VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 3RD DAY OF SEPTEMBER, 1997 AT 7:30 P.M.

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

IN RE: CALL TO ORDER - INVOCATION - PLEDGE OF ALLEGIANCE

Chairman Harrison A. Moody called the meeting to order at 7:35 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENT TO AGENDA

Mrs. Wendy Weber Ralph, Assistant County Administrator, requested that Courthouse contract be removed from Number 11, Executive Session and replaced with Virginia Bio-Fuel Litigation.

Upon motion of Mr. Tickle, 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 under Item 11, Executive Session, Section 2.1-344 (a) 7- consultation with legal counsel, that Courthouse contract be removed and replaced with Virginia Bio-Fuel Litigation.

IN RE: MINUTES

Upon Motion of Mrs. Everett, seconded by Mr. Bracey, 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 minutes of the August 20, 1997 regular meeting are hereby approved in their entirety.

IN RE: MINUTES - AMENDMENT TO AUGUST 6, 1997

Mrs. Ralph stated that there were two (2) corrections/additions to the minutes of August 6, 1997, they being in the sections pertaining to the hiring of Lee Dugger, Custodian/Grounds Worker and Wayne Trent, Waste Processor/Attendant. The Custodian/Grounds Worker's salary contained a typographic error, the salary should read $15,135.00 not $15,185.00. Also we need to add Grade 5, Step A1. The Waste Processor/ Attendant section needed a correction also in the salary figure. The correct salary is $14,046.00. This also changed the Step to Step B2.

Upon motion of Mr. Tickle, seconded by Mrs. Everett, 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 authorization is granted to amend the minutes of August 6, 1997. Said amendment will correct the salary in the Custodian/Grounds Worker salary to read $15,135.00, Grade 5, Step A1 and correct the salary of the Waste Processor/Attendant to read $14,046.00, Grade 3, Step B2.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mr. Tickle, 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 claims are approved and funds appropriated for same using checks #1007235 - 1007429 (void checks 1006101 - 1007019 - 1007344); for Accounts Payable in the amount of $136,551.08; General Fund $130,345.39; Jail Commission $566.69; E911 Fund $368.00; Self Insurance Fund $5,271.00; Payroll General Fund $288,169.81; and CDBG Grant Fund $453.98.

IN RE: APPROVAL OF REQUISITION #3 --COURTHOUSE CONSTRUCTION

Mrs. Ralph stated that Requisition #3 for the Courthouse consists of payments to:

Gulf Seaboard General Contractors Inc.	$ 559,420.80
Total	$ 559,420.80

Upon motion of Mr. Everett, seconded by Mr. Tickle, 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 Requisition #3 in the amount of $599,420.80 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #1 - SCHOOL CONSTRUCTION

Mrs. Ralph stated that Requisition #1 for the School Construction consists of the following invoices:

KBS, INC.	$ 3,079,866.75
Froehling & Robertson, Inc.	5,306.20
Stroud, Pence & Associates, LTD	4,420.00
Virginia Power	9,372.00
Southside Electric Cooperative	186.56
Ballou Justice Upton	26,548.34
Sands, Anderson, Marks, & Miller	20,913.65
Cadmus	7,818.53
TOTAL	$ 3,154,432.03

Upon motion of Mr. Everett, 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 Requisition #1 in the amount of $3,154,432.03 be approved and funds appropriated for CIP expenses for the School Construction Fund.

IN RE: CITIZEN COMMENTS

The following persons addressed the Board:

1. Mr. Paul B. Coleman, Manager of Virginia Motorsports Park, 8018 Boydton Plank Road, came before the Board to update them of the events being planned at Virginia Motorsports Park. A date has been set for the National Event in 1998. It will be the last week in April (24-25-26-27). Mr. Coleman also reported that the American Red Cross had contacted them with regard to using the Motorsports Park as a designated administrative headquarters in the event of a national disaster. They felt this would be beneficial to the County and have agreed. In ending Mr. Coleman thanked the County for allowing them to have Wednesday night racing. He stated that by racing on Wednesday night they have shortened the Friday and Saturday night racing times.

2. Ms. Joanne M. Ortiz, 18729 Carson Road, Dinwiddie, Virginia, President of the Friends of the Library Dinwiddie, came before the Board to inform and invite, not only the Board but all the citizens of Dinwiddie County, to attend their celebration of their tenth anniversary at the Library on Carson Road September 21st through 26th. Also on September 25th at 7:00 P.M. the Dinwiddie Library Book Group will meet at the Dinwiddie Library.

IN RE: P-97-11 -- PUBLIC HEARING -- REZONING -- JOHNNY BAIN

This being the time and place as advertised in the Dinwiddie Monitor on August 20, 1997 and August 27, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering a request to change the district classification of a portion of Tax Map/Parcel 18-7 containing approximately 50 acres from Agricultural, General, A-2 to Rural, Residential, RR-1. Mr. Scheid came before the Board stating that this case was reviewed by the Planning Commission on August 13, 1997. On a 7-0 vote, the Planning Commission recommends approval of this request.

Mr. Guy Scheid, Director of Planning, presented the Planning staff report. He stated that the applicant, Johnny Bain, is seeking a rezoning of the property from Agricultural, General, A-2 District to Residential, Rural, RR-1 District. He added that Mr. Bain has made this request for the purpose of developing the property for single-family homes which will be served by Midway road (Rt. 739). He added that the property is located on the west side of Midway Road (Rt. 739) and is identified as Tax Parcel 18-7 (a portion thereof).

Mr. Scheid stated that the Dinwiddie County Comprehensive Plan designates this property for agricultural use and is located within the Rural Conservation Area. Mr. Scheid gave a brief outline of some of the applicable strategies for this planning area, they being:

Rural Conservation Area (approximately 290,000 acres; 90% of the County)

* expected to accommodate 5% to 10% of future residential development;

* all developments within the rural conservation areas are expected to help maintain the long-term viability of the rural characteristics, with a minimum of land use conflicts between residential and agricultural uses;

* development in these areas will be of a very low density and thus very minimal increases in public services will be needed; and

* prime agricultural land will be identified and preserved.

He also added that according to the corridor plan, which is a part of the Comprehensive Plan, does not identify Midway Road (Rt. 739) as an arterial or collector road. He said the subdivision ordinance does not restrict driveway access to secondary roads (section 18-96 applies to arterial and collector streets only). In Section 2, Policies, Goals and Objectives of the Comprehensive Land Use Plan, under Housing - Goal 2, objective (a) states, "allow limited residential development along the secondary highways, only."

Mr. Scheid added that there has been large lot development in this area. He said some lots front and access the State Roads and others are served by private roads. He said the Smithfield subdivision has recently been developed in a similar manner as the current proposal and is adjacent to the property being considered for rezoning.

The soils contained in this area are:

* Helena (9B);
* Herndon (10B); and
* Mattaponi (12B)

The Herndon soil was found on the northern portion of the property and has characteristics which have moderate limitation for septic fields (percs slowly), and slight limitation on homesite construction. The Helena soil has a severe limitation on homesite construction (shrink-swell), and a severe limitation on septic fields (wetness and percs slowly). The Buildings Inspectors' office has been monitoring construction plans for those homes constructed within a shink-well soil area. The Health Department regulates septic field location and construction to insure that the system will function properly.

Mr. Scheid stated that the subdivision ordinance was amended and the definition of subdivision changed. Additionally, he added, Section 18-12 required the rezoning of A-2 property to a residential category if the property is intended to be subdivided into three (3) parcels or more. Therefore, the Planning Commission and the Board of Supervisors are reviewing proposed subdivisions in agricultural zoned areas which was previously an administrative function of the subdivision agent. There were several reasons for adopting this procedure to include the limitation of the number of uses located in this district as well as restrict the types of uses which could be accessed by a private road if such is constructed to serve a subdivision. Mr. Scheid stated that the property is in close proximity to Midway Elementary School which appears to be a positive factor. He added that there are collector and arterial roads located in the immediate vicinity which provide good access and large lot, residential development is compatible with the existing and developing neighborhoods. Mr. Scheid also noted that the applicant has proffered several conditions which will insure quality development on these lots. He stated the proffers as follows:

1. No lot shall be less than three (3) acres with three hundred (300) feet of frontage.

2. No lot shall be used except for the purpose of a single-family residence. Not more that one single-family residence, together with such outbuildings as may be appurtenant to such single-family residence, shall be erected on any Lot. The minimum area of any residence built on the Property shall be one thousand three hundred (1,300) square feet, exclusive of garages, porches, and any outbuildings. Up to one third of any such residence may be unfinished.

3. No mobile homes, manufactured housing, or house trailers, whether or not permanently attached to the Property, shall be allowed on any Lot. No structure of a temporary character including without limitation any trailer, tent, or shack, shall be allowed on any lot. However, construction trailers used in connection with the construction of any permitted building shall be permitted for the duration of such construction.

4. No inoperable or unlicensed motor vehicle shall be stored on any Lot except within a fully enclosed garage and must comply with applicable county or state regulations.

5. Fences located in the front yard, as defined in the Zoning Ordinance of Dinwiddie County, of any Lot shall be constructed only of split rail solid wood boards, or wooden pickets. Walls located in the front yard of any Lot shall be constructed of brick or stone. Fences and walls of other materials may be constructed in the side yards or rear yards, of any Lot, provided such fences or walls are screened from view from any public road adjoining such Lot.

Mr. Scheid ended his presentation by stating staff's recommendation APPROVAL of P-97-11 in changing the district classification of Section 18, Parcel 7 (a portion thereof), from Agricultural, General, A-2 to Residential, Rural, RR-1 with the proffers offered by the applicant.

Mr. Moody requested that the applicant, Johnny Bain, come forward to answer any questions or concerns that the Board might have. There was some discussion as to the setback yardage requirements, especially if the road is widened.

Mr. Moody opened the Public Hearing on P-97-11. There being no citizens wishing to speak on this issue Mr. Moody closed the Hearing.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the Zoning Map of the County of Dinwiddie be amended by

changing the district classification of Section 18, Parcel 7 (a portion thereof), containing approximately 50 acres, from Agricultural, General, A-2 to Residential, Rural, RR-1 District. This rezoning shall include proffers recommended by the Planning Commission. This ordinance shall become effective immediately and in all other respects, said zoning maps remain unchanged, and

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: P-97-12-- PUBLIC HEARING -- REZONING -- MIKE MAYES

This being the time and place as advertised in the Dinwiddie Monitor on August 20, 1997 and August 27, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering a request to change the district classification of a portion of Tax Map/Parcel 21 (4) 4 containing approximately 7.0 acres from Residential, Limited, R-1 and Agricultural General, A-2 to Residential, General R-2. Mr. Scheid came before the Board stating that this case was reviewed by the Planning Commission on August 13, 1997. On a 7-0 vote, the Planning Commission recommends approval of this request.

Mr. Scheid stated that the applicant, Mike Mayes, is seeking a rezoning of a 7.0 acre portion of 21-(4)-4 from Residential, Limited, District R-1 and Agricultural, General, District A-2 to Residential, General, R-2. He added that Mr. Mayes has made this request for the purpose of expanding the Rohoic Woods apartment complex. The property is located on the east side of Duncan Road (Rt.670) approximately 1/4 mile from U.S. Route 1 (Boydton Plank Road).

Mr. Scheid stated that the property is located adjacent to a tract of land zoned R-2 which is owned and developed by Mr. Mayes. He added that Rohoic Woods apartment complex was built several years ago and consist of two and three family bedroom units. In addition to the rental units, the facility consist of several amenities such as a tennis courts, swimming pool, playground, etc. Mr. Scheid said the applicant wished to expand the apartment complex onto some property already owned and, in part, on this property proposed for rezoning. This parcel is in the process of being timbered.

The Dinwiddie County Comprehensive Plan designates within the Urban Planning Area, as designated by the Dinwiddie County Comprehensive Plan. A brief outline of the applicable strategies for this planning area are as follow:

Urban Planning Area (approximately 11,300 acres; 4% of the County)

* expected to accommodate 65% to 75% of future residential development

* primary area for public facilities, water and sewer extensions and major transportation improvements; and

* public water and sewer lines will be extended into this area.

Under section 2, page 8 of the Comprehensive Land Use Plan, Housing - Goal 1, states, "promote the construction of a variety of dwelling types within growth areas and corridors on the County. Objective (a) reads as follows:

* "locate multi-family dwelling unit structures to areas served by public water and sewer facilities."

Objective (b) states:

* "encourage diverse and innovative residential development in the County so that the changing needs of the community may be met in a better manner than

permitted under conventional regulations."

Section 2, Page 11, Open space, Recreation and Historic Preservation, Goal 1 states:

* "Provide adequate recreational facilities for all residents of the County."

The soil group found in this area is Mattaponi (12A). There is a moderate limitations on residential structures and severe limitations on street construction.

There are several zoning classifications in this immediate area, to include A-2, R-1, R-2, B-2 and M-1. Property immediately adjacent to this site was zoned R-2 and developed as multi-family dwelling units. He brought to their attention, letters written by the Dinwiddie County School System, Sheriff's department, Dinwiddie County Water Authority (DCWA) and VDOT. He added that in all cases, the impact on the community from the apartment complex were not excessive. Mr. Scheid stated that the county is experiencing growth in the commercial and industrial sectors which, in turn, requires alternative housing for employees. Mr. Scheid also noted that the applicant has proffered several conditions which will insure quality development on these lots. He stated the proffers as follows:

1. Any future apartment construction shall be of compatible architectural style and quality as that of the existing units.

2. Access to the property shall be limited to the existing entrance with the possibility of an emergency access road provided as secondary access to the development if needed.

3. A minimum buffer strip of fifteen (15) feet shall be provided around the perimeter of this development with the exception of the property fronting on Duncan Road, which shall have a thirty (30) foot buffer strip which shall be properly landscaped.

4. Any tot lot displaced by future development shall be relocated in the same general vicinity. Additional recreational facilities shall be provided for the additional apartment united created.

In concluding his report he stated that staff recommends APPROVAL of P-97-12 as submitted.

Mr. Moody requested that the applicant, Mike Mayes, come forward to answer any questions or concerns that the Board might have.

Mr. Moody opened the Public Hearing on P-97-12. There being no citizens wishing to speak on this issue Mr. Moody closed the Hearing.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the Zoning Map of the County of Dinwiddie be amended by changing the district classification of Section 21, Parcel (4)-4 (a portion thereof), containing approximately 7 acres, from Residential, Limited, District R-1 and Agricultural, General, District A-2 to Residential, General, R-2 District. This rezoning shall include proffers recommended by the Planning Commission. This ordinance shall become effective immediately and in all other respects, said zoning maps remain unchanged, and

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: PUBLIC HEARING -- APPOMATTOX SCENIC RIVER DESIGNATION

This being the time and place as advertised in the Dinwiddie Monitor on August 20, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of receiving public input on the addition of a segment of the Appomattox River to the Scenic River system. This section is the 1.2 mile reach of the Appomattox River between Lake Chesdin Dam and the VEPCO Abutment Dam. The Section from the abutment dam to the Route 36 bridge in the City of Petersburg was designated a Scenic river in 1977.

Mrs. Dama Rice, Chairman of the Appomattox State Scenic River Advisory Board, came before the Board to request that Dinwiddie County draft a resolution in support of this 1.2 mile extension of the Appomattox River for presentation to the General Assembly. Also present for questioning were Mr. R. G. Gibbons and Mr. Jim Guyton, from the Department of Conservation and Recreation.

Mr. Moody opened the Public Hearing. There were no citizens wishing to speak. Mr. Moody declared the Public Hearing closed.

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 authorization is granted to the Administration to draft a resolution in support of the addition of a segment of the Appomattox River to the Scenic River system. This section is the 1.2 mile reach of the Appomattox River between Lake Chesdin Dam and the VEPCO Abutment Dam.

IN RE: PUBLIC HEARING -- DARVILLS COMMUNITY CENTER -- TAX EXEMPTION

This being the time and place as advertised in the Dinwiddie Monitor on August 20, 1997, for the Board of Supervisors of Dinwiddie County, Virginia, to conduct a public hearing for the purpose of considering a resolution in support of the request by the Darvills Community Center that such organization's real property in Dinwiddie County be exempt from taxation pursuant to Article X, Section 6 (a) (6) of the Constitution of Virginia.

Mr. Rennie W. Bridgman, Jr. and Mr. W. Franklin Townsend came before the Board as representatives of the Darvills Community Center. Mr. Bridgman stated that he was Treasurer of the organization and he could attest to the fact that they were broke. He further stated that they had no means of support. They do rent to the County twice a year for elections. This money is used for the electric bill and taxes. He ask the County to consider a tax exemption for the Community Center. There were some questions by the Board as to the upkeep of the building and also concern as to other organizations in the community that might also need this type of exemption.

Mr. Moody opened the Public Hearing. There were no citizens wishing to speak. Mr. Moody closed the Hearing.

There was discussion between the Board, Mr. Daniel Siegel, County Attorney, and the representatives of the Darvills Community Center. Mr. Siegel stated that tax exemption status requirements are very broad and addressed concerns the Board members seem to have about other organizations that may be eligible for a tax exemption.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted for the following resolution to be presented to the General Assembly on behalf of the Darvills Community Center in request of a tax exempt status for the organization:

WHEREAS, the Darvills Community Center ("Darvills") has requested the Board of Supervisors of Dinwiddie County, Virginia (the

"Board") to support a designation by the General Assembly of Virginia that Darvills' real property, which is commonly known as the Darvills Community Center, and personal property be exempt from taxation by the County of Dinwiddie, Virginia and the Commonwealth of Virginia; and

WHEREAS, Darvills has made certain representations to the Board on which the findings stated below are based;

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County that the Board recommends to the General Assembly that the Darvills Community Center's purpose be classified as (charitable, patriotic, historical, benevolent, cultural, public park and playground), and that the real and personal property of the Darvills Community Center be exempt from state and local property taxes pursuant to Article X, Section (6) (a) (6) of the Constitution of Virginia.

IT IS FURTHER RESOLVED that the Board has examined and considered the provisions set forth in Section 30-19.04.B of the Code of Virginia of 1950, as amended, and finds as follows:

1. Darvills is not exempt from taxation pursuant to Section 501 (c) of the Internal Revenue Code of 1954.

2. Darvills does not hold a current annual alcoholic beverage license for serving alcoholic beverages from the Virginia Alcoholic Beverage Control Board for use on any Darvills Community Center property.

3. No Director or Officer of Darvills is paid compensation by Darvills in excess of a reasonable allowance for salaries or other compensation for personal services which such director or officer actually renders.

4. No part of the net earnings of Darvills inures to the benefit of any individual and a significant portion of the service provided by Darvills is generated by funds received from donations, contributions or local, state or federal grants.

5. Darvills provides services for the common good of the public.

6. No substantial part of the activities of the organization involves carrying on propaganda or otherwise attempting to influence legislation, and Darvills does not participate, or intervene in, any political campaign on behalf of any candidate for public office.

7. no rule, regulation, policy or practice of Darvills discriminates on the basis of religious conviction, race, color, sex or national origin.

8. The assessed value of the real property in Dinwiddie County owned by Darvills for 1996 was $23,000.00 and the real property taxes paid to Dinwiddie County in 1996 by Darvills were in the amount of $170.20.

IT IS FURTHER RESOLVED that this Resolution shall be effective immediately.

The attached resolution was adopted at a meeting of the Board of Supervisors of Dinwiddie County on the 3rd day of September, 1997.

IN RE: ABIDCO -- APPOINTMENTS

Mrs. Pamla Mann, Administrative Secretary, stated that she had two (2) positions on the Appomattox Basin Industrial Development Corporation Board (ABIDCO). One (1) position being at large and one (1) position being a member of the Board of Supervisors. The applicant for the at large position being: Mr. Milton I. Hargrave, Jr. who has been serving on this Board since 1992 and is seeking reappointment. Mrs. Mann stated that she did not have an application for the position to be filled from the Board. Mr. Bracey presently fills that position.

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 Mr. Milton Hargrave, Jr. be appointed to the Appomattox Basin Industrial Development Corporation Board for a term expiring September 30, 1998.

Mr. Moody asked if there was a volunteer from the Board to serve on the ABIDCO Board. Mrs. Everett volunteered.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mrs. LeeNora Everett be appointed to the Appomattox Basin Industrial Development Corporation Board for a term expiring September 30, 1998.

Mr. Tickle requested that a representative from ABIDCO come to the Board meetings, at least once a quarter, to update them on what their Board is accomplishing. Mr. Long stated that he would look into this and hoped that a representative would be at the next meeting.

IN RE: COUNTY ADMINISTRATOR COMMENTS - MEMORANDUM OF UNDERSTANDING BETWEEN VIRGINIA COOPERATIVE EXTENSION AND THE COUNTY OF DINWIDDIE

Mr. Long stated that in the Board packet was a Memorandum of Understanding between Virginia Cooperative Extension and the County of Dinwiddie which needed to be executed.

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 authorization is granted to the County Administrator to execute the Memorandum of Understanding between Virginia Cooperative Extension and the County of Dinwiddie.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long also stated that in the Board packet was information, from the Office of the General Registrar Mrs. Betty Jeter, regarding the cost of the primary elections. The expense of these elections were quite steep with 510 registrants voting at a cost of $13.35 each.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay -- He was concerned about the rapid growth in Dinwiddie County stating that he did not wish us to become another Chesterfield County. If there is any way that we can slow this down, we should.

Mr. Bracey -- He stated that he had calls from citizens voicing a complaint that when protection was needed the Sheriff's Department was not helping them much. When the Sheriff's Office is called many times they are saying "if we do or say anything to them it will just make it worse". Mr. Bracey wanted to know if citizens have another course or path to take, in order to have the protection they need and deserve. Mr. Daniel Siegel responded by stating that citizens could petition the court to obtain protection. There could be a police or special police department established. There are many avenues open in this area.

Mr. Tickle -- Mr. Tickle wanted to be sure that someone in Administration remind Mr. Shands that he is expecting a report, at the next Board Meeting, on the issue of charging inmates for Doctor visits. He also requested information regarding insurance premiums and the people that are trying to beat the system. He was interested in repeat offenders. Mrs. Ralph stated that she would check into what information she could legally pass to him.

Mrs. Everett -- Mrs. Everett stated that she had a few calls about concerns regarding old cars in yards. Also she had some calls regarding Old Stage Road. It seems it gets better then worse. It is has been a problem for six (6) years now.

Mr. Moody -- Mr. Moody stated that in their packets they had received information about fees for hunting and fishing on Fort Pickett. After discussion it was decided that Administration should write a letter stating that the proposed fees are excessive and not acceptable.

Mr. Moody also stated that someone had contacted him regarding repairs that need to be completed on the Health Department building. Mrs. Ralph stated that it was on the CIP list. Mr. Clay stated that he had been notified by a gentleman at Camp 27 that they had some expert painters. He stated that they would come and paint the building free of charge to the County. Mr. Long stated that Administration will look into this possibility.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating in the community; and Section 2.1-344 (a) 7 - consultation with legal counsel (Virginia Bio-Fuel and campground ordinance). The meeting moved into Executive Session at 9:25 P.M. A vote having been made and approved the meeting reconvened into Open Session at 10:45 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 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: LANDFILL SILOS -- AUTHORIZATION TO SOLICIT PROPOSALS TO DISASSEMBLE

Upon motion of Mr. Clay, seconded by Mr. Tickle, 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 Director of Waste Management was authorized to solicit proposals to disassemble the silos at the County Landfill.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 10:47 P.M. to be continued until Thursday, September 11, 1997, at 6:00 A.M. at the Richmond International Airport for an Executive Session, Section 2.1-344 (a) 5 - Discussion concerning a prospective

business or industry where no previous announcement has been made of the business' or industry's interest in locating in the community.

Harrison A. Moody
Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS - MEETING AT THE RICHMOND INTERNATIONAL AIRPORT IN RICHMOND, VIRGINIA, FOR TRAVEL TO DALLAS, TEXAS ON THE 11TH DAY OF SEPTEMBER, 1997, AT 6:00 A.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 M. SIEGEL	COUNTY ATTORNEY

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, 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) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating in the community. The Board moved into Executive Session at 6:02 A.M. A vote having been made and approved the meeting reconvened into Open Session at 11:52 P.M.

IN RE: CERTIFICATION

Upon motion by Mr. Bracey, seconded by Mr. Clay, 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 requirements by Virginia law were discussed in the executive session 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. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 11:53 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 17TH DAY OF SEPTEMBER 1997 AT 2:00 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
	PAUL JACOBSON	COUNTY ATTORNEY

IN RE: CALL TO ORDER - INVOCATION - PLEDGE OF ALLEGIANCE

Mr. Harrison Moody, Chairman of the Board, called the meeting to order at 2:02 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the September 3, 1997 regular meeting, and the September 11, 1997 continuation meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mr. Tickle, 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 claims are approved and funds appropriated for same using checks # 1007430 - # 1007567 (void check(s) 1006102, 1007430, and 1007431); for Accounts Payable in the amount of $229,863.44; General Fund $151,204.87; E911 Fund $1,606.80; Self Insurance Fund $705.25; Law Library $148.78; Fire Programs $71.50; and County Debt Service $76,126.24.

IN RE: APPROVAL OF REQUISITION #4 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that Requisition #4 for the Courthouse consists of payments to:

Hening-Vest-Covey	$ 5,221.48
Dunbar, Milby, Williams, Pittman & Vaughan	80.00
Total of this Requisition	$5,301.48

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 Requisition #4 in the amount of $5,301.48 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

The following person(s) addressed the Board:

1. Sandra Vadnais, P. O. Box 284, Dinwiddie, Virginia 23841, came before the Board to express her disappointment in Dinwiddie County and the manner in which a complaint had been handled. She distributed to the Board, then read, and requested that the following letter be placed, in it's entirety, in the minutes of this meeting.

Dinwiddie County Board of Supervisors September 17, 1997

Dear Members,

On September 9, 1996, I called the County Planners Office and spoke with Mr. Guy Scheid. The purpose of the call was to inform him of the destruction that was taking place, to my property and to my pond, due to the run off from the construction of Lebanon United Methodist Church. I was receiving all of the run off, from the construction, on my property. The flow of water from this construction carved a huge channel through my property and filled my pond with silt. In the eight years I have lived at this residence, I have never experienced the devastation from any storm or combination of weather, as I have from this construction.

I attended an afternoon session of your board in October, 1996. After stating my problem, Mr. Bracey stated to Mr. Scheid to issue a "stop order" for the work being done. Mr. Moody stated if the County could not do this, to use Mr. Huff's (State Erosion and Sediment Control) authority to issue the injunction. Mr. Tickle then stated that the pond was to be excavated. I left this meeting with some hope that this problem would be solved and that the Board was sympathetic to my predicament. Unfortunately, I was wrong. When I left the meeting that fall October afternoon, I left your verbal concern there as well.

I later attended the evening Board meeting in October and no mention was made of me, my problem or any of the concerns expressed by the Board of Supervisors, just a few weeks prior. I was told privately, by a friend, that a phone call was made to the Board member who was advised not to pursue this matter. It was then that the State Erosion and Sediment Control Bureau and Dinwiddie County were both notified by myself. The County of Dinwiddie has ignored many directives by the State of Virginia.

Clearly, if this Board of Supervisors had been cooperative, and performed their responsibilities to the residents of this county, Dinwiddie could have prevented major damage and problems from occurring. Lebanon United Methodist Church was also aware of the destruction to my property, as one member told me, "We knew we were going to have a problem, but we just didn't know how bad it would be." Again....I was ignored.

All of the damage to my property occurred because erosion and sediment controls were <u>not</u> followed from the very beginning of the construction - especially MS#19 (MS#19 - Properties and waterways downstream from development sites shall be protected from sediment deposition, erosion and damage due to increase in volume, velocity and peak flow rate of stormwater runoff for the stated frequency storm of 24 hour duration in accordance with the following standards and criteria. For further explanation see Erosion and Sediment Control Regulations R625-02-00) All of these notes were explained in the blue prints and <u>still</u> controls were not followed. Not even a silt fence was erected before I complained.

Many time I have called the County to ask about the progress on this matter and phone calls were not returned. This is why I went to the state for help. I was turned away by my county, my Board of Supervisors, and my "would be" neighbors, Lebanon United Methodist Church.

There has been a lot of pressure from the state to get this job completed. This could have been avoided if Dinwiddie County was fair in the treatment of <u>all</u> their residents who come to them with problems. Help and recognition should not be bases on stature, wealth or prominence within the community. I am a simple tax paying homeowner who wanted to protect what was mine from being destroyed by the carelessness and thoughtless disregard of the law by others. There were no plans for containing the water and silt runoff from the very first day that the excavation began. Anyone knows that when you build on a high area that water and silt runs downhill.

As a resident and taxpayer of Dinwiddie County, I feel that I have not been treated fairly. You, the Board of Supervisors, could have prevented all of the problems in the very beginning if you had chosen to do so. This board should treat each and every resident of the County the same and take every problem seriously.

As a result of these problems, Dinwiddie County's Erosion and Sediment Control program is now going under formal review from the State of Virginia. This too could have been avoided.

We request that this letter be printed in it's entirety in the next minutes of the Board of Supervisors meeting.

Sincerely,

signed Mr. and Mrs. Gerard O. Vadnais

Mr. Moody stated that he would request that Mr. Scheid comment on this matter during his report period. Mr. Moody further stated that he was not aware that this matter had not been taken care of by Mr. Scheid, the staff member in charge.

2. Col. Joseph Just and Mr. Robert Wheeler, representatives from the Virginia National Guard, came before the Board to request a resolution in support of the hunting and fishing fees proposed for the Fort Pickett area. Several letters and documents from hunt clubs and localities were presented to the Board in support of the proposed program. After discussion the Board decided to support these fees, as proposed.

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

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

RESOLUTION

COUNTY OF DINWIDDIE
RE: SUPPORTING NATIONAL GUARD WILDLIFE & FISHING PROGRAM

Whereas, the Virginia National Guard is in the process of taking over operations at Fort Pickett, including the hunting and fishing program in conjunction with the Virginia Department of Game and Inland Fisheries, and

Whereas, while the hunting and fishing program in the past has been supported by the United States Army using federal funds, the County of Dinwiddie has maintained a neutral stance on how the program was managed, and

Whereas, the program s future is in jeopardy without implementation of the fee-based permit system as proposed by the Department of Military Affairs and Department of Game and Inland Fisheries, and

Whereas, elimination of this program would have a negative impact on the quality of the existing hunting and fishing program, and

Whereas, the fees as proposed appear reasonable at $20.00 for hunting and $20.00 for fishing on 45,000 usable acres,

Now, Therefore, Be It Resolved by the Board of Supervisors of Dinwiddie County, Virginia that they endorse the fee-based permit system as proposed, and

Be It Further Resolved that copies of this resolution be sent to Major General Thackston, Adjutant General of Virginia, and William Woodfin, Executive Director of the Department of the Game and Inland Fisheries.

Adopted by vote this 17th day of September, 1997.

R. MARTIN LONG
COUNTY ADMINISTRATOR

APPROVED AND ADOPTED SEPTEMBER 17, 1997

ATTEST:

_____ ADMINISTRATIVE SECRETARY
FOR THE COUNTY OF DINWIDDIE, VIRGINIA

IN RE: REPORT ON APPOMATTOX BASIN INDUSTRIAL DEVELOPMENT CORPORATION BOARD ACTIVITIES -- JAY LANGSTON

Mr. R. Martin Long, County Administrator, stated that Mr. Jay Langston was here to update the Board on the activities of ABIDCO and would do so on a quarterly basis.

Mr. Langston came before the Board and presented a brief outline of the current activities of ABIDCO in reference to Dinwiddie County and the surrounding areas.

Mr. Tickle requested additional information and stated that he would like to hear from Mr. Langston more often. He requested that Mr. Langston give us a report on what the other small communities are doing, how they are doing it and how can we also become successful in this venture of attracting new businesses into our area. Mr. Langston left the Board with the saying that "Success breeds Success!"

IN RE: DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald Reekes, Resident Engineer, came before the Board to present his monthly report.

Mr. Tickle requested that the debris on the interstate be cleaned up and suggested the possibility of using inmates for this task. He also stated that there was grass on some of the bridges. Mr. Reekes stated that he would see what he could do.

Mr. Reekes gave an update on the Route 460 project stating that it should be awarded tomorrow, September 18, 1997, with construction to begin in the fall.

Mr. Tickle stated that in the Nipon Wiper Blade area there were some trees that needed to be taken down in order to open up the view from the interstate. Also there was some surplus State property that Mr. Tickle would like to see donated to the County of Dinwiddie.

Mr. Robert Belcher, a County resident, asked permission to speak stating that there were some trees in the Squirrel Level Road exit area that were obstructing view. He was in fear that an accident would occur if visibility was not improved. Mr. Reekes stated that he would look into this situation.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, came before the Board stating that she had nothing to report but was available for questioning.

Mr. Clay asked Mrs. Marston if in fact we were taxing WalMart Distribution for the trucks that were in Dinwiddie County. Mrs. Marston stated that we were and explained to the Board the method of taxation on these vehicles. Mrs. Marston further stated that they were being charged the personal property rate of $4.90 per $100.00. Values are based on a blue book price being decreased five (5%) percent each year.

Mrs. Everett questioned Mrs. Marston as to the taxation of picnic areas/gazebos; are they taxable? Mrs. Marston stated that they are taxable - if the assessor picked it up when the general reassessment was done. The value was in the assessor's eyes.

Mr. Tickle questioned the value being placed on building permits - Mrs. Marston and Mr. Hartsook explained, to the best of their ability, how contractors were placing the values on the permits.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, came before the Board to present his monthly report. He recommended to the Board that a list of delinquent taxpayers not be printed in the paper this calendar year. The Board agreed to accept his recommendation. Mr. Jones further reported that he is now using the third party collections.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, was not present. Mr. Long explained to the Board that Mr. Rainey had contacted him to inform him of the fact that he would not be present. Mr. Rainey stated that if the Board had any questions to please contact him.

IN RE: SHERIFF -- REPORT

Mr. Samuel H. Shands, Sheriff, came before the Board presenting them with the Dinwiddie County Jail population report as of September 16, 1997.

Mr. Bracey requested that Mr. Shands look back for at least three (3) years to see if there was a decline in the inmate population. Mr. Shands said he could and would report the same at the next meeting.

Mr. Shands continued by stating that he would like authorization to advertise in two (2) local newspapers for three Correctional/Courtroom Security Officer positions.

Mr. Bracey requested that this issue be discussed in Executive Session.

Mrs. Ralph stated that a job description was also needed before authorization could be granted.

Mr. Shands stated that he had also supplied the Board with copies of the Model Plan for Jail Prisoner Medical Treatment Programs prepared by the Commonwealth of Virginia Board of Corrections. He hoped to put this plan in action as of November 1, 1997.

There was some discussion on matters that had happened around the County during the last month. Mr. Shands addressed all the issues he was familiar with.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, came before the Board stating that they had his monthly report and he was available for questioning.

Mr. Clay questioned why we had more revenue this month. Mr. Beville explained that most of the money was obtained from the Bassett hound case.

Mr. Everett asked Mr. Beville about the reduced fees for spaying and neutering and inquired as to why no Dinwiddie County veterinary clinics were listed as participating. Mr. Beville stated that Dr. Grenoble does participate and he did not know why his name was not listed.

IN RE: ANIMAL WARDEN -- CLAIM ANANIAS JONES -- SEVEN PIGS

Mr. Beville stated that the first claim was for Mr. Ananias Jones for the killing of seven (7) seventy (70#) pound pigs. The estimated value of these pigs per the Blackstone Livestock Market is $.60 per pound making $42.00 per pig. The total of amount of the claim being $294.00. Mr. Beville recommended that we pay this claim.

Upon motion of Mrs. Everett, 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 authorization is granted to Administration to pay Mr. Ananias Jones for the killing of seven (7) feeder pigs valued at $294.00.

IN RE: ANIMAL WARDEN -- CLAIM STEVE SCHMIDT -- SIX GOATS

Mr. Beville continued with the second claim submitted by Mr. Steve Schmidt for the killing of six (6) goats. The estimated value of these goats per the Blackstone Livestock Market is $30.00 each for a total claim of $180.00. Mr. Beville recommended that we pay this claim.

Upon motion of Mr. Clay, seconded by Mrs. Everett, 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 authorization is granted to Administration to pay Mr. Steve Schmidt for the killing of six (6) goats valued at $180.00.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. David Hartsook, Building Inspection, came before the Board to present the monthly report. Mr. Abernathy was on vacation.

Mr. Bracey questioned Mr. Hartsook about the occupancy reports. Mr. Hartsook stated that these are issued for a new dwelling, commercial or private, or a commercial property with a change of use. A temporary occupancy permit is issued for an almost 100% finished dwelling.

Mr. Tickle asked Mr. Hartsook about daily work performed by the Building Inspection Office. Mr. Tickle asked that the County Administrator investigate what the possibilities are to check for enforcement and how the departments can work closer together to protect some areas.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. Guy Scheid, Director of Planning, came before the Board stating that they had his monthly report before them. Mr. Scheid further stated that there would be four (4) cases from the Planning Department on the docket for the October 1st meeting. Also a joint Public Hearing is scheduled with the Board of Supervisors and the Planning Commission to consider two (2) amendments. Mr. Scheid continued by stating in reference to the Bittersweet issue, Mrs. Vadnais, the Church, and the Bank situation, the Bank has implemented an erosion plan. This plan has been approved by the State. The Church had an erosion control plan, however it was determined that it was inadequate. The new plan is almost complete except for a rip-rap being placed in a gully. He stated that he had a letter on file from the Church explaining how they plan to finish the project and a letter from the State stating that they were satisfied with the work that has been performed.

Mrs. Everett was concerned about the rain season and how long it would take to finish the erosion plan. Mr. Scheid assured Mrs. Everett that they would be staying on top of this matter. Mr. Scheid also explained that several attempts have been made by the Church to control the erosion.

Mr. Tickle questioned about how Mrs. Vadnais's lake was cleaned of the sediment. Mr. Scheid explained that a wet-vac type of system was used. There was discussion between Mr. Scheid and the Board regarding sediment/erosion control in the County.

Mr. Bracey stated that he had listened to both sides of this issue. He wanted to be sure that he understood what he was hearing. He wanted to be sure that this problem had been solved and completed to this family's satisfaction other than the fact that there are a few minor items that still need to be completed. Mr. Scheid stated that he could not speak for the family but he could state that the State approved a plan. As long as the plan was properly implemented then the State would sign off on it. He could not state that the family was satisfied and that everything was adequately taken care of to their satisfaction. He stated that the State was satisfied that the matter was taken care of, providing that the final step was completed; they would sign off on the job. Mr. Bracey requested that when Mr. Scheid received that information from the State that he receive a copy of the same. Mr. Bracey stated that he hoped the County would set a time limit on the Church. This is important because of the rain. Mrs. Vadnais stated that Mr. Scheid had received a

letter, somewhere around the 7th of August, from Mr. Huff stating in detail what was to be done. On August 7th she received a letter from Mr. Edmonds stating that there would be a formal review and those involved would be informed by letter. As of yesterday they have not heard anything. She is upset because something was not completed on the other side and she is now back to square one. She has a dirty pond, she had a deep channel, she has dead fish, and no repairs. She invited the Board to visit her property to see first hand the damage that has been done; she would gladly show it to them.

Mr. Bracey stated that he would like to see the correspondence that Mr. Scheid sends to the Church.

Mr. Tickle stated that he wished to receive more information on C-97-4 and AP-97-1. On C-97-4 why are they requesting to go from six (6) to twelve (12) dwellings and on AP-97-1 they proffered for only one (1) propane storage tank; why are they asking for another and also there was supposed to be buffering on site for years and there is still no buffering. Mr. Scheid stated that would be no problem because the package that they will be receiving addresses these issues.

Mr. Bracey had some concerns as to why the Board of Supervisors had to always portray the bad guys. Some of these items need to be handled by the Planning Department and cleared up before they come to the Board. There was discussion on this matter between Mr. Scheid and the Board. Mr. Moody ended the discussion by stating that this is why we have Public Hearings to hear the case and to determine what the citizens of the County want or do not want. Mr. Bracey stated that he was just trying to save the Board some time and trouble.

IN RE: ZONING ADMINISTRATOR -- REPORT

Mr. March Altman, Zoning Administrator, came before the Board to present his monthly report.

Mr. Bracey questioned Mr. Altman regarding the case of Dinwiddie v. Morgan. Mr. Altman stated that it was the gentleman who had all the cars behind Weakley Road. Mr. Bracey's main concern is a business on Boydton Plank Road where numerous Mercedes Benz vehicles are located. The gentleman who runs this business states that he is running a repair business. This is a question of repair business verses the auto graveyard. This issue is one that the County needs to address in their Code.

IN RE: DEPARTMENT OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director, came before the Board to present her report. She touched on the Dinwiddie County Social Services 1996-97 Annual Report. She urged the Board to review the Report. Almost everything they do is mandated.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mrs. Alice Jones, Administrative Assistant to the Superintendent, came before the Board. Mrs. Jones stated that Mrs. Seward had a death in her family and she was attending the funeral. She reported that 4,169 students were enrolled currently, and this number is still growing.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Tony Rinaldi, Recreation Director, presented his report for the month, stating he was available for questions. He further reported that the bleachers have been delivered.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Waste Management, came before the Board and presented his report for August/September 1997. He discussed with the Board disposal of waste paper products. He also provided some information to the Board on enforcement of the dumping and scavenging regulations.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Medical Services Coordinator, was not present. She was on vacation.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Paul Jacobson, County Attorney, came before the Board stating he had no report but was available for questioning.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, came before the Board and presented his report for the month. He stated that he was using the old Animal Warden truck and presented bids to repair and paint the 1991 Dodge truck. The bids were as follows:

1. California Specialties
   replace tailgate, paint entire truck
   $732.00*
2. Doc's Body and Fender Repair
   replace tailgate, strip paint, paint truck
   $1070.00 Use after market tailgate $830.00
3. Lyn's Body and Paint Shop, Inc.
   replace tailgate, strip paint, paint truck
   $936.00*
4. Jim's Truck and Auto Painting and Body Shop
   replace tailgate, strip paint, paint truck
   $1420.00 Use after market tailgate $1180.00

*Includes after market tailgate

Mr. Clay expressed concerns about adding more vehicles and the additional cost to the taxpayers. Mr. Long asked for input from the Board on fleet management.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 authorization is granted to accept the low bid of $732.00 from California Specialties to paint the 1991 Dodge truck.

IN RE: COUNTY ADMINISTRATOR COMMENTS - DROUGHT DISASTER RESOLUTION

Mr. Long stated in the Board packet there was information from Michael Parrish, Extension Agent for Virginia Cooperative Extension Services showing that Dinwiddie County farmers are suffering from this summer's drought. It is requested that the Board draft a resolution requesting the Governor of Virginia to declare the County a drought disaster area.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 be formally drafted and filed with the Governor of Virginia:

WHEREAS, the drought conditions in Dinwiddie County have severely affected the farmers; and

WHEREAS, total losses from drought conditions in Dinwiddie County are approaching the $5,337,141.75 level; and

WHEREAS, it is incumbent upon the Board of Supervisors to request the Governor to declare the County a drought disaster area.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is hereby instructed to file with the Governor of Virginia a request that the County of Dinwiddie by designated a drought disaster area.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long continued by stated that information was placed in the Board packets concerning the legislative packet for 1998. Mr. Long asked the Board for input and/or additions to this list by the next Board meeting.

Mr. Clay asked about a motel tax. We do not have any motels as of this date however we need to put one in place now. This will prevent problems in the future. It was decided that in order to levy a tax we would need a Public Hearing. This will be researched further.

Wendy Weber Ralph stated that we had received a Special Entertainment Permit last week. She was bringing this to them because the applicant missed the thirty (30) day deadline and the Board had expressed a desire to stick with that requirement. Some events will take place even if the permit is denied. She stated that she was bringing this permit before the Board because the applicant had another event in the Sutherland area that had quite a few people in attendance. This seems to be a private party of four hundred (400) people to be held at 7404 Trench Court Road in Sutherland. This is the home of George Lewis. He will be charging admission, having live bands, with no food being served. We have received a letter from the Sheriff's Department and Namozine Fire/Rescue saying that they would be on call for this event. Mr. Bracey asked Mr. Shands about concerns regarding deputies. There was discussion as to the time, date, and approval of other functions.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 authorization is granted to approval of the Special Entertainment Permit of Mr. George Lewis to be held on Sunday, September 21, 1997 - contingent upon review by the Sheriff as to security personnel required.

IN RE: BOARD MEMBER COMMENTS

Mrs. Everett -- no comments

Mr. Tickle -- He stated that the Board should have a meeting to discuss certain issues. Also we could use committee assignments.

Mr. Clay -- He suggested that the County Administrator comment on committees. Mr. Long stated that committees might eliminate time spent on certain items in the Board meetings. It would depend on how the committees are structured as to how much time would be saved. Mr. Long stated that many times it caused the Board Members longer hours by not only having regular Board Meetings but also committee meetings to attend. Mr. Clay continued by stating that the Board needed some workshops or a retreat. Mrs. Everett suggested and Mr. Clay agreed that anytime after October 15th would be appropriate.

Mr. Bracey -- He stated that we needed the retreat to discuss Emergency Medical Services, Construction in Progess and the Fire Departments in Dinwiddie County. He felt that they needed more than a one (1) day retreat and they could hold the retreat here. Also Mr. Bracey stated that he had some complaints regarding Green Acres Trailer Park and wanted to know if Mr. Scheid or Mr. Altman had been down to determine what the violations are. He requested someone look into that matter. Mr. Bracey stated that he would like to have a list of everyone's name, telephone number, and address.

Mr. Moody -- no comments

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 - Administration; Section 2.1

- 344 (A) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose; Section 2.1 - 344 (A) 6 - The investing of public funds where competition or bargaining is involved, where if made public initially the financial interest of the governmental unit would be adversely affected; and Section 2.1 - 344 (a) 7 - consultation with legal counsel (Courthouse Construction; legal issues related to inducement of industry). The meeting moved into Executive Session at 5:32 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:39 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Tickle, 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 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: EMS -- GRANT WITHDRAWAL

Mrs. Ralph asked the Board's authorization to withdraw the grant application to re-chassis the 1995 Ford/E350 ambulance for 941, which is our paid service in the County. This would be funded out of the Capital Improvement Fund.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 authorization is granted to withdraw the grant application to re-chassis the 1995 Ford/E350 ambulance for 941 and fund said project from the Capital Improvement Program.

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 7:49 P.M. to be continued at 5:00 P.M. October 1, 1997 at The Homeplace Restaurant for an Executive Session.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 1ST DAY OF OCTOBER, 1997 AT 7:30 P.M.

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

IN RE: CALL TO ORDER - INVOCATION - PLEDGE OF ALLEGIANCE

Chairman Harrison A. Moody called the meeting to order at 7:32 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENT TO AGENDA

Mr. Ed Bracey requested an Executive Session be added as Agenda as Item 13 for Section 2.1 - 344 (A) 1 - Personnel - Discussion of employment salaries, disciplining of public officers, appointees, or employees of any public body.

Mr. Harrison Moody requested that Agenda Item 8 - Public Hearings (1) A-97-11 and (2) A-97-12 be reversed; (2) become (1) and (1) become (2).

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 Item 13 - Executive Session for Section 2.1 - 344 (A) 1 - Discussion of employment salaries, disciplining of public officers, appointees, or employees of any public body - Personnel be added to the Agenda and Agenda Item 8 (1) A-97-11 and (2) A-97-12 be heard in reverse order.

IN RE: MINUTES

Upon Motion of Mr. Tickle, 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 minutes of the September 17, 1997 regular meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that included in the claims was an invoice from the Dinwiddie Airport and Industrial Authority in the amount of $544.94 to be drawn against the promissory note dated May 7, 1997.

Upon motion of Mr. Clay, seconded by Mr. Tickle, 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 claims are approved and funds appropriated for same using checks # 1007568 - 1007788 (void check(s) 1007568; 1007651; and 1007783); for Accounts Payable in the amount of $109,473.50; General Fund $83,939.26; Jail Commission Fund $509.35; Self Insurance Fund $14,104.75; Law Library Fund $116.03; CDBG Grant Fund $8,851.11; County Construction Fund $1,953.00; Payroll General Fund $279,544.29; and CDBG Grant Fund $1,029.01. Approval was also granted to pay the Dinwiddie Airport and Industrial Authority invoice from Sands, Anderson, Marks & Miller in the amount of $544.94

IN RE: APPROVAL OF REQUISITION #5 --COURTHOUSE CONSTRUCTION

Mrs. Ralph stated that Requisition #5 for the Courthouse consists of payments to:

Gulf Seaboard General Contractors Inc.	$ 479,791.80
Total	$ 479,791.80

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 Requisition #5 in the amount of $479,791.80 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #2 - SCHOOL CONSTRUCTION

Mrs. Ralph stated that Requisition #2 for the School Construction consists of the following invoices:

KBS, INC.	$ 1,182,475.45
Froehling & Robertson, Inc.	4,477.50
Stroud, Pence & Associates, LTD	4,390.00
Ballou Justice Upton	16,254.13
Action Mobile Industries, Inc.	118,960.00
Virco	1,170.60
DeJarnette & Paul, Inc.	6,383.00
TOTAL	$ 1,334,110.68

Mr. Tickle and Mr. Bracey questioned the modular classrooms figure of $118,960.00. Mr. Bracey wanted to know if we were renting/ leasing these modular classrooms or buying them. Also Mr. Bracey wanted to be assured that this was included in the contract price. He requested that Mrs. Seward supply him with a copy of the contract showing this amount. Mrs. Seward stated that we were leasing the modular classrooms and that she would supply the paper work, to show this expense was included in the contract, as Mr. Bracey requested.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 Requisition #2 in the amount of $1,334,110.68 be approved and funds appropriated for CIP expenses for the School Construction Fund.

IN RE: CITIZEN COMMENTS

The following person addressed the Board:

1. Pastor Eva P. Ellis, 25708 Surry Avenue, Petersburg, came before the Board to express her concern over the possibility of a steel mill coming into the community. She expressed concern for her church, Macedonia Baptist Church, in the Piney Beach area. She pleaded on behalf of this Church and community, do not bring this steel mill to this area in Dinwiddie County.

IN RE: WELCOME OF SHADOW STUDENTS

Mr. Moody welcomed the shadow students from Mr. Stone's Government Class at Dinwiddie High School. He asked that any students present please stand. There were two (2) present Ms. Candance Smith, Mr. Mike Tickle's shadow and Mr. Jason Tickle, Mr. Ed Bracey's shadow. Mr. Moody stated that his shadow student was Mr. Chris Bielmyer who would be late arriving.

IN RE: JOINT MEETING WITH THE PLANNING COMMISSION

Mr. Moody invited Mr. Daniel Lee, Chairman for the Planning Commission, to join him at the head table for the joint Public Hearing.

Mr. Lee called the Planning Commission meeting to order at 7:47 P.M. Mrs. Cheryl Stewart called the roll and reported that all members were present.

IN RE: A-97-12 -- PUBLIC HEARING -- AMENDMENT OF COMPREHENSIVE LAND USE PLAN

This being the time and place as advertised in the Dinwiddie Monitor on September 17, 1997 and September 24, 1997, for the Planning Commission and the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering an amendment of the comprehensive land use plan, page 109, to designate the area generally bounded on the west by Church Road, south by Flank Road, east by Squirrel Level Road and north by the railroad tracks for industrial purposes.

Mr. Guy Scheid, Director of Planning, came before the Board to present the case. It was explained by Mr. Scheid that they would be considering a text amendment to the Dinwiddie County Comprehensive Land Use Plan. He added that this proceeding was not to rezone any property. He continued by announcing that the request to rezone property for industrial purposes rather than agricultural purposes would be heard by the Planning Commission on October 8, 1997 and by the Board of Supervisors on October 15, 1997. The Comprehensive Land Use Plan is used as a guide to future growth in the County.

The Comprehensive Land Use Plan be amended as follows:

> Amendment of Comprehensive Land Use Plan, page 109, to designate the area generally bounded on the west by Church Road, south by Flank Road, east by Squirrel Level Road, an north by the railroad tracks for industrial purposes and related infrastructure, including streets and connections to existing streets, and public utilities; and to extend the Urban Planning Area Boundary line from Church Road along Flank Road to Squirrel Level Road, and then to proceed north along Squirrel Level Road to the City of Petersburg limits.

Mr. Lee asked if there were any questions from the Planning Commission and Mr. Moody asked if there were any questions from the Board of Supervisors.

There being no questions from the Boards, Mr. Moody stated that both Boards called the Public Hearing to order.

The following persons addressed the Boards:

1. Robert Belcher, 27516 Flank Road, Petersburg, came before the Board to voice his concerns over the steel mill coming into his community. He was very much opposed to this happening and urged the Boards to vote no on this project. He stated that if he had wanted to live in a steel mill he would have moved to Pittsburg.

2. Art DeMario, 7410 Vaughan Road, Petersburg, came forward to state that he agreed with Mr. Belcher's comments. He has lived in Pennsylvania and in Hopewell so he is aware of what steel mills are and what plants are like. He moved into Dinwiddie for a tranquil area and would like to state that if this mill comes and he is forced to move he will not locate in Dinwiddie County; he will be out of here. He stated that he felt that the Boards had already made up their minds and what he said would have no effect.

3. Richard Hotchkins, 27518 Flank Road, Petersburg, came before the Board stating that he would like to reflect on what Mr. DeMario and Mr. Belcher said. He stated that they had worked hard to clean up this area and make it a nice place to live and raise a family. He was against this steel mill coming into their community. If he had wanted to live in an industrial area he would have moved to Hopewell. He agreed with Mr. DeMario that they probably already have their minds made up. He stated that it was too bad that the citizens are just hearing about it now, months and months down the road.

Mr. Moody closed the Public Hearing on A-97-12 for the Board of Supervisors. Mr. Lee also closed the Public Hearing on A-97-12 for the Planning Commission. Mr. Lee called for discussion from the Planning Commission.

Mr. Gilbert Wood, Planning Commission member, asked Mr. Guy Scheid what this property is currently classified as. Mr. Scheid replied General Agricultural and is right immediately adjacent to your Urban Study Corridor.

Mr. Moody explained why he is sitting on both the Board of Supervisors and the Planning Commission. He stated that one (1) member of the Planning Commission is designated to be a Board of Supervisors member and that it is not a conflict of interest.

Mr. Lee called for a motion from the Planning Commission Board.

Upon motion of Mr. Wood, seconded by Mr. Hamilton, Mr. McCray, Mr. Perkinson, Mr. Moody, Mr. Wood, Mr. Titmus, Mr. Hamilton, Mr. Lee, all members voting "aye",

BE IT RESOLVED that the Planning Commission of Dinwiddie County, Virginia unanimously voted to recommend approval of A-97-12 to the Board of Supervisors .

Mr. Moody asked the Board of Supervisors for discussion.

Mr. Bracey asked that Mr. Scheid state one more time exactly what this is. Mr. Scheid came forth and explained what the comprehensive plan was. Mr. Scheid stated that this is a document that is mandated by State Code. You must have a Comprehensive Land Use Plan; you must periodically review it and update it to meet the current needs. You do have the option of amending it so that you can gear industry, commercial uses, more intensive residential uses, into certain areas that would be able to accommodate those types of uses. By amending this document what you are doing is showing that you do have a leaning toward certain types of uses in certain areas that are designated by this plan. This does not commit you to doing so. The only document that is binding, by law, is your zoning map, your zoning ordinance, those are your implementing documents. This is a guiding document. This document is not binding.

Mr. Long, County Administrator, announced to the public that there will be a minimum of three (3) more Public Hearings, that will address that issue directly, over a course of four (4) to six (6) weeks.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that they approve A-97-12 which amends the Comprehensive Land Use Plan to read as follows:

> Amendment of Comprehensive Land Use Plan, page 109, to designate the area generally bounded on the west by Church Road, south by Flank Road, east by Squirrel Level Road, an north by the railroad tracks for industrial purposes and related infrastructure, including streets and connections to existing streets, and public utilities; and to extend the Urban Planning Area Boundary line from Church Road along Flank Road to Squirrel Level Road, and then to proceed north along Squirrel Level Road to the City of Petersburg limits.

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice. This Amendment to the Comprehensive Land Use Plan shall become effective immediately and in all other respects, said zoning maps remain unchanged.

IN RE: A-97-11 -- PUBLIC HEARING -- AMENDMENT TO ZONING ORDINANCE

This being the time and place as advertised in the Dinwiddie Monitor on September 17, 1997 and September 24, 1997, for the Planning Commission and the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering an amendment of the zoning ordinance to create a new district, Section 22-230. Division 15, PMD, Planning Industrial District with subsections defining purpose and intent, conditional uses, required conditions, development standards, landscaping and buffering, height, area, yard requirements, site plan and non conforming uses.

Mr. Lee continued by stating that at this time they would hear A-97-11 - Amendment to the Zoning Ordinance.

Mr. Scheid requested that Mr. John "March" Altman, Jr., Zoning Administrator/Senior Planner, come forward and present this case due to illness on Mr. Scheid's part.

Mr. Altman presented the following ordinance to amend the Code of the County of Dinwiddie for the purpose of adding to Chapter 22, Article IV, a Division 15 entitled "PMD, Planned Industrial District."

DIVISION 15. PMD, PLANNED INDUSTRIAL DISTRICT

Sec. 22-230. Purpose and intent.

The planned industrial district is intended to permit, in accordance with the comprehensive plan, the development of a planned industrial district containing not less than five hundred (500) contiguous acres in those areas of the county served by public sanitary sewer and water supply. The district shall be located within one and a half (1-1/2) miles of an interchange of a limited access highway, and be served by dual railroad access. The location of any compatible commercial facility deemed appropriate shall be controlled in such a manner as to exist solely for such district. It is the intention of this district to preserve the land in the district for industrial uses while minimizing its impact on the characteristics of adjacent areas. Development standards within this district are intended to promote the appropriate use of land, protection against overcrowding of land, the compatibility of the development with adjacent land uses, the health, safety, and welfare of citizens and the aesthetics of the development to encourage good design and arrangement of facilities for the creation of an attractive and harmonious community.

Sec. 22-230.1. Permitted uses.

a. The following uses are permitted in the PMD, Planned Industrial District:

   (1) Agriculture.
   (2) Forestry.

b. The following uses may be permitted by conditional use permit in the PMD District, subject to the provisions of this chapter:

   (1) The manufacturing or assembly of electrical appliances, instruments and devices, communication equipment, professional scientific and control instrumentation and photographic and optical goods.

   (2) Reprocessing, rolling, drawing, extruding, casting, and forging of ferrous and nonferrous metals and plastics.

   (3) Commercial and service facilities whose function(s) are solely oriented to the needs of the industries located in the industrial district.

   (4) Underground facilities for pipelines, electrical power and energy, distribution lines, telephone and telegraph.

   (5) Dwellings for resident watchmen and caretakers employed on the premises.

(6) Telecommunications tower.

Sec 22-230.2. General standards.

(1) Processes and equipment employed, and materials or goods used in manufacture and/or storage, shall be limited to those which are not objectionable at the property line by reason of odor, dust, smoke, fumes, noise, vibration, refuse matter of water-carried waste.

(2) All principal uses shall be conducted within a fully enclosed building with storage of raw, in process, or waste material, either undercover or within a containment area designed to capture fluids. Finished or semi-finished products manufactured on the premises may be stored in the open if appropriately screened from the street by landscaping, fences, walls, or berms.

(3) Each proposed industrial occupant shall be required to submit to the zoning administrator as a part of the application for a building permit, a report by a licensed engineer describing the proposed operation, including without limitation, all machines, processes, product and by-product, stating the nature and expected levels of emission or discharge to land, air or water of liquid, solid or gaseous effluent and electrical impulses under normal operations, and the specifications of treatment mechanism and methods to be used in restricting the emission of dangerous or objectionable elements.

Sec. 22-203.3. Development standards.

(1) Street access. The primary access to an PMD district shall be directly from either a major access road, major collector, major arterial or minor arterial roadway as designated on the county thoroughfare plan. All streets within the industrial district shall be built to Virginia Department of Transportation (VDOT) and county standards, if any, and dedicated to the county.

(2) Public water and sewer. Any development within this district shall be served by public water and sewer. A preliminary utilities plan shall be submitted for approval to the director of planning and the Dinwiddie County Water Authority as a part of preliminary development plans. This shall show the size and the proposed location of all exterior lines and equipment. Control instrumentation and substations, which must be screened by appropriate planting or an ornamental wall.

(3) Utility lines underground. All utility lines such as electric, gas, telephone, CATV, or other similar lines shall be installed underground. This requirement shall apply to lines serving individual sites as well as to utility lines necessary within the project. Control instrumentation, substation and similar aboveground equipment installation must be screened by planting or by an ornamental wall.

(4) Outside storage. There shall be no outside storage of any equipment or vehicles. A trash receptacle area may be permitted if it is enclosed within an area which is completely screened from view.

(5) Exterior lighting. Major structures and detached signs located in planted areas may be floodlighted or spotlighted, providing such lights are not directed toward any other districts, highways or streets. Parking lot or loading area lights, if located near screening strips adjacent to residential or agricultural districts shall be shielded to direct lights away from adjacent areas.

(6) Parking and loading areas. Additional parking and

loading space shall be provided off-street for all employees and visitors to the building in excess of the minimum requirements of section 22-237 of this chapter, if determined to be necessary by the Zoning Administrator. Loading operations shall be conducted at the side or rear of the building.

(7) Signage. Signage should be in accordance with the provisions of article 7 of this chapter.

Sec. 22-230.4 Landscaping and buffering requirements.

(1) Preservation of topographic features and natural amenities such as wetlands, watercourses and trees shall be required, with the objective of achieving maximum compatibility among the proposed industrial facility, the district and the surrounding areas.

(2) A landscaped buffer at least one hundred (100) feet in depth shall be provided along the perimeter of the district, and a fifty (50) foot buffer shall be provided along both sides of all interior property lines.

(3) No roads, parking or buildings shall be permitted within the required landscaped buffer. No storage of material or products shall be permitted in the required landscaped buffer area.

Sec. 22-230.5. Height, area and yard requirements.

Notwithstanding any other requirements in this chapter, height, area and yard requirements shall be provided in accordance with the following:

(1) Building shall not exceed ninety (90) feet in height.

(2) The minimum district size shall be five hundred (500) acres. Smaller parcels may be zoned and added to a PMD district where the parcel adjoins and has a common boundary with the PMD district and is at least five (5) acres in size. Such five (5) acre minimum size limit shall not apply to an addition to the PMD district with the addition is for expansion of an existing industrial facility.

(3) The minimum ground coverage of any principal building shall be ten thousand (10,000) square feet.

(4) The maximum ground coverage of any lot by structure, including accessory structures, shall not exceed forty (40) percent of the total area of the lot. Enclosed portions of off-street loading areas under roof shall not be included in computation of ground coverage of structure.

Sec. 22-230.6. Site plan required.

Landscaping and site plans shall be submitted and approved for each development within the PMD district. In order to ensure that the project is being developed in accordance with the requirements of this chapter, a conceptual master plan for the entire development shall be submitted with each site plan. Each master plan shall be provided a cumulative summary of the amount and types of uses, if any, preceding the proposed development and any changes proposed for uses then in effect. Site and landscape plans shall be submitted and approved prior to the issuance of a building permit.

Sec. 22-230.7. Non-conforming uses.

Any uses in existence prior to the adoption of the division shall be considered non-conforming and are subject to article 6 of this chapter.

Mr. Altman stated that concluded his presentation and asked if the Boards had any questions.

Mr. Lee asked for questions from the Planning Commission. There being none Mr. Moody asked if the Board of Supervisors had any questions. There being no questions Mr. Moody opened the Public Hearing on A-97-11, this being the Public Hearing for both Boards.

The following persons addressed the Boards:

1. Robert Belcher, 27516 Flank Road, Petersburg, came forward and stated that he had no qualms about rezoning for industrial - as long as he could live with the industry put in this area. He stated that he did not feel that he could live with a steel mill in his back yard.

2. Mrs. Grace Boswell Dunford, 6513 Church Road, came forward to inquire as to the status of her land, should the rezoning occur. Her major concern was the Land Use Program and how the rezoning would affect her taxes. She requested that the Boards not act on the rezoning until the steel mill commits to coming.

There being no other citizens in attendance wishing to speak Mr. Moody closed the Public Hearing.

Mr. Lee asked if there was any discussion among the Planning Commission. Mr. McCray asked about Sec. 22-230.2. General Standards (1) - that stated "processes and equipment employed, and materials or goods used in manufacture and/or storage, shall be limited to those which are not objectionable at the property line by reason of odor, dust smoke fumes, noise, vibration, refuse matter of water-carried waste." Mr. McCray asked who the ordinance is referring to these things being "objectionable to".

Mr. Scheid said the reference is being made to the impact being objectionable to the general public. He continued by saying it would be left up to the Zoning Department to determine what is objectionable or not or the Planning Commission could name someone else as the responsible party. The State and Federal authorities have already determined certain standards that must be complied with and will act as a guide to our determinations.

Mr. Wood was concerned about the land use questions posed to the Boards by Mrs. Dunford. He added that the ordinance is structured so that all uses in the district require a conditional use permit except agricultural which is a use permitted by right.

Mr. Scheid stated that he has been advised that the reason agricultural uses has been kept in the ordinance as a use by right, is that as long as it is considered a permitted use for all practical purposes it is not intensifying the land use itself and the property would be able to continue in the Land Use Program. Mr. Scheid further stated that the Commissioner of the Revenue would have the final say and his views may not be the interpretation of the Commissioner. He felt that further research would need to be done before a final determination could be given.

Mr. Titmus asked Mr. Scheid about restriction on telecommunication towers.

Mr. Scheid answered by stating that this type of use would require a conditional use permit.

Mr. Moody asked the if they pass this PMD, Planned Industrial District, the only one that can be there by right is agricultural and forestry. Anybody else wanting to come in would have to apply for a conditional use permit.

Mr. Scheid stated that is correct, everything else would require a conditional use permit.

Mr. Perkinson asked about item number 4 of Sec. 22-230.3 - (4) Outside storage. He questioned if this was too restrictive.

Mr. Scheid stated that this was a standard set for vehicles actually used in the operations themselves.

Mr. Perkinson stated that he felt that was pretty narrow, pretty tight, and that he did not see how it was possible for any operation, regardless who, that can maintain a storage or keep the vehicles under storage.

Mr. Scheid stated if the Planning Commission felt that it was too restrictive then they obviously have the right to loosen up a regulation, especially if you feel that it is not able to be complied with.

Mr. Hamilton asked if it was meant outside of the fenced area or inside a covered building.

Mr. Scheid stated that they meant or they intended for all equipment and vehicles to be in a covered building.

Mr. McCray stated that he liked tight restrictions and that he felt that they, the Planning/Zoning Department has done a good job.

Mr. Tickle stated that as a point of clarity he felt that the question was a very good one and he felt that the Board of Supervisors and others meant exactly like this - is that we want things to be unintrusive and you to not know that they are there. We want very, very tight restrictions and conditions. The tighter the better, is a very good statement. We want to leave it as tight as humanly possible and make it a great inconvenience for anyone.

Mr. Bracey stated that he felt that Mr. Perkinson had a legitimate question. He felt that it would be impossible to keep all vehicles under cover. He stated that if it was out of sight by buffer, fence, wall, etc., then it should be acceptable.

Mr. Scheid stated that this was for equipment that the company/plant had.

Mr. Bracey stated that he felt we needed to revisit number four (4).

Mr. Long recommended, if advisable by legal counsel, that number four (4) be deleted - because as you stated the only permitted uses are agricultural and forestry and treat each one on a conditional use basis, on a case by case basis. The Planning Commission could act tonight to approve that with an amendment to the Board of Supervisors.

Mr. Paul Jacobson, County Attorney, stated that he had no problem with Mr. Long's statement.

Mr. Lee asked if there was any further discussion among the Planning Commission members. Mr. Lee stated that when staff went about coming up with an ordinance, that was to be in our zoning ordinance, for intended industry moving into the County, that he felt this is a very good ordinance to protect the County by basically bringing everything, all permitted uses, back to the Public Hearing process to be run through the system except for agriculture and timber use. He stated that he felt this was a good document and it protects the County in that area. He would also like to see item four (4) deleted and we can handle that part with conditional use permits. There being no further discussion Mr. Lee called for a motion.

Upon motion of Mr. Hamilton, seconded by Mr. Wood, Mr. McCray, Mr. Perkinson, Mr. Wood, Mr. Hamilton, Mr. Titmus, Mr. Moody, Mr. Lee voting "aye", the Planning Commission unanimously voted to recommend A-97-11 to the Board of Supervisors with item number 4 of Sec. 22-230.3 deleted.

BE IT ORDAINED, that in order to assure compliance with Virginia Code Section 15.1-491 (g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

Mr. Moody asked if there was any discussion from the Board of Supervisors.

Mr. Tickle again stated that number four (4) should remain and should not be deleted. He again stated that tougher is better.

Mr. Moody stated that he felt that number four (4) is really not addressing this situation as we wanted. We can look at each industry as it comes in.

Mr. Long stated that before a vote is taken he would like to make a reminder to the audience that nothing acted on this evening is a rezoning or intended to be a rezoning on any property or industry. Next Wednesday, October 8, 1997 is the regular Planning Commission hearing where representatives of the industry interested in the area will be in attendance. October 15, 1997 is the same thing with the Board of Supervisors, with representatives in attendance and possibly November 5, 1997 as well at this point. The public will be notified if there are any changes in this schedule.

Mr. Moody stated if there was no other discussion he would entertain a motion.

Mr. Belcher complained that notice was only being placed in one (1) newspaper and that the public needed more notification.

Mr. Bracey asked if we were only advertising in one (1) newspaper, the Dinwiddie Monitor.

Mr. Long stated that currently we only have one (1) paper with general circulation within the County. This type of request can be addressed by the Board of Supervisors or the Planning Commission. If either the Commission or the Board sees fit to broaden the base of where we advertise then they can do that.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that A-97-11 - an amendment of the zoning ordinance to create a new district, Section 22-230. Division 15, PMD, Planned Industrial District with subsections be approved as recommended by the Planning Commission to read as follows, and in all other respects be reordained:

DIVISION 15. PMD, PLANNED INDUSTRIAL DISTRICT

Sec. 22-230. Purpose and intent.

The planned industrial district is intended to permit, in accordance with the comprehensive plan, the development of a planned industrial district containing not less than five hundred (500) contiguous acres in those areas of the county served by public sanitary sewer and water supply. The district shall be located within one and a half (1-1/2) miles of an interchange of a limited access highway, and be served by dual railroad access. The location of any compatible commercial facility deemed appropriate shall be controlled in such a manner as to exist solely for such district. It is the intention of this district to preserve the land in the district for industrial uses while minimizing its impact on the characteristics of adjacent areas. Development standards within this district are intended to promote the appropriate use of land, protection against overcrowding of land, the compatibility of the development with adjacent land uses, the health, safety, and welfare of citizens and the aesthetics of the development to encourage good design and arrangement of facilities for the creation of an attractive and harmonious community.

Sec. 22-230.1. Permitted uses.

a. The following uses are permitted in the PMD, Planned Industrial District:

   (1) Agriculture.
   (2) Forestry.

b. The following uses may be permitted by conditional use permit in the PMD District, subject to the provisions of this chapter:

(1) The manufacturing or assembly of electrical appliances, instruments and devices, communication equipment, professional scientific and control instrumentation and photographic and optical goods.

(2) Reprocessing, rolling, drawing, extruding, casting, and forging of ferrous and nonferrous metals and plastics.

(3) Commercial and service facilities whose function(s) are solely oriented to the needs of the industries located in the industrial district.

(4) Underground facilities for pipelines, electrical power and energy, distribution lines, telephone and telegraph.

(5) Dwellings for resident watchmen and caretakers employed on the premises.

(6) Telecommunications tower.

Sec 22-230.2. General standards.

(1) Processes and equipment employed, and materials or goods used in manufacture and/or storage, shall be limited to those which are not objectionable at the property line by reason of odor, dust, smoke, fumes, noise, vibration, refuse matter of water-carried waste.

(2) All principal uses shall be conducted within a fully enclosed building with storage of raw, in process, or waste material, either undercover or within a containment area designed to capture fluids. Finished or semi-finished products manufactured on the premises may be stored in the open if appropriately screened from the street by landscaping, fences, walls, or berms.

(3) Each proposed industrial occupant shall be required to submit to the zoning administrator as a part of the application for a building permit, a report by a licensed engineer describing the proposed operation, including without limitation, all machines, processes, product and by-product, stating the nature and expected levels of emission or discharge to land, air or water of liquid, solid or gaseous effluent and electrical impulses under normal operations, and the specifications of treatment mechanism and methods to be used in restricting the emission of dangerous or objectionable elements.

Sec. 22-203.3. Development standards.

(1) Street access. The primary access to an PMD district shall be directly from either a major access road, major collector, major arterial or minor arterial roadway as designated on the county thoroughfare plan. All streets within the industrial district shall be built to Virginia Department of Transportation (VDOT) and county standards, if any, and dedicated to the county.

