay; Mrs. Everett seconded the nomination.

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody voting "aye", Mr. Clay "abstain",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Aubrey S. Clay is appointed to the Social Services Board for a term expiring June 30, 2000.

IN RE: CRATER PLANNING DISTRICT EXECUTIVE COMMITTEE & METROPOLITAN  
PLANNING ORGANIZATION -- APPOINTMENT

Mr. Burgess stated that LeeNora Everett's term on the Crater Planning District Executive Committee & Metropolitan Planning Organization expires on the 30th of June. The appointment needs to be a Board member and she is requesting to be reappointed.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", Mrs. Everett "abstain",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mrs. LeeNora Everett is reappointed to the Crater Planning District Executive Committee & Metropolitan Planning Organization for a term expiring June 30, 1997.

IN RE: MICHAEL H. TICKLE -- RESIGNATION -- ABIDCO

Mr. Michael H. Tickle asked the Board to consider accepting his resignation from the ABIDCO Board and appoint a new member.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mrs. Everett voting "aye",

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, accepts the resignation of Michael H. Tickle from the Appomattox Basin Industrial Development Corporation (ABIDCO) Board effective upon receipt of his official resignation in writing to the County Administrator.

Mrs. Everett and Mr. Clay stated that they wished that Mr. Tickle would reconsider.

He stated that he could not because of extenuating circumstances.

IN RE: PAVING OF EXISTING JAIL/COURTHOUSE PARKING AREAS -- AWARD  
OF BID

Mr. Burgess stated that the following companies submitted bids to pave the existing jail/courthouse parking areas:

W.T. Curd, Inc.                      Burton P. Short & Son

Sheriff's Dept.	\$19,500	\$9,400
Service Drive	\$15,692	\$8,744
Courthouse	\$7,902	\$4,480

Mr. Burgess recommended for approval the low bid from Burton P. Short & Son to pave the Sheriff's Department and the Courthouse parking lots but not the service drive.

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

*Extract*  
BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the bid be awarded to Burton P. Short & Son to pave the Sheriff's Department parking lot in the amount of \$9,400 and Courthouse parking lot in the amount of \$4,480.

IN RE:                      AUTHORIZATION TO SIGN DEPARTMENT OF CRIMINAL JUSTICE SERVICES GRANT -- SHERIFF'S DEPARTMENT

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

*Extract*  
BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Administration is authorized to sign the Grant from the Department of Criminal Justice Services for the purchase of a computer system for the Sheriff's Department in the amount of \$69,250.00 in Federal Funds and \$23,083.00 in local cash match for a total award of \$92,333.00.

IN RE:                      FIVE FORKS REENACTMENT -- REIMBURSEMENT ADMISSIONS TAX

Mr. Burgess stated that the Five Forks Commemorative Committee received their nonprofit notification status from the Department of Internal Revenue Service the day after they held their Reenactment in March. They did pay Admissions Tax to the Commissioner of the Revenue office in the amount of \$287.28 and staff recommends that that money be refunded to them. He stated that at the time that this event was held the County was led to believe that the designation of nonprofit status was purely eminent but he hoped that in the future there would be no retroactive actions in regards to the collection of the Admissions Tax or any other tax.

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

*Extract*  
BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Five Forks Commemorative Committee be reimbursed the \$287.28 that they paid in Admissions Tax from the Reenactment that they held in March of 1996 due to the fact that they received their nonprofit notification status from the Department of Internal Revenue Service the day after the event.

Mr. Bracey requested that a letter be sent to the collector of the Admissions Tax notifying them of the Board's decision to reimburse the funds.

IN RE:                      ACCEPTANCE OF PROPOSAL -- CUT TIMBER BESIDE ROHOIC ELEMENTARY SCHOOL

*Extract*  
Mrs. Wendy Weber Ralph, Ass't County Administrator, came before the Board and stated that the County has received bids on the timber being cut on the 7 + or - acres adjacent to Rohoic Elementary School in conjunction with the sale of timber on the Airport property. Stone Container has submitted two bids; one in a lump sum amount of \$13,000 and if it were done on a per unit basis it could be as much as \$17,000 but not below \$13,000. Staff recommends that it be sold on a per unit basis because they feel that it will not go below the \$13,000 and there is a possibility it could be sold for as much as \$17,000.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the proposal from Stone Container to cut the timber on the 7 + or - acres that belongs to the County adjacent to Rohoic Elementary School on a per unit basis be accepted.

IN RE: ADDITIONAL HOLIDAY -- 4TH OF JULY

Mrs. Ralph stated that the Governor is giving the 5th of July as an additional holiday to state employees for the 4th of July Holiday.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that all local government offices will be closed on July 5, 1996 in addition to what has already been given.

IN RE: AIRPORT AUTHORITY -- ACCEPT NOTE AND APPROPRIATE FUNDS

Mr. Ben Emerson, County Attorney, came before the Board and presented a promissory note that is evidence of a debt from the Airport Authority. The Airport Authority is seeking funds in connection with the environmental cleanup that resulted from the prior operator of the Airport. This particular note is for a sum of up to \$200,000 so it would be money that they could draw down to pay the costs of the study that they need to have done to satisfy the Environmental Regulator and to stabilize the property. He requested the Board's authority to accept the note from the Airport Authority and to appropriate the funds so that they can draw down as they need it.

