

VIRGINIA: AT THE REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 3RD DAY OF APRIL, 2002, AT 7:30 P.M.

PRESENT: EDWARD A. BRACEY, JR., CHAIRMAN ELECTION DISTRICT #4
ROBERT L. BOWMAN, IV, VICE-CHAIR ELECTION DISTRICT #3
HARRISON A. MOODY ELECTION DISTRICT #1
DONALD L. HARAWAY ELECTION DISTRICT #2
AUBREY S. CLAY, ELECTION DISTRICT #5

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

IN RE: INVOCATION – PLEDGE OF ALLEGIANCE – AND CALL TO ORDER

Mr. Edward A. Bracey, Jr., called the regular meeting to order at 7:30 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Weber Ralph, County Administrator, stated there was a need to add two items under Closed Session – Investment of Public Funds and Treasurer under Personnel.

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the above amendment (s) was approved.

IN RE: MINUTES

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Haraway, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the March 20, 2002 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Clay, 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 numbered 1029900 through 1030110 (void check(s) numbered 1029960, 1029961, 1029558, 1029976 and 1029899) for:

Accounts Payable:

(101) General Fund	\$ 197,841.28
(103) Jail Commission	\$ 1,372.37
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 3,453.56
(223) Self Insurance Fund	\$.00
(225) Courthouse Maintenance	\$ 2,764.99
(226) Law Library	\$.00
(228) Fire Programs & EMS	\$ 4,367.00
(229) Forfeited Asset Sharing	\$ 338.20

(304) CDBG Grant Fund	\$.00
(305) Capital Projects Fund	\$ 4,364.00
(401) County Debt Service	\$ <u>2,200.00</u>
TOTAL	\$ 216,701.40

PAYROLL 02/28/02

(101) General Fund	\$ 391,744.30
(222) E911 Fund	\$.00
(304) CDBG Fund	\$ <u>3,390.42</u>
TOTAL	\$ 395,134.72

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting.

The following citizens came forward to address the Board:

1. Reverend Robert Rowland, 18404 Bonneville Lane, Dinwiddie Virginia, came forward stating he had not received a response from the Board regarding changing their meetings to another night so more citizens could attend the meetings. He asked the Board to please respond either by letter or a phone call.
2. Mrs. Eva Bratschi, 23500 Cutbank Road, McKenney, Virginia, came before the Board with the following concerns:
 - a. The handling of duties by the Sheriff's Department, Animal Warden, Code Enforcement Officer – Is there a policy and procedure handbook for employees that describes their duties?
 - b. Do employees have periodic performance evaluations (every 3 to 6 months)?
 - c. Does the Board of Supervisors review statistics provided by the Sheriff's Department to address the crime influx in the County?
 - d. Is the Board already looking into how public servants could better serve the public, no matter who you are?
 - e. Can the Board look into the Commonwealth Attorney's Office providing better service to the victims of crime?
3. Michael W. Bratschi, 23500 Cutbank Road, McKenney, Virginia, stated the new code enforcement officer is not in compliance, at his residence, with the vehicle ordinance which was just passed by the Board. Mr. Bracey interrupted Mr. Bratschi, stating if he had problems or concerns with a county employee he should make an appointment with their supervisor or the county administrator to discuss his concerns. Those concerns should not be aired in public. Mr. Bratschi responded he felt he should be able to comment on any subject he wished to during the citizens comment period. Continuing he stated the county attorney has not responded to his questions from the last meeting regarding:
 - a. The code cited by the County Attorney regarding the State Code citing the Board's ability to usurp authority over elected officials in the County has been repealed. He wants the correct code explained.
 - b. Littering on County roads and laws not being addressed by Sheriff's Department.
 - c. Being cut-off when addressing the School Board during public comment period.

Mr. Bracey asked the County Attorney to respond to Mr. Bratschi.

4. Mrs. Anne Scarborough came before the Board and stated she had requested that the Board set a policy against paying for room service for employees and Board members. To date she has not gotten an answer from them. She reiterated that she felt the citizens should get a report from anyone who attends a conference whether they are Board members or employees stating what sessions they attended and how it benefited the taxpayers of the County. She stated she read a report that Adelphia Cable is in a shaky financial situation.
5. Reverend Rowland Powell, 6006 Tranquility Lane, Sutherland, Virginia, came forward in support of the Board changing their meetings to another night to allow more people an opportunity to attend.