(2) Public water and sewer. Any development within this district shall be served by public water and sewer. A preliminary utilities plan shall be submitted for approval to the director of planning and the Dinwiddie County Water Authority as a part of preliminary development plans. This shall show the size and the proposed location of all exterior lines and equipment. Control instrumentation and substations, which must be screened by appropriate planting or an ornamental wall.

(3) Utility lines underground. All utility lines such as electric, gas, telephone, CATV, or other similar lines shall be installed underground. This requirement shall

apply to lines serving individual sites as well as to utility lines necessary within the project. Control instrumentation, substation and similar aboveground equipment installation must be screened by planting or by an ornamental wall.

(4) Exterior lighting. Major structures and detached signs located in planted areas may be floodlighted or spotlighted, providing such lights are not directed toward any other districts, highways or streets. Parking lot or loading area lights, if located near screening strips adjacent to residential or agricultural districts shall be shielded to direct lights away from adjacent areas.

(5) Parking and loading areas. Additional parking and loading space shall be provided off-street for all employees and visitors to the building in excess of the minimum requirements of section 22-237 of this chapter, if determined to be necessary by the Zoning Administrator. Loading operations shall be conducted at the side or rear of the building.

(6) Signage. Signage should be in accordance with the provisions of article 7 of this chapter.

Sec. 22-230.4 Landscaping and buffering requirements.

(1) Preservation of topographic features and natural amenities such as wetlands, watercourses and trees shall be required, with the objective of achieving maximum compatibility among the proposed industrial facility, the district and the surrounding areas.

(2) A landscaped buffer at least one hundred (100) feet in depth shall be provided along the perimeter of the district, and a fifty (50) foot buffer shall be provided along both sides of all interior property lines.

(3) No roads, parking or buildings shall be permitted within the required landscaped buffer. No storage of material or products shall be permitted in the required landscaped buffer area.

Sec. 22-230.5. Height, area and yard requirements.

Notwithstanding any other requirements in this chapter, height, area and yard requirements shall be provided in accordance with the following:

(1) Building shall not exceed ninety (90) feet in height.

(2) The minimum district size shall be five hundred (500) acres. Smaller parcels may be zoned and added to a PMD district where the parcel adjoins and has a common boundary with the PMD district and is at least five (5) acres in size. Such five (5) acre minimum size limit shall not apply to an addition to the PMD district with the addition is for expansion of an existing industrial facility.

(3) The minimum ground coverage of any principal building shall be ten thousand (10,000) square feet.

(4) The maximum ground coverage of any lot by structure, including accessory structures, shall not exceed forty (40) percent of the total area of the lot. Enclosed portions of off-street loading areas under roof shall not be included in computation of ground coverage of structure.

Sec. 22-230.6. Site plan required.

Landscaping and site plans shall be submitted and approved for each development within the PMD district. In order to ensure that the

project is being developed in accordance with the requirements of this chapter, a conceptual master plan for the entire development shall be submitted with each site plan. Each master plan shall be provided a cumulative summary of the amount and types of uses, if any, preceding the proposed development and any changes proposed for uses then in effect. Site and landscape plans shall be submitted and approved prior to the issuance of a building permit.

Sec. 22-230.7. Non-conforming uses.

Any uses in existence prior to the adoption of the division shall be considered non-conforming and are subject to article 6 of this chapter; and

BE IT ORDAINED, that in order to assure compliance with Virginia Code Section 15.1-491 (g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

This amendment to the zoning ordinance shall become effective immediately.

Mr. Lee stated that next Wednesday, October 8, 1997 there would be a public hearing on some of the things pertaining to this new industry coming into the County. At that time there will again be a citizens comment period and the Planning Commission has a lot of work to do getting familiar with a lot of things that are going to come if this new industry comes into the County. We will hear the concerns of the citizens in the County. Our minds have not been made up on this issue so please come to the public hearing.

IN RE: ADJOURNMENT -- PLANNING COMMISSION

Mr. Lee called for a motion to adjourn the Planning Commission.

Upon motion of Mr. Perkinson, seconded by Mr. Titmus, Mr. McCray, Mr. Perkinson, Mr. Moody, Mr. Wood, Mr. Titmus, Mr. Hamilton, Mr. Lee voting "aye" the Planning Commission voted to adjourn their meeting at 8:49 P.M.

Mr. Moody stated that the Board of Supervisors meeting was still in session and there would be a ten (10) minute recess.

IN RE: CALL BACK TO ORDER

Mr. Moody called the meeting back to order at 9:07 P.M.

IN RE: SHADOW STUDENT RECOGNITION

Mr. Moody introduced his shadow student Mr. Chris Bielmyer and welcomed him to the meeting.

IN RE: C-97-4 -- PUBLIC HEARING -- CONDITIONAL USE PERMIT -- MICHAEL B. MAYES

This being the time and place as advertised in the Dinwiddie Monitor on September 17, 1997 and September 24, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering a conditional use permit request by Michael B. Mayes to increase the maximum density requirement for dwelling unit per acre as outlines in Section 22-142 of the zoning ordinance. The Parcels under consideration are located on the east side of Duncan Road (Route 670) approximately 1/4 mile from Route 1, adjacent to the Rohoic Woods apartments. The tax map parcels are 21-52E and a 7 acre portion of 21 (4) 4.

Mr. Guy Scheid came before the Board to present C-97-4 case.

The applicant, Michael Mayes, is seeking a conditional use permit for the purpose of increasing the number of dwelling units from six (6) per gross acre to twelve (12) per gross acre as permitted by Section 22-142 of the Dinwiddie County Zoning Ordinance The property is located on

the east side of Duncan Road (Route 670) and is identified as tax parcels 21-52E and a 7.0 + acre portion of 21 (4) 4.

BACKGROUND INFORMATION

Mr. Mayes has developed the Rohoic Woods Apartments which are adjacent to this property. The Planning Commission and the Board of Supervisors heard this case in the spring of 1993 and on a unanimous vote by both bodies, the conditional use permit was granted. Mr. Mayes has complied with the conditions imposed in 1993 to include the construction of a swimming pool, clubhouse, and tennis court. The property was developed in such a way as to allow continued development into the parcels under consideration. It is the applicant s desire to continue development with the same density of 12 units per gross acre. The need for this conditional use permit is stated in Section 22-142.

These tracts of land are located within the Urban Planning Area boundary. The following is a brief outline of planning strategies for this area:

* expected to accommodate 65% to 75% of future -and major transportation improvements, thus limiting the increase in costs for building and maintaining new facilities.

* public water and sewer lines will be extended in the planning area. Mandatory hook-ups to public water and sewer at the expense of the developer will be required where they are available.

* adequate buffers (i.e. vegetation or fencing) will be required between different land uses.

* basic facilities such as roads, utilities, recreation and drainage facilities are to be provided by the developer.

ANALYSIS

This request is a follow-up to the development of the adjacent tract upon which Rohoic Woods Apartments is located. The applicant has demonstrated the need for multi-family housing in this area of Dinwiddie County. He has complied with all conditions required by the Board of Supervisors. The recent commercial growth in the County and pending industrial developments indicate a need for additional apartments. It is reasonable to expect, as well as good planning practice to allow, the expansion of this development under similar conditions.

Letters have been obtained from the Dinwiddie County School System, Water Authority, Virginia Department of Transportation and the Sheriff s have not created a problem on community services and, in the case of water and sewer, it is highly desirable to add customers to the existing system.

RECOMMENDATION

It is recommended that the Planning Commission approve the conditional use permit request, C-97-4, with the following conditions:

1. Any future driveways into this development area shall be hard surfaced with materials, such as, concrete or asphalt.

2. Trash dumpsters shall be supplied on site to adequately service the apartment building and shall be enclosed within a wooden fence.

3. The developer shall preserve as much existing vegetation as feasible in the construction of this project and shall submit a landscaping plan to the Planning Department.

4. A lighting plan will be submitted with will strive to minimize the effects of all interior lighting upon adjacent property owners.

5. The number of three bedroom units will be limited to twenty (20) percent of the total number of apartments in the complex, in an attempt to somewhat minimize the effect of the complex on Route 670 and the school system.

6. The minimum setback from any property line will be thirty-five (35) feet rather than twenty-five (25) feet required in the Zoning Ordinance.

7. The developer will attempt to preserve the existing vegetation along the Cheatham boundary to the south. If any of the current vegetation is damaged or destroyed the developer will construct a three foot berm with plantings on the berm to be approved by the Planning Department.

8. All internal fire suppression system must be approved by the Building Inspector Office or their representative.

Mr. Moody asked if the Board members had any questions of Mr. Scheid.

There being none Mr. Moody opened the Public Hearing. There being no citizen wishing to speak the Public Hearing was closed.

Mr. Moody called for discussion from the Board. There being none Mr. Moody asked Mr. Mayes if he wished to speak. There was a question of the twenty-five percent (25%) of the units being three (3) bedrooms. Mr. Altman stated that the increase was from twenty (20) to twenty-five (25) percent.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 conditional use permit request of Michael B, Mayes to increase the number of dwelling units from six (6) per gross acre to twelve (12) per gross acre as permitted by Section 22-142 of the County Zoning Ordinance is unanimously approved with the conditions recommended by the Planning Commission; and

BE IT ORDAINED, that in order to assure compliance with Virginia Code Section 15.1-491 (g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: AP-97-1 -- PUBLIC HEARING -- AMENDMENT OF PROFFER -- PARKER OIL COMPANY

This being the time and place as advertised in the Dinwiddie Monitor on September 17, 1997 and September 24, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering an amendment to a previous rezoning case with proffers, P-95-4, involving Parker Oil Company in which the applicant was restricted to one 30,100 gallon propane storage tank located on the southside of Weakley Road (Route 603) across from the Ingram Book Company. The applicant, Parker Oil, is seeking to amend proffer number 4 by increasing the number of 30,000 gallon propane storage tanks from one (1) to two (2). The property is designated by the tax maps as Section 21, Block 5, Lot 3A.

Mr. Guy Scheid presented the case AP-97-1 of Parker Oil Company to amend a proffer.

The applicant, Parker Oil Company, is seeking to amend proffers #4 from a previous rezoning case, P-95-4, in order to allow them to place a second 30,000 gallon propane storage tank on the premises. The property is located on Weakley Road across from Ingram Book Company and is identified as tax parcel 21 (5) 3A.

In accordance with Section 22-24 of the Code of the County of Dinwiddie, the enclosed information is forwarded for your consideration.

BACKGROUND INFORMATION

Case Number P-95-4 was heard by the Planning Commission in August 1995 and unanimously recommended for approval to the Board of Supervisors with nine (9) proffers. The board of Supervisors heard this request at their September 1995 meeting and on a 4-0 vote (1 member abstaining) the request was approved with the nine (9) proffers accepted as part of the rezoning. As required by Section 22-24, Conditional rezoning , a public hearing must be held in order to amend the proffers. All of the proffers were complied with when Parker Oil developed their site. Since then, the landscaping evergreens have not done well. The Planning Department has notified Parker Oil, and they agreed to correct the problems. During their initial lighting phase, it was noted that the lights were too bright and the orientation of the lighting needed to be changed. They responded by reducing the wattage by and redirecting the lighting so that it was away from the public road.

During the public hearing in 1995, it was stated that there may be a problem with the radio frequency waves from Ingram Book and the propane storage tanks. I am unaware of any problems to date involving this matter.

The County adopted the revised comprehensive land use plan on June 5, 1996. This area is designated as an Urban Planning Area. As such, some of the planning strategies applicable to this case state the following:

* expected to accommodate 80% of future industrial and commercial development;

* the primary area for public facilities, water and sewer extensions and major transportation improvements, thus limiting the increase in costs for building and maintaining new facilities; and

* industrial development parks are preferred;

Policy Statement number 3 (page 8 of the Comprehensive Plan) state "maintain and enhance the County s ability to coordinate a balanced land-use program among various types of residential, commercial and industrial interest by encouraging development within area defined as growth centers and/or growth corridors".

Also, a review of page 12 of the Comprehensive Plan, Economic Development, supports and enhances the policy statement given above.

ANALYSIS

This request is to allow a more intensive use of their existing operation. Parker Oil company stated to me that their business has increased to the point that an additional storage tank is needed. The site is large enough to accommodate another 30,000 gallon propane tank. During the past year and one-half, the traffic impact associated with this sit has been minimal. There have been no safety violations reported to the Planning Department. It appears that their operation has not adversely impacted on adjacent properties. Therefore, it appears reasonable that their request be granted. A few issues I believe should be addressed by the applicant relate to the service area to be served by this site, additional signage on this site and the maintenance of the required landscaping. It is staff s belief that the additional propane user should be primarily located in Dinwiddie County. Also, this site is limited in the number of tanks to be located there. No additional signage (to include on propane tanks) will be permitted. The Parker oil company is responsible for establishing and maintaining the shrubs/trees which are required for screening.

RECOMMENDATION

Staff recommends approval of AP-97-1 by amending proffer #4 contained in the letter dated September 20, 1995 and signed by Robert Walker of Roslyn Farms as follows:

(4) A six (6) foot high, cyclone-type fence with barbed wire shall be constructed so as to enclose the entire facility which consist of (2) 30,000 gallon tanks with accessories. Said fence shall not be located closer than twenty-five (25) feet to the property line along State Route 603. The fence shall include at least one fence gate constructed and said fence and gate(s) must be completed prior to the issuance of a Certificate of Occupancy. Said gate(s) shall be closed and locked at all times when the facility is not being utilized.

Mr. Moody asked if there was any discussion from the Board.

Mr. Tickle questioned the lighting and screening. Mr. Scheid addressed this issue to the best of his knowledge.

Mr. Moody asked the applicant to come forward. Mr. Sammy Gee, representative of Parker Oil Company came before the Board. He stated he had a statement to read before questions from the Board were taken. The statement was as follows:

Parker Oil Company proposes to add an additional 30,000 gallon propane storage tank on our property off Weakley Road, Dinwiddie County. This tank will be installed according to the National Fire Protection Association Code which helps govern our industry. This additional storage is needed to help keep adequate supply for our rapidly growing customer base in Dinwiddie County. The additional tank will also help us to maintain supply balance when product is in short supply or when increment weather may temporarily stop us from replenishing our existing storage. We respectfully request that you to grant us approval for this additional storage since we are in an industrial zoned area and we have had no safety infractions. We stand ready and willing to work with the County of Dinwiddie.

Mrs. Everett asked if they granted permission to place the second 30,000 gallon tank on this sight, would they be back to request a third and fourth?

Mr. Gee responded by stating that two (2) tanks had been requested in the original hearing. He further stated that there would be no further request for additional tanks at this site.

There was some discussion between Mr. Gee, Mrs. Everett, Mr. Tickle and Mr. Bracey regarding screening and lighting.

Mr. Moody opened the Public Hearing. There being no citizens in attendance wishing to speak Mr. Moody closed the Public Hearing.

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 case AP-97-1 be approved as recommended by the Planning Commission for Parker Oil Company to place a second 30,000 gallon propane tank on their site located on Weakley Road across from Ingram Book Company with conditions as requested by the Planning Commission; and

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.1-491(g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: P-97-13 -- PUBLIC HEARING -- REZONING OF PROPERTY -- THOMAS BATES

This being the time and place as advertised in the Dinwiddie Monitor on September 17, 1997 and September 24, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering a rezoning application submitted by Thomas J. Bates seeking to change the district classification on tax map parcel 45-105 from Agricultural, General, A-2 to Business, General, B-2. The

property is located on the east side of Boydton Plank Road (Route 1) adjacent to the Olive Branch Church in the Rowanty Magisterial District.

The applicant, Thomas J. Bates, is seeking a rezoning of the property from Agricultural, General, A-2 District to Business, General, B-2 District. There is an existing building on the property which has been used for business purposes in the past. The applicant wishes to rezone the property because the types of commercial uses under B-2 are more flexible for utilization of this property. The property is located on the east side of Boydton Plank Road (U. S. Route 1) adjacent to Olive Branch Church which is appropriately one (1) mile south of the Southside Elementary School.

BACKGROUND INFORMATION

This property has been used for commercial purposes for many years. The applicant purchased the property within the past few years. The building has been improved. There has been some interest in the use of this building, but it appears the current zoning does not provide the flexibility needed for new tenants. Rezoning to a general business, B-2, category would appear to give more flexible use of the building.
The properties immediately adjacent to this site are developed for residential purposes as well as a church. It appears there are no vacant lots on the east side of Boydton Plank Road, therefore, it does not appear the rezoning of this property will create other applications on parcels in the immediate vicinity.

The Dinwiddie County Comprehensive Plan designates this property for agricultural use. The property is located within the Rural Conservation Area, as designated by the Dinwiddie County Comprehensive Plan (see page 106 of the Comp-Plan for characteristics of this area). A brief outline of the applicable strategies for this planning area follow:

Rural Conservation Area (approximately 290,000 acres; 90% of the County)

* expected to accommodate 5% to 10% of future residential development;

* all developments within the rural conservation areas are expected to help maintain the long-term viability of the rural characteristics, with a minimum of land use conflicts between residential and agricultural uses;

* development in these areas will be of a very low density and thus very minimal increases in public services will be needed; and prime agricultural land will be identified and preserved.

There was considerable discussion of this request at the September 10, 1997 meeting of the Planning Commission by residents in the community and members of the Olive Branch Church and the Planning commissioners themselves. Areas of concern were the number of residents adjacent to the property and in near proximity, some of the undesirable uses permitted in the B-2 area which would aversely impact on the adjacent properties and there are already a number of permitted uses in the existing zoning district which are of commercial nature and should satisfy the needs of the property. With this in mind the Planning Commission voted 5-0 with 2 members being absent to recommend denial of the rezoning request.

Mr. Bracey questioned what was allowed in General Business B-2 and what was allowed in Agriculture A-2. Mr. Scheid and Mr. Altman read from the Code of the County of Dinwiddie the permitted uses in each category.

There was discussion about the changes that the property owner would be required to make should the property be rezoned.

Mr. Moody requested that the applicant, Thomas Bates, come forward to present his case.

Mr. Bill Addison, a realtor, came forward representing Mr. Bates. There was discussion about the type of business that Mr. Bates wished to place in this building. There was also discussion regarding the houses that are located on the same property.

Mr. Moody opened the Public Hearing for case P-97-13. The following persons addressed the Board:

1. Ms. Denise Lamm, no address given, came forth and requested that the Board deny this request. She lives behind this property and is concerned about the type of business that Mr. Bates will put in if this rezoning is approved.

2. Ms. Lillian Stewart, representative of the Olive Branch Baptist Church, came forward to ask the Board to do what is best for the Church. There were numerous Church members present that stood while Ms. Stewart spoke, showing their support. She stated their presence was mainly over the fear of the unknown; they did not know what possibly could be put in this building. The Church has been in the same place for 130 years and she felt that history was on their side. She hoped that the County and property owner would appreciate their dilemma and not disturb their environment. They are opposed to a billiard/pool hall bar environment being placed next to the Church property. The Church has activities happening not only on Sunday but every day of the week. Please do what is best for the Church.

There being no other citizens wishing to speak, Mr. Moody closed the Public Hearing.

Mr. Thomas Bates came forward stating that he did not wish to hurt anyone. He just wanted to be able to rent the building in order to pay the taxes and insurance. He stated that he did not know what do do anymore. He was no longer sure if he wanted to have the property rezoned after hearing the changes that would have to be made. He did not understand everything about the rezoning. If they, the citizens and neighbors, do not want the B-2 zoning, then turn it down. He stated he just wasted $150.00!

Mr. Tickle asked Ms. Stewart how she felt after hearing all the information about the rezoning. Ms. Stewart responded with after listening to the discussion she was somewhat like Mr. Bates, she didn't know what to do. Ms. Stewart further stated that the congregation only wanted to protect the environment of the Church and do what was best for the Church.

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 P-97-13 request of Thomas Bates for rezoning from A-2 to B-2 is denied.

BE IT FURTHER RESOLVED, that in order to assure compliance with Virginia Code Section 15.1-491 (g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: P-97-14 -- PUBLIC HEARING -- REZONING OF PROPERTY -- HARRY MILLIS

This being the time and place as advertised in the Dinwiddie Monitor on September 17, 1997 and September 24, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering a rezoning application submitted by George Whitman on behalf of Harry Millis seeking to change the district classification of tax map parcel 86-9 containing approximately 120 acres from Agricultural, General, A-2 to Residential, Conservation, R-R. The property is bounded on two sides by Walker's Mill Road (Route 665) and Flatfoot Road (Route 626) near the intersection with Black Branch Road (Route 665 and Route 681).

Mr. Scheid came forward to present case P-97-14. The applicant, George Whitman, is seeking a rezoning of the property on behalf of Harry Millis, from Agricultural, General, A-2 District to Residential, Conservation, R-R District. Mr. Whitman has made this request for the purpose of developing the property for large lot single-family homes which will be served by a private road with a few lots fronting onto Walkers Mill Road (Route 665) and Flatfoot Road (Route 626). The property is located on the south side of Walkers Mill Road (Route 665) and the west side of Flatfoot Road (Route 626); and is identified as tax parcel 86-9.

BACKGROUND INFORMATION

The main soil groups contained within the property are: Mattaponi (12B & 12C); Roanoke (16A); and Slagle (17B). Generally, the soil characteristics for the aforementioned soils are as follows:

Mattaponi (12B & 12C)
- home site construction - moderate limitations
- road construction - severe limitations
- septic fields - severe limitations

Roanoke (16A)
- home site construction - severe limitations
- road construction - severe limitations
- septic fields - severe limitations

Slagle (17B)
- home site construction - moderate limitations
- road construction - moderate limitations
- septic fields - severe limitations

The timber (soft wood) has been cut within the past several years. There is a large creek that runs through this property. A large portion of the property drains via this creek. Flatfoot Road is a secondary road that is well traveled, and provides good access to the Courthouse area and Route 40.

The Dinwiddie County Comprehensive Plan designates this property for agricultural use. The property is located within the Rural Conservation Area, as designated by the Dinwiddie County Comprehensive Plan. A brief outline of the applicable strategies for this planning area follow:

Rural Conservation Area (approximately 290,000 acres; 90% of the County)

* expected to accommodate 5% to 10% of future residential development;

* all developments within the rural conservation areas are expected to help maintain the long-term viability of the rural characteristics, with a minimum of land use conflicts between residential and agricultural uses;

* development in these areas will be of a very low density and thus very minimal increases in public services will be needed; and prime agricultural land will be identified and preserved.

ANALYSIS

Recently, the subdivision ordinance was amended, and the definition of subdivision changed. Additionally, Section 18-12 required the rezoning of A-2 property to a residential category if the property is intended to be subdivided into three (3) parcels or more. It is further mentioned that the number of use contained in R-R is significantly less than those in A-2.

The Planning Commission recommends APPROVAL of P-97-14 in changing the district classification of section 86, parcel 9, from agricultural, general, A-2 to Residential, Conservation, R-R.

Mr. Moody asked if the Board had any questions for Mr. Scheid regarding this rezoning.

Mr. Bracey asked if the owner or representative of the property WAS present. Mr. Scheid stated that he did not see them. Mr. Scheid stated that Mr. Whitman was representing Mr. Millis. He was present at the last meeting.

Mr. Bracey was concerned about a statement made by Mr. Whitman in the minutes of the Planning Commission on September 10, 1997 as follows:

> "Mr. Whitman stated that this was a parcel of land primarily agricultural with probably 1/2 of the 113 acres in wetlands and not usable. He said there were going to be large lots (five acre and larger) and so far they have found only 1 perk site. He stated that there would probably be only one house built on this property because of the problems finding perk sites. He added that there would be two roads to serve this property with 12 to 13 sites. Due to the wetlands situation, very few lots have been found at this time."

He wanted to know exactly what this was saying. If they are going to only build one house then why do they need rezoning.

Mr. Scheid stated that he did not know why he made that statement; he was not present but in his conversations with Mr. Whitman he had indicated that he could get about twelve (12) to thirteen (13) homesites.

Mr. Moody opened the Public Hearing on case P-97-14. The following person addressed the Board.

1. Ms. Mildred Tucker, 21613 Flatfoot Road, came before the Board requesting that this property not be rezoned and left as agriculture. She asked if her property would remain zoned as it is presently. The Board replied that there would be no change in her zoning.

There being no other citizen wishing to speak Mr. Moody closed the Public Hearing.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 case P-97-14, the rezoning requested by Mr. Whitman for Harry Millis is unanimously approved.

BE IT FURTHER RESOLVED, that in order to assure compliance with Virginia Code Section 15.1-491(g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: COUNTY ADMINISTRATOR COMMENTS --CHANGE ORDER NUMBER EIGHT -- COURTHOUSE PROJECT

Mr. Long stated that the Board had before them two (2) change orders, Number Eight (8) and Number Nine (9), on the Courthouse project.

The first change order Number Eight (8) is as follows:

Proposal Request No 1	Domestic Water Pump	$8,441.00
Proposal Request No 31	Delete Trees at South Parking Area	(1,200.00)
Proposal Request No 40	Signage Allowances 1,2 and 3	(5,928.00)
Proposal Request No 47	Change Drinking Fountains	(1,077.00)
	TOTAL ADD	$ 236.00

Upon motion of Mr. Clay, seconded by Mr. Tickle, 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 Change Order Number Eight (8) on the Courthouse Project is approved with a total net add of $236.00.

IN RE: COUNTY ADMINISTRATOR COMMENTS --CHANGE ORDER NUMBER NINE -- COURTHOUSE PROJECT

Mr. Long continued by stating that Change Order Number Nine (9) consists of the following:

> Extend Construction time for completion eleven (11) days for rock excavation (Proposal Requests Number 14 and Number 24). Adjust Contract cost amount for fifteen (15) days of General Conditions costs at the rate of Four Hundred Sixty Two and 00/100 Dollars ($462.00) per day for a total cost of Six Thousand Nine Hundred Thirty and 00/100 Dollars ($6,930.00). This cost includes the four days granted for Proposal Request Number 35 in Change Order Number 7.

Upon Motion of Mrs. Everett, seconded by Mr. Tickle, 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 Change Order Number Nine (9) in the amount of $6,930.00 for time extension is approved.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- GASOLINE, DIESEL AND FUEL OIL CONTRACT

Mr. Long continued by stating that we have had a contract with Parker Oil Company for the County on gasoline, diesel and fuel oil requirements. The way the current contract reads you can renew annually, if you so choose, once Parker gives you its proposals for the coming year. As you will note it is proposed that the regular fuel remain the same price, the diesel and fuel oil are both dropping. The diesel from $.729 to $.699 and fuel oil from $.719 to $.689. You also have the option to request a bid.

Mrs. Ralph stated that she had just given them a comparison that was worked up to show the Board that they were getting a good price. The first one would be if you had to pay taxes.

After some discussion on the grades of fuel used by the County, Mr. Moody called for a motion.

Upon motion of Mr. Tickle, seconded by Mrs. Everett, 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 gasoline ($.6790 per gallon), low sulfur diesel fuel ($.6990 per gallon) and #2 fuel oil ($.6890 per gallon) contract for the year beginning October 1, 1997, ending September 30, 1998 is hereby renewed with Parker Oil Company on a fixed price basis.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long noted that there was information in the Board packets on the Jim Gilmore personal property tax elimination program.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay -- He stated that he was very disappointed to hear the people speak about the industry. Everybody tells you, what we need is some industry to pay some taxes so we can hold the property tax and tonight everybody is opposed to it. He stated that he did not know what we can do to get some money into the County unless we do allow industry in. If we can get this industry to locate here their taxes would be more than most other industries.

Mr. Bracey -- He stated that he was really surprised to find out that we are only advertising in one (1) newspaper. By law that is

probably right but a weekly newspaper - he felt that when we have these Public Hearings that we need to go to a daily paper.

Mrs. Ralph stated that in times past it was cut because of economical reasons. The Monitor was declared a paper of general circulation. She stated if the Board wished to change this she would certain respect their wishes.

Mr. Bracey stated that it was upsetting to him because the gentleman who spoke must not have been into taking a weekly paper and he hoped that we would correct this situation.

Mrs. Everett stated that she would like to see this issue advertised in both papers - that was the pleasure of the Board.

Mr. Tickle -- He would like for someone to research the circulation of newspapers in the County. Be sure that the best paper is being used for the advertisement and choose the one that will reach the most citizens.

Mrs. Everett -- She just wanted to remind the Board that Friday, October 3, 1997 was the inauguration of Dr. McNeer at Richard Bland College of William and Mary. She wanted the Board to attend as a group. The time and place to meet was set at 9:45 A.M. at the Administration Building.

Mr. Moody -- He stated he had no comments tonight.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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. The meeting moved into Executive Session at 10:37 P.M. A vote having been made and approved the meeting reconvened into Open Session at 10:54 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 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. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 10:55 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT THE HOME PLACE RESTAURANT IN DINWIDDIE COUNTY, VIRGINIA, ON THE 1ST DAY OF OCTOBER, 1997, AT 5:00 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
	PAUL JACOBSON	COUNTY ATTORNEY

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Clay, 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 - Administration - EMS/FIRE; and Section 2.1 - 344 (a) 7 - consultation with legal counsel - Courthouse contract and industry inducements. The meeting moved into Executive Session at 5:00 P.M. The Board recessed at 7:00 P.M. to the Board Room, Pamplin Administration Building. A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mr. Bracey, 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 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. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 7:32 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 15TH DAY OF OCTOBER 1997 AT 2:00 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
	BEN EMERSON	COUNTY ATTORNEY

IN RE: CALL TO ORDER - INVOCATION - PLEDGE OF ALLEGIANCE

Mr. Harrison Moody, Chairman of the Board, called the meeting to order at 2:07 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Harrison Moody, Chairman, asked if there were any amendments to the agenda.

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that under the Executive Session we need to add, under legal, contractual services, dealing with the landfill.

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 under Item 13. Executive Session, Section 2.1-344 (A) 7 - consultation with legal counsel, contractual services be added.

IN RE: MINUTES

Mrs. Everett stated that in the October 1, 1997 minutes of the Regular Meeting on page 2, there was an error in the shadow students. Her shadow student was Mr. Jason Tickle, who was not present for the meeting; he was listed as Mr. Edward Bracey's shadow. Mr. Bracey's shadow was Mr. Tyler Ragsdale who was in attendance.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the October 1, 1997 continuation meeting and October 1, 1997 regular meeting are hereby approved with corrections.

IN RE: CLAIMS

Mr. Moody stated the Board had a copy of the claims for the month and asked if there were questions.

Mrs. Pamla Mann, Administrative Secretary, stated that we have an additional claim supplement in the amount of $41.08.

Mr. Clay and Mr. Bracey questioned payments listed on page one of the accounts payable list. These were payments regarding convention expenses.

Mrs. Ralph stated that if it is the Commissioner of the Revenue Annual Convention then it is an allowable charge; however, if it is VALECO, then it is not. We will research this before the checks are sent out.

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 claims are approved and funds appropriated for same using checks # 1007789 - # 1007921 (void check 1007789); for Accounts Payable in the amount of $304,002.05 General Fund $225,671.57; E911 Fund $1,969.34; Law Library Fund $77.99; Fire Programs & EMS $156.91; and County Debt Service $76,126.24, contingent upon the verification of the meeting in question.

IN RE: APPROVAL OF REQUISITION #6 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that Requisition #6 for the Courthouse consists of payments to:

Hening-Vest-Covey	$ 5,893.10
DeJarnette & Paul Inc.	1,953.00
Dunbar, Milby, Williams, Pittman & Vaughan	340.00
Total of this Requisition	$8,186.10

Upon motion of Mrs. Everett, 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 Requisition #6 in the amount of $8,186.10 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

There were no citizens wishing to speak at this time.

IN RE: PETFIX COALITION

Mr. R. Martin Long, County Administrator, stated that the Board had a request in their packet from this group. Last year the Board had passed a resolution; it was February of this year that was designated as Petfix month. This year they are asking for the same support but they are additionally asking for a $1,000.00 donation.

Mr. Moody stated that the Board had a chance to review this letter and asked for the feelings of the Board. They are requesting a $1,000.00 grant from the county to aid in their quest for a humane solution to the pet overpopulation problem.

Mr. Bracey asked what we had been doing in the past.

Mr. Clay stated that this is the first time they have requested a donation.

Mr. Long stated in February of 1997 we had simply passed a resolution designating February as Petfix month.

Mr. Bracey asked if this meant that we would be taking on another agency for a contribution each year? Should this be something that the Board looks at during budget time? We already have some agencies that came up a little short this year, like the Regional Library. I am thinking that one of our current agencies would love to have this $1,000.00 put on their budget. He stated that he is all for pets but that he is partial sometimes when it comes down to education. He stated that if we are going to undertake this as a project then we should do it at budget time.

Mr. Long stated that he could take that back to the individual who contacted us that the Board would possibly more favorably consider such a request when we are working on the next year's budget.

Mr. Everett stated that if they want a resolution from the County in support of petfix month she felt that would be appropriate.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 a resolution in support of Petfix Month, February 1998 be adopted and spread upon the minutes of this meeting:

WHEREAS, dogs and cats give companionship to and share the homes of over 50,000,000 individuals in the United States; and

WHEREAS, two unaltered cats and their kittens can produce 420,000 more kittens in seven years and two unaltered dogs and their puppies can produce 67,000 more dogs in six years; and

WHEREAS, it is estimated that more than 12,000,000 dogs and cats are euthanized each year in the United States, although many of them are healthy and adoptable, simply because there are not enough homes; and

WHEREAS, the Virginia Federation of Humane Societies estimates that there are over 300,000 dogs and cats euthanized in the Commonwealth of Virginia each year; and

WHEREAS, the problems of pet overpopulation costs the taxpayers in this country millions of dollars annually through animal control programs trying to cope with the millions of unwanted animals; and

WHEREAS, spaying and neutering dogs and cats has been shown to drastically reduce cat and dog overpopulation; and

WHEREAS, veterinarians, humane societies, and local animal protection organizations worked together to ensure the spaying and neutering of 2,280 pets during "PETFIX MONTH 1997" reducing the amount of unwanted puppies and kittens born during 1997 by at least 27,360 (12 per animal); added to the 1996 Petfix Coalition total of 1,820 dog and cat births, almost 50,000 unwanted animals have been prevented by their program; and

WHEREAS, veterinarians and humane organizations in the Harrisonburg, Charlottesville and Central Virginia areas have joined together to advocate the spaying and neutering of companion animals during "PETFIX MONTH 1998".

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Dinwiddie, Virginia, recognizes the month of February 1998 as "PETFIX MONTH 1998" and encourages all citizens to observe this month by either having their dogs or cats spayed or neutered or by sponsoring the spaying or neutering of a companion animal for another.

IN RE: RESOLUTION -- CENTER STAR BAPTIST CHURCH -- 124TH YEAR ANNIVERSARY

Mr. Long stated that there was a resolution enclosed in the Board packet for their adoption for their 124th year anniversary of Center Star Baptist Church.

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 be adopted and a copy spread upon the minutes of this meeting:

RESOLUTION
OF THE
DINWIDDIE COUNTY BOARD OF SUPERVISORS
OCTOBER 15, 1997
IN RECOGNITION OF THE
CENTER STAR BAPTIST CHURCH
124TH ANNIVERSARY

WHEREAS, in 1873 a Church was formed under the name Central Baptist Church, changing to Center Star Baptist Church in the year 1883, and

WHEREAS, Center Star Baptist Church has set aside October 19, 1997 to celebrate its 124th year of service in the Dinwiddie community, and

WHEREAS, the Church has been able to support many members and friends in the community by tithing in the Church and establishing a Mission Fund, and

WHEREAS, the Board of Supervisors would like to participate in the celebration with this resolution of recognition for its many years of growth and prosperity.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Center Star Baptist Church for 124 years of devoted service and for its many accomplishments in the community and in the County, and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a copy of this resolution be presented to Center Star Baptist Church for its October 19, 1997 celebration and a copy spread upon the minutes of this meeting.

IN RE: FORD VOLUNTEER FIRE DEPARTMENT -- ADDITIONAL APPROPRIATION

Mr. Brian Iverson and Mr. Dennis Hale, representatives of Ford Volunteer Fire Department, came before the Board to request additional funding for a brush truck in the amount of $15,000.00. Mr. Iverson began by stating that as they will recall in the July 2, 1997 meeting of the Board of Supervisors, the Board passed a resolution appropriating $30,000.00 from it's 1996 Undesignated Fund Balance and an additional fund not to exceed a total of $45,000.00, if the County determines that money is available after the 1997 audit. This was done for the purpose of replacing, or purchasing a brush truck, otherwise known as a wildland fire fighting apparatus. The first step in making a decision on the type of truck and equipment necessary to meet our needs was to draft specifications and general terms and conditions. These were then submitted to the Office of the County Administrator following consultation with legal counsel, at the request of the County Administrator on August 21, 1997. A pre-bid conference was held September 7, 1997. Since that time bids have been received. The bids range anywhere from $64,000 and $84,000. Our purpose here is two (2) fold. First to seek the availability of that additional $15,000 in funds and second to again reiterate our commitment that the Company will encumber any funds in addition to or over and above $45,000 to see that this apparatus is placed in service. Finally we need immediate action to be able to place an order for a chassis, given that the chassis specified is a 1997 model year; Ford Motor Company will not carry a 1998 model year and will not accept orders for a 1999 model year chassis, suitable for this apparatus, until mid November, with delivery not expected to take place before February of 1998. In this situation time is of the essence and we would like to be able to take immediate action.

Mr. Moody asked if they were saying that they have a 1997, a couple left, is that their understanding?

Mr. Hale stated that he had spoken with the low bidder on the chassis this week and he had two (2) in Missouri sitting on a lot that he has to get. Once they are sold we will have to go to the 1999 chassis and we will be looking at an eight (8) to ten (10) percent increase in price alone and plus the delay of getting the truck built.

Mrs. Everett asked what the price of the chassis was?

Mr. Hale stated that they did not have a price on the chassis alone. The bid that they accepted on the chassis included the improvement to the chassis to make it a fire apparatus. That figure is $34,772.00.

Mrs. Everett stated that the Board has appropriated $30,000.00 toward this cost and said that when we received our 1997 audit we hoped to add the additional $15,000.00. She stated that we have not received the audit information to date. She asked if the Board had appropriated the $30,000.00 or if the Board had to take action on that at this time?

Mr. Moody stated that the minutes of the July meeting reflected that the $30,000.00 has been appropriated, asking Mrs. Ralph if that was correct?

Mrs. Ralph replied that the funds have been approved but the money has not been appropriated.

Mr. Moody stated that what we needed to do was approve the $30,000.00.

Mrs. Ralph stated that we need to appropriate it and she thought that they were also asking for authorization to order the chassis. This is assuming that you appropriate the funds to be applied toward the chassis.

Mr. Moody stated that if we approved the first amounts that we said we approved, the $30,000.00 if appropriated would go toward the $34,000.00.

Mr. Hale stated that they have not finished discussing and pulling apart all the bids for the conversion. We have settled on a contract for the chassis.

Mr. Moody stated that they will be responsible for the $4,774.00 until audit time. When the audit comes in we will see what that brings up. Addressing Mr. Hale and Mr. Iverson, Mr. Moody asked is that correct?

Mr. Hale responded that the only problem they have is without knowing if we will have the additional funding, $15,000.00, from the County is that if you do not appropriate it that ups the sum for the Company, it almost doubles what the Company has to put in. Without knowing they would hate to order the chassis and have it sitting in the Station and then not know if they were going to have the funds to do the conversion.

Mr. Bracey stated that he felt that we needed to deal with a word first. The audit report, when it comes in, the extra $15,000.00 was talked about "if" it was available for this project. We do not know what funds we will have at this point in time. We need to go back to the original concept. Originally Mr. Iverson quoted a price of $43,000.00 to $45,000.00 for this apparatus. He asked Mr. Iverson if this was correct?

Mr. Iverson stated it was $45,000.00.

Mr. Bracey continued that now we are up to $73,000.00 for the same vehicle. Something is wrong when we come from $45,000.00 to $73,000.00. That is my number one concern. The other thing is that he is not concerned about the $15,000.00; we will probably have it; however, what we are doing is putting that much money in a brush truck that no one on the Board has seen, nobody but the fire personnel, which is alright and at the same time when we talk to people in other localities they have new brush trucks and they are no where near $73,000.00 or $68,000.00.

Mr. Iverson stated he agreed and it was on that information that we based our previous information; $45,000.00 with an established track record of two (2) other localities that had similar trucks.

Mr. Bracey stated that there was a truck that went into operation day before yesterday, what was it $40 - what - $45,000.00.

Mr. Iverson stated that one of the competitors that we had anticipated bidding held back because they had underbid two (2) brush trucks at a total of $6,000.00 each. They refused to bid. The two (2) localities that they had looked at specifically had an established track record, one at $47,000.00 and one at $55,000.00. Our specifications nearly matched those trucks and what he later found out was one of the trucks is actually a 1994 model year. He stated that he is not in the business of building fire apparatus.

Mr. Bracey stated he understood that. What he is talking about is that we started with $45,000.00; now we are up to $70,000.00. By the time you order it it will be $75,000.00.

Mr. Hale stated that we have a contract price; all we need to do is sign the contract to order the chassis.

Mr. Bracey stated that he had no problem with it, with the representatives of Ford Volunteer Fire Department, or with the Board of Supervisors members. He wanted to make this statement now so he will not have to make it again. It seems as if we come in, we spend money, and this item was not at the top of the list for the CIP that we have, each time Dinwiddie Volunteer Fire Department gets pushed further and further back. He is fed up with it. They need items also. They need a building to go in, and it seems as if they keep getting pushed further and further back in Dinwiddie, in this area. Now we have a request for a truck at a cost of $70,000.00. He stated he has no problem however he thinks that sometimes we need to go into our own checkbook a little bit deeper, and you have a checkbook! That checkbook does not have any peanut change in it. When we vote or whatever we do with this let's use the same stick for Dinwiddie.

Mr. Iverson stated that if they would let Mr. Charles Lewis, Fire Chief for Dinwiddie Volunteer Fire Department, speak they would find that he backs this proposal.

Mr. Bracey stated that he was speaking for the constituents in my area. He understands what Mr. Lewis is saying. What he is saying is that we are going to use the same stick for Dinwiddie that we are going to use for Ford, Namozine and the rest. It seems his district is getting pushed further back. A fire house for Dinwiddie came up three (3) years ago, four (4) years ago, we push it back, we push it back, because other people have to have things. He was not against the brush truck, he was just really upset about $73,000.00 for a truck that he sees other localities getting for less that $50,000.00 or right at $50,000.00. The truck that they have now you are complaining, this is too heavy or that is too heavy. He hoped that the truck that they get will be able to go into the bushes and do the job.

Mr. Iverson and Mr. Hale stated that when specs went out, one of the specs was that it had to be meet all of those requirements.

Mr. Moody replied to Mr. Bracey that the brush truck had been on the top of the CIP list.

Mr. Bracey stated that it was not number one, it just came up a couple months ago.

Mr. Moody stated that the truck had been out of service for going on sixteen (16), seventeen (17) months.

Mr. Bracey stated that was the volunteer's problem, that they put it out of service. That the formal request just came before the Board a month or so ago.

Mr. Iverson and Mr. Hale stated that the formal request was given to Mr. Charles Burgess, the former County Administrator, in December 1996.

Mr. Bracey stated that Mr. Burgess was no longer employed by Dinwiddie County. Mr. Burgess had not said anything to him, as a Board member, about this request. He said that was fine, that they were not going to fall out about it, he is just saying that Dinwiddie is going to get something out of this. Don't cry when we ask for the fire truck and the house. He stated that he was really talking to the Board and everybody.

Mr. Iverson stated that he could guarantee Mr. Bracey that Dinwiddie backs their proposals here today and that they will back them when they come before the Board 100%.

Mrs. Everett stated that we have heard about the need for this truck for over a year. It is desperately needed. About three (3) weeks

ago there was a very severe brush fire in her area and homes were in danger of being lost. They had to call in Carson, Petersburg, and Chesterfield because the fire had jumped the tracks. She spoke in support of this brush truck. She stated that we needed to appropriate the $30,000.00 and she would like to see the Board make a commitment for the additional $15,000.00.

Mr. Bracey asked how the Board could make that commitment?

Mrs. Everett stated that if the audit came back satisfactory then we could do it.

Mr. Clay asked what the difference was in the $73,000.00 brush truck and the $45,000.00 brush truck.

Mr. Hale answered the tank size, the pump size, and the year of the truck.

Mr. Clay stated that he still could not get over buying a $73,000.00 to run down through the woods to tear up. He voiced his concern about using this vehicle in the woods and as a first responder unit. A ton truck is not going to handle well for these activities. He stated that he felt that they were getting too much truck. He stated that is they had a half-ton truck with 300 gallons of water that should be sufficient.

Mr. Iverson stated it would be overloaded before they placed the first piece of equipment on it. To place the equipment needed on a half-ton truck we would have to cut the tank size to somewhere between 75 and 100 gallons of water. With no hydrant system in their area that would not last any time at all. To ensure that they can control a fire in the woods they need a large water tank.

Mr. Iverson stated that he would be glad to provide the specifications for this truck to him so he could understand what equipment and what capabilities it possesses.

Mr. Clay stated that they were still getting too much truck in his opinion.

Mr. Moody asked Mr. Iverson and Mr. Hale what they were proposing to cut back on, the pump size ---

They interrupted Mr. Moody stating the pump size was downgraded, the tank size was downgraded to make sure the chassis was well under the weight rating, it was right on the numbers with the original specs, so they cut fifty (50) gallons of water. They did have a two hundred fifty (250) gallon tank on the truck. This brought it well under the weight rating so that once the equipment and personnel are loaded they are still in compliance. They also cut the pump size and by so doing we will no longer be able to use this as an attack piece on a house fire, this will strictly be for brush fires.

Mr. Moody asked if this truck was very similar to the other brush trucks that other localities just got at $45,000.00.

They answered, No. We used Goochland County's specs on the one that is sitting on the 1994 chassis that they referred to and they were in the neighborhood of between $55,000.00 and $60,000.00 once the truck was equipped. Mr. Bracey kept referring to $73,000.00, the truck, that was the average of the bids, the low bid will put it right at $63,000.00. That would be after down sizing the pump, the tank, and a couple of other items here and there.

Mrs. Everett stated that she moved to appropriate $30,000.00 toward the purchase of the chassis for the Ford Volunteer Fire Department and further appropriate $15,000.00 if it becomes available after the audit and to allow them to proceed with the purchase of this chassis.

Mr. Clay stated that we need to vote on that part second, we do not want a double motion.

Mrs. Everett amended her motion to appropriate $30,000.00 toward the cost of the chassis for the brush truck and to authorize them to proceed with the ordering of the said chassis.

Mr. Bracey questioned the motion and asked if Ford Volunteer Fire Department had the additional $4,772.00 to put with this $30,000.00 to make the full purchase price of the chassis.

They replied that they had those funds.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 authorization is granted for the Ford Volunteer Fire Department to order the chassis for the brush truck at a cost of $34,772.00 and that the County will appropriate $30,000.00 toward that expense from the 1996 Undesignated Fund Balance.

Mr. Iverson left the Board with the following, "We are one of a team of six volunteer fire companies, key emphasis on team, Mr. Bracey, and that truck is available to everyone, the specifications are available to everyone and we stand together behind every other company of this County that provides services to the citizens."

IN RE: NAMOZINE VOLUNTEER FIRE DEPARTMENT -- CAPITAL EXPENDITURE

Mr. William Andrews, representative of the Namozine Volunteer Fire Department, came before the Board to request their help in obtaining funds for tires for two (2) of their units. Mr. Andrews stated that Unit 142 - Pumper needed two (2) tires (385/65R22.5 G286) at a cost of $285.16 each plus $50.00 each to mount and balance for a total of each tire being $335.16 and two (2) tires (equivalent of a 11.00R20 to a G286) for Truck 4 - Aerial Truck at a cost of $217.32 each plus $43.00 each for mounting and balancing, with a total of each tire being $260.32. We are also in need of a clutch for the Tanker at a cost of $760.00. He stated he needed at least $1500.00 toward the purchase of the tires and the clutch. Mr. Andrews stated that he hoped to recover $1000.00 from the fire programs. Even with this recovery they will still be in need of additional funds to make these repairs.

Mr. Moody asked if this would come out of the Maintenance Fund?

Mrs. Ralph stated that this was not the Maintenance Fund; this would come from the Capital Fund. Maintenance is purely preventive maintenance. This is your Capital Fund, $20,000.00, that all the fire departments use. These funds are for items that are beyond the companies' ability to pay.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 $1500.00 be approved and appropriated from the Capital Projects Fund toward the purchase of four (4) tires and a clutch for the Namozine Volunteer Fire Department.

IN RE: DINWIDDIE VOLUNTEER FIRE DEPARTMENT -- ADDITIONAL APPROPRIATION

Mr. Charles Lewis, representative and Fire Chief of the Dinwiddie Volunteer Fire Department, came before the Board to request funds toward the repair costs of a vehicle. He stated that he has two (2) in need of repair but only wishes to repair one (1). The first vehicle is Unit 4 - which is their tanker. That truck is the vehicle that was obtained from Old Hickory when they got their new tanker. This truck has five (5) items in need of repair; they being: 1) Tank fill valve sticks and linkage broken; 2) Pump gear case leaking oil; 3) PTO leaking oil; 4) Speedometer adp. leaking oil; and 5) Needs fan belts (2 each). The estimated cost to repair this vehicle is $1000.00 to $1500.00. We had the pump service done on this truck approximately two (2) weeks ago and in the process they found the above listed problems. The second truck is Unit 3

- this is the one that is a 1971, it is twenty-seven (27) years old. This truck we do not wish to repair because the pumps are no longer repairable because parts are not available.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 up to $1500.00 is approved and appropriated from the Maintenance Fund toward repairs/preventive maintenance on Unit 4 - Chevrolet Tanker for the Dinwiddie Volunteer Fire Department.

IN RE: DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Harold Dyson, came before the Board to present the monthly report for Mr. Ronald Reekes. Mr. Reekes was out of town and unable to attend. Mr. Dyson stated that he only had one issue, that being the six (6) year plan. He proposed that a meeting be set on November 5, 1997 from 6:30 to 7:15 P.M., prior to the regular Board meeting, as a public information meeting. He proposed a second meeting prior to the Board meeting on November 19, 1997 beginning at 1:00 P.M. as a work session. The final meeting would be proposed for the first meeting in December, which would be a Public Hearing.

The Board discussed the above proposed schedule and saw no problem with this schedule.

Mrs. Everett asked about placing the ridges in the road on Route 85 that wake you up should you fall asleep. Mr. Dyson responded that this had been discussed but the shoulders on Route 85 need some rehabilitation before that can be done.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

Mrs. Ralph stated that Mrs. Marston was in a meeting and requested that any questions the Board had be relayed to her and she would be glad to answer them.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, came before the Board to present his monthly report. Mr. Jones stated he was available for questions.

Mr. Moody asked the Board is they had any questions for Mr. Jones. There were none. Mr. Moody noted that the bills for the second half were out mighty early. Mr. Jones responded they were out early this time last year and that it is one of the benefits of twice a year billing.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, came forward stating that he had nothing to report and was available for questions.

Mr. Bracey asked for information regarding making application for openings in the Courthouse Complex. He wanted to know if a state application was required. Mr. Rainey stated when a position came open it was posted and applications were received.

IN RE: SHERIFF -- REPORT

Mr. Samuel H. Shands, Sheriff, came before the Board distributing his monthly report. He stated he was available for questions.

IN RE: SHERIFF -- PURCHASE OF POLICE CARS

Mr. Shands continued that in the Board's packet they received copies of the bids which were received for the purchase of ten (10) new vehicles for the Department. In his 1997-98 budget he was approved for

$210,000.00 for the purchase of these vehicles. The bids received are as follows:

1) Winner Group, Inc., 591 South DuPont Highway, Dover, Delaware 19901
   Unit Price - $20,060.00 X 10 = $200,600.00

2) Freedom Ford, Inc., 7520 North Military Highway, Norfolk, VA 13518
   Unit Price - $21,477.00 X 10 = $214,770.00

3) Beach Ford, 2717 Virginia Beach Blvd, Virginia Beach, VA 23452
   Unit Price - $19,964.00 X 10 = $199,640.00

After receiving these bids, State Contract was awarded to Ourisman's World of Ford Sales, 6129 Richmond Highway, P O Box 7068, Alexandria, Virginia 22307-0068

4) Virginia State Contract
   Unit Price - $20,844.00 X 10 = $208,440.00

Mr. Shands recommended that the County accept the low bid from Beach Ford and that authorization be granted for him to place the order immediately in order that they may obtain the 1998 models. The vehicles will not be received until after the first of the year.

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 authorization is granted to order ten (10) 1998 Ford Crown Victoria Police Interceptor vehicles at a price of $19,964.00 each for a total contract price of $199,640.00 from Beach Ford, 2717 Virginia Beach Boulevard, Virginia Beach, Virginia.

Mr. Bracey asked if the vehicles are retired by milage. Mr. Shands stated that is no longer the rule, they are kept until they are no longer serviceable to the County. Mr. Bracey further asked if a vehicle that he retired would not be suitable for another department to use. Mr. Shands stated that if they were not out chasing or running the vehicle hard, yes it could be used.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspection, came before the Board to present the monthly report and stated he was available for questions.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, came before the Board stating that they had his monthly report and he was available for questioning.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. Guy Scheid, Director of Planning, came before the Board stating that they had his monthly report before them. He stated that he wished to touch on Item Number 3 -- The Indoor Plumbing and Rehabilitation Program. He gave suggestions for seven (7) members of a Rehab Oversite Board that is required by the State. The following are suggested to be appointed to the Rehab Oversite Board: Jean Thomasson, Department of Social Services; LeeNora Everett, Member, Board of Supervisors; Pauline Bonner, WPVA; Wendy Ralph, Assistant County Administrator; and William Scheid, Director of Planning. He felt that the Board might like to appoint one additional member who would be an "at large" member representing the entire County. He further stated that the Bank of McKenney has agreed to take on the bookkeeping of this program at no expense to the County and he will be asking the County Administrator to enter into a contract between the County and the Bank of McKenney.

Mr. Bracey passed to Mr. Scheid a letter concerning the lack of indoor plumbing at 12005 and 12308 Wheelers Road. Mr. Moody added that he too had a home in his district that was without bath facilities. These names/addresses were from the home health care nurse.

Mr. Bracey asked Mr. Scheid about information that had been requested by Mrs. Vadnais a couple of meetings past. Mr. Long stated that he would be responding, that he had spoken with her and everything was under control.

IN RE: ZONING ADMINISTRATOR -- REPORT

Mr. March Altman, Zoning Administrator, came before the Board to present his monthly report.

Mrs. Everett asked about the Board of Zoning Appeals meeting on October 16, 1997 regarding the group home.

IN RE: DEPARIMENT OF SOCIAL SERVICES -- REMODEL OF OFFICE

Mrs. Peggy McElveen, Director, came before the Board to present her report. She also reported to the Board that her office had been chosen to pilot a computer imaging program at no cost to the County. This should help in cutting time in getting help to those who need it. This program will require some remodeling of her office building.

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 authorization is granted for the remodeling of the Dinwiddie Department of Social Services building, at no cost to the County of Dinwiddie.

IN RE: COMPREHENSIVE SERVICES ACT -- TRANSFER OF FUNDS TO OYCS

Mrs. Peggy McElveen reported to the Board that Mrs. Francene Newman is the new chairperson of the CSA team that has been appointed by them. They continue to struggle with the very difficult job of trying to serve some of the children of families that are sort of last resort. They do not normally come to us unless all other avenues have been exhausted. She gave a summary of the Comprehensive Services for at Risk Children 1996-97 Annual Report. She requested that the Board consider transferring $5,000.00 from the surplus CSA 1996-97 budget funds to the Office on Youth for 1997-98 to continue preventive programs. These programs assist in diverting children and families from CSA. These programs include parent to parent; anger management; and after school programs for at risk children which are held at all elementary schools.

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 authorization is granted to transfer and appropriate $5,000.00 from the 1996-97 CSA surplus budget to the Office on Youth for the 1997-98 budget year in order that they may continue the preventive programs.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mr. Ray Watson, came before the Board to present the monthly report for the Superintendent of Schools. He was proud to add that Mrs. Troilen Seward is on the State management team for CSA. Mrs. Seward was unable to attend because she was in Lynchburg at the Superintendent's Conference.

IN RE: SUPERINTENDENT OF SCHOOLS -- SUPPLEMENTAL APPROPRIATION

Mr. Watson continued by stating that he had two (2) supplemental appropriations to present to the Board. The first being that each quarter they request a transfer from the County's Self-Insurance Fund to cover their payments for insurance. In July 1997 the Board of Supervisors approved a transfer of $44,046.25 to cover payment they had made. However, no action was taken to increase our budget by this amount. The next payment for Worker's Compensation Insurance is due in October 1997 and will be $17,441.25. The next payment for their other insurance policies is $26,800.00 and is due on November 1, 1997. He stated that

they request that the Board of Supervisors transfer $44,241.25 from the Self-Insurance Fund to the School Fund to make these payments. They also request that the Board of Supervisors amend the FY-98 Budget with a supplemental appropriation of $88,287.50 to include the July 1997 transfer and the current transfer request.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 they give authorization for the transfer of $44,241.25 from the Self-Insurance Fund to the School Fund and further authorize a supplemental appropriation to the FY-98 Budget of $88,287.50 to make the insurance payments.

IN RE: SUPERINTENDENT OF SCHOOLS -- SUPPLEMENTAL APPROPRIATION

Mr. Watson continued that the fall membership appears to be 4187 students. The FY-98 Budget was constructed on the intentionally conservative number of 4020 students in average daily membership (ADM). Remaining conservative, they felt confident that the FY-98 ADM will be at least 4110 students when calculated at the end of March 1998. As a result of this increase, they need to adjust the FY-98 School Board Budget by $264,683.00 in the School Fund and by $4,713.00 in the Textbook Fund. These funds need to be distributed in categories as listed below:

	SCHOOL FUND	TEXTBOOK FUND
Transportation	$ 80,000.00	
Maintenance	74,000.00	
Instruction	110,683.00	+ $4,713.00 for Textbooks (=$115,396.00)
Total	$264,683.00	+ $4,713.00

Mr. Watson stated that they were making a request for a supplemental appropriation of state funds for this amount. No local funds are requested.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 authorization is granted for a supplemental appropriation in the amount of $264,683.00 for the School Fund and $4,713.00 for the Textbook Fund to be distributed as follows:

	SCHOOL FUND	TEXTBOOK FUND
Transportation	$ 80,000.00	
Maintenance	74,000.00	
Instruction	110,683.00	+ $4,713.00 for Textbooks (=$115,396.00)
Total	$264,683.00	+ $4,713.00

IN RE: SUPERINTENDENT OF SCHOOLS -- ADDITIONAL ITEMS

Mr. Bracey asked if the pamphlets that were passed out on "WHAT YOU SHOULD KNOW ABOUT THE PERSONAL PROPERTY TAX", could be distributed to Mr. Stone's Government class at Dinwiddie High School. This is a subject that his shadow student was very much interested in and he felt that this information would be beneficial to the students. Mr. Watson stated he would do his best to comply with Mr. Bracey's request. Mr. Bracey wanted to be sure his shadow student, Mr. Ragsdale, received a copy of this pamphlet.

Mr. Bracey continued by stating that he was requesting, in writing, information on all County employees that appear on the payroll. The information included Name; Position/Title; Years of Service; Degree /Education; Salary; Bonuses or Stipend; and Total. Mr. Bracey stated that he understood that anyone making under $10,000.00 is not public information. He stated that he was informed that he would have to wait until October to receive this information and it was now October. Mr. Watson stated that he would pass this request to Mrs. Seward.

MR. MOODY, CHAIRMAN, CALLED FOR A FIVE MINUTE BREAK AT 3:40 P.M. THE MEETING RECONVENED AT 3:50 P.M..

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Tony Rinaldi, Recreation Director, presented his report for the month, stating he was available for questions. He wanted to thank the Board for the bleachers. He reported that the bleachers are in place and were appreciated by the spectators on Saturday. He has a total of fourteen (14) soccer teams. He was instructed by the Board to begin looking for a portable concession stand.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Waste Management, came before the Board and presented his report for September/October 1997. He reported that newspaper recycling bins will be placed around the County. This will be at no cost to the County for the bins and as a bonus they are going to pay us for the paper that is placed in these bins. He stated that the color of the bins are not best but people will adjust to this.

There was discussion regarding three phase current at the landfill. Mr. King explained why this was no longer necessary for the landfill.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Medical Services Coordinator, came before the Board and distributed her monthly report.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- ZOLL MONITOR/ DEFIBRILLATOR

Mrs. Titmus continued by stating that she would like to request approval of funds for the purchase of a new Zoll monitor/defibrillator that will be placed on the new ambulance. The funds needed are $10,695.00. This is part of the grant award. The state will reimburse the County in the amount of $8,556.00.

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 authorization is granted to order the new Zoll monitor/ defibrillator that will be placed on the new ambulance at a cost of $10,695.00 of which $8,556.00 will be reimbursed the County by the State from the grant award. The total cost of the Zoll monitor/defibrillator to the County will be $2,139.00 which is appropriated from the 1996 Undesignated Fund Balance.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- OTHER BUSINESS

Mrs. Titmus stated that the last grant for a new ambulance that they applied for had been withdrawn, as requested by the Board.

Mr. Long stated that we had received the pager relay device for the ambulance. Mrs. Titmus stated it had been received and the ambulance no longer had to be left running when the crew was out of the cab.

Mr. Clay asked about the response time and the letter that had been placed in the newspaper. There was discussion among the Board in reference to page-outs when they have other calls. Mrs. Titmus stated that she only has one (1) crew and when they are on a call people have to wait. The average time for response is twenty (20) minutes; it takes about three (3) minutes to get on the road. Mr. Tickle asked about documentation on calls on a monthly basis, such as: who made the call; how long to respond/get to the scene; how long to do what you need to do; and he would like to have some of that information. He requested information on how the paid service is interacting with the volunteers in the County, and how the volunteers are interacting with us. He also would like to

know from her department, not from the volunteers, how they can best help the paid personnel to serve the County better.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Ben Emerson, County Attorney, stated he had nothing to report but was available for questions. There were none at this point.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, came before the Board and presented his report for the month. He stated that he had some good news to share with the Board. Working with the architect, engineer, contractor, and subcontractor there will be approximately a $10,000.00 credit coming on the Courthouse. This has come about by the elimination of one (1) opening in the floor which will eliminate some duct work.

Mr. Faison continued by stating that we were thankful for the rain; however it will slow down work on the building and the asphalt work planned.

He reported to the Board that he had been working with Mr. Scheid on Sediment and Erosion Control in the County and completed two (2) of the required courses towards certification. He stated he will be taking the test for certification in November.

IN RE: COUNTY ADMINISTRATOR COMMENTS - IMPACT PRINTER

Mr. Long stated in the Board packet there was information on a printer that was to be shared by the Commissioner of the Revenue and Treasurer's Office. This is an item that had been agreed to with the State Compensation Board. The Compensation Board will be providing 33-1/3% of the funding for this printer. The remainder of the funding for this printer will be taken out of equipment bonds that were issued in 1992; therefore, it will not have any effect on the current year's budget. Mrs. Cathy Carwile, Data Processing Coordinator, is present if the Board has any questions. The quotes that she received on an IBM 6400-012 Cabinet Model printer are as listed:

1)	IBM DIRECT	$13,393.00
2)	YOREL INTEGRATED SOLUTIONS	10,109.00
3)	SUMMIT BUSINESS SOLUTIONS	10,580.00

It is the recommendation that we accept the low bid from Yorel Integrated Solutions.

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 authorization is granted to order an IBM 6400-012 Cabinet Model printer, to be shared by the Commissioner of the Revenue and Treasurer's Office, for $10,109.00 to be funded from the equipment bonds from the year 1992.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- COMMUNITY HOME HAZARDOUS WASTE PROGRAM

Mr. Long continued by stated that information was placed in the Board packets regarding the Community Home Hazardous Waste Program which will be held on October 25, 1997, at the West End Baptist Church. This will be for residents of Dinwiddie County only as Petersburg opted not to participate in the program.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- SHERIFF'S DEPARTMENT -- TRANSFER OF TITLE

Mr. Long continued by stating that on August 22, 1997, a Deputy Sheriff, lost control of his vehicle and ran off the road. The vehicle was a total loss. The title needs to be transferred to the insurance company to recover the salvage value of the vehicle. Mr. Long stated that

he needed action from the Board to allow him to sign off on the Power of Attorney for this action.

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 authorization is granted to R. Martin Long, County Administrator to sign the Power of Attorney to transfer the title of the 1993 Ford, 4 door sedan, vehicle identification number 2FACP71W9PX179371, to allow the insurance company to recover the salvage value.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- REQUEST FOR LEGISLATIVE PACKET

Mr. Long stated that he again wanted to bring up the legislative issues of concern that have been talked about over the previous twelve (12) months. He was concerned about what we might want to take to our representatives for this year's session of the General Assembly. He is trying to complete that package and wanted to urge the Board members to see that he had this information by the end of October or bring it to the retreat in early November.

IN RE: DINWIDDIE LIONS CLUB -- MEMENTOS

Mrs. Pamla Mann, reported to the Board that she had received a request from Ms. Evelyn Neace, President of the newly formed Dinwiddie Lions Club, for two (2) or three (3) mementos with some kind of an official seal of the county that can be presented to their District Governor of the Lions Club and to a guest speaker from Lions International. Mrs. Mann suggested that we donate copies of Dinwiddie County's History Book.

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 authorization is granted to donate up to three (3) Dinwiddie County History Books to the newly formed Dinwiddie Lions Club as mementos for guest speakers at their Charter Night Banquet on November 22, 1997.

IN RE: BOARD MEMBER COMMENTS

Mrs. Everett -- She stated that we had put aside action on the Campground and that we need to put this issue back on the table. After some discussion it was decided to place this on the agenda for the November 19, 1997 Board meeting.

Mr. Tickle -- no comments

Mr. Clay -- no comments.

Mr. Bracey -- no comments

Mr. Moody -- no comments

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, 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 (Administration); Section 2.1 - 344 (A) 6 - The investing of public funds where competition or bargaining is involved, where if made public initially the financial interest of the governmental unit would be adversely affected; and Section 2.1 - 344 (A) 7 - consultation with legal counsel (Inducement for Industry and Contractual Services for Landfill). The meeting moved into Executive Session at 4:30 P.M. moving to the Homeplace Restaurant after a brief session at the Pamplin Administration Building. A vote having been made and approved the meeting reconvened into Open Session at 7:31 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 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: LANDFILL CLOSURE

Mrs. Ralph stated that authorization is needed from the Board for the landfill engineer, Draper Aden, to continue with the closure activities that are required by DEQ which would include retrofitting and permitting of the transfer station.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 authorization is granted for the landfill engineer, Draper Aden, to continue with completion of the closure activities that are required by DEQ to include retrofitting and permitting of the transfer station.

IN RE: PUBLIC HEARING -- ~~FY97-15~~ -- COMMUNITY DEVELOPMENT BLOCK GRANT -- ECONOMIC DEVELOPMENT

Mr. Jim McClure came before the Board to present an overview of the proposed Community Development Block Grant for economic development funds.

Mr. Moody opened the Public Hearing. There being no citizens signed up to speak Mr. Moody closed the Public Hearing.

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 be adopted:

WHEREAS, the Virginia Department of Housing and Community Development published a Fund Distribution Plan that outlined the proposed allocation of Community Development Block Grants funds in Virginia for fiscal year 1997; and

WHEREAS, Community Improvement Grants will provide funds to eligible Virginia local governments to assist local governments in increasing business and employment opportunities, conserving and improving housing conditions, and improving the availability and adequacy of community facilities; and

WHEREAS, economic growth and the creation of jobs is essential for Dinwiddie County's continued economic well-being; and

WHEREAS, a major industrial facility is planning to locate in Dinwiddie County; and

WHEREAS, the service capacity of the existing water and sewer system needed to be increased to meet the industry needs; and

WHEREAS, an access road has to be constructed serve the industrial plant site; and

WHEREAS, the Dinwiddie County Board of Supervisors have complied with the citizen participation requirements by conducting two public hearings; one on October 2, 1997 to receive input regarding community development needs, and the second on October 15, 1997 to receive input regarding a proposal for Community Improvement funds.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia does hereby agree to submit an application to the Virginia Department of Housing and Community Development requesting $700,000 under its Community Improvement Grant Program for the Chapparal Steel East Project said funds will be used to construct a water line to serve the major manufacturing facility and to cover grant administrative costs; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia commits to apply for the Virginia Department of Transportation (VDOT) for a $450,000 grant under the Industries Access Road Program, which will require $150,000 in local matching funds; commits to submit thru the Dinwiddie County Water Authority a $1,430,000 loan application to the Virginia Resource Authority for water and sewer construction costs, and Texas Industries commits to expend $350 million for the development of the Chapparal East Project.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the planned location of the major distribution facility will create 250 new jobs, 51% of which are projected to be made available to persons with low to moderate incomes; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby authorizes the County Administrator to sign the application on behalf of the Board of Supervisors, submit all appropriate documentation, execute the grant contract, and administrator the GIC Program.

IN RE: P-97-15 -- PUBLIC HEARING -- REZONING FOR DINWIDDIE COUNTY

Mr. Guy Scheid, Director of Planning, came before the Board to present P-97-15, Rezoning. He stated that the Board received a packet of information at the prior meeting. What we propose to do is review the information that was given to them and also advise them of the Planning Commission action that was taken on this case. This is file P-97-15, which involves multiple tracts of land, under individual ownership, contained in the request. The applicant, Dinwiddie County, is seeking a rezoning of these properties from A-2 Agricultural General, R1 Residential Limited, and M2 Industrial General Districts to PMD (Planned Industrial District). The County has made this request for the purpose of developing the property for industrial purposes. The property is bounded generally as follows: on the west by Church Road; on the south by Plank Road; on the east by Squirrel Level Road; and on the north by the railroad tracks.

BACKGROUND INFORMATION

The County has held several discussions with an industry interested in locating in the County. The site criteria is specific and there is only one site in the County that seems to suit their requirements. The land owners in the area have been contacted and have executed purchase options for their property. Various State and local agencies and departments have been contacted for their input on this development proposal. Utilities companies, as well as railroad companies, have been included in the discussions. It appears that this site can be developed with minimal adverse impact on the surrounding neighborhood. The Zoning Ordinance was recently amended to provide for the Planned Industrial Development. Also the Comprehensive Land Use Plan was amended to reflect this area be used as a Planned Industrial District and was included in the Urban Planning Area. There are several existing zoning classifications on these parcels, as was previously discussed. The

industry is considering constructing their mill in the general vicinity of the railroad tracks. The area is currently zoned M2. They wish to own sufficient acreage around the mill for accessory uses and structures and for buffering and landscaping against adjacent properties. The PMD district reflects emerging of several predominant uses found within the existing zoning districts. Since there is no other land in Dinwiddie County zoned PMD consideration of identical zoning on adjacent properties is not possible. Obviously this has been a consideration used by the County Planning Commission, as well as Boards, in past rezoning cases. The Comprehensive Land Use Plan identifies this general area for industrial purposes. As a guidance in rezoning matters the plan outlines policies, statements, goals and objectives, as well as defining areas for urban planning areas. The area under consideration is designated as an urban planning area and is in the northeastern part of the County. In reviewing pages 105-106 of Land Use Plan the following statements can be made:

1) This area is intended for the significant commercial and industrial development.
2) Primary public facilities and utilities shall be available or extended to the intended development.
3) Adequate buffers shall be provided to adjacent properties.
4) Industrial park developments are preferred.
5) Nonintensive agricultural land uses shall be permitted.

Under the policy statement in the Land Use document, found on page 8, number 3 states: maintain and enhance the County's ability to coordinate a balanced land use program among various types of residential, commercial, and industrial interests by encouraging development within areas defined as growth centers and or growth corridors. Under the economic development section, found on page 12, goal 1 states: strengthen the economic base of the County by broad based industrial development. The objective contained under this section specifies the following: a) insure that sufficient land and infrastructure exists or can be provided to promote industrial and commercial development; b) locate all industries in areas served or to be served by public water and sewer facilities, such as the industrial park. As previously mentioned several agencies and departments have been involved in reviewing the ability of these properties to be used in a PMD classification. Issues such as the environment, wetlands, historic preservation, road access, rail access, electric, and water have been reviewed in detail. It appears that all of these concerns can be dealt with in a manner acceptable to the County and it's citizens.

Mr. Scheid continued by stating that this case was heard by the Planning Commission on Wednesday, October 8, 1997. On a 6-0 vote, one member being absent, the Planning Commission recommended to the Board of Supervisors approval of the rezoning request P-97-15. As normally found in our procedure that concludes not only the staff report but the summary of the Planning Commission comments.

Normally what follows is that there is a statement by the applicant, and as we did at the Planning Commission meeting, since this was done by the Board of Supervisors, and being staff a brief statement was prepared as to why the County's involvement is what it is and what their feelings are on this matter. He stated he would like to read this text, as it was read at the Planning Commission meeting.

