

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 30TH DAY OF DECEMBER, 1997, AT 5:30 P.M.

PRESENT: HARRISON A. MOODY, CHAIRMAN ELECTION DISTRICT #1
EDWARD A. BRACEY, JR., VICE-CHAIR ELECTION DISTRICT #4
AUBREY S. CLAY ELECTION DISTRICT #5
LEENORA EVERETT ELECTION DISTRICT #3
MICHAEL H. TICKLE ELECTION DISTRICT #2

DANIEL SIEGEL COUNTY ATTORNEY

IN RE: CALL TO ORDER

Chairman Harrison Moody called the continuation meeting back to order at 5:30 P.M., and turned the meeting over to Mr. R. Martin Long, County Administrator.

IN RE: ENTERPRISE ZONE

Mr. Long stated he had provided each Board member with a one page analysis of the change in incentives that are taking place, that were done in regard to the machinery and tools tax. That is stated in their packets as the amended sheet on Incentive #5. This is the only change that had been made from the original package. He has discussed the package as it was being proposed in this format with the State, with the Secretary of Commerce, and they said it is certainly satisfactory on that end. He felt comfortable with the package, as it is proposed, from the County.

Mr. Moody asked if there were any questions from the Board members. Mr. Moody continued the resolution dated December 30, is the one that we need to act upon. Is this correct?

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated no sir. It is the one that says the 22nd of December.

Mr. Moody asked what the one from December 30th was?

Mrs. Ralph stated it was something that Mr. Tickle requested.

Mr. Bracey asked which one we would be acting on now?

Again Mrs. Ralph and Mr. Long stated the one on top dated December 22, 1997. This is the resolution a Public Hearing had been held on.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following Resolution is adopted:

WHEREAS, the Virginia Enterprise Zone program was established by the General Assembly in 1982 through the passage of the Virginia Enterprise Zone Act; and

WHEREAS, the Virginia Enterprise Zone Act was amended by the General Assembly in 1995 to allow up to 50 enterprise zones statewide with the Governor reserving discretionary use of four (4) enterprise zone designations; and

WHEREAS, the Governor has encouraged submission of application for enterprise zone designation by the County of Dinwiddie and the City of Petersburg in the general vicinity of the Squirrel Level Road and Church Road vicinity; and

WHEREAS, the County of Dinwiddie and the City of Petersburg desire to submit a joint application for enterprise zone designation; and

WHEREAS, the proposed application submitted by Dinwiddie County would effect lands generally bounded to the west by Route 1, to the south by Flank Road and a portion of Church Road; to the east by Collier Railroad yard; and to the north by I-85 and the City of Petersburg; and

WHEREAS, the County is considering the designation of a sub zone within the County at a location yet to be determined; and

WHEREAS, the County is committed to passing local incentive ordinances as needed; and

WHEREAS, the County shall act as program administrator for those lands contained within Dinwiddie County; and

WHEREAS, the County held a public hearing on Monday, December 22, 1997 at 5:00 P.M. in fulfillment of the requirements stated in Chapter 15.1-431 (now 15.2-431), Code of Virginia;

NOW, THEREFORE BE IT RESOLVED, that the Dinwiddie County Board of Supervisors hereby acknowledges that Dinwiddie County is applying for an enterprise zone and authorize the County Administrator to prepare and submit the application for the enterprise zone designation on behalf of the County.

VOIE: 5-0

Certified By: R. Martin Long
County Administrator

Mr. Tickled asked the Chairman if he could ask a question before they act on the Resolution or did we act on the Resolution when we acted on this piece of paper?

Mr. Long stated the first page approved the enterprise zone, with the amendment to Incentive #5, including the resolution.

Mr. Tickle stated he wished to make a quick note. The period of availability, the entire life of the enterprise zone, what he understood that to mean, before we go from this meeting place today, is at any time we want to edit or amend this we are entitled to do so. Even though it says the entire life of the enterprise zone, if we choose to edit the number on the limitations on applicability, for example, we wished to increase that amount or increase the job limits, we have the right to do so.

Mr. Long stated once a year.

Mr. Tickle stated he just wanted to make sure when we say the entire life of the enterprise zone it does not limit us.

Mr. Long stated that once a year you are able to amend it.

At this point Mr. Bracey requested that someone read the Resolution to the public. Mr. Long proceeded to read the above Resolution.

Mr. Moody stated to Mr. Bracey as stated in a previous meeting this means this area will be designated an enterprise zone but zoning has to be in effect, and all that, before any other industry can come in.

Mr. Bracey agreed.

Mr. Moody asked Mr. Tickle if he had another item he wished to put before the Board.

Mr. Tickle stated he would just like to suggest to the Board they may look at the second page. He stated he had some recommendations and changes to the second page. It is a resolution basically to support anyone who would like to come back sometime in the spring to look into the possibility of incorporating their property or properties into the enterprise zone. His suggestion is to go down to item, the sixth whereas, and remove that totally. He read the portion that he wished to have removed, "Whereas, the County has been instrumental in assisting the West

Petersburg subdivision residents revitalize their neighborhood; and"; because this is not for WPVA it is for any citizen. This could be for a private group, a private citizen, or to be for anyone. Also remove the bottom line where it says - under NOW, THEREFORE "with particular attention given to the possibility of including the West Petersburg subdivision area", just remove that again because it is not for just WPVA, it is for anyone. We are aware of private land owners that wish to be incorporated into the zone. Since we are so busy and did not have the time to investigate this, this will give us the ability to go back and look at this again. This will allow other people to investigate if they would want to be incorporated into the zone. He stated he could not see how this would hurt us in any way.

Mr. Moody asked if there were any other comments from the Board members regarding this resolution.

