

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 18<sup>th</sup> DAY OF MARCH, 2003, AT 11:00 A.M.

PRESENT: ROBERT L. BOWMAN IV - CHAIR ELECTION DISTRICT #3  
DONALD L. HARAWAY - VICE CHAIR ELECTION DISTRICT #2  
HARRISON A. MOODY ELECTION DISTRICT #1  
EDWARD A. BRACEY, JR., ELECTION DISTRICT #4  
Arrived 11:20 AUBREY S. CLAY ELECTION DISTRICT #5  
  
PHYLLIS KATZ COUNTY ATTORNEY

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Mr. Robert L. Bowman, Chairman, called the continuation meeting to order at 11:14 A.M.

**IN RE: SOUTHSIDE REGIONAL JAIL RFP FOR JAIL USAGE AND CONSOLIDATION STUDY**

Mrs. Wendy Ralph, County Administrator, commented Captain Alvin Booth, Sheriff's Department, is here to give you an overview of the population in the Jail. Mrs. Ralph said she and Captain Booth went to a meeting at the Southside Regional Jail Facility a couple of weeks ago. As you know, the County has a contract with them to house a minimum of 15 inmates at a very good rate. It is a 1-year contract and Southside sent me a letter today asking us to renew the contract. As you know, that is a band-aid and we have to look beyond that. We met with Southside and they have a proposal to do an actual study, which was in enclosed in your packet if the other localities participate. The cost is estimated to be \$5,000 each, if all the localities agree. We won't know the actual cost until the RFP's come back and we go through the process. She asked Captain Booth to go over the situation with the inmate population.

Captain Booth stated today Dinwiddie County is responsible for 123 prisoners. Twenty-eight males, nine females and twenty-three weekenders have been farmed out and we have one prisoner on swap with Brunswick County. The Jail was built in 1970 and in 1989 we double bunked 32 beds. The County rented space to Colonial Heights and other jurisdictions that didn't have jail space at \$15 per day. The Board approved the hiring of 4 county positions for the Jail. When the new Courthouse opened in 1998 those 4 county positions were sent there for security, which was the agreement the Sheriff's Department had with the Board. The Jail made in excess of \$800,000 profit from 1992 to 1996 renting Jail space. The Regional Jail opened in 1996 and our rentals dropped. In 2000 we had 75 in jail that were all our prisoners. The Jail population has been on a steady increase since that time. So far this year we have farmed out to other jurisdictions:

Facility	Daily Cost	Number
Southside Regional Jail	\$22.50	minimum of 15
Other than Southside	\$35 to \$52	12

He commented the County has spent \$325,762 this year housing out prisoners. Captain Booth said he did not agree with Mrs. Ralph regarding going in with Southside to do the RPF. He said he felt the Board would want someone to do our own assessment.

The Board is going to have to do something; either fix the Jail or continue farming out the prisoners or go completely out of the jail business or build

another facility. Staffing is still a problem. In 1992 the State funded 14 correctional officer positions and it is still the same today. According to the base staffing formula we should have 19 employees, but the State continues to deny our request. They base the staff on bed space criteria. The State is supposed to pay for 1 additional officer for every 5 extra prisoners for overcrowding. Captain Booth stated something has to be done about the situation. The State has all of these mandates but doesn't fund those mandates. He reviewed the operating costs of the Jail with the Board.

There was a long discussion between the Board members, Captain Booth, the County Administrator and Mrs. Glenice Townsend regarding what it costs per day to house the inmates; the annual operating expenses for the jail; and what the State reimburses the County. Mr. Haraway requested that a spreadsheet be prepared to show all the options so the Board could do a comparison.

The County Administrator stated she did not agree with Captain Booth regarding joining in with the other localities for the RFP. It is foolish to pay all of the cost for the study when we could benefit by going in with them. She recommended joining in with Emporia, Greensville, and Brunswick to issue an RFP for the consulting services for the Jail usage and consolidation study for the Southside Regional Jail. The cost would be approximately \$5,000 depending on whether all of the other localities enter into the agreement.

The County Administrator stated she didn't think the County would lose anything if we participate in the RFP. Mr. Bracey asked if we participate in it would the County have any say about what firm is hired to do the study? Mrs. Ralph replied certainly we would. Mr. Bracey stated he knew the County has a problem.

Mr. Bracey asked Captain Booth what he recommended. He replied he felt the County should get all of the options and do their own assessments. He commented anytime you go into a regional "anything" the control goes out of your hands and the Board needed to consider this. He said he was not against Regional Jails but he didn't want someone dictating what he could or could not do. He stated he agreed with getting all the options but highly recommended that the Board reserve the decision until they have all the options.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to participate in the Regional RFP for the consulting services for the Jail usage and consolidation study for the Southside Regional Jail.