Mr. Moody stated that he hates to do it but he feels that the Board does not have any other choice because the Airport is part of the County and the problem needs to be taken care of. He hopes that the Airport can pay the County back one day.

Mr. Emerson stated that it is a three year term note with interest at a rate of 8% which is renewable at the end of that time.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorizes a loan to the Dinwiddie County Airport and Industrial Authority in accordance with the terms of a Promissory Note from the Authority to the Board of Supervisors which allows principal advances to be made in the amount requested but not to exceed \$200,000, which Note is by its terms due in three years and may at that time be renewed for an additional three year term; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that \$200,000 be appropriated from the General Fund to be drawn upon as outlined above.

IN RE: ADOPTION OF RESOLUTION -- BUSINESS AND INDUSTRY APPRECIATION

Mr. Burgess reminded the Board that the Business and Industry Appreciation Reception is Thursday, June 6, 1996 from 3:00 P.M. to 6:00 P.M. He asked the Board to consider adopting a resolution to be given to each business or industry.

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

WHEREAS, industry and commerce are the means by which wealth and employment are created in all communities, and

WHEREAS, the quality of life of each and every citizen of the community is enhanced in some way by the establishment and continued success of industry and commerce in the community, and

Extract

Extract

WHEREAS, the commitment of any industry or business to establish itself in a community constitutes a vote of confidence in the community and it's people that often cannot be measured in simple business terms, and

WHEREAS, the leaders of industry and business, in the spirit of corporate generosity, often give of their own time and resources, and the resources of their organizations, to sustain and improve the quality of the community in which they make their home, and

WHEREAS, the employees and family members of these industries and businesses constitute a tremendous and irreplaceable human resource, without which the various organizations of the community, both public and private, could not survive, and

WHEREAS, it is fitting and proper that such recognition take a form and be demonstrated in such a way as to make it a matter of public and permanent record, so that all may know and fully appreciate the honor bestowed upon the recipients thereof;

NOW, THEREFORE, BE IT UNANIMOUSLY RESOLVED, that the Dinwiddie County Board of Supervisors hereby recognizes your Business or Industry and its executives and staff, for their outstanding contribution to Dinwiddie County, Virginia, and the citizens thereof.

IN RE: OLYMPIC TORCH RELAY DAY -- JUNE 22, 1996

1. Mrs. Everett asked the Board to authorize the drawing of a proclamation designating Saturday, June 22, 1996 as Olympic Torch Relay Day in Dinwiddie County and urging County Citizens to be mindful of the historic event and to cooperate with the activities. She also asked for the use of the grounds around the Administration Building for the event and for the rest rooms to be open to the public.

Mr. Bracey stated that he felt that they would probably need port-a-johns in addition to using the rest rooms in the building.

Mrs. Everett stated that she would appreciate those.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a proclamation be drawn up designating Saturday, June 22, 1996 as Olympic Torch Relay Day urging County citizens to be mindful of the historic event and to cooperate with the activities,

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the citizens be allowed to use the grounds around the Administration Building for the event and that the rest rooms in addition to port-a-johns be open to the public on that day.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Tickle stated that he talked to the Sheriff and the Commonwealth Attorney a few weeks ago about an illegal parking ordinance and he requested that the issue be put on the agenda for the next meeting.

Mr. Burgess stated that they have received a draft of the ordinance.

Mr. Tickle stated that Ronald Reekes, Resident Engineer, from the Transportation Department stated at a prior meeting that he would come back to the Board about the transportation flow on Route 226 and 600. He wanted Administration to ask him to come back and give an update.

Mr. Tickle also stated that a couple meetings ago the Board approved a private road ordinance with the condition that they would come back and revisit it in sixty days. He stated that he would like to see it put on the agenda in the future so they can revisit it.

He also requested that Administration bring before the Board in the near future a draft of the policy for off-duty employment of our Sheriff's Deputies.

Mr. Tickle also wanted to thank Mr. Scheid, Director of Planning, for some information that he provided to him.

2. Mr. Moody stated that Martha Stone who is on the Restoration Advisory Board (RAB) will be sending a letter to the Board about some concerns about the committee and is requesting some direction.

3. Mr. Bracey stated that he thought that the County had resolved the problems about the easement with Lebanon United Methodist Church. He requested that Administration and the County Attorney work together in resolving the issue.

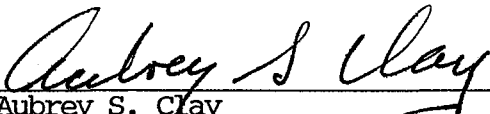
Mr. Bracey also stated that he was still waiting to see the agreement on the grass cutting that the school and the county were going in together on.

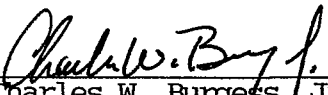
Mr. Bracey also stated that the Reassessment has been going on for a while and he wanted to know when the Board was going to get a report on how they are doing.

4. Mr. Clay stated that he felt that there was not a very good turn out on the public hearing for the Comprehensive Plan.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Moody, Mr. Clay voting "aye", the meeting adjourned at 9:08 p.m.

  
Aubrey S. Clay  
Chair, Board of Supervisors

ATTEST:   
Charles W. Burgess, Jr.  
County Administrator

/rlm