The Board of Supervisors of Dinwiddie County, while listed as the applicant, is acting in conjunction with Chaparral Steel Company in trying to locate their east coast company in Dinwiddie County. The propose to construct buildings and structures costing between $350 and $400 million dollars. The construction period is estimated at 18 months during which time it is anticipated that there will be an $80 million dollar construction payroll. There should be an average of 630 people employed during the 18 months. The annual operating payroll will be approximately $15 million dollars. It is reasonable to expect that 30 to 35 million dollars will be paid annually for local goods and services. While the Board is interested in expanding the County's tax base and providing job opportunities they are also concerned with the type of industry locating in the County. With this in mind the Board, in conjunction with some County staff, visited their multi steel facility in

Midlothian, Texas. It was the consensus of all that this company operated their facility in a environmentally favorable manner. They have state of the art technology and cannot be compared with steel mills which operated decades ago without current Federal and State regulations which are now in effect. There work force met with us, as well as community leaders. In all areas of our conversation we received favorable comments. It was our observation that they care for their employees and community. They are committed to continuing education and improving the community as a whole. The specific site under consideration in Dinwiddie was chosen for many reasons, most of which were previously stated in the staff report as well as at the Planning Commission meeting. Dual rail access and electricity are extremely important considerations, as well as road access. Discussions have been held with the Virginia Department of Transportation since it is recognized that the existing secondary road system is not adequate to serve this site. It is anticipated that a new road would be needed to connect this site with Route 1. That would mean that it would head in a westerly direction from the site that is under consideration. Dinwiddie County Water Authority has stated that they can supply the water needs, also local electric company can supply them with their electrical needs. In summation the County has spend considerable time and effort in investigating this proposed industry for Dinwiddie. It is because the County found that this company is a high quality company that is community orientated that the County has initiated the rezoning request.

At this point Mr. Scheid stated that they had a five (5) minute tape that he wished to show before the representative from Chaparral Steel came before the Board and citizens of Dinwiddie County to make their statements and answer questions and concerns.

Mr. Barry Bone, Vice-President for Real Estate with TXI which is the parent corporation for Chaparral Steel and Mr. Dennis Beach, Vice-President of Administration for Chaparral Steel came forward to present some slides and present Chaparral Steel to Dinwiddie County citizens. Mr. Beach spoke briefly on the design of the mill and showed the slides of the proposed site.

Mr. Moody asked if there were any questions from the Board members at this time. There being none Mr. Moody opened the Public Hearing for P-97-15.

1) Loid Hodnett, representative of the IDA (Industrial Development Authority), came before the Board to voice support for Chaparral Steel, stating that they have supported and will continue to support this project.

2) Mike Buhrmane, 27315 Flank Road, came forward to voice his concern regarding the traffic and the bridges that currently exist in this area.

3) Art DeMario, 7410 Vaughan Road, came before with Board with many questions and concerns that he felt that the Board needed to consider before a decision was made. The questions dealt mainly with environmental concerns, traffic, and how this mill would change life in this area of Dinwiddie County.

4) Anne Scarborough, Boydton Plank Road, came forward with a suggestion that the County enter into a contract with Chaparral Steel listing what they planned to do. She was also interested in the by products that the mill would be having, what four (4) by products they will be, and how would they be handled or disposed of?

5) Charles C. Wagstaff, 7409 Vaughan Road, better known as Sunny Acres, came forward stating that he did not want this plant/mill in his area of Dinwiddie County.

6) Charlotte Moore, 8201 Squirrel Level Road, came before the Board stating that she was concerned about the air pollution and traffic problem. She stated that she did not feel as bad after seeing the film. She was concerned about the violations that Chaparral Steel has had in the past. These violations had to do with not reporting fires in a timely manner and improperly managing a landfill. She had questions and concerns about the fire station, the buffer of trees/plants; and roads in the mill area.

7) Robert Belcher, 27516 Flank Road, spoke in opposition and stated that no member of the Board lives in his neighborhood. If they did this mill would not be coming to his area.

8) Ray Watson, Assistant Superintendent of Schools, came before the Board to represent a Dinwiddie County School Board member, Mr. Gregory E. Davis, who could not attend the meeting tonight. Mr. Watson read a statement that Mr. Davis had prepared for him:

"Having sat on the School Board for the past six years, I have seen teachers, parents and staff support the schools, support attempts to renovate, update, and replace the schools as well as put up the many, many years of budget constraints and our needs not being fully met. First of all, I think those supportive persons need to be thanked routinely.

I address my comments to the downside of moving forward with all of these renovation and building projects. Our Board of Supervisors have gone out on a limb ahead of most other regional governments who continue to do the same thing they have done for thirty or forty years and let the school physical plants fall apart by not funding renovation and maintenance needs. Our Board went ahead and said "we will do it." They have always been very up-front, honest and open saying that it would probably affect our personal property taxes, etc. and that these monies would more than likely be paid directly out of the citizens' pockets. They have not shied away from that; they have not hidden the fact that all of these projects are being paid by each and every one of us. At the same time, our Board of Supervisors, I think, have worked very diligently to see if they could come up with some other options. Specifically, they have sought industries for possible location in our county.

They are presently working with Chapparal. I live approximately a mile from the proposed industrial development and I do not stand to gain from making these comments. My farm will not be affected; they are not buying my farm and I am not going to make a lot of money. I probably will not even see whatever traffic there may be so I'm definitely not saying that I am being immediately impacted. However, I will have to say that it will impact that district, and it will probable be a favorable impact.

Dinwiddie County is going to grow; there is no doubt about it! We cannot avoid it! I believe Mr. Scheid made a comment that I did not hear, but I was told that he said there will be trucks running up an down those roads in our end of the county, whether it's to Chapparal or whether it's to other different businesses that have to come in to do the same thing. I certainly am not in a position to say whether Chapparal is a great thing to happen to Dinwiddie or an awful thing to happen to Dinwiddie. I personally think it will be a great thing to happen, if they come.

I do know that I trust our members of the Board of Supervisors to look into these businesses and industries that they are trying to bring to the county and to bring us the best. I would like to give my personal support to our Board of Supervisors for going our and trying to bring the level of our county up. We know that if we are to progress and grow, then it is going to be paid for by somebody ---- I know I can't pay any more taxes, hopefully, industry will help foot these costs!"

signed Gregory E. Davis

9) Richard Hotchkins, 27518 Flank Road, came before the Board to voice his opinion on the coming of the mill. He was opposed to this industry. He quoted violations that he had obtained on Chaparral Steel which have occurred over the past several years.

At this point Mr. Art DeMario asked that these violations be made a part of the record. The violations letters received by the Board are copied below:

TNRCC
Executive Office
Agency Communications

Media Relations

Address/Phone/Fax
media@tnrcc.state.tx.us
Help
Search

FOR IMMEDIATE RELEASE
FRIDAY, AUGUST 29, 1997

CONTACT: PATRICK SHAUGHNESSY
512\239-5000 (Pager 512/896-3727)

CHAPARRAL STEEL FINED FOR AIR, WASTE VIOLATIONS

The Texas Natural Resource Conservation Commission (TNRCC) has fined Chaparral Steel Midlothian L.P. almost $100,000 for air and waste violations at its steel manufacturing facility in Midlothian.

The TNRCC will allow the company to offset a portion of the penalty, however, on the condition that it contributes to a Supplemental Environmental Project (SEP) that will provide direct environmental benefits to the Midlothian area.

The order alleges that Chaparral, 300 Ward Road, violated waste regulations by improperly managing a landfill at the facility. The order also alleges the company violated air regulations by failing to timely report fires that occurred at the facility on August 27 and February 21, 1996.

The TNRCC fined the company $99,920, but will allow Chaparral to offset half of the penalty, $49,960, on the condition that it contributes $49,960 toward the removal and replacement of two underground petroleum storage tanks at 990 U.S. Highway 67. The tanks are owned by the city of Midlothian.

All TNRCC news releases are available at www.tnrcc.state.tx.us/exec/media/press/

-30-

TNRCC disclaimer
Comments regarding Agency Communications: media@tnrcc.state.tx.us
Technical questions regarding the TNRCC Web Server: webmaster@tnrcc.state.tx.us
http://www.tnrcc.state.tx.us/exec/media/press/index.html

Barry R. McBee, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Dan Pearson, *Executive Director*

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

:ober 26, 1995

CERTIFIED MAIL

ıes C. Morris III, Esq.
ımpson & Knight
San Jacinto Blvd., Suite 1200
tin, TX 78701

CHAPARRAL STEEL; Docket No. 95-0676-IHW-E; SWR No. 30661
Agreed Order requiring certain actions

losed is a certified copy of:

an enforcement order of the Commission determining substantial noncompliance, assessing inistrative penalties, imposing stipulated penalties, and/or requiring certain actions, details being more fully set out therein.

an order cancelling a Commission permit. This cancellation is a memorandum of official on taken with respect to the permit and is notification that the permit is no longer in ct.

an order dismissing an application for a Commission permit.

an emergency order issued by the Commission. If applicable, please note the date and at which the Commission will affirm, modify, or set aside the order.

an order affirming, modifying or setting aside an emergency order of the Commission.

an order approving construction of facilities.

an order authorizing discharge of wastewater.

an order regarding the above-referenced matter.

ld you have any questions, please contact us.

erely,

Gloria A. Vásquez

ria A. Vasquez, Chief Clerk

ra

TNRCC Region 4
Glenn Hall, Staff Attorney, TNRCC
Ravi Rao, Enforcement Coordinator, TNRCC
Jerry Balbo; Environmental Manager; Chaparral Steel; 300 Ward Road; Midlothian, TX 76065-9651

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

DOCKET 95-0676-IHW-E

IN THE MATTER OF CHAPARRAL STEEL; SWR NO. 30661	§	BEFORE THE
	§	
	§	TEXAS NATURAL RESOURCE
	§	
	§	CONSERVATION COMMISSION

AGREED ORDER

Requiring Certain Actions of Chaparral Steel Company Under the Authority of the Solid Waste Disposal Act, TEX. HEALTH AND SAFETY CODE ANN. Chapter 361 (Vernon 1992 and Supp. 1994), the Texas Water Code, Chapters 5 and 26 (Vernon 1988 and Supp. 1994), and the Texas Clean Air Act, TEX. HEALTH & SAFETY CODE ANN. Chapter 382 (Vernon 1992 and Supp. 1994)

On OCT 11 1995, the Texas Natural Resource Conservation Commission (the "Commission" or "TNRCC") (references to the TNRCC include, as appropriate, references to predecessor agencies including the Texas Water Commission and the Texas Air Control Board) considered an oral report by the Executive Director to the Commission alleging violations of the Solid Waste Disposal Act, TEX. HEALTH AND SAFETY CODE ANN. Chapter 361 (Vernon 1992 and Supp. 1994) (the "Act"), the Texas Water Code, TEX. WATER CODE ANN., Chapter 26 (Vernon 1988 and Supp. 1994) (the "Code"), and the rules of the Commission, and requesting appropriate relief. The facility made the subject of this Agreed Order is Chaparral Steel Company, ("Chaparral"), located at 300 Ward Road, in Midlothian, Ellis County, Texas.

After proper notice, the parties appeared and announced before the Commission that they had reached a settlement and requested the Commission to enter this Agreed Order.

Chaparral understands that it has certain procedural rights,

violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Chaparral agrees to waive all notice and procedural rights. Chaparral acknowledges that a Preliminary Report was not issued in this matter by the Executive Director in order to expedite issuance of this Agreed Order.

This Agreed Order is entered without trial or final adjudication of any issue of law or fact and is the result of the compromise and settlement of disputed issues of law and fact. In consenting to the entry of this Agreed Order, Chaparral does not admit any allegations or to any violation. Chaparral agrees, however, not to contest the Findings of Fact and Conclusions of Law or matters resolved by this Agreed Order in any Commission proceeding or proceeding brought on behalf of the Commission. Because of the cost and uncertainties of litigation and to continue to address promptly and effectively its environmental responsibilities by implementing technical remedial actions approved by the TNRCC, Chaparral agrees to entry of this Agreed Order, and to perform the actions set forth in this Agreed Order.

It is understood and agreed by the Executive Director and Chaparral that accepting this Agreed Order does not, in any way, release Chaparral, any of its officers, agents, assigns, employees, or any other person acting for or on behalf of Chaparral, from federal criminal liability, if any, arising out of the situation this Agreed Order addresses.

It is further understood and agreed that this Agreed Order represents the complete and fully-integrated agreement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall remain valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon Chaparral and upon its successors and assigns.

This Agreed Order requires Chaparral to perform an investigation both on property owned or controlled by Chaparral and on property owned or controlled by persons not presently parties to this Agreed Order. Chaparral shall use best efforts to gain access to the off-site areas necessary for performance of this Agreed Order. In the event that Chaparral cannot secure such access, Chaparral shall notify the TNRCC and request assistance in

obtaining access. If the Executive Director determines that Chaparral cannot obtain access despite using best efforts to do so, such lack of access shall be considered good cause for extending additional time for work dependent upon such access. Chaparral, however, is not relieved of the obligation to investigate in accordance with this Agreed Order. Once access is obtained, Chaparral shall proceed with the investigation in accordance with this Agreed Order. If necessary access is not obtained, upon

this Agreed Order. If necessary access is not obtained, upon concurrence of the Executive Director, Chaparral shall utilize alternate investigative measures, such as alternate sampling locations, where practicable and consistent with the scope and goals of this Agreed Order.

If Chaparral fails to comply with any of the deadlines imposed by this Agreed Order or the Workplans attached hereto and such failure is caused (in whole or in part) by events beyond the control of Chaparral, such failure shall not be construed as a violation of this Agreed Order. The burden of establishing that an event is beyond its control lies with Chaparral. When events are occurring or have occurred which may cause such delay, Chaparral shall notify the Executive Director within seven (7) days of becoming aware of such a delaying event and shall take reasonable measures to mitigate and/or minimize the delay. The notice shall specify the reason for and expected duration of the delay and shall provide a revised timetable for any tasks affected by the delay. The revised timetable shall become effective upon approval, or approval with modification, by the Executive Director.

If a dispute arises concerning the implementation of this Agreed Order, including any decision of the Executive Director under this Agreed Order, Chaparral and the TNRCC staff shall attempt to resolve it informally. If the matter cannot be resolved informally, Chaparral or the TNRCC staff may refer the matter to the appropriate Deputy Director, or his or her designee. The Deputy Director, or his or her designee, shall have sole discretion whether to hear any dispute under this provision. All decisions of the Deputy Director under this provision, or a decision not to hear a dispute, shall be binding and shall constitute a final determination by the Commission for purposes of judicial review. The pendency of a dispute shall not stay any requirement or deadline contained in this Agreed Order that is not the subject of the dispute or that is not dependent upon the completion of the action that is the subject of the dispute, unless the parties otherwise agree.

The Commission, after hearing a report by the Executive Director and considering the settlement of the parties, makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Chaparral Steel operates a steel manufacturing facility located at 300 Ward Road, Midlothian, Ellis County, Texas.

2. Chaparral Steel manufactures structural steel and rebars from metal scrap and wrecked automobiles.

3. Chaparral Steel's operations generate industrial solid waste and hazardous waste. Chaparral Steel has notified the Commission that it generates, in part, the following wastestreams:

   a) Waste No. 001 - Automobile shredder residue;
   b) Waste No. 002 - Baghouse dust, EPA Hazardous Waste No. K061; and
   c) Waste No. 016 - Landfill leachate, EPA HW No. K061 (wastewater).

4. Chaparral Steel has been issued TNRCC Permit No. HW-50162. This permit authorizes the operation of certain hazardous waste landfills (Landfills #2 and #3). Landfills #2 and #3 which were used for the disposal of baghouse dust were closed in 1987 and 1994 respectively. Landfill #1 which was operated before the issuance of the permit for the disposal of baghouse dust, was closed in 1987 and the property has been deed recorded.

5. Chaparral Steel has been issued Air Permit Nos. 1634, 1635, 3026, 8097, 8098, 8099, and PSD-TX-138M4, and Standard Exemption No.'s 5, 76, and 106 to operate sources of air contaminants at its facility. Chaparral formerly operated under Air Permit No. 1636 which was voided on October 10, 1985. On December 8, 1977, Air Permit No. 5983 was issued to International Mill Services, Inc. ("IMS") to operate the metallic recovery processing plant / slag handling area. IMS has operated the metallic recovery processing plant / slag handling area since approximately that time.

6. TNRCC Region 4 representatives conducted a sampling inspection in the vicinity of the Chaparral facility from February 3, 1994 through May 20, 1994. Based on the results of this sampling, the Executive Director alleged that cadmium, chromium, copper, lead, manganese, molybdenum, and zinc levels in soils samples collected from property to the north and south of Chaparral Steel's property were greater than apparent background levels.

7. Chaparral has agreed to conduct an investigation of metal concentrations in soils and air emissions from its facility.

8. In 1985 the State of Texas brought suit against Chaparral, in part for unauthorized discharges of industrial solid waste from Landfill No. 2, which was used to dispose of industrial solid waste (EPA Hazardous Waste No. K061). An Agreed Final Judgment was entered against Chaparral on September 12, 1985 settling that suit. That Judgment expressly retains the State's right to require Chaparral to take action under the Solid Waste Disposal Act to address conditions resulting from unauthorized discharges from Landfill No. 2.

CONCLUSIONS OF LAW

1. Chaparral has managed industrial solid waste and sources of air contaminants at the facility located in Midlothian, Ellis County, Texas and is therefore subject to the jurisdiction of the Texas Natural Resource Conservation Commission pursuant to the Solid Waste Disposal Act, Texas Clean Air Act, TEX. HEALTH & SAFETY CODE ANN. Chapter 382 (Vernon 1992 and Supp. 1994) ("TCAA") and the Texas Water Code.

2. The Commission has the authority to issue orders directing compliance with the Act and the Code and requiring monitoring pursuant to the following provisions: §361.302 of the Act, §26.019 of the Code, §§382.016, 382.023, and 382.024 of the TCAA, and 30 TAC §337.1.

3. In accordance with §2001.056 of the Administrative Procedure Act, TEX. GOV. CODE ANN., Chapter 2001 (Vernon 1993), Sections 26.136(p) of the Code and Section 361.2152 (r) of the Act, the Commission may resolve this matter by entry of this Agreed Order.

NOW, THEREFORE, THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION ORDERS that:

This Agreed Order resolves only violations alleged or which could have been alleged regarding conditions which are present on property outside the Chaparral facility boundary as defined in TNRCC Permit No. HW-50162 on the date of this Agreed Order ("Original Boundary") and which are the subject of the investigation and remediation described in the Investigation Plans attached hereto as Attachment 1 and in Ordering Provisions Nos. 1-3. The Commission shall not be constrained from seeking penalties and/or requiring technical actions for violations occurring after the date this Agreed Order is issued or that are not addressed by this Agreed Order. Specifically, the Commission reserves the right to seek additional relief for violations of statutory or regulatory requirements not addressed by this Agreed Order, including, but not limited to, the following items: 1) violations of TNRCC rules, the Act, the Code, or the TCAA relating to conditions within the Original Boundary; and 2) violations of TNRCC rules, the Act the Code, or the TCAA relating to contamination or nuisance conditions not required to be remediated by Ordering Provisions Nos. 2 and 3. Chaparral may raise any defenses it has in any subsequent proceeding except that Chaparral shall not contest the Findings of Fact and Conclusions of Law of this Agreed Order.

IT IS FURTHER ORDERED BY THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION that:

1. Immediately upon issuance of this Agreed Order, Chaparral Steel shall implement the Southern Area and Northern Area

Investigation Plans (collectively "IP"), attached to this Agreed Order as Attachment 1 and incorporated herein for all purposes, in accordance with the schedule set forth therein.

2. Within 120 days of issuance of this Agreed Order, Chaparral Steel shall submit an Investigation Report ("IR") describing the results of the completed IP to the Executive Director for approval or approval with modifications. This report shall include at a minimum, but not be limited to:

   a. A topographic map at a scale not to exceed 1 inch to 1000 feet showing all the sampling locations for all the contaminated media;

   b. A detailed description of the results of all samples collected and analyzed during the investigation and copies of all original (following QA/QC) laboratory reports including a summary of analytical results in tabular form and a computation of background using data from both the Northern Area and Southern Area;

   c. A graphical depiction showing the horizontal extent of contamination for all the constituents of concern;

d. Discussion of results of soil, water and sediment contamination, and recommendations including any steps Chaparral will take to control any contaminants from migrating off-site; and

e. A determination of what areas, if any, to the south of the Original Boundary have been impacted in whole or in part by unauthorized discharge(s) from industrial solid waste management activities. The phrase "unauthorized discharges from industrial solid waste management activities" is intended to include the unauthorized discharge of materials that might not otherwise be considered solid waste except when discharged (e.g., products), but is not intended to include permitted air emissions. The south side of the Original Boundary shall be considered the area south of the Original Boundary and extending along the same parallel line of that boundary both east and west. The determination of what areas to the south side of the Original Boundary have been impacted shall begin with the assumption that the cross-hatched area set forth in Figure 4-1 of Attachment 1 has been impacted by unauthorized discharges from industrial solid waste activities. Chaparral shall also include any information developed in IP indicating what additional areas, if any, have been impacted by unauthorized discharges from industrial solid waste management activities.

f. A provision for submission of a Remediation Plan ("RP"), including implementation schedules, for actions

addressing all media contaminated in whole or in part by unauthorized discharges from industrial solid waste management activities. The RP shall comply with the requirements of 30 TAC Chapter 335, Subchapter S, relating to Risk Reduction Standards, and shall be submitted to the Executive Director for review and approval or approval with modifications.

3. Within 30 days of written approval or approval with modifications of the RP by the Executive Director, including the determination of what areas have been impacted by unauthorized discharges from industrial solid waste management activities, Chaparral shall implement the RP in accordance with the schedule set forth therein and in accordance with the requirements set forth in 30 TAC Chapter 335, Subchapter S, to address all the contaminated media identified in the IR, as approved or approved with modifications, as contamination attributable to unauthorized discharges from industrial solid waste management activities at Chaparral.

4. Immediately upon issuance of this Agreed Order, Chaparral shall implement in accordance with the schedule set forth therein, the Air Monitoring Plan attached to this Agreed Order as Attachment 2 and incorporated herein for all purposes. Chaparral shall provide to the Executive Director the reports described in the Air Monitoring Plan in accordance with the schedules described therein.

IT IS FURTHER ORDERED BY THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION AS FOLLOWS:

5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Chaparral Steel shall be made in writing to the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. No deadline is extended until the Executive Director approves the extension in writing.

6. Notwithstanding any other provision of this Agreed Order, the Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General if the Executive Director determines that Chaparral Steel is noncompliant with the requirements set forth in this Agreed Order.

7. This Agreed Order shall not negatively affect Chaparral's compliance history or the compliance history of any parent, subsidiary, or corporate affiliate of Chaparral.

8. Any notice to Chaparral required by this Agreed Order is satisfied by mailing to: Jerry M. Balbo, Manager - Environmental, Chaparral Steel, 300 Ward Road, Midlotian, Texas 76065-9651 with a courtesy copy to counsel for Chaparral Steel, James C. Morriss III, at Thompson & Knight, P.C., 98 San Jacinto Blvd., Suite 1200, Austin, Texas 78701.

9. The item "Executive Director" as used in this Agreed Order may mean TNRCC staff, as appropriate.

10. This Agreed Order shall terminate when the Executive Director determines in writing that all terms and conditions of this Agreed Order have been complied with by Chaparral.

11. The Chief Clerk shall provide a copy of this Order to each of the parties.

Issuance date: OCT 18 1995

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Barry R. McBee, Chairman

ATTEST:

Gloria A. Vasquez, Chief Clerk

I, the undersigned, have read and understand the attached Agreed Order in the matter of Chaparral Steel Company.

I am authorized to agree to the attached Agreed Order on behalf of Chaparral Steel Company, and do agree to the specified terms and conditions.

I understand that by entering into this Agreed Order, Chaparral Steel Company waives certain procedural rights, including but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, an evidentiary hearing, and the right to appeal.

I agree to the terms of this Agreed Order in lieu of an evidentiary hearing.

Dennis E. Roach JMB

Authorized Representative
Chaparral Steel
(signature)

Dennis E. Beach, Vice President Administration
Printed Name and Title

Date: October 3, 1995

ACCEPTED:

Jim Phillips

Jim Phillips
Deputy Director, Office of Legal Services
Texas Natural Resource Conservation Commission

Date: October 9, 1995

There being no more citizens signed up to speak Mr. Moody closed the Public Hearing. Mr. Moody asked Mr. Bone and Mr. Beach, representatives of Chaparral, to come forward and address the questions that had been raised.

Mr. Beach stated, for those who spoke in favor of Chaparral coming to Dinwiddie County, he wanted to say thank you very much and for those who are opposed, there was not much that he could offer them in the way of any explanation. An industrial facility is different than a farm or any other type of thing. It does create jobs, it does create economic impact, and it does create a change of that environment. There is no question about that. There was nothing he could say or do that would change that fact. As to the effects of their facility, he still stands very strongly behind the statement that their company is one of the most technologically advanced and one of the most environmentally sound steel making facilities that can be find anywhere. They have contracts with people that supply them with raw materials and part of that contract for our automobiles states that they do not want to have tires, they do not want to have batteries, and they do not want to have exhaust systems or gasoline tanks on these vehicles. Most of them have had the engine blocks and tires, as well as the rims, removed by the time Chaparral receive them. If they do get an occasional tire, they handle it in an environmentally safe manner. Metal is separated into ferrous, which is the iron units that they want, and nonferrous, the portion that they do not use. Those nonferrous materials are further separated. What remains is what we call automobile shredder residue and it is plastics, glass, and other, just dirt. The plastics are further separated and are used as an alternate fuel source because it does have BTU's. As you all know plastic is not biodegradable. Prior to 1988 the Federal Government required that any particular pollution captured in a steel making facility was required to go into a specially mandated landfill. At the steel plant in Chaparral Steel Company, we have those landfills that were mandated by the Federal Government. Subsequent to 1988 the Government changed their mind and said no, you will not landfill this material anymore, you will close them, and you will manage them. That is what we did and that is what we are doing. One of the management requirements is that Chaparral drill wells surrounding that landfill to collect any water that leaches into those wells; we then take that water and transport it to a certified deep well injection process. This is where they are permitted to push the water down in the ground. Water that is collected has been tested to be no different than other water but it is derived from something that is called a hazardous waste. The fine that Chaparral experienced was the result of a three (3) year investigation and negotiation with the Texas State Environmental Agency. The contractor that was hired to transport that water left a hose in that tank which caused a siphon action and some of the water escaped into a drainage ditch. Testing was done on soil samples and water samples in this area. It was determined, after this testing, there was no harm to the environment. Nevertheless a violation of the land management contract had occurred; this contract said that there would be no water handled in that manner. They are in hopes that water will be delisted and they will not have to manage the water. They will always manage the landfills on site unless they can find a way to use that additional raw material. Fires on their site were reported within twenty-four (24) hours of the occurrence. The state had said that was not soon enough, however they have not as yet told them what would have been soon enough. Rather than continue the dialogue they elected to settle and move on with other things that they are doing on their site and in other places. The City of Midlothian, Texas; Ellis County, Texas is tested more then any city in Texas or the United States. The field around their facility in Midlothian, Texas has been and is being used for farming. The plant that they are proposing to build in Dinwiddie County contains pollution control devices that were not available when they built their existing facility. They will build the new plant with state of the art technology.

At this point Mr. Barry Bone came forward to try to address some of the questions that had been raised during the meeting. On one of the site plans they have shown a build-in from the CSX line into the site. This build-in has been mentioned by a number of people. Mr. Bone stated that they have verbally been told by the Norfolk Southern that they will allow CSX on their line. Since he did not yet have that in writing he

cannot commit to that but he could say that he had been told that verbally. He continued that the site plan also shows a primary access road where the trucks and the employees will be coming in and out of the facility. A secondary access was shown by their engineer, he did not know if that was needed and he did not know that it was not needed, however he could say that the primary access will be coming where the new road is proposed to be coming in. The facility will have one primary access where everyone comes through and there will be a guard station located at that site. He was unaware of why a secondary access is necessary. There will not be a landfill on this site. There was a mention of a water run off; other than rain water that occurs on their property, they will design a system that will collect water that is used in the system and it will all be recycled and reused. The water is a precious commodity to them and they will recycle it. A few people have mentioned surveyors being on the property. Mr. Bone stated that in order for them to be sure, to know for sure, that this site is suitable and can legally be used for their intended use, many things have to be done. It has to have the proper zoning, that is why we are here tonight; surveys have to completed on the property to see if there are any easements that adversely effects the land or if there are any boundary line disputes. This is a normal process. They are also doing wetland delineations and they are making sure people have accurate titles to their property. This does not mean that a decision has been made. This means that they are doing their do diligence to make sure that this site can be used. Someone asked how other states are reacting to our plant, he would just say that they are receiving a warm welcome where they go, in all the locations and it is because they are a very good company and they are a very responsible company. They are also a people oriented company and community oriented. That is what they are in Midlothian, Texas and that is what they will be here. There was a mention of the buffer areas; without finishing the site plan he was not prepared to say actually what will be done in the buffer area but it would be his intention to leave, other than the access road coming into the property, the buffer areas in the state that they are in. That does not mean that they might not want to use those areas for some uses in the future or for the uses for which they are presently being used. He asked if there were any other questions?

Mrs. Everett asked that he address the light pollution question.

Mr. Bone stated without knowing how the plant sites and the elevations; he thought the light poles will be sixty (60) feet tall and the light is a valuable thing and we will direct it down to the ground, that is why they have them. They have to be sixty (60) feet because we need some area between the poles to maneuver the trucks. The lights will not be shining out, they will be shining down toward the ground. Their intention is to have a five hundred (500) foot buffer around the entire site and he would be surprised if any light pollution could escape from that. He stated that he was also not an engineer and that he could not guarantee that. He stated that the access road would be an at grade crossings, he would assume that there would be a traffic light at that crossing, although he did not know that would be the case, VDOT would be responsible for the design of that. The rail crossings -- he stated is not familiar with the area.

Mr. Moody interrupted by stating that these gentlemen were not familiar with the area in question and that if these items need to be addressed it will be at the conditional use process. At this time we will be sure the road systems and light systems and all those things are taken care of.

Mr. Scheid stated that he was familiar with the area that was in question; however, he would not be able to answer any questions on the roads or rail system at this time. If the systems are being upgraded it would be at the expense of Norfolk Southern, CSX and/or the Department of Transportation, not at the expense of Dinwiddie County or Chaparral Steel.

Mr. Long suggested that Mr. Bone place the site plan drawing out on an easel in order that citizens could see where the proposed access road is proposed to be added. Mr. Bone stated that he had that drawing and would be pleased to point out where that road is proposed.

Mr. Moody asked if any Board member or staff member had any question that were not addressed or brought up during the Public Hearing portion of the meeting.

Mr. Bracey asked if we addressed all of the concerns of those citizens that spoken; were the basic issues covered?

Mr. Moody stated that of the items that he wrote down, he felt that most of them were, with the exception of those maybe the County might have to answer. One was a contract type of arrangement, he asked Mr. Bone if they could stick to that?

Mr. Bone stated that they are very careful with the information that they presented to the County on the jobs that were going to be created, on the payroll that was going to be created, and he did not know of any reason that they would not make a commitment.

Mr. Moody asked if by careful he meant conservative?

Mr. Bone stated that he believed that they would meet the representations that they had made on that. If the County wished to pursue that further then they were open to do that.

Mr. Beach stated one thing they need to consider when they come into a community is that you do not move a steel plant lightly. When they come in, the promises made in the beginning establishes their first impression and their reputation. If they want to make a good impression it would be better if they exceed or met those representations. They are concerned about that reputation and the kind of impression that they make on a prospective community.

Mr. Tickle stated that he wanted to say that he thought Mr. DeMario had a lot of nice comments and he felt he had spent time thinking about this. He is concerned about where he lives and his community. Mr. Tickle stated that he felt that we need to take heed of the matters he addressed. He did not feel that with the information we currently had that we could answer all Mr. DeMario's concerns. He did believe that if we get to the next level, Mr. DeMario has supplied them with a starting point of things that should be addressed. These things should not go to the next stage if they are not met. He stated that he was highly impressed with some of his comments. He continued by stating, to the citizens in the audience, was that they had gone, as the Board of Supervisors, to Midlothian, Texas, to the site. He had to say that, his personal opinion was, that he was highly impressed. He stated that one mistake that the Board made was that they did not take a couple of citizens on that trip. He stated that he did not go to Texas saying that is going to be a great site or that this is something I am going to enjoy looking at or it will be impressive. He was highly impressed with the site and by the way that they educate the people on the site. He was also impressed by how the employees talked about their company. It reminded him of going to Phillip Morris. Many of the audience knew Phillip Morris and how their employees were impressed about their company. These people fought for their company, stood up for their company, and they had nothing to gain by this company coming to Dinwiddie County. His comment was that he was impressed and that he did on the flip side, as a representative of the County, have to be impressed with Mr. DeMario's comments and they would be very foolish if when they get to the next step that they do not take heed and address each one of his concerns on this proposed industry. He thanked Mr. DeMario for opening his eyes to these matters.

Mr. DeMario asked if they rezone this property and Chaparral Steel does not come into Dinwiddie County, can the property be rezoned back to the original zoning?

Mr. Long stated that they have been advised, by legal counsel, that at this point that will be possible.

Mr. Bracey remarked that it had been questioned by a citizens if the Board talked to citizens in the community of Midlothian, Texas. The answer is yes. They met with the Chamber of Commerce, a real estate agent, and the whole nine yards. What he saw he felt would be good for

Dinwiddie County and he did not think that they, Chaparral Steel, had anything to hide. He hoped that Chaparral would come and be a part of our community.

Mr. Clay echoed what Mr. Tickle and Mr. Bracey had stated. He was very impressed with the employees and their attitude toward the company. Something that he believed had not been said is that every employee is a stock holder in the company. The vice-mayor stated that if they had an opportunity to get another industry like Chaparral they would jump right into it and get another. He felt that it would be good for Dinwiddie County. He knew that it was an inconvenience to some people in that end of the County but he felt that it was good for the whole County on the tax base and they would be a good corporate citizen.

Mr. Moody stated again that he had closed the Public Hearing.

Mrs. Everett stated that when they were in Texas she asked an official if that 600 trucks a day figure was accurate and she was told that that figure might only be 300 per day.

Mr. Beach stated that he could not comment on that because it would depend on the availability of the rail service.

Mrs. Everett stated that she wished every resident of Dinwiddie County could have made that trip to Midlothian, Texas and we were very impressed. The grounds at Chaparral Steel were spotless, everything was so neat. Their educational program was also very impressive. In the community the people that they spoke with had nothing but praise for the company.

Mr. Moody stated he wished to say that the intention of this industry for the County, in his opinion, is to help the tax base. He knew it will inconvenience some people in that end of the County but services are being required in the County more and more every year. We are having to do construction work and several other things. We will either have to tax the people more money or try to find good industry for the County. We have to look at those things and this industry -- one of his main things is hopefully we can lower taxes to the citizens if this industry comes in. He certainly would like to do that. He wants this move to be good for all the citizens of Dinwiddie County.

Mrs. Everett stated that she realized that the original intention of the Board was not to take action on the rezoning at this time but to wait until Chaparral Steel had announced that they would make a decision to locate in Dinwiddie County. However, the Board has been told by Chaparral Steel that it is important in their decision making process that the rezoning be accomplished at this time and must be completed before a decision is announced. The Company had advised the Board that they will pay any costs occurred by the County to rezone the parcels back to their former zoning classification should Chaparral Steel decide not to locate in Dinwiddie County.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that Section 21 - Parcels 47G, 47H, 47I & 47L, Section 22 - Parcels 20, 20A, 20B, 20C, 38A, 38B, 38C, 39, 42, 43, 56, 59, (4) A-B-C-D-E-F, 44, 46, (49 {now (6) 1-2-3}), 52, 55, 45, 47, 48, 50, 50A, 50B, 50C, 50D, 63, 51, 53, 54, 62 & 64 of the Dinwiddie County Zoning Maps situated generally bounded on the west by Church Road, south by Flank Road, east by Squirrel Level Road, and north by the railroad tracks is amended by changing the district classification from A-2 Agricultural General, R1 Residential Limited, and M2 Industrial General to PMD (Planned Industrial Development) for the purpose of developing the property for industrial purposes. This includes all parcels listed in the rezoning request with the exception of Section 21 - Parcels 47E, 47F, 47J, Section 22 - Parcels 40, and 41 which shall retain their current classification as requested by Dinwiddie County. This unanimous approval is done with the understanding that if Chaparral Steel does not commit to Dinwiddie County that they, Chaparral Steel, will pay all

costs associated with rezoning the property to its originally zoned districts, and

BE IT FURTHER RESOLVED, that in order to assure compliance with Virginia Code Section 15.1-491(g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 9:00 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

TNRCC
Executive Office
Agency Communications

Media Relations

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media@tnrcc.state.tx.us
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FOR IMMEDIATE RELEASE
FRIDAY, AUGUST 29, 1997

CONTACT: PATRICK SHAUGHNESSY
512\239-5000 (Pager 512/896-3727)

CHAPARRAL STEEL FINED FOR AIR, WASTE VIOLATIONS

The Texas Natural Resource Conservation Commission (TNRCC) has fined Chaparral Steel Midlothian L.P. almost $100,000 for air and waste violations at its steel manufacturing facility in Midlothian.

The TNRCC will allow the company to offset a portion of the penalty, however, on the condition that it contributes to a Supplemental Environmental Project (SEP) that will provide direct environmental benefits to the Midlothian area.

The order alleges that Chaparral, 300 Ward Road, violated waste regulations by improperly managing a landfill at the facility. The order also alleges the company violated air regulations by failing to timely report fires that occurred at the facility on August 27 and February 21, 1996.

The TNRCC fined the company $99,920, but will allow Chaparral to offset half of the penalty, $49,960, on the condition that it contributes $49,960 toward the removal and replacement of two underground petroleum storage tanks at 990 U.S. Highway 67. The tanks are owned by the city of Midlothian.

All TNRCC news releases are available at www.tnrcc.state.tx.us/exec/media/press/

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TNRCC disclaimer
Comments regarding Agency Communications: media@tnrcc.state.tx.us
Technical questions regarding the TNRCC Web Server: webmaster@tnrcc.state.tx.us
http://www.tnrcc.state.tx.us/exec/media/press/index.html

Barry R. McBee, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Dan Pearson, *Executive Director*

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

October 26, 1995

CERTIFIED MAIL

ames C. Morris III, Esq.
hompson & Knight
8 San Jacinto Blvd., Suite 1200
ustin, TX 78701

E: CHAPARRAL STEEL; Docket No. 95-0676-IHW-E; SWR No. 30661
Agreed Order requiring certain actions

nclosed is a certified copy of:

✓ an enforcement order of the Commission determining substantial noncompliance, assessing dministrative penalties, imposing stipulated penalties, and/or requiring certain actions, he details being more fully set out therein.

) an order cancelling a Commission permit. This cancellation is a memorandum of official ction taken with respect to the permit and is notification that the permit is no longer in ffect.

) an order dismissing an application for a Commission permit.

) an emergency order issued by the Commission. If applicable, please note the date and ime at which the Commission will affirm, modify, or set aside the order.

) an order affirming, modifying or setting aside an emergency order of the Commission.

) an order approving construction of facilities.

) an order authorizing discharge of wastewater.

) an order regarding the above-referenced matter.

hould you have any questions, please contact us.

incerely,

Gloria A. Vasquez

loria A. Vasquez, Chief Clerk

AV:ra

c: TNRCC Region 4
Glenn Hall, Staff Attorney, TNRCC
Ravi Rao, Enforcement Coordinator, TNRCC
Jerry Balbo; Environmental Manager; Chaparral Steel; 300 Ward Road; Midlothian, TX 76065-9651

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

DOCKET 95-0676-IHW-E

IN THE MATTER OF CHAPARRAL STEEL; SWR NO. 30661	§	BEFORE THE
	§	TEXAS NATURAL RESOURCE
	§	CONSERVATION COMMISSION

AGREED ORDER

Requiring Certain Actions of Chaparral Steel Company Under the Authority of the Solid Waste Disposal Act, TEX. HEALTH AND SAFETY CODE ANN. Chapter 361 (Vernon 1992 and Supp. 1994), the Texas Water Code, Chapters 5 and 26 (Vernon 1988 and Supp. 1994), and the Texas Clean Air Act, TEX. HEALTH & SAFETY CODE ANN. Chapter 382 (Vernon 1992 and Supp. 1994)

On OCT 11 1995, the Texas Natural Resource Conservation Commission (the "Commission" or "TNRCC") (references to the TNRCC include, as appropriate, references to predecessor agencies including the Texas Water Commission and the Texas Air Control Board) considered an oral report by the Executive Director to the Commission alleging violations of the Solid Waste Disposal Act, TEX. HEALTH AND SAFETY CODE ANN. Chapter 361 (Vernon 1992 and Supp. 1994) (the "Act"), the Texas Water Code, TEX. WATER CODE ANN., Chapter 26 (Vernon 1988 and Supp. 1994) (the "Code"), and the rules of the Commission, and requesting appropriate relief. The facility made the subject of this Agreed Order is Chaparral Steel Company, ("Chaparral"), located at 300 Ward Road, in Midlothian, Ellis County, Texas.

After proper notice, the parties appeared and announced before the Commission that they had reached a settlement and requested the Commission to enter this Agreed Order.

Chaparral understands that it has certain procedural rights,

violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Chaparral agrees to waive all notice and procedural rights. Chaparral acknowledges that a Preliminary Report was not issued in this matter by the Executive Director in order to expedite issuance of this Agreed Order.

This Agreed Order is entered without trial or final adjudication of any issue of law or fact and is the result of the compromise and settlement of disputed issues of law and fact. In consenting to the entry of this Agreed Order, Chaparral does not admit any allegations or to any violation. Chaparral agrees, however, not to contest the Findings of Fact and Conclusions of Law or matters resolved by this Agreed Order in any Commission proceeding or proceeding brought on behalf of the Commission. Because of the cost and uncertainties of litigation and to continue to address promptly and effectively its environmental responsibilities by implementing technical remedial actions approved by the TNRCC, Chaparral agrees to entry of this Agreed Order, and to perform the actions set forth in this Agreed Order.

It is understood and agreed by the Executive Director and Chaparral that accepting this Agreed Order does not, in any way, release Chaparral, any of its officers, agents, assigns, employees, or any other person acting for or on behalf of Chaparral, from federal criminal liability, if any, arising out of the situation this Agreed Order addresses.

It is further understood and agreed that this Agreed Order represents the complete and fully-integrated agreement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall remain valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon Chaparral and upon its successors and assigns.

This Agreed Order requires Chaparral to perform an investigation both on property owned or controlled by Chaparral and on property owned or controlled by persons not presently parties to this Agreed Order. Chaparral shall use best efforts to gain access to the off-site areas necessary for performance of this Agreed Order. In the event that Chaparral cannot secure such access, Chaparral shall notify the TNRCC and request assistance in obtaining access. If the Executive Director determines that Chaparral cannot obtain access despite using best efforts to do so, such lack of access shall be considered good cause for extending additional time for work dependent upon such access. Chaparral, however, is not relieved of the obligation to investigate in accordance with this Agreed Order. Once access is obtained, Chaparral shall proceed with the investigation in accordance with this Agreed Order. If necessary access is not obtained, upon

this Agreed Order. If necessary access is not obtained, upon concurrence of the Executive Director, Chaparral shall utilize alternate investigative measures, such as alternate sampling locations, where practicable and consistent with the scope and goals of this Agreed Order.

If Chaparral fails to comply with any of the deadlines imposed by this Agreed Order or the Workplans attached hereto and such failure is caused (in whole or in part) by events beyond the control of Chaparral, such failure shall not be construed as a violation of this Agreed Order. The burden of establishing that an event is beyond its control lies with Chaparral. When events are occurring or have occurred which may cause such delay, Chaparral shall notify the Executive Director within seven (7) days of becoming aware of such a delaying event and shall take reasonable measures to mitigate and/or minimize the delay. The notice shall specify the reason for and expected duration of the delay and shall provide a revised timetable for any tasks affected by the delay. The revised timetable shall become effective upon approval, or approval with modification, by the Executive Director.

If a dispute arises concerning the implementation of this Agreed Order, including any decision of the Executive Director under this Agreed Order, Chaparral and the TNRCC staff shall attempt to resolve it informally. If the matter cannot be resolved informally, Chaparral or the TNRCC staff may refer the matter to the appropriate Deputy Director, or his or her designee. The Deputy Director, or his or her designee, shall have sole discretion whether to hear any dispute under this provision. All decisions of the Deputy Director under this provision, or a decision not to hear a dispute, shall be binding and shall constitute a final determination by the Commission for purposes of judicial review. The pendency of a dispute shall not stay any requirement or deadline contained in this Agreed Order that is not the subject of the dispute or that is not dependent upon the completion of the action that is the subject of the dispute, unless the parties otherwise agree.

The Commission, after hearing a report by the Executive Director and considering the settlement of the parties, makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Chaparral Steel operates a steel manufacturing facility located at 300 Ward Road, Midlothian, Ellis County, Texas.

2. Chaparral Steel manufactures structural steel and rebars from metal scrap and wrecked automobiles.

3. Chaparral Steel's operations generate industrial solid waste and hazardous waste. Chaparral Steel has notified the Commission that it generates, in part, the following wastestreams:

   a) Waste No. 001 - Automobile shredder residue;
   b) Waste No. 002 - Baghouse dust, EPA Hazardous Waste No. K061; and
   c) Waste No. 016 - Landfill leachate, EPA HW No. K061 (wastewater).

4. Chaparral Steel has been issued TNRCC Permit No. HW-50162. This permit authorizes the operation of certain hazardous waste landfills (Landfills #2 and #3). Landfills #2 and #3 which were used for the disposal of baghouse dust were closed in 1987 and 1994 respectively. Landfill #1 which was operated before the issuance of the permit for the disposal of baghouse dust, was closed in 1987 and the property has been deed recorded.

5. Chaparral Steel has been issued Air Permit Nos. 1634, 1635, 3026, 8097, 8098, 8099, and PSD-TX-138M4, and Standard Exemption No.'s 5, 76, and 106 to operate sources of air contaminants at its facility. Chaparral formerly operated under Air Permit No. 1636 which was voided on October 10, 1985. On December 8, 1977, Air Permit No. 5983 was issued to International Mill Services, Inc. ("IMS") to operate the metallic recovery processing plant / slag handling area. IMS has operated the metallic recovery processing plant / slag handling area since approximately that time.

6. TNRCC Region 4 representatives conducted a sampling inspection in the vicinity of the Chaparral facility from February 3, 1994 through May 20, 1994. Based on the results of this sampling, the Executive Director alleged that cadmium, chromium, copper, lead, manganese, molybdenum, and zinc levels in soils samples collected from property to the north and south of Chaparral Steel's property were greater than apparent background levels.

7. Chaparral has agreed to conduct an investigation of metal concentrations in soils and air emissions from its facility.

8. In 1985 the State of Texas brought suit against Chaparral, in part for unauthorized discharges of industrial solid waste from Landfill No. 2, which was used to dispose of industrial solid waste (EPA Hazardous Waste No. K061). An Agreed Final Judgment was entered against Chaparral on September 12, 1985 settling that suit. That Judgment expressly retains the State's right to require Chaparral to take action under the Solid Waste Disposal Act to address conditions resulting from unauthorized discharges from Landfill No. 2.

CONCLUSIONS OF LAW

1. Chaparral has managed industrial solid waste and sources of air contaminants at the facility located in Midlothian, Ellis County, Texas and is therefore subject to the jurisdiction of the Texas Natural Resource Conservation Commission pursuant to the Solid Waste Disposal Act, Texas Clean Air Act, TEX. HEALTH & SAFETY CODE ANN. Chapter 382 (Vernon 1992 and Supp. 1994) ("TCAA") and the Texas Water Code.

2. The Commission has the authority to issue orders directing compliance with the Act and the Code and requiring monitoring pursuant to the following provisions: §361.302 of the Act, §26.019 of the Code, §§382.016, 382.023, and 382.024 of the TCAA, and 30 TAC §337.1.

3. In accordance with §2001.056 of the Administrative Procedure Act, TEX. GOV. CODE ANN., Chapter 2001 (Vernon 1993), Sections 26.136(p) of the Code and Section 361.2152 (r) of the Act, the Commission may resolve this matter by entry of this Agreed Order.

NOW, THEREFORE, THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION ORDERS that:

This Agreed Order resolves only violations alleged or which could have been alleged regarding conditions which are present on property outside the Chaparral facility boundary as defined in TNRCC Permit No. HW-50162 on the date of this Agreed Order ("Original Boundary") and which are the subject of the investigation and remediation described in the Investigation Plans attached hereto as Attachment 1 and in Ordering Provisions Nos. 1-3. The Commission shall not be constrained from seeking penalties and/or requiring technical actions for violations occurring after the date this Agreed Order is issued or that are not addressed by this Agreed Order. Specifically, the Commission reserves the right to seek additional relief for violations of statutory or regulatory requirements not addressed by this Agreed Order, including, but not limited to, the following items: 1) violations of TNRCC rules, the Act, the Code, or the TCAA relating to conditions within the Original Boundary; and 2) violations of TNRCC rules, the Act the Code, or the TCAA relating to contamination or nuisance conditions not required to be remediated by Ordering Provisions Nos. 2 and 3. Chaparral may raise any defenses it has in any subsequent proceeding except that Chaparral shall not contest the Findings of Fact and Conclusions of Law of this Agreed Order.

IT IS FURTHER ORDERED BY THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION that:

1. Immediately upon issuance of this Agreed Order, Chaparral Steel shall implement the Southern Area and Northern Area

Investigation Plans (collectively "IP"), attached to this Agreed Order as Attachment 1 and incorporated herein for all purposes, in accordance with the schedule set forth therein.

2. Within 120 days of issuance of this Agreed Order, Chaparral Steel shall submit an Investigation Report ("IR") describing the results of the completed IP to the Executive Director for approval or approval with modifications. This report shall include at a minimum, but not be limited to:

a. A topographic map at a scale not to exceed 1 inch to 1000 feet showing all the sampling locations for all the contaminated media;

b. A detailed description of the results of all samples collected and analyzed during the investigation and copies of all original (following QA/QC) laboratory reports including a summary of analytical results in tabular form and a computation of background using data from both the Northern Area and Southern Area;

c. A graphical depiction showing the horizontal extent of contamination for all the constituents of concern;

d. Discussion of results of soil, water and sediment contamination, and recommendations including any steps Chaparral will take to control any contaminants from migrating off-site; and

e. A determination of what areas, if any, to the south of the Original Boundary have been impacted in whole or in part by unauthorized discharge(s) from industrial solid waste management activities. The phrase "unauthorized discharges from industrial solid waste management activities" is intended to include the unauthorized discharge of materials that might not otherwise be considered solid waste except when discharged (e.g., products), but is not intended to include permitted air emissions. The south side of the Original Boundary shall be considered the area south of the Original Boundary and extending along the same parallel line of that boundary both east and west. The determination of what areas to the south side of the Original Boundary have been impacted shall begin with the assumption that the cross-hatched area set forth in Figure 4-1 of Attachment 1 has been impacted by unauthorized discharges from industrial solid waste activities. Chaparral shall also include any information developed in IP indicating what additional areas, if any, have been impacted by unauthorized discharges from industrial solid waste management activities.

f. A provision for submission of a Remediation Plan ("RP"), including implementation schedules, for actions

addressing all media contaminated in whole or in part by unauthorized discharges from industrial solid waste management activities. The RP shall comply with the requirements of 30 TAC Chapter 335, Subchapter S, relating to Risk Reduction Standards, and shall be submitted to the Executive Director for review and approval or approval with modifications.

3. Within 30 days of written approval or approval with modifications of the RP by the Executive Director, including the determination of what areas have been impacted by unauthorized discharges from industrial solid waste management activities, Chaparral shall implement the RP in accordance with the schedule set forth therein and in accordance with the requirements set forth in 30 TAC Chapter 335, Subchapter S, to address all the contaminated media identified in the IR, as approved or approved with modifications, as contamination attributable to unauthorized discharges from industrial solid waste management activities at Chaparral.

4. Immediately upon issuance of this Agreed Order, Chaparral shall implement in accordance with the schedule set forth therein, the Air Monitoring Plan attached to this Agreed Order as Attachment 2 and incorporated herein for all purposes. Chaparral shall provide to the Executive Director the reports described in the Air Monitoring Plan in accordance with the schedules described therein.

IT IS FURTHER ORDERED BY THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION AS FOLLOWS:

5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Chaparral Steel shall be made in writing to the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. No deadline is extended until the Executive Director approves the extension in writing.

6. Notwithstanding any other provision of this Agreed Order, the Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General if the Executive Director determines that Chaparral Steel is noncompliant with the requirements set forth in this Agreed Order.

7. This Agreed Order shall not negatively affect Chaparral's compliance history or the compliance history of any parent, subsidiary, or corporate affiliate of Chaparral.

8. Any notice to Chaparral required by this Agreed Order is satisfied by mailing to: Jerry M. Balbo, Manager - Environmental, Chaparral Steel, 300 Ward Road, Midlotian, Texas 76065-9651 with a courtesy copy to counsel for Chaparral Steel, James C. Morriss III, at Thompson & Knight, P.C., 98 San Jacinto Blvd., Suite 1200, Austin, Texas 78701.

9. The item "Executive Director" as used in this Agreed Order may mean TNRCC staff, as appropriate.

10. This Agreed Order shall terminate when the Executive Director determines in writing that all terms and conditions of this Agreed Order have been complied with by Chaparral.

11. The Chief Clerk shall provide a copy of this Order to each of the parties.

Issuance date: OCT 18 1995

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Barry R. McBee, Chairman

ATTEST:

Gloria A. Vasquez, Chief Clerk

VIRGINIA: AT THE SPECIAL CALLED MEETING OF THE BOARD OF SUPERVISORS HELD AT THE MONUMENT PROFESSIONAL BUILDING, PETERSBURG, VIRGINIA, ON THE 30TH DAY OF OCTOBER, 1997, AT 4:00 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 M. SIEGEL	COUNTY ATTORNEY

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Tickle, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1 - 344 (a) 7 - consultation with legal counsel and briefings by staff, consultants or attorneys, pertaining to actual or probable litigation, or other specific matters requiring the provision of legal advise by counsel regarding (Inducement Agreement with Chaparral Steel Company). The meeting moved into Executive Session at 4:10 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Bracey, seconded by Mr. Clay, 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 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. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 5:35 P.M.

Harrison A. Moody
Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 5TH DAY OF NOVEMBER, 1997 AT 7:30 P.M.

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

IN RE: CALL TO ORDER - INVOCATION - PLEDGE OF ALLEGIANCE

Chairman Harrison A. Moody called the meeting to order at 7:32 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENT TO AGENDA

Chairman Harrison Moody asked the Board and staff if there were any amendments to the agenda. There were no requests for amendments.

IN RE: MINUTES

Upon Motion of Mr. Tickle, seconded by Mrs. Everett, 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 minutes of the October 15, 1997 regular meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mrs. Everett, 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 claims are approved and funds appropriated for same using checks # 1007922 - 1008109 (void check(s) 1007921; 1007923; 1007988; and 1008005); for Accounts Payable in the amount of $71,389.45; General Fund $49,072.87; Jail Commission Fund $600.93; E911 Fund $2,068.00; Self Insurance Fund $11,690.24; Fire Program and EMS Fund $1,389.41; CDBG Grant Fund $6,568.00; Payroll General Fund $279,261.59; and CDBG Grant Fund $1,446.82.

IN RE: APPROVAL OF REQUISITION #7 --COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator stated that Requisition #7 for the Courthouse consists of payments to:

ECS, Inc.	$ 555.45
Dunbar, Milby, Williams, Pittman & Vaughan	400.00
Gulf Seaboard General Contractors Inc.	378,861.90
Total	$ 379,817.35

Upon motion of Mrs. Everett, 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 Requisition #7 in the amount of $379,817.35 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #3 - SCHOOL CONSTRUCTION

Mrs. Ralph stated that Requisition #3 for the School Construction consists of the following invoices:

KBS, INC.	$ 1,250,671.72
Froehling & Robertson, Inc.	446.25
Stroud, Pence & Associates, LTD	4,420.00
Ballou Justice Upton	16,349.47
American Academic	2,232.54
Wenger	4,160.00
Southside Electric Coop.	21,434.65
Walker Hudson Construction	16,640.00
Virco	3,752.05
Work Environment Assoc.	350.00
TOTAL	$ 1,320,456.68

Mr. Bracey requested information on Stroud, Pence & Associates, LTD., who provides the special inspections, regarding the total contract price and information regarding the original firm contracted. Mrs. Troilen Seward, Superintendent of Schools, stated that she would provide Mr. Bracey with the requested information.

Upon motion of Mrs. Everett, seconded by Mr. Tickle, 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 Requisition #3 in the amount of $1,320,456.68 be approved and funds appropriated for CIP expenses for the School Construction Fund.

IN RE: CITIZEN COMMENTS

The following person addressed the Board:

1. Robert Ragsdale, 8511 Boydton Plank Road, came before the Board to voice his concerns regarding the requirements for drilling a well. He felt that the requirements were too high for a well to water his garden. It should not take two or more weeks to obtain a permit to dig a well to water a garden.

Mr. Moody stated that he did not know what state or federal regulations there were regarding the digging of a well but that his concerns would be passed on to the correct personnel.

Mr. Ragsdale also voiced concern about a fertilizer spill incident that the Sheriff's Department was suppose to report on. Mr. Ragsdale stated that to date he has not received any information on that spill.

Mr. Ragsdale was informed by staff that a request to the Sheriff had been made. Mr. Bracey stated that the Board had requested that information from the Sheriff; however, Mr. Ragsdale needed to understand that the Sheriff is an elected official and the Board could not make him do anything.

Mr. Ragsdale continued that he felt that the County had a double standard going -- he could not sell his property because of the chemicals and trucks involved but the County could bring in a steel mill that would pollute the air, as well as the water, and put hundreds of trucks on the back roads of the County.

2. Mike Parrish, Extension Agent, came before the Board to thank them for their participation in the Hazardous Waste Program that was held on October 25, 1997. They collected approximately seven thousand (7,000) pounds of unwanted household hazardous waste. We had funds for five thousand (5,000) pounds and found alternate sources to remove two thousand (2,000) additional pounds.

We also had great success with the Ag Clean-up held earlier this year where we collected thirty-three thousand (33,000) pounds of old pesticides. This exceeded all the other twenty-one (21) counties that participated in this program.

Mr. Parrish continued that when the plastic container recycling that is done for the agricultural producers, this year the container numbers were up. This year they disposed of approximately five thousand (5,000) plastic pesticide containers that will be recycled into plastic pallets or used for incinerator fuel. He again thanked the organizations that helped in these programs.

Mrs. Everett asked about the drought disaster relief. Mr. Parrish stated that all the data had been submitted and is currently being reviewed by the Farm Service Agency and they will submit to the Governor. He hoped to hear something within the next two (2) weeks. He felt that they are looking at over a thirty (30%) percent loss for 1997 crops.

IN RE: JOINT MEETING WITH THE PLANNING COMMISSION

Mr. Moody invited Mr. Daniel Lee, Chairman for the Planning Commission, to join him at the head table for the joint Public Hearing.

Mr. Lee called the Planning Commission meeting to order at 7:53 P.M. Mrs. Pamla A. Mann, Administrative Secretary, called the roll and reported that all members were present.

IN RE: C-97-7 -- CONDITIONAL USE PERMIT -- PUBLIC HEARING
CHAPARRAL STEEL COMPANY

This being the time and place as advertised in the Dinwiddie Monitor on October 22, 1997 and October 29, 1997, for the Planning Commission and the Board of Supervisors of Dinwiddie County, Virginia to conduct a joint public hearing for the purpose of considering a request for a conditional use permit which has been submitted by Chaparral East (Texas Industries is the parent company) in compliance with sections 22-22, 22-23 and 22-230.1B of the Dinwiddie County Zoning Ordinance. The following tax parcel numbers are parcels zoned PMD (Planned Industrial District) and requesting the conditional use permit. Section 21 - Parcels 47G, 47H, 47I, & 47L. Section 22 - Parcels 20, 20A, 20B, 20C, 38A, 38B, 38C, 39, 42, 43, 56, 59, (4) A-B-C-D-E-F, 44, 46, (49{NOW (6) 1-2-3}), 52, 55, 45, 47, 48, 50, 50A, 50B, 50C, 50D, 63, 51, 53, 54, 62 & 64. The property is generally bounded on the west by Church Road, south by Flank Road, east by Squirrel Level Road and north by the railroad tracks.

Mr. Guy Scheid, Director of Planning, came forward to present C-97-7, stating he would like to read from the prepared statement and would then be available to answer any questions by the Boards. He described where the property in question was located and is as stated above. The property is multiple parcels in the northeastern portion of the County, located in the Rohoic magisterial district. This property contains approximately 769 acres, which is zoned Planned Industrial District - PMD. This property has public water and sewer disposal.

The applicant, Chaparral Steel Company, is seeking a conditional use permit as permitted by section 22-230.1b (2) of the Dinwiddie County Zoning Ordinance. Mr. Barry Bone, a representative of Chaparral Steel Company, has made this request for the purpose of developing the property for a ferrous & non-ferrous metals and plastics recycling facility. Mr. Scheid continued by stating that the information enclosed in the Board packets included the following:

1. Letter-Texas Industries dated: October 17, 1997
2. Letter-CSX Transportation dated: October 14, 1997
3. Conditional Land Use Application
4. Zoning Disclosure Affidavit
5. Existing Property Owner List
6. Adjacent Property Owner List
7. Site Maps
8. Newspaper Ad (Progress Index and Dinwiddie Monitor)
9. PMD Ordinance
10. Various articles submitted by citizens

In accordance with Section 22-23 and Section 22-142 of the Code of the County of Dinwiddie, the enclosed information is forwarded for your consideration.

BACKGROUND INFORMATION

The Board of Supervisors and Planning Commission have held several public hearings within the past month regarding amendments to the comprehensive land use plan, zoning ordinance and zoning map. The purpose of these hearings was to establish a Planned Industrial District in the County in which it could consider the location of a mini-steel mill (recycling plant) in the northeastern portion of the County.

On October 1, 1997 a joint hearing was held by the Planning Commission and Board of Supervisors to consider A-97-11, which would amend the zoning ordinance by creating a new zoning classification, a Planned Industrial District, PMD. Upon unanimous vote of the Planning Commission and the Board of Supervisors, the amendment was adopted. This district allows with a conditional use permit, a company involved in reprocessing, rolling, drawing, extruding, casting and forging of ferrous and non-ferrous metal and plastic to operate as a permitted use. Obviously, if the Board of Supervisors issues the conditional use permit, they may attach conditions which are deemed necessary or appropriate by the Board to carry out the intent of the zoning ordinance (reference is made to section 22-22 of the County Zoning Ordinance, conditional use permits generally).

An amendment to the Comprehensive Land Use Plan was heard at the joint meeting mentioned above. The amendment, A-97-12, proposed two (2) changes to page 109 of the Comprehensive Land Use Plan as follows: "to designate the area generally bounded on the west by Church Road, south by Flank Road, east by Squirrel Level Road and north by the railroad tracks for industrial purposes and related infrastructure, including streets and connections to existing streets and public utilities; and to extend the Urban Planning Area boundary line from Church Road along Flank Road to Squirrel Level Road and then to proceed north along Squirrel Level Road to the City of Petersburg limits." This amendment was unanimously approved by the Planning Commission and Board of Supervisors according to the provisions in Section 12, Implementation, page 118, Plan Amendment, of the Comprehensive Land Use Plan.

The Planning Commission held a public hearing on October 8, 1997 to consider the rezoning request P-97-15. This request sought to change the district classification of many land parcels in the northeastern portion of the County as previously referenced to PMD. Upon the conclusion of the public hearing, the Planning Commission voted unanimously to recommend approval of P-97-15 to the Board of Supervisors (action taken in compliance with section 22-5 of the County Code and section 15.1-431 of the Code of Virginia).

The Board of Supervisors held a public hearing on October 15, 1997 for the rezoning request P-97-15. Upon the conclusion of the public hearing, the Board of Supervisors unanimously voted to accept the recommendation of the Planning Commission. They rezoned those parcels noted in P-97-5 to PMD with the exception of parcels 21-47E, 21-47F, 21-47J, 22-40 and 22-41, which were withdrawn at the request of the property owners. These actions were taken in accordance with the provisions of Section 22-5 of the County Code and Section 15.1-431 of the Code of Virginia.

Texas Industries (TXI), which is the parent company of Chaparral Steel Company, sent a letter (dated October 17, 1997) to Dinwiddie County which confirmed their agreement "to purchase the options held by the Industrial Development Authority" for those properties recently rezoned to PMD. Additionally, they agreed to complete a full application for a conditional use permit. The conditional use permit application has been completed and is on file with the Planning Department.

The County of Dinwiddie is pursuing funding from the Community Development Block Grant program for new road construction and the extension of public water/sewer lines to the proposed Chaparral Steel site It is recognized that the existing secondary road system is not adequate to serve the anticipated truck traffic. A road must be constructed from the industrial site to Route 1. Since it is anticipated that approximately 900,000 gallons of water per day will be needed, the County is seeking funding for the extension of water/sewer lines. The Dinwiddie County Water Authority has stated that they will be able to supply the volume of water needed once the lines are extended.

There have been discussions held with other service providers (i.e. electricity, gas, railroad, etc.) and it appears that they will be able to adequately service the needs of Chaparral Steel Company. An issue raised by many citizens living in the general vicinity of the proposed Chaparral Steel site is rail access from Collier railroad yard to the site by CSXT. A letter written by David Hemphill, Assistant Vice President for Industrial & Economic Development of CSXT, dated October 14, 1997 addresses this concern. It stated that Norfolk Southern Railway Company has given CSXT verbal assurances that it will grant CSXT access to the proposed Chaparral Steel site via connecting tracks owned by Norfolk-Southern. This access would utilize existing railroad right-of-way to connect with the property optioned for the proposed Chaparral Steel project. If this agreement becomes a reality, then a spur line from Collier Railroad yard will not be necessary.

ANALYSIS

Staff has spent considerable time and effort in studying the effects of locating of Chaparral Steel East in Dinwiddie County. The Planned Industrial District regulations were developed in order to address those issues which were considered by staff to be of most concern to the citizens. Various issues raised at the public hearing which appear to be addressed, at least in part, by the ordinance are listed below with reference made to the appropriate code section (please refer to the attached County Code, Division 15):

1. secondary road access to the site - Section 22-230.3(1);
2. buffering - Sections 22-230.2(2) & 230.4;
3. noise/smell/odor - Sections 22-230.2(1) & 230.2(3)
4. water/sewer - Section 22-230.3(2);
5. environmental issues - Section 22-230.4;
6. stock pile of raw material - Section 22-230.2(2)
7. impact on neighborhoods - Sections 22-230.2, 22-230.3, 22-230.4, 22-230.5, 22-230.6;
8. lighting - Section 22-230.3(4);
9. utilities - Section 22-230.3(3); and
10. contract with the County - Section 22-22.

In addition to the above, concerns were raised over the following: construction of a railroad spur line from Collier Railroad yard to the Chaparral site; the existing railroad bridge over Squirrel Level Road; additional buffering criteria; use of "state of the art" technology; use of the secondary access road into the Chaparral site; having a landfill on premises; tires; civil war/historical sites; wetlands; a "watch committee"; truck traffic and traffic increase on existing secondary road system.

It appears to the staff that some of the citizens concerns are adequately addressed in existing County, State and Federal regulations. Other concerns are beyond the scope of local ordinances. But, there are several concerns which are proper to address and include in a conditional use permit. Staff has created the conditions contained herein with those in mind.

STAFF RECOMMENDATION

It is the recommendation of staff that the conditional use permit requested in case number C-97-7 be granted with the following conditions attached:

1. Copies of all federal, state and local permits or licenses associated with this industry must be on file with the Planning Department prior to the issuance of a Certificate of Occupancy.
2. Primary access to the Chaparral Steel site shall be from Route 1. A newly constructed access road shall provide the access for all non-emergency vehicular traffic associated with the industry and Chaparral Steel Company will require all vehicular delivery traffic to use this access;
3. The secondary access road shown in the site development plan presented by representatives of the Chaparral Steel Company shall be used for emergency purposes, only. This secondary

road was shown to enter the existing State secondary road system in the general vicinity of Flank Road and Squirrel Level Road;

4. Rail access to the Chaparral Steel site shall be from the existing Norfolk-Southern railroad tracks which bound the northern portion of the site. If an agreement between CSX and Norfolk-Southern can not be reached such that CSX can cross their lines to the Chaparral Site, then a spur line from Collier Railroad yard to the Chaparral Steel site will be permitted;
5. Adequate on site parking shall be provided for all trucks providing services and/or materials;
6. A buffer/landscape area of 500 feet in depth shall be provided along Church Road, Squirrel Level Road and Flank Road. Adequate buffering and screening along the Norfolk-Southern railroad line shall be required in order to minimize the industry's impact on the subdivision located to the north of the railroad tracks;
7. Actions acceptable to the County shall be taken to protect any site(s) determined by the Planning staff to have significant historical value;
8. The steel mill (reprocessing plant) shall contain only state of the art equipment which shall use electricity as its primary power source;
9. Chaparral Steel Company shall train and equip their personnel to provide adequate emergency medical and fire protection for their employees and facilities.
10. There shall not be a landfill located on premises. Any waste material generated at this facility shall be properly disposed of at an approved landfill site. Trash receptacles located on premises shall be screened;
11. This permit shall expire and be null and void if, (a) the real property for the facility is not acquired from its present owners and Chaparral Steel Company does not break ground and commence construction of its facility within six (6) months after the date of issuance of this permit and, (b) Chaparral Steel Company does not commence operations in the facility within twenty-four (24) months after the date of issuance of this permit.
Notwithstanding the foregoing, the Board of Supervisors, without a public hearing, may extend the expiration date of this permit for up to an additional six (6) months for good cause shown;
12. Final interpretation of all conditions attached to this permit shall be made by the County.

Mr. Scheid stated that concluded his report. Mr. Moody asked if there were any questions from either Board. Mr. Tickle and Mr. Perkinson requested corrections in the document that Mr. Scheid presented. The corrections were noted.

Mr. Moody asked the Chaparral Steel officials if they wished to speak at this time.

Mr. Barry Bone, Vice-President for Real Estate with TXI, which is the parent corporation for Chaparral Steel came stating that at this time they agree with the staff recommendations and would now like to proceed to the public comment portion of the hearing.

Mr. Lee stated that at this time he would open the Public Hearing on C-97-7. Mr. Moody stated that both the Planning Commission and the Board of Supervisors would hold the Public Hearing jointly. He requested that the citizens hold their comments to three (3) minutes.

The following persons addressed the Boards:

1. Rebecca D. Zinn, 8817 Squirrel Level Road, came forward stating that she was opposed to Chaparral Steel coming into her neighborhood. Her biggest concern was the additional pollution. She wanted to know what would be done to stop the pollution. She was concerned for her child and father, who both suffer from breathing problems. She did not welcome this mill to her home.

2. Russell E. Stainback, 9309 Southwood Drive, came forward stating that he was opposed to the mill coming into Dinwiddie County. He was upset that Dinwiddie County was even considering to have this garbage dump. He felt that is was a low down trick for them to even think about taking in this garbage from all over the United States. He was concerned about the gas, oil, and the pollution that will be put in our soil and air.

3. Vincent Johnson, 20023 River Road, came before the Board to voice his concerns regarding the pollution of the soil, air, and water. He was also concerned about the roads in this area. He hoped that the EPA will come in and watch this mill very closely.

4. Richard Hotchkiss, 27518 Flank Road, came forward to voice his concern about the violations that Chaparral Steel has had in their mill in Midlothian, Texas. He was very much against this mill coming to Dinwiddie County. He also stated his concern about the property values in his neighborhood, he had been told that the value will drop 80 to 90 percent. Also he was upset about the battlefields in this area. He asked the Board to stop and think before they make this choice.

5. Robert Belcher, 27516 Flank Road, came forward stating that he was against this mill. He was upset about the property values and the changes that will occur in this area of the County. He also questioned why Hoke County, North Carolina pulled itself out of the race to secure their site for this new mill.

6. Richard Lonermann, 7902 Halifax Road, came forward to express his concerns for the safety of residents, health issues, and pollution of the air and water. He asked the Board to look to the common good. He stated he is not anti-business and that is not the stance he is taking, he only asks that the Boards look carefully at all the facts that have been presented to them before they make this decision.

7. Grace Dunford, 6513 Church Road, came forward stating that she was one of the property owners. She stated that she had mixed feelings about the steel mill coming; however, her family had come to a decision. She understands the concerns that many residents have voiced. She hates to leave her home, a home located on land that has been in her family for over 150 years. She does feel that they are doing this for the good of Dinwiddie County. She is in support of this industry coming to our area because the young people of our area will need good jobs. She is not in support of this industry because they will be buying her land, she is doing this for the future of our area.