The County Administrator commented it would be brought back to the Board before any commitment is made.

Mr. Clay expressed his concerns regarding the commitment to a regional facility and the transportation costs.

Captain Booth cautioned the Board that there were additional issues that they should be aware of with joining the Regional Jail. He felt one of the major issues would be the time involved in the transport of the inmates which is approximately a 4 hour trip and the booking (double because it has to be done in both places) of the prisoners.

#### State Reductions

The County Administrator commented the State reduction for the Jail was \$20,000 about 5% this year and 5% next year. In the law enforcement budget one vehicle would have to be taken out for the reduction.

### Travel and Training

The County Administrator stated travel for Constitutional Officers has been cut from all the State budgets. The only travel that would be covered for the Sheriff's Department would be for required training only. Captain Booth has stated many times that there is a high degree of turnover in employees in the Sheriff's Department. She stated we are recommending to the Sheriff, if he trains and loses an employee within a year, there should be a requirement for them to reimburse the County for the expenses incurred for training. The County has that requirement in our personnel policy. Captain Booth stated he had asked the County Attorney several years ago to draw up a contract for new employees so they would be required to reimburse the County if they leave within one or two years for training costs. He commented what the Sheriff's Department is doing now is training these people for other localities due to the salaries they can get in other localities.

Mr. Haraway asked approximately how much money are we talking about? The County Administrator stated around \$11,000. Mr. Haraway suggested that when a person goes into this program that they be required to sign a note indicating if they work for three years, 1/3 of the fees would be forgiven for each year they work. He commented he agreed we are training them and they are leaving to go to the other localities and the County is footing the bill. Captain Booth requested that the County Attorney draw up the contract.

The County Administrator suggested that the Sheriff be requested to adopt that policy and then have the County Attorney draw up the contract.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Sheriff is requested to adopt a policy requiring any new employee be required to sign a contract to reimburse the County for training fees if they leave the County. If the Sheriff adopts the policy the County Attorney is authorized to draw up a contract.

### Status report for Resource Officer Grant

The County Administrator mentioned that she sent a letter to the Sheriff as well as the Superintendent of Schools and asked for a report on the School Resource Officers, which was part of the Board's requirement when it approved the two positions (one at the Middle School and one at the High School). The Board said it would not be funded again unless you had a status report. She also commented that no one seems to want to be responsible for the administration of the grant. Mrs. Ralph stated either the School or the Sheriff's Department was going to have to take over the responsibility for the administration of the grant. Captain Booth reported that Roy Hodges kept sending the reports to the Department of Criminal Justice; however, they said they had not received them and Mr. Hodges hand-carried them to the Criminal Justice Department and put it in their hands. Mrs. Ralph stated the Sheriff and the School System needed to submit the status report for the Resource Officers to the Board.

### Salary increase for the Board of Supervisors

Mrs. Ralph distributed copies of salaries for Board members from comparable localities that the Board requested from staff. She asked Mrs. Townsend to explain what she put in the budget. Mrs. Townsend stated she did what Mr. Haraway suggested. She took what the County employees got for the past 4-years which was 15% and applied it to their salary which brought their salary to \$8,500 a year. The Board members were in agreement to include the increase in their salary in the budget.

**IN RE: AUTHORIZATION TO REIMBURSEMENT**  
**COMMISSIONER OF THE REVENUE FOR PRINTER**

The County Administrator stated the Commissioner of the Revenue requested that the County reimburse her for the printer she purchased for her department and her travel expenses for the LGOC conference. The Board discussed the issues and agreed that it would reimburse her for the printer.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorized the reimbursement of \$429.97 to the Commissioner of the Revenue for the printer she purchased for her office.

**IN RE: CONSTITUTIONAL OFFICERS – REQUEST FOR TRAVEL**  
**REIMBURSEMENT TO ATTEND ONE IN-STATE MEETING**

Mr. Moody stated he felt the Constitutional Officers are caught in the middle and the County needed to pay for the educational training they needed to perform their duties. The County Administrator stated the Treasurer had already requested that they be allowed to attend one in-state meeting of their choice and that the County reimburse them for the travel expenses. Of course, they would have to submit a travel request to the Board for pre-approval, which is required of all of the County department heads.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Constitutional Officers will be allowed to attend one conference of their choice using funds from their FY 04 budget, with the stipulation that they appear before the Board to request prior authorization for the travel expenses.

**Request for funds for counter for Clerk of the Circuit Court**

Mrs. Ralph reported that the Clerk of the Circuit Court included in her budget a request for \$20,000 to install a counter in her office to hold record books. The County Administrator commented she suggested that the Clerk look into microfilming some of the older record books so she won't run out of space. The technology funds are still available and she suggested that Mrs. Williams see if the County could use some of the funds. There are no funds in the Clerks FY 04 budget to build the counter. The Board instructed staff to ask the Clerk for her retention of records schedule to see if some of the records could either be sent to the State Library or be destroyed. The Board instructed the Assistant County Administrator to look into the situation and make a recommendation to the Board.