IN RE: VOLUNTEER CERTIFICATES OF APPRECIATION

Mrs. Wendy Weber Ralph presented Certificates of Appreciation to the following volunteers who served on the Comprehensive Land Use Plan Advisory Council and the 2001 Redistricting Committee:

2001 Redistricting Committee

District #1

George Bennett, Jr.
Rennie Bridgman
Colonel Percell Hobbs

District #2

Peggy Hayes
James Merrick
Calvin Vaughan

District #3

Charles R. Horne
George W. Stephens
William Branch

District #4

Thomas Hooker
Enid Hepburn Lindsay
Thomas Van Pelt

District #5

Harry L. Clay
Roy L. Crittendon
Wanda J. Short

COMPREHENSIVE LAND USE PLAN ADVISORY COUNCIL

Samuel W. Hayes
Thelma B. Blackwell
Robert Bowman, IV
Robert Spiers
Bryan Cobb

George Whitman, Jr.
M. Dean McCray
Gilbert Wood
Harrison Moody

**IN RE: AMERICAN CANCER SOCIETY – RELAY FOR LIFE-
MS. JENNIFER HUGHES**

Ms. Jennifer Hughes stated she was here tonight on behalf of the American Cancer Society to ask people to participate in the Relay for Life Event. This year's event will be held at Richard Bland College on May 31 – June 1. The funds raised will be used to help find a cure for cancer. Mrs. Hughes commented she is a resident of the County and became involved in Relay for Life in honor of her grandfather, who had cancer. She admonished everyone to please come out and form a team and participate in the event.

IN RE: AUCTION – SURPLUS PROPERTY

Mrs. Ralph stated a list of items was included in your packets for you to take action to declare surplus for a joint auction with the School Board to be held Saturday, April 20, 2002.

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the list of items as presented by the County Administrator is hereby declared surplus property and is authorized for sale at the joint public auction with the School Board to be held Saturday, April 20, 2002.

IN RE: 250th ANNIVERSARY CELEBRATION – DRAFT PLAN

The Board received a draft outline from Mr. Tim Smith, Director of Recreation, for the 250th anniversary for the County, for the Board to review before final plans are made on the program. The County Administrator requested the Board let staff know if they wanted any changes.

IN RE: PUBLIC SAFETY BUILDING - ADD ALTERNATE FOR REMOVAL OF ASPHALT PAVING

Mr. Donald Faison, Director of Buildings and Grounds, stated he was concerned about people using the asphalt area in front of the public safety building for parking and then having to back out on Courthouse Road, which is the safety issue. To remove the asphalt paving, restore the road shoulders, haul in top soil, and re-seed around the public safety building the additional cost would be \$5,500. He commented aesthetically it certainly would be a big improvement.

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to proceed with the recommendation of the Director of Buildings and Grounds for the Add Alternate to remove the asphalt paving, restore the road shoulders and re-seed around the public safety building; contingent upon checking the cost with the Director of Waste Management to see if he can do the job cheaper than \$5,500.

IN RE: PUBLIC SAFETY BUILDING RENOVATION –CHANGE ORDER #2

Mr. Donald W. Faison, Director of Buildings and Grounds came forward to request approval of change order number 2 on the Public Safety Building renovations. Change order number 2 is for the following items:

1. Credit for sconces in communications center	-\$1,000.00
2. Extend sidewalk	580.80
3. 35' Flag pole	1,675.85
4. Delete 1" insulated glass at door/frame/wall replace w/tempered glass	- 101.64
5. Delete 1 of 2 flagpole lights	280.50
6. Delete 2 kick plated door hardware	99.00
7. Add light switches in corridor	214.50
8. Solder course above windows	165.00
9. Remove power feed to generator/main transfer switch	- 475.50
10. Add 2 dampers	389.40

11. Add 2 2/4" conduits w/sleeves	192.50
12. Add 4 conduits in CCW	121.00

TOTAL CHANGE IN CONTRACT PRICE **\$1,037.41**

Upon motion of Mr. Haraway, seconded by Mr. Bowman, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above described, Change Order Number 2, is hereby approved and authorization is granted for the County Administrator to execute same.