8. Susan Mayes, 6510 Church Road, came forward to support the industry coming to our County. She also expressed her concern for the future of her children and trusted that the Board and Chaparral will live up to the promises to keep our soil, air and water pure. She stated that she is a creature of habit and does not like change; however, change is inevitable and we are lucky to have such a large company coming into our area that can provide the safety measures needed. She is in favor of this and hopes that this change is for the better.

9. Charlotte Moore, 8201 Squirrel Level Road, come forward stating that she still had major concerns regarding environmental issues. She was concerned about the water, the wetlands in the area, the noise level, Petersburg's reaction to this industry, the property values, and how the residents in this area will be compensated? She stated that several residents in the area have been contacted by Jerry Cook to sell their property, why? She wanted to commend the Board of Supervisors for their hard work in trying to find industry for Dinwiddie County. Mr. Tickle had stated to her after the last meeting that this was basically a done deal and these hearings are being done for protocol. Mr. Tickle interrupted stating that was in his opinion. She only asked that the Boards listen to the citizens, please don't shut them out.

10. Art DeMario, 7410 Vaughan Road, came forward stating that he would like to thank the Boards for allowing him to address them again. He voiced concerns about the pollutants that would be entering our area if this steel mill was allowed to come into Dinwiddie County. He voiced his concerns about co-generation plants, land fills, wetlands, fluff waste,

odors, noise, dust, and roads. He asked the Boards to think hard before the vote.

11. Issac Kelley, 7010 Church Road, came forward stating that he was concerned over the same items as the other speakers of this night. He thanked Mr. Tickle for his honest reports about this being a done deal.

12. Margaret Gafford, Vaughan Road and Fort Emory Road, came forward stating that she raised horses, geese and dogs. She is up set about industry coming into this beautiful agricultural community. She was concerned about the pollution. She hopes that the Board will look at all the issues and give our children the proper environment, a better environment to grow up in.

13. Barbara Moore, 10024 Vaughan Road, came forward expressing concern about the livestock. She has been a resident for thirty-five (35) years and is very concerned about the breeding, pastures, water supplies, and pollution that a steel mill produces. This is a residential area and an agricultural area and it should remain that way. She cannot imagine anyone wanting a steel mill or wanting their children to work in a steel mill. She is concerned about her neighbors. There are young people in her neighborhood who have put their life savings into a home and now this, what do these young people have to look forward to now?

14. Martin Jones, General Manager of the New Millennium Studios which is a neighbor on the north, came forward stating that he is concerned about the steel mill coming into the area. He would prefer a non-polluting industry. He is a father and business owner in this area. They moved the studio operation from California to Virginia because of the area and he does not want this area destroyed by pollution and excessive traffic. He stated that there are jobs in the movie business and he wanted to see the young people use there imagination and creativity. A steel mill is heavy labor. He urged the Boards to consider their decision carefully and to keep Virginia the beautiful area that it is.

15. Deborah DeViassi, who lives off of Circlewood Road, in the Virginia Hills area, came forward providing information of the two (2) steel mills. She advised the Boards and citizens to not trust environmental agencies. She asked the Boards to postpone their decision until they reviewed all the facts. She asked them to please reconsider.

16. Tammy Valenski, Circlewood Drive, came forward stating that she is a former employee of the Department of Environmental Quality and among the many reasons that she left service with the State, after serving for six (6) years, was that she had a very close unpleasant relationship with one of the steel mills in Virginia. This caused her blood pressure to go up quite a bit. She wanted to tell the Boards and citizens that they do not want a steel mill! You don't want your kids to work in steel mills! The health hazards are numerous. She wanted to be sure that the Board's staff had done their jobs by informing them of what she felt was a very cititcal issue in the proposal. The legal term she used was environmental justice. She wanted to raise that issue, raise it to their awareness, make sure the staff has done their work and done a sufficient job of researching that issue and informing you as to whether or not you need to be concerned about it.

Mr. Moody declared the joint Public Hearing on C-97-7 closed. He invited the Chaparral Steel representative to come forward to address the issues that had been raised by the citizens.

Mr. Dennis Beach, Vice-President of Administration for Chaparral Steel, came forward stating that he worked in a steel mill and had worked in a steel mill for 22 years. He thanked the citizens for being very courteous to him as being someone who is visiting from out of state and the comments that have been received tonight and taken with the respect that he felt that they were intended. He stated that he would try to answer these issues in broad terms and will try to get as specific as he could. The steel making facility will be located in the center of this tract and there is going to be a buffer area of about five hundred feet (500') surrounding it on three (3) sides. The fourth side is somewhat smaller as it is a rail track. The state of the art technology is what is being employed in our plant in Midlothian. While that plant has been

there for twenty-two (22) years, it has been continually upgraded to where it today still has the latest technology. There are other technological advances that we will make in that facility that will continue to improve our environmental impact. The land, the water and the water tables and the air around that site, which is the one he is familiar with, because it is producing about a million seven hundred thousand tons of steel. This is being done in a very similar manner in which this site will produce steel. There is no impact from the plant on the land or in the water table at that site. He stated that he does not anticipate there will be at this site. Yes, they will have to acquire permits. There is not a land fill on this site so that is not a permit that they will have to acquire. There will be no discharge of water on this site. We will test periodically for what will be going into the air. We go to a great deal of effort and expense to capture those particulates. They are permitted, they are monitored by the Virginia Department of Environmental Quality. The relationship between Chaparral Steel and the Virginia Department of Environmental Quality has been very positive. They have found them to be very professional. In addition, there are certain national standards that must be subscribed to. These will be monitored by the United States Environmental Protection Agency. There is no water that will escape this site. As far as noise is concerned, on our site in Midlothian we do not have as up to date technology as the proposed plant. He reported to the citizens that you can stand at the perimeter of the building, housing the nosiest equipment, and carry on a conversation. You can stand at the perimeter, which is only three hundred (300) acres compared to this one which is almost seven hundred (700) acres, and not hear anything except for normal noises that you hear in any area. Noise does carry; however, you cannot hear any noise beyond the perimeter of the site. The Boards members and other parties that visited the site will tell you that is just not so. The story of sounding like thunder twenty-four hours per day miles away from the site, is just not true. A citizen asked if the plant was operating when they visited the site? Mr. Beach stated that it was, it operates twenty four hours per day, seven days a week, except for the eight hours a day which is used for maintenance and repairs. There is no odor associated with the manufacture of steel. He again repeated there is no odor associated with the manufacture of steel. The things that have been discussed such as some type of chemical smell just does not occur in this type of recycling operation. A citizen interrupted -- asking may I please speak sir? Mr. Moody stated would you please let Mr. Beach complete his comments. Mr. Beach stated this was fine, he felt that this was the purpose of this hearing. He stated he was here to try to address the citizens concerns. One concern that he cannot address is that will it change the environment, will it change the area from a rural to something other than that? He stated he was here to tell them that it will. To say anything else would be an insult to everyone's intelligence. Yes, it is a plant that will be producing steel. Yes, there will be traffic. We will do what we can to minimize that because of the new road will access the plant from Route 1. Will there be additional traffic on the roads surrounding the site. Perhaps so, because of routes employees use to get to work but it will not be truck traffic from the plant. A citizen asked when you bring the scrap cars and stuff into the plant, this states you do not get tires, you do not get Freon, you do not get antifreeze, that is all eliminated at the junk yards. Mr. Beach stated that is correct. The citizen continued that the citizens should be concerned as to what the junk yards are doing with these pollutants. Mr. Beach stated that in the contracts with vendors specifically states that they do not accept tires, batteries, exhaust systems, etc. We do not store these items on site. These items are divided into metallic or nonmetallic. The metallic are recycled. The remaining fluff has some fuel value and they are studying how they can use this in their operations. A citizen stated that they probably have less pollution than the galvanizing plant that just opened on Halifax Road. Mr. Beach stated that he could not comment on that but he would like to comment on some of the other steel companies that are in the United States. He stated that they all operate under certain rules and regulations. They feel that they are doing better than the regulations require. A citizen asked what about the light pollution that your factory will have? Mr. Beach responded with there will be lights on the site because it is a twenty four hour operation. The lights will be directed toward the ground. He felt that with the buffer no light will escape the site. If the power fails then they would be without lights as there is no back up system on site. The citizens questioned the noise created by the trucks. Mr. Beach stated that the access to the site is on

the northwest side of the site and that is as much as they can do to minimize the noise is to put the new access road in this area, which is the shortest distance from Route 1. Mr. Beach explained the process of capturing the pollutants for disposal in response to a citizens question. Mr. Beach asked the Boards how they felt about him continuing to answer questions from citizens or if his three minutes were up. The Boards stated that they felt that he was addressing citizens concerns and that he was welcome to continue. The next citizen concern was smoke stacks, were there any, if so how many? Mr. Beach stated that there was no smoke stack but there was a smoke stack type of thing that is off the bag house. This is where they monitor emissions. There is no smoke. This is a requirement for monitoring emissions only. A citizen asked about water run off. Mr. Beach stated that they had one instance where this happened and there was no contamination and no damage done. There is a farm directly attached to the plant site that was there before the plant. The farmer raised hay or grass to feed his cattle. For some reason the cattle would not eat the grass or hay. Testing was done on the grass or hay and nothing was found. We do not know why they cattle would not eat this grass or hay. We felt that as a good neighbor we had an obligation to a neighbor to help them out of this situation. A citizen asked about problems that had been encountered with older steel mills. Mr. Beach stated that he understood that her experience had been with these older steel mills that were actually constructed under different environmental rules and regulations then the new steel mills have. He continued by stating that they did not anticipate any metal impact in storm water run off. The citizen asked if they do storm water testing in Texas? Mr. Beach replied that they do storm water testing in Texas. Mr. Belcher asked if he intended to answer his question? Mr. Beach laughed stating probably not. He continued by stating that his question had to do with the Hoke County and did they run them off? Mr. Beach stated the answer to that question is absolutely not. They had questions and we intended to answer them but we do have two (2) sites still remaining in the running. Dinwiddie County is one (1) and the other one (1) is in Chatham County, North Carolina. If both of those were not to be available to them then they would go back to Hoke County. If you will ask the Hoke County officials if they still want Chaparral Steel, that is where you will find your real answer. They have indicated to Chaparral Steel that they still do. Mr. Beach asked Mr. Barry Bone if he would like to address the citizens and Boards at this time. Mr. Barry Bone came forward to address the issues that he was more familiar with. He stated that he understood that or could tell by all the comments tonight that not everyone attended the previous meetings that the Boards have held. The Boards and Chaparral Steel have gone through a public process. There are some items that seem to be repeated like land fill, if you will look at the staff recommendation and their agreement you will see there will not be a land fill on the site. The staff has looked at this and made their recommendations on the plan development. Chaparral Steel has agreed to the proposed recommendations. He wanted to address a couple of items such as wetlands. They intend to do their best to not impact wetlands on the site. We will impact some wetlands on the site. In closing he would like to say that their reputation is extremely important to them. They go to public hearings all the time. Their reputation precedes them and will follow them. They are a New York Stock Exchange company and it is important to them now and always that their reputation is, how they conduct their business, and he would like to say that he is proud to work for Chaparral Steel. They do take into account the concerns, they do follow the rules and regulations that are set down by the local communities, state and federal governments. They appreciate their time and comments.

Mr. Moody stated that he would now turn the meeting over to the Planning Commission for their portion of the Public Hearing.

Mr. Lee asked for questions from the Planning Commission for Mr. Beach or Mr. Bone.

Mr. Titmus asked about power supply, would there be a co-generation plant put on this site to help with the needed power supply needed?

Mr. Beach stated that there were no plans at this time to put any alternate power supply.

Mr. Titmus asked the Board of Supervisors if Petersburg might have plans to annex this plant at a later date.

Mr. Moody stated that he could not answer for the rest of the Board but there are quite a lot more counties in the state than there are cities and politically they have more control over the General Assembly as far as annexation goes and he did not think that there was a county out there that would like to be annexed. He felt like they were on pretty good ground as far as annexation goes.

Mr. Tickle added an addendum to that -- under State Law presently they are not allowed to annex, under the new rules of legislation, presently they can not do that. Mr. Moody stated that the law would have to be changed. Mr. Tickle said to do that.

Mr. Hamilton stated that he was aware of the concerns and fear that the citizens have expressed tonight. Not knowing what is going to happen, not knowing if what you are hearing is true or false. What we have heard tonight may or may not be true, we just do not know. That is what we are concerned with. He also hoped that we will think about this as well. We have to be concerned with change sometimes. As we get older our bodies change, we don't like it, but we cannot do anything about it. Things are going to change, he just hoped that they change for the better. He is certain that both the Board of Supervisors and your Planning Commission will consider everything that has been said and we will try to make the very best decision. It may not be the decision that you would make but we will make the very best decision that we can.

Mr. Wood stated that he had a couple of items to bring up. He was concerned about the five hundred (500') buffer on three (3) sides, the plant being located in the center of the property, with storage and additional buildings to encompass the entire property. The next question is, if that is the case then you do not have any plans to bring in any additional industry on that property. This property is zoned for your plant and not to bring in additional industry, related or unrelated. Also he is concerned about the lighting and security; security as it pertains to fencing or guards to protect children from entering the property.

Mr. Bone stated that the plant has been moved from the center of the property because of the wetlands. Until that process is complete he could not tell the Board where that spot is but there will be the five-hundred foot (500') buffer. Regarding the lighting, he does not know -- his engineer told him that the lighting will be directed down toward the ground because that is the efficient thing to do. It is not to light the sky it is to light the ground. He stated that he did not know at this date and time if fencing the property is in the plans. He agrees that Chaparral is aware of what can happen when people come onto their property. In Texas they do not have the entire site fenced but they do have guards. All vehicles coming in or out of the site are checked by a guard. You have to have a pass to get in. It is controlled access. With reference to the property being purchased, it is being purchased for TXI/Chaparral Steel only.

Mr. Perkinson stated that he was concerned about security and fencing. Mr. Beach stated that the processing area is done in an enclosed building with controlled access. Mr. Perkinson felt that fencing should be provided for the acres within the work area. Mr. Bone stated that would be approximately two hundred (200) acres. Mr. Bone stated that he did not come prepared on that issue but that they were open to that suggestion.

Mr. McCray stated that he was concerned about the levels of zinc that Mr. DeMario has reported, five million pounds! He stated that he understood that this was collected. Mr. Beach stated that he did not believe that five million tons was accurate -- There was some confusion as to the validity and source of the report presented by Mr. DeMario. Mr. Beach stated that these contaminates are captured and recycled, that all of them are measured but they are not released into the atmosphere. Some contaminates are measured and some are calculated.

Mr. Bone interjected that they had discussed fencing and that they will agree to fence the portion of the site where the plant is located with the exception of where the railway enters the property.

Mr. Perkinson stated that he did not see why the railway entrance could not be gated. It is done in other industries. He knows this to be a fact, the railway people have keys to the gates.

Mr. Bone stated that because this is a twenty four hour facility he did not feel that gating the railway entrance was practicable.

Mr. McCray stated that he still had questions regarding the zinc. Mr. Beach stated that some contaminates are omitted and he could not tell you how much. Mr. McCray continued by saying that when they stated that they were accepting these conditions, he had a couple of questions to ask about: In Item 5. Adequate on site parking shall be provided for all trucks providing services and/or materials; -- does that mean that you know that no trucks will be parked off site, on the side of the road. Mr. Beach stated yes. Next Mr. McCray asked about the buffer zone. In that zone there are no out buildings or sheds, no other items in the buffer zone. Mr. Bone stated that there are some existing things in this zone and the access road will go through this zone also. Continuing Mr. McCray asked about "State of the Art", that is a wide open subject. He stated he assumed that that meant new equipment, not equipment from all steel mills. Mr. Beach stated that this equipment has not even been built yet. At this point Mr. McCray referred back to a question that Mr. Wood has posed regarding additional industry. On the land use amended application that you submitted on 10-22-97 where it was mentioned that future development of the site could include other industrial uses commonly found in industrial parks. In that same paragraph it states there will be outside storage of the products. Mr. Bone stated that is accurate and we are not planning to locate any other industry in this site, he included that because there could be some surplus land and when he was filling out the applications he felt that it was a good idea to put this in.

Mr. Perkinson stated that before any other industry can be located on that property they must come back before the Board.

Mr. Perkinson was informed that in a PMD it must come back before the Board.

Mr. Beach stated that the outside storage of products would be the finished product. The steel beams - I or H shape - and they are stacked approximately eight feet high.

Mr. McCray asked if Chaparral Steel would be willing to have a community group to work with them to insure that some/all of the things are being done. This would be employment and community involvement. He hoped that they would pull their employment from a 20/40 etc mile radius.

Mr. Beach stated that the community that surrounds the plant in Texas is approximately 5,000 people. We employ about 1,100 at that single site. We have drawn from about a 50 mile radius. What has happened over the years is people have moved to where almost 57% are within a 15 mile radius. We are very actively involved in the community as well as other communities. The way we do that is not necessarily by donating money to charity drives or that sort of thing. We ask our employees to participate in local clubs such as Lions Clubs, Chamber of Commerce, City Councils, we encourage that type of participation. From an employment stand point is that we would be reluctant to limit ourselves to any radius. What we want to do is offer employment to qualified people and have them go through our continuing education program. We do not want a community committee to make decisions that are more properly that of management or production. Community is our employees and we are very active in that. We sponsor baseball teams, we are very much a part of the community.

A citizen questioned the secondary road section of the conditional use permit. This is Item 3 which states: The secondary access road shown in the site development plan presented by representatives of the Chaparral Steel Company shall be used for emergency purposes, only.

This secondary road was shown to enter the existing State secondary road system in the general vicinity of Flank Road and Squirrel Level Road;

Mr. Bone stated that it was his belief that this road will not be built but wished to leave it in as it may be needed for emergency purposes. Mr. Moody stated for your emergency exit. Mr. Beach stated that it has been removed from the plans. Mr. Moody asked Mr. Ronald Reekes from the Virginia Department of Transportation to give an insight as to where the proposed road would be located.

Mr. Reekes stated that the proposed industrial access road that will serve the plant will take off from Route 1, about where the Produce Center is now, from the Produce Center straight across the Walker's property and ties into Church Road where the old abandoned railroad line it. That is the access road that will serve the property. The road will be about twenty-four (24) feet wide with a heavy pavement design. It will be able to accommodate truck traffic. There is a proposed signal at Route 1 and the industrial access road.

Mr. Lee asked if there was any other discussion or questions.

Mr. Titmus asked about fire suppression and medical care. He questioned the wage information for this area.

Mr. Beach stated that they were accustomed to working in a rural area where everything was volunteer. They will provide their own fire suppression and ambulance service. As for the wages in this area a local survey will need to be done. At their plant in Midlothian an entry level pays $18,000 where a production position pays $43,000. This is before overtime, benefits, or profit sharing.

Mr. McCray stated that he wanted to say that this may not be the best deal for all the citizens adjacent to the plant and he is sorry that their property is connected to the plant. He stated that he does have industry out behind him but he feels that for the entire County it is a good deal. He stated that he felt we needed it and he would support it.

Mr. Lee stated that he was in support of this conditional use permit.

Mr. Wood stated that he felt that since they had agreed to fence the area that we needed to add that condition to this permit.

Mr. Scheid read the statement presented him by Mr. Ben Emerson, County Attorney, which read as follows:

> 13. All areas actively used in the processing, production, or storage of raw materials or finished products, with exception of the area where the spur line enters the property, shall be fenced to a minimum height of eight (8') feet above the ground level using chain link fencing topped by triple strand barbed wire.

There was discussion regarding rail access being gated. Mr. Ben Emerson stated that if they trespass on a railway right of way, the railroad is going to take them to court. They are not going to be liable because it is illegal to trespass on railroad right of ways. They are very protective of that. If they are made aware of anyone going on their right of ways they take them to court very quickly. That may help in making this decision. It was decided to go with the above verbiage.

Upon motion of Mr. Hamilton, seconded by Mr. Wood, Mr. McCray, Mr. Perkinson, Mr. Moody, Mr. Wood, Mr. Titmus, Mr. Hamilton, Mr. Lee, voting "aye", the Planning Commission unanimously voted to recommend C-97-7 -- Conditional Use Permit for Chaparral Steel -- to the Board of Supervisors with the following thirteen (13) conditions:

1. Copies of all federal, state and local permits or licenses associated with this industry must be on file with the Planning Department prior to the issuance of a Certificate of Occupancy.

2. Primary access to the Chaparral Steel site shall be from Route 1. A newly constructed access road shall provide the access for all non-emergency vehicular traffic associated with the industry and Chaparral Steel Company will require all vehicular delivery traffic to use this access;
3. The secondary access road shown in the site development plan presented by representatives of the Chaparral Steel Company shall be used for emergency purposes, only. This secondary road was shown to enter the existing State secondary road system in the general vicinity of Flank Road and Squirrel Level Road;
4. Rail access to the Chaparral Steel site shall be from the existing Norfolk-Southern railroad tracks which bound the northern portion of the site. If an agreement between CSX and Norfolk-Southern can not be reached such that CSX can cross their lines to the Chaparral Site, then a spur line from Collier Railroad yard to the Chaparral Steel site will be permitted;
5. Adequate on site parking shall be provided for all trucks providing services and/or materials;
6. A buffer/landscape area of 500 feet in depth shall be provided along Church Road, Squirrel Level Road and Flank Road. Adequate buffering and screening along the Norfolk-Southern railroad line shall be required in order to minimize the industry s impact on the subdivision located to the north of the railroad tracks;
7. Actions acceptable to the County shall be taken to protect any site(s) determined by the Planning staff to have significant historical value;
8. The steel mill (reprocessing plant) shall contain only state of the art equipment which shall use electricity as its primary power source;
9. Chaparral Steel Company shall train and equip their personnel to provide adequate emergency medical and fire protection for their employees and facilities.
10. There shall not be a landfill located on premises. Any waste material generated at this facility shall be properly disposed of at an approved landfill site. Trash receptacles located on premises shall be screened;
11. This permit shall expire and be null and void if, (a) the real property for the facility is not acquired from its present owners and Chaparral Steel Company does not break ground and commence construction of its facility within six (6) months after the date of issuance of this permit and, (b) Chaparral Steel Company does not commence operations in the facility within twenty-four (24) months after the date of issuance of this permit.
Notwithstanding the foregoing, the Board of Supervisors, without a public hearing, may extend the expiration date of this permit for up to an additional six (6) months for good cause shown;
12. Final interpretation of all conditions attached to this permit shall be made by the County; and
13. All areas actively used in the processing, production, or storage of raw materials or finished products, with exception of the area where the spur line enters the property, shall be fenced to a minimum height of eight (8") feet above the ground level using chain link fencing topped by triple strand barbed wire; and

BE IT RESOLVED, that the Planning Commission hereby finds that the general location, character and extent of the use proposed by Chaparral Steel Company in conditional use permit case no. C-97-7 and related infrastructure are substantially in accord with the County's Comprehensive Plan, and approves the conditional use permit requested in case no. C-97-7, with and subject to the conditions set forth therein; and

BE IT ORDAINED, that in order to assure compliance with Virginia Code Section 15.1-491 (g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practices.

Mr. Moody stated that we would now have discussion by the Board of Supervisors members.

Mrs. Everett stated that she wished to share a letter from Dr. J. B. Darby, Jr. who lives in Cape Cod and is a native of Dinwiddie County. He is retired from the Department of Energy, he is a metallurgist, and he writes that he hopes that Chaparral Steel chooses Dinwiddie County. He says that in mini mill it is clean, it remelts scraps, he feels that the area needs this industry and no one should be concerned about having it in Dinwiddie County. She continued that she was glad that Mr. Bone and Mr. Beach answered so many of the concerns. Those who went to Texas to view this plant were very much impressed. She stated in Texas the outside storage of finished beams was most impressive. They were lined up so straight and perfect that you could just not believe it. As far as the noise factor, there was very little noise. There is not to be a land fill, the water is recycled, we have talked about the access roads, and have raised concerns about Petersburg's feelings. Any official that she had spoken with from the City of Petersburg is very supportive of this venture for Dinwiddie County. They hope that Chaparral Steel will locate in Dinwiddie County. As for smoke stacks there are not any. There is an adequate buffer zone. She knows that this is a farming community that is changing but lets face it we have got interstate roads and railways and it is going to go industrial. When we visited Texas we found that they were good community people and they got high marks from the citizens and employees. About battlefields and tourism, we have discussed these matters and it looks like a win-win situation for the battlefields.

Mr. Clay stated that he was very impressed with the employees. He asked Mr. Beach to report on the turnover of employees.

Mr. Beach stated that over the past twenty (20) years their turnover has ranged from five (5%) percent of the total work force on an annual basis to ten (10%) percent. Of the original two hundred thirty five employees that were hired in May of 1974, about sixty (60%) percent of them are still employed.

Mr. Bracey questioned the report that Mr. DeMario had presented, who or what company made this document. In looking at the document there was no name on the company. He stated that he was in support of Chaparral and hoped that they would drop their anchor here. He would be proud to have them here in Dinwiddie County.

Mr. Tickle stated that he was very proud of all the citizens who voiced their concerns on this matter. You are expressing your democratic rights by voicing your concerns. Just as the young lady came forward and spoke earlier, Mrs. Moore, he stated he had indeed spoken with her and made that comment. That was an accurate statement that she portrayed and he felt that he could make that comment due to the fact that he had actually traveled to the site. He had some questions for Mr. Beach. He stated that his background is that he is a biochemist, so he knew a little bit about the chemicals that were on the report presented by Mr. DeMario. He gave a brief synopsis of what he determined the data presented to say. He stated that this company is not a utopia just as it is not a wolf. He asked if they had any employees that have tested for heavy metals? Have you had employees that have had been tested for blood work for other reasons and had heavy metals in their blood?

Mr. Beach stated that they required their employees to be tested, to have a physical examination, paid by the company, every two (2) years. For those employees that are working in the steel production facility they require a blood annually. In their twenty (20) years of testing they have not had anyone test over the number allowed.

Mr. Tickle stated that several citizens voiced concern over the wetlands. He felt that Mr. Beach did an adequate job in addressing that issue. It would be kind of nice if Mr. Beach would bring up the number of wetland acres that you started out with and how you have tried to mitigate it down to a minimum.

Mr. Bone stated that the best information he had was at one time he was over forty (40) acres of wetlands on the site that they planned to

purchase. The impact that they felt this might have was too great. They now felt that fifteen (15) acres would be impacted. By moving the building they might be able to minimize it to five (5) acres or less.

Mr. Tickle expressed concern about the historical and tourism for this area. He would like for them to tell him how they were going to assist us in our historical area and protect this.

Mr. Beach stated that he would like for Mr. Harold Green, Director of Communications for TXI, to come forward. Mr. Green stated that he was head of community relations and community involvement and the historical side of this has been given to him. He stated that he had spent a great portion of the day walking the site. He stated that he was a civil war history buff, he had a great grandfather who was killed in the battle of Mansfield, and his grandmother was, he won't say -- He laughed stating he was a Texan so guess! The fact of the matter is that his grandmother was from Virginia so he is very interested in this subject. He stated that he had spent a great deal of time of the past couple of months looking at this issue. They have talked with the National Park Service because we will be locating next to them and we have numerous conversations with Pamplin Park about how they can work with them and better see to their situation is protected. We have not only done a phase one historical survey but because there were some issues of things on the property he had initiated a phase two and phase three to find out what is there. We have engaged a company to do a complete study of what happened on the site where we are to see what actually occurred so that he could develop plans in the future of how we can work with the County and work with the National Park Service to see that this is a beneficial historic site for this area and for the people of the United States. He walked the site today along with company that is doing the survey and the historian that is working with them. It is one thing to read it in a report it is another thing to see it. We were looking for one of the forts that is lost in the woods and he felt that they had found it today. This is a major interest of his and he is pleased to work for a company that has taken this as a serious issue for our company.

Mr. Tickle stated that he had talked with Mr. Green when he was in Texas and felt that the citizens should know about these efforts. If this company was not coming into the area and neighborhoods were established these sites would have been destroyed and lost forever. He stated that he was very impressed with the people that spoke tonight; however, he stated that he could not in good conscious vote for this if he did not believe it was best for all citizens of this County. He further stated as he had told Mrs. Moore and others that he lives close to a parcel 750 acres, it is within a couple of miles as the crow flies for him and it has attached directly to Lake Chesdin. One day that is going to be an industrial complex. It is not going to be the best kind, it is going to be a heavy industry. He stated he was not going to like it, he is not going to appreciate it but if it came tomorrow with good conscious he would have to vote for it because he has been there, he has seen it, and it not as bad as what you hear. If it was as bad as what he has heard from the citizens, if he had not seen it he would have to vote against it. The citizens have done a great job of persuading him and presenting a policy -- it gave him chill bumps just thinking about it -- so he would have voted against it. However, he was there and he cannot in good conscious not support it.

Mr. Long asked if he could say something. Mr. Moody yes sir. Mr. Long continued that he had been hired 3 1/2 months ago to serve as the County Administrator. He stated that he takes his job very seriously. He had been working on the issue with the citizens and staff for a while now and he has heard the concerns that have been brought up in the meeting tonight. He can tell us that each and every one of them have gone through his head as well. He stated that he currently approximately a mile and half to two miles from where we are talking about locating this facility. In dealing with all of this a greater thing comes to mind for him and that was his two boys. He stated that he had a five year old and a two yea old. All that he could ask the citizens of the county to do is believe him when he tells them that he could not just go along with something if he did not think it was going to be comfortable for him raising his two children. He could not just do that. Even if it meant his job -- his children mean everything in the world to him and he had his family there.

He stated that he also traveled with the group that toured the facility in Texas. He stated that he was very comfortable at this point and felt that he should share that with the citizens.

Mr. Moody stated that he visited the site and was very comfortable with the industry that has come to locate in Dinwiddie. He is comfortable with the pollution situation, he is comfortable with almost everything that has been addressed. One thing that he knows and it gives him some discomfort is the displacing of the people and moving of traffic in that area but changes do occur. If dual rail existed in his area then he would be the one moving. He felt that this would be best for Dinwiddie County. We have many many things looking at us in the future and far as expenses. He felt this was a good company and is very comfortable voting for this amendment.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby finds that the general location, character and extent of the use proposed by Chaparral Steel Company in conditional use permit case no. C-97-7 and related infrastructure are substantially in accord with the County's Comprehensive Plan, and approves the conditional use permit requested in case no. C-97-7, with and subject to the conditions as set forth therein; and

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491 (g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practices.

IN RE: ADJOURNMENT -- PLANNING COMMISSION

Mr. Lee called for a motion to adjourn the Planning Commission.

Upon motion of Mr. Titmus, seconded by Mr. McCray, Mr. McCray, Mr. Perkinson, Mr. Moody, Mr. Wood, Mr. Titmus, Mr. Hamilton, Mr. Lee voting "aye" the Planning Commission voted to adjourn their meeting at 10:36 P.M.

Mr. Moody stated that the Board of Supervisors meeting was still in session and there would be a ten (10) minute recess.

IN RE: CALL BACK TO ORDER

Mr. Moody called the meeting back to order at 10:52 P.M.

IN RE: C-97-5 -- PUBLIC HEARING -- CONDITIONAL USE PERMIT -- VIRGINIA MOTORSPORTS PARK

This being the time and place as advertised in the Dinwiddie Monitor on October 22, 1997 and October 29, 1997, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering a conditional use permit request submitted by Paul Coleman, General Manager for the Virginia Motorsports Park seeking to amend C-97-1 to allow racing on Wednesday nights from 5:00 P.M. until 11:00 P.M. Additionally, Virginia Motorsports Park seeks a conditional use permit to operate a campground in compliance with the Commonwealth Public Health Regulations. They are also requisition approval of Virginia Motorsports Park as the Red Cross Dinwiddie Administrative Headquarters in the event of a natural disaster. The property is located at 8018 Boydton Plank Road adjacent to the H&B of Virginia Campground.

Mr. Guy Scheid came forward to present C-97-5 - Conditional Use Permit for Virginia Motorsports Park.

Applicant:	Virginia Motorsports Park Paul Coleman, General Manager
Property Address:	8018 Boydton Plank Road
Magisterial District:	Rohoic

Acreage:	641.0 + acres
Tax Map Parcel:	20-59, 20-(3)-A, and 33-2
Zoning:	Agricultural, General, A-2 district
Water Source:	Public
Sewer Disposal:	Public

EXECUTIVE SUMMARY

The applicant is seeking a conditional use permit to:

A. amend condition # 15 to allow VMP to operate Wednesday night racing from 5:00 p.m. until 11:00 p.m.;
B. add a condition #16 to allow the Operation of a campground in compliance with Commonwealth of Virginia Public Health Regulations; and
C. add a condition # 17 to approve VMP as a Red Cross Dinwiddie Administrative Headquarters in the event of a natural disaster.

The property is located at 8018 Boydton Plank Road adjacent to Picture Lake.

Staff recommends APPROVAL of the request for a conditional use permit subject to the conditions contained under the section entitled RECOMMENDATION.

As required under Section 22-23 of the Code of the County of Dinwiddie, the enclosed information is forwarded for your consideration.

BACKGROUND INFORMATION & ANALYSIS

The Planning Commission and Board of Supervisors have reviewed similar requests in the past for Wednesday night racing, C-97-1, and for campgrounds. Minutes of previous meetings held by the Planning Commission and Board of Supervisors on these issues are enclosed for your review.

The first issue is the amendment of condition # 15. The most recent case involving VMP, C-97-1, dealt with the addition of condition # 15 to the original Conditional Use Permit, C-92-2. Condition # 15, as approved by the Board of Supervisors on May 7, 1997, reads as follows:

> "Wednesday race events will be permitted from May 1st through September 30th, for the year 1997, from 5:00 p.m. until 11:00 p.m."

The addition of Wednesday night racing was reported to have been a very successful venture for VMP, enabling the Park to more effectively serve its clientele and reduce the backlog of racers on Friday nights. It should be noted that Staff did not receive any complaints concerning Wednesday racing. Staff suggests modifying Condition # 15 as follows:

> "Wednesday race events will be permitted from May 1st through September 30th, for the year 1997, from 5:00 p.m. until 11:00 p.m."

The second issue is the addition of a condition to allow VMP to operate a campground on the premises. As you may be aware this issue has been one of great debate. VMP recently appealed a determination made by the Zoning Administrator which limited RV parking at the track to only forty (40) RV spaces and three (3) race events per year. The Board of Zoning Appeals heard Virginia Motorsports Park s appeal at their August 21, 1997 meeting and upheld the Zoning Administrator s determination.

It has been staff s opinion that if VMP wanted to increase the scale of its operation concerning RV parking that it should obtain a Conditional Use Permit, which has been required of all of the other campground facilities in the County.

Therefore, Staff recommends the amending of C-92-2 by adding a Condition # 16 to permit the operation of a campground at VMP with conditions. These conditions are those which have been imposed on the existing campground facilities in the County.

The final issue of this application is an amendment to the conditional use permit, C-92-2, to designate VMP as the Dinwiddie Administrative Headquarters for the American Red Cross in the event of a natural disaster.

There are several reasons that have been given for this request, such as, the presence of a emergency generator and the availability of telephone lines which make this an ideal facility for such a headquarters. Staff fully supports actions which serve to benefit the community, and the use of this facility by the American Red Cross is one such action. Staff would only suggest that this designation be expanded to include the use of the facility by Dinwiddie County if the need were to arise.

RECOMMENDATION

Staff recommends APPROVAL of the amended conditions as follows:

A. Amend C-97-1, Condition # 15 to read: "Wednesday race events will be permitted from May 1st through September 30th, from 5:00 p.m. until 11:00 p.m."

B. Add a condition #16 to allow the Operation of a campground in compliance with Commonwealth of Virginia Public Health Regulations with the following conditions:

1. Subject to all provisions, rules, and regulations of the Virginia Department of Health of the Commonwealth of Virginia, including provisions of construction and maintenance.

2. Subject to all provisions of State Law.

3. To be occupied only by persons in camping units as defined by State Law or Virginia Department of Health regulations and only by such persons when they are involved in recreation, vacation, leisure time or travel.

4. All permanent buildings and structures in campgrounds shall be constructed under the provisions of the Uniform Statewide Building Code and the regulations of the Virginia Department of Health. Any reconstruction, alteration, conversion, or repairs required by the application of the Virginia Code and the regulations of the Virginia Department of Health shall be carried out in accordance with the provisions of the Uniform Statewide Building Code. Construction and alterations shall remain in conformity with the law or code under which they were constructed.

5. All water sources and sewer or septic facilities shall comply with the regulations of the Virginia Department of Health, the State Water Control Board, and, if connected to public utilities, the Dinwiddie County Water Authority.

6. The campground operator shall maintain a register for each campground lot for at least the previous year which shall be made available at the request of the Sheriff or Captain of the Dinwiddie County Sheriff s Department, the Sergeant of the State Police, the Virginia Department of Health Commissioner, and the Director of Planning or Zoning Administrator for Dinwiddie County during an inspection of the campground. The register shall contain:

a. The name and addresses of each camper, owner, and occupant;

b. The date of the campsite occupancy;

c. The number of campsites occupied; and

d. The license number of each camper who has on the campground a vehicle requiring a license.

7. This conditional use permit shall expire and shall be deemed to be abandoned after a period of twenty-four (24) months continuous nonuse and such abandonment of the use shall render condition # 16 null and void.

C. Add a condition # 17 to approve "Virginia Motorsports Park as the designated American Red Cross Dinwiddie Administrative Headquarters, and the Emergency Operation Center for Dinwiddie County, if needed, in the event of a natural disaster."

Mr. Moody asked if there were any questions from the Board members. There being none Mr. Moody asked the applicant if he would like to make a statement.

Mr. Moody opened the Public Hearing on C-97-5.

The following person addressed the Board:

1. Robert Ragsale, 8511 Boydton Plank Road, came before the Board to express his concern over the noise generated by the Motorsports Park.

There being no other citizens wishing to speak Mr. Moody closed the Public Hearing.

Mr. Coleman came forward stating that he felt that the Virginia Motorsports Park has met all the regulations and conditions that had been set by the County. He stated that he did not feel that he and Mr. Ragsdale would ever agree on what was a nuisance and what was not a nuisance. Mr. Coleman stated that the berms were there and exceeded what the County conditions required. He stated that Mr. Ragsdale receives a check regularly to compensate him for what they are doing.

Mr. Scheid was asked if Virginia Motorsports Park had met the conditions. He stated that he felt that they had been met.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that C-97-5 - Conditional Use Permit for Virginia Motorsports Park is hereby approved as follows:

A. Amend C-97-1, Condition # 15 to read: "Wednesday race events will be permitted from May 1st through September 30th, from 5:00 p.m. until 11:00 p.m."

B. Add a condition #16 to allow the Operation of a campground in compliance with Commonwealth of Virginia Public Health Regulations with the following conditions:

1. Subject to all provisions, rules, and regulations of the Virginia Department of Health of the Commonwealth of Virginia, including provisions of construction and maintenance.

2. Subject to all provisions of State Law.

3. To be occupied only by persons in camping units as defined by State Law or Virginia Department of Health regulations and only by such persons when they are involved in recreation, vacation, leisure time or travel.

4. All permanent buildings and structures in campgrounds shall be constructed under the provisions of the Uniform Statewide Building Code and the regulations of the Virginia Department of Health. Any reconstruction, alteration, conversion, or repairs required by the application of the Virginia Code and the regulations of the Virginia Department of Health shall be carried out in accordance with the provisions of the Uniform

Statewide Building Code. Construction and alterations shall remain in conformity with the law or code under which they were constructed.

5. All water sources and sewer or septic facilities shall comply with the regulations of the Virginia Department of Health, the State Water Control Board, and, if connected to public utilities, the Dinwiddie County Water Authority.

6. The campground operator shall maintain a register for each campground lot for at least the previous year which shall be made available at the request of the Sheriff or Captain of the Dinwiddie County Sheriff s Department, the Sergeant of the State Police, the Virginia Department of Health Commissioner, and the Director of Planning or Zoning Administrator for Dinwiddie County during an inspection of the campground. The register shall contain:

a. The name and addresses of each camper, owner, and occupant;

b. The date of the campsite occupancy;

c. The number of campsites occupied; and

d. The license number of each camper who has on the campground a vehicle requiring a license.

7. This conditional use permit shall expire and shall be deemed to be abandoned after a period of twenty-four (24) months continuous nonuse and such abandonment of the use shall render condition # 16 null and void.

C. Add a condition # 17 to approve "Virginia Motorsports Park as the designated American Red Cross Dinwiddie Administrative Headquarters, and the Emergency Operation Center for Dinwiddie County, if needed, in the event of a natural disaster"; and

BE IT ORDAINED, that in order to assure compliance with Virginia Code Section 15.1-491 (g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practices.

IN RE: AWARD OF CONTRACT -- DEPARTMENT OF PUBLIC SAFETY -- AMBULANCE

Mr. Tony Burrow and Ms. Dawn Titmus came before the Board to present the bids for the new ambulance. The bids being as follows:

Fire X	$97,585 to $124,986	
P. L. Customs	$93,698 to $114,981	
Chief Inc.	$81,675 to $103,220	
Wheeled Coach	$69,356 to $83,321	THE LOW PRICE BEING A DEMO
Magri Sales	$76,941	
Northwestern Emergency	$78,250	

Mr. Burrow presented discussion on why they are recommending Northwestern Emergency. They received three bids that were within their price range. Magri Sales, the lowest bidder, did not meet the specifications. Northwestern met the specifications to the letter. Wheeled Coach has a ambulance already set up but it does not meet our specifications but for some additional funds will attempt to meet our specifications. This is not a new unit it is a demo. This is on the grant that was given in July. The state awarded them $54,882.00 and the County will be responsible for the balance of $23,368.00. This was a 80/20 grant.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 authorization is granted to accept the bid from Northwestern Emergency for a 1997 Super Duty ambulance in the amount of $78,250.00 of which $54,882.00 will be reimbursed by the State.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 funds be appropriated from the undesignated fund balance to purchase from Northwestern Emergency a 1997 Super Duty ambulance in the amount of $78,250.00 of which $54,882.00 will be reimbursed by the State and $23,368.00 will be the responsibility of the County.

IN RE: AWARD OF CONTRACT -- DEPARTMENT OF WASTE MANAGEMENT -- SILO CLEAN OUT

Mr. Denny King came before the Board presenting the bids he had received for the tank/silo cleanout project. The bids are as follows:

1.	Hydro Chem	$58,085.
2.	Waste Management Industrial Services, Inc.	$43,308.
3.	BFC Corporation	$58,300.
4.	Clean Harbors	$62,359.

Mr King recommended the low bid from Waste Management Industrial Services. He assured the Board that he felt that this Company could provide the services needed and that he had done his homework and checked references.

There were some questions as to why they were so much lower than others. Mr. King stated that they had different methods for the cleanout. Mr. King stated that DEQ approved of the process that this company uses.

Upon motion of Mr. Clay, seconded by Mrs. Everett, 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 authorization is granted to contract with Waste Management Industrial Services, Inc. for tank/silo cleanout for a contract price of $43,308.00 and that funds be appropriated from the undesignated fund balance.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- PRESERVATION OF WATER QUALITY AND AIR QUALITY ORDINANCE

Mr. Long stated that he had received information from the County of Brunswick on the issue of hog farms. This information was included in your Board packets. It is late and this is an important issue and he felt that we may wish to wait on this issue until the next meeting. It was decided to address this issue at the next meeting.

IN RE: COUNTY ADMINISTRATOR COMMENTS --RABIES CLINICS

Mr. Long stated that we had received a schedule from Petersburg Animal Hospital for four (4) rabies clinics to be held around the County. There was some discussion as to why Chesdin Animal Hospital was not holding these clinics as we want to promote County businesses before we allow outsiders to come in. If we receive a request from Dr. Grenoble then we will allow him to hold the clinics.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted for Petersburg Animal Hospital to hold four (4) rabies clinics during the months of November, December 1997 and January 1998 at various locations in Dinwiddie County.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- RESOLUTION -- MOUNT LEVEL BAPTIST CHURCH 130TH ANNIVERSARY

Upon motion of Mr. Clay, 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 following resolution be adopted and presented to Mount Level Baptist Church on November 9, 1997 for their 130th Anniversary:

RESOLUTION

OF THE

DINWIDDIE COUNTY BOARD OF SUPERVISORS

NOVEMBER 5, 1997

IN RECOGNITION OF THE

MOUNT LEVEL BAPTIST CHURCH
130TH ANNIVERSARY

WHEREAS, in 1867 a Church was formed under the name of Mount Level Baptist Church in the section of the county known as the Saint Thomas Community, and

WHEREAS, Mount Level Baptist Church has set aside November 9, 1997 to celebrate its 130th year of service in the Dinwiddie community, and

WHEREAS, the Church has been able to support many members and friends in the community by tithing in the Church and establishing a Mission Fund, and

WHEREAS, the Board of Supervisors would like to participate in the celebration with this resolution of recognition for its many years of growth and prosperity.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Mount Level Baptist Church for devoted service and for its accomplishments in the community and in the County, and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a copy of this resolution be presented to Mount Level Baptist Church for its November 9, 1997 celebration and a copy spread upon the minutes of this meeting.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated that the only other item he had was a letter from the Governor updating the County on the status of the disaster relief request. He also stated that information on Chaparral Steel information had been placed in the packets. Also there was information enclosed from the Superintendent regarding the Governor's School.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- HOLIDAYS

Mr. Long stated that he had a letter from the Governor's Office that went to all State Employers regarding the upcoming holiday schedule. The State is giving half day on Wednesday, November 26th, half day on Wednesday, December 24th, Friday, December 26th, and Friday, January 2nd, along with Thanksgiving Day, Christmas Day, and New Year's Day.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 additional holidays will be given to employees which shall include half day, November 26th, half day, December 24th, along with December 26th and January 2nd.

IN RE: ADDITIONAL PARKING AREA FOR THE NEW COURTHOUSE COMPLEX

Mr. Long stated that Donnie Faison, the Construction Inspector, had presented the staff with a plan to provide additional parking in the Administration Building complex parking lot. While the contractors were paving the new parking lot he asked them for a price to undercut an area 185' X 34' X 6' and backfill this area with 21B stone. This would provide a good parking area for the County vehicles. The total price of this would be $2,875.36 to prepare the area for paving and would be done by Richard L. Crowder Construction, Inc.

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 County Administrator is authorized to enter into a contract with Richard L. Crowder Construction, Inc. to prepare an additional parking area 185' X 34' X 6' for county vehicles at a cost of $2,875.36 with said money being appropriated from the Building and Grounds Fund.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay -- He just wanted to let the County know that McKenney Fire had applied for a grant for a first responder unit. This would be an 80/20 grant.

Mr. Bracey -- He stated that he would like to have some additional information on the Governor's School.

Mr. Tickle -- no comments

Mrs. Everett -- She invited the Board to attend a function at Southside Elementary School on Saturday night in support of the EMS people in McKenney Area.

Mr. Moody -- He stated that Hermie Reames was over 100 years old and he felt that we needed to adopt a resolution for her. Mr. Moody was requested to obtain additional information for staff to prepare the resolution.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 11:43 P.M. to be continued at 7:30 A.M. November 6, 1997 for travel to Charlottesville for a Board Retreat.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE SPECIAL CALLED MEETING OF THE BOARD OF SUPERVISORS HELD AT THE HOMEPLACE RESTAURANT, DINWIDDIE, VIRGINIA, ON THE 5TH DAY OF NOVEMBER, 1997, AT 5:00 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
	BEN EMERSON	COUNTY ATTORNEY

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1 - 344 (a) 7 - consultation with legal counsel and briefings by staff, consultants or attorneys, pertaining to actual or probable litigation, or other specific matters requiring the provision of legal advise by counsel regarding (Zoning issues and Inducement Agreement with Chaparral Steel Company). The meeting moved into Executive Session at 5:15 P.M. Upon affirmative vote, the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 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 Mrs. Everett, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 7:30 P.M.

Harrison A. Moody
Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

WAIVER OF NOTICE FOR SPECIAL MEETING OF THE BOARD OF SUPERVISOR OF THE COUNTY OF DINWIDDIE, VIRGINIA

To: Clerk of the Board of Supervisors of the County of Dinwiddie

Re: Waiver of Notice of special meeting of the Board of Supervisors at 4:00 p.m. on Thursday, October 30, 1997

Place: 1964 Wakefield Street, Petersburg, Virginia, 2nd floor Conference Room, offices of Crater Planning District Commission/ABIDCO

Subject: An Executive Session pursuant to *Code of Virginia* § 2.1-344(A)(7) for consultation with legal counsel and briefings by staff, consultants or attorneys, pertaining to actual or probable litigation, or other specific matters requiring the provision of legal advise by counsel regarding (*Inducement Agreement with Chaparral Steel Company*).

We, the undersigned members of the Board of Supervisors of the County of Dinwiddie and the County Attorney, hereby waive notice of Special Meeting of the Board of Supervisors pursuant to Section 15.1-538 of the Code of Virginia to attend the above special meeting at the time and place mentioned above for discussion of the above subjects.

Member, Board of Supervisors

Member, Board of Supervisors

Member, Board of Supervisors

Member, Board of Supervisors

Member, Board of Supervisors

County Attorney

002607\035636\WAIVENOT.DMS

County of Dinwiddie

Date: October 30, 1997

To: Clerk of the Board of Supervisors of the County of Dinwiddie

Re: Request for special meeting of the Board of Supervisors at 4:00 P.M. on Thursday, October 30, 1997

Place: ABIDCO
Monument Professional Building
1964 Wakefield Street
Petersburg, Virginia

Subject: An Executive Session pursuant to the Code of Virginia Section 2.1-344 (A) - 7 for consultation with legal counsel and briefings by staff, consultants or attorneys, pertaining to actual or probable litigation, or other specific matters requiring the provision of legal advice by counsel regarding (Inducement Agreement with Chaparral Steel Company).

We, the undersigned members of the Board of Supervisors of the County of Dinwiddie, request that the Clerk of this Board notify each member of the Board of Supervisors and the County Attorney to attend the above special meeting at the time and place mentioned above for the discussion of the above subjects.

H. A. Moody
Member of Board of Supervisors

Audrey S. Clay
Member of Board of Supervisors

Member of Board of Supervisors

Member of Board of Supervisors

Mike Tickle
Member of Board of Supervisors

County Attorney

/pam

CERTIFICATION RESOLUTION OF EXECUTIVE SESSION

WHEREAS, THE BOARD OF SUPERVISORS 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 THAT SUCH EXECUTIVE MEETING WAS CONDUCTED IN CONFORMITY WITH VIRGINIA LAW;

NOW, THEREFORE BE IT RESOLVED THAT THE BOARD OF SUPERVISORS, HEREBY CERTIFIES THAT, TO THE BEST OF EACH MEMBER'S KNOWLEDGE, (1) ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS UNDER THE VIRGINIA FREEDOM OF INFORMATION ACT WERE HEARD, DISCUSSED OR CONSIDERED IN THE EXECUTIVE MEETING TO WHICH THIS CERTIFICATION APPLIES; AND (2) ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION BY WHICH THE EXECUTIVE MEETING WAS CONVENED WERE HEARD, DISCUSSED OR CONSIDERED IN THE MEETING TO WHICH THIS CERTIFICATION APPLIES

UPON MOTION OF Bracey, SECONDED BY Clay,

_____, _____, _____, _____,

_____ VOTING "AYE," _____, _____,

_____, _____, _____, _____ VOTING "NAY," THIS CERTIFICATION RESOLUTION WAS ADOPTED.

I\DATA\USER\DMS\WP\SAMM\EXECSESS.CER

MOTION TO GO INTO EXECUTIVE SESSION

I MOVE THAT THIS BOARD NOW MEET IN EXECUTIVE SESSION TO DISCUSS MATTERS EXEMPT FROM THE OPEN MEETING REQUIREMENTS OF THE VIRGINIA FREEDOM OF INFORMATION ACT AS:

____ PERSONNEL MATTERS UNDER VA. CODE SECTION 2.1-344 A. 1;

____ REAL PROPERTY USE, ACQUISITION, DISPOSITION OR CONDITION UNDER VA. CODE SECTION 2.1-344 A. 3;

____ PROTECTION OF THE PRIVACY OF INDIVIDUALS IN PERSONAL MATTERS NOT RELATED TO PUBLIC BUSINESS UNDER VA. CODE SECTION 2.1-344 A. 4;

____ PROSPECTIVE BUSINESS OR INDUSTRY MATTERS OR EXPANSION OF EXISTING BUSINESS OR INDUSTRY WHERE NO PREVIOUS PUBLIC ANNOUNCEMENT HAS BEEN MADE UNDER VA. CODE SECTION 2.1-344 A. 5;

____ INVESTING OF PUBLIC FUNDS WHERE COMPETITION OR BARGAINING IS INVOLVED WHERE, IF MADE PUBLIC INITIALLY, THE FINANCIAL INTEREST OF THE COUNTY WOULD BE ADVERSELY AFFECTED UNDER VA. CODE SECTION 2.1-344 A. 6;

✓ CONSULTATION WITH LEGAL COUNSEL AND BRIEFINGS BY STAFF MEMBERS, CONSULTANTS OR ATTORNEYS, PERTAINING TO ACTUAL OR PROBABLE LITIGATION, OR OTHER SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY COUNSEL UNDER VA. CODE SECTION 2.1-344 A. 7;

THE SUBSTANCE OF THE MATTERS TO BE DISCUSSED INVOLVES:

Inducement Agreement with Chaparral Steel.

004028\032285\EXECSES.MTN

LAW OFFICES
SANDS ANDERSON MARKS & MILLER
A PROFESSIONAL CORPORATION

The Ross Building
801 East Main Street, Suite 1400
Post Office Box 1998
Richmond, Virginia 23218-1998
Tel: (804) 648-1636
Fax: (804) 783-7291/783-2926

1206 Norwood Street
Post Office Box 1052
Radford, Virginia 24141-0052
Tel: (540) 639-1601
Fax: (540) 639-6802

Reply to Richmond Office

FACSIMILE TRANSMISSION

DATE: 10/27/97 TIME: 12:00 pm

TOTAL NUMBER OF PAGES (including cover sheet): 3

TO: NAME: Mr. Marty Long

CO: Dinwiddie County

FACSIMILE NUMBER: 804/469-4503

FROM: Daniel M. Siegel, Esquire

OUR FILE NUMBER: 2607/35394

FOR PROBLEMS OR CONFIRMATION, PLEASE CALL:

Dena Roberts AT (804) 783-6772

MESSAGE

The information contained in this facsimile transmission is attorney/client privileged and confidential information intended only for use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original transmission to us at the above address via the U.S. Postal Service.

Thank you, SANDS, ANDERSON, MARKS & MILLER

REQUEST FOR SPECIAL MEETING OF THE BOARD OF SUPERVISOR OF THE COUNTY OF DINWIDDIE, VIRGINIA

To: Clerk of the Board of Supervisors of the County of Dinwiddie

Re: Request for special meeting of the Board of Supervisors on ___ p.m. on Wednesday, November 5, 1997

Place: _____, Dinwiddie, Virginia

Subject: An Executive Session pursuant to *Code of Virginia* § 2.1-344(A)(7) for consultation with legal counsel and briefings by staff, consultants or attorneys, pertaining to actual or probable litigation, or other specific matters requiring the provision of legal advise by counsel regarding (*Zoning issues and Inducement Agreement with Chaparral Steel Company*) and 2.1-344(A)(__) for _____.

We, the undersigned members of the Board of Supervisors of the County of Dinwiddie, request that the Clerk of this Board notify each member of the Board of Supervisors and the County Attorney to attend the above special meeting at the time and place mentioned above for discussion of the above subjects.

_____
Member of Board of Supervisors

_____
Member of Board of Supervisors

002607\035636\NOTICE.DMS

LAW OFFICES
SANDS ANDERSON MARKS & MILLER
A PROFESSIONAL CORPORATION

The Ross Building
801 East Main Street, Suite 1400
Post Office Box 1998
Richmond, Virginia 23218-1998
Tel: (804) 648-1636
Fax: (804) 783-7291/783-2926

1206 Norwood Street
Post Office Box 1052
Radford, Virginia 24141-0052
Tel: (540) 639-1601
Fax: (540) 639-6802

Reply to Richmond Office
P.O. Box 1998
Richmond, Virginia 23218-1998

Direct Dial: (804) 783-7219

October 27, 1997

VIA TELECOPIER 1-469-4503 and U.S. MAIL
Mr. R. Martin Long
County Administrator
Dinwiddie County
P. O. Drawer 70
Dinwiddie, VA 23841

RE: Board of Supervisors' Special Meeting -- November 5, 1997

Dear Marty:

Enclosed is a form of notice for the calling of a special meeting on November 5, 1997 (prior to the regularly scheduled meeting). Pursuant to *Code of Virginia* § 15.1-538, a special meeting of the Board of Supervisors is to be held on request of two or more members of the Board. Also *Code of Virginia* § 15.1-538 requires that you, as Clerk of the Board of Supervisors, send a notice to each member of the Board and the County Attorney by certified mail, not less than five (5) days before the day of the special meeting. This notice has blank spaces for the time and place of meeting. I have also left blanks for additional items for discussion which need to be completed or deleted, although I've assumed some of the discussion would involve the Chaparral Steel rezoning issues and inducement agreement issues. If you have any questions, please give me a call.

With best regards,

Daniel M. Siegel

Enclosure
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meeting must be held whenever it is requested by two or more board members, who must submit a written request to the clerk of the board, specifying the time and place and the matters to be considered. The clerk then must notify each member of the board of supervisors and the commonwealth's attorney (or the county attorney, if one is employed) of the time, place, and matters to be considered, either by certified mail not fewer than five days before the scheduled meeting date, or by notice served by the county sheriff. In order for a special meeting to be valid without the official notice, each member of the board and the commonwealth's attorney must attend the meeting and sign a waiver of notice.[138] Only matters specified in the notice may be considered in a special meeting unless all members of the board are present, in which case, other issues may be discussed subject to the requirements of the Virginia Freedom of Information Act.[139]

Requirements for Open Meetings

It is desirable for the general public to make known its views to the board of supervisors on proposed legislation, county administration, and other matters. This may be done in a variety of ways, including personal contact, telephone calls, letters, public hearings, and open meetings.[140] In furtherance of this objective, state law requires that each board of supervisors "shall sit with open doors and all persons conducting themselves in an orderly manner may attend its meetings."[141] The constitution contains fundamental guarantees protecting freedom of the press and the right of the people to petition the government for the redress of grievances.[142] The board of supervisors may require the presence of the sheriff or his deputy at its meetings to maintain order.[143] The board of supervisors should be prepared to conduct its meetings through the proper use of parliamentary procedure and techniques for handling open meetings.[144]

The Virginia Freedom of Information Act provides explicit directions for implementing the open-meeting rule.[145] A meeting is defined in the act as any

[138]Code, secs. 15.1-537, 15.1-538.

[139]Ibid. Under certain optional and special forms, the sheriff, county executive or county manager, and department heads are entitled to be present at all meetings of the board; see Code, secs. 15.1-601, 15.1-636, and 15.1-737.

[140]Steps that can be taken by the board of supervisors to encourage orderly participation in board meetings and build citizen support for county government are suggested in Virginia Municipal League, Virginia Association of Counties, and the Institute of Government, *The Virginia Local Legislator: A Guide for Municipal Mayors and Councilmen and County Supervisors* (Charlottesville: Institute of Government, University of Virginia, 1972), pp. 41-46, 56-72.

[141]Code, sec. 15.1-539.

[142]Con., Art. I, Sec. 12.

[143]Code, sec. 15.1-539.

[144]See *The Virginia Local Legislator*, pp. 41-46, 56-72.

[145]Code, secs. 2.1-340 through 2.1-346.1. See Clifton McCleskey and Mary Jo Fields, "Freedom of Information in Virginia," *University of Virginia News Letter* (Charlottesville: Institute of Government, University of Virginia), June 1979, for a review of the act, its amendments, and related issues.

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD AT THE CHARLOTTESVILLE OMNI, CHARLOTTESVILLE, VIRGINIA, ON THE 6TH AND 7TH OF NOVEMBER, 1997 BEGINNING AT 9:30 A.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
	PAUL JACOBSON (joined the Executive Session on Friday morning, November 7, 1997)	COUNTY ATTORNEY

IN RE: DISCUSSION OF CAPITAL IMPROVEMENT PROGRAM

The staff reviewed a number of projects that are either mandated by State regulations or are required for building renovation/maintenance for which estimated costs totalled $830,000. These projects would be funded from the $1 million undesignated fund balance for the year ending June, 1996.

a. Landfill Closure - $260,000 - Engineers were authorized to proceed with this project at the October 15, 1997 meeting.

b. Transfer Station - $30,000 - Engineers were authorized to proceed with this project at the October 15, 1997 meeting.

c. Administration Building Enclosure - $50,000 - Postponed until decision is made on the reuse of Eastside/Northside Schools.

d. Administration Building Parking Lot - $25,000-$30,000 - Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mr. Bracey, Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Moody voting "aye", the Construction Inspector was authorized to proceed with preparation of the Administration Building and Dinwiddie Fire Dept. parking lots for paving in the Spring. This work would include removing the grass islands and replacing them with pavement and removing the bad asphalt and replacing it with a stone base for paving in the Spring.

e. Jail - Generator - $40,000 - Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Moody voting "aye", the Construction Inspector was authorized to proceed with bidding a new generator for the Jail. $30,000 has already been designated in the Jail Phone Commission Fund for this project.

f. Jail HVAC - $70,000 - This estimate was to install AC in the jail. Recently, an emergency has required the replacement of the HVAC system for the Sheriff's Office & front section of the building. This cost is estimated at $25,000. Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Moody voting "aye", the Construction Inspector was authorized to proceed with a review of the Sheriff's Dept. entire HVAC system and obtain bids for a new system; and further to obtain bids for AC for the Jail.

g. Jail Roof - $6,250 - At the present time, there is a leak in one section of the jail roof. Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Bracey, Mr. Moody voting "aye", the Construction Inspector is authorized to obtain bids on a raised/A-frame roof for the Jail.

h. Ford VFD Brush Truck - $30,000 has already been appropriated towards the purchase of a new brush truck. A draft of the audit for the year ending June 30, 1997 indicates that there will be additional funds available in the undesignated fund balance. Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Clay, Mr. Tickle, Mr. Moody voting "aye", an additional $15,000 is appropriated for the Ford VFD from the 1997 undesignated fund balance for the purchase of a brush truck.

i. EMS Ambulance - $23,000 match was approved at the November 5, 1997 meeting.

j. EMS Ambulance Rechassis - $65,000 - Postponed action until paid personnel provide more information on buying a new engine and transmission vs. buying a new chassis.

k. Health Dept. Improvements - estimated at $30,000 - The Board requested more information on the reorganization of the office space and how services will be provided; staff was instructed to bring back estimates on improvements. The Board agreed that painting would be adequate rather than wood paneling. It was also suggested that the

outside appearance could be improved by cutting back some of the trees and power washing the building.

l. Well improvements at Jail, Courthouse and Administration Complex - The Engineer with the DCWA is providing assistance to staff on determining the best option for rectifying the problem with contamination of the wells at the Jail and Courthouse. At present, a gasoline additive called MBTE is still showing up in the Jail Well. Recently, the Courthouse well samples have been below reporting levels. The alternatives for the Jail well are digging a new well or installing a treatment system. The Board authorized staff to investigate the alternatives and bring back a recommendation for their review. The Board also instructed staff to discontinue the bottled water in those buildings in which the water is suitable for public use.

m. Bond Interest Payment - The first interest payment in the amount of $128,000 on the last Courthouse bond issue is due in February, 1998 and was not included in the 1997-98 operating budget. Therefore, the Board agreed to appropriate these funds from the 1996 undesignated fund balance.

n. McKenney First Responder Vehicle - If McKenney is successful in receiving this grant, a local match will need to be appropriated by the Board in the amount of $9,000.

o. Trash Delivery Service - The Board instructed staff to continue to investigate the cost of purchasing the necessary trucks and equipment for the County to haul its own trash to a regional landfill. These costs are not included in the total costs for the CIP.

2. Reuse of Eastside/Northside/McKenney Elementary Schools - The Board briefly discussed the use of these buildings as temporary measures to absorb some of the school overpopulation and/or as School Board offices. Staff was instructed to discuss these alternatives with the Superintendent and ask for input from the School Board.

3. Reuse of Existing Courthouse - Staff presented a copy of a trip report prepared by Mr. Dick Dretsch, historic architect and Ron Thomson, an interpretive planner on contract with the National Park Service, on their review of the existing Courthouse and various renovation options. Staff also presented copies of cooperative agreements between various local government agencies and the Park Service for operation of joint visitor/interpretative centers. Their general conclusion is that the building requires considerable work to meet the accessibility requirements of the ADA, to eliminate safety hazards and to bring the mechanical systems up to current code as follows: Remove the existing and install a new electrical system; remove the existing and install a new HVAC system; remove the existing roof and apply a new tin roof; install a sprinkler system (if code requires); regrade the site to direct water and ground moisture away from the court house; address the lack of code worthy stairways to the second floor and exits; replace existing deteriorated windows with new energy efficient windows and add insulation to increase the building's energy performance; conduct a structural survey to insure the structural safety and integrity of the building (when the building is vacated); bring the building into compliance with accessibility standards (door changes, new stairs, lift or elevator and new rest rooms). Upon motion of Mr. Clay, seconded by Mrs. Everett, Mr. Clay, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", staff was instructed to do the following: Proceed with obtaining bids on the basic work as listed above; submit a request for funding from the General Assembly; bring the appropriate parties together to begin discussions on the feasibility of a partnership.

4. 1997-98 CIP Program -

Staff advised the Board that a rough draft of the audit has been completed and it appears that there will be $2 million in undesignated fund balance for the year ending June 30, 1997. It is staff's recommendation that $1 million be added to the Debt Service Fund and $1 million be used for the Capital Improvements Program. The following items were discussed as possibilities for the 1997-98 CIP: EMS/Fire Dept. Station; Recreation Area for the Lake; McKenney Fire Truck or Fire House; Rohoic Branch Library - Mrs. Everett suggested the use of one of the modulars from the School system that could be placed at Eastside Elementary School; GIS system - staff was instructed to have March Altman come to a Board meeting in the near future to give a definitive

explanation of GIS systems; fire truck for the next department in the truck replacement program (McKenney, Dinwiddie or Namozine). These items total approximately $1,100,000. The Board instructed staff to ask the County's financial consultants to review these programs and the County's financial position and update their capital funding strategy.

IN RE: ZONING/DEVELOPMENT ISSUES

1. Campground Ordinance - The Board members reviewed the latest draft of the campground ordinance and agreed to leave the language as stated with the following addition: When a permanent attached structure deteriorates to the point of replacement, it cannot be rebuilt; any replacement structure must meet the guidelines as described in Items #15 and #16 of the ordinance as stated. Staff was instructed to investigate the need for another public hearing and, if not required, place the ordinance on the November 19, 1997 agenda for action.

2. Residential Growth Strategies - The Board reviewed a draft on various residential growth strategies. Mr. Tickle and Mr. Bracey agreed to serve on a Residential Growth Strategies Committee to be organized by the Planning Department to present recommendations to the Board for their consideration within 90 days. The Board members indicated they would come up with suggested members from their individual districts.

IN RE: GENERAL REASSESSMENT

The Board agreed to conduct another general reassessment four years from the last one, which would have an effective date of January 1, 2001. The process would begin July 1, 1998.

IN RE: LEGISLATIVE PROGRAM

The Board reviewed their legislative program for the 1998 General Assembly Session.

IN RE: COUNTY CREDIT CARD LIMIT

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mr. Bracey, Mrs. Everett, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", the Board authorized Administration to increase the credit limit on the County Credit Card from $1,000 to $5,000.

IN RE: RECESS

The Board recessed for dinner at 6:00 P.M. and reconvened the meeting at 8:00 P.M.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Clay, Mr. Bracey, Mr. Tickle, Mrs. Everett, Mr. Moody voting "aye", pursuant to Sec. 2.1-344(a)-(1) Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - EMS, Fire (public safety); additional Courtroom Deputy positions, buildings and grounds maintenance; and personnel policies, the Board moved into Executive Session at 8:01 P.M. At 8:30 P.M., the Board recessed until 9:00 A.M., Friday, November 7, 1997. Paul Jacobson jointed the meeting at this time. Upon an affirmative vote, the meeting reconvened into Open Session at 11:30 A.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 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: OVERTIME DUE TO PAID EMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that funds are hereby appropriated from the 1996 undesignated fund balance in the amount of $65,000 for a one-time payment of overtime due to the paid EMS employees for the years 1995-97; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that a 40-hour workweek be established for the paid EMS.

IN RE: PUBLIC SAFETY OFFICER

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay, Mr. Moody voting "aye", Administration was authorized to prepare a job description and advertise the position of Public Safety Officer.

IN RE: NEEDS ASSESSMENT

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mr. Clay, Mr. Tickle, Mr. Bracey, Mrs. Everett, Mr. Moody voting "aye", the County Administrator was authorized to move forward with the preparation of plans for a needs assessment concerning public safety needs in the County, which when complete will be considered working documents of the County Administrator to be used solely in Executive Session.

IN RE: BILLING FOR AMBULANCE SERVICE

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mr. Bracey, Mr. Tickle, Mr. Clay, Mrs. Everett, Mr. Moody voting "aye", action on billing for ambulance services is tabled for 60 days until a plan for administration of the program is presented to the Board.

IN RE: EMS COUNCIL/FIRE CHIEF'S ASSOCIATION

Action on these two organizations is postponed pending the hiring of a Public Safety Officer.

IN RE: DISTRIBUTION OF TWO-FOR-LIFE FUNDS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Two-for-Life Funds allocated to the County will be distributed to the EMS Agencies in the County, including First Responder Units, based on the percentage of calls responded to in the County for the year the funds are allocated.

IN RE: PERSONNEL POLICY AMENDMENTS - FAMILY LEAVE

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mr. Bracey, Mr. Tickle, Mr. Clay, Mrs. Everett, Mr. Moody voting "aye", the following amendment to the Dinwiddie County personnel policies is approved regarding Family Leave: Before Family Leave without pay would be allowed, an

employee must use all accumulated vacation leave and sick leave, which would be included as a part of the 12 weeks allowed for Family Leave.

IN RE: PERSONNEL POLICY AMENDMENT - WORKMAN'S COMPENSATION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Moody voting "aye", the following amendment to the Dinwiddie County personnel policy is approved regarding Workman's Compensation: When an employee qualifies for Workman's Compensation benefits, the employee will receive only the weekly workman's compensation payment provided under the Statute. In addition, benefits will be continued by the County for a period of 90 days. At the end of the 90 day period, if the employee is still out on Workman's Compensation, retirement contributions will be discontinued until the employee returns to work. The employee will be responsible for maintaining his/her health insurance and life insurance premiums.

IN RE: COMMITTEE FOR REVIEW OF CIP

The Board agreed to ask the Planning Commission for their thoughts on having a separate Committee work on the CIP before recommendations are presented to them for review and recommendation to the Board of Supervisors.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 12:00 Noon to be continued until 5:30 P.M., Wednesday, November 12, 1997 for an Executive Session with the Industrial Development Authority to discuss legalf issues concerning the inducement agreement with Chaparral Steel.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 12TH DAY OF NOVEMBER, 1997, AT 5:30 P.M.

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

The Board held a joint meeting in Executive Session with the Industrial Development Authority.

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Bracey, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", pursuant to the Virginia Freedom of Information Act, Section 2.1 - 344 (a) 7 - consultation with legal counsel and briefings by staff, consultants or attorneys, pertaining to actual or probable litigation, or other specific matters requiring the provision of legal advice by counsel regarding (Inducement Agreement with Chaparral Steel Company). The meeting moved into Executive Session at 5:35 P.M. Upon affirmative vote, the meeting reconvened into Open Session at 6:25 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Bracey, seconded by Mrs. Everett, Mrs. Everett, 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 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. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 6:30 P.M. to be continued until 1:00 P.M., Wednesday, November 19, 1997 for a Workshop Session with the Virginia Department of Highways at the Pamplin Administration Building, Dinwiddie, Virginia.

Harrison A. Moody
Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 19TH DAY OF NOVEMBER 1997 AT 2:00 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
	PAUL JACOBSON	COUNTY ATTORNEY
	(Mr. Jacobson arrived at 2:15 P.M.)	

IN RE: CALL TO ORDER - INVOCATION - PLEDGE OF ALLEGIANCE

Mr. Harrison Moody, Chairman of the Board, called the meeting to order at 2:02 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. R. Martin Long, County Administrator, requested that under Item 11, Executive Session 2.1-344 (A)-1 we add Recreation and Administration and delete 2.1-344 (A)-3 - Acquisition of Property completely.

Mr. Tickle stated that he had one issue to add, Sutherland Manor leash law. It was suggested that be discussed under Animal Warden.