**IN RE: BOARD REQUEST - COMMONWEALTH'S ATTORNEY**  
**APPLY FOR FULL TIME STATUS WITH GENERAL**  
**ASSEMBLY**

The County Administrator stated you requested that Staff look into the full time status for the Commonwealth's Attorney Office and the short-term problem of the shortage in his budget. Mr. Rainey has a source being reviewed for the short-term problem, which is the Forfeited Assets Funds. However, next year he will have the same problem in his budget. She commented that she checked with the State and the Commonwealth's Attorney position is eligible for a full time position by virtue of the number of caseloads. The County Administrator commented however, the caveat to all of this is that the State is not going to give any money for a fulltime position even if the Commonwealth Attorney were to

apply. The Commonwealth's Attorney would have to make the request, which is called a conversion, to the General Assembly and it would have to be declared in June by an election sheet, which has to be filed by Mr. Rainey. No one else can make the request. There is a separate funding source that could be requested through the General Assembly also which would be for the part-time assistant and his salary would basically double. According to the State, based on the staffing standards the County would be 2<sup>nd</sup> on the list if there were funds available from the State. Based on the workload, the County would be eligible for 3 part time assistants. Mrs. Ralph said now remember, staffing standards and what the State would actually do if requested are probably quite different. Funding for office supplies would be \$7,100 total. The Secretary funding is already full-time and would remain the same. Mrs. Ralph stated the reason Mr. Rainey said he had not asked for full time was because he didn't think his workload would require that many assistants. He said he doesn't want to waste the taxpayer's money and have that many attorneys standing around. He really did not see the need to go full time based on the workload. But even if he did request it there is no funding available with the State. Mrs. Ralph stated the Commonwealth's Attorney in Green County had applied three times in the past three years and the State had not approved it. She commented she didn't know what would happen if Mr. Rainey did apply and the economy turned around and funding became available from the State. Mr. Clay stated nothing is going to happen this year because no money is available from the State and the Board can cross that bridge when we get to it. Mr. Haraway asked if the application had to be submitted each year. Mrs. Ralph stated she thought it did. Mr. Haraway, Mr. Moody, Mr. Bracey and Mr. Bowman all agreed that a full time Commonwealth's Attorney is needed in the County. They commented they receive numerous calls from residents and they are of the same opinion.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby requests that the Commonwealth's Attorney, Mr. T.O. Rainey, III, apply for a conversion for a full time status with the General Assembly.

#### Discussion for Grant Writer Position

The County Administrator discussed hiring a grant writer for the County. The Board requested that the Assistant County Administrator research with the State to see what grants might be available to the County.

#### IN RE: AUTHORIZATION FOR COUNTY ATTORNEY TO DRAFT ORDINANCE TO ASSESS FEES FOR STORM WATER MANAGEMENT

The County Administrator explained the new Storm Water Management regulations and the requirement for hiring at least 2 to 3 inspectors to perform the number of inspections required for residential homes. Mrs. Ralph questioned the Board members about how aggressive they wanted to be in pursuing dilapidated or deteriorated structures. She stated if they wanted to increase the program, an individual could be hired to perform both duties. The Assistant County Administrator, Kevin Massengill, pointed out that the County has been written up and if we don't comply, the State will take over the Storm Water Management Program and hire a consultant to perform the work and the citizens will be charged the fee.

The Board decided not to step up the deteriorated structure program and authorized the County Attorney to draft an ordinance to provide for a fee to be charged to cover the cost of hiring someone to make the inspections when needed.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorized the County Attorney to draft an ordinance to assess fees for un-funded State mandates for the storm water management program.

**IN RE: CLOSED SESSION**

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

**Personnel - §2.2-3711 A. 1 of the Code of Virginia – Extension Agent**

**Business 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 – Virginia Bio-Fuels Litigation**

Mr. Bracey seconded the motion. Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the Board moved into the Closed Meeting at 1:30 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 2:07 P.M.

**IN RE: CERTIFICATION**

**Whereas**, this Board convened in a closed meeting under §2.2-3711 A. 1 – Personnel – Extension Agent; §2.2-3711 A. 5 – Business Development; §2.2-3711 A. 7 - Virginia Bio-Fuels Litigation

**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. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", this Certification Resolution was adopted.

**IN RE: ADJOURNMENT**

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 2:08 P.M.

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Robert Bowman, IV, Chairman

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Wendy Weber Ralph  
County Administrator

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