IN RE: COUNTY ADMINISTRATOR – TRAVEL REQUEST - VIRGINIA LOCAL GOVERNMENT FINANCING CONFERENCE

The County Administrator stated she would like to attend the Virginia Local Government Financing Conference to be held May 7 and 8, 2002 at Virginia Beach. This conference will be more beneficial than the Virginia Local Government Manager's Conference in June. Especially timely are the topics of financing public safety and long term planning for capital projects.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. voting "Aye", authorization was granted to the County Administrator to attend the Virginia Local Government Financing Conference to be held May 7 and 8, 2002, estimated cost to be \$159.00.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Ms. Phyllis Katz is scheduled to conduct a training session for department heads to cover proper procedures in dealing with personnel issues leading up to the annual performance evaluation with emphasis on meeting legal requirements on Monday, April 8th, 2002 from 9:00 A.M. until 1:00 P.M.
2. Mrs. Ralph informed the Board that she had a discussion with Mr. Jim Sisk with the Department of Corrections concerning Camp 27. Basically, only state classified prisoners can be taken into Camp 27, and they will continue to stay on top of moving state responsible inmates out of our jail as soon as they can. She commented staff is still reviewing other options.
3. Mrs. Ralph commented a letter was included in your packets from Mr. David Ploeger regarding the land on each side of the new access road being constructed at the Dinwiddie County Airport. According to legal counsel the deed does not include the property on either side of the road; therefore it would not be the proper vehicle for development restrictions. Mrs. Ralph said we have two options. We could meet with the Airport Authority and develop a separate agreement to develop restrictions to be placed on the lots or when the corridor study is done, include the road in the study. The deed needs to be recorded so that the State will release our money. If there are no objections to the Chairman signing the deed, Staff will have the deed recorded this week. This was agreeable with the Board.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman He thanked all the citizens who volunteered their time serving on the committees. He would like for staff to see if they could respond in a timelier manner to citizen requests.

Mr. Moody He stated he agreed with Mr. Bowman. Continuing he commented it takes a lot of time to do volunteer work and he appreciated all those who helped. Mrs. Ralph asked for the Board's approval to hold the Comprehensive Land Use Plan Workshop on April 24th after the adoption of the budget and the tax rates. The Board agreed.

Mr. Haraway No comments.

Mr. Clay No comments.

Mr. Bracey He thanked all the volunteers for all their work also. He admonished Staff to work on the laundry list. Continuing he cautioned people to be mindful of what you say in public. No one is perfect. He thanked the citizens for their support.

IN RE: ITEMS UNDER INFORMATION TAB & HANDOUTS

1. Letter from VDOT – regarding the CTB's Regional Financial Planning and Programming Meeting scheduled for April 10, 2002 at 10:00 a.m. at JTCC
2. Memo to Sheriff Shands – Monitoring Litter – from Mrs. Ralph
3. Memo to Sheriff Shands – County funding for School Resource Officer grant/Dare Officer – from Mrs. Ralph
4. News release from Petersburg National Battlefield – Conceptual Alternatives Workshops Planned to Present & GMP Conceptual Alternatives
5. Letter from Dinwiddie County Water Authority – Water and Sewer Rate Increase – Public Hearing Notice

IN RE: CLOSED SESSION

Mr. Clay stated I move to close this meeting in order to discuss matters exempt under section:

Personnel Matters - §2.2-3711A.1 of the Code of Virginia Appointments; Treasurer

Business and Industry Development - §2.2-3711 A. 5 of the Code of Virginia

Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia – Procurement

Investment of Public Funds - §2.2 –3711 A. 6 of the Code of Virginia

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 8:49 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:34 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, Personnel Matters – Appointments, Treasurer § 2.2-3711 A.5, Industry, § 2.2-3711 A.7, Legal – Procurement, § 2.2-3711 A.6, Investment of Public Funds

And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", this Certification Resolution was adopted.

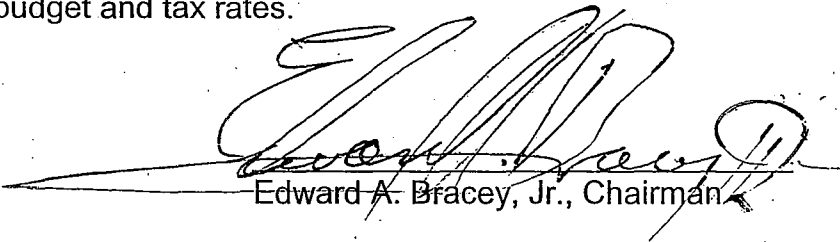
IN RE: VRS EARLY RETIREMENT - AUTHORIZATION TO PAY FILING FEE TO REQUEST A PRIVATE LETTER RULING FROM INTERNAL REVENUE SERVICE

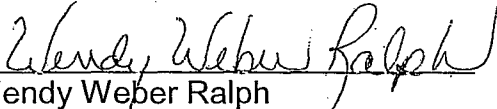
Mrs. Ralph stated our attorney has been working on a request for a private letter ruling from the Internal Revenue Service so that the County may convert its VRS early retirement program obligation to a tax-exempt obligation. A favorable ruling could result in substantial long-term savings to the County. There is a filing fee of \$1,400, which is the County's share, required by the IRS to see if the County could save approximately \$200,000 over the life of the debt.

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye", Mr. Haraway "Abstaining", authorization to submit a check to Sands, Anderson, Marks and Miller in the amount of \$1,400 for the filing fee for the conversion was approved.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 10:43 P.M. to be continued until 7:00 P.M. on Tuesday, April 16, 2002 for the Public Hearing for the budget and tax rates.


Edward A. Bracey, Jr., Chairman

ATTEST: 
Wendy Weber Ralph
County Administrator

/abr