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 under Item 11, Executive Session, Section 2.1-344 (A) 1 - Recreation and Administration be added and Section 2.1-344 (A) - 3 Acquisition of Property be deleted.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the November 5, 1997 special called meeting; November 5, 1997 regular meeting; November 6, 1997 continuation meeting; and the November 12, 1997 continuation meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mr. Moody stated the Board had a copy of the claims for the month and asked if there were questions. There being none he called for a motion.

Upon motion of Mr. Clay, seconded by Mrs. Everett, 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 claims are approved and funds appropriated for same using checks # 1008110 - # 1008241 (void checks 1008110 - 1008083 - 1008113); for Accounts Payable in the amount of $158,848.66: General Fund $86,770.02; E911 Fund $1,588.90; Law Library Fund $554.25; CDBG Grant Fund $7,441.75; and County Debt Service $62,493.74.

IN RE: APPROVAL OF REQUISITION #8 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that Requisition #8 for the Courthouse consists of payments to:

Hening-Vest-Covey	$ 3,867.23
ECS.LTD	667.73
Total of this Requisition	$4,534.96

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 Requisition #8 in the amount of $4,534.96 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

There were no citizens wishing to speak at this time.

IN RE: CRATER HEALTH DISTRICT -- DR. GRAYSON B. MILLER, JR.

Mr. Long stated that Dr. Grayson B. Miller, Jr., Director of the Crater Health District was present to introduce himself and say hello.

Dr. Grayson came forward and thanked the Board for the opportunity to meet with them and to say hello. He stated that he was new to local Health Department work although he was not new to the State Health Department. He started with the State in 1976 where he was responsible for disease investigation. He proceeded to give a brief synopsis of the Crater Health District. He provided the Board with a printed report on the many aspects of the Crater Health District. He informed the Board that Mr. John Burch, Environmental Health Specialist, who resigned will be replaced. His replacement is due to begin in January 1998. We are also looking into hiring a second Environmental Health Specialist. There are eight (8) localities in the Crater Health District, all of Planning District 19, except for Colonial Heights. It would be very difficult for him to attend all meetings of each locality's governing board but he wanted the Board to know that if they needed him all they had to do was to ask Mr. Long to call and he would be happy to come at any time. He thanked the Board for their support of the Health Department. He stated that he looked forward to working with the Board in the years to come.

IN RE: DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Reekes had presented his report at the 1:00 P.M. session of the Board meeting.

IN RE: COMMISSIONER OF THE REVENUE -- REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present. Mrs. Ralph stated that Mrs. Marston was out due to recent surgery and is still at home recovering. Mrs. Marston had asked Mrs. Ralph to express her appreciation to the Board and staff for the flowers that were sent while she was in the hospital.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, came before the Board to present his monthly report. Mr. Jones stated he was available for questions.

Mr. Tickle asked Mr. Jones about the tax tickets, when they would go out. Mr. Jones replied that they were mailed October 8, 1997.

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, was not present.

IN RE: SHERIFF -- REPORT

Mr. Samuel H. Shands, Sheriff, was not present at this time. Mrs. Ralph stated that he would be present for the Executive Session.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, came before the Board to present the monthly report and stated he was available for questions.

Mr. Bracey asked Mr. Abernathy about a code that governs the dismantling of homes or buildings. Mr. Abernathy stated that there was a demolition permit that they issue. This just shows that the building was dismantled and is removed from the tax records. Mr. Bracey stated that is if the owner wished the building removed from the property. Mr. Abernathy stated correct. Mr. Bracey asked if we issue a summons or a ticket to say that this dwelling has to come down in X number of days. Mr. Abernathy stated not unless they have to condemn a dwelling. In that case, legal proceedings would be enacted to demolish the dwelling.

IN RE: SHERIFF'S DEPARTMENT -- ADULT CONTINUING EDUCATION FUNDING REQUEST

Mr. Long stated that the Sheriff was not present but there was one action item that was addressed to the Board in their packets. Mr. Shands had written to the Board asking for Dinwiddie County to provide a local maintenance of effort in the amount of $1,374.00 in order to access the funds that were approved for transfer from the Hopewell City Jail to the Dinwiddie County Jail by the Virginia State Department of Education. The funds , which are grant funds, in the amount of $13,741.00 are to be used for an Adult Education Program for inmates at the Dinwiddie County Jail. Mr. Shands had indicated that the match funds are already available in the Jail Phone Commission Fund.

Upon motion of Mrs. Everett, 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 authorization is granted for transfer of $1,374.00 from the Jail Phone Commission to be used for the local maintenance of effort for the Adult Education Program for the Dinwiddie County Jail.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, came before the Board stating that they had his monthly report and he was available for questioning. There being no questions Mr. Moody asked Mr. Tickle to present the Sutherland Manor leash law request.

Mr. Tickle stated that he had received calls from citizens in Sutherland Manor about their concern regarding animals coming into their yards, or their space. They were concerned about larger animals coming in and attacking their dogs, their children, or their grandchildren. He asked, if he remembered correctly, that if fifty (50) plus one (1) houses agree to adopt a leash law then the Board would go forth on that. He stated that he was doing this in order to assist this individual in obtaining information on this issue. Mr. Tickle stated that he was going to do a survey within the next week or ten (10) days and he hoped that the Board would honor that commitment to them if they get the fifty (50) plus one (1). These people are very adamant about it and have very strong feelings. He was asking the Board for their support should they come forth.

Mrs. Ralph stated that there would have to be a Public Hearing. Mr. Long stated that the Code read that you must have fifty (50) plus one (1) and then the Board would hold a Public Hearing and unless they could provide good reason why not then they would adopt it after the Public Hearing.

Mr. Tickle stated that he wanted to hear comments from Mr. Beville about that community and what his history was in that community. He was asking this because this resident stated that they were not getting very good service.

Mr. Beville stated he would like to go back and pull the records on that community. He stated that he felt that it had been at least six (6) months since he had a call from that subdivision. It has been going real smooth over there. There was one resident that brought suit against a lady, went through the court, and finally settled out of court. This matter stayed in court for about a year.

Mr. Bracey asked what he meant by animals running loose. Were these animals from within that subdivision?

Mr. Tickle stated that they were animals within the subdivision, some with tags and some do not. As everyone on the Board knows that is outside the leash ordinance area.

Mr. Beville stated that was one thing that he would like to add. The west side of Cox Road is in the confinement area, the east side, or your north or south of an east west highway, the side where the Wal Mart warehouse is located, that is not in the confinement area. If you are going to go to the extent of doing it he felt that it may be time for the Board to look at extending -- he understood that boundaries were needed -- but when you have a house on one side of the street that has a leash law and the one on the other side of the street does not have a leash law -- it is very hard to enforce the law like that. It is something that they need to consider.

Mr. Bracey stated that he felt what was really happening -- I guess that it is time for neighbors to say do unto each other -- it seems like it is neighbors dogs -- it is not dogs from Route 460 or Cox Road or from Wal Mart -- those animals are right in there and they have a neighbor problem. My dog runs in your yard so you run it home at night and vice versa. He stated that we should look into it but he felt that we should not set up a code or law to govern everybody because of neighbors in a subdivision. It seemed to him that they could work out their dog problem.

Mr. Tickle stated that he did not know whose dogs they were, he only knew that these people were upset.

Mr. Beville stated that the most complaints that he had went on for about two (2) years and it involved a large black dog. The complaints kept on after the lady got rid of the dog. Even after she got rid of the dog the other party continued to harass about her letting the dog run loose when in fact the dog was gone. We have had very few problems in that subdivision since that dog left. He stated that he did not know if he had even had a call in that neighborhood since that dog left.

Mr. Tickle stated that he drove into that subdivision, got out of his car, walked about four or five houses and a dog started following him. He did this to see if there was a problem. There are dogs there who follow people around and he did know that for a fact.

Mr. Beville stated that he was sure that there were dogs there because it is not a confinement area at this time.

He stated that he was a supporter -- he must admit that his dog ran free when he had dogs.

Mr. Moody stated that we would just wait for them to present the survey and then schedule a Public Hearing.

Mr. Bracey stated we should be sure that they pay for the Public Hearing.

IN RE: DIRECTOR OF PLANNING — REHAB OVERSITE BOARD APPOINTMENTS

Mr. Guy Scheid, Director of Planning, came before the Board to present his monthly report. He had two items in his report that needed action by the Board they being items 5 and 6.

Item 5 deals with the appointment of a Rehab Oversite Board in order to comply with the requirements of the Indoor Plumbing and Rehabilitation program guidelines. As were suggested at the last meeting the following are the names of persons nominated for this Board:

1. Jean Thommasson, Department of Social Services
2. LeeNora Everett, Member, Board of Supervisors
3. Pauline Bonner, WPVA
4. Wendy Ralph, Assistant County Administrator
5. William Scheid, Director of Planning
6. Mary Williams, Dinwiddie County Health Department, Citizen representing the County.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 citizens be appointed to the Rehab Oversite Board:

1. Jean Thommasson, Department of Social Services
2. LeeNora Everett, Member, Board of Supervisors
3. Pauline Bonner, WPVA
4. Wendy Ralph, Assistant County Administrator
5. William Scheid, Director of Planning
6. Mary Williams, Dinwiddie County Health Department, Citizen representing the County.

IN RE: DIRECTOR OF PLANNING -- INDOOR PLUMBING AND REHABILITATION PROGRAM -- BANK OF MCKENNEY APPOINTMENT AS BOOKKEEPER

Mr. Scheid continued by reading Item 6 which is as follows:

> The County Administrator should be authorized to enter into a contract with the Bank of McKenney to act as bookkeeper for the IP/R program. This was previously discussed with the Board as a means whereby County personnel would not be needed to monitor the bookkeeping. The Bank of McKenney has agreed to accept the bookkeeping responsibility at no cost to the County.

Mr. Scheid continued by stating that they have already hired, under contract, an Administrator for the program and a Rehab Specialist who is the person who inspects. The Rehab Oversite Board that was just appointed oversees the program and the last item will be the people who keep the books on the program. Glenice Townsend was charged with this responsibility before and the Board was very concerned that it would be very taxing on her time and we did not want to enter into having to hire additional County personnel. This is a means whereby the Bank has accepted to take on this responsibility at no cost to the County and he recommended that the Board authorize the County Administrator to enter into such a contract.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 County Administrator is authorized to enter into a contract with the Bank of McKenney for bookkeeping services on the Indoor Plumbing and Rehabilitation program at no cost to Dinwiddie County.

IN RE: DIRECTOR OF PLANNING -- OTHER REPORT ITEMS

Mr. Scheid stated that there was one item that did not show up on the report however it came to his attention that at the Retreat there was a committee recommended, to review growth strategies or ordinances in the County. Mr. Bracey and Mr. Tickle have agreed to serve. He continued that he had taken this matter to the Planning Commission, since it was told to him that they wanted to set it up similar to what was done with the review of the subdivision ordinance, and finally its adoption with revisions. The Planning Commission chose, among themselves, Mr. Dan Lee and Mr. Dean McCray. That gives you four (4) members. Now if you will recall how we set up the other board for reviewing the ordinances, each of the members that were on this committee chose an at large citizen member. You were to submit a primary and a secondary name. You would bring that name once the committee was established and the committee would then choose and make sure that there was no problems there. There would be a committee of eight. He understood that he would be given a time frame of ninety (90) days, therefore he wanted to get a meeting within the next week or so. He ask in the interim if you might think about from your area who you might like, a primary and a secondary name, so that at this organizational meeting we can choose the chair, vice-chair, and will also make the appointments of the citizen representatives.

Mrs. Everett stated that she understood that each Board member was to contact a citizen and she had done that. She had contacted Jack Eubank and he was interested in serving.

Mr. Tickle stated that he felt that each Board member should appoint someone to this Board in order that each district would be represented. Mrs. Everett stated that she agreed with Mr. Tickle. Mr. Clay also agreed. It was decided that each Board member would appoint one representative from their district, along with the two (2) Board of Supervisors members and two (2) Planning Commission members, making a total of nine (9) members.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 authorization is granted for Mr. Scheid to form a committee to study growth strategies in the County, which will consist of two (2) Board of Supervisors members, two (2) Planning Commission members and five (5) citizens at large - one from each district.

IN RE: ZONING ADMINISTRATOR -- AMERICAN BATTLEFIELD PROTECTION PROGRAM 1998 GRANT PROGRAM

Mr. Scheid stated that Mr. March Altman, Zoning Administrator, was not present because he became a father on November 14, 1997 at 10:20 A.M. to a 6 pound 12 ounces daughter, Claudia Noelle Altman. He reported to the Board that all are doing fine.

Mr. Scheid proceeded to pass out information on the Battlefield sites located in Dinwiddie County. He informed the Board that Mr. Altman, and he had met with Mike Hill, of the Petersburg National Battlefield, and Peter Williams of the National Park Service - Philadelphia Office, to discuss the American Battlefield Protection 1998 Grant Program. Mr. Hill and Mr. Williams had several interesting ideas that were put forth. The Planning Department, with the blessing of the Board, would like to pursue multiple grants for the following projects:

a. A "traveling trunk" - a trunk that would be filled with different artifacts from the Civil War that would be taken to our schools by a representative of Petersburg National Battlefield to aid in history lessons.

b. Signage to mark an "enter" and "exit" point for the core area of battlefields as you travel on the secondary roads.

c. To develop a registry of landowners and stakeholders in historically significant lands in the county.

d. To develop a trail system that connects all of the battlefield core areas together in a continuous loop.

Mr. Scheid continued that in order to begin addressing these projects, they need to submit the grant applications. These grants are at no cost to the County. The Planning Department is just requesting a letter of support from the Board to include with the grant application.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 authorization is granted to Mr. Long, County Administrator to draft a letter to the park services in support of the grant applications and projects.

IN RE: ZONING ADMINISTRATOR -- REPORT

Mrs. Everett stated that there was a meeting planned with the National Park Service November 20, 1997. Mr. Scheid stated that he would be in attendance.

Mr. Tickle stated that we may wish to look into placing a revolving billboard sign on Interstate 85 at the Fort Gregg Site giving a history lesson to those passing through Dinwiddie County.

Mr. Scheid stated that there was also information in the Board packets regarding the GIS (Geographic Information System). He wished to wait until Mr. Altman is back because he is better versed on this subject and he would prefer him to explain it to the Board.

IN RE: DEPARTMENT OF SOCIAL SERVICES -- REPORT

Mr. Long stated that Mrs. Peggy McElveen, Director, had informed the Board in writing that she would not be able to attend because she would be attending a public hearing in the Senate Building in Richmond. If any Board members have questions please forward them to her and she will answer.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mr. Watson, Assistant Superintendent of Schools, came before the Board to present the monthly report. He stated that Mrs. Seward sent apologies but is in Williamsburg attending a meeting and unable to attend.

Mr. Watson stated that we are up twelve (12) more students from September and up ninety five (95) students from October 1996.

Mr. Watson also reported that Sunnyside School has been chosen as one (1) of twenty seven (27) elementary schools nationwide to participate in a study and determine what is the best reading instruction for early childhood. It is felt that this is a great honor for Sunnyside as well as Dinwiddie County.

He further reported that Sunnyside has been nominated to be a Presidential Showcase School. We have been told that if they are selected the President may come to Dinwiddie County to visit this school. More will be reported on this as plans develop.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Long reported that Mr. Rinaldi's last day with Dinwiddie County was Friday, November 14, 1997. We did close receiving applications for the Director's position on Friday and have those to discuss with you briefly during Executive Session.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Waste Management, came before the Board to present his monthly report for October - November. He stated that they had begun the process of vacuuming out the tanks today.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- TRUCK REQUEST

Mr. King then proceeded to review some accompanying documents with descriptions and prices of trucks that he was interested in getting to use as the new clean up crew truck. This vehicle is included in the budget for this year. Currently they are using a one (1) ton 1990 Ford Truck. He is entertaining the idea of a heavier truck, maybe a small cab-over like Weathers or Oakhill is currently using. He would like to add a two (2) foot toolbox behind the cab for rakes, shovels, chain saw, sledgehammer, etc. and a twelve (12) to fourteen (14) foot dump body with a lift gate. He wanted the Board to discuss and review these specs and prices and make a decision as to the size and type of truck.

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 competitive sealed bidding is not practicable because of the need to procure specialized equipment, a request for proposals to procure the clean up crew truck and related equipment is authorized.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Services Coordinator, came before the Board and presented her monthly report. She stated that they are still up dating the database to obtain information that she feels is pertinent to their record keeping. She praised Mr. Jay Rupkey and Mr. Darron Arron for their work in making the database a very useful tool for their department.

Mr. Tickle requested some additional information to be included on reports. Mrs. Titmus stated that she will have those figures at the next meeting.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Paul Jacobson, County Attorney, stated he had nothing to report but was available for questions. There were none at this point.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, came before the Board and presented his report for the month. He stated that he had some good news to share with the Board. He had reported at the last meeting working with the architect, engineer, contractor, and subcontractor that there would be approximately a $10,000.00 credit coming on the Courthouse and he was happy to report that figure is $11,007.00. This came about by the elimination of one (1) opening in the floor which eliminated some duct work.

IN RE: CONSTRUCTION INSPECTOR -- ADMINISTRATION PARKING LOT BIDS

Mr. Faison continued with the bids for the parking lot, which is item three (3) of his report. He had obtained the following three bids:

1. Double J. Paving, Inc.

Repair Work	$16,830.00
Overlay and Markings	20,609.00
Fire Department Repair Work	2,444.00

2. B. P. Short and Sons Paving Co., Inc.

Repair Work	$23.550.00
Overlay and Markings	23,458.00
Fire Department Repair Work	2,495.00

3. Richard L. Crowder Construction, Inc.

Repair Work	$25,605.00
Overlay and Markings	22,046.00
Fire Department Repair Work	2,635.00

Mr. Faison recommended we accept the low bid from Double J. Paving, Inc. He further reported that this work would provide approximately thirty (30) more parking spaces in the administration parking area. This work will be handled in three (3) separate contracts.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 authorization is granted to enter into a three (3) separate contracts with Double J. Paving, Inc. to repave the parking lot of the Administration Building. The first contract is to prepare the parking lot in the amount of $16,830.00. The second contract is for Overlay and Markings in the amount of $20,609.00; and the thrid contract is to repair the apron area of the Dinwiddie County Volunteer Fire Department at a price of $2,444.00 with funds to be appropriated from the 1996 Undesignated Fund Balance.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- TENTATIVE BUDGET CALENDAR

Mr. Long stated that in the Board packets was included a tentative budget calendar for the 1998-1999 budget year. Mr. Long requested approval of this calendar.

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 tentative 1998-1999 Budget Calendar is hereby approved:

November 19	Discussion with Board of Supervisors on FY99 Budget Goals
November 21	Budget materials distributed to Agencies and Departments
December 22	Agencies/Departments submit Budget requests
Week of January 5	1998 value estimates submitted by the Commissioner of the Revenue
Week of Jan 26	Proposed Budget submitted to the Board of Supervisors
Month of February	Board of Supervisors Budget Work Session
March 4	Budget Public Hearing

IN RE: COUNTY ADMINISTRATOR COMMENTS -- LIBRARY FOUNDATION

Mrs. Ralph stated that they had received a letter from the Dinwiddie Library Foundation stating that they were in agreement with the draft Memorandum of Understanding that was sent to them regarding the Clerk's Office Renovation. This memorandum states what they are expected to do and what we are expected to do in relationship to the renovation of the Clerk's Office.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 County Administrator is authorized to execute the Memorandum of Understanding between Dinwiddie County and the Dinwiddie Library Foundation regarding the Clerk's Office Renovation.

Mrs. Ralph stated that she assumed that this would authorize them to move forward with their process for selection of an architect and contractor. The Board agreed.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- PURCHASE OF NEW CHAIRS FOR THE BOARD ROOM

Mrs. Ralph continued that the Staff had been trying to secure new chairs for the Board Room. After review of fabrics, the Board decided that an order should be placed for eight (8) Fairfield #1038 Executive Swivel Chairs with Grade E fabric in the color of Toast. The cost of each chair will be $530.00. Mrs. Ralph stated that she needed Board authorization to move forward with this order.

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 authorization is granted to move forward with the ordering of eight (8) chairs for the Board Meeting Room as described.

Mr. Bracey stated that he felt that the cost of these chairs should be divided among all budgets that use this room.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay -- No comments

Mr. Bracey -- No comments

Mr. Tickle -- Mr. Tickle asked Mr. Shands, who was now present, if he is going forth on the legislation, working with the County, on no parking.

Mr. Long stated that Mrs. Ralph had discussed this with Captain Booth, he did not know if it had been discussed with the Sheriff; but we had intended to include it in our package to our legislators.

Mr. Tickle asked for the Board's support in actually having continuing updates through the January session. If we do not push this it will not happen.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 a resolution in support of the combined legislative packet, that was finalized at the Board's Retreat, be included when we send the packet to our Legislators.

Mr. Tickle continued by asking Mr. Shands how things were going with the charge backs to inmates.

Mr. Shands came forward and presented his monthly report. He further stated that he felt that a plan to charge back costs to inmates should be in place by the end of the month.

Mrs. Everett -- Mrs. Everett reported that the Dinwiddie Library Foundation has put the 1997 Christmas Ornament, which is of Pamplin Park, on sale at a cost of $10.00 each. She requested that we support this because it is a fund raiser for the Library.

Mr. Moody -- No comments.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, 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 (Sheriff; Recreation; Administration); and Section 2.1 - 344 (A) 7 - consultation with legal counsel (Courthouse Contract). The meeting moved into Executive Session at 3:43 P.M. moving to the Conference Room in the Pamplin Administration Building. A vote having been made and approved the meeting reconvened into Open Session at 6:17 P.M.

Mr. Clay left the Executive Session at approximately 6:10 P.M. due to illness.

IN RE: CERTIFICATION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, 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 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: AUTHORIZATION TO HIRE OR CONTRACT -- ASSISTANCE FOR BUILDING/ PLANNING DEPARTMENT

Mrs. Ralph stated that a motion was needed, which would be to hire or contract for assistance for the Building/Planning Department.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to hire or contract assistance, as needed, for the Building/Planning Department for future construction projects in Dinwiddie County.

IN RE: AUTHORIZATION TO HIRE -- SHERIFF'S DEPARTMENT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Dinwiddie County Sheriff to hire two (2) courtroom security officers positions effective January 1, 1998, with a third (3rd) position to be considered by the Board after the courthouse is in operation.

IN RE: COURTHOUSE CONTRACT -- EXTENSION OF TIME

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Courthouse contract - extension of time issue be postponed until the next meeting, in order for the Board, staff and attorneys to review the information presented.

IN RE: ADJOURNMENT

Upon motion of Mr. Tickle, seconded by Mr. Bracey, Mrs. Everett, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 6:25 P.M. to be continued until December 3, 1997 at 5:00 P.M. at the Pamplin Administration Building for an Executive Session.

Harrison A. Moody
Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 19TH DAY OF NOVEMBER, 1997 AT 1:00 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

IN RE: CALL TO ORDER

Mr. Harrison Moody, Chairman, called the meeting to order at 1:10 P.M. He then turned the floor over to Mr. Ronald Reekes, Resident Engineer, for the Virginia Department of Transportation.

IN RE: VIRGINIA DEPARTMENT OF HIGHWAYS -- SIX YEAR PLAN -- WORKSHOP

Mr. Ronald Reekes came before the Board to present the draft proposal for the secondary road six year plan projects in Dinwiddie County. He stated that at the public information meeting; the knowledge that they have of the County; where the growth is occurring in the County; and from the traffic counts and other traffic engineering studies; a few changes have been made in the six year plan. He continued by stating that they had not changed any priority items that were already existing in the plan. Priorities that were adopted last year are the same priorities that are listed in this draft, it had just been updated. From the last plan several projects have been completed: White Oak Road; Sapony Church Road; Route 717; those roads were completed and they are now out of the plan. What is listed on this draft is an update moving all the projects in the priority order up in order. He proceeded to review each of the 22 items listed in the proposed six year plan, discussing the area and type of improvement currently suggested for this section. Mr. Reekes stated that he wished to continue to pay off any debts that they could see, up front, and keep the plan in the black instead of the red. He pointed out to the Board members several areas in Dinwiddie that were safety hazards and needed attention. This was the Virginia Department of Transportation's recommendations for the plan and were open to suggestions from the Board.

The Board members addressed issues that were of concern in their districts and discussion was held as to how some of these problems might be remedied. There was discussion on pave in place per Mr. Tickle's request. Mr. Reekes explained pave in place projects are dead end roads that carry more than fifty (50) vehicles per day. Within Dinwiddie County there are, in the neighborhood of, twenty-five (25), maybe twenty-six (26), dead end roads and they carry more than fifty (50) vehicles per day. Mr. Tickle was interested in knowing if pave in place roads could already have pavement. Mr. Reekes stated no, this is for unpaved roads only. Mr. Moody asked about plant mix overlay. Mr. Reekes stated that type of repair came from the regular construction money.

It was decided that the Public Hearing portion of this procedure would be held at the regular Board of supervisors meeting, December 3, 1997, 7:30 P.M. Virginia Department of Transportation had already advertised this meeting in the local newspapers.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 1:50 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 3RD DAY OF DECEMBER, 1997 AT 7:30 P.M.

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

IN RE: CALL TO ORDER - INVOCATION - PLEDGE OF ALLEGIANCE

Chairman Harrison A. Moody called the meeting to order at 7:35 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENT TO AGENDA

Chairman Moody stated that there was one amendment he was aware of that being: he would like to move Item 11. Campground Ordinance -- Adoption up on the agenda to Item 6A. He asked the Board and staff if there were any additional amendments to the agenda. There being none he asked for a motion.

Upon motion of Mr. Tickle, 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 Item 11. Campground Ordinance -- Adoption be moved up on the agenda to Item 6A.

IN RE: MINUTES

Mr. Tickle requested when information if requested by a Board member of another department, the request be detailed in the minutes in order that there be a record of the request.

Upon Motion of Mr. Tickle, seconded by Mrs. Everett , 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 minutes of the November 19, 1997 regular meeting and the November 19, 1997 continuation meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mrs. Pamla Mann, Administrative Secretary, stated there was a supplemental claim included in the information that they had received in the packet before them. The amount of this supplemental claim is $4,687.92. Mrs. Wendy Weber Ralph, Assistant County Administrator stated that the supplemental check is being requested from the Note for the Dinwiddie County Airport and Industrial Authority Mrs. Ralph stated when you approve the claims, this request will be included in your approval.

Upon motion of Mrs. Everett, 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 claims are approved and funds appropriated for same using checks # 1008242- # 1008522 (void checks 1008170 - 1008336 - 1008243 through 1008252 {end of box}); for Accounts Payable in the

amount of $138,971.15; General Fund $134,915.80; Jail Phone Commission $533.85; E911 Fund $981.74; Law Library $239.76; Fire Programs/EMS $2,300.00; and Payroll General Fund $279,200.80. The supplemental claim invoice from the Dinwiddie County Airport and Industrial Authority in the amount of $4,687.92 was also included and approved.

IN RE: APPROVAL OF REQUISITION 9 -- COURTHOUSE CONSTRUCTION

Mrs. Ralph stated that Requisition #9 for the Courthouse consists of payments to:

Gulf Seaboard General Contractors Inc.	$ 346,999.85
Total	$ 346,999.85

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 Requisition #9 in the amount of $346,999.85 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

The following person addressed the Board:

1. Anne Scarborough came before the Board to discuss the matter of abandoned schools in Dinwiddie County. Mrs. Scarborough stated that she had been approached and asked to bring the following issues/questions and or concerns before the Board. She would like answers to the following questions: a) What year each school was closed?; b) Date title(s) were turned over to the Board of Supervisors?; c) Why haven't you either sold these closed schools or allowed them to be used by the citizens of the County?; d) What are your plans for the use of these closed schools?; e) When do you plan to implement these plans?; and f) Don't you feel any responsibility for them being allowed to just "sit" and we don't receive any tax money? She further stated that when Mr. Burgess was here she had asked many of the same questions and was informed that you had plans -- to date she has not seen any action and would like to hear the answers.

Mrs. Mann requested that Mrs. Scarborough fill out the "Request for Information" form and return it to her for processing.

IN RE: CAMPGROUND ORDINANCE -- ADOPTION

Mr. Guy Scheid came forward and presented the proposed campground ordinance. He proceeded to review the proposed changes as listed:

1. In item 2. In the first paragraph the word land is deleted and the following sentence is added. All campgrounds shall meet and comply with the following requirements.

2. Item 13 is deleted because it is covered under the State requirements.

3. Item 14 is deleted because it is covered under the State requirements.

4. Item 17 would be added and states: Any non-conforming structure in existence on the date of adoption of this ordinance which is substantially destroyed or which deteriorates or is damaged so that substantial replacement of the structure is necessary, shall be replaced only with a structure that conforms to and satisfies all requirements of this section.

If Item 13 and 14 are deleted then the number of the subsequent items would change.

Mr. Scheid stated that all citizens or interested parties, who requested to be notified, as well as all campground owners in the area, were notified in writing of this meeting.

Mrs. Ralph stated that if this item was tabled then a motion to move this item off the table was necessary.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 Campground Ordinance be removed from the table for action at this time.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the following Campground Ordinance be adopted effective this date:

AN ORDINANCE TO AMEND SECTION 22-1, DEFINITIONS, BY ADDING THE DEFINITION OF CAMPGROUND AND ADDING A NEW SECTION 22-241 ENTITLED REQUIREMENTS FOR CAMPGROUNDS

1. Add the following under Section 22-1 Definitions:

Campground: Shall mean and include, but not be limited to tourist camps, travel trailer camps, recreation camps family campgrounds, camping resorts, camping communities or any other area, place, parcel or tract of land, by whatever name called, on which three or more campsites are occupied or intended for occupancy, or facilities are established or maintained, wholly or in part, for the accommodation of camping units for periods of overnight or longer, whether the use of the campsites and/or facilities is granted gratuitously, by a rental fee, by lease, by conditional sale or by covenants, restrictions and easements. This definition is not intended to include summer camps, and migrant labor camps as defined in Sections 35-43 and 32-415, Code of Virginia, construction camps, permanent mobile home parks, or storage areas for unoccupied camping units.

2. Add a new section as follows:

Section 22-241. Requirements for campgrounds.

This section is intended to provide guidance to campground operators on requirements which are in addition to those rules and regulations stipulated by the Commonwealth of Virginia governing campgrounds. All campgrounds shall meet and comply with the following requirements.

(1) Each campground shall contain a minimum of ten (10) acres, a minimum of fifty (50) campsites, and shall not exceed an average of twenty (20) campsites per acre inclusive of service roads, toilet buildings, recreational areas, etc.

(2) All campgrounds shall have a landscaped or wooded setback line of fifty (50) feet from any highway or public road right-of-way or 75-foot setback from the centerline of any highway or public road, whichever distance is greater.

(3) Each campground shall have at least twenty-five (25) feet of open space abutting all adjoining property and shall be contained within a board fence, evergreen hedge or screen which shall be a minimum of eight (8) feet in height or of sufficient density to screen the site from adjacent properties. All boarders shall be maintained properly in compliance with the intent of this requirement. No fence, hedge or screen need be constructed abutting any highway or public road provided paragraph (2) of this section is compiled with.

(4) All ingress and egress shall be to the required standard of the Virginia Department of Transportation.

(5) Streets within the campground shall be constructed with stone of sufficient width and depth to facilitate vehicular

movement within the campground. Proper drainage of the site shall be provided.

(6) A minimum of ten (10) percent of the gross land area of the campground shall be reserved for recreational uses.

(7) Campground owners/operators must create a set of rules and regulations of his/her park. Such rules and regulations shall be enforced by the owner/operator. A copy of these rules and regulations shall be filed in the office of the county department of planning and community development.

(8) Before an application for a permit for the construction of a campground shall be approved by the Board of Supervisors, or its agent, the applicant shall, in lieu of construction, furnish cash escrow or a performance bond in an amount calculated by the Board of Supervisors, or it agent, to secure the required improvements in a workmanlike manner and in accordance with established or approved specifications and construction schedules, which bond shall be payable to and held by the county. In lieu of bond, development may be presented for inspection in completed form.

(9) Campground site plan development shall follow procedure and approval as set forth for subdivisions in chapter 18 of this Code.

(10) No existing campground shall be enlarged or extended unless the addition to the campground is made to conform to all requirements contained herein.

(11) No camping unit shall be placed in a campground until development standards are met, either by completion of plan or by bond.

(12) Each camping unit space shall be directly accessible from an approved internal street. No direct access to camping units spaces from public streets shall be permitted.

(13) All permanent buildings and structures shall be constructed under the provisions of the Uniform Statewide Building Code and the Board of Health. Any reconstruction, alteration, conversion or repairs required by the application of the Virginia Code and the regulations of the Board of Health shall be carried out in accordance with the provisions of the Uniform Statewide Building Code; and

(14) Permanent structures may be constructed on individual campsite lots but may not be permanently attached to the camping unit. The structure(s) are limited to an A-frame roof supported by posts and/or a porch/deck. The length of the A-frame structure and porch/deck shall not exceed the length of the camping unit by more than 12 inches. The opening under which the camping unit sits shall not exceed the width of the unit by more than 12 inches or the height of the unit by more than 12 inches (sitting level). The maximum width of the porch/deck shall be 8 feet. The maximum overhang at the eaves of the roof or deck/porch is not to exceed 12 inches. Porches may have wainscoting to a height not exceeding 3 feet and must be of the same material as the gable ends, if applicable. The porches may be screened. Two (2) weather proof outlets may be provided and a ceiling fan outlet to serve the deck/porch but such outlet shall be limited to one-120 volt, 20 amp circuit.

(15) Any non-conforming structure in existence on the date of adoption of this ordinance which is substantially destroyed or which deteriorates or is damaged so that substantial replacement of the structure is necessary, shall be replaced only with a structure that conforms to and satisfies all requirements of this section.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice and in all other respects said ordinance is hereby reordained.

IN RE: 1997 AUDIT REVIEW

Ms. Ann Wall, representative of Robinson, Farmer, Cox Associates, came before the Board to present a synopsis of the 1997 Audit. She began by stating she apologized that Mr. Paul Lee, the partner on the job, was unable to attend. She continued that Robinson, Farmer, Cox Associates are glad to be back in Dinwiddie County serving as the County auditors again. Since they had not been on this job for a while they had to treat it as a new engagement and ask a lot of questions. It took some time to look at all personnel policies, procedures, and how business was being done in the County. She stated that they had received excellent cooperation from all county staff. She wanted to thank the Administration Staff, Treasurer Staff, School Board Staff and Social Services Staff for their help.

Ms. Wall stated that Mr. Lee had been in attendance a few weeks ago and had reviewed the audit report with the interested staff and made some corrections and adjustments. At that meeting, and based on all their field work, we have determined that there are no management letter comments. She stated they found everything in good order and no letter was necessary.

Mr. Bracey requested a management letter stating that there were no problems found during the audit. He felt this was important for future use. Ms. Wall stated she would see that the County received something in writing to that effect.

Ms. Wall stated that if there are any questions now or any time throughout the year that Robinson, Farmer, Cox Associates are your auditors year round and not to hesitate to contact them.

IN RE: PAMPLIN PARK -- VDOT REVENUE SHARING PROJECT

Mr. Long stated that Mr. Will Greene was present to address the next two (2) issues. Mr. Ronald Reekes, Resident Engineer for VDOT, was also present. The VDOT issue came up last year and since that time the cost of the project has increased significantly and so the request out of that program fund is going to increase as well. The County's role in this would be the funds from the revenue sharing program have to come through a local government entity. He believed that was Pamplin Park's request. Mr. Long invited Mr. Greene to come forward at this time and present a better detailed explanation than he had been able to provide.

Mr. Greene came forward stating that Mr. Reekes is certainly more in touch with all regulations of the revenue sharing program but in essence this is the project that would be incorporated along with the improvements to Duncan Road. This would allow the Park to create a pedestrian underpass, for safety reasons, so that pedestrians moving from one side of Duncan Road to the other will be not be at grade, and at risk from vehicles who are traditionally speeding through that area. This does create a risk for the visitors of the Park. When they came before the Board last year for the revenue sharing money we had an estimate from VDOT on what it would cost. Since that time the estimate has increased; therefore, obviously we are going to need some more money to do this project. As he understood this process, the County can apply for revenue sharing money on a project like this. VDOT will then provide the money to match it. He stated Pamplin Park's role would be to reimburse the County, dollar for dollar, so the County just acts as a conduit for this money. If we could apply for it directly we would. It does have to come through a local government so it is a net zero -0- cost to the County for this very important safety project.

Mr. Moody asked what Mr. Greene needed from the County, a resolution of support?

Mr. Reekes stated it was up to the Board. We do not apply again until next March but as they continue to update the estimate on this they simply wanted to apprise the County and let them know that they would like to apply next March for additional revenue sharing monies to match the short fall that they did the first time. Really nothing more is needed from the Board at this time. This was just to let you know that they will need their support next year.

Mr. Greene stated that he would like to add that this revenue sharing is absolutely critical to the project. Without the revenue sharing money, we can not afford to pay for it all ourselves, so we need to know from the Board that they are in support of this now or we will have to make other plans.

Mrs. Everett made her motion to approve the request and Mr. Tickle seconded. Mr. Moody stated there was a motion and second. Mr. Moody asked Mr. Bracey if he understood the motion.

Mr. Bracey stated that the motion should state if Pamplin Park gets the grant. The word should -- if they do not what happens to Dinwiddie County's money. He stated that he was assuming that some where down the line the County will be charged or they are going to have to pay until we get some money.

Mr. Reekes stated that currently nothing has been expended on the project. The project qualified for the revenue sharing last year and it will qualify again next year. The Board will simply request money based on VDOT's estimate for one half of that, which is how the revenue sharing works. The project has qualified and already been approved for funding one year and it will simply be approved for next year also.

Mr. Bracey stated that was fine as long as it does not cost the County down the road.

Upon motion of Mrs. Everett, seconded by Mr. Tickle, 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 authorization be granted to Administration to proceed with application for additional grant monies for the funding of an underground pedestrian walkway to be located on Duncan Road, with the understanding that the County of Dinwiddie will be reimbursed One Hundred (100%) percent by Pamplin Park should such grant monies be obtained.

Mr. Bracey asked that this conversation, between these two (2) gentlemen, become a part of the record. He stated he would like for it to become a part of the official record.

IN RE: PAMPLIN PARK -- THE PETERSBURG CAMPAIGN

Mr. Long asked Mr. Greene to give the Board a brief synopsis of this project.

Mr. Greene again came forward and asked it the Board had received a copy of a letter which outlines the nature of this program and the request. He stated he was here representing all of the participants in this program, not just Pamplin Park. The participants as you can see are the City of Petersburg, City of Hopewell, The Hopewell Historic Foundation, Historic Fork Inn, and the Pamplin Foundation. The material in the Board's packets indicates that this is another matching grant that they were very fortunate to obtain from the Virginia Tourism Corporation, which allows this consortium of governments and historic attractions to advertise this campaign pass, which is an all for one ticket that tourists can buy and have a discounted admission to a number of sites. This includes everything from the Petersburg National Battlefield Park, Petersburg National Battlefield Main Unit, Petersburg National Battlefield City Point Unit, Weston Manor, Centre Hill Mansion, Siege Museum, Blandford Church, Petersburg National Battlefield Five Forks Unit, Pamplin Park Civil War Site and Historic Fork Inn. The up shot of this is that visitors who participate in this program stay longer and spend more money in our area. As a regional tourism approach this benefits everybody in

the community that has anything to do with businesses that serve our visitors. In order to qualify for a matching grant the applicants have to come up with a dollar for dollar match. The amount is $5,200.00. The City of Petersburg has pledged $1,500.00; City of Hopewell pledged $1,500.00; Pamplin Park (who is the only private attraction involved who has pledged money) has pledged $1,000.00; and that leaves them with a $1,200.00 short fall on the match. Dinwiddie County is the other jurisdiction representative in this. The consortium request is to meet that short fall so that they can get the $10,400.00 of advertising. The request from Dinwiddie County is $1,200.00.

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 $1,200.00 be pledged to the Petersburg Campaign for a matching grant from the Virginia Tourism Corporation.

Mrs. Mann stated that a appropriation is needed for the $1,200.00.

Mr. Long stated that there is no longer participation in the Fort Pickett project. He stated that he thought there was $5,000.00 or $6,000.00 in that fund and we could move the funds from there if the Board was agreeable.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 funds for the Petersburg Campaign, in the amount of $1,200.00, be appropriated from those funds set aside for the Fort Pickett Reuse Project.

IN RE: PUBLIC HEARING -- VIRGINIA DEPARTMENT OF TRANSPORTATION -- SIX YEAR PLAN ADOPTION

Mr. Ronald Reekes, Resident Engineer, came forward stating that this was a Public Hearing. He stated that the Board had in their packet a draft proposal for the Public Hearing. He distributed copies to citizens in attendance. He read the plan for the Board and Citizens.

Mr. Moody opened the Public Hearing. There being no citizens signed up to speak or no citizens in attendance wishing to speak, Mr. Moody closed the Public Hearing.

Mr. Moody asked for discussion from the Board, there being none he stated he would entertain a motion.

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

WHEREAS in accordance with Section 33.1-70.01 of the Code of Virginia, 1950 as amended, the Board of Supervisors of the County of Dinwiddie jointly held a public hearing with representatives of the Virginia Department of Transportation; and

WHEREAS the purpose of the public hearing was to receive comments from interested citizens concerning the Six Year Plan for secondary roads construction for Dinwiddie County for FY 98-99 through FY 03-04; and

WHEREAS the public hearing was held at 7:30 P.M. on the 3rd day of December 1997, in the Dinwiddie County Board of Supervisors' Meeting Room;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Dinwiddie County, Virginia that they officially adopt the FY 98-99 through FY 03-04 fiscal budget for the Six-Year Plan for Secondary Systems Construction Program for Dinwiddie County as presented this date.

Mr. Reekes was presented with a letter from Mr. Harlan J. Brown concerning the secondary roads in Dinwiddie County and was requested to respond to him by Mr. Moody.

IN RE: NEW COURTHOUSE -- ACTION TO AMEND CONTRACT

Mr. Long stated that action was needed for the County Attorney and the County Administrator to be authorized to negotiate an extension with the contractors on the Courthouse Project.

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 authorization is granted for the County Attorney and the County Administrator to negotiate an extension with the contractors, Gulf Seaboard General Contractors, Inc. on the Courthouse Project.

IN RE: BOARD OF ZONING APPEALS -- REAPPOINTMENT

Mr. Moody stated that Mr. William Seay was from his district and he would like to entertain a motion to reappoint him.

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 Mr. William Seay be recommended to the Circuit Court Judge for reappointment to the Board of Zoning Appeals for a term expiring December 31, 2002.

IN RE: DINWIDDIE COUNTY PLANNING COMMISSION -- REAPPOINTMENT

Mr. Aubrey Clay stated that he would like to see Mr. Daniel D. Lee reappointed to the Dinwiddie County Planning Commission.

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 Mr. Daniel D. Lee be reappointed to the Dinwiddie County Planning Commission for a term expiring December 31, 2001.

Mr. Moody asked about Mr. Legert Hamilton. Mr. Bracey stated he had called him and that he did not wish to be reappointed. Mr. Bracey stated that he had served for many years and that a resolution would be in order.

IN RE: TRANSPORTATION SAFETY COMMISSION -- REAPPOINTMENT

Mr. Tickle asked what was the make up of the Transportation Safety Commission?

Mrs. Ralph stated that this is aligned by function and of different modes of transportation with representation from the Board which is required and also from the Planning Commission. Where we did have one (1) application that was for the fire department we do have a present member that is seeking reappointment. We need to check with Pupil Transportation; Sheriff's Department; or Fire Department or the other agencies to see if they have anyone that they would like to suggest serve since we have not had any response to the newspaper articles. She stated she would do that if the Board likes or maybe they have someone in mind but representation is by function and not by district.

Mr. Tickle stated that he thought normally that we were receiving this as an issue before and then at the meeting after we usually make appointments. He stated that he would like to pick someone from his district, his area.

Mrs. Pamla Mann, Administrative Secretary, stated that these appointments are not due until December 31, 1997. They can be voted on at the next meeting, if that is the Boards' desire.

Mr. Moody asked Mr. Clay if he wished to be reappointed. He stated that he would stay on that Board.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Aubrey Clay be reappointed to the Transportation Safety Commission for a term expiring December 31, 1998.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 Mr. Terry K. Jones be reappointed to the Transportation Safety Commission for a term expiring December 31, 1998.

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 Mr. Daniel D. Lee and Mr. Roy Hodges be reappointed to the Transportation Safety Commission for a term expiring December 31, 1998.

Mrs. Ralph stated that leaves three (3) spots on the Transportation Safety Commission. The three (3) areas are Drivers Education and Pupil Transportation and an alternate for the Sheriff's Department.

IN RE: APPOINTMENTS - ADVERTISING ISSUE

Mr. Bracey questioned the response that we were receiving from advertising in the newspapers for applications for boards and commissions. After much discussion between the Board members it was decided to continue to advertise in order that every citizen have an opportunity to apply.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated that included in the Board packet was the first annual report for the Lee's Retreat. It was combined for 1994 through 1997. Hopefully this will become a true annual report and we will receive one each year from this point forward.

IN RE: BOARD MEMBER COMMENTS

Mrs. Everett -- She stated that she was pleased with the +98% collection record by the Treasurer. It really is outstanding and certainly he should be very proud of his efforts and what he has accomplished.

She continued that she wished to pass on some information - The West Petersburg Vicinity and Awareness Association was one (1) of four (4) agencies in the State invited to make a presentation at the 1997 Governor's Conference on Housing which was held at the Hotel Roanoke on November 24 -25, 1997. They produced their presentation and said it was well received. They had a very nice brochure that they put out.

Mr. Tickle -- He stated that four (4) to five (5) weeks ago he had made a request - it could have been less - for some selective items from the School Board - The School Superintendent. He would appreciate it if he could receive that information. The information was directly related to the math scores and what was our response and items that were related to that.

Mr. Long stated that he had passed that request on to Mr. Watson.

Mr. Tickle stated that he was expecting those within at least sixteen (16) days so it would be nice to have them. He stated that he had not seen them.

Mrs. Troilen Seward, Superintendent of Schools, stated that she thought that he had asked for those at the last Board meeting, two (2) weeks ago. Mr. Tickle stated two (2) meetings ago. Mrs. Seward stated that he asked for this information on the day that she was in Williamsburg.

He stated that he too would like to compliment the people of West Petersburg.

Mr. Tickle continued by stating that he felt that we may be doing our volunteers an injustice in the way that we report the number of calls that they go on. Many times they are in route and called off. He would like to know personally how many calls they respond to, even if they are called off. He requested that the Board request Mrs. Titmus to broaden their record keeping a little bit to include this information; he would very much appreciate it.

Mr. Long stated that he had spoken with a couple of members from the Namozine Fire Department. These two (2) members work currently for the City of Hopewell and someone that works there with them has helped design a computer program that is intended solely for that purpose, to track fire and rescue calls. Mr. Long stated that he was impressed with the fact that it can track very specifically the number of calls, out of shoot time, response time, the entire time from the time the alarm sounds to the time that they get back to their station. These individuals indicated that it can even get as specific as the ones that were called and then turned around and went back but they did respond to a call. This report can be very detailed. Currently any cost or materials associated with this are not known. He assumed that they will be bringing this to a meeting shortly to present this package to the Board and see if the Board is interested in pursuing this item. He again stated that he was impressed with the record keeping abilities of this program.

Mr. Tickle stated that he felt that due to the number of hours that the volunteers put into our County that some type of acknowledgement once a year would be in order. This would be a good item for the next Retreat.

Last Mr. Tickle wanted to apologize to Mr. Watson for inferring that maybe he had not had his data quick enough. He apologized on that issue.

Mr. Clay -- no comments

Mr. Bracey -- He asked what the turn around time was for getting information when requested from the School Board.

Mrs. Mann stated that our form stated twelve (12) working days.

Mrs. Everett -- She stated that she would like to see the Board adopt a resolution commending Tony Rinaldi on his service to Dinwiddie County.

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 a resolution be drafted and presented to Anthony Rinaldi commending him for his service to Dinwiddie County as Recreation Director.

Mr. Moody -- He stated that he and Mr. Long would be going to Fort Pickett tomorrow, December 4th, to attend a ceremony where Governor Allen will officially recognize the citizens for the help that they have given in the community. It said in the paper last week that the National Guard is moving to Blackstone and that will be their main headquarters.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye" the meeting was continued until December 5, 1997 at 9:00 A.M. for an Executive Session for Section 2.1-344 (A) 1 - Discussion of employment, salaries, disciplining

of public officers, appointees, or employees of any public body (Recreation) at 8:35 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 3RD DAY OF DECEMBER, 1997, AT 5:00 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 M. SIEGEL	COUNTY ATTORNEY

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; Courthouse Contract; ECS Contract; Inducements for Chaparral; the Board moved into Executive Session at 5:10 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:33 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 requirements by Virginia Law were discussed in the exexutive 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. Tickle, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 7:35 P.M.

Harrison A. Moody
Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 5TH DAY OF DECEMBER, 1997, AT 9:00 A.M.

PRESENT:	EDWARD A. BRACEY, JR., VICE-CHAIR	ELECTION DISTRICT #4
	R. MARTIN LONG	COUNTY ADMINISTRATOR
	WENDY WEBER RALPH	ASST. CO. ADMINISTRATOR

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, 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 (Recreation); the Board moved into Executive Session at 9:00 A.M. The meeting returned to open session at 4:15 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey the meeting was continued until Wednesday, December 17, 1997 at 2:00 P.M.

Harrison A. Moody
Chair, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 17TH DAY OF DECEMBER 1997 AT 2:00 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
	PAUL JACOBSON	COUNTY ATTORNEY

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Tickle, 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 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 -- DECEMBER 5, 1997 MEETING

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 2:10 P.M.

IN RE: CALL TO ORDER - INVOCATION - PLEDGE OF ALLEGIANCE

Mr. Harrison Moody, Chairman of the Board, called the December 17, 1997 meeting to order at 2:10 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Long requested that under Item 11. Executive Session that Section 2.1-344 (A) 3 Discussion or consideration of the condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property, or of plans for the future of a state institution of higher education which could affect the value of property owned or desirable for ownership by such institution, be added and that Item 9 (2) Cable TV Franchise - Extension from Tele-Media be moved to Item 6A.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 agenda be amended as follows: Under Item 11. Executive Session that Section 2.1-344 (A) 3 Discussion or consideration of the

condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property, or of plans for the future of a state institution of higher education which could affect the value of property owned or desirable for ownership by such institution, be added and that Item 9 (2) Cable TV Franchise - Extension from Tele-Media be moved to Item 6A.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the December 3, 1997 continuation meeting; December 3, 1997 regular meeting; and December 5, 1997 continuation meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mrs. Pamla A. Mann, Administrative Secretary, stated there was a claims supplement in the amount of $587.76 for travel expenses for the Board of Supervisors.

Mrs. Wendy W. Ralph, Assistant County Administrator, stated that these claims included early payroll; as usual in December, payroll will go out on Friday, December 19, 1997.

Mr. Moody stated the Board had a copy of the claims for the month and asked if there were questions. There being none he called for a motion.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 claims are approved and funds appropriated for same using checks # 1008523 - # 1008678 (Void check 1008523); for Accounts Payable in the amount of $203,508.38: General Fund $127,478.01; Jail Commission $14.75; E911 Fund $6,398.88; Self Insurance Fund $55.00; Fire Programs & EMS $500.00; CDBG Grant Fund $6,568.00; and County Debt Service $62,493.38. The claims supplement was also approved and funds appropriated for same using checks # 1008679 - # 1008684 for Accounts Payable in the amount of $587.76: General Fund $587.76. Payroll in the amount of $124,942.35 was also approved and appropriated for same using checks # 1008685 - 1008761.

IN RE: APPROVAL OF REQUISITION #10 -- COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that Requisition #10 for the Courthouse consists of payments to:

Dunbar, Milby, Williams, Pittman and Vaughan	$ 60.00
Sands, Anderson, Marks & Miller	2,840.17
Total of this Requisition	$2,900.17

Upon motion of Mrs. Everett, 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 Requisition #10 in the amount of $2,900.17 by approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #25 -- SCHOOL CONSTRUCTION

Mrs. Wendy Weber Ralph stated that Requisition #25 for the School Construction consists of payments to:

KBS, Inc.	$843,090.05
Froehling & Robertson, Inc.	188.50
Stroud, Pence & Associates, LTD	4,420.00
Ballou Justice Upton	15,170.52
Virco	17,196.00
David L. Lucas Electrical Contractor	6,160.00
Total of this Requisition	$886,225.07

Mr. Bracey stated that he wanted to request information regarding Stroud, Pence & Associates, LTD. He requested to see the other bids for this particular job. He was concerned about the high cost of special inspections. Mrs. Troilen Seward, Superintendent of Schools, responded that she apologized for not understanding what information Mr. Bracey wanted and would supply the information. Mr. Bracey thanked Mrs. Seward for the information she had supplied.

There was discussion between the Board members and Mrs. Troilen Seward regarding David L. Lucas Electrical Contractor's bill in the amount of $6,160.00. It was decided that this should not be included in this requisition and will be deleted and paid from the Schools Maintenance Fund.

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 Requisition #25 in the amount of $880,065.07 be approved and funds appropriated for CIP expenses for the School Project Fund. This payment will be disbursed as follows:

KBS, Inc.	$843,090.05
Froehling & Robertson, Inc.	188.50
Stroud, Pence & Associates, LTD	4,420.00
Ballou Justice Upton	15,170.52
Virco	17,196.00
Total of this Requisition	$880,065.07

IN RE: CITIZEN COMMENTS

The following person addressed the Board at this time:

1. Raymond Foster, representative of the Namozine Volunteer Fire Department came forward to request funds in the amount of $522.41 for repairs to Medic 4. The repairs consist of 13 quarts of Transmission fluid; 3 belts; 1 AC bracket; 1 fan; and Labor.

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 funds in the amount of $522.41 for repairs to Medic 4 - Namozine Volunteer Fire Department are approved and appropriated from the Capital Fund - Fire Departments.

2. Mr. Bracey stated that we had a response from the School Board and the County for a citizen. Mrs. Scarborough's questions have been answered. Mrs. Mann was instructed to provide Mrs. Scarborough with a copy of the School Board's response. Mrs. Mann stated that the School Board was to address the first two (2) questions and the Board would answer the remaining questions. The Board was not ready to respond to the remaining questions because that was part of the CIP planning process and they had not finished with that process yet. Mr. Bracey requested that a note be sent to Mrs. Scarborough to that effect.

IN RE: DINWIDDIE VOLUNTEER FIRE COMPANY -- REQUEST FOR ADDITIONAL FUNDS FOR REPAIRS TO 1993 PIERCE DASH PUMPER

Mrs. Ralph stated that Mr. Charles Lewis, Fire Chief, may be in attendance later in the meeting but the Board may wish to hear this matter

now. She stated that the Board had before them a request for assistance with repairs to the auto eject on the 1993 Pierce Dash Pumper.

Mr. Clay voiced that a cheap fire truck will put out a fire as quick as an expensive one. He felt that we need to look into this matter before we purchase any additional fire equipment.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 funds in the amount of $336.50 for repairs to the 1993 Pierce Dash Pumper for Dinwiddie Volunteer Fire Company are hereby approved and appropriated from the Capital Fund - Fire Departments.

IN RE: CABLE TV FRANCHISE -- EXTENSION FROM TELE-MEDIA

Mr. Long stated that Mr. Robert Loveridge, Systems Manager, for Tele-Media was present and he requested that he come forward at this time.

Mr. Loveridge came forward stating that Tele-Media currently serviced Prince George County and wished to extend their service to residents in the Carson area. There are approximately eighteen (18) homes which, is not large enough to require a franchise.

Mr. Paul Jacobson, County Attorney, stated that fifty (50) or more homes would have to be serviced in order to require a franchise per current State Law. Federal Law prohibits an exclusive franchise. Also your current ordinance exempts under two-hundred fifty (250).

Mrs. Deborah M. Marston, Commissioner of the Revenue, stated that even though Tele-Media Company of Hopewell/Prince George is required to obtain a business license from Prince George she wished them to contact her office to obtain a Dinwiddie County business license for the gross receipts that will be received from Dinwiddie County residents. Mr. Loveridge stated that he would contact her office.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 authorization was granted to the County Administrator to sign a letter of permission for limited provision of cable television service in Dinwiddie County by the Tele-Media Company of Hopewell/Prince George as described.

Mr. Loveridge thanked the Board and passed out channel cards to the Board members.

IN RE: DEPARTMENT OF TRANSPORTATION -- REPORT

Mr. Ronald Reekes, Resident Engineer, came before the Board to present his monthly report.

Mr. Reekes stated that under Item 1 - Industrial Access Road Application, they would find in their packet a resolution requesting industrial access funds for the Chaparral Steel Plant. He explained that industrial access funds are allocated and appropriated by the General Assembly. These are done in coordination with the Economic Development Partnership and with the Department of Transportation. Each year an appropriation is made to the General Budget for industrial access funds. It is a separate fund, in which you will be applying for money; it does not come from your secondary, it does not come from primary. How this works is two ways - you can have a firm contract in hand, which we do with Chaparral Steel, or you can have a bonded project. The way ours works here is you can request up to a maximum of $300,000.00, which is unmatched funds. This means that it all comes from the state. You can request an additional $150,000.00 on a dollar for dollar match. The resolution has no specific amount because no estimate has been determined yet as to what the cost of the access road will be. He stated that he has done some

preliminary estimates and he feels that they will exceed the $450,000.00. Probably it will run up into the $550,000.00 to $600,000.00 range. It is going to have a heavy pavement design; it will have a signal at Route 1; and there will be some modifications to Route 1 to accommodate the truck traffic. The resolution is simply to get Dinwiddie County in line for appropriation for industrial access funds and approval from the Commonwealth Transportation Board is needed.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 authorization was granted to the County Administrator to sign a resolution application for industrial access funds, for the access road for Chaparral Steel, which will be presented to the General Assembly. The resolution is as follows:

WHEREAS, the Chaparral Steel Corporation has purchased property located in the County of Dinwiddie and (has entered/will soon enter) into a firm contract to construct its facilities on that property for the purpose of producing remanufactured steel; and

WHEREAS, this new facility is expected to involve a new private capital investment in land, building, and manufacturing equipment of approximately $400,000,000.00 and the Chaparral Steel Corporation is expected to employ 400 persons at this facility; and

WHEREAS, manufacturing operations are expected to begin at this new facility on or about June, 1999; and

WHEREAS, the property on which this facility will be located has no access to a public street or highway and requires the construction of a new roadway which would connect to Boydton Plank Road (Route 1); and

WHEREAS, the County of Dinwiddie hereby guarantees that the necessary right of way for this new roadway and utility relocations or adjustments, if necessary, will be provided at no cost to the Virginia Department of Transportation; and

WHEREAS, the County of Dinwiddie hereby guarantees that the necessary right of way for this improvement, and utility relocations or adjustments, if necessary, will be provided at no cost to the Industrial Access Fund;

NOW, THEREFORE, BE IT RESOLVED THAT: The Dinwiddie County Board of Supervisors hereby requests that the Commonwealth Transportation Board provide Industrial Access Road funding to provide an adequate road to this new manufacturing facility; and

BE IT FURTHER RESOLVED THAT: The Dinwiddie County Board of Supervisors hereby agrees that the new roadway so constructed will be added to and become a part of the road system of the County of Dinwiddie (Secondary System of Highways).

A COPY TESTE:_____
R. MARTIN LONG
(SEAL) COUNTY ADMINISTRATOR

Mr. Reekes stated that he had nothing further to report but he was available for questioning.

Mrs. Everett stated that Mr. Belcher again requested that the trees on I-85 be tended to. Mr. Reekes stated that he had spoken with Mr. Belcher just the other day.

Mr. Long thanked Mr. Reekes for his help so far on this project and that he looked forward to working with him to finish it up.

Mr. Reekes wished the Chairman and Board a Merry Christmas.

IN RE: COMMISSIONER OF THE REVENUE -- COMPENSATION BOARD FUNDING FOR TWO (2) EXISTING POSITIONS

Mrs. Deborah M. Marston, Commissioner of the Revenue, came before the Board. She began by wishing the Board a Merry Christmas. She stated that the Board had before them a couple of letters and what she was asking for was a letter of concurrence to be sent to the Compensation Board so that they can have it for their meeting for tomorrow, December 18, 1997.

Mrs. Ralph stated that what this does is to allow the Compensation Board to participate in funding two (2) existing positions that you are currently funding one hundred (100%) percent. The Compensation Board will fund them fifty (50%) percent up to the limit - which is the first step on the deputy one position grade.

Mrs. Marston stated that she has requested that this be approved retroactive to July 1, 1997. They did not notify her until August 1997 - she is hoping that they will do it retroactive; however, she will not know until after their meeting tomorrow.

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 authorization is granted to draft a letter of concurrence to allow the Compensation Board's participation in two (2) existing positions, in the Commissioner of the Revenue's Office, that Dinwiddie County is currently funding one hundred (100%) percent. The Compensation Board will be funding these positions fifty (50%) percent - up to the limit set by the Compensation Board - which is the first step on the deputy one position grade.

IN RE: COMMISSIONER OF THE REVENUE -- ADDITIONAL APPROPRIATION

Mrs. Marston continued by stating that the second part of her request was one hundred (100%) percent contingent on the Compensation Board approving her previous request, likewise making the funds retroactive to July 1, 1997. There is going to be a need for the salaries that - that was one of the things - but with salaries that will be increasing to hit the state - to add the percentage so that her budgets will not go over. Likewise the postage, as she had spelled out in her letter, and the appraisal firm that is remeasuring our houses. When we did the budget request back last year, we budgeted based on the prior years. The houses have come in - there are more houses and it is costing more then what was anticipated. In lieu, we have tried to make adjustments for next years' budget so that she will have it covered. She stated that she was sorry for that but this would be to hit fund; there would not have to be additional funds coming from the General Fund but use this state money that is coming back. She stated that if they wanted her - she stated that she did not know how to do this but to ask the Board to if they wished her to come back the first meeting in January 1998. She again stated that she did not know what the Compensation Board was going to do until after tomorrow.

Mr. Long stated that he felt that it would be a good idea if the Compensation Board approves this request that Mrs. Marston comes back with an itemization of where you want it going to and where it is coming from.

Mrs. Ralph stated that the alternative to that would be to make it contingent upon the approval of the Compensation Board. Which ever way the Board is most comfortable with.

Mrs. Marston stated that she would do what the Board wishes, she just did not want her budget to go over.

Mr. Tickle asked what items are we discussing from the memorandum dated December 11, 1997.

Mrs. Marston stated that she was asking for all four (4) items.

Mr. Moody stated that it was his understanding that she wished the money from the Compensation Board to go toward these budget items.

Mrs. Marston stated that was correct, the money that they were going to be reimbursed. She would like for this to be rolled over to cover these expenses.

Mr. Tickle stated that he had read this several times and that he supported Item number one, Items two and three he felt that the Board needed to discuss, and when he thinks about salary that the County paid he thinks about that as different from receiving money back going to someone's budget.

Mrs. Marston stated Item one is also a budget item.

Mr. Tickle stated that he had no problem with Item one. When it comes to budget Item two and three and possibly some other items and using the money that basically that we knew we were getting as of July 1.

Mrs. Marston stated that we did not know that we were getting this. As of July 1, those positions were not funded.

Mr. Tickle stated then in August.

Mrs. Marston stated yes in August.

Mr. Tickle stated that he felt uncomfortable going forth unless we talk about this because it appeared to him that we are over and we are not within our budget. Is that true?

Mrs. Marston stated number one is going to put us over too. She stated if he would like her to come back and provide further information then she would do that. She stated that she would be happy to meet with him and show him.

Mr. Tickle stated that he would rather do that then to talk openly about it at this time. It is up to the other Board members.

Mr. Bracey asked if she could come back with the additional - had we not taken care of what she needed right now.

Mrs. Ralph stated actually the contract for the new construction she does have money allocated to that and she can always get whatever information the Board desires and come back and take care of any overage there. She has contracted with them and is anticipating an overage.

Mrs. Everett stated that if she needs additional postage to get her mailings out. She did not understand why we would hold out on something like that. She stated that seemed perfectly clear to her.

Mr. Tickle stated that it was not perfectly clear to him.

Mr. Moody stated that Mrs. Everett would like to see the postage approved.

Mr. Bracey stated he would too - however he felt that we have been through this before, at budget time. He could go along with Mrs. Everett's request providing when budget time comes up that this be discussed at length. It looks bad each year we have to come back and reappropriate - what we are really doing is appropriating money that was not taken care of at budget time and he was not blaming anybody because things will happen but he felt that we needed to put a stop to this. He stated that he would vote with Mrs. Everett of letting her have this money also in that he said we are going to stop it. Between us he felt that we could get a budget large enough to handle the situation. He stated that he felt that Mrs. Marston wanted her budget to be large enough, to be right.

Mr. Moody stated that the first two items were just an overage in budget estimates and those two items are not set. As far as number three he is questionable about that.

Mrs. Marston stated that was only the fifty (50%) percent match of the difference of last year when the raises were received by the County employees there was not enough budget. Glenice Townsend is still here but didn't all of us as constitutional offices and our deputies - Bill Jones was over too - we were all over a little bit.

Mrs. Glenice Townsend, Fiscal Officer, stated that she thought that when they figured that the other day she had already figured on them having the four (4%) percent and they are getting a little less and she thought that they had enough in her budget to cover those.

Mrs. Marston interrupted Mrs. Townsend stating she thought it was still a difference - If we have enough then we can scratch that but the way that she was figuring maybe she was wrong but she thought that she was a little bit off. She thought she was still a little bit short.

Mrs. Townsend stated that she had refigured and that she felt that Mrs. Marston's budget was adequate. Mrs. Townsend stated that she did not feel that any action was needed on Item three.

Mr. Moody suggested that the Board act on Items one and two.

Mrs. Ralph stated that Item three is already taken care of and the fourth one was just as things come up we will have the money in the General Fund, it's not going anywhere, so if something comes up she can come back to the Board for assistance.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that additional funds be approved for the contract with the appraisal firm for assessing new construction in the amount of $5,000.00; and additional postage funds in the amount of $9,500.00 be approved; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that these funds be appropriated on a one time basis from the projected reimbursment of salaries requested from the Compensation Board; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the postage be addressed in detail when the 1998-99 budget sessions are conducted.

Mrs. Marston thanked the Board and wished them a Merry Christmas and Happy New Year.

IN RE: TREASURER -- REPORT

Mr. William E. Jones, Treasurer, was not present but had informed the Board in writing that he would be attending a training session at The Department of Information Technology for on-line budget submittals.

Mrs. Ralph stated that he had included a list of vehicle and animal license agents for the 1998 distribution period and would like to have approval of these.

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 vehicle license agents and animal license agents are approved for the 1998 distribution period:

VEHICLE LICENSE AGENTS: ROBERT A. WALLACE
NAMOZINE FIRE & RESCUE

REAMS RURITAN CLUB
WILSON-HEBRON-FORD RURITAN

ANIMAL LICENSE AGENTS: DR. RICHARD GRENOBLE
GEORGE WILLIAMS
ROBERT A. WALLACE
MIKE BARNES
REAMS RURITAN
STEVE BEVILLE

IN RE: COMMONWEALTH ATTORNEY -- REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, was not present.

IN RE: SHERIFF -- REPORT

Mr. Samuel Shands, Sheriff, was not present. Mr. Claude Townsend was present to represent the department.

Mr. Bracey stated that he had a question for the Sheriff. He continued by stating that several months ago one of the cars - police vehicles - was involved in an accident. Since that time, it has been long enough now to do whatever has to be done, and the person was taken care of by our insurance company - the other vehicle. As of today he did not know what happened to the taxpayers vehicle - there was some damage to that vehicle also. This accident happened on Nash Road and involved Officer Gibbs.

Officer Townsend stated that the taxpayer vehicle damage was so minute that no repairs were performed. He thought it was only a small scratch.

Mr. Bracey asked Officer Townsend to send the Board a letter to that effect.

Mr. Tickle stated that the issue he wished to address was directed toward the Sheriff's Department. When you look at issue number eight under our legislative issues and it has something to do with - he proceeded to read this item: "Dinwiddie County supports the reduction in the ratio of state funded deputies to a population of one (1) deputy per two thousand (2,000) to one (1) deputy per fifteen hundred (1,500) population." This is an excellent idea and we most heartily support this. His thought process on this - is this going to be for all counties, all ninety five (95) counties. There are counties under thirty-five thousand (35,000). If we ask a little caveat to that to reduce it to twelve hundred (1,200) under population size of thirty five thousand (35,000) and under. That means we will pick up an additional five (5) deputies. He thought since we have five hundred five (505) square miles and that there are a lot of counties under thirty five thousand (35,000), the majority of the counties are under, that we need to ask our legislators to support us. An endeavor like this would be very beneficial to counties that have a smaller budget.

Mr. Long stated that he had added this item because he had heard it come up several times within the Board as well as at the conference. This was the number that he thought he had heard, if it is the Board's desire to move this number down to twelve hundred (1,200), we will be glad to send an amended letter.

Mrs. Pamla Mann, Administrative Secretary, stated that the letter had not been mailed and that we can make that change before this letter goes out.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby authorizes the County Administrator to draft a letter to the General Assembly requesting figures be changed to one (1)

deputy for every twelve hundred (1,200) in population, up to thirty-five thousand (35,000) population in any county.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, came before the Board to present the monthly report and stated he was available for questions.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, came before the Board stating that they had his monthly report and he was available for questioning. He wished the Board a good holiday season.

IN RE: DIRECTOR OF PLANNING -- REPORT

Mr. Guy Scheid, Director of Planning, came before the Board to present his monthly report and stated that unless they had questions on any of the items on the report or anything other than that he had nothing further to report.

Mr. Tickle asked about the item for the December 17th meeting that will be the telecommunication towers. He apologized for the date, but further stated that since he does not get to come here as often as some others, can we do a little homework on this two hundred thirty (230') feet. Can we find out what our rights are as different counties have different footage.

Mr. Scheid stated that they have done considerable research on this. March Altman has attended several meetings and we have already been in touch with the Virginia Association of Counties Officials. We have gotten in some model drafts. The Planning Commission has discussed this at length and the Planning Commission at their January meeting will be discussing an ordinance to be forwarded on to the Board for adoption. This ordinance is quite explicit as to what we are expecting. We have also had the ordinance reviewed by some members of the telecommunications industry and received their comments back. We have a pretty decent idea on what we can do as far as height limitations go. We also realize what our rights are under co-location. Also we have looked into county emergency antennae on those facilities. He felt that the Board would see that forthcoming. He stated that he doubted seriously if the Board would see this forthcoming for the first meeting in January.

Mr. Tickle also questioned buffering such as shrubbery and trees. Can we ask them to plant trees that will grow 50 to 60 feet high X number of feet from the fence lines.

Mr. Scheid stated that when a buffer if asked for - that buffer can be anything that the Board feels is appropriate. In this particular case the buffer that was being asked for was something that will not be anywhere near that tall.

Mr. Tickle was thinking pines that spread out fifteen (15) to twenty (20) feet in all directions and go up thirty (30), forty (40) or fifty (50) feet. Is that possible sir?

Mr. Scheid stated that certainly we can look at that and the height does not really cause the telecommunication people a problem. What they are concerned about is being hidden by the structure.

Mr. Moody asked about the Green Acres Mobile Home Park that the Planning Commission approved the other day. He asked Mr. Scheid to explain that to the Board, briefly and how we voted, what that means, so that they will know that they are not getting a mobile home park.

Mr. Scheid stated certainly. There are two (2) aspects to this. The first aspect of it is a rezoning. What was being requested is that the owners of Green Acres Mobile Home Park have purchased, what he would term, a ruminant tract of land from a property owner. When I-85 was

built a piece of property was severed, the bulk of the property is on the eastern side of I-85. The 9.1 portion of the property is on the western side of I-85. The person chose to sell the land. They sold the land to the Green Acres Mobile Home Park owner, Mr. Forrest. This property is immediately adjacent to this property. The property is zoned business B-2. The Green Acres Mobile Home Park is zoned agricultural A-2. Mr. Forrest wished to have zoning compatible with what the mobile home park is. The Planning Commission, without getting into the bulk of what he would be introducing to the Board at the January meeting, reviewed this not as a request to allow an extension of the mobile home park but the reasonableness of the rezoning request. Did the request seem to be reasonable. In analyzing the request the Planning Commission determined that yes it was a reasonable request. That it made no sense to them for the property to remain business B-2. It had no frontage on a state maintained road. It was compatible with the Comprehensive Land Use Plan. It was quite clearly stated at that time that it should not be construed in any manner whatsoever that by rezoning the piece of property that it meant that the mobile home park was to be extended. In order for the mobile home park to be expanded, it would have to come back to the Planning Commission and Board of Supervisors for a conditional use permit. At that point and time it would be reviewed on its own merits to see if indeed it warranted being extended. This information is contained in your packet under your second staff report. He further stated that he would be happy to meet with any Board member to review this information.

Mr. Moody stated that he would like to add that this was a conditional rezoning. He has proffered to fence this property.