Mr. Bracey stated we were not here tonight to vote on this resolution.

Mr. Moody stated this is--

Mr. Tickle interrupted stating if we want to we can!

Mr. Moody continued that the first resolution was presented for voting on tonight, the State Enterprise Zone.

Mr. Tickle stated he had requested Mr. Guy Scheid, Director of Planning, to prepare this form, he further stated he had also contacted Mr. Long, the County Administrator. If we choose to participate in something like this then, it has no strings attached, it has nothing attached to it. It just gives the citizens of the County the ability to come back and to look and decide if they wish to be incorporated in this enterprise zone.

Mr. Bracey asked if we have certain things that we have to do, that he can not just arbitrarily say because he owns a hundred acres that he wants it in the enterprise zone. That hundred acres might be in Darvills or it might be in the extreme western part of Route 460, he was saying that it was for everybody; however, there are restrictions.

Mr. Tickle agreed.

Mr. Bracey continued aren't there restrictions within the State of how these lines are drawn.

Mr. Long answered yes sir.

Mr. Bracey stated if that be the case, he would hope that we would act on that at that particular time. He stated he did not see the use in this second resolution.

Mr. Tickle stated he thought -- he stated he wished to address Mr. Bracey's comment -- the use of this is he feels some citizens believe we will not come back and address this issue. He feels all the citizens are asking is that -- the only thing that we are doing is we are putting -- we are going to come back and allow groups or individuals to address this issue at any-- sometime in the spring time. We as the Board, just as Mr. Bracey stated, we are the ones that will determine what areas are incorporated and those individuals, if they decide to to that, they have to meet certain criteria. If they do not meet the criteria or even too if the Board does not feel that is an appropriate direction to go they will not be incorporated, but it does give them, meaning the citizens, the ability to communicate to the Board their wishes. It is just an open communication between the citizens of the County and the Board of Supervisors. He again stated he could not see any harm to it at all. It does not limit the County or Board in any way.

Mr. Bracey stated he understands and he doesn't understand. He stated this was a special, called meeting, right?

Mrs. Ralph answered it is a continuation meeting.

Mr. Bracey repeated a continuation to actually vote on the enterprise zone as set forth in item 1 here. He stated he would be real honest he came prepared for that and not any other thing pertaining to the enterprise zone. He would hope that we -- he did not mind if this second one be put on the agenda to be discussed. He felt tonight he was doing something he really did not know what he was talking about, by taking on a second part of something at a special, well it is not a special called meeting, but we continued and that was all that was on the agenda.

Mr. Moody stated Mr. Tickle had just motioned to him that he would not have any problem putting this on a later agenda, if that was the Board's desire. He asked Mr. Clay for comments.

Mr. Clay stated he had no comment. If we do the one that is necessary to get us squared away with the State, that was what he was after.

Mr. Tickle stated me too.

Mr. Clay stated this other resolution does not pertain to that issue; therefore, let's wait until later on.

Mr. Moody asked Mrs. Everett if she had any comments regarding this issue.

Mrs. Everett stated she did not see any need to act on this issue at this meeting.

Mr. Clay asked if this was all that was all we had to do for the State?

Mr. Long stated for the application, yes sir.

Mr. Moody stated that Mr. Tickle would bring it up on another agenda.

Mrs. Ralph asked if the Board would tell us when this should be on the agenda?

Mr. Tickle stated he would like for this to be on the next Board's agenda, when ever the Board felt they could put it on. He stated he had no problem with this and he did not see it as an issue. He did not see it as anything that limits us in any way, so he would ask the Chairman to put it on the next one. The second Wednesday's meeting.

Mrs. Ralph stated January 21st.

Mr. Bracey stated he did not mind the third Wednesday, whatever Wednesday, is that going to give the staff long enough to give this to the State, the first one, and we will be all square, we are good children we are not step children, then deal with this to see if this is even coming -- if we will be in compliance with the State regulations. He did not see how we -- all he was saying was that he hoped that we were not going beyond what the State is requiring and how they want it done. He did not care what Wednesday as long as he got that information. He would not vote on it next week unless he got some information saying that it is alright.

Mr. Moody asked Mr. Long what the estimated time of approval was on the enterprise zone application.

Mr. Long said it should be approved within a weeks time, maybe two weeks max. He would say before the January 17th meeting. He felt this way because he understood the current Governor had indicated he would like to designate the zone. It will go out tomorrow special delivery.

Mr. Tickle stated he had one comment, this resolution has nothing restrictive to the enterprise zone at all. It is just a resolution saying the Board of Supervisors are going to address this issue at a later date and this does not go forth to the State at all.

Mr. Moody asked this issue be put on the January 21st meeting agenda.

Mrs. Everett stated we knew we were going to address it later on and amend it.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (A) - 1 Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body and Section 2.1-344 (A) 7-Consultation with legal counsel - VBF litigation; Inducement Agreement - Chaparral the Board moved into Executive Session at 5:50 P.M.

Mr. Bracey stated he hoped everyone would have a good and happy New Year.

A vote having been made and approved the meeting reconvened into Open Session at 6:20 P.M.

IN RE: CERTIFICATION

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

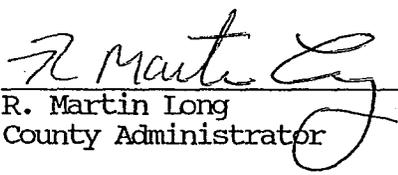
WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

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 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. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 6:24 P.M. to be continued until 4:00 P.M. January 7, 1997, for a GIS Presentation.


Harrison A. Moody
Chair, Board of Supervisors

ATTEST: 
R. Martin Long
County Administrator

/pam