Mr. Tickle asked about an impact analysis. He stated that he felt that doing an impact analysis would be very important.

Mr. Scheid stated that an impact analysis is quite expensive and a considerable amount of time. He feels that until it is asked to extend the mobile home park it is not necessary.

Mr. Bracey asked if the Bittersweet issue had been solved.

Mr. Long stated that to his understanding he had gotten a memo back from Clarence Hoff after the company came out and put up the check dam. In his best estimation the memo he got back was nit picking at best. That was his personal opinion. If he read it correctly it was arguing over two inches of rock, the difference in where it is and where he said he would idealistically like for it to end up. All in all he was happy but to him he was still trying to leave the state an out. Mr. Long stated that he intended to respond to it and ask for something in black and white to say actually what he does want to put an end to this. This has been going on for too long.

Mr. Scheid stated that as far as he was concerned the matter was over.

Mr. Bracey asked Mr. Scheid if he had sent a letter to the appropriate persons stating that the matter as far as he was concerned, in his professional opinion, that the matter has been solved.

Mr. Scheid asked what people Mr. Bracey was referring to.

Mr. Bracey stated Mrs. Vadnais, would you send her a letter that the problem at Bittersweet has been solved.

Mr. Long stated that he would be responding to Mrs. Vadnais.

Mr. Bracey stated that the last hard rain that we had, if he had been traveling five (5) miles faster then he would have ended up in a pond. This is in the opposite direction. He felt that this could be another potential problem.

Mr. Donald Faison, Construction Inspector, asked if he could respond to this. He stated that the last step in erosion and sediment control was to remove the temporary devices. The problem that is being caused by a check dam that is in the ditch way. It is supposed to slow down the volume of the water so that you do not get erosion into your down

stream property. Now that you have your vegetation growing one more step will need to take place and that will be to remove the temporary devices and one of them is the check dam on Courthouse Road. He stated that he thought that would resolve this problem.

AT 3:30 P.M. MR. MOODY CALLED FOR A FIVE MINUTE RECESS.

IN RE: ZONING ADMINISTRATOR -- REPORT

Mr. March Altman, Zoning Administrator, came before the Board to present his monthly report. He stated he was open for questions.

Mr. Altman continued that in his monthly report from last month he had put an item in there that addressed GIS. He had been approached by Mr. Moody to talk to the Board about this. He felt that he would be happy to answer any questions but that he felt the best way for the Board to understand what it is, is to have a demonstration. He felt that he could talk and talk but for you to actually see it in action might give them more input. He suggested that they meet at 4:00 P.M. prior to the 5:00 P.M. Executive meeting on January 7th, 1998. The Board agreed.

IN RE: DEPARTMENT OF SOCIAL SERVICES -- REPORT

Mrs. Peggy McElveen, Director of Social Services, came before the Board to present her monthly report. She reported that welfare reform is going quite well. She gave a brief synopsis of the department's activities over the past couple of months.

IN RE: DEPARTMENT OF SOCIAL SERVICES -- APPROPRIATION OF FUNDS DONATED BY UNITED WAY

Mrs. McElveen continued that the Board would please note that funds in the amount of $3,874.00 have been donated from United Way. She requests that this donation be appropriated for use by Social Services. There is no local match required.

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 authorization is granted for funds donated from United Way in the amount of $3,874.00 to be appropriated for use by Social Services, with no local match being required.

IN RE: DEPARTMENT OF SOCIAL SERVICES -- ENCLOSURE OF FRONT STOOP

Mrs. McElveen stated there was one more item and that was exterior glass vestibule for the Social Services building. She asked Mr. Donald Faison to come forward to present this item.

Mr. Donald Faison came forward and presented to the Board the following bids for enclosing an area and creating an exterior glass vestibule on the Social Services building. This would prevent heat loss in the winter months and loss of air conditioning during the summer months.

AMERICAN DOOR & GLASS	$5,112.00
RICHMOND GLASS SHOP	$5,645.00
VIRGINIA AUTO GLASS, INC	$6,423.00

Mr. Faison recommended that we accept American Door & Glass Inc. low bid of $5,112.00.

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 authorization is granted to accept the bid of American Door

& Glass, Inc. in the amount of $5,112.00 for a exterior glass vestibule on the Social Services Building.

Mrs. McElveen stated that she wished to thank Donnie, Marty and Wendy for their help on this job. She also wished to commend the new cleaning person, Lee, on the excellent job that he is doing. She stated that their building has never looked better than it does right now. She stated that he is responsive to requests and interested in wanting it to look nice.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mrs. Troilen Seward, Superintendent of Schools, came before the Board stating that she wished to commend the Board for all they did for Dinwiddie County in getting Chaparral Steel here. She went to a meeting the following day, after Monday after it was all over the press, and Dinwiddie Board of Supervisors was commended by the folks who talked to me saying that this is probably why you all were able to locate the folks here because your Board knew how to work with the appropriate people. She stated that she felt this was a very nice compliment and wanted to share that with them. In public light all you usually get is criticism.

Mrs. Seward continued by stating that she had for them today a copy of the State Standards of Learning passed in 1995. The State has provided for every parent in the district a copy. There is a letter in here to the parents saying please make use of this as you work through school with your children.

IN RE: SUPERINTENDENT OF SCHOOLS -- REAPPROPRIATION OF FUNDS

Mrs. Seward stated that she would like to request a reappropriation of funds from the unexpended FY-97 Funds to the Transportation Category for the purchase of six (6) new buses in the amount of $323,007.87.

After discussion between the Board and Mrs. Seward, Mr. Moody called for a motion.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 authorization be granted to reappropriate the unexpended FY-97 funds in the amount of $323,007.87 into the Transportation Category for the purchase of six (6) new buses.

Mr. Bracey stated that he did not resent the buying of the buses but he did feel that this money should go for more than one item in the school system. We need buses along with a lot of other things. He hoped that in the future that we will scatter things out or stagger because it seems as if only one agency is getting the bulk of the money.

Mrs. Seward stated that she too had many of these same concerns regarding the schools and items that are needed. She spoke about the renovation of Dinwiddie Elementary School. This is a project that will take a lot of planning in order to end up with a quality finished project.

IN RE: SUPERINTENDENT OF SCHOOLS -- REAPPROPRIATION OF FUNDS

Mrs. Seward continued by stating that to comply with the budget calendar, the Office On Youth must budget its projected beginning balance long before the budget year ends. The Office On Youth projected the unexpended funds from FY-97 to be $4,200.00 and included this as a beginning balance in its FY-98 budget. The actual FY-97 unexpended OYCS funds amounted to $5,308.58 more than the projected FY-98 beginning balance. In order for the Office On Youth to utilize these additional funds, we request that the Board of Supervisors reappropriate the $1,108.58 in the OYCS Fund.

There was discussion between Mrs. Seward and the Board regarding salaries being currently paid to some school employees.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 authorization is granted for the reappropriation of $1,108.58 from the unexpended funds from FY-97 to the current FY OYCS Fund.

IN RE: SUPERINTENDENT OF SCHOOLS -- REPORT

Mr. Bracey stated that he had seen where the School Board had approved two (2) positions for the curriculum. One position for K-5 and one for 6-12. The positive part of that is that he was glad that they saw fit to hire some of our own people. Some of the ones that we have spent thousands of dollars to educate. The other thing is, this was his understanding, and he asked Mrs. Seward to tell him -- at the present time that job of the curriculum person was supposed to be being done out of your office with the Assistant Superintendent. This position was being filled by Ray Watson before you hired these two (2) people.

Mrs. Seward stated not really. Mr. Watson was really doing technology and finance and he was handling what had to be handled. We have not had curriculum for the middle and high school; Bill Morgan was the last.

Mr. Bracey stated that he knew that, he had been around for a long time. His question was -- this is what was told to him as to why we are paying Ray Watson so much money. Now we have hired persons to do this job so -----

Mrs. Seward interrupted stated that she pays him to do technology and she just put the other on him, he was told to just do that gratis.

Mr. Bracey stated then that job is worth that much money? For technology? So now there are three persons?

Mrs. Seward responded with they are technicians, we currently have five hundred fifty some computers in this district. To keep them up you need more personnel.

Mr. Bracey stated that we could save some money. We are paying that man sixty some thousand and we are taking fifty out of the CIP every year to pay Mr. Hutchinson. When you say fifty times four and sixty something times something, a man doing about a forty five to forty eight thousand dollar job we could have some money to do something with these schools. This is his opinion, he was not speaking for anyone else.

IN RE: RECREATION DIRECTOR -- REPORT

Mr. Long stated that we do not have a recreation director at this time but that they do have a recommendation to make to the Board during the Executive Session. Mrs. Charity Taylor, Recreation Secretary, has included a report in the Board packet.

IN RE: DIRECTOR OF WASTE MANAGEMENT -- REPORT

Mr. Denny King, Director of Waste Management, came before the Board to present his monthly report for November - December.

IN RE: WASTE MANAGEMENT -- DINWIDDIE COUNTY SOLID WASTE MANAGEMENT FACILITY

Mr. King stated that bids were received for the transfer station - modification to the Dinwiddie County Solid Waste Management Facility. He asked Mr. Faison to come forward and present this project to the Board.

Mr. Faison came forward and presented the Board with a copy of the bid tabulation sheet. The bids did come in higher than anticipated. The base bids were as follows:

E. F. BROWN	$ 90,565.00
D. W. LYLE CORP.	$110,916.22
VIRGINIA CONC.	$ 81,215.00
WALTHALL CONST.	$ 88,947.00

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 authorization is granted to Mr. Donald Faison, Construction Inspector and Mr. Denny King, Director of Waste Management, to negotiate with the low bidder, Virginia Concrete, to perform the work on the modifications to the Dinwiddie County Solid Waste Management Facility.

Mr. King stated that he wished to thank Donnie for his help in getting these bid packets out.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR -- REPORT

Mrs. Dawn Titmus, Deputy Emergency Services Coordinator, came before the Board and presented her monthly report.

Mrs. Titmus stated in response to Mr. Tickle's question at the last day meeting, the dispatcher has informed her that calls are counted call for call. If you are disregarded from a call you still receive credit for that call. She stated that she could supply numbers if Mr. Tickle required them.

Mr. Tickle stated that the dispatcher's figures and the volunteer's figures did not match and requested that we investigate this to insure that our volunteers are getting their numbers correct.

Mrs. Titmus continued that at the last meeting Mr. Tickle had also asked about average response time, the state average, there is not a state average at this time. They do not keep that information. There is a goal which is approximately eight (8) minutes.

It was suggested, by the Board, to find a way to advise the citizens of the County what services the Emergency Services can/will provide and what services are not available. There was much discussion on when transportation to a medical facility is provided.

Mr. Tickle questioned Mrs. Titmus about trying to talk people out of going to the hospital.

There was discussion on how this is handled and the procedures that are now being practiced by Dinwiddie County. Mr. Tickle continued to request additional information.

Mrs. Titmus wished the Board a Merry Christmas.

IN RE: COUNTY ATTORNEY -- REPORT

Mr. Paul Jacobson, County Attorney, stated he had nothing to report but was available for questions. There were none at this point.

IN RE: CONSTRUCTION INSPECTOR -- REPORT

Mr. Donald Faison, Construction Inspector, came before the Board and presented his report for the month.

IN RE: CONSTRUCTION INSPECTOR -- HEATING & COOLING SYSTEM -- SHERIFF'S OFFICE

Mr. Faison continued by passing out bid tabulation sheets for the heating and cooling system for the Sheriff's Office. He described the new roof, along with the changes that needed to be made in order to accommodate the new heating and cooling system.

The bids for the heating and cooling system are as follows:

BARNES HEATING & COOLING	$18,826.	30 DAYS
EVEREADY MECHANICAL	$35,000.	60 DAYS
UNION AIR HEATING & COOLING	$17,985.	45 DAYS
W. D. WALL SHEET METAL SHOP	$27,307	15 DAYS

Mr. Faison recommended that we accept the low bid of $17,985.00 from Union Air & Cooling.

Upon motion of Mrs. Everett, seconded by Mr. Bracey, 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 authorization is granted to the County Administrator to enter into a contract with Union Heating & Cooling Inc., to install a system according to specifications for the low bid of $17,985.00, to be completed in 45 days from the date of letter to proceed.

There was discussion on the ventilation of the new roof and it was decided to install two (2) power vents to be added with a change order.

IN RE: CONSTRUCTION INSPECTOR -- NEW ROOF -- SHERIFF'S OFFICE

Mr. Faison stated that he had also distributed the bid tabulation sheet for the new sloped roof for the Sheriff's Office. The bids are as follows:

GULF-SEABOARD	BASE BID	$30,000.00
	ALT. NO. 1	$17,000.00
	ALT. NO. 2	$ 4,700.00
	UNIT PRICE 1	$ 3.00
	NO. DAYS	90
R. D. HUNT CONSTRUCTION CO.	BASE BID	$25,700.00
	ALT. NO. 1	$14,950.00
	ALT. NO. 2	$ 1,995.00
	UNIT PRICE 1	$ 0.75
	NO. DAYS	90
SIMMONS AND SIMMONS	BASE BID	$25,421.00
	ALT. NO. 1	$16,000.00
	ALT. NO. 2	$ 1,150.00
	UNIT PRICE 1	$ 1.10
	NO. DAYS	60
WALTHALL CONSTRUCTION CO.	BASE BID	$18,754.00
	ALT. NO. 1	$ 7,700.00
	ALT. NO. 2	$ 1,978.00
	UNIT PRICE 1	$ 1.15
	NO. DAYS	45

Mr. Faison recommended that we accept the low bid from Walthall Construction Company for $18,754.00 base bid; alternate number 1 $7,700.00; alternate number 2 $1,978.00; unit price number 1 $1.15 square foot; and number of days 45. Mr. Faison explained that included in this bid is to put storm sheathing and a vinyl siding on it. He stated that Mrs. Mann and himself had been over to the site and picked out colors. The roof would be shingles in Colonial Slate color with siding being Sandstone in color.

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 authorization is granted to the County Administrator to enter into a contract with Walthall Construction Company for the base

bid price of $18,754.00 and alternate number 2 at a price of $1,978.00 for insulation to be completed in 45 days from the date of notification to proceed. Power vents are to be added by change order and not included in the original bid pricing.

IN RE: APPOINTMENTS

Mr. Bracey stated that they were not ready this month for appointments and asked that they be held until the next meeting.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- RABIES CLINICS

Mr. Long stated that in their packets a request from Chesdin Animal Hospital to hold seven (7) rabies clinics within Dinwiddie County during the month of January 1998. The proposed schedule is as follows:

CHESDIN ANIMAL HOSPITAL	SAT JAN 10	1 - 3 PM
CARSON FIRE DEPARTMENT	SUN JAN 11	2 - 4 PM
MCKENNEY (TO BE ANNOUNCED)	SAT JAN 17	1 - 3 PM
HAWKS PHARMACY	SUN JAN 18	2 - 4 PM
DINWIDDIE ADMINISTRATION BLDG PARKING LOT	SAT JAN 24	1 - 3 PM
B&B GROCERY	SUN JAN 25	2 - 4 PM
CHESDIN ANIMAL HOSPITAL	SAT JAN 31	1 - 3 PM

Rabies shots for cats and dogs are $5.00 each during these clinics.

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 schedule for rabies clinics is approved:

CHESDIN ANIMAL HOSPITAL	SAT JAN 10	1 - 3 PM
CARSON FIRE DEPARTMENT	SUN JAN 11	2 - 4 PM
MCKENNEY (TO BE ANNOUNCED)	SAT JAN 17	1 - 3 PM
HAWKS PHARMACY	SUN JAN 18	2 - 4 PM
DINWIDDIE ADMINISTRATION BLDG PARKING LOT	SAT JAN 24	1 - 3 PM
B&B GROCERY	SUN JAN 25	2 - 4 PM
CHESDIN ANIMAL HOSPITAL	SAT JAN 31	1 - 3 PM

IN RE: COUNTY ADMINISTRATOR COMMENTS -- ENGINEERING SERVICES -- INDUSTRIAL ACCESS ROAD

Mr. Long stated that earlier they had passed a resolution for industrial access road funding. He asked the Board for authorization to acquire engineering services for the access road and solicit proposals for the entire project from acquisition of right of way, if we need one, straight through construction of the road. He wanted to be able to advertise for these services as soon as possible.

Upon motion of Mr. Bracey, seconded by Mrs. Everett, 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 authorization is granted for the County Administrator to acquire engineering services for the access road and to solicit proposals for the entire project from acquisition of right of way through construction of the road.

IN RE: COUNTY ADMINISTRATOR COMMENTS -- PRESENTATION OF AWARDS

Mr. Long stated that he had one other item to being forward and that was presentation of Awards of Service. Mr. Tickle and he had attended the VACO meeting in November and two (2) of the Board members were not present to receive Service Awards. At this time he would like to present Mr. Harrison Moody and Mr. Edward Bracey awards from the Virginia Association of Counties of the 63RD Annual Meeting on November 9th, 1997,

congratulating Edward A. Bracey Jr and Harrison A. Moody for dedicated service to county government for 10 years each, from 1988 to 1998.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay -- no comments

Mr. Bracey -- Mr. Bracey stated that if there is a problem with the Commissioner of the Revenue's Office copy machine then we need to address this during budget time. He wished everyone a Merry Christmas.

Mr. Tickle -- no comments
Mrs. Everett -- no comments

Mr. Moody -- no comments

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, 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 (Recreation); Section 2.1-344 (A) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating in the community; and Section 2.1 - 344 (A) 7 - consultation with legal counsel (Courthouse Contract). The meeting moved into Executive Session at 5:06 P.M. A vote having been made and approved the meeting reconvened into Open Session at 6:40 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Bracey, seconded by Mr. Tickle, 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 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: AUTHORIZATION TO SIGN INDUCEMENT AGREEMENT WITH CHAPARRAL STEEL

Mrs. Ralph stated that a motion was needed, which would give authorization to the Chairman of the Board of Supervisors to sign the inducement agreement with Chaparral Steel in substantially the form as presented at this meeting.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Chairman of the Board of

Supervisors to sign the inducement agreement with Chaparral Steel in substantially the form as presented at this meeting.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 6:45 P.M. to be continued until December 22, 1997 at 5:00 P.M. at the Pamplin Administration Building.

Harrison A. Moody
Harrison A. Moody
Chairman, Board of Supervisors

ATTEST: R Martin Long
R. Martin Long
County Administrator

/pam

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 22ND DAY OF DECEMBER, 1997, AT 5:00 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 M. SIEGEL	COUNTY ATTORNEY

IN RE: MOMENT OF SILENCE LOID HODNETT

Chairman Harrison Moody called for a moment of silence in memory of a past Board of Supervisors member Mr. Loid Hodnett. Mr. Hodnett was a Board member from November 1974 to December 1979 and he was also a member of the Dinwiddie County Industrial Authority from February 1993 to the present. He was a member of the Airport Authority also.

IN RE: INVOCATION PLEDGE OF ALLEGIANCE AND CALL TO ORDER

Mr. Moody called the meeting to order at 5:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: PUBLIC HEARING STATE DESIGNATED ENTERPRISE ZONE

Mr. Moody stated that we would begin the meeting with staff presenting information on the enterprise zone. Following this presentation would be the Public Hearing, with a three (3) minute time limit on each speaker. The Board of Supervisors will then take all the information under advisement and decide whether to vote tonight or table the matter for further consideration. Mr. Moody asked Mr. Guy Scheid, Director of Planning, to come forward for the presentation.

Mr. Scheid came forward to make the presentation. The enterprise zone discussion came up recently in context with the new steel site that has been located in Dinwiddie County. The Governor mentioned an enterprise zone at the formal announcement by TXI on Monday, December 15, 1997. The Governor has, at his discretion, the ability to designate a certain area as an enterprise zone. He so chose to designate, with a joint enterprise zone designation, the County of Dinwiddie and the City of Petersburg. The criteria that needed to be used and designated to become an enterprise zone was obviously the core area, the area where Chaparral Steel was to be located and those logical expansions outward from that area to be included in the enterprise zone. The enterprise zone is something of an economic benefit for both commercial, industrial, and residential development, as well as a benefit for fixing up properties that are already in existence. The program itself, you cannot just say the program is A-B & C, because the program can be what the community wants it to be. There is what is termed an incentive package which is part and parcel to not only designate the land mass but it also says what you as the locality will do within this area to assist in locating new businesses and encouraging those businesses and residential structures that are in this area to develop further. Mr. Scheid then stated the Board had been given a preliminary package as to what was designated in the package as your enterprise zone, that would be the narrative. He proceeded to review the map with the Board discussing the area that was being proposed as an enterprise zone. Maps were also made available for citizens in attendance. He stated that certain criteria had to be used when designating an enterprise zone area. The area must fit into one of three categories. The category we are looking to fit into is the category in which at least twenty-five (25%) percent of the families that are within the enterprise zone, or the census block tract data, are at least eighty (80%) or less of the medium income for the County. That is the criteria we would be able to come under. We have to be very careful about the area we select, to be sure we do come in under that criteria. If we do not qualify under that criteria then we can not be designated as an

enterprise zone. Also the criteria is we can not exceed six (6) square miles. The area that Dinwiddie County is looking at is roughly three (3) square miles.

There was discussion about Section II-B. Housing and Population Characteristics portion of the application for enterprise zone designation. Mr. Scheid explained that we must use the 1990 census information because that is the most current data available.

Mr. Moody opened the Public Hearing portion of the meeting . He instructed the citizens to address any questions they might have during this portion and the Board would try to answer them following the Public Hearing.

Mrs. Gloria Jones, who had not signed up to speak, asked who determines the incentives that are offered in an enterprise zone.

Mr. Scheid stated that on the local viewpoint that the locality made the determination as to what incentives are offered. The State makes the determinations as to what State incentives are offered. Mr. Scheid stated that he hated to be vague but it is the type of thing that is vague. That is what it is. It is what ever the community decides that they can live with.

There was some question regarding eminent domain. Mr. Moody, Mr. Long and Mr. Dan Siegel, the County Attorney stated there was no eminent domain. All rumors regarding eminent domain are false.

Mr. Moody again stated that all questions asked during the Public Hearing portion would be addressed after all citizens had spoken. Also he reminded citizens of the three (3) minute time limit.

The following citizens came before the Board at this time:

1. Mary Beth Stech, 27316 Flank Road, Petersburg, Virginia, came forward asking for answers to the following three (3) questions: 1) Will the enterprise zone provide a buffer?; 2) What will happen to the value of property in the area?; and 3) What provisions will be made for the wetlands?

2. Patsy Root, 27111 Flank Road, Petersburg, Virginia, came forward with questions regarding the enterprise zone - is it industry; will it be another Chaparral Steel? What type and when will people in the community know? Who will make that decision? There are high power transmission lines going across that property; we know that if a lot of industry comes in those lines will increase in voltage. Currently she is unable to touch her gutters without getting a sensation. What are the plans for a substation in the area? She was very concerned about the property value.

3. Charles Wagstaff, 7409 Vaughan Road, Petersburg, Virginia, came forth questioning why were the citizens not informed by the Board about the enterprise zone when they were talking about Chaparral? The area is changing week by week. Is the Board penalizing them for living out there? He understands that Chaparral always acquires extra companies. He wanted to know if the Board knew anything about this and who might be coming out there with them? He was concerned about the property values in the area. He is upset because nobody is telling them, the citizens whose lives will be changed, anything about what is going on or will be going on.

4. Robert Belcher, 27516 Flank Road, Petersburg, Virginia, came forward beginning with Merry Christmas. His questions are: What about the railroad spur line? What is the status on that? Will an enterprise zone turn into an industrial park? Would you like to buy a house? It is $150,000.00 right now. The map that you are showing the citizens only includes Dinwiddie County but at the Public Hearing meeting said that it would give us all the Petersburg information on here too. Why didn't we just print this up for Dinwiddie County, why include Petersburg? Will there be another public hearing on environmental analysis? How much can the land take before it contaminates all the wells in the area? If this does contaminate his well, is the County willing to hook up his house for water? He feels that the County should spread some free perks down his way!

Mr. Long stated that he wished to interject something at this point, if possible. There seems to be some confusion regarding the joint application with the City of Petersburg for the enterprise zone. The City of Petersburg's Public Hearing on what zone they are preparing to submit is tomorrow night with their City Council. We do not have any say as to what Petersburg's zone looks like. He felt that this needed to be clarified.

5. Mike Moore, 26116 Plantation Road, came forward stating primarily his concern was about the development plan. He asked if there was a development plan to determine what industries will be in this enterprise zone, in addition to Chaparral? Is that long range plan for 1 - 2 - 3 - 4 - or 5 years? He would like to receive a copy of that plan if one is available.

6. Peter Jeffrey, WPVA, 25720 Greensville Avenue, came forward stating that under Section 59.1-274.1 - page 4 - of the Enterprise Zone Act, the Board, WPVA's Board of Directors, is requesting that the Board of Supervisors of Dinwiddie County set either as a part of the motion to bring an enterprise zone in; as an amendment; or as a separate motion, the intention to provide expansion of the enterprise zone as early as possible, possibly next spring, the spring of 1998. Their original resolution was to become a part of this application but having conversations and looking at the relevant material they realized that it was not feasible to try to be a part of this original application. However, they are strongly requesting that the motion, either as a part of the motion, or as a separate motion, that the community of West Petersburg be considered as a candidate for expansion in the spring of 1998. The second question he had was to request the Board of Supervisors of Dinwiddie County under Section 59.1-283 - page 16 - he continued by stating that he was not quite certain - what is stated he desired was to do the work that they are doing, currently involved in, in West Petersburg; and eventually Piney Beach. They are going to be asking the Board to include as a local incentive, he did not know if it should be a part of the original package, the adoption of a partial exemption of taxation of substantially rehabilitated real estate pursuant to 58.1-3221, as well as an adoption of a local enterprise zone development taxation program.

7. Richard Hotchkiss, 27518 Flank Road, came before the Board to state he was originally opposed to the steel mill. He was concerned about how much farther south and west they wished to go. The Board had stated Chaparral Steel would bring in a lot of tax dollars and it seems to him the Board would be satisfied with that alone. Now they are going farther south and farther west. He wanted to know where it would stop. He stated he bought a place in the country to raise his four (4) little girls. He was planning to build an addition to his home but now that is over with. There is no way he can do anything like that with the property values going down. He had two (2) things that he wished the Board to answer tonight. 1) All drainage runs south and west, what is that going to do to underground water supply? He proposes to the County, and would like an answer tonight, that they will provide, at no cost to all residents living in all adjoining areas, in the proposed enterprise zone, all the areas along Church Road, Squirrel Level Road, Flank Road, Vaughan Road, Weakly Road, Simpson Road , Defense Road, Wells Road, Boydton Plank Road, with free soil and water tests before they start and then again on an annual basis after they start operation. 2) Also he would like to see public water and sewer expand to this area and that the County will provide free of charge hookup to each and every adjoining landowner.

8. Deborah DeBiasi, 9012 Circlewood Drive, came forward with concerns regarding the water table and drainage. She felt that some base line sampling needed to be done now. Without this the County would have nothing to compare to in the future. She was also concerned about employment statistics on the existing industries that have come into Dinwiddie County. She stated there are needs to upgrade the roads and trash pickups. She wanted to know about the people in the enterprise zone. Is this all going to be brought up? What does this enterprise zone mean? Will residents be forced to make their lands available?

9. Jerome K. Rivers, 6922 Vaughan Road, came forward with concerns about being in the middle of the enterprise zone. How will this impact him?

Will he be forced to sell his land? Will the County buy the property and give it to the industry? How will this work?

10. John Cox, 445 Bridge Court, Hampton, Virginia, 10024 Vaughan Road, came forward stating that he had business interests on Vaughan Road. He stated that he believes that Petersburg is a depressed area. They need economic help. He also felt that Dinwiddie County was groping at straws. He stated when you court a business you are operating from a position of weakness. He accused the Board of being more in partnership with Chaparral Steel than with the citizens of their own community. He asked for an environmental impact study be made in the Chaparral site and in this zone in order that mistakes might not be made. He wished the Board a Merry Christmas and stated they would be the only ones having one because he felt the citizens in this area would not.

11. John Boswell, 7303 Church Road, Petersburg, Virginia, came forward stating that he had just a couple of questions. What impact zone - what will that land be rezoned to? Currently a lot of this land is A-1, A-2 etc now, what will the land in the enterprise zone be rezoned to? When they come around for the reassessment, will his property, which borders this zone, will he still be A-2 or how will this affect his reassessment?

Mr. Moody declared the public hearing closed. He stated he had listed the questions and felt Mr. Scheid had also been listing them, as they were being directed. He stated he was going to try to answer a couple of the ones relating to the enterprise zone and then Mr. Scheid would follow up on other technical ones.

With reference to a buffer zone, will one be provided, the land will be zoned the same as it is right now. Nothing will happen until an industry comes and applies for rezoning. The zoning will remain the same until an industry requests rezoning or the County rezones it. We do not expect this to happen anytime soon; it is just an area that is designated as an enterprise zone. It does not mean anything. If an industry comes in then they will have to qualify or have to rezone the property before they can occupy the property. At that point buffers and conditional use permits will come into play.

There was a question regarding options on property - the owner of the property will not change hands. The exterior properties, outside of Chaparral Steel, will remain the same unless another company comes and wishes to build. Then they will be talking to each land owner personally. The land owner will talk to them about options. Again nothing will happen with this designation we are discussing tonight, until these events happen.

As far as us, the Board, knowing or not knowing about the designation, the Governor gave us the designation last Monday, he gave us the opportunity to apply. We knew he might but it was not known for sure until Monday. We also did not know how big the enterprise zone area could be.

All companies wishing to locate within the enterprise zone will have to go through the same process as Chaparral to have the land rezoned. The land is not rezoned for industry except for where Chaparral Steel has their site. Petersburg has their own map, and he is unaware of where the lines will be.

The last person who spoke asked what the land would be rezoned to. An application for rezoning would have to be filed in order for any rezoning to occur; therefore, he did not know what rezoning might occur in the future.

Mr. Moody asked Mr. Scheid to come forward to address other questions.

Mr. Scheid stated that he would attempt to answer additional questions that have been put before the Board. Some of the questions citizens have posed he does not have answers for.

- Buffer requirements within this enterprise zone - there is not any discussion right now of rezoning property. The properties will retain

the current zoning they have on them. The properties that are within this zone may be chosen at some future date to be removed, where some may be added to it. If a person wishes to use their property, for a particular use, in its current zone, they will be bound by the zoning ordinance. This zone does encourage the utilization of the property, not to have it laying hollow for a long time. It does encourage the property to be used. The answer to will a buffer be required - this matter will be addressed at the time an application for rezoning is submitted and a conditional use permit filed.

- Property values within the area of the enterprise zone - Mr. Scheid stated he was not qualified to put property values on people's property with industry coming. There are many things to be considered and he could only assume the information people have conveyed to him to be true. He stated some residents have had their properties evaluated and they say their property values have decreased. He had no official information one way or the other.

- Wet Lands - As far as wet lands boarding the property, certainly the wet lands, as most people are familiar and as he knows the Board is very familiar, wet lands are controlled by the Federal Government. The Army Corps of Engineers is very strong on the wet lands issue. Any time more than one third (1/3) of an acre is affected then there is considerable discussion; it goes on with litigation, and even the concluding of any development on the property. Wet lands is a very big, important factor that is taken care of at the Federal level and the State also chimes in on that.

- Other industry in new enterprise zone - Is the enterprise zone being developed for another industry? Mr. Scheid stated to his knowledge there is no other industry being considered at this point and time. The enterprise zone, by state law, is not allowed to be site specific by that account. It has to be a zone that will enhance more than just the property that is being considered and a logical expansion of that which was considered. When this zone was being anticipated it was not with anybody else or any other industry in mind.

- Power Lines - The power line in the area, he did not know what to say about the power lines, the static electricity or whatever other types or problems that are associated with it. He thought that would be something that power companies would have to deal with.

- Additional Companies - Was Chaparral Steel acquiring more companies? Again he-----

Mr. Tickle interrupted Mr. Scheid asking him to return to the power lines issue. A very specific question was asked about these lines and he, Mr. Tickle, thought that the citizen really asked was current related. The citizen has a feeling that by Chaparral coming there will be more current running through the lines. Therefore, can you, Mr. Scheid, address the issue, when a line is coming across the County, of which the County has a couple currently, with a standard amount of current going through them, it is going to change, increase or decrease. The current is coming through, they Chaparral, are just going to pull off some of the current. Now is that probably an accurate assessment of what they are going to do?

Mr. Scheid stated that it is. He felt what the citizen was getting at, as the County is aware, several years back, the transmission lines were greatly beefed up and what he felt the citizen was ultimately getting at was, is this going to happen again? It might happen again but it does not necessarily have to happen because it is Dinwiddie creating the demand. A great deal of that power line beefing up was because of Chesterfield County and communities north of us, of which we have received no benefit whatsoever. We found out that we had no say so in the matter as far as them beefing those lines up. But as far as controlling substations and that, there is limited control the County has over somebody like Virginia Power or Southside Electric.

Mr. Tickle asked about the substation and the location of such, would it be on their site, as they, the Board, had seen in Dallas?

Mr. Scheid stated that was correct. As far as their current needs right now, he stated he had been advised their current needs will be met with what is already there, there will not need to be any additional lines constructed. A substation will need to be constructed and it would be on their site.

- Mr. Scheid continued to address the issue of additional companies. This was something that he is not aware of.

Again Mr. Tickle interrupted Mr. Scheid stating the specific direction that this question was going on is there a subsidiary company, or additional companies that will follow with them and wish to carry out the same type of actions as Chaparral. For example if there are five or six companies that do business with Chaparral will they also be coming to Dinwiddie.

Mr. Scheid stated the only thing he could relate to the Board was that they, as well as himself, went to Texas and he did not see any other industries located on the premises. He stated he was aware there was a concrete plant that already existed on a tract of land adjacent to the steel plant. They had acquired this plant because there were some mutual benefits that could be obtained, but he did not see any other industries located on the premises. He did not know if that would be the same scenario on this property. He stated he was not privy to that information.

Mr. Tickle stated there may be other companies that come and join in, is that possible?

Mr. Bracey stated that we were getting confused now.

Mr. Moody stated he felt what the Board was saying was other companies might possibly come but if they do they will still have to come through the rezoning process. The enterprise zone just allows them to get incentives similar to Chaparral Steel. Mr. Moody stated he was not going to sit there and say the enterprise zone is not going to make the property more valuable for the people that are located in the enterprise zone because it is going to attract other industries. They might not move here they might move to Petersburg.

Mr. Bracey stated he would like to ask Mr. Scheid to make sure, that he heard right, that Mr. Scheid said Chaparral Steel's property. There will be nothing on that four, five, two, whatever it is acres but Chaparral Steel. Now if Bracey wants to open up a concrete plant then he will have to come to Mr. Rivers and all these other persons to purchase some land, if he wants his concrete plant in that enterprise zone. Chaparral is there, all the rest is just proposed. Mr. Bracey wanted to make sure that everyone understands that. Nothing will be on Chaparral's property. Chaparral has a conditional use permit to do thus and so, not to build many industries.

Mr. Long stated he thought this might be a good time to try to clarify that issue a little bit. He further stated he felt like he heard questions regarding this a couple of times during the hearing. One gentleman or lady asked the question have people agreed to sell. It led him to believe some folks may think this thing is drawn up as something, that the County or some entity, will be going out and acquire all the property. He stated he could somewhat understand that coming right behind the Public Hearings they had with TXI, Chaparral. There may be that conception, which is not correct. This creates a zone where certain things can occur for business or industry which may be interested in locating in that area. Everything within that boundary, shown on the map, is not something that will constitute someone coming out and knocking on your door any time in the immediate future that they are aware of. As Mr. Bracey said any and everyone in the future, just as they have to date, will have to make application, go through zoning processes, have Public Hearings, just like the company that just located here did. He thought possibly the two have gotten intermingled somehow and there may be some confusion on that point. As far as the question on spin off industry, his feeling was the best way to answer right now is, certainly with a company the size of the one locating here in Dinwiddie, there is always a possibility, there is no denying that. Today, as we sit here, there are

none that have approached the Board. If they do approach the County they will have to go through the same process as this company did.

- Railroad Spur Line - Mr. Scheid stated he could not address any more than being given some encouragement that there is some movement on the CSX and Norfolk-Southern discussions but aside from that he is not privy to any information above and beyond that. He stated he did not feel he could address that.

Mr. Long stated the two railroads and the company are still talking. There is no question they are trying to get that issue resolved. It is correct, as we sit here this evening, has not been completely settled but as soon as it is it will be made public knowledge.

- Industrial Park - Mr. Scheid stated there was concern the enterprise zone would turn the area into an industrial park. This certainly is indicating a willingness to look into all different kinds of uses for the property, above and beyond just agricultural or residential.

- City of Petersburg - Mr. Scheid continued there were questions about the City of Petersburg and what were they doing. They are indeed running an enterprise zone which they advertised separately in the newspaper, separate and distinct for our meeting tonight. That might be where some citizens read the advertisement. Our advertisement in the newspaper did not deal with any of the properties in Petersburg. By law we do not control anything in Petersburg. By the same token, their advertisement deals strictly with the City of Petersburg property and does not deal with the County of Dinwiddie, as they have nothing to say about our property.

- Environmental Analysis - Mr. Scheid stated as far as an environmental analysis or impact on neighborhoods regarding well contamination. He did not feel he was qualified to address this issue. This is beyond what he has authority to deal with.

- Development Plan - Mr. Scheid stated again questions arose regarding what other industries might be coming to the area along with Chaparral and a request for a copy of the overall development plan. The only overall development plan he had seen was with Chaparral Steel itself and would be for its primary steel facility with its warehousing and things like that. He certainly does not see a problem with giving a development concept plan for Chaparral Steel. He stated he assumed that poses no problem for that to be seen. He has seen nothing else that would indicate to him that there is anything going on other than their operation.

Mr. Tickle asked Mr. Scheid in order to do that man justice who asked about the environmental impact, in your past history with the County and businesses you have seen, has anything like that happened before or just try to give some feed back on that.

Mr. Scheid stated the only thing he had ever been familiar with is when the County is doing it, it is like monitoring wells around the landfill site. Colonial Heights has put monitoring wells by Southpark Mall and the Charles Dimmock Parkway. You can see those. This is very expensive to do and you can put those wells in and periodically pull out water samples. It is an on going process.

Mr. Tickle asked if there was anything that had lead Mr. Scheid to believe this should be necessary on this site.

Mr. Scheid stated he has not seen anything that was being proposed. The State has been told in their hearings on this matter and they are very much charged with the responsibility of surface and subsurface contamination. They have not indicated they feel a need for any test wells to be put in the area or to do any surface testing.

Mr. Tickle asked if it is possible that we can request the information that relates to this.

Mr. Scheid stated we can ask indeed. They would by courtesy forward this on to us.

Mr. Tickle stated he was trying to expedite that in the event any citizen would like to see something like that.

Mr. Moody stated he felt the citizen was asking about the County's long range plan. If you could provide him with a copy of the comp plan. Mr. Moody asked Mr. Scheid to see this was delivered. Mr. Moody also requested he, the citizen, receive a copy of the zoning that was just done on that property.

Mr. Scheid stated he felt it was safe to say the current comp plan, frankly, for this area is no longer a valid plan. Once you have such a large impact in this, when the plan was originally done, which it was in the planning for approximately a year and a half, and was adopted by the Board in May of last year, when you have a major impact come into your community, obviously this is a major impact, which nobody could have foreseen. He certainly would make the plan available but he would say obviously if we were to sit down and revise the comp plan tomorrow it would show major changes in this area because we were not aware of this a year and half ago.

- West Petersburg - Mr. Scheid stated regarding wanting West Petersburg to be included in the enterprise zone, he did not have a problem sitting down and reviewing the information. It would not be just West Petersburg, there are several other property owners that had shown an interest in wanting to be included in this area. When these citizens found out they are not in the zone they obviously wanted to discuss being included in this zone with him. On the other side there are some residents that do not wish to be included in this enterprise zone.

- Soil and Water Testing - Mr. Scheid stated there was concern about the drainage of water going from south and west. There was a question regarding presoil analysis to properties adjacent to Chaparral. Mr. Scheid again stated he can not speak for the County regarding what they would be willing to do as far as the soil analysis of the entire area. Also as far as the water and sewage tap fees waived for all properties adjacent to Chaparral, he would assume the only thing the Board could even possibly consider, with where the lines are going, if anybody is told it is mandatory they hook up, the Board might want to consider waiving the fees. He did not see the water lines going down Flank, he did not see the line going to Squirrel Level Road, or to Vaughan Road or anything like that; therefore, we feel confident the water and sewer lines obviously are not going there, so it would be impossible to hook them up.

- County Employment - Mr. Scheid continued by stating there had been questions concerning how many Dinwiddie County people will be employed. Several other industries in the area had been mentioned and he felt if you will call up Ingram or you called up any of the other people in the area, they probably would not tell you how many were actually based in Dinwiddie when they came to work for them or how many moved to Dinwiddie as a result of employment. They might be willing to share with you some statistics as to we employed X number of local people and we had to send in from out of state so many.

- Enterprise Zone Property - Mr. Scheid stated with regard to the people within the enterprise zone, have they agreed to sell their property question. This enterprise zone is like an overlay zone. It does not mean that the people need to sell; want to sell; or have any desire to sell whatsoever. That is an individual part of the property owners right, to make a decision.

- Property Assessment - Mr. Scheid stated if the property values in this area have indeed decreased he is sure that the assessor will pick this up at the next reassessment and adjustments will be made.

Mr. Scheid stated he had addressed all the questions and or concerns he had and asked if the Board had any further questions for him.

Mr. Bracey stated that Petersburg already has one enterprise zone, is this correct?

Mr. Scheid stated that was correct, they not only have an enterprise zone but also a subzone. Now they are applying for a second enterprise zone, which they very much want.

Mr. Bracey asked if this would be it for them, as far as the State is concerned?

Mr. Scheid stated at this point and time, it depends on the size, as to whether they could apply for a third enterprise zone. He thought Petersburg might be maxed out.

Mr. Moody asked about a noncontiguous area that is available in this enterprise zone. He stated he has been concerned about it every since it was mentioned. It is possible tonight to add that non-contiguous zone in - it is up for grabs between Petersburg and Dinwiddie and he was wondering if it could be done tonight.

Mr. Scheid stated he could only give him his thoughts on this. He did not know if they were legal or not, he felt his thoughts were pretty much paralleling what he believes the State people are thinking at this point and time. He has great reservations about doing that for two reasons. The first reason being when we advertised this hearing about an enterprise zone we quite clearly drew a circle and said this is what we are considering. It seems to him it would not be fair to include another area that is not contiguous to this, and designate them as an enterprise zone without giving proper notice in the paper and giving the people in that area opportunity to call his office to ask questions and to attend a meeting like tonight. The second issue raised is if there is one subzone that can be created in a joint enterprise zone and he believes we are addressing it in a resolution that is being proposed in that we are reserving it for Dinwiddie. He felt it was pretty much being discussed at the State level and Petersburg also has knowledge that indeed we are reserving that right. The other concern he had, although most of what he was thinking about, was as far as being in the enterprise zone, maybe be in the same block tract data that we talking about right now, some of it may spill over into another block tract, which means all of the calculations we have done will have to be redone. We would have to go back to the census data and reuse it, if it goes outside of where he was thinking. What he is thinking may not be the same as what the Board was thinking. We are very much pressed for time on this issue, so what he was saying is, he would prefer not to consider actively designating a subzone area as noncontiguous to what we are doing right now. But in the verbiage in the resolution that is passed and with the knowledge of what we are saying here in public would serve as due notice that Dinwiddie County is indeed reserving that right to themselves.

Mr. Daniel Siegel, County Attorney, stated the Board may want to, just as Mr. Scheid said, suggest an amendment, go through an amendment process quickly for the coming new year, with the subzone, with a separate Public Hearing for the subzone, and take care of that through citizen comments. He felt that would work out fine and then you are giving notice on the application that you are having a separate Public Hearing for the subzone and to expect that in an amendment within a few weeks.

Mr. Moody asked if there were any other questions from the Board members.

Mr. Tickle wished to make a comment regarding the water and soil testing stating that a citizen had asked a very specific question and he did not think that Mr. Scheid could answer it and he did not think that the Board members could answer it immediately. He felt at this time an answer was deserved; however, he did not feel comfortable making any promises when he did not know the ramifications of that. Just as the citizen does not know the ramifications of what the Board is doing, the Board does not know the ramifications of making any type of comment on that and we really just jumped over that issue. Mr. Tickle recommended, in the near future, some of your designations as to when we will get an answer back to him.

Mr. Moody stated he would like to say that an Executive Session was needed for some legal matters and discussing the incentives, if that

is proper. What we might can do is address some of those incentive questions come back and possibly take a vote after Executive Session.

Mr. Bracey asked that someone please answer a citizen's question. There was a lady who had been raising her hand for the past ten (10) minutes.

The citizen wished to address or answer some of their comments. As far as subsidiaries of Chaparral there is indeed one in site of the Midlothian, Texas. There is a slag and scrap processor of TXI, not Chaparral. You can also expect one here because they will have to do something with that stuff. Also the tire plant out there, that is a subsidiary as well. As far as wells go - as required by the State, all the State permits are still in progress, none have been issued at this point and are not going to be issued anytime real soon. The wetland permit for the State is open to public comment until the 30th of December and the Federal one for the Army Corp of Engineers is open until the 26th of December. The address to both of those is available for citizen comments on environmental impact and so on. There was some mention of wells in the application for Chaparral. The wells are mentioned a lot in the comments that are coming in. The citizen speaking stated that she felt we will see more monitoring of wells. Also on the wetlands, the site proposed by Chaparral may or may not work, depending on how the public comment goes and how the rest of their application goes. They are considering that land as an enterprise zone, some of it is actually for mediation purposes. If that goes in, then your impacted area, with the water table, is not nearly as bad as when an industry has a discharge. But at the very least if you put in anything that has any kind of emissions, whether it is water or air, you really ought to consider doing some base line testing because if you do not know what you are starting with, anytime the citizens wants to say, you screwed up my water, it is up to you to prove that you did not. It is my recommendation this needs to be done if you are planning to bring in that type of industry.

It was reported to the Board that Mr. Jerry Cook had been out trying to buy property in this area. The gentleman who made this statement stated he lived at 7409 Vaughan Road and he said Mr. Cook had been to his home twice.

Mr. Long stated he was not an agent of the County.

The gentleman wanted the Board to know this is why they, the citizens, are so excited. They keep being told things by people like Mr. Cook.

Again Mr. Long stated it is not related to the County.

Mr. Moody stated any citizens should feel free to call the County offices and inquire as to new zoning. He also told the citizens to watch the newspapers.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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) 7-Consultation with legal counsel; the Board moved into Executive Session at 6:35 P.M. A vote having been made and approved the meeting reconvened into Open Session at 7:17 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Bracey, 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 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: INCENTIVES -- ENTERPRISE ZONE

Mr. Moody stated the Board had discussed some of the incentives that the County, at the local level, might provide and he asked the Board if they wished to discuss this in open session tonight or what was the Board's pleasure.

Mrs. Everett stated she felt this matter needed additional studies.

Mr. Clay stated he agreed with Mrs. Everett.

Mr. Moody stated we have a feeling from two (2) members that we do a little more studying on the local incentives, we have a couple of possible dates of Monday and Tuesday of next week. Would Tuesday, December 30, 1997, at 5:30 P.M. be agreeable with the Board?

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey, Mr. Moody voting "aye", the meeting adjourned at 7:30 P.M. to be continued until December 30, 1997 at 5:30 P.M. at the Pamplin Administration Building

Harrison A. Moody
Chair, Board of Supervisors

ATTEST:
R. Martin Long
County Administrator

/pam

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.

VOTE: 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
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION 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 7TH DAY OF JANUARY, 1998, AT 4:00 P.M.

PRESENT:	EDWARD A. BRACEY, JR., VICE-CHAIRMAN	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA V. EVERETT	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
ABSENT:	HARRISON A. MOODY, CHAIRMAN	ELECTION DISTRICT #1
OTHER:	DANIEL SIEGEL	COUNTY ATTORNEY

IN RE: CALL TO ORDER

Mr. R. Martin Long, County Administrator, called the continuation meeting to order at 4:00 P.M. stating that we were here for an overview of the GIS (Geographic Information System) as requested at the Board's retreat in December. Mr. Long asked Mr. John M. Altman, Jr., Zoning Administrator, to come forward and introduce the speaker.

IN RE: INTRODUCTION OF SPEAKER

Mr. Altman came forward to introduce Mr. Russell Minich, who is the GIS Manager for Timmons, Inc., which is an engineering consulting firm located in the Richmond area. Mrs. Wendy Weber Ralph, Assistant County Administrator, Mr. William C. Scheid, Director of Planning, Mr. Charles Burgess, past County Administrator, Mrs. Glenice Townsend, Fiscal Officer, and himself made a trip to their office in Mechanicsville, last year, where they were given a presentation. Since the Board had some questions he felt that it was best for the Board to see the program in action.

IN RE: GIS PRESENTATION BY TIMMONS, INC.

Mr. Minich came forward to make the presentation. He proceeded to review what he hoped to expect out of this presentation. Mainly he hoped that he would be able to the give the Board a better understanding about what a geographical information system is, how it is created and some of the things that it can do. To do that he wanted to start with telling them who Timmons, Inc. is. He stated they are consultants in GIS, Engineering and Surveying, with 190 Specialists (12 GIS Specialists), with their headquarters located in Richmond, Virginia. The firm has 44 years of experience in serving Virginia Local Governments. He provided the Board with a list of Virginia local governments that they are currently serving. He stated he felt very comfortable coming before the Board and talking with them about the GIS programs.

He stated that the definition of GIS (Geographic Information System) is:

> A tool for collecting, analyzing, and presenting information about our world.

What it actually does is enable the use of a computer to model the information that is out there in the County that the staff of the County uses on a daily basis; to model that information and plan, to use it as a planning tool, as a tool for looking at certain conditions, zones, etc. It involves more than just data. It is actually people, the daily users and the maintainers the system. It also includes the data, such as the roads, utilities, buildings, parcels, etc., and all the information that goes into it. It includes programs, like the GIS software and applications, along with the hardware such as computers, printers and plotters.

This system is an information management and processing tool. It can be used in planning, development, economic development, revenue collection maintenance, routing, zoning, information collection, site plans, plats, phone calls, utilities, school bus and truck routing, and emergency response.

There are different levels of the GIS development system. These systems do not all have to be implemented at one time. They can be added as the need arises. He discussed ground control and monumentation, spot imagery, digital orthophotography, road network and attributes, road network model, tax parcel data, etc.

He continued by stating that the first step, in the development steps process, is needs assessment. The second step is data and applications development and last implementation and maintenance. He provided the Board with an estimated costs and revenue sources chart.

Mr. Minich concluded his presentation by demonstrating some of the uses of the program.

Mr. Minich asked if there were any questions, from the Board, that he could answer.

Mrs. Everett asked him where there was grant money available.

Mr. Minich stated that it is out there; you just have to look for it. He stated that there has been some grant money available from Sea Lab, Chesapeake Holding and Assistance, Caroline County used some of that. There has also been some money available from VDOT; however, he did not know if there was any of that grant money left. For purpose of doing non-point source pollution type work, environmental work, there are some grants available there. You have got to search for those grants. How that works is that the GIS system is used to process data for those projects.

Mrs. Ralph asked Mr. Long if she could ask a question. She stated to go back to the very beginning the basis for everything in a locality that only has tax maps, which are only so accurate, is the best way to do this or the only way to get the accuracy is to fly the County to do some kind of new survey, or do you go into a locality and just use those tax maps.

Mr. Minich answered by stating depending upon the cost and the budget that you have, there are several ways of approaching it. A fairly cost effective way to collect information and provide the required information to build the tax parcels would be to GPS the road network. When you do that you can also collect information about your addressing. He stated he knew that Dinwiddie County has some opportunities there that need to be worked on. That is one way to get in there. Again that is about $70.00 a road mile, but when you complete that you have a 3-5 foot accurate map of your road network and the structures within the County. Those are important and what the digital ortho will give you on top of that will be the additional information so the difference between the spectra data set and the digital ortho will provide a picture on your computer screen of exactly what you have in your County. A lot of times what will happen, depending upon the finances that you have available, you can start with using the digital orthos or the road center lines and then build from there. You do not have to do it all at once. What you choose depends on what type of applications are most important, what has to be addressed first in a GIS. There are many ways to mix and match the data sets depending upon what you are trying to accomplish. That is the important thing about the needs assessment. That is the important thing about having a plan of what you want to do before you start.

Mr. Long asked Mr. Altman if he could give the Board any examples of specifics that may really help your department in zoning or planning.

Mr. Altman stated that some of the applications that their department could use a GIS system for are: Certainly the first on that jumps out is tax parcel maintenance - the way the system is set up now Mrs. Marston's office will update the tax maps and there are occasions where we will get a building permit for a tax parcel but when we go to our tax map that parcel does not exist. It is just in her computer, therefore it would be a way for them to continually update the maps as they sign off on plats and as they are recorded in the Clerk's Office. We can at that time create these parcels and keep the maps up to date. The way it is currently being done is once a year she, Mrs. Marston, gets the deeds and plats in. With the GIS system this could be done as we go through the year and they would be continually up to date. Certainly another application would be the addressing. Right now, addressing is being done - when a building permit comes through on a parcel that is not in the northern part of the County say it is out in Darvills and it is a large acreage parcel, the maps that he has with all the addresses on it, just show lines with roads and little blocks with numbers associated with them. No tax parcel information is contained on these maps at all. He obtains the tax map from Mrs. Marstons's office, places it on his window and traces the parcel lines and then traces them on to his maps. This way he can get some idea where this is along the road. Then he can assign an address. With a system like this you can pick the parcel or pick where the driveway hits the pavement and it will assign the number. It will cut out about a half hour of work. It can be used in economic development. If you want a parcel so big, so close to dual rails, with water and sewer within a certain distance, with interstate roads, there you go; it will tell you what parcel is available, print it out, take the client out into the County, and you can say these are the parcels that we are talking about.

Mr. Long stated that these are real life examples and he knows that the Board has asked some questions of him about what it does and what he is trying to do is ask if the Board members have any that come to mind of any services that the County provides, if you would like to know how this system could benefit us, please ask them now.

Mrs. Everett asked if you could show land use parcels and actual farming operations?

Mr. Minich stated there were a couple of sources to show that information, in a large view you can probably use satellite image data. The farm land will show up and the cleared fields will show up on the satellite image data if they are of any size. The ortho photography would give you a much better picture of how your land is being used. That is where the photography comes in, where the imagery building comes in because that gives you an idea beyond the satellite image.

Mr. Bracey asked if this program would or could help the School Board route their buses any better in order to save money and keep them from having to buy 10,000 buses. We have them scattered every kind of which of ways.

Mr. Minich stated it does and can help. The information needed to do that again would be your road network. You would need to know, you would have to tap into the school system data base to find out the names of the children and associate those back to the addresses, the structure addresses, so you will know where they live. From that you will need to know the age of the children and so you know what school the children are in. Then what you can do is route them and tell them only, here are all my resources, and you can then say I want you, the computer, to tell you, based on drive time, that you want to minimize the drive time to all these schools and that you do not want any one of the schools having over __X number of students in the school. Tell me how we can dice and slice up the area to meet our requirements.

Mr. Altman stated another extension on that would be as the County grows and you have to move students from one school to another and redistricting. When the new census comes out, certainly we will probably have to do new voting districts, that will be helpful . Instead of just drawing lines on a map and subtracting here, subtracting there, that is something that we will have to do.

Mr. Bracey stated that he looked at the whole thing as saving the County some money in the long run. In the long run it will save us money and man hours, especially man hours.

Mr. Clay asked if you can do part of it and then go back and do some more of it.

Mr. Minich stated yes you can.

Mr. Clay asked Mr. Minich to run the cost overhead again because he was so far away from it that he could not see it.

Mr. Minich passed out printouts of the power point slides he had shown during his presentation.

There was some discussion on the cost of program between Mr. Minich and the Board. It was expressed the cost will be determined by the tasks that the County wishes to perform. You must start with a good accurate basis.

Mr. Bracey stated he had no problem with this program. He stated he would look to Mr. Scheid and Mr. Altman to make a recommendation as to the tasks that they feel need to be completed. They need to talk to Mr. Long. He stated he did not feel that Dinwiddie County needed the full program at this time; however, if something was to be done he wanted to do enough to make it pay for itself. He stated that he felt a certain degree of accuracy was important. He felt that was the key, accuracy. He stated he would take their recommendation as soon as they have one ready. He stated that even after the presentation and the information he had read about this system he was still a little bit fuzzy about what the planning/zoning department needs and what they would like to accomplish.

Mr. Clay stated that you will obtain a lot more off of the urban area than you can in a rural area.

Mr. Long thanked Mr. Minich for coming. He stated the Board will be discussing this program with Mr. Scheid and Mr. Altman and looking at exactly what we need here in Dinwiddie County.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-333 (A) - 1 Discussion of employment, salaries disciplining of public officers, appointees, or employees of any public body; Section 2.1-344 (A) 7 - Investment of public funds; and Section 2.1-344 (A) 7 - Consultation with legal counsel – Inducements - Chaparral the Board moved into Executive Session at 5:00 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mr. Bracey, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey 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 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 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.

RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey voting "aye", the meeting adjourned at 7:32 P.M.

R. Martin Long
County Administrator

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
Assistant County Administrator

/pam

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 7TH DAY OF JANUARY, 1998, AT 7:30 P.M.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	LEENORA V. EVERETT, VICE-CHAIRMAN	ELECTION DISTRICT #3
	AUBREY S. CLAY	ELECTION DISTRICT #5
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
ABSENT:	HARRISON A. MOODY	ELECTION DISTRICT #1
OTHER:	DANIEL SIEGEL	COUNTY ATTORNEY

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

Mr. R. Martin Long, County Administrator, called the regular meeting to order at 7:33 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: TERM OF CHAIRMAN AND VICE-CHAIRMAN

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Bracey, Mr. Tickle, Mr. Clay voting "aye", the Chairman and Vice-Chairman for the Board of Supervisors will serve a one year term of office.

IN RE: ELECTION OF CHAIRMAN - 1998

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mr. Clay, Mr. Tickle, Mrs. Everett voting "aye", Mr. Bracey "abstaining", Mr. Edward A. Bracey, Jr. was elected Chair for the year of 1998 or until his duly successor assumes office.

MR. EDWARD A. BRACEY, JR., ASSUMED THE CHAIR.

IN RE: ELECTION OF VICE-CHAIR - 1998

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mr. Clay, Mr. Tickle, Mr. Bracey voting "aye", Mrs. Everett "abstaining", Mrs. LeeNora V. Everett was elected Vice-Chairman for the year of 1998 or until her duly elected successor assumes office.

IN RE: SCHEDULE OF MEETINGS AND DATES FOR 1998

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following meeting schedule is established for the regular meetings of the Board of Supervisors for the calendar year of 1998 with the 8th day following the meetings to be used as a makeup date if the regular meeting is to be continued because the Chairman or Vice-Chairman finds that weather or other conditions are hazardous for the Board members to attend:

DATE		TIME
JANUARY	7	7:30 P.M.
JANUARY	21	2:00 P.M.
FEBRUARY	4	7:30 P.M.
FEBRUARY	18	2:00 P.M.
MARCH	4	7:30 P.M.
MARCH	18	2:00 P.M.

APRIL	1	7:30 P.M.
APRIL	15	2:00 P.M.
MAY	6	7:30 P.M.
MAY	20	2:00 P.M.
JUNE	3	7:30 P.M.
JUNE	17	2:00 P.M.
JULY	1	7:30 P.M.
JULY	15	2:00 P.M.
AUGUST	5	7:30 P.M.
AUGUST	19	2:00 P.M.
SEPTEMBER	2	7:30 P.M.
SEPTEMBER	16	2:00 P.M.
OCTOBER	7	7:30 P.M.
OCTOBER	21	2:00 P.M.
NOVEMBER	4	7:30 P.M.
NOVEMBER	18	2:00 P.M.
DECEMBER	2	7:30 P.M.
DECEMBER	16	2:00 P.M.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda. There being none Mr. Bracey moved forward.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the December 17, 1997 regular meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mrs. Everett, Mr. Clay, Mr. Tickle, 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 1008762 - 1008874 (void check number 1008763); for Accounts Payable in the amount of $210,433.78: General Fund $153,692.43; Jail Phone Commission $529.84; E911 Fund $1,384.30; Self Insurance Fund $18,374.75; Law Library $875.05; Fire Programs and EMS $6,100.41; Capital Projects $27,972.00; and County Debt Service $1,505.00. Payroll in the amount of $282,539.96 was also approved and appropriated for same using check numbered 1008685 - 1008761: General Fund $281,876.84 and CDBG Fund $663.12; this is a correction from the December 17, 1997 meeting minutes which read "Payroll in the amount of $124,942.35 was also approved and appropriated for same using check # 1008685 - 1008761". This correction is being made due to an error in the General Ledger, records manual.

IN RE: APPROVAL OF REQUISITION #11 – COURTHOUSE CONSTRUCTION

Mrs. Ralph stated that Requisition #11 for the Courthouse consists of payment to:

ECS, LTD	$ 18.00
GULF SEABOARD GENERAL CONTRACTORS, INC.	309,657.25
TOTAL OF THIS REQUISITION	$309,675.25

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 11 in the amount of $309,675.25 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

The following persons addressed the Board:

1. Richard Hotchkiss, 27518 Flank Road came forward with the following questions and comments:

a) What about incentives for the residents that have to live in the enterprise zone area; and b) he felt that with reference to the Green Acres, Mr. Tickle had made a comment in the Dinwiddie Monitor of this date, that he suggested that the County order an impact study – he was curious why , this gentleman wants to expand his mobile home park, maybe increase 23 - 25 trailers, something like that, it really isn't a whole lot, but he suggests the County order an impact study, how come when all the citizens of Dinwiddie requested that the County order an environmental impact study for Chaparral, which is a 400 million dollar steel plant, no one even brought that up. He felt it was kind of a shame that you have an industry such as Chaparral moving in and we can't get an environmental impact study done but we have a small thing like a mobile home park wanting to increase 25 trailers but they want a study done. Something just does not seem quite right there.

2. Robert Belcher, 27516 Flank Road came forward stating that he was echoing Mr. Hotchkiss's sentiments. Since you are giving away the County to everyone that wants to come in, it looks like you are not going to get anything back for seven (7) years, from these people coming in, and so we can not look for any incentives to come our way. The only thing he had to look forward to coming his way was another tax raise on his property. If we want to get anything it looks like we are going to have to start begging TXI. They are going to be the big property owners down there and they are the ones that promised to be good neighbors. If you have anything to come to the northeast corner of Dinwiddie County we sure would like to know about it. We are very, very unhappy down there, as you have known.

Mr. Bracey stated the sign up sheet was located in the back. If you did not sign up and wish to speak the opportunity to do so is now. There were no additional citizens wishing to speak and Mr. Bracey closed the citizen comment section.

IN RE: PUBLIC HEARING – C 97-6 – NEXTEL CORPORATION

Mr. John M. Altman, Jr., Zoning Director, came forward and read excerpts from the following Planning Staff Report. The Board members received a copy of this report in their Board packets.

PLANNING STAFF REPORT – C-97-6

Applicant:	Nextel Communications, Inc. – Jerry H. Davis, Agent
Property Address:	Located on the east side of Quaker Road (Rt. 660) south of the abandoned Seaboard Coast Line rail bed
Magisterial District:	Rowanty
Acreage:	95.29± acres (a 10,000 sq. ft. portion of)
Tax Map Parcel:	33-33
Zoning:	Agricultural, General, A-2 district
Water Source:	N/A
Sewer Disposal:	N/A

EXECUTIVE SUMMARY

The applicant, Nextel Communications, Inc., is seeking a conditional use permit to construct, operate, and maintain a two hundred thirty (230) foot guyed telecommunications tower as part of its I-95 corridor wireless communications system on a portion of 95 acres zoned A-2, Agricultural, General. The property is located on the east side of Quaker Road (Rt. 660) south of the Seaboard Coast Line abandoned railroad bed. It is identified as Tax Map 33, Parcel 33, and owned by Warren C. and Nancy B. Bain.

Staff recommends **APPROVAL** of the request for a conditional use permit subject to the conditions contained under the section entitled RECOMMENDATION.

As required under Section 22-23 of the Code of the County of Dinwiddie, the enclosed information is forwarded for your consideration.

BACKGROUND INFORMATION

The Planning Commission and Board of Supervisors have reviewed similar requests in the past for telecommunications towers. The last such request was made by PCS PrimeCo., C-95-3, for a 150 foot monopole tower adjacent to Rt. 226 at the Jack Plant. The last opportunity for the Planning Commission and Board of Supervisors to consider an application for a guyed tower was in 1994 when Centel Cellular made application, C-94-1, for a 250' guyed tower in DeWitt. Both of these requests were approved and the towers have been constructed (Minutes of these previous meetings are enclosed for your review – Attachments #5 & 6.)

Currently Nextel does not provide service in this area and the tower application submitted for approval is necessary to provide coverage and establish a minimum network. The applicant's approach was to first establish facilities, or collocate, on existing structures which do not require the review of a conditional use permit. The applicant has exhausted such options which would alleviate the need to construct new towers, and has submitted this application. This tower is necessary to provide coverage in those areas where existing structures were not found or were inadequate to provide the necessary coverage.

The location for the proposed tower is a open field which is currently used for crop production. The subject parcel, as well as the adjacent parcels, is zoned A-2. The only exception is the abandoned SCL railroad bed which is zoned B-1, Business, Limited (Attachment #2). Housing in the area is located primarily along Quaker Road (Rt. 660), with the closest dwelling located approximately 500 feet from the proposed tower. Approximately 34 houses on Quaker Road (Rt. 660) and Boydton Plank Road (Rt. 1) are located within 2,400 feet (.45 miles) of the proposed tower.

The proposed site is 10,000 sq. ft., and is located in the upper corner of the 95 acre parcel owned by Warren C. and Nancy B. Bain. The proposed tower would be located in area bounded by a tree line to the north, east, and partially to the south, and Quaker Road to the west. The base of the proposed tower is located 239 feet from the property line along Quaker Road (Rt. 660). The tower would be highly visible from Quaker Road (Rt. 660) as a result of its location in the field.

An inspection of the site revealed that the proposed locations of the tower and guy anchor point have been "staked out" in the field as shown on the site plan that was submitted by the applicant (Attachment # 4.)

ANALYSIS

Section 22-71(45) of the Dinwiddie County Code provides for the location of communication towers with stations by right in Agricultural, General, A-2 districts provided that a conditional use permit be approved by the Board of Supervisors.

The proposed tower is located approximately 239 feet from Quaker Road and complies with the setback requirements of the zoning ordinance, which is 150 feet from the centerline of the right-of-way. The tower location is in an open field and therefore will be highly visible from

both Boydton Plank and Quaker Roads. The tower height of 230 feet is substantially above the height of the trees surrounding the site. At this height visibility of the tower from the dwellings in the area may be considered a detriment. However, staff is not able to determine if the detriment is substantial. Additional information may be provided by the citizens during the public hearing.

The site is located within the Rural Conservation Area as identified by the Dinwiddie County Comprehensive Land Use Plan. Telecommunication towers have been permitted within the Rural Conservation Area and have not in the opinion of staff resulted in a change in the character of the area. Staff's opinion that the proposed tower will not change the character of the area is based on the limited traffic volume and activity at the site, and that there is no impact on the property concerning by-right agricultural uses. Staff does recognize that the introduction of more towers into areas where towers do not exist may ultimately have the cumulative effect of changing the character of the Rural Conservation Area. The encouragement of collocation may alleviate the need to construct new towers.

Permitting the location of telecommunication facilities may be considered consistent with the provision of public health, safety, and general welfare by providing increased communication services in the event of emergencies.

The 1996 Telecommunications Act has greatly impacted a localities ability to regulate telecommunications antennas and towers. While the Act does "preserve" the ability of a locality to regulate, it also states that localities may not discriminate among providers of functionally equivalent services; prohibit or have the effect of prohibiting service; must act within a reasonable period of time; and may not regulate on the basis of the environmental effects of radio frequency emissions.

Neither the Comprehensive Land Use Plan nor the Zoning Ordinance prohibit the provision of wireless telecommunication service. Staff does not believe that the conditional use permit process nor the denial of an application has the effect of prohibiting the provision of wireless telecommunications service.

Staff has also been approached by a separate consultant hired by Nextel Communications, Inc. to acquire sites in the northern portion of the County and in localities in the north of Dinwiddie. The contact with this consultant has resulted in a mutually agreeable site. The tower that to be proposed would be a 150' monopole structure similar to the PCS PrimeCo. site at the Jack Plant.

Questions arise when there are two private consultants hired by the same company with such different requests – one for a 300' guy-supported tower and the other for a 150' monopole tower. In conservation with Chesterfield County's Planning Department I have learned that the consultant is collocated on 150' towers. The consultant that Chesterfield County Planning has dealt with is Gearon Communications. Brunswick County has informed staff that the two (2) proposed towers under consideration are both 350' in height. Brunswick County has been contacted by Mr. Davis of Fluor-Daniel.

As the Planning Commission is aware there were several areas of concern expressed by staff in the previous staff reports. The questions surrounding the following issues have been sufficiently addressed by the applicant (the applicable information has been included as Attachments 9-12):

1. A map depicting the "build-out" scenario for the applicant with regards to Dinwiddie County and the surrounding localities.
2. A copy of any FAA approval.
3. A statement from an engineer licensed by the Commonwealth of Virginia that NIER (non-ionizing electromagnetic radiation) emitted from any proposed communications antenna or tower and associated substations will not result in a ground level exposure at any point outside such facilities which exceeds the lowest applicable exposure standards.
4. A statement from an engineer licensed by the Commonwealth of Virginia that the structural integrity of the proposed tower is capable of collocation.

An additional concern was the height of the tower with regard to the distance the tower was from Quaker Road. Particular concern was expressed about the overhead electric line that run parallel to Quaker Road, the base of the proposed telecommunications tower is

located 230' from Quaker Road. This issue was resolved by the applicant when the height of the tower was reduced from three hundred (300) feet to two hundred thirty (230) feet, and a letter was provided to assure that the telecommunications tower would be appropriately designed.

At the November 12th Planning Commission meeting concern was expressed by some Commission members with regard to the characteristics of the proposed site. Specifically, the fact that the tower would be located within an open field with no trees to screen view of the base of the tower from the road. The tower located on Route 1 south of DeWitt and operated by 360° Communications was cited as an example of good screening. This tower is located back off Route 1 behind a stand of young pine trees. The screening issue is one that can be dealt with as a condition of this permit.

RECOMMENDATION

Staff opinion is that this request generally complies with the provisions of the Dinwiddie County Zoning Ordinance. Therefore, Staff recommends **APPROVAL** of the request for a conditional use permit with the following conditions:

1. The proposed tower shall not exceed two hundred thirty (230) feet in height.
2. The applicant, Nextel, shall allow at least two (2) other wireless telecommunications providers to locate on the tower and site; and shall provide the County, upon request, verifiable evidence of having made a good faith effort to allow such location.
3. The applicant shall provide the County collocation opportunities without compensation as a community benefit to improve radio communication for County departments and emergency services provided it does not conflict with the co-location requirements.
4. The applicant must obtain staff approval for additional antenna co-location. No administrative approval shall constitute or imply support for or approval of, the location of additional towers, antenna, etc., even if they may be part of the same network or system as any antenna administratively approved under this section.
5. No commercial advertising material shall be permitted on the communications antenna or tower and any associated support buildings.
6. The tower shall be designed and adequate separation provided to property lines and dwelling such that in the event of structural failure, the tower and components will remain within the lease area.
7. All communications antennas or towers shall be enclosed by security fencing not less than six (6) feet in height and shall also be equipped with an appropriate anti-climbing device.
8. Any combination of landscaped vegetative buffers, landscaped earthen berms, or preservation of existing vegetation shall be provided around the perimeter of the site of the telecommunication tower and associated support buildings to effectively screen the view of the tower from the adjacent road. The standard buffer shall consist of a landscaped strip at least five (5) feet wide outside the perimeter of the compound.
9. The proposed telecommunications tower and all associated antennas must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate antennas and towers. If such standards regulations are changed, then the owners of the antennas and towers shall bring such antennas or towers into compliance with such revised standards as required. Failure to bring antennas and towers into compliance with such revised standards and regulations shall constitute grounds for the removal of the antenna or tower at the owner's expense.
10. A copy of any FAA, FCC, and any other governmental agency approval must be on file before a Certificate of Occupancy is issued.

11. The telecommunications antenna or tower shall be designed and installed so as not to interfere with the Dinwiddie County Public Safety Communications System. The applicant shall perform an engineering study to determine the possibility of radio frequency interference with the County system. Prior to release of a building permit, the study shall be submitted to, and approved by Dinwiddie County Administration.

12. The developer shall be responsible for correcting any frequency problems which affect the Dinwiddie County Public Safety Communications System caused by this use. Such corrections shall be made immediately upon notification by the Dinwiddie County Administration.

13. The antennas and tower shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness. Dish antennas will be of a neutral, non-reflective color with no logos.

14. Antennas or tower shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the Dinwiddie County Board of Supervisors may review the lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.

15. At such time that the telecommunications antennas or tower ceases to be operated for a continuos period of twelve (12) months; it shall be considered abandoned, and the owner of such antenna or tower shall remove same and associated equipment within ninety (90) days of receipt of notice from the Dinwiddie County Planning Department of the removal requirement. Removal includes the removal of the antenna or tower, all antenna/tower and fence footers, underground cables, and support buildings.

16. The owner of the tower shall carry a liability insurance policy covering damages to adjacent properties resulting from structural failure. This liability coverage shall be in the amount of one million (1,000,000) dollars. Proof of insurance coverage in form acceptable to the Director of Planning will be provided annually.

17. The owner shall have a safety inspection conducted annually by a registered professional engineer licensed in the Commonwealth of Virginia and a copy of the inspection report shall be filed with the Zoning Administrator, no later than July 1st. Specifically, the report shall state if the tower is structurally sound and being used for wireless telecommunication service.

18. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions.

ATTACHMENTS:

1. Vicinity Map
2. Zoning Map
3. Nextel Application
4. Site Plan
5. Minutes for C-95-3
6. Minutes for C-94-1
7. Letter to Robert M. Herlihy, Fluor-Daniel Telecom, dated October 17, 1997
8. Adjacent Property Owner List
9. Letter to John M. Altman, Jr. from Scott Gordon, Nextel, dated November 10, 1997
10. Letter to Mike Dodson, Nextel, from Martin de la Rosa, FWT, dated November 10, 1997

11. Letter to Bruce Hovermale, Fluor Daniel, from John P. Allen dated September 24, 1997

12. Letter to John M. Altman, Jr. from Mike Dodson, Nextel, dated November 10, 1997

-- Please refer to the attachments that were included with the previous staff reports on this request.

cc: David Parker, Fluor Daniel Telecom; agent for, Nextel Communications, Inc.
R. Martin Long, County Administrator
Wendy W. Ralph, Asst. County Administrator
Daniel M. Siegel, County Attorney

After reading the excerpts Mr. Altman asked if there were any questions on case C-97-6 he would be happy to entertain them.

Mr. Bracey stated that this is a Public Hearing. At this time the Board would hear from the public for this conditional use permit. There being no names signed up, Mr. Bracey asked if there was any citizens in attendance who wished to speak.

The following person addressed the Board:

1. Robert Belcher, 27516 Flank Road, came forward exclaiming how in the world can you put so many restrictions on cell phone tower and he did not hear nothing like this, even half this much on a steel mill. What in the world is going on up here! Fifteen minutes he, Mr. Altman, read off restrictions on one cell tower going up; he has a two hundred acre steel mill going up in his front yard. These are questions he felt he needed to ask. He felt this was crazy, to put all these restrictions on one person. He stated that he didn't hear anything like a million dollar insurance policy when it came to the steel mill.

There being no other citizen in attendance wishing to speak Mr. Bracey declared the Public Hearing closed.

Mr. Bracey called for comments from the Board.

Mrs. Everett stated she felt that it was good that two (2) other companies could co-locate on the tower. She felt this might eliminate excessive numbers of towers locating in the County. She stated she had visited the area and felt it would not be too intrusive in the residential area at all and she would support the issue with the restrictions outlined.

Mr. Tickle asked if the person representing Nextel was present. He also stated he had questions for our presenter, Mr. Altman. He continued with Item 12 - immediate, what does that mean, he felt there should be a time frame.

Mr. Altman stated the interpretation was that as soon as they receive notification by Administration that they get out there right now and fix it.

Mr. Tickle stated his recommendation was that you solve problems by putting a time line on that. If this person or company agrees to that then within those number of days action is expected.

Mrs. Everett asked if twenty-four (24) hours was adequate.

Mr. Tickle stated his second question involved any combination of landscaping or vegetative buffers. He talked about the number of towers that Chesterfield County has at this time. He continued by stating that Chesterfield felt that more were coming down the road. When we talk about the buffer, we say at least five (5') feet, one of his thoughts on this is that buffer is what we ask for it to be. Why can't we do a combination of buffering to do something about the visual eye instead of the fence eye. He stated he was thinking

about the tree line. When we go by something we look at the tree line, why wouldn't you think of a combination of a lob lolly or white pine or cypress, to cover up thirty (30) to fifty (50) feet. He felt with the numbers that are anticipated that we do something a little nicer than just a five (5) foot row of red tips.

Mr. Clay stated as long as it hides the fence he did not have any problem with it. The fence is just there to protect the kids. He just wondered why we have to have so many towers.

Mr. Tickle asked if he would have a problem with a landscaping scheme. Maybe some young trees that grow very fast over a period of time.

Mr. Bracey stated he had a question for Mr. Tickle. He stated he had no problem with the trees. He stated that he would like to see trees along with the fence. He stated that we need to not only start doing this on the towers but some of the other things that come in also.

Mr. Tickle stated that was the concept that he had, that we plant something that is fast growing and that will blend in to landscape. This is something that needs to be planned by a landscape artist. We do not want something expensive but something that will do the job.

Mr. Tickle stated he had concerns regarding co-location. His question to Mr. Altman and to the representative of Nextel was it possible, since we are discussing highway 85 and highway 1 corridor, that we regulate in a grid system where those towers are going to be located. Can we ask that towers be put in a particular grid.

Mr. Tickle stated the next issue he would direct to the Board. That we as a County, look at creating a grid system based on information we obtain from the Telecommunication Association. Has that been done before in other localities?

Mr. Altman stated he did not know if a grid had been created in other counties, but he did know that in certain localities, Chesapeake and a lot of the tidewater communities, have worked hand in hand with the telecommunication providers. What they have done as part of their comp plan they have a public facilities plan. On that they identify certain public lands which they look to first for these providers to locate on. If they can not locate there or if it just does not work then they can go outside. The localities have identified certain areas ahead of time. He did not know if it was based on a grid or just simply based on the lands that they own. He stated that he was not a professional engineer that would deal with this sort of thing. He stated he had noticed in dealing and talking with providers that a lot of this is marketable. Chesterfield may have seventy-three (73) towers but he is sure that on those towers there are several more antennas and they have the population density and demand to require more towers to reach more users. A tower has so many cells and once that group of cells is used up then you have to put another antenna on there to provide more service and the more users you have the more demand and therefore the more towers. Right now Dinwiddie County probably does not have a high demand but along Route 1 and 85 and eventually 460 he was sure we would see more towers pop up as technology improves. Now certainly would be the time to start to address these issues before we get the on rush that we may have.

Mr. Tickle stated he had one more comment. A communication farm – is that an alternative that we do not have as a condition. We could have more than one monopole on site. Instead of scattering the monopole or various communication towers in many sites, have them surrounded in a small grid section. If you are granted permission for a site you must allow someone else to co-locate on the site, not on the monopole. Is this a possibility?

Mr. Altman stated that was not one of the conditions placed upon this particular application from Nextel. It is a possibility that we can promote co-location and development of tower farms. You would have to obtain an agreement with the provider that is already located there to locate within their area. It is definitely possible. As the

Planning Commission looks at the Telecommunications ordinance we can suggest that this be added into the ordinance. You can add it as a conditional use condition tonight.

Mr. Dennis Kerlick, representative of Flour Daniel Telecom, came forward at this time. He is the person who handles the site acquisition for Nextel.

Mr. Tickle asked him to start by giving an overview of what this project is and what you expect to do in Dinwiddie County.

Mr. Kerlick stated this is a nationwide service and eventually they will provide a service with no roaming, no long distance charges. It is geared toward the businessman who can control his access. They will control who you can talk to or you can have full service. It's 800 megahertz, it's cellular, it's signal carries quite a ways; we obviously like to co-locate because we are out $114,000.00 to build a tower. In co-locating it is not always possible because a lot of the carriers will not do a co-location agreement with you unless you can provide them a location where they do not have one. There is a lot of that going on.

Mr. Tickle stated in that case, when he hears the words –we have exhausted your possibilities to co-locate – that does not mean to this Board that the tower did not meet your grid system. It could mean that the other owner would not allow you to do that. So exhausted could mean that they did not want to allow you to co-locate. In this particular case, sir, does that mean that the site within Dinwiddie County would that omit your criteria in your site.

Mr. Kerlick stated their that was the only site that – there wasn't a co-location possibility. I would lose my job if I did not exhaust all possibilities for co-location.

Mr. Tickle asked in this case how many monopoles do we need to reach our criteria?

Mr. Kerlick stated it is not a monopole, it is a guide tower.

Mr. Tickle stated he would have to excuse his ignorance on verbiage. So just one tower or two towers would be enough.

Mr. Kerlick stated just one.

Mr. Tickle stated in this case, if the Mike Tickle Corporation who is coming in also, wanted to created a grid system on 85 / 95 north south. Could I possibly use your tower?

Mr. Kerlick stated he would give them the example he knew about. 360o Communications which has built numerous towers for Sprint, their attitude is throughout the southeast region, is unless we can use one of your sites, which they do not have sites, we just build them, they have told us that is our policy; no if, and or buts about it.

Mr. Tickle asked if for any Board would say that this – we would like to stop at Petersburg or Nottoway line – we choose this as our grid system.

Mr. Kerlick stated technologies are different. First of all you will get PCS's at some point; much closer together, like March said, at different heights. It is impossible – technologies change so much from when he started in this business a couple of years ago that he just does not see how that will be possible. There is tree effect, there is water effect, there is elevation, everything plays a role in that, I suppose you could, if you hire your own RF engineers.

Mr. Tickle stated from border to border – once you hit the border he can not regulate.

Mr. Kerlick stated that now they are talking about how expensive it is to build towers that they are probably never going to have a completely PCS digital system. It is going along the right of ways, it is going to be cellular, and in cities it will be on top of buildings. Even in the cities you have got to do monopoles. They are doing an experimental deal, he thought in Dallas and several other cities, to where they are actually attaching the antennas to telephone poles.

Mr. Tickle stated he recommended approval of C-97-6 if we would amend Item 12 to include some type of time frame and also that we make some type—

Mr. Kerlick questioned the time frame.

Mr. Tickle stated the frequency problem.

Mr. Kerlick stated there are not any frequency problems.

Mr. Tickle stated I know, but just in case. He stated he did not like the word immediately.

Mr. Kerlick asked if there was some emergency service that he provides.

Mr. Tickle stated what he was really relating to was when he heard the comment from the citizen, when a citizen has a complaint he does not as a Board member, an elected official, want that person to be put on hold and you give them five (5) days, or ten (10) days or fifteen (15) days. So what he is really trying to change is where it says immediately, that you put a time frame on it. So that your company would get back in touch with the County or whomever, if they have a complaint then you need a time frame to get back with them. Mr. Tickle stated he did not see why Mr. Kerlick should have a problem with that.

Mr. Kerlick stated if someone called Nextel and said my toaster is not working or whatever, they would give you somebody.

Mr. Bracey asked if where it says, shall be made immediately, you want it to say within twenty-four (24) hours.

Mr. Tickle replied some time frame, days, hours etc.

Mrs. Everett stated that is in regard to Dinwiddie County Public Safety Communications System.

Mr. Tickle stated you have one on Item 12, and what is the one with the citizens involved, for an official complaint.

Mr. Altman stated that is included in Item 12.

Mr. Tickle stated that is what he is concerned about and then Item 8 –the buffer.

Mr. Bracey asked Mr. Tickle which item he wished to deal with first. He continued do you want ten (10) hours, twenty-four (24) hours, twelve (12) hours?

Mr. Tickle stated he was thinking a couple of days.

Mrs. Everett interjected not when it comes to Public Safety Communication System.

Mr. Kerlick stated if they somehow messed up the Public Safety Communications System he would say twenty-four (24) hours. If we are talking about a consumer complaint such as television reception or something like that, he would like to say thirty (30) days.

Mr. Long stated that this one was referring to specifically to interference of frequency of the County's Public Safety System.

Mr. Tickle asked about number 8.

Mr. Bracey said the buffer? What about the buffer?

Mr. Tickle stated the buffer is something that we do something a bit more than we have done in the past.

Mr. Kerlick stated it would have been nice if Dinwiddie County had a telecommunications ordinance. They hire these crews to come out and this tower was supposed to have been built. Then to require we put redwoods or what ever – he stated he felt that this was a little unreasonable. Certainly the Telecommunications Act says that you have to do what you have done with everyone else and we are doing more than everybody else. In view of the urgency of this tower, why don't you just accept what conditions we have agreed to. Make your changes with a Telecommunications Ordinance.

Mr. Tickle stated we are but we only have a few towers now, we are not a Chesterfield. We plan to be better than Chesterfield in the future. In the mean time we are starting afresh and we have him before them now—

Mr. Kerlick stated what is fair is that if you have a telecommunications ordinance and where a guy like him comes in and calls you up and asks where do you want it – then you can give me a list of things. This would be better than coming up on the last day and say now we want the redwood.

Mr. Bracey asked Mr. Siegel for his opinion.

Mr. Daniel M. Siegel, County Attorney, stated that on a conditional use permit you are permitted to add. It is different than a conditional zoning where it has to be before the Public Hearing. Here you can actually have it after the Public Hearing stage. It is different than the conditional zoning where it has to be in writing before the Public Hearing. So you can make amendments to these conditions.

Mrs. Everett stated that she had been out at the site and there are a lot of trees out there. She felt that we need to look at each site specifically and she did think that we need to address some of these issues in an ordinance. On this particular site she felt there was already a lot of screening in place by the tall trees.

Mr. Bracey stated he would assume now that the consensus of the Board would be to handle the landscaping in a special ordinance.

Mr. Tickle stated that was not what he was moving for a motion for.

Mr. Bracey stated he was trying to poll now to see what.

Mr. Tickle stated you may allow him the motion and end up with out a second – then we deny it.

Mr. Bracey stated all he was saying –

Mr. Tickle stated the idea in concept, Mr. Chairman, is to see something more than what we have done in the past.

Mr. Bracey stated OK, he understood that. What he, Mr. Bracey, was saying is at the same time, he felt that he had to be fair with this gentlemen, Mr. Kerlick. We did not require – that is why he had asked Mr. Siegel's opinion – that on the other towers what did – we did not require any additional landscaping.

Mr. Siegel stated he did not think so but he was not sure. Mr. Siegel stated Mr. Altman should know.

Mr. Tickle stated he would like to with draw his motion, if that was possible, and go back to discussion. He stated he had moved that we accept this but he had not finished his motion.

Mr. Clay stated why don't we just give this man his conditional use permit and if we need to put these things on there won't be but one without. That was his suggestion because we can not write an ordinance here tonight to cover this stuff.

Mr. Bracey asked Mrs. Everett if she had any further comments.

Mrs. Everett stated she had already made her comments.

Mrs. Bracey asked Tickle if he had any more comments.

Mr. Tickle stated he was in the middle of a motion—

Mr. Bracey asked if he had a motion on the floor?

Mr. Bracey was informed that he withdrew his motion by Mrs. Ralph, Mrs. Mann stated he was in the middle of making a motion.

Mr. Bracey stated then we are back to square one.

Mr. Tickle stated yes sir, we are.

Mr. Bracey called for a motion.

Mr. Tickle stated that to him that he would probably want someone else to make that motion.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby approves the conditional use permit requested in Case Number C-97-6 for Nextel Communications, Inc. with and subject to the following conditions:

1. The proposed tower shall not exceed two hundred thirty (230) feet in height.
2. The applicant, Nextel, shall allow at least two (2) other wireless telecommunications providers to locate on the tower and site; and shall provide the County, upon request, verifiable evidence of having made a good faith effort to allow such location.
3. The applicant shall provide the County collocation opportunities without compensation as a community benefit to improve radio communication for County departments and emergency services provided it does not conflict with the co-location requirements.
4. The applicant must obtain staff approval for additional antenna co-location. No administrative approval shall constitute or imply support for or approval of, the location of additional towers, antenna, etc., even if they may be part of the same network or system as any antenna administratively approved under this section.
5. No commercial advertising material shall be permitted on the communications antenna or tower and any associated support buildings.

6. The tower shall be designed and adequate separation provided to property lines and dwelling such that in the event of structural failure, the tower and components will remain within the lease area.
7. All communications antennas or towers shall be enclosed by security fencing not less than six (6) feet in height and shall also be equipped with an appropriate anti-climbing device.
8. Any combination of landscaped vegetative buffers, landscaped earthen berms, or preservation of existing vegetation shall be provided around the perimeter of the site of the telecommunication tower and associated support buildings to effectively screen the view of the tower from the adjacent road. The standard buffer shall consist of a landscaped strip at least five (5) feet wide outside the perimeter of the compound.
9. The proposed telecommunications tower and all associated antennas must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate antennas and towers. If such standards regulations are changed, then the owners of the antennas and towers shall bring such antennas or towers into compliance with such revised standards as required. Failure to bring antennas and towers into compliance with such revised standards and regulations shall constitute grounds for the removal of the antenna or tower at the owner's expense.
10. A copy of any FAA, FCC, and any other governmental agency approval must be on file before a Certificate of Occupancy is issued.
11. The telecommunications antenna or tower shall be designed and installed so as not to interfere with the Dinwiddie County Public Safety Communications System. The applicant shall perform an engineering study to determine the possibility of radio frequency interference with the County system. Prior to release of a building permit, the study shall be submitted to, and approved by Dinwiddie County Administration.
12. The developer shall be responsible for correcting any frequency problems which affect the Dinwiddie County Public Safety Communications System caused by this use. Such corrections shall be made immediately upon notification by the Dinwiddie County Administration.
13. The antennas and tower shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness. Dish antennas will be of a neutral, non-reflective color with no logos.
14. Antennas or tower shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the Dinwiddie County Board of Supervisors may review the lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.
15. At such time that the telecommunications antennas or tower ceases to be operated for a continuos period of twelve (12) months; it shall be considered abandoned, and the owner of such antenna or tower shall remove same and associated equipment within ninety (90) days of receipt of notice from the Dinwiddie County Planning Department of the removal requirement. Removal includes the removal of the antenna or tower, all antenna/tower and fence footers, underground cables, and support buildings.
16. The owner of the tower shall carry a liability insurance policy covering damages to adjacent properties resulting from structural failure. This liability coverage shall be in the amount of one million (1,000,000) dollars. Proof of insurance coverage in form acceptable to the Director of Planning will be provided annually.

17. The owner shall have a safety inspection conducted annually by a registered professional engineer licensed in the Commonwealth of Virginia and a copy of the inspection report shall be filed with the Zoning Administrator, no later than July 1st. Specifically, the report shall state if the tower is structurally sound and being used for wireless telecommunication service.

18. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions.

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that in order to assure compliance with Virginia Code Section 15.1-491 (g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practices.

IN RE: PUBLIC HEARING – P-97-17 – GREEN ACRES MOBILE HOME PARK

Mr. Altman came forward again reading excerpts from the following Planning Staff Report.

Planning Staff Report

File:	P-97-17
Applicant:	Green Acres Mobile Home Park
Property Address:	7901 Boydton Plank Road, Petersburg, VA 23803
Magisterial District:	Rohoic
Acreage:	9.1 acres
Tax Map Parcel:	Section 33, parcel 69B(a portion thereof)
Zoning:	Business, General, B-2
Water Source:	Public
Sewer Disposal:	Public

SUPPLEMENTAL DATA:

1. Land Use Amendment Application
2. Locational Map (Zoning)
3. Proposed Ordinance (Previous)
4. Board of Supervisors Minutes (2/5/97)
5. Planning Commission Minutes (1/8/97)
6. Previous Staff Report
7. Locational Map (Comprehensive Plan)
8. Adjacent Property Owners
9. Letters from Water Authority and Social Services (For Previous Rezoning)
10. Preliminary Plan/Sketch Notes to Engineers
11. Proposed sketches, Phase I and Phase II
12. Section 22-24, Conditional Zoning

LOCATION/DESCRIPTION

The property is located to the rear of the Green Acres Mobile Home Park and is bounded to the east by I-85. The property varies from moderate to severe slopes thus limiting the complete utilization of the property. The property is not being utilized and is covered with young trees and some open land.

EXECUTIVE SUMMARY

The applicant is seeking to rezone the property from Business, General B-2, to Agricultural A-2. Currently, the applicant operates the Green Acre Mobile Home Park. He purchased the 9.1 acres with the intention of expanding the MHP, in part, onto this

property. He can not do so under the current zoning but could do so under the A-2 zoning if a conditional use permit is approved by the Board of Supervisors. Of course, the applicant must process a conditional use permit application and go through the public hearing procedure for the Planning Commission and the Board of Supervisors if the rezoning request is granted.

DISCUSSION

The applicant is seeking to rezone this parcel of land and has not applied for a conditional use permit since this property must be rezoned in order to do so. It is important to establish that the rezoning request is separate and distinct from any future request to use this property which requires a conditional use permit. It should not be assumed that if the property is rezoned the Planning Commission and/or the Board of Supervisors will favorably review a request for a conditional use permit.

The Planning Commission reviewed a similar request (P-96-5) at your January 8, 1997 meeting. A copy of the minutes is enclosed for your review. On a vote of 4-1-1 (with Gilbert Wood absent), the Planning Commission recommended approval of the request to the Board of Supervisors.

The Board of Supervisors reviewed a similar request at their February 5, 1997 meeting. A copy of their minutes is enclosed for your review. On a vote of 4-1, the Board of Supervisor denied the rezoning request.

Section 22-5, Amendments to chapter, paragraph (4), states "substantial the same petition of the change of regulations, district boundaries or classifications of property shall not be reconsidered by the Board of Supervisors within a period of six (6) months from the date on which substantially the same petition was previously considered by the board." Obviously, a period of six (6) months has elapsed since the previous rezoning request was submitted. Since comments were made at previous meetings regarding conditional zoning, a copy of Section 22-24 of the Zoning Ordinance is attached for your review.

There were several issues raised at the Board of Supervisors meetings, such as:

1. recreational facilities for the existing mobile home park;
2. total number of mobile home lots;
3. compatibility with adjacent property owners;
4. proffers associated with the rezoning as it relates to the existing mobile home park; and
5. impact on community services.

Also, some Board members were concerned that the owner of Green Acres Mobile Home Park, Mr. Isaac Forrest, was not present to address the concerns raised by adjacent property owners.

A few of the concerns raised at the Board meeting can be addressed as follows:

1. Any expansion of the existing mobile home park is subject to current County regulations. These regulations (see Section 22-238) address such things as recreational facilities and fencing;
2. Chain link fencing was erected between the property of Mrs. Maitland and the mobile home park to Hatcher's Run (this was done by the Dinwiddie County Water Authority) after a request to do so was made by the Planning Department;
3. I walked the property of Mrs. Ozmar where it bounds the mobile home park. There appears to be some debris on her property which came from the occupants of the mobile homes. I did not find any record which required Green Acres Mobile Home Park to erect a fence in this area. It is possible that Mr. Forrest would consider this situation as a part of the rezoning process; and
4. There will be an impact on community services associated with the expansion of this mobile home park. Currently, there are 43 elementary students and 25 middle/high school students picked up at this site. Social services will be required to provide

assistance to a percentage of new residents. The Sheriff's Department has a moderate response activity in the mobile home park mostly relating to domestic problems (alcohol, juvenile, etc.).

ANALYSIS

With the above in mind, the following is stated:

1. The comprehensive land use plan identified this property for residential/agricultural purposes (not business);
2. The adjacent properties are zoned for Business, General B-2 or Agricultural, General A-2 uses.
3. This tract of land is readily accessible from the Green Acres MHP parcel and terminates to the east of I-85; and
4. Public water and sewage are available to this tract as confirmed by the Dinwiddie County Water Authority.

I must mention that the recently adopted Comprehensive Land Use Plan (Page 8- Policy Statement 5), requires an impact analysis for all major developments so that public health, safety and welfare are protected. Normally, an impact statement would be required when requesting a rezoning to a more intensive use. Since this rezoning is requesting a less intensive zoning category, it is not considered necessary at this time. I do believe that if a conditional use permit is sought on this property for intensive residential use, the Planning Commission will require the applicant to prepare such an impact analysis for such services as schools, social services, roads, sewer/water, etc.

RECOMMENDATION

In order to assure compliance with the Virginia Code Section 15.1-491(g) , it is stated that the public purpose for which this resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, it recommended that rezoning request P-97-17 be recommended for approval to the Board of Supervisors.

Mr. Altman stated he would like to read some proffers that were received from the applicant's attorney in a letter written December 31, 1997. The proffers are as follows:

1. A chain link fence at least 6 feet high shall be erected along the property line of the park and concerned neighbor from Route 1 to the rear of the property. The fence shall be maintained and repaired by Mr. Forrest or subsequent owner(s).
2. Any debris on Ms. Ozmore's property that can be determined to have originated from current or previous residents of the Park shall be cleaned up and removed by Mr. Forrest.
3. An open space recreation area shall be created by Mr. Forrest for the use of the Park residents. Two proposed lots have been eliminated from the proposal to provide this space.

Mr. Altman stated he would like to comment that the chain link, there are posts in the ground for the fence. He further stated he believed that Ms. Ozmore has said that some clean up has occurred on her property. She is quite pleased with that.

Mr. Altman stated that also contained in that letter, the applicant has requested that this meeting be continued until the February 4th meeting at 7:30 P.M. The reason for this is because the applicant and the attorney are having trouble making these meetings. Also we do have one Board member absent.

Mr. Bracey asked about two proposed lots. These lots have been eliminated for recreational purposes. His question was pertaining to the size of a lot.

Mr. Altman stated he did not know the size.

Mr. Bracey felt that two lots would have to be awful large to provide adequate recreational space. He felt that there needed to be a larger space put aside. If someone could look the size of a lot up he would appreciate it.

Mr. Bracey further stated he understood the attorney could not attend because of a jury trial. We will have to come back for a final hearing. He is speaking for himself now, he would hope that, no he was going to ask that we put in the record, that on that date regardless of what is happening with the owner or the attorney, that we go forward with a decision. It seems like someone is playing a game now. He felt the attorney knew he had a jury trial when this date was set up. For the citizens in attendance Mr. Bracey stated that we are going to continue with the Public Hearing.

At this time Mr. Bracey opened the Public Hearing. The following citizens came before the Board:

1. Rebecca Koenig, 7717 Boydton Plank Road, came forward stating the first letter was from Mrs. Ozmore, who is an adjoining owner, which stated that she is pleased to see that Mr. Forrest has started to put up a chain link fence after all these years. He has also cleaned up her property line. She has had no more problems of vandalism since the meeting on December 7, 1997 with the Planning Commission. These improvements would not have happened without the members of the Planning Commission and Board of Supervisors getting involved. She wanted to thank them for their help; however, she is still opposed to the rezoning to expand the Park. Her property will be half surrounded by mobile homes and she felt that this would decrease the value of her property. She thought the Park was large enough. Mrs. Koenig then spoke for herself. She stated she had had no problems since the last meeting with the Board of Supervisors; however, she was still opposed to the rezoning to expand the Park. She felt in the years ahead it will create more problems for the adjoining land owners and this concerns her. She felt that with the changing of Board members and after Mr. Forrest achieves his rezoning and get what he wants, then who will take care of their property.
2. Lucille Phares, 7901 Boydton Plank Road, came forward stating she had been a resident of Dinwiddie County for seventy-one (71) years, and a resident of Green Acres Mobile Home Park for twenty-two (22) years as of August. Her concerns were the increase of rent, free running dogs, vicious dogs, no protection, lack of enforcement of the rules and regulations of the Park, kids running around both day and night, loud noises, cussing late at night, security in the mailbox area, no license plates on camper trailers, no recreation facilities for the children, fighting of residents, lack of up keep of the Park, and the condition and age of some of the trailers that they are moving into the Park. She stated supervision is greatly needed. There are 126 trailers in this Park at this time, with approximately 3-4 vacant lots.
3. Mrs. Maitland, came forward stating that the fence did get put up by the Water Authority. She wanted the Board to remember who put that fence up for her. It was left sitting for years before it got to that point. It took her coming before the Board arguing to get the Water Authority to do it. The other fence still has not been completed. He has put the poles up but if you decide that you are going to go on and let him add the trailers, make sure the fence is up first or it won't get up, unless you put it up.
4. Anne Scarborough, came forward stating what she had in mind to say borders on what Mrs. Maitland said. She was concerned about why the Water Authority was putting up a fence on private property and where did the money come from to pay for it.
5. Mrs. Maitland stated she knew what happened. She had an agreement that they could use her land for the Water Authority provided they say that the fence was completed. They were supposed to see that he completed the fence because it was left with the fencing still wrapped around by the last pole that had been set 17 years prior. She stated she had been fighting with the County to enforce the ordinance from that point on. The gentleman came out, Mr. Scheid came out and checked the land and told her that he would see that it was completed. She was told that the Water Authority had to do it because they would not get cooperation when they talked to Ms. Grant and Mr. Forrest. The Water Authority got an easement over her property and she told them she had no problem as long as they saw that the fence was completed.

6. Anne Scarborough stated that she hoped the Board would require some type of recreation at the Park. She stated she kept hearing that they really did not have any and if you have that number of children in the Park they need some space. She wanted the Board to think about the impact on the County, not only for the Park but for some of the big subdivisions, that are bringing the children in. This makes problems for the Board. Why can't we require recreation for the children. Certainly in the trailer park, from all she had been hearing for years, you need to require recreation.

Mr. Bracey asked Mr. Altman again, what is a lot size?

Mr. Altman stated minimum lot size is 8500 square feet, which would be roughly 80 X 100. The lot sizes at the Park are currently 50 X 100.

Mr. Bracey stated 50 X 100, putting two together would be 100 X 200. Mr. Bracey stated he was concerned about that, he was surprised.

Mr. Bracey asked if there were any other citizens wishing to speak.

A citizen stated that at one time there was a recreation area in the Park. It was filled with trailers.

Mrs. Everett asked if there was a conditional use permit at that time, to that effect and was it not enforced.

Mr. Bracey stated that he could not remember. He does remember about the fence. This fence was to be completed by Mr. Forrest and somehow it ended up being completed by the Water Authority.

Mr. Bracey asked Mr. Long to contact the Water Authority and find out why they put up the fence for a private property owner or a business. He stated he agreed with Mrs. Scarborough, that was public funds. If this was in the easement then he had no problem with it but if it was not a part of the easement, well somebody owes the Water Authority.

Mrs. Everett stated her question was in the conditional use permit did we require a recreational area and if it was required , and that was the condition of that use permit, then it should have been enforced. We need to look back in the records and see if that was required and maybe we can still do something about it.

Mr. Bracey stated he hoped it was there. He felt 50 X100 was just too small.

Mr. Long stated, if he understood this, we are going to continue this hearing to next month's meeting. He can certainly utilize the time between now and then to get the answers to those questions.

Mr. Bracey asked Mr. Siegel if it was necessary for these persons to come back to the second hearing or will there actually be a hearing.

Mr. Siegel stated that we have had this Public Hearing. It is not necessary for them to return because we will have their comments in the record and the Board will consider them. We are just having an additional Public Hearing because of the delay in taking action.

Mr. Long asked if we will just be putting it back on the agenda to vote because we have had the Public Hearing.

Mr. Siegel stated that we were talking about doing an additional Public Hearing. They are going to advertise and give the same notice so they will be able to come back but they do not need to; that was the benefit of hearing them tonight.

Mr. Bracey asked the citizens if they understood.

Mr. Tickle stated that the next meeting will be a Public Hearing; the people that are here tonight have every right to come back and speak again.

Mr. Bracey stated he wanted to be sure that everyone understood and wanted to be fair to everybody.

Mr. Bracey stated this Public Hearing would be continued to February 4th.

Mr. Siegel stated that we are really closing this one and we are going to have an additional one.

Mr. Bracey stated that he was closing the Public Hearing. We will have an additional Public Hearing on February 4, 1998, at 7:30 P.M.

IN RE: APPOINTMENTS

Mrs. Pamla A. Mann, Administrative Secretary, stated that we have openings on the following Board and Commissions. We have one opening on the Crater District Health Advisory Board, one opening on the Dinwiddie County Planning Commission, District 4, and three openings on the Transportation Safety Commission.

Mr. Bracey stated we have one (1) application for the Dinwiddie County Planning Commission from Mrs. Lillian Stewart and asked if we had anything on the other appointments.

Mr. Tickle stated he is discussing it with someone about the Crater District Health Advisory Board and hoped to have a candidate by the next meeting date.

Mr. Bracey requested that Mr. Tickle have that application to Administration in time for it to be included in the next Board package.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Lillian Stewart is hereby appointed to the Dinwiddie County Planning Commission for a term ending December 31, 2001.

The remaining opening will be discussed at the next Board meeting on January 21, 1998.

IN RE: COUNTY ADMINISTRATOR COMMENTS – RECREATIONAL DIRECTOR APPOINTMENT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Tim Smith is appointed as Director of Parks and Recreation effective January 12, 1998 at a salary of $34,072.00 per year.

IN RE: COUNTY ADMINISTRATOR COMMENTS – ENGINEERING SERVICES – INDUSTRIAL ACCESS ROAD

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to negotiate a contract with Timmons and Associates to provide engineering services for the Industrial Access Road for Chaparral.

IN RE: RESOLUTION OF SUPPORT -- CRATER PLANNING DISTRICT COMMISSION

Mr. Long stated he had a resolution that had come to him late and missed going out in the Board packets. The Crater Planning District Commission had asked that we bring to the Board a resolution of support for increasing the minimum level of State funding for planning district commissions. It has to do with increasing the minimum funding to each commission in the state because, to his understanding, it has not been for several years. The Crater Planning District Commission is currently at a level of a little over $40,000.00 per year, it's maximum at one point was a little over $50,000.00. They are requesting a minimum of $100,000.00. Mr. Long read the resolution and asked for the Board's approval.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following Resolution of Support be adopted and a copy forwarded to the General Assembly members who represent the County of Dinwiddie:

RESOLUTION OF
DINWIDDIE COUNTY BOARD OF SUPERVISORS
IN SUPPORT OF INCREASING THE STATE MINIMUM LEVEL OF FUNDING
FOR
PLANNING DISTRICT COMMISSIONS

WHEREAS, Virginia's planning district commissions have been working on behalf of local governments and state agencies since 1970 in such areas as transportation, the environment, housing, emergency preparedness, and economic development; and

WHEREAS, planning district commissions have played a pivotal role in fostering regional approaches to economic development in the Commonwealth by providing staff support and resources to regional marketing organizations, developing and administering grant projects to construct necessary infrastructure, regional GIS systems, and business finance programs; and

WHEREAS, the analysis of planning district commissions, undertaken by the Joint Legislative Audit and Review Commission in 1995, noted that base funding from the state successfully leverages federal, local and private dollars to bring efficiency and effectiveness to regional initiatives, such as those cited in Virginia's Regional Cooperation Act and Regional Competitiveness Act; and

WHEREAS, the Commonwealth has not increased its minimum funding level for planning district commissions in nine years; and

WHEREAS, the Crater Planning District Commission performs invaluable technical assistance and support to its member localities in areas including economic development, transportation planning, land use planning, environmental programs, small business financing, mapping and GIS, maintenance of a broad and current data library, and grant funding acquisition and administration; and

WHEREAS, the Crater Planning District Commission continues to act as a catalyst for

regional initiatives, including the recent successful qualification of the Crater Regional Partnership under Virginia's Regional Competitiveness Act.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby respectfully requests that the General Assembly, at its 1998 session, increases the minimum level of state funding for each planning district commission to $100,000 per year; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to communicate this resolution to the General Assembly members who represent the County of Dinwiddie.

After the motion there was some discussion regarding the amount of the increase. Mr. Clay stated he felt that it was excessive. Mr. Tickle stated that he agreed that this was excessive. Mrs. Everett stated that on a local level they have not had an increase for nineteen (19) years.

IN RE: COUNTY ADMINISTRATOR COMMENTS – FLY-IN

Mr. Long stated that Mr. David Ploeger, Manager of the Dinwiddie-Petersburg Airport, has extended an invitation to a Board member to fly with the Airport Authority to Oshkosh, Wisconsin, where the largest fly-in occurs, on Monday, January 12, 1998. They will be leaving Richmond International at 10:00 A.M. and returning that evening about 6-7:00 P.M.. This invitation is for one maybe two Board members.

After discussion, Mrs. LeeNora Everett agreed to make the trip. Mr. Long stated he would get the information and pass it along to her.

IN RE: COUNTY ADMINISTRATOR COMMENTS – FIRE CHIEF CONFERENCE

Mrs. Ralph stated the Fire Chief's have extended an invitation, to Mr. Bracey, to attend their conference February 26-27-28, 1998 in Virginia Beach. Mr. Bracey will not be able to attend and they would like to extend that invitation to another Board member. They will pay all expenses to go. If any Board member would like to attend please let her know.

IN RE: COUNTY ADMINISTRATOR COMMENTS – MODIFICATIONS TO THE DINWIDDIE COUNTY SOLID WASTE MANAGEMENT FACILITY

Mr. Faison came forward stating at a previous Board meeting he had presented the four (4) bids that were received on the Modifications to the Dinwiddie County Solid Waste Management Facility. The low bidder was $81,215.00, Virginia Concrete. At that meeting the Board authorized Mr. Denny King and himself to negotiate with Virginia Concrete to see how much money could be saved and still have a good project. We were able to eliminate $14,940.00 out of the project, which would bring it down to $66,275.00. He would like to recommend that they be authorized to proceed with this, provided that the engineers of record, Draper Aden, do not have any problem with it. They also wanted to check one more source, DEQ (Department of Environmental Quality), to see that they do not have any problem with any thing that they are eliminating. We would like to get on with this project and help with the final closing of the landfill.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Mr. King and Mr. Faison to proceed with the contract with Virginia Concrete for the Modifications to the Dinwiddie County Solid Waste

Management Facility, for a cost of $66,275.00 providing that the engineers of record, Draper Aden and the Department of Environmental Quality approve the items that have been eliminated.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay – no comments

Mrs. Everett – no comments

Mr. Tickle – no comments

Mr. Bracey – 1) He stated he hoped that the Planning Department would consider Mr. Tickle's request for landscaping at telecommunication towers and present an ordinance with in the next couple of meetings on this issue. 2) Mr. Moody is on vacation and will return at the next meeting.

RE: ADJOURNMENT

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mrs. Everett, Mr. Clay, Mr. Tickle, Mr. Bracey voting "aye", the meeting adjourned at 9:10 P.M.

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

ATTEST:
R. Martin Long
County Administrator

/pam

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 21ST DAY OF JANUARY, 1998, AT 2:00 P.M.

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

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

Mr. Edward A. Bracey, Jr., Chairman of the Board, called the regular meeting to order at 2:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda. There being none Mr. Bracey moved forward.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the December 22, 1997 continuation meeting; December 30, 1997 continuation meeting; January 7, 1998 continuation meeting; and the January 7, 1998 regular meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1008875- 1009044 (void check number 1008875); for Accounts Payable in the amount of $660,711.64: General Fund $273,466.81; Jail Phone Commission $270.00; E911 Fund $1,585.10; Law Library $272.24; Fire Programs and EMS $775.00; and County Debt Service $384,711.64.

IN RE: APPROVAL OF REQUISITION #12 – COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated that Requisition #12 for the Courthouse consists of payment to:

SUPERIOR FLOOR COVERING	$ 52,405.58
SANDS, ANDERSON, MARKS, & MILLER	811.25
TOTAL OF THIS REQUISITION	$ 53,216.25

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 12 in the amount of $53,216.83 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #26 – SCHOOL CONSTRUCTION

Mrs. Ralph stated that Requisition #26 for the School Construction consists of payments to the following:

KBS, INC.	$788,576.08
FROEHLING & ROBERTSON, INC.	1,216.20
STROUD, PENCE & ASSOCIATES, LTD.	4,420.00
BALLOU JUSTICE UPTON	11,377.90
VIRCO	11,488.00
AMERICAN ACADEMIC SUPPLIERS	4,814.58
TRI CITIES OFFICE PRODUCTS	2,433.00
STANDARD CHAIR OF GARDNER	4,251.25
STAPLES	199.99
BARCO PRODUCTS COMPANY	1,690.96
WINDOWS "N" WALLS	7,258.57
COUNTY OF DINWIDDIE	656.59
SANDS, ANDERSON, MARKS, & MILLER	40.00
DEJARNETTE & PAUL, INC.	839.00
TOTAL OF REQUISITION NUMBER 26	$839,262.12

There was discussion regarding the payment to the County of Dinwiddie in the amount of $656.59. Mr. Bracey, along with Mr. Faison and several Board members, agreed that this should be paid by the contractor. Mr. Bracey asked that Mrs. Seward produce a receipt when the contractor reimbursed the School Board for these funds.

Mr. Bracey stated that he had not received the information that he had requested regarding Stroud, Pence & Associates, LTD. Mrs. Seward stated that she had that information and would like for Mr. Bracey to come by and review it with her. She wanted to be sure that she was addressing all questions to his satisfaction.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 26 in the amount of $839,262.12 be approved and funds appropriated for CIP expenses for the School Project Fund.

IN RE: INTRODUCTION OF AIRPORT MANAGER

Mrs. LeeNora V. Everett, Vice-Chair, stated before the citizen comment period she would like to introduce Mr. David Ploeger. He is the new manager of the Petersburg-Dinwiddie Airport who came on Board in August 1997. Mrs. Everett stated that she, Mrs. Bettie Guthrie, Vice-Chairman of the Airport Authority, and Mr. Ploeger had gone, at the invitation of the Virginia Department of Aviation Director, Ken Wiegand, to Oshkosh, Wisconsin, on Monday, January 12, 1998. This trip was to meet with officials at Experimental Aircraft Association (EAA) headquarters to obtain and gather information and knowledge in regard to the second annual Virginia State Fly-In, which will be held at the Dinwiddie-Petersburg Airport the weekend of June 27-28, 1998. Mrs. Everett asked Mr. Ploeger to come forward to make any comments he may have.

Mr. David Ploeger came before the Board stating that first he should apologize for not coming sooner. He stated he had been trying to stomp out fires. He felt things are coming along well. The Airport is looking really good and running smooth. He stated he had taken care of many of the maintenance problems. He gave the Board a brief report

regarding his trip to Oshkosh, Wisconsin, and how he felt it would help with the Fly-In this year.

IN RE: CITIZEN COMMENTS

Mrs. Pamla A. Mann, Administrative Secretary, stated no citizens had signed up to speak.

Mr. Bracey asked if there were any citizens present who had not signed up but wished to speak. There being none Mr. Bracey moved forward.

IN RE: DEPARTMENT OF TRANSPORTATION – REPORT

Mr. Harold Dyson came forward to present the monthly report for Mr. Ronald Reekes. He reported construction had been started on Route 460.

Mr. Clay asked about the intersection of Courthouse Road and Wilkinson Road. He stated there was a bump that needed attention.

Mr. Tickle requested that Mr. Dyson have Mr. Reekes look into the traffic problem on Route 226. He stated the traffic on that route is exceeding the speed limit and this included large trucks. He asked about changing the road from a primary route to a secondary route. Mr. Dyson stated he did not think that could be done but he would look into the matter further.

Mr. Tickle also asked about the patching that had been done on Interstate 95. He was upset about the rocks/gravel that had worked free and were being thrown onto cars. Mr. Dyson explained that it was a temporary patch and that the wet weather had caused some of it to wash free. He stated when the weather cleared permanent repairs would be made.

Mr. Belcher asked to address Mr. Dyson about the trees where you come off of Squirrel Level Road on to Interstate 85. Mr. Bracey stated that he should talk to Mr. Dyson after the meeting. He stated the Citizen Comment period had passed and been closed.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Mann reported that Mrs. Marston had stated she would be late coming into the meeting.

Mrs. Marston did not come to the meeting before adjournment at 5:30 P.M.

IN RE: TREASURER – REPORT

Mr. William E. Jones, Treasurer, came before the Board to present his monthly report. He stated he had placed before them, this date, an additional report. This report gives three (3) years of the collection ratio. He stated he had broken down the main categories, they being real estate; personal property; mobile homes; and machinery and tools. Also included is a total column which is a total of all assessments.

Mr. Tickle took this opportunity to congratulate Mr. Jones on his collection rates and reserves. He felt that the Treasurer and Commissioner of the Revenue staff had done a more than adequate job.

Mr. Jones stated the Board could thank themselves because they are the ones that tightened the strings. Mr. Jones stated he appreciated the comment and further stated, of course staff has a lot to do with that.

Mr. Moody asked questions regarding the rating of the County. It was explained the County is not rated at this time. If we were rated we would have the highest rate of A3.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, Commonwealth Attorney, came before the Board stating he had nothing to report but was available for questions.

Mr. Tickle stated he had a concern, which also included the Sheriff's Department, about Sterling Road. He was concerned about the speeding. He stated some tickets had been written for $200.00; however, when they get to Court it never holds. Mr. Tickle wanted to know if anything could be done about this.

Mr. Rainey stated that the Sheriff's Office nor the Commonwealth Attorney has any control over this but he could pass these feelings along to the appropriate people.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward to present his monthly report. He passed out printed information to the Board.

Mr. Moody asked about Route 613 and the speeding problem.

Mr. Shands reported that they had much success in catching speeders on that straight, smooth stretch of highway. He stated most citizens were not aware of their speed.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne Abernathy, Building Inspector, came forward and presented his report for the month of December 1997. Also he included a report of over view for the year 1997.

Mr. Bracey asked Mr. Abernathy to be sure that Mrs. Troilen Seward, Superintendent of Schools, received a copy of this report.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, came forward and presented his report for the month of December 1997. Mr. Beville also included an annual report for the year 1997.

Mr. Bracey stated he called Mr. Beville during the weekend because he had some beautiful dogs show up at his home over the weekend. He reported to the Board that Mr. Beville came and handled his problem that day.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came before the Board to present his monthly report. He had a few items that he wanted to elaborate on.

First as a follow up on Mr. Bracey's question regarding the drainage problem that he had experienced on Courthouse Road, in the vicinity of Bittersweet, he stated he had physically gone out and checked Bittersweet Road. Bittersweet Road, which is a private road, had a problem with the culvert pipe being plugged up and the ditches are not well defined. He had been to the site during several rainfalls and there was water coming across the road. He also checked the driveway that goes into the new Church. The Church has well defined ditches and in the front they do have some rip wrap. There is no water backing up in the ditch that parallels Courthouse Road. There is some water coming off of their asphalt driveway. He checked Clearview Road, which was put in

recently, this is the road between the Church and Mr. Knott's property. That ditch is quite deep and the pipe was put in there properly. That private road was put in there so that it slopes away from the Courthouse Road, so there was no drainage problem experienced at all with that. With that in mind, Mr. Scheid stated he called up the Highway Department and they have promised him that sometime this week they will be out there working on Bittersweet to clean out the pipe and redefine the ditch lines. They even spoke in terms of reshaping of the private road entrance where it comes into the State property.

The other two (2) items he wished to comment on are: House Bill 13 and the TransAmerica Corridor study meeting. The Bill is in regard to subdivisions. He stated he was providing this for the Board's information and would be supplying copies for the other Boards as well. He hoped this bill would not be supported by our Legislators. He asked the Board to mark their calendars for Monday, January 26, 1998, at 10:00 A.M., because there was going to be a meeting at the Suffolk VDOT office on the TransAmerica Corridor study. He urged the Board members to attend this meeting.

Mr. Bracey thanked Mr. Scheid for the information, especially Bittersweet. He asked if there were any other comments or questions for Mr. Scheid. There being none Mr. Bracey called for the next item.

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. John M. Altman, Jr., Zoning Administrator, came forward and presented his monthly report. He stated he had a couple of additional items.

With reference to the Geographic Information System (GIS) presentation that we had at the January 4th meeting, Mr. Moody and Mr. Tickle were unable to attend, therefore they had a second presentation this date. Mr. Moody did attend and Mr. Tickle again was unable to attend. He felt that both presentations were excellent.

Mr. Altman continued that along with his monthly report he had included a yearly report. He wanted to clarify the mobile homes that had been reported by the Building Inspector as 131 were the total number of permits. Actually there were 65 new house holds of mobile homes. The others were merely replacements.

IN RE: SOCIAL SERVICES – REPORT

Mrs. Peggy McElveen, Director of Social Services, came forward stating she had nothing to report but was available for questions.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Mrs. Seward came forward to present her monthly report. She thanked Mr. Abernathy for his report. She reported the enrollment as of December 19th was 4,177 and they are building their budget for next year on 4,150.

Mr. Tickle asked for information regarding incidents within the schools involving violence, vandalism, etc. on a bimonthly basis. He would like to see this in report form showing school and action taken.

Mrs. Seward stated this was provided in a yearly report which she could provide.

Mr. Tickle stated he wanted to see it more often.

The Board agreed with Mr. Tickle and requested this information.

Mr. Bracey asked if the new Standards of Learning would act as a tool to evaluate instructors. He stated he hoped this would help the School Board determine who had a problem and what classes the students were not doing well in. When the majority of a class is not performing well this testing will help to evaluate the instructors. Mr. Bracey remarked that this will make our system like the New York system.

Mrs. Everett asked about Midway Elementary School. She wanted to know if the students had moved in. She also had questions regarding the use of the modular buildings after they become empty.

Mrs. Seward stated they hoped to move into the school in mid February. She stated that some of the modular classrooms will be moved to other schools but at this time she did not know how many would be needed.

Mrs. Everett stated she would like to see one used as the Rohoic Branch of the Library.

Mr. Tickle asked about tracking the costs per school for the heating/cooling and use of electricity since the upgrades.

Mrs. Seward stated that she did not feel this could be done yet because the systems are not finished and balanced.

Mr. Tickle was concerned about the doors at the High School being open when the outside temperature was 35 degrees.

Mrs. Seward stated she would get with Mr. Tickle to discuss this matter after the meeting.

IN RE: SUPPERINTENDENT OF SCHOOLS – TRANSFER OF FUNDS

EXTRACT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted for the transfer of $44,241.25 from the Self-Insurance Fund to the School Fund to cover payment of insurance for the fourth quarter.

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward to present his monthly report. He reported that he had been meeting with several people, getting to know the community, and just really taking a hard look at what recreation has done in the past and determining what needs to be done in the future.

IN RE: RECREATION – 1998 PARKS AND RECREATION SOCIETY MANAGEMENT CONFERENCE

Mr. Long stated he would like to bring before the Board a request from Mr. Smith that he be allowed to attend the 1998 Parks and Recreation Society Management Conference. It is three (3) days in Hampton. Mr. Smith had conveyed to him that he would drive to the conference daily and would not be staying overnight. It is a good networking tool and it is a good method of not having to reinvent the wheel and the problems that other communities have encountered before us. The registration fee is $125.00.

Mr. Bracey stated the Board has heard the request coming from the County Administrator and he assumes that money is already in the budget for these types of activities.

Mr. Smith stated the money is in the budget.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted for Mr. Timothy C. Smith to attend the 1998 Parks and Recreation Society Management Conference and registration fees in the amount of $125.00 be appropriated from the Recreation Department budget.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management, came before the Board and presented his report for the months of December 1997/January 1998.

Mr. King stated that the tank clean out is coming along well but is taking longer than anticipated.

Mr. King also reported to the Board and staff that if there is a litter problem in your area that anyone can call the Church Road VDOT facility. When you call they will schedule the inmates at Camp 27 to clean that area. Mr. King passed out fliers to the Board with the numbers to call.

Mr. Clay asked if something could be done in the Baltimore Corner area. Mr. King stated he would look into that because he too knew that area needed work.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR – REPORT

Mrs. Dawn M. Titmus, Deputy Emergency Services Coordinator, came forward to present her monthly report for the month of December 1997.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR – AUTHORIZATION TO ORDER RADIOS AND COT

Mrs. Titmus continued that the new ambulance should arrive around February 4th or 5th. She stated that they needed to order the radios and cot/stretcher for this ambulance so they could be installed when it arrived. Bids were included for this equipment and she recommended Commtronics of VA, low bidder for the radios, at a cost of $6,672.00, with the state reimbursing the County $4,412.00. Low bid for the stretcher was received from Parr at a cost of $1,730.00, with the state reimbursing $1,384.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to order the radios from Commtronics of VA, at a cost of $6,672.00, with the state reimbursing the County $4,412.00; and to order the stretcher from Parr, at a cost of $1,730.00, with the state reimbursing the County $1,384.00.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR – AUTHORIZATION TO ACCEPT GRANT MONEY

Mrs. Titmus continued by stating that in the last grant cycle, the cycle that she had withdrawn their request for a grant, there were some additional funds available. She had received a letter January 15th stating there was $7,902.50 available for the re-chassis of the current ambulance. Mrs. Titmus requested permission to accept this money for that purpose. Mrs. Titmus told the Board that this money must be used during the current grant cycle which she believed to be January 1998 to January 1999.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that State grant funds in the amount of $7,902.50 from the last grant cycle be accepted and appropriated toward the cost of re-chassis of the current ambulance.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Paul Jacobson, County Attorney, stated he had nothing to report but was available for questions.

Mr. Bracey asked if there were any questions, there being none Mr. Bracey moved forward.

IN RE: CONSTRUCTION INSPECTOR – REPORT

Mr. Donald Faison, Construction Inspector, came forward to present his report.

He stated that the Sheriff's Office should be under new roof by 4:00 P.M.

He continued by stating that the parking lot is still too wet to move forward on that project.

Also he reported they should begin work on the Social Services Building on January 26th.

Mr. Faison stated that he had an additional item to bring before them. Molly Leal from Hening-Vest-Covey had informed him that three (3) of the fabrics that the Board had chosen are no longer available. She had chosen alternates and sent them on. Mr. Faison presented to the Board the changes.

Mr. Clay asked about the Health Department and when something might be done about their requests.

Mr. Faison stated that Mr. Bracey, Mr. Long and he had visited the Health Department and decided that the repairs are very much needed. He stated that the carpet needs to be removed and replaced with vinyl and the walls needed new paint.

Mr. Clay stated that we may be able to contact Camp 27 for help in the painting. If they happen to have a painter there then the County might save some dollars.

Mr. Long stated he would check and see what our options are.

IN RE: REGISTRAR – REQUEST FOR OFFICE IMPROVEMENTS

Mrs. Elizabeth S. Jeter, Registrar, came before the Board to request funds for a counter and shelves for her new storage room. She provided the Board with two (2) bids. They being:

L. M. GRAVITTE & SONS INC.	$950.00
B & J ENTERPRISES	$980.00

She stated that she had been unable to obtain a third (3rd) bid.

There was much discussion regarding the use, prices and grade of oak to be used in this project.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that funds are approved up to $950.00 and authorization is granted for Mr. Faison the

Construction Inspector to assist the Registrar to obtain fine quality material for the construction of this counter and shelving with funds being provided from the Registrar's budget.

RE: APPOINTMENTS

Mrs. Mann stated that we have openings on the following Boards and Commissions. We have one opening on the Crater District Health Advisory Board, and three openings on the Transportation Safety Commission.

Mr. Tickle stated he had one prospect for the Crater District Health Advisory Board and requested that Mrs. Mann see that an application is mailed to Mrs. Mildred Spiers.

Mr. Bracey stated he had spoken with Mr. Calvin Ampy and it was requested that Mrs. Mann see that he receives an application.

Mrs. Mann was also requested to see that Mrs. Seward received an application for John Johnson.

Hopefully at the next meeting we will be able to act on these appointments.

Mrs. Mann stated that the Board had before them a list of appointments that will be ready for the February meetings.

IN RE: COUNTY ADMINISTRATOR COMMENTS – TRANSIENT OCCUPANCY TAX ISSUES

Mr. Long stated he included information on the transient occupancy tax issues. This states that we could go as high as five (5%) percent if we use the additional three (3%) percent toward tourism. Our current rate is two (2%) percent. He stated he needed to ask for a legal opinion from the County Attorney because of the population figures.

Mr. Jacobson stated that there are several categories that have been set up and at this point we do not fit into any of these categories.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted to the County Administrator to move forward on the Transient Occupancy Tax issue if possible, and if not possible then to pursue action through the General Assembly to obtain a new population category, if necessary, to enable the County to raise the tax from the current two (2%) percent to five (5%) percent.

IN RE: COUNTY ADMINISTRATOR COMMENTS – BUDGET WORKSHOP DATES

Mr. Long continued by stating that we need to set up budget workshop dates.

Mrs. Ralph asked the Board to let staff know what dates in February they would not be able to meet.

Mr. Bracey stated that he would like for Mr. Long and Mrs. Ralph to put together a schedule and present it to the Board.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay - He stated he would like to congratulate Mr. Moody on the good job - outstanding job he did as Chairman of the Board for the 1997 calendar

year.

Mrs. Everett – She stated she would like to commend Mr. Moody also. She gave a brief report of her trip to Oshkosh on January 12th. She attended the Ceremony at the Appomattox Regional Library on January 14th, when they placed the library on line. And she wanted to remind the Board of the meeting on January 26th for the TransAmerica Corridor.

Mr. Moody - He asked if we had put the two (2) bills in that the Governor had requested.

Mrs. Ralph stated they are in the works.

Mrs. Everett stated she had received a letter from the County Administrator regarding the approval of the Enterprise Zone on the 4th of January, retroactive to January 1st. She felt that some publicity was needed on this.

Mr. Tickle – no comments

Mr. Bracey - no comments

IN RE: ERROR REPORTED IN AGENDA

Mr. Belcher asked if he could ask a question.

Mr. Bracey stated he would allow it at this time.

Mr. Belcher asked what happened to Item Number 9 on the agenda, Resolution for Enterprise Zone.

Mrs. Mann stated it was her error; that item was deleted from the agenda and she failed to make new copies for the public. She apologized to the Board and citizens for this error.

RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-333 (A) - 1 Discussion of employment, salaries disciplining of public officers, appointees, or employees of any public body; (Administration; Recreation; Waste Management); and Section 2.1-344 (A) 7 - Consultation with legal counsel, (VBF Litigation; Courthouse Contract) the Board moved into Executive Session at 4:03 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:27 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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 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.

RE: BUDGET HEARINGS – DATES

Mrs. Ralph asked the Board if they would like to come in at 1:00 P.M. on February 4th, since they had to come that day for the regular meeting. We could schedule several Department Heads, have dinner, and then have the meeting.

The Board stated this was agreeable to them.

RE: WASTE MANAGEMENT – GIL MARSTON INCREASE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted to increase Mr. Gill Marston, Waste Management employee from 7B1 to 8A2 on the pay scale, effective January 1, 1998.

RE: COUNTY ADMINISTRATOR – MERIT INCREASE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted to increase the salary of the County Administrator by $3,000.00, due to a positive six (6) month performance evaluation.

RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 5:30 P.M. to be continued at 1:00 P.M. on February 4, 1998 for a Budget Workshop.

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

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 4th DAY OF FEBRUARY, 1998, AT 1:00 P.M.

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

IN RE: WORKSHOP SESSION – 1998-99 PROPOSED BUDGET

The Board met, in the Conference Room of the Pamplin Administration Building, with the following department heads and constitutional officers to review their 1998-99 budget requests:

Samuel H. Shands	Sheriff
William E. Jones	Treasurer
Deborah M. Marston	Commissioner of the Revenue
William C. Scheid	Director of Planning
Dennis E. King	Director of Sanitation

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-333 (A) - 1 Discussion of employment, salaries disciplining of public officers, appointees, or employees of any public body (Recreation); and Section 2.1-344 (A) 7 - Consultation with legal counsel (VBF Litigation; Courthouse Contract) the Board moved into Executive Session at 4:53 P.M. The meeting moved to The Homeplace Restaurant.

A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M. in the Board Meeting Room of the Pamplin Administration Building.

IN RE: CERTIFICATION

Upon motion Mr. Moody, seconded by Mrs. Everett, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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 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.

RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 7:31 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

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 4th DAY OF FEBRUARY, 1998, AT 7:30 P.M.

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

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 7:32 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda. There being none Mr. Bracey moved forward.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the January 21, 1998 regular meeting are approved in their entirety.

IN RE: CLAIMS

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated the claims included an invoice payment request from the Dinwiddie Airport and Industrial Authority against their last note in the amount of $176.50.

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1009045 - 1009252 (void checks numbered 1007681, 1008866, 1009031, 2009046, 1009047, 1009149, 1009150, 1009209, & 1009211); for Accounts Payable in the amount of $159,066.10: General Fund $155,004.91; Jail Phone Commission $226.67; E911 Fund $1,108.80; Fire Programs and EMS $767.50; Forfeited Asset Sharing $528.22; and County Debt Service $1,430.00. Payroll in the amount of $388,816.40 was also approved and appropriated: General Fund $388,816.40 and CDBG Fund $1,086.63. This approval and appropriation included the Dinwiddie Airport and Industrial Authority claim against their last note in the amount of $176.50.

IN RE: CLAIMS – CRESTAR PAYMENT – COURTHOUSE

Mrs. Ralph stated in connection to the claims, as outlined, the first interest payment on the completion bonds for the Courthouse was due February 1, 1998 and because the Board did not want to capitalize that and add it into the debt the Board chose to take that interest payment out of the General Fund. It was decided that these funds would be obtained from the 1996 Undesignated Fund Balance. She stated action was needed to appropriate those funds from the General Fund to the Debt Service Fund in the amount of that interest payment, $115,811.81, payable to Crestar.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted to transfer and appropriate funds from the General Fund (1996 Undesignated Fund Balance) to the Debt Service Fund in the amount of $115,811.81 for interest payment, on the Courthouse Completion Bonds, payable to Crestar, and action taken to make this payment due February 1, 1998 is hereby ratified.

IN RE: APPROVAL OF REQUISITION #13 – COURTHOUSE CONSTRUCTION

Mrs. Ralph stated Requisition #13 for the Courthouse consists of payment to:

SANDS, ANDERSON, MARKS & MILLER	$ 2,108.37
COMMUNICATIONS SPECIALISTS	5,880.00
GULF SEABOARD GENERAL CONTRACTORS, INC.	254,033.80
TOTAL OF THIS REQUISITION	$262,022.17

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 13 in the amount of $262,022.17 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #27 - SCHOOL CONSTRUCTION

Mrs. Ralph stated this requisition represents the first interest payment on the second bond issue for the School System, which was also due February 1, 1998. This was capitalized in the School Bond issue, therefore it can come out of those bond funds. Requisition #27 for the School Construction consists of payment to:

CRESTAR BANK	$168,032.89
TOTAL OF THIS REQUISITION	$168.032.89

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 27 in the amount of $168,032.89 be approved and funds appropriated for CIP expenses for the School Project Fund, and action taken to make this payment due February 1, 1998 is hereby ratified..

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if any citizens had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, stated no citizens had signed up.

Mr. Bracey asked if there was any citizen present that had not signed up but wished to speak at this time. There being none Mr. Bracey moved forward.

IN RE: RESOLUTION OF RECOGNITION - ANTHONY S. RINALDI

Mr. Bracey asked Mr. Anthony S. Rinaldi, past Recreation Director, to come forward. Mr. Long read and presented Mr. Rinaldi with the Resolution of Recognition.

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

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

RESOLUTION
OF THE
DINWIDDIE COUNTY BOARD OF SUPERVISORS
FEBRUARY 4, 1998
IN RECOGNITION OF
ANTHONY S. RINALDI

***WHEREAS,* Anthony S. Rinaldi has served the County of Dinwiddie with distinction and integrity from June, 1991 until November, 1997, and**

***WHEREAS,* the Board of Supervisors on this 4th day of February, 1998, is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;**

***NOW, THEREFORE BE IT RESOLVED,* that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Anthony S. Rinaldi for his many contributions and devoted service to the County of Dinwiddie; and**

***BE IT FURTHER RESOLVED,* by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be delivered to Anthony S. Rinaldi, and a copy spread upon the minutes of this meeting.**

Mr. Rinaldi thanked the Board members and staff for everything.

IN RE: PUBLIC HEARING – A-97-13 – AMENDMENT TO PMD DISTRICT

Mr. William C. Scheid, came forward to present A-97-13 Amendment to PMD District. Mr. Scheid stated this is a request to amend the PMD District, which was recently adopted upon recommendation of the Planning Commission and was adopted by the Board of Supervisors in the fall of 1997. What had occurred in the development of this district, we had it reviewed by staff; by legal counsel; and by others that were interested in the ordinance. It appeared it covered the items that needed to be covered, it has, however, turned out that in reality, in a closer scrutiny, there were a few items we missed on it. These are the changes being proposed to you tonight

Extract

Mr. Scheid read the changes as listed below.

--Add the following as a permitted use to Section 22-230.1A:

(3) Public utility generating, booster or relay stations, transformer substations, transmission lines and towers, pipes, meters and other facilities for the provision and maintenance of public utilities, including railroads and facilities, and water and sewage installations.

--Add the word "melting" to Section 22-230.1B(2), so that it reads as follows:

(2) Melting, reprocessing, rolling, drawing, extruding, casting and forging of ferrous and
nonferrous metals and plastics.

--Add the word "public" in front of street in the last paragraph of Section 22-230.2(2), so that it reads as follows:

(2) All principle uses shall be conducted within a fully enclosed building with storage of raw, in process, or waste material, either undercover or within a containment area designed to capture fluids. Finished or semi-finished products manufactured on the premises moved be stored in the open if appropriately screened from the **public** street by landscaping, fences, walls or berms.

--Delete the last sentence of sentence of Section 22-230.3 (1) and have the section read as follows:

(1) Street access. The primary access to an PMD district shall be directly from either a major collector, major arterial or minor arterial roadway as designated on the county thoroughfare plan. **All streets within the industrial district which are not to be taken into the State system shall be built to a standard which will accommodate the weight load and volume of vehicles anticipated.**

--Change the first sentence of Section 22-230.3(2) such that it will read as follows:

(2) Any development within this district shall be served by public water and sewer **or by such other means as acceptable to the Dinwiddie County Water Authority and/or the Virginia Department of Health.** (Note: The remainder of this section is unchanged).

--Add the following verbiage to the first sentence of Section 22-230.3(3) so that it will read as follows:

(3) Utility lines underground. All utility lines such as electric, gas telephone, CATV, or other similar lines shall be installed underground **except in those situations in which the Planning Department determines such a requirement is not feasible or practical.** (Note: The remainder of this section is unchanged.)

--Delete the last sentence of Section 22-230.3(5) such that it now reads as follows:

(5) Parking and loading areas. Additional parking and loading spaces shall be provided off-street for all employees and visitors to the building in excess of the minimum requirements of Section 22-237 of this chapter, if determined to be necessary by the Zoning Administrator. ~~Loading operation shall be conducted at the side or rear of the building.~~

-- Add the phrase "With the exception of access roads" to the first sentence of section 22-230.4(3) such that it will read as follows:

(3) **With the exception of access roads,** no roads, parking or buildings shall be permitted within the required landscaped buffer. No storage of material or products shall be permitted in the required landscaped buffer area.

--Amend section 22-230.5(1) such that it will read as follows:

(1) Buildings shall not exceed ninety (90) feet in height **with the exception of the melt shop which may be constructed to a height of one hundred fifty (150) feet in height.**

--Add a reference to accessory or auxiliary building and/or structures to Section 22-230.5(3) so that it reads as follows:

(3) The minimum ground coverage of any principal building shall be ten thousand (10,000) square feet. **Accessory or auxiliary buildings and/or structures are not included in this requirement.**

Mr. Tickle asked Mr. Scheid to discuss item 2 and 3 on the second page.

Mr. Scheid stated item 2 as stated was needed because it had come to his attention there may be a situation such that an on site sewage treatment might be a more viable option in the PMD District. It might be more viable in that if a small amount of water is being generated and the distance in which you have to extend a sewer line, and the sewer line in this particular case could not be served by gravity flow, by the time you build pump stations and you put the piping into the ground to handle what little discharge there was going to be, it might be more feasible to have a package treatment plant put in. These things are not uncommon. There are many of them in, not necessarily in Dinwiddie County, but you do see them at tourist stops, like on I-85 in Dinwiddie County. You usually see them with mobile home trailer parks and schools. That was added; it was an oversight, that option was not given in the District. Obviously if a person were to exercise that option it would still have to be reviewed by the Dinwiddie County Water Authority and/or the Virginia Department of Health to make sure, that yes, the receiving body of water would be able to accept the discharge that was going to be

given and it was designed according to proper standards, to assure the proper treatment was given at discharge.

Mr. Tickle asked who Mr. Scheid would anticipate would pay for that.

Mr. Scheid stated a package treatment plant is always paid for by the developer, by the person.

Mr. Scheid continued by stating item 3, utility lines underground. It was again brought to his attention; in the case that you have a booster station, or substation, it may be you will have some overhead lines to come to a station or immediately leaving and then go underground. That was a situation that was not anticipated, it was one that was passed over when it was reviewed and after being brought to his attention, then he said an amendment was needed. He felt it was most appropriate the planning department determine whether or not it was reasonable, what was being requested. Obviously if the Board does not feel comfortable with the planning department making that determination they can amend it such other way they feel comfortable with. The way, most of the times, we handle a lot of these is they are administrative reviews.

Mr. Tickle asked if we led the citizens to believe any other way that would not be the case when we had the public hearings.

Mr. Scheid stated we had – when we read the ordinance he did not know if anybody really homed in on underground utilities. They were interested in what kind of utilities were going to serve the property.

Mr. Tickle stated they were interested in what kind of over lines, above ground, we would have. We stated we would limit those. We also talked about a transfer station. Mr. Tickle was concerned if we were in a catch 22 situation on this issue. He stated he meant in what we said we were going to do and now we were amending.

Mr. Scheid answered there is no guarantee the Planning Department would grant a request for some sort of relief. It would still be up to the discretion of the Planning Department. Whether or not it becomes a reality or not, he did not know. He could only tell the Board in this being reviewed, and it was reviewed by people – in this particular case by the Chaparral people – they said there may be a situation in which, this is not going to be a vast overhead system that we are talking about; however, there may be an occasion it might have to be. This could be interpreted that under no circumstances could any wire be above ground, for any short distance, what ever it might be.

Mr. Tickle stated he knew it sounded like a trivial issue but he would like, just as one member in his opinion, he would not want to get into a situation that we may have led the individual citizens that this would not happen; we went back on our word because we sit here and Mr. Beach at the time said it was acceptable. We had those people out there who heard it was acceptable and we come back and amend it. He asked this be put into the minutes, that we would make sure that we verify and check this against what we obligated ourselves to, it does not mean that before we make a decision, just don't do it blindly without letting us know. It dawned on him when he was reading over this that he remembered a conversation about this and a couple of people brought up power lines and their – I don't think their dismay but their concerns about it. We sort of said there would be no concern.

Mr. Scheid stated he thought what the Board might find, and this is just from what he remembers seeing at the facility, there may be in the immediate vicinity of the buildings which are interior, which are not visible from the road, they may have some overhead lines in there. It would not be practicable to put them underground and they would not be visible to anybody except those people that actually work inside the facility. That is what he felt the company was actually getting at. They were not talking about running lines overhead through the buffer. That was not his impression when he spoke with them.

Mr. Bracey opened the Public Hearing at this time.

Mrs. Mann stated that no citizens had signed up to speak.

Mr. Bracey asked if there were any citizens in attendance wishing to speak on this issue. There being none Mr. Bracey closed the Public Hearing.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Section 22-230 of Chapter 22 of the Code of the County of Dinwiddie, Virginia is hereby amended and re-ordained, with the noted changes, as follows:

--Add the following as a permitted use to Section 22-230.1A:

(3) Public utility generating, booster or relay stations, transformer substations, transmission lines and towers, pipes, meters and other facilities for the provision and maintenance of public utilities, including railroads and facilities, and water and sewage installations.

--Add the word "melting" to Section 22-230.1B(2), so that it reads as follows:

(2) Melting, reprocessing, rolling, drawing, extruding, casting and forging of ferrous and
nonferrous metals and plastics.

--Add the word "public" in front of street in the last paragraph of Section 22-230.2(2), so that it reads as follows:

(2) All principle uses shall be conducted within a fully enclosed building with storage of raw, in process, or waste material, either undercover or within a containment area designed to capture fluids. Finished or semi-finished products manufactured on the premises moved be stored in the open if appropriately screened from the **public** street by landscaping, fences, walls or berms.

--Delete the last sentence of sentence of Section 22-230.3 (1) and have the section read as follows:

(1) Street access. The primary access to an PMD district shall be directly from either a major collector, major arterial or minor arterial roadway as designated on the county thoroughfare plan. **All streets within the industrial district which are not to be taken into the State system shall be built to a standard which will accommodate the weight load and volume of vehicles anticipated.**

--Change the first sentence of Section 22-230.3(2) such that it will read as follows:

(2) Any development within this district shall be served by public water and sewer **or by such other means as acceptable to the Dinwiddie County Water Authority and/or the Virginia Department of Health.** (Note: The remainder of this section is unchanged).

--Add the following verbiage to the first sentence of Section 22-230.3(3) so that it will read as follows:

(3) Utility lines underground. All utility lines such as electric, gas telephone, CATV, or other similar lines shall be installed underground **except in those situations in which the Planning Department determines such a requirement is not feasible or practical.** (Note: The remainder of this section is unchanged.)

--Delete the last sentence of Section 22-230.3(5) such that it now reads as follows:

(5) Parking and loading areas. Additional parking and loading spaces shall be provided off-street for all employees and visitors to the building in excess of the minimum requirements of Section 22-237 of this chapter, if determined to be necessary by the Zoning Administrator. ~~Loading operation shall be conducted at the side or rear of the building.~~

-- Add the phrase "With the exception of access roads" to the first sentence of section 22-230.4(3) such that it will read as follows:

(3) **With the exception of access roads,** no roads, parking or buildings shall be permitted within the required landscaped buffer. No storage of material or products shall be permitted in the required landscaped buffer area.

--Amend section 22-230.5(1) such that it will read as follows:

(1) Buildings shall not exceed ninety (90) feet in height **with the exception of the melt shop which may be constructed to a height of one hundred fifty (150) feet in height.**

--Add a reference to accessory or auxiliary building and/or structures to Section 22-230.5(3) so that it reads as follows:

(3) The minimum ground coverage of any principal building shall be ten thousand (10,000) square feet. **Accessory or auxiliary buildings and/or structures are not included in this requirement.**

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-491 (g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: PUBLIC HEARING – A-97-14 – PAYMENT OF REAL ESTATE TAXES

Extract

Mr. Scheid again came forward and presented A-97-14. He stated that a couple of months ago, he had a Planning Commissioner, prior to the meeting, come to him making an inquiry, wanting to know if there was any section of the State Code that would allow the County to delay action or not give an applicant the opportunity to appear before the Planning Commission and/or Board of Supervisors on a rezoning, a variance, special exception, amendment, conditional use permit, anything that might affect their property if they owe property taxes on that particular property. We have researched the Code, called up the attorneys, they told us there is indeed such a Section in the State Code that would allow us to preclude processing an application for a land owner if they have property taxes in arrears. Therefore, the Planning Commission directed him to draft up a new ordinance, which he has done. The Planning Commission reviewed the ordinance at their last meeting and unanimously recommended to the Board of Supervisors that they adopt the ordinance. Essentially what it says is – and it would be adopted as Section 22.28. Payment of Real Estate Taxes. Mr. Scheid then read the proposed ordinance. Mr. Scheid stated and wanted the Board to understand this only applied to the property that is being requested for whatever permit they are seeking. If a person owns multiple properties and owes delinquent taxes on A-B-and C but is asking for relief on D; if D is current they we can not deny processing the application on that parcel D. It says quite clearly on subject parcel that is being requested for relief.

Mr. Scheid called for questions from the Board.

Mr. Tickle asked is this State Code.

Mr. Scheid stated it is State Code.

Mr. Tickle asked in order to enact this we have to make our own ordinance.

Mr. Scheid answered that is correct. What the State has said if any County, City, Town that has the right for a zoning subdivision ordinance, whatnot, if they choose to they can adopt this. You can choose not to adopt it.

Mr. Bracey opened the Public Hearing.

Mrs. Mann stated no citizens had signed up to speak on this issue.

Mr. Bracey asked if there were any citizens in attendance wishing to speak on this issue. There being none Mr. Bracey closed the Public Hearing.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the Code of the County of Dinwiddie be amended by adding the following section to the County Zoning Ordinance:

22.28 Payment of Real Estate Taxes

Prior to the initiation of an application for a special exception, conditional use permit, variance, rezoning or other land use permit, or prior to the issuance of final approval, the applicant shall produce satisfactory evidence that any delinquent real estate taxes owned to Dinwiddie County which have been properly assessed against the subject property have been paid. Delinquent taxes shall be interpreted to include such things as interest and penalty charges.

In all other respects, this ordinance shall remain in full force and effect. This ordinance shall become effective, this date, February 4, 1998.

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-491 (g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: PUBLIC HEARING – P-97-17 – GREEN ACRES MOBILE HOME PARK

Mr. Scheid came forward and apologized for not being present at the Public Hearing held on January 7th. He felt that is worked out good because the lawyer for Mr. Forrest was also ill.

Mr. Scheid continued by stating what he would like to do is very quickly, since the Public Hearing was held on this, he would rather not rehash a lot of what was already done. This case was heard by the Planning Commission in December 1997. It is a request for the rezoning of the property as distinguished. We have made this clear all along, as opposed to if the property is rezoned then the issuance or request for conditional use permit. The Planning Commission recommended on a 5-0 vote that the rezoning request be granted. They at that time expressed concern about on the rezoning and had thought in terms of proffers. Certain guarantees that certain things that appeared to be creating a problem in the neighborhood be addressed by the applicant on the existing mobile home park. Since we are talking about a new parcel of land obviously the new parcel of land you can deal with as you see fit but as far as the existing mobile home park that is something that was developed in the late 60's or early 70's and that was bound by those rules that were in effect at that time. He did receive a letter, and he did not know if it was pointed out to the Board, that on December 31, 1997, he had received a letter, signed by H. Curtis Butterworth, the attorney representing Mr. Forrest, in which he addressed:

Dear Mr. Scheid:

In reference to the above and on behalf of Mr. Isaac Forrest, the following proffers are made:

1. A chain link fence at least 6 feet high shall be erected along the property line of the park and concerned neighbor from Route 1 to the rear of the property. The fence shall be maintained and repaired by Mr. Forrest or subsequent owner(s).

2. Any debris on Ms. Ozmore's property that can be determined to have originated from current or previous residents of the Park shall be cleaned up and removed by Mr. Forrest.

3. An open space recreation area shall be created by Mr. Forrest for the use of the Park residents. Two proposed lots have been eliminated from the proposal to provide this space.

On January 7, 1998, I am scheduled for a jury trial and do not know how long it might last. Therefore, I am respectfully requesting the hearing be continued until the February meeting.

Mr. Scheid stated he, Mr. Butterworth, had prior to the meeting requested that the meeting be continued. I know in reading the minutes from the Board there was some concern about not hearing the matter and coming to a conclusion that evening. Mr. Butterworth did have a jury trial and as it turned out he was ill. It turned out he, himself, was ill also. Perhaps it worked out for the best. He would like to note on this, without getting too lengthy in his discussion with the Board, that he had been to the property on three (3) different occasions, his most recent occasion being last week. He has noted that there has been material cleaned up on Ms. Ozmore's property. He stated he did notice that a chain link fence, at least when he last saw it, was almost completed to Route 1. He knew that it did go all the way back to 85 which not only includes the park property that is currently developed but it also skirts the property that Mr. Forrest purchased and he was asking for a rezoning on. As to the open space recreational area, he did not know if there has been any motion on this or not. As he had mentioned, the Board of Supervisors at the January 7th meeting heard this, there were several issues that were raised, and he thinks maybe it might be proper at this time for him to conclude by saying are those issues still questions in some peoples minds that he might be able to answer. He stated his report is concluded since the staff report was read at length to the Board at the last meeting. He did not see any need to reread the whole document since the people that are present tonight, heard the report, the Board heard the report, as well as the staff that is present; therefore he felt the best way he could conclude his report was to ask if there are any questions.

Mr. Moody stated he had a question. These proffers have been presented to us, if this was conditionally rezoned, how would it become rezoned, when would we know that these conditions have been met. Would it not be rezoned until you have found out that these conditions have been met?

Mr. Scheid responded the way a conditional rezoning works or with proffers, if you will, is that it basically, I will probably get some cringes from legal counsel, but it is basically a partnership, an agreement, and if the Board gives something and they get something in return, one party does not perform the way they are supposed to on it, then he believes things revert back to the way they were. He knew that with a conditional use permit, which this is not a conditional use permit, if a person violates the conditions of the conditional use permit, the conditional use permit is revoked. We take it back. They have proffered these conditions. He again stated he knew two (2) of them have already been done. As to the third (3rd) one, he did not know and could not tell the Board at this point in time. He could only say that the rezoning is being granted with these proffers and if all three (3) proffers are not met then the rezoning, in his opinion, is rescinded or the property reverts back to the zoning it originally had.

Mr. Ben Emerson, County Attorney, stated Mr. Scheid had explained it close enough.

Mr. Moody wanted to know, on number three (3) proffer, just because he has put up those two (2) lots, if he does apply for a conditional use permit in the future, this does not mean that we have to hold him to just those two (2) lots in that conditional use permit. We could make it larger or whatever.

Mr. Scheid stated that is correct. The property he is looking to have a conditional use permit issued to, on the 9.1 acres in the back, must abide by the current standards that are in effect. The current standards that are in effect says ten (10%) percent of the gross area must be used for recreation purposes. The 9.1 acres in the back, there is a significant amount of that property that must be utilized for recreation.

Mr. Moody stated he still has to apply.

Mr. Scheid stated for a conditional use permit.

Mr. Moody asked if we could, at that time, increase the conditions of recreational area when the time came. This would be as a condition of the conditional use permit.

Mr. Scheid repeated as a condition. He stated yes, he would say that we could. He stated that he thought that we may want to seriously consider what we already have in place. A requirement that we already have of ten (10%) percent of gross area is a rather severe requirement. He did not know of any other areas that require a greater in a development scheme of property. What he would have now is close to one (1) acre to set aside for the recreational area. That is a pretty stiff requirement, most places he is familiar with they will have five (5%) percent, seven (7%) percent, or ten (10%) percent for recreational purposes.

Mr. Tickle asked about item 3. He stated he remembered a case where a very influential person in the County acquired proffers, he corrected himself by stating - offered proffers and we allowed him to go ahead with his various changes to his property but he never carried forth on the proffers. We still have not done anything about that. We still have not withdrawn that and made him repair it back as it was. For example, with item 3, unless you put a time period in there, number one (1) is he can decide to say he is going to do it six (6) years from now unless you place a time frame in there. This is exactly what happened on something on Ferndale Road.

Mr. Scheid stated normally what has happened, the way he interprets and the way he enforces ordinances, is that to giving a certificate of occupancy or signing off and releasing a bond, things have to be in place. If they are not, he does not release the bond. We do not allow a certificate of occupancy to be issued. That is a very severe stance to take on a person because now their cash flow, they are maxed out, they have built most of the things, yet they can not get a cash return so most people are willing to abide by it. He has found in the past, with most of the people he has dealt with, you can get a lot of these things done. He feels comfortable in this particular case if the Board goes forward with this these things will be done. He feels that way for a number of reasons, one reason is the people sitting behind him. The second reason is the Board sitting in front of me. He thought the way it had been written in the press also showed it was being followed.

Mr. Clay stated he was in the trailer park on February 3rd, and he saw some places that needed cleaning up but that could change overnight. He could clean it up today and be messed up tomorrow. He did not see anything wrong with this as long as he goes by these proffers.

Mrs. Everett stated she was there on Monday, February 2nd, and she was impressed with what she saw. The fence was in place and it looked good. She was concerned that she did not see a recreational area in the developed area. She was wondering about plans for that. She wanted to know about the plans for a recreational area in the developed area.

Mr. Scheid stated this was something, again, he understood the way we were going to do this is Mr. Forrest or his representative would be given an opportunity to come before the Board and speak tonight. He felt they could address that issue better than he could.

Mr. Bracey stated he had been to the trailer park and he had seen some good things and some bad things. One thing was he did not know that people could operate a business in that type of park. Please clear him on that. He asked for a yes or no, is that permissible. There was a blue truck that said welding 24 hours.

Mr. Isaac Forrest, Park Owner, stated he did not work from the park. This person is a welder and he brings his truck in because he lives there. This person had requested Mr. Forrest to sign a letter stating he could operate a business from his trailer and Mr. Forrest stated he declined to do so.

Mr. Bracey stated he had questions regarding the fence, especially the wooden fence. There was some question last meeting regarding who put it up or who was responsible or who paid for it or just what.

Mr. Scheid stated this was regarding Mrs. Maitland's property. The Water Authority made an agreement with Mrs. Maitland with regard to the fence. They obtained a water/sewer easement over her property with the understanding a fence be erected. He had spoken to the Water Authority and in checking into the matter he found the Water Authority had obligated themselves to put the fence up.

Mr. Bracey stated there are a lot of children living in the park. When you speak of two (2) lots that is not much area for the number of children living in the park. When you have a lot of children you have a lot of problems. They need somewhere to go in the park. He stated he would like to see something improved in the park. As far as the ten (10%) percent is a small percent when you have that many people and children in one area. This park has a big impact on our school system. He would like to see – that ten (10%) percent is very small – when you say sit aside ten (10%) percent somewhere in there he would like to see something written that whatever the acreage is that it be developed. A vacant lot or a vacant field and the developer telling me this is the park, that is not a park. Those are the things he stated he is really concerned about. He stated he wished he had thought to ask for information from the school system regarding the number of children living in the park that are currently attending Dinwiddie County Schools. There has also been questions as to how many of these children should be attending our schools. The portion set aside, if developed, he would go along with the ten (10%) percent.

Mr. Forrest stated he already had the recreational area on the plans.

Mr. H. Curtis Butterworth, Attorney for Mr. Forrest, stated he would like to address the two (2) lot situation. That is something that they propose, it is not written in stone. In discussing it we are both, in part, at this point in a somewhat of a catch-22. We do not want to be grandiose in presenting something that we are going to do for recreation and have it be such a situation that all of the sudden that we get complaints from inside and outside of the park that we have sort of created a community center and we have too much going on. That is why he hoped that they could receive some guidance from the County. At this point they do not have any specifics to present other than the fact that they wish to do something that is agreeable to the County. We realize that we must or we will not be able to get to where we want to go. The question about putting a time table on this is certainly reasonable and it should be done for everybody's benefit and protection. He stated that they are not in the playground business and will be looking for guidance.

The question regarding the first two (2) proffers, he understood that the debris situation has been eliminated. The fence is either all the way or very close to being completed. He stated the last time they were present, they had submitted those proffers with the understanding on their part, we were going to do these things, they were going to put the fence up and if the County does not approve anything then they are still going to keep that fence up. That proffer was not made for we are going to put this fence up if you give us this. It is up! It is going to stay up no matter what happens.

Mrs. Everett stated there are 43 elementary students, 25 middle and high school students living in the park. It stands to reason there are some preschoolers. We are looking at a hundred (100) or more children living in there. There needs to be some open space and recreation.

Mr. Butterworth stated they want to do that and they are looking for guidance.

Mr. Ben Emerson, County Attorney, stated before the Public Hearing was opened if the applicant wished to change the proffers it must be done before the Public Hearing is open.

There was discussion regarding the time period on proffer number 3. Mr. Butterworth stated he could not set a time frame when he did not know what they were going to do.

Mr. R. Martin Long, County Administrator, asked if he could make a suggestion at this point, if we are also not certain at this point exactly what may need to take place with the recreation area, if as part of the proffer, within a set amount of time, say sixty (60) days, thirty (30) days, whatever you all are comfortable with and the Board is, to come back to the Board with a plan for the recreation area. Then within a certain time frame to have the recreation area developed.

Mr. Butterworth stated he had no problem with that concept. The concept being to set a time frame to bring the plans before the Board and then at that time set a time frame for completion.

Mr. Scheid stated Mr. Butterworth had asked him about what needed to be in the recreation area but he did not have the expertise to advise him.

Mr. Butterworth stated he felt thirty (30) days was sufficient to determine what should be placed in the recreational area and present plans to the Board.

Mr. Bracey asked the Board members - one by one - if this was agreeable with them. The Board agreed.

Mrs. Everett stated at the last Public Hearing we were concerned about the recreational issue and she had asked if there was any outline of recreational need and what was under the original conditional use permit. Someone was going to look into that issue and see if there had been and if it had not been adhered to.

Mr. Scheid at this point passed out copies of the ordinance that was in effect during the 80's. To answer Mrs. Everett's question as far as the conditional use permit, it was issued in the 60's. He can not even tell them if any County regulation was on the books at that time. The conditional use permit that the Board issued had no reference to any recreational facility whatsoever, it was very simple. You meet the County zoning regulations, you meet the Health Department regulations, and you meet the State regulations on where you enter the highway. That was the extent of it. Lacking an zoning ordinance that dates back to the 60's he got the Board the ordinance that he could put his hands on that was the furthest one back that he could find. There are in that ordinance no reference to buffers, to recreation, to really much of anything.

Mr. Bracey opened the Public Hearing at this time.

Mrs. Mann stated that no citizens have signed up to speak on this issue.

Mr. Bracey asked if there were any citizens in attendance who wished to speak at this time. The following persons addressed the Board at this time:

1. Mrs. Rebecca Koenig, Boydton Plank Road, Dinwiddie came forward to speak on behalf of Mrs. Ozmore who was unable to attend. She reported that the fence that was erected was a 5 foot fence, not a 6 foot fence as stated in the proffers.

Mr. Forrest stated that he had requested a 6 foot fence. If this is incorrect Mr. Forrest stated it would be corrected.

2. Mrs. Jean Maitland came forward and stated that there used to be a recreation area at the park and she is not sure why it was done away with. She just wanted the Board to know that they used to have one.

There being no other citizens wishing to address this issue, Mr. Bracey closed the Public Hearing.

Mr. Bracey asked for comments from the Board members at this time. Mr. Clay and Mrs. Everett had no additional comments. Mr. Moody stated that he felt the property should be rezoned, however he wanted to be sure that this was just a rezoning not a conditional use permit. Mr. Tickle had questions and concerns regarding mobile homes vs. stick built dwellings. Mr. Bracey make a comment regarding children's toys being between the ditch line and the road. To him it spoke for its self.

After some additional discussion of the above issues Mr. Bracey called for a motion.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that P-97-17 be tabled for thirty (30) days at which time it will come back before the Board with a report as to the progress/completion of the proffers.

Mr. Butterworth wanted to know where the delays would end. He wanted to be sure that he understood what the Board required from them in thirty (30) days.

Mr. Long stated that the proffers need to be satisfied. The first proffer is completed, the second needs to be reviewed, and the third would be satisfied by providing the Board with a plan for the recreational area.

IN RE: SECTION 3 PLAN – INDOOR PLUMBING

Mr. Scheid again came forward to present an explanation of Dinwiddie County's Section 3 Plan. The County of Dinwiddie through the use in whole or in part of Virginia Community Improvement Grant funds is participating in the Indoor Plumbing and Rehabilitation Loan Program. In the implementation of this project the following Plan must be formally adopted by the Board of Supervisors. The Section 3 Plan brings the County into compliance with Section 3 of the Housing and Urban Development Act of 1968 by making provisions to utilize, to the greatest extent feasible, lower income project area persons for employment and training positions, and project area businesses for contracts in implementing the project.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following Section 3 Plan is adopted:

COUNTY OF DINWIDDIE
SECTION 3 PLAN

1. The County of Dinwiddie, Virginia (the "County"), designated as its Section 3 covered project area that boundaries of the County.
2. The County, its contractors, and designated third parties shall in utilizing Community Improvement Grant funds utilize businesses and lower income residents of the Section 3 covered Project Area in carrying out all activities, to the greatest extent feasible.
3. In awarding contracts for work and for procurement of materials, equipment or services the county, its contractors and designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by a person residing in the Section 3 covered area:

    a) The County shall ascertain what work and procurements are likely to take place through the Community Improvement Grant funds.
    b) The County shall ascertain through various and appropriate sources including

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    the business concerns covered by Section 3 which are likely to provide m materials, equipment and services which will be utilized in the activities funded through Community Improvement Grant.
    c) The identified business concerns shall be apprised of opportunities to submit bids, quotes or proposals for work or procurement contracts with utilize CIG funds.
    d) To the greatest extent feasible the identified businesses and any other project area business concerns shall be utilized in activities which are funded with CIGs.

4. In the utilization of trainees or employees for activities funded through CIG's the County its contractors and designated third parties shall take the following steps to utilize lower income persons residing in the Section 3 covered project area.

    a) The County in consultation with its contractors (including design professionals) shall ascertain the types and number of positions for both trainees and employees which are likely to be utilized during the project funded by CIGs.
    b) The County shall advertise through the following sources the availability of such positions.

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c) The County, its contractors and designated third parties shall be required to maintain a record of inquiries and applications by project area of residents who respond to advertisements, and shall maintain a record of the status of such inquiries and applications.
d) To the greatest extent feasible, the County, its contractors, and designated third parties shall utilize lower income project area residents in filling training and employment positions necessary for implementing activities funded by CIGs.

5. In order to ascertain substantial compliance with the above affirmative actions and Section 3 of the Housing and Community Development Act of 1968, the County shall keep, and require to be kept by contractors and designated third parties, listing of all persons employed and all procurements made through the implementation of activities funded by CIGs. Such listing shall be complete and shall be verified by site visits and interviews, cross checking of payroll reports and invoices, and through audits if necessary.

Adopted this 4th day of February, 1998 by the Dinwiddie County Board of Supervisors.

There was discussion as to what type of housing was eligible for this program. Mr. Scheid stated he would review the requirements and report back to the Board.

IN RE: APPOINTMENTS – CRATER DISTRICT HEALTH ADVISORY BOARD

Mrs. Mann stated that we would start with the Crater District Health Advisory Board. We have received one (1) application for the position vacated by Sharon Grenoble. Mrs. Mildred Spiers has applied for that position.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. Mildred Spiers be appointed to the Crater District Health Advisory Board for a term expiring December 31, 2000.

IN RE: APPOINTMENTS – DINWIDDIE COUNTY AIRPORT AND INDUSTRIAL AUTHORITY

Mrs. Mann continued with the openings on the Dinwiddie County Airport Industrial Authority. We have two positions open. Mrs. Betty Guthrie has been serving on this Board since 1994 and is seeking reappointment. Mr. Van G. Woodell has been serving on this Board since 1993 and is not seeking reappointment. This position cannot be filled with a Dinwiddie County resident. Mrs. Mann reported that she had one (1) application from Mr. Joseph W. Lyle. She stated that Mr. Lyle is a Dinwiddie resident and cannot fill this vacant position.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. Betty Guthrie be re-appointed to the Dinwiddie County Airport Industrial Authority for a term expiring January 31, 2001

IN RE: APPOINTMENTS – DINWIDDIE INDUSTRIAL DEVELOPMENT AUTHORITY

Mrs. Mann stated the next appointment would be for the Dinwiddie Industrial Development Authority. She reported this is for one (1) position which will fill the unexpired term of Loid Hodnett. She has received three applications for this position – Mr. William L. Coleman; Mr. A. Jack Eubank; and Mr. Joseph W. Lyle.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. A. Jack Eubank be appointed to the Dinwiddie Industrial Development Authority for a term expiring February 5, 2001.

IN RE: APPOINTMENTS – TRANSPORTATION SAFETY COMMISSION

Extract

Mrs. Mann stated that she had three (3) positions open. Mr. T. E. Gibbs, Jr. had been serving on this Board since 1982 and is not seeking reappointment; Ms. Rebecca Tilson has been serving on this Board since 1984 and is not seeking reappointment; and Ms. Barbara M. Wilson has been serving on this Board since 1982 and is not seeking reappointment. We have received two (2) applications for these positions. Mr. James Douglas Watkins and Mr. Calvin Ampy have returned applications.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Calvin Ampy and Mr. James Douglas Watkins be appointed to the Transportation Safety Commission for a term expiring December 31, 1998.

Mrs. Ralph stated the final vacancy needed to be filled by someone affiliated with Driver's Education.

IN RE: APPOINTMENTS

Mrs. Mann stated that at the next meeting, February 18, 1998, we have two (2) appointments for the Dinwiddie Industrial Development Authority. These openings have been advertised and the deadline for applications is today, February 4, 1998.

There was discussion among the Board and Staff as to the effectiveness of advertising appointment vacancies. The Staff and Board will review the matter and make recommendations on how vacancies can be filled that is more cost efficient.

IN RE: COUNTY ADMINISTRATOR COMMENTS – $4-FOR-LIFE FUNDS

Extract

Mr. Long stated we had received a letter from Old Dominion Emergency Medical Services Alliance, Inc. regarding the proposed $4-for-Life program. Currently the system is funded entirely by Special Fund revenues derived from a $2 per vehicle registration surcharge. During the 1998 General Assembly, legislators will consider a proposal to increase the statewide Special Fund fee that supports the Virginia Emergency Medical Services from $2 to $4, or $4-for-Life. On behalf of the men and women who provide Emergency Medical Services (EMS) in Dinwiddie County and elsewhere in the Old Dominion EMS Alliance (ODEMSA) region, they asked for the Board's support in getting this vital legislation by enacting a resolution supporting it.

There was discussion among the Board as to who would be paying the $4. Everyone who purchases a state vehicle registration (tags) would pay the additional $2 surcharge.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following resolution is adopted and copies distributed to our legislative representatives:

RESOLUTION FOR $4-FOR-LIFE

WHEREAS the Emergency Medical Services System of Virginia provides an invaluable and life-saving service to citizens in all areas of the Commonwealth, and is recognized nationwide for the excellent out-of-hospital patient care provided by volunteer and career EMS Providers; and

WHEREAS there exists an immediate and critical need to adequately fund the infrastructure of the EMS System, which includes money returned to localities for EMS purposes, matching grants for EMS equipment, funding for basic and advanced EMS training, and support for Volunteer Rescue Squads, the Virginia Office of EMS, Regional EMS Councils and other essential elements of the Virginia EMS System; and

WHEREAS the Virginia EMS System infrastructure receives no General Fund revenues, but is financed entirely by a Special Fund derived from a $2 fee added to the cost of automobile registrations and know as the ***Two-for-Life*** Fund; and

WHEREAS the amount of money from the ***Two-for-Life*** Fund for Virginia's EMS System has not increased significantly during the past seven years, while costs of providing effective and efficient EMS have increased significantly at the state, regional and local levels across the State since 1990; and

WHEREAS all elements of the Virginia EMS System, as demonstrated by a unanimous vote of the Virginia Emergence Medical Services Advisory Board, will ask the 1998 Virginia General Assembly to help meet those costs by increasing the $2 fee to $4, or ***$4-for-Life,*** so that the System can meet existing and future patient care demands; and

WHEREAS the Board of Supervisors of Dinwiddie County recognizes the critical financial needs of the Virginia EMS System infrastructure and the vital benefits that Citizens of the Commonwealth and this locality derive from the unified EMS System.

NOW THEREFORE BE IT RESOLVED that the Dinwiddie County Board of Supervisors does hereby endorse the proposed ***$4-for-Life*** initiative to be presented by Virginia's EMS System to the Virginia General Assembly at its 1998 session; and

BE IT FURTHER RESOLVED THAT THE Dinwiddie County Board of Supervisors will communicate the urgent need for increased funding and this endorsement of ***$4-for-Life*** to appropriate members of the Virginia General Assembly.

IN RE: COUNTY ADMINISTRATOR COMMENTS – SOUTHSIDE VIRGINIA MARKETING COUNCIL – DISSOLUTION

Mr. Long continued by stating the next item he had to bring before the Board was a letter from the Weldon Cooper Center for Public Service addressing the dissolution of the Southside Virginia Marketing Council. Through the dissolving of that Council each member locality received a check of State funds that were put up originally to fund that group. This group never really got off the ground. Dinwiddie County received a per capita basis check in the amount of $4,689.19. It is being recommended since it is only to be used for the purpose of economic development that it be turned over to ABIDCO to support economic development in Dinwiddie County. It was his understanding that each of the other localities are handling their check in the same manner.

There was some discussion regarding the word "in" Dinwiddie County. It was voiced that wording such as "in regard" to Dinwiddie County would be more appropriate.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the funds received from the dissolution of the Southside Virginia Marketing Council in the amount of $4,689.19 be forwarded to ABIDCO for use in marketing economic development for Dinwiddie County.

IN RE: COUNTY ADMINISTRATOR COMMENTS – FORD

VOLUNTEER FIRE DEPARTMENT -- DISPERSAL OF BRUSH UNIT 125

Mr. Long continued with the next item. He stated a letter had been received from Ford Volunteer Fire Department requesting permission to dispose of the old brush truck unit. The old unit is a 1984 F-250 that had been damaged severely in an accident due to mechanical failure. The chassis of the vehicle currently holds very little value, which is one of the reasons the unit was replaced versus repaired. The unit cannot be used as a fire unit in its present condition. Therefore, the department feels the unit should be separated into the chassis and the skid unit for dispersal and they present the following two (2) proposals.

1. The unit can be placed, as is, into County surplus for auctioning at a later date

or

2. The unit can be separated as stated above. If this is done the Carson VFD, Dinwiddie County Company 6, would like to acquire the skid portion of the truck for use on an aging unit of there own. Ford VFD would need Board approval to transfer that portion of the truck to Company 6. The remaining chassis could then be placed into County surplus for auctioning.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Ford Volunteer Fire Department to separate Brush Unit 125 into two (2) parts. The skid portion of the truck is to be transferred to Carson Volunteer Fire Department, Dinwiddie County Company 6, and the chassis is to be placed into County surplus for auctioning.

IN RE: COUNTY ADMINISTRATOR COMMENTS – CRATER HEALTH DISTRICT – REQUEST FOR ADDITIONAL APPROPRIATION

Mr. Long stated that there was a request from the Crater Health District for an additional appropriation of $6,000.00 from the local match. These funds will be used to meet the expenses that are not fully funded from the State. The remaining funds that they do have left over would be left in the budget for use on building improvements. Mr. Faison, Construction Inspector, is in the process of obtaining bids for work on the Health Department.

Mrs. Ralph stated that the State did not approve completely the entire amount and they are asking that of the local amount that we have put up that they be allowed to keep $6,000.00. When she asked what particular equipment, since they mentioned that in their letter, that they might be purchasing, she was told it would be used to cover items that the State did not fund.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is grant for the Crater Health District to retain $6,000.00 of the local match funding to cover medical and office equipment purchases that are not fully funded by the State within the 1997-98 fiscal year budget.

IN RE: COUNTY ADMINISTRATOR COMMENTS – AUTHORIZATION TO HIRE CLERK OF THE WORKS/CONSTRUCTION INSPECTOR

Mr. Long stated the last item he had was a request for the Board to authorize that County Administration move forward to hire a clerk of the works or a construction inspector for the TXI - Chaparral project.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is given to the County Administration to move forward in the hiring of a clerk of the works/construction inspector for the TXI - Chaparral project.

IN RE: APPOINTMENTS – DISTRICT 19 COMMUNITY SERVICES BOARD

At this time the Board asked if this appointment needed to be handled tonight.

Mrs. Mann stated that Mrs. Ralph had informed her that it needed to be advertised.

Mrs. Ralph stated it did not have to be advertised, however it was our policy to advertise all vacant positions.

After some discussion regarding advertising, Mrs. Mann was instructed to advertise this position and again they would review the policy of advertising to make it more cost efficient.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay - no comments

Mrs. Everett – She reported that had attended, along with Mr. Scheid, the meeting on January 26th regarding the TransAmerica Corridor Study. She felt the meeting went well and there were between 75 and 100 in attendance. Mrs. Everett asked Mr. Scheid if he would like to comment at this time.

Mr. Scheid stated it seemed to him that there was considerable interest along the beach area. This will be very beneficial to Dinwiddie County. He gave a brief synopsis of the information he felt that he had obtained from the meeting.

Mr. Moody – no comments

Mr. Tickle – He stated he had no comments but he would like to make one comment on the – for the minutes – on the recommendations, he thought Mr. Clay made the motion for the clerk of the works. He thought we should make note that it was a quote "friendly hire". That tells the citizens that, hopefully, it was a positive situation for us financially. He asked that the minutes reflect those words.

Mr. Bracey – no comments

Mr. Bracey stated to Mrs. Ralph that he was sorry he had forgotten her. He then asked if she had any comments.

Mrs. Ralph stated she had no comment, however she hoped that the Board could meet next Wednesday, February 11th at 1:00 P.M. for a workshop session on the budget.

RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 9:23 P.M. to be continued at 1:00 P.M., Wednesday, February 11, 1998, in the Conference Room of the Pamplin Administration Building.

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

ATTEST: R Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 11th DAY OF FEBRUARY, 1998, AT 1:00 P.M.

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

IN RE: WORKSHOP SESSION – 1998-99 PROPOSED BUDGET

The Board scheduled to meet with and met, in the Conference Room of the Pamplin Administration Building, with the following department heads and agencies to review their 1998-99 budget requests:

Building Inspector/Construction Inspector	1:00 P.M.
Superintendent of Schools	2:00 P.M.
Dinwiddie VFD	3:00 P.M.
Ford VFD	3:15 P.M.
Namozine VFD	3:30 P.M.
Old Hickory VFD	3:45 P.M.
**McKenney VFD	4:00 P.M.
Carson VFD	4:15 P.M.
**Dinwiddie Rescue Squad	4:30 P.M.
Fire & Rescue Association	4:45 P.M.
Appomattox Regional Library	5:15 P.M.

**McKenney VFD and Dinwiddie Rescue Squad did not have a representative from their organization attend the meeting.

IN RE: CLAIM – 941 AMBULANCE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claim is approved and funds appropriated for same using check number 1009253, in the amount of $78,257.00, for the purchase of the new ambulance for Emergency Medical Services.

IN RE: TRANSFER OF FY 96 UNDESIGNATED FUND BALANCE TO CAPITAL PROJECTS FUND

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Treasurer is authorized to transfer $793,688.19 from the General Fund FY96 Undesignated Fund Balance to the Capital Projects Fund to be expended for those CIP projects approved by the Board of Supervisors.

IN RE: TRANSFER OF FY 97 UNDESIGNATED FUND BALANCE TO CAPITAL PROJECTS FUND

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Treasurer is authorized to transfer $1,000,000.00 from the General Fund FY97 Undesignated Fund Balance to the Capital Projects Fund to be expended for those CIP projects approved by the Board of Supervisors.

IN RE: LETTER OF SUPPORT FOR H. L. PARRISH,III – FOR POSITION OF COURT SERVICES DIRECTOR

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Administration to draft a letter from the Board in support of H. L. Parrish, III for position of Court Services Director of the 11th Judicial District Court Service Unit..

IN RE: PUBLIC SAFETY OFFICER – AUTHORIZATON TO ADVERTISE

The Board of Supervisors met with The Fire & Rescue Association and EMS Council representatives to review the position description for the Public Safety Officer position..

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administration is authorized to advertise the position of Public Safety Officer as presented and agreed to by the above agencies and the Board of Supervisors.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-333 (A) - 5 - Discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating in the community; and Section 2.1-344 (A) - 7 - Consultation with legal counsel. The Board moved into Executive Session at 6:00 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:10 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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 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.

RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 6:12 P.M. to be continued until Wednesday, February 18, 1998 at 12:00 Noon for an Executive Session.

Edward A. Bracey, Jr.
Chairman

ATTEST: R Martin Long
R. Martin Long
County Administrator

/pam

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 18TH DAY OF FEBRUARY, 1998, AT 12:00 NOON

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	LEENORA V. EVERETT, VICE-CHAIR	ELECTION DISTRICT #3
	AUBREY S. CLAY	ELECTION DISTRICT #5
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
OTHER:	DANIEL M. SIEGEL	COUNTY ATTORNEY
ABSENT:	HARRISON A. MOODY	ELECTION DISTRICT #1

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 (Treasurer, Administration); Section 2.1-344 (A) - 6 -Investment of public funds; and Section 2.1-344 (A) - 7 - Consultation with legal counsel (VBF litigation). The Board moved into Executive Session at 12:15 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 2:04 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mrs. Everett, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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 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.

RE: ADJOURNMENT

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 2:05 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R Martin Long

R. Martin Long
County Administrator

/pam

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 18TH DAY OF FEBRUARY, 1998, AT 2:00 P.M.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	LEENORA V. EVERETT, VICE-CHAIRMAN	ELECTION DISTRICT #3
	AUBREY S. CLAY	ELECTION DISTRICT #5
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
ABSENT:	HARRISON A. MOODY	ELECTION DISTRICT #1
OTHER:	DANIEL M. SIEGEL	COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., Chairman of the Board, called the regular meeting to order at 2:05 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda. There being none Mr. Bracey moved forward.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the February 4, 1998 continuation meeting; February 4, 1998 regular meeting; and February 11, 1998 continuation meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1009254 - 1009419 (void check number 1009253); for Accounts Payable in the amount of $473,972.10: General Fund $402,290.66; Jail Phone Commission $837.00; E911 Fund $2,091.82; Fire Programs and EMS $283.50; CDBG Fund $5,975.28; and County Debt Service $62,493.74.

IN RE: REQUISITION - 1992 $1.6 MILLION IDA ISSUE

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated there were still funds remaining in the $1.6 million dollar equipment lease revenue bonds, that were issued back in 1992. You had a remaining balance of approximately $11,000.00. At the time, rather than using the balance toward the debt service, there were some equipment needs in the Treasurer's office and in the Commissioner of the Revenue's office. We have been able, since that time, to also obtain Compensation Board participation. We bid the piece of equipment out, which was a large printer. The printer has arrived and so now we need to make payment. Because this is against the bond issue we would requisition through our bond counsel for the requisition to be paid. This is with Bank of New York now, which was Signet. Mrs. Ralph stated she had verified the funds, this date and they have indicated would approve the requisition. The amount of the claim is for $10, 109.00 and it is for a

1400 LPM impact printer with Twinax Interface. This will be shared by the Treasurer and Commissioner of the Revenue.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition in the amount of $10,109.00 be approved for a printer for the Treasurer and Commissioner of the Revenue for submission to the Bank of New York against the $1.6 million Equipment Lease Revenue Bonds and funds are appropriated for payment.

IN RE: APPROVAL OF REQUISITION #28 – SCHOOL CONSTRUCTION

Mrs. Ralph stated that Requisition #28 for the School Construction consists of payments to the following:

KBS, INC.	$353,175.82
FROEHLING & ROBERTSON, INC.	195.50
STROUD, PENCE & ASSOCIATES, LTD.	2,900.00
VERCO MFG. CORP.	8,886.00
TRI CITIES OFFICE PRODUCTS	4,011.20
TOTAL OF REQUISITION NUMBER 28	$369,168.52

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 28 in the amount of $369,168.52 be approved and funds appropriated for CIP expenses for the School Project Fund.

IN RE: FY-97 – UNDESIGNATED FUND BALANCE – TRANSFER TO DEBT SERVICE FUND

Mr. Ralph stated along with the School Requisitions that you are approving now, we are preparing for a third bond issue, which would be the completion bonds for the School Projects. The Board met earlier today with the financial advisors to start that process. A part of the financial plan is that we continue to add to our debt service fund so that the earnings from that fund go toward payment of the debt service. That is anticipated in the financial plan. During the retreat session the Board had discussed the Undesignated Fund Balance from FY-97 and at the last meeting we had $2 Million Dollars. At the last Board Meeting, the Board, transferred a million dollars to your Capital Improvement Fund, for projects that you would like to do. That leaves the remaining one million that we would like to go ahead and move into the Debt Service Fund so that the Treasurer would know what he has that he could invest on a longer term basis so that you can meet your interest requirement as is outlined in your financial plan. If that meets with your approval, what we would like to do today is to get authorization to transfer the million dollars from the Undesignated Fund Balance to the Debt Service Fund for longer term investment. These funds would still be available to you at any time.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted to the Treasurer to transfer one million ($1,000,000.00) from the Undesignated Fund Balance to the Debt Service Fund.

IN RE: RESOLUTION OF RECOGNITION – HERMINE COGHILL REAMES – 102ND BIRTHDAY

Mr. R. Martin Long, County Administrator and Mr. Edward A. Bracey, Jr., Chairman of the Board, read and presented Mrs. Hermine Coghill Reames with a Resolution of Recognition in honor of her 102nd Birthday

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following Resolution of Recognition for Mrs. Hermine Coghill Reames be approved and a copy spread upon the minutes of this meeting.

RESOLUTION
OF THE
DINWIDDIE COUNTY BOARD OF SUPERVISORS
FEBRUARY 18, 1998
IN RECOGNITION OF
HERMINE COGHILL REAMES

WHEREAS, *Mrs. Hermine Coghill Reames was born on October 2, 1895, and has resided in the County of Dinwiddie for approximately 55 years; and*

WHEREAS, *on October 2, 1997, Mrs. Reames celebrated her 102nd birthday; and*

WHEREAS, *during her 102 years, Mrs. Reames was married to the late Mr. Stephen S. Reames and blessed with a loving family of one brother and three sisters; and*

WHEREAS, *Mrs. Reames, besides being a devoted wife, has also dedicated her life to serving God as a member of Ford Seventh-Day Adventist Church; and*

WHEREAS, *the Board of Supervisors is desirous of acknowledging Mrs. Reames' 102nd birthday and joining with her family and friends in this celebration;*

NOW THEREFORE BE IT RESOLVED *that the Board of Supervisors of Dinwiddie County, Virginia, acknowledges her 102nd birthday and wishes Mrs. Reames a very blessed and prosperous life.*

Mrs. Reames was very appreciative of this honor and stated it would be something she would cherish every day for the rest of her life.

IN RE: CITIZEN COMMENTS

Mrs. Pamla A. Mann, Administrative Secretary, stated no citizens had signed up to speak.

Mr. Bracey asked if there were any citizens present who had not signed up but wished to speak. There being none Mr. Bracey moved forward.

IN RE: DEPARTMENT OF TRANSPORTATION – REPORT

Mr. Harold Dyson came forward to present the monthly report for Mr. Ronald Reekes.

Mr. Clay again asked that something be done at the corner of Courthouse Road and Wilkinson Road. This area needs some patch work. Also the siding on Station Road needs some attention. There is a large bump there.

Mr. Tickle asked about the logging companies and the gravel roads that they put in during a logging operation. This causes problems after the logging companies pull out and the gravel/rock is left. Mr. Tickle wanted to know if they, VDOT, could watch these areas and see that the logging companies are cleaning up after they are finished.

Mr. Dyson stated he would pass Mr. Tickle's concerns along and try to see that these areas are checked more regularly.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mr. Long stated that Mrs. Marston had informed him that she had a conflicting meeting and would not be able to attend.

Mr. Tickle asked that Mrs. Marston be requested to attend the next meeting and to provide the Board with a report for the past few months.

Mr. Bracey requested the County Administrator to write Mrs. Marston making this request.

IN RE: TREASURER – REPORT

Mr. William E. Jones, Treasurer, came before the Board stating the Board had a memo from him announcing the retirement of his Chief Deputy, Mrs. Connie B. Rose, after eighteen (18) years of service in the Treasurer's Office. This would be effective March 1, 1998.

IN RE: REASSIGNMENT TO CHIEF DEPUTY (DEPUTY IV) – WILMA M. MASON

Mr. Jones continued by stating in the memo he also requested that Ms. Wilma M. Mason be reassigned to Chief Deputy, Deputy IV from her current Deputy II position at a salary of $23,742.00. Ms. Mason has been employed in his office since 1984. This position is a compensated/reimbursed position.

IN RE: REASSIGNMENT TO DEPUTY II – MARY ANN WINFIELD

Mr. Jones stated he was also asking for the reassignment of Ms. Mary Ann Winfield from her current position of Fiscal Assistant to a Deputy II position at a salary of $18,589.00. Ms. Winfield has been employed in his office since 1991. This position is a compensated/reimbursed position.

IN RE: AUTHORIZATION TO ADVERTISE – FISCAL ASSISTANT POSITION

Mr. Jones continued by stating he would like permission to advertise for a Fiscal Assistant position. This is a locally funded position. Advertised salary request is $18,589.00. Because of the reassignments of Ms. Mason and Ms. Winfield this would leave an opening for this position. Mr. Jones continued that he had also provided the Board with a copy of the advertisement that he wished to place in the newspapers and a brief description of what this job would incur.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to assign Ms. Wilma M. Mason to Chief Deputy at a salary of $23,742.00; to assign Ms. Mary Ann Winfield to Deputy II at a salary of $18,589.00; and to advertise to fill the vacant position of Fiscal Assistant at a salary of $18,589.00.

The Staff was instructed to prepare a Resolution for Ms. Rose.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, Commonwealth Attorney, came before the Board stating he had nothing to report but was available for questions.

There being none Mr. Bracey thanked Mr. Rainey for attending and moved forward.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward to present his monthly report. He passed out additional printed information to the Board on jail population. Mr. Shands explained to the Board how he compiled this report information.

Mr. Bracey stated they would discuss the other matter in Executive Session and moved forward.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne Abernathy, Building Inspector, came forward and presented his report for the month of December 1997. He stated he was available for questioning.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, came forward and presented his report for the month of December 1997.

IN RE: ANIMAL WARDEN – CLAIM – C. W. HARRISON

Mr. Beville stated that his report did include one (1) claim from Mr. C. W. Harrison for one (1) Nanny Bush Goat. Mr. Beville stated that Ms. Mary Ellison had worked this call, December 23rd, 1997, and that it was impossible to determine if dogs actually killed the goat. All that was left of the goat was the hide. They set traps from December 23rd to December 31st, 1997 with no success. Traps were set in another location from January 6th to January 14th, 1998 again with no success. No dog tracks were seen inside the pasture at any time. The date of death for the goat is unknown.

After discussion of the Board the following motion was made.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the claim from Mr. C. W. Harrison for one (1) Nanny Bush Goat, valued at $35.00, is denied due to lack of evidence as to how the goat was killed.

IN RE: ANIMAL WARDEN – REPORT

Mr. Bracey asked Mr. Beville about Kennel Cough. Mr. Bracey wanted to know what it was and if we have a problem at the Dinwiddie Pound with Kennel Cough.

Mr. Beville stated that Kennel Cough is something that dogs will carry. As far as there being a problem at the Dinwiddie Pound, he did not think there was one.

Mr. Bracey stated that he was called to look into or see about Kennel Cough – he felt Mr. Beville knew who had called him.

Mr. Beville stated he was aware of the call and the person who placed it.

Mr. Bracey asked what would cause Kennel Cough.

Mr. Beville stated it could be caught from another dog. It is similar to what we would have as a cold. He stated in reference to the case that Mr. Bracey had in mind, that he had talked to the veterinarian who performed an autopsy on the puppy and the cause of death could not be determined. He stated that the dog may have gotten sick while it was at the pound. When you mingle that many dogs together they might pick up anything. There is not enough room to isolate them when they come in.

Mr. Bracey asked if we could have our facility inspected by an official person. This would insure that we do not have what ever it takes to cause Kennel Cough. He wanted to know if Mr. Beville thought this was necessary.

Mr. Beville stated that he did not feel it was necessary because he had already discussed this matter with Dr. Grenoble. There is no vaccine that is 100% effective against this disease. Our facility is cleaned and disinfected daily.

Mrs. Everett stated it had also been raised that we do not have a holding pen for when dogs were picked up and brought in that they would be kept segregated for say twenty-four (24) hours. After that time they could be put in with the general population.

Mr. Beville stated this is a problem, a big problem. The only way he could accomplish this is for them to double the size of the pound. With the facility we currently have we cannot do that. In the six (6) years that he has been there, this is second or maybe third time that we have had somebody – these dogs were not there for maybe two (2) hours and the dogs that got sick were not the dogs that we had at the pound. These particular animals were mingled with approximately twenty (20) other dogs somewhere else before they were picked up.

Mr. Bracey asked if we use proper chemicals for disinfecting.

Mr. Beville stated that we have fifteen (15) pens at the pound. We keep, on an average, thirty (30) to forty-five (45) dogs there.

Mrs. Everett stated that if any animal appears sick, do you keep that animal off to one side.

Mr. Beville stated that if the dog appears sick, yes they do isolate it. There is only one (1) isolation room.

Mr. Tickle stated when they clean the pens, what do other counties do, do they test periodically, with some type of rub test?

Mr. Beville stated not that he was aware of.

Mr. Tickle stated that he would like to recommend to the Board and to Mr. Beville also, that we do some type of testing, to be sure that we are meeting our guidelines. When we put down solutions or cleaning agents we are assuming that we are killing the bacteria that is there when in fact without further testing we do not know for sure that we have accomplished this. He wanted to know if Mr. Beville has ever done that and if it was customary with any place in the state of Virginia that can do that. Also he wanted to have an outside inspector come in and someone from the State come in, unknowing to you, come in to be sure that we are following the guidelines that we should be. He also wanted information regarding what books were available for his review to assure that these items are being done.

Mr. Beville stated that everything they do, they are based under state guidelines and what they use is a disinfectant called "Quat" and that exceeds all the requirements that

the State put up. As far as getting someone else to inspect the Pound that is fine. The facility is cleaned seven (7) days a week.

Mr. Tickle stated then we do not have an outside inspector, once a quarter or once every two (2) months to do a walk through.

Mr. Beville stated to Mr. Tickle that he was welcome to come – anytime – to walk through.

Mr. Tickle stated his recommendation, with no disrespect to Mr. Beville, but because we have animals and we keep them on site, and because of the investment this person we are talking about incurred at the vet, he felt that we should have someone, at least quarterly, have someone from the outside, do a spot check of the facility. This would be just as a basis to assure our citizens and assure us as elected officials of the County that we are doing what is necessary to maintain it. One case is one case too many. That was his recommendation, that we investigate a means or method to have it checked by an outside agency.

Mr. Beville stated that they could get any kind of inspector that he wanted, but as long as you are mingling animals together, there is a chance that they are going to get sick.

Mr. Tickle stated but if you do a biological test of the floor, lets say I came in after you clean it, I do a rub test, put it on a plate, if it grows then you have a problem.

Mr. Beville stated ok.

Mr. Bracey asked the County Administrator to put that on the list and see what Mr. Beville can come up with at a later date and report back to the Board.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came before the Board to present his monthly report. He stated there were a few items that he needed to mention to them. He wanted to let the Board know that the State Police are considering relocating their office. They are currently looking at a tract of land across from the Nippon Wiper Blade Plant. He stated that the tower would remain on Halifax Road.

Mr. Tickle had questions regarding item number one (1) in reference to Nextel Communication, Inc. He wanted to request that the planner come back before the Board prior to the meeting with recommendations for landscaping and buffering. He would not like to have to discuss that at the meeting.

Mr. Scheid stated that he understood what Mr. Tickle was requesting.

IN RE: DIRECTOR OF PLANNING – WALKERS LANDING SUBDIVISION – PROPOSED ADDITIONS TO THE SECONDARY SYSTEM OF STATE HIGHWAYS

Extract

Mr. Scheid stated that he did need action on item number two (2). This is a resolution to take the roads in Walkers Landing subdivision into the secondary road system.

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

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

RESOLUTION

WHEREAS, the street (s) described on the attached Additions form SR-5 (A), fully incorporated herein by reference, are shown on plats recorded in the Clerks Office of the Circuit Courts of DINWIDDIE COUNTY, and

WHEREAS, the Resident Engineer for the Department of Transportation has advised the Board of Supervisors of Dinwiddie County, Virginia, the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, request the Virginia Department of Transportation to add the street(s) described on the Attached Addition Form SR-5(A) to the Secondary System of State Highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, the Board of Supervisors of Dinwiddie County, Virginia, guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills, and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. John M. Altman, Jr., Zoning Administrator, came forward and presented his monthly report. He asked if the Board had any questions.

Mrs. Everett asked if he had looked into a situation out on Flank Road.

Mr. Altman stated he had not been out there, however he was aware of the situation.

IN RE: SOCIAL SERVICES – REPORT

Mrs. Peggy McElveen, Director of Social Services, came forward stating that she would like to thank the Board for the new enclosure. She stated that it looked very nice and appreciated the Board's support of that. She also thanked Mr. Donald W. Faison, Construction Inspector, for his work in getting it accomplished.

She also gave the Board an update on Welfare Reform as of the end of the first year. She gave a brief synopsis of the accomplishments during the year and the items that they planned to focus on in the coming year.

There was discussion regarding the training of citizens for job skills.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Mrs. Troilen Seward, Superintendent of Schools, came forward to present her monthly report. She passed out a written report, regarding incidents in the schools, as requested by the Board at the last afternoon meeting.

IN RE: SUPPERINTENDENT OF SCHOOLS – SUPPLEMENTAL APPROPRIATION #5 -FY98 – HEAD START – OYCS

Mrs. Seward continued by stating that she had three (3) supplemental appropriation requests. The first being a Goals 2000 award for 1996 from the State

Department of Education. The amount of this award is $24,841.00 which includes $24,093.00 for computer equipment and $748.00 for training. The deadline for expending these funds is September 1998. At the School Board February meeting, they authorized Mrs. Seward to request a supplemental appropriation of $24,841.00 in the Instruction Category in order for them to spend these funds on computer equipment and technology training as specified in the grant award.

EXHIBIT

Also Head Start received notification of their award for the next program year. At the request of the federal monitoring team, the FY-98 Budget contained expenditures for July through November. They are now requesting a $186,137.00 supplemental appropriation of federal funding for the Head Start Fund to cover the cost of this program through June. The School Board also approved this supplemental appropriation request.

The third supplemental appropriation request comes from the Office on Youth. Due to increases in funding and donations, Mrs. Francine Newman would like to request that the OYCS Budget for FY-98 be increased by $18,407.00. The School Board has approved this supplemental appropriation request. No local funds are included in these supplements.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for supplemental appropriations as follows:

- 1 $24,841.00 which includes $24,093.00 in state funds for computer equipment and $748.00 for training in the Instruction Category
- 2 Head Start in the amount of $186,137.00 from federal funding to cover the cost of this program through June in the Head Start Fund
- 3 Office of Youth from funding and donations, in the amount of $18,407.00 into the OYCS Budget for FY-98

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward to present his monthly report. He stated he had nothing to add but was available for questions.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management, came before the Board and presented his report for the months of January and February 1998.

He stated that the work on the transfer station had begun.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR – REPORT

Mrs. Dawn M. Titmus, Deputy Emergency Services Coordinator, came forward to present her monthly report for the month of February 1998.

She stated the new ambulance had arrived and hoped that the Board had an opportunity to look at it when it was here. It arrived yesterday and it will be sent to the radio shop, as soon as the radios have all arrived. Upon stocking it, it will be licensed by the State.

IN RE: FIRE & RESCUE ASSOCIATION – REPORT

Mr. Charles Lewis came before the Board and passed out information to the Board members. He stated this was a report, which they hoped to provide the Board with monthly, giving information on what some of the fire stations and rescue squads are doing on a monthly basis. This month there is a report from Company 1, Company 2, Carson

Company 6, and Dinwiddie Rescue Squad. He stated he was unable to obtain anything from Namozine or McKenney. He stated he was available to answer any questions that the Board might have. He stated he apologized for this information not being included in the Board packets. He hoped that this information will be helpful to the Board in planning.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Daniel M. Siegel, County Attorney, came forward stating that he had nothing to report but was available for questioning.

IN RE: CONSTRUCTION INSPECTOR – REPORT

Mr. Donald Faison, Construction Inspector, came forward to present his report.

RE: APPOINTMENTS

Mrs. Mann stated that we have two (2) positions on the Dinwiddie Industrial Authority and four (4) applications have been received.

We have one (1) position on the Dinwiddie County Airport Industrial Authority. One (1) qualifying application has been received for this vacancy.

There is also one (1) position open on the Transportation Safety Commission.

RE: APPOINTMENTS – DINWIDDIE COUNTY AIRPORT INDUSTRIAL AUTHORITY

Mrs. Everett stated she would like to act on the Dinwiddie County Airport Industrial Authority first.

Mrs. Mann stated that she received one (1) application from Mr. John V. Mazza, Jr., who resides in Matoaca, Virginia.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. John V. Mazza, Jr., be appointed to the Dinwiddie County Airport Industrial Authority for a term ending January 31, 2001.

Mrs. Everett stated that she felt that we were very fortunate to have Mr. Mazza apply because he is a member of the State Aviation Board. She also stated that the Airport Manager, Mr. David Ploeger, was present and asked if he wished to make any comments.

Mr. Ploeger came forward and stated that Congressman Sisisky announced the $275,000.00 Federal Grant. He has had several inquiries from local newspapers about that. For the Board's information it is to pay for the rehabilitation of two (2) areas on the aircraft parking apron. The asphalt has deteriorated and is beginning break up in a couple of places. They are going to, assuming we get a bid that is feasible, they are going to replace two (2) areas on the aircraft parking apron and they are going to run lighting around the taxi way lighting. This would be around the aircraft parking apron and part way out two (2) of the taxi ways. The pre-bid conference is the 24th and the bid opening is the 5th of March. Hopefully by the evening of the 5th of March we will know if we are going to have a project underway. He asked if the Board had any questions.

Mrs. Everett stated the Board may want to prepare a Resolution for Van Woodell for his service on the Dinwiddie County Airport Industrial Authority.

RE: APPOINTMENTS – DINWIDDIE INDUSTRIAL DEVELOPMENT AUTHORITY

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

Extract

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Charles R. Johnson and Mr. John W. Scarborough be reappointed to the Dinwiddie Industrial Development Authority for a term expiring February 28, 2002.

IN RE: COUNTY ADMINISTRATOR COMMENTS – 1998 PLASTIC PESTICIDE CONTAINER RECYCLING PROGRAM

Extract

Mr. Long stated that in the packets there was information about the 1998 Plastic Pesticide Container Recycling Program plan for the County. The program will be overseen by the Extension Agent in coordination with Dennis King at the landfill. Should there be any cost involved reimbursement from VDACS (Virginia Department of Agriculture and Consumer Services) is requested in the amount of $1,875.00. Authorization is needed for him to enter into the agreement with VDACS for the 1998 program.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted to the County Administrator to enter into an agreement with Virginia Department of Agriculture and Consumer Services for the 1998 Plastic Pesticide Container Recycling Program.

IN RE: BOARD MEMBER COMMENTS

Mr. Tickle – He requested that we petition the General Assembly to have the name on the Petersburg-Dinwiddie Airport changed to drop the Petersburg. It was asked that we place this on the list for the 1999 Session.

Mrs. Everett stated that she felt that we needed to do more research before we make this type of decision.

Mr. Bracey stated he did not like the fact that Petersburg always comes first.

Mr. Clay -. No comments

Mrs. Everett – She wanted to bring to the attention of the Board that Rowanty Vocational Technical Center is having an exhibit at the Maymont Garden & Flower Show in Richmond. This is one of the biggest shows in the United States.

Another item she wished to bring before the Board is the Regional Marketing in line with Lee's Retreat will be holding a forum on tourism February 25th at the Ramada Inn from 3 to 5 P.M.

Mr. Bracey - He stated that some time ago we talked about materials being submitted to the Administration office on a certain day and hour before the Board packets are distributed. He understood that we have not sent a memorandum to departments yet. He hoped that this would be done in a timely manner.

He would also like for the Board to consider setting up a meeting with the School Board to discuss the CIP Projects. Mr. Barnes the new chairperson, who Mr. Bracey had talked with earlier this week, felt that this would be good for both

sides in order to see where we are going. He requested that Mr. Long set this meeting up and let the Board know when and where.

Mr. Bracey then requested that the Board be supplied with a copy of the section from the Dinwiddie County Code on itinerant vendor's tax, in order that at the next meeting they may be able to discuss this matter for ten to fifteen minutes.

RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-333 (A) - 1 Discussion of employment, salaries disciplining of public officers, appointees, or employees of any public body; (Sheriff's Department) the Board moved into Executive Session at 3:37 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 4:24 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mr. Tickle, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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 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.

RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 4:25 P.M. to be continued at 9:00 A.M. on February 24, 1998 for a Budget Work Session.

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

ATTEST: R Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 24th DAY OF FEBRUARY, 1998, AT 9:00 A.M.

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

IN RE: WORKSHOP SESSION – 1998-99 PROPOSED BUDGET

The Board met, in the Conference Room of the Pamplin Administration Building, for a workshop session on the 1998-99 proposed budget.

IN RE: SOCIAL SERVICES BUILDING – AUTHORIZATION TO REPLACE HVAC SYSTEM

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administration if authorized to take the necessary steps to replace the HVAC system in the northern wing of the Social Services building.

IN RE: NEW COURTHOUSE – CORNERSTONE & DEDICATION

The Board agreed to set the date for dedication and placement of the cornerstone for Friday, June 5, 1998.

IN RE: AUTHORIZATION TO INSTITUTE BILLING FOR AMBULANCE SERVICE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administration is authorized to institute a contract with Southside Regional Medical Center to bill an individual's insurance company for ambulance services.

IN RE: RECESS

The meeting recessed from 12:30 P.M. to 1:30 P.M. for lunch.

IN RE: APPROVAL OF SURPLUS VEHICLE FOR TOWN OF MCKENNEY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the transfer of title for a surplus police vehicle to the Town of McKenney upon availability.

IN RE: APPROPRIATION OF FUNDS – HOUSEHOLD HAZARDOUS WASTE DISPOSAL PROGRAM

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to appropriate funds, in the amount of $5,000.00, in advance on the FY-99 budget for a Household Hazardous Waste Disposal Program for County residents, supervised by the Dinwiddie Extension Service on April 25, 1998.

IN RE: INCREASE IN COUNTY CONTRIBUTION FOR INDIVIDUAL HEALTH INSURANCE PREMIUM – TRIGON RENEWAL

Mrs. Glenice Townsend, Fiscal Officer, presented the renewals for the County's Health Insurance Program for FY99, which shows a $10.00 per month increase on an individual premium.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to increase the County's contribution to an individual's health insurance premium by $10.00, from $150.00 to $160.00 per month, using funds returned by the sale of Trigon stock.

IN RE: NEEDS ASSESSMENT – COUNTY-WIDE GIS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administration is authorized to seek proposals for a needs assessment for a county-wide GIS, estimated cost $10,000.00 to $15,000.00, to be funded from the FY96 CIP.

IN RE: OFFER TO PURCHASE PROPERTY – MIDWAY SCHOOL SITE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to pursue an option on nineteen (19) acres adjacent to Midway Elementary School.

RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 3:45 P.M. to be continued to 5:00 P.M. on Wednesday, March 4, 1998 for an Executive Session.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 4th DAY OF MARCH, 1998, AT 5:00 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 (Sheriff, EMS); Section 2.1-344 (A) 3 - Discussion or consideration of condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property, or of plans for the future of a state institution of higher education which could affect the value of property owned or desirable for ownership by such institution; Section 2.1-344 (A) 5 - Discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating in the community; and Section 2.1-344 (A) 7 - Consultation with legal counsel (Group Home; Courthouse Contract) the Board moved into Executive Session at 5:15 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M. in the Board Meeting Room of the Pamplin Administration Building.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mrs. Everett, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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.

RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 7:33 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R Martin Long
R. Martin Long
County Administrator

/pam

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 4th DAY OF MARCH, 1998, AT 7:30 P.M.

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

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 7:34 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda. There being none Mr. Bracey moved forward.

IN RE: MINUTES

Mrs. Everett stated there was an error in the minutes of the regular meeting on February 18, 1998 under the Zoning Administrator - Report. She stated that it should read Flank Road not Plank Road.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the February 18, 1998 continuation meeting; February 18, 1998 regular meeting; and the February 24, 1998 continuation meeting are approved, with correction, in their entirety.

IN RE: CLAIMS

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1009420 - 1009617 (void checks numbered 1007676; 1009325; 1009326; 1009422; and 1009507); for Accounts Payable in the amount of $226,388.09: General Fund $146,232.82; Jail Phone Commission $88.50; E911 Fund $368.00; Self Insurance Fund $13,346.40; Law Library $483.63; Fire Programs and EMS $2,785.19; Forfeited Asset Sharing $481.17; and County Capital Projects $62,602.38. Payroll for February 27, 1998 in the amount of $288,007.93 was also approved and appropriated: General Fund $287,283.52 and CDBG Fund $724.41.

IN RE: APPROVAL OF REQUISITION #~~13~~ 14 – COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated Requisition #14 for the Courthouse consists of payment to:

COMMUNICATIONS SPECIALISTS	$ 2,870.00
GULF SEABOARD GENERAL CONTRACTORS, INC.	196,909.35
TOTAL OF THIS REQUISITION	$199,779.35

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 14 in the amount of $199,779.35 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if any citizens had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, stated she had several names. The following people addressed the Board:

1. Robert Belcher, 27516 Flank Road, came forward to thank the Virginia Department of Transportation for clearing the trees on the 85 Exit and for patching the culvert in front of a neighbor's house. Also he wished to thank whomever was responsible for seeing that the used car lot on Flank Road was cleared.

   Mr. Belcher stated that he had received a telephone call from Mr. Bob Tender. Mr. Tender is interested in placing a nursing home in Dinwiddie County. There will be a Public Hearing at the Prince George Police Building on March 11th at 1:00 P.M. He encouraged the citizens to come and hear what they have to say as he felt a nursing home would be beneficial to the County.

2. Mr. Russell Garrison, 1117 Oakwood Drive, Colonial Heights, came forward to ask the Board of Supervisors to endorse him for reappointment to the Board of Game and Inland Fisheries. Four years ago he had appeared before them and they were gracious enough to endorse him at that time.

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

   BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to draft a letter to the Governor endorsing Mr. Russell Garrison for another term on the Board of Game and Inland Fisheries.

3. Ms. Samantha Ellis, 25411 Grant Avenue, Petersburg, came forward to voice her concerns regarding the Rohoic Elementary dump site. She expressed reluctant feelings about visiting the site without her husband. She stated there are always persons loitering and digging through the trash bins. She stated that often it looked like a Swap Meet even though she knew that it was illegal.

   There was discussion between Ms. Ellis, Sheriff Shands, Mr. Long and the Board of Supervisors regarding the current coverage of the site and what legal steps might be able to be taken to make it safer for all citizens. Mr. Bracey stated that the Board would address the matter and requested that Ms. Ellis contact the County Administrator when she sees this activity taking place.

Mr. Bracey asked if there was any citizen present that had not signed up but wished to speak at this time. There being none Mr. Bracey moved forward.

IN RE: RESOLUTIONS OF RECOGNITION - CONNIE B. ROSE - VAN G. WOODELL - LEGERT HAMILTON

Mr. R. Martin Long, County Administrator, came forward to present the Resolutions of Recognition.

Mr. Long asked Mrs. Connie B. Rose to come forward. He read and presented Mrs. Rose with the following Resolution:

RESOLUTION
OF THE
DINWIDDIE COUNTY BOARD OF SUPERVISORS
MARCH 4, 1998
IN RECOGNITION OF
CONNIE B. ROSE

WHEREAS, Connie B. Rose has served the County of Dinwiddie, as Chief Deputy for the Treasurer, with distinction and integrity from February, 1980 until February, 1998 and

WHEREAS, the Board of Supervisors on this 4th day of March, 1998 is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Connie B. Rose for her many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be delivered to Connie B. Rose, and a copy spread upon the minutes of this meeting.

Mrs. Rose thanked the Board.

Mr. Long asked Mr. Legert Hamilton to come forward. Mr. Long read and presented the following Resolution:

RESOLUTION
OF THE
DINWIDDIE COUNTY BOARD OF SUPERVISORS
MARCH 4, 1998
IN RECOGNITION OF
LEGERT HAMILTON

WHEREAS, Legert Hamilton has served the County of Dinwiddie, on the Dinwiddie County Planning Commission, with distinction and integrity from December, 1993 until December, 1997 and

WHEREAS, the Board of Supervisors on this 4th day of March, 1998 is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Legert Hamilton for his many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Legert Hamilton, and a copy spread upon the minutes of this meeting.

Mr. Hamilton thanked the Board.

Mr. Long asked that Mr. Van G. Woodell to come forward. Mr. Woodell was unable to attend. Mr. Long stated that Mr. Woodell had served on the Dinwiddie County Airport Industrial Authority from September 1993 until January 1998. The following Resolution will be mailed to Mr. Woodell:

RESOLUTION
OF THE
DINWIDDIE COUNTY BOARD OF SUPERVISORS
MARCH 4, 1998
IN RECOGNITION OF
VAN G. WOODELL

WHEREAS, Van G. Woodell has served the County of Dinwiddie, on the Dinwiddie County Airport Industrial Authority, with distinction and integrity from September, 1993 until January, 1998 and

WHEREAS, the Board of Supervisors on this 4th day of March, 1998 is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Van G. Woodell for his many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Van G. Woodell, and a copy spread upon the minutes of this meeting.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County , Virginia the above Resolutions of Recognition for Connie B. Rose, Legert Hamilton, and Van G. Woodell be approved and a copy spread upon the minutes of this meeting.

IN RE: FORD VOLUNTEER FIRE DEPARTMENT – REQUEST FOR REPAIR OF FIRST RESPONDER UNIT

Mr. Dennis Hale, Chief of the Ford Volunteer Fire Department, came before the Board to request funds to repair the Department's First Responder Unit. Mr. Hale stated that they contacted five (5) vendors for bids and received three (3) complete bids. That is for complete replacement of the engine and some other minor repairs that need to be performed while the engine is out of the truck. This is preventive maintenance in order to make sure that when we put the new engine in that we are not going to have a continuing problem to follow. The low bid was from Tri City $2,783.00, with approximately $50.00 to tow the vehicle from its storage area to them. This makes a total of $2,833.00 to repair this unit and place it back in service.

Mr. Moody asked about the guarantee.

Mr. Hale stated that the standard guarantee for the motor that will be going into the unit is 36,000 miles or 36 months. They half the guarantee for fire department use. This would make our warranty 18,000 miles or 18 months.

Mrs. Everett asked if they had been out of service since January 20, 1998.

Mr. Hale stated it has been out of service since January 20th. Currently the whole program is out of service because we were using a borrowed unit from Company One. Their unit went down with radio problems so they had to have their back up unit back so therefore we have no service at all. Their unit just went down yesterday.

Mr. Clay asked about the age of the van in need of repairs.

Mr. Hale stated it is a 1984 van.

Mr. Long asked if this would be a completely new engine.

Mr. Hale stated yes, they cannot rebuild the engine that we have because there is too much damage done it.

Mr. Bracey they will put in a new engine and use what parts they can such as the carburetor—

Mr. Hale interrupted stating carburetor, water pump, they are all fairly brand new on the truck so the only thing that we have to replace is the belts, hoses, and wiring. They are going to, while they have it out, pressure test the radiator and so forth to make sure that we are not going to have a problem there when we put it back in.

Mr. Bracey asked if the low bid came from Tri-City.

Mr. Hale stated yes.

Mr. Bracey asked where Tri-City was located.

Mr. Hale stated he thought it was on Puddledock Road. This engine would be a Jasper engine.

Mrs. Everett asked if there were funds, under maintenance, available for this to be done.

Mrs. Ralph stated that this would come out of the capital category, not maintenance. She continued by stating yes right now the funds are available.

Mr. Bracey asked the Board if there were any other questions for Mr. Hale.

Mr. Bracey asked how long.

Mr. Hale stated probably two (2) weeks. Mr. Hale continued by stating that they hope to have Company One's back up unit back tomorrow, providing that their truck gets their radios repaired. So we are hoping to have no gap in service, any longer than tonight.

Mr. Moody asked Mr. Clay if this was a fairly good price?

Mr. Clay stated that he was not real familiar with the truck but he thought so.

Mr. Hale stated this was the problem, as they could see from one of the bids, most of these people do not wish to fool with a van because they have to disassemble the whole front end of it to get the motor in. That is the reason the labor price is so high.

Mr. Clay asked if the rest of the van was in pretty good shape.

Mr. Hale stated that almost everything under it had been replaced in the last twenty-four (24) months. This will up the repair total in the last thirty (30) months to over $6,000.00.

Mr. Clay continued by stating what he was thinking about was that we do not want to put a $2,800.00 engine in a van that is not going to last but six (6) months.

Mr. Hale stated with the wear and tear that is on it, being a six (6) cylinder motor, it lasted about two (2) years from the time we – it was just a unit we use for transporting around. We put it into this first responder mode and it went less than two (2) years before it blew the motor. That in line six motor is not made – a gasoline motor is just not made for us to come in and crank them up and go from zero to seventy miles per hour. It just won't last.

Mr. Bracey asked Mr. Hale to tell him this. Suppose we said no and let's talk again.

Mr. Hale stated that the main thing they were concerned with was the gap in service.

Mr. Bracey stated that he understood what Mr. Clay was coming to. He wondered if we could hold this one, Mr. Hale, for a day or so and make a decision.

Mr. Hale stated sure. He stated as long as we can accept that gap in service till we get that back up unit back. He felt that this was acceptable.

Mrs. Everett asked about the equipment on this van. She wanted to know what type of special equipment was on this van.

Mr. Hale stated that the van has been stripped and all the equipment is sitting in the middle of the bay at this time.

Mr. Bracey asked if they had taken it out of the truck.

Mr. Hale stated it was out of the truck and sitting in storage at the auto yard over here.

Mr. Moody asked what was on this van that would not be on a regular van.

Mr. Hale stated that it had lights and sirens.

Mr. Moody asked if the rest of it had been taken out?

Mr. Hale repeated, the rest of it had been taken out. He continued by stating that they had put in storage cabinets to hold the equipment and keep it from flying around in the cab but that was minimal.

Mrs. Everett asked how many miles were on this vehicle.

Mr. Hale stated a little over sixty thousand (60,000). But again with a fire department unit you can not go by miles because you may drive two (2) miles to the call and the unit may sit there six (6) hours idling. The engine running time is what needs to be assessed. This unit does not have an engine running meter on it.

Mr. Bracey stated to Mr. Moody that this is in his district.

Mr. Moody asked if they were putting a six (6) cylinder back in this vehicle.

Mr. Hale stated that is what came in it, that is what is in it, that is what has to go back.

Mr. Moody asked if an eight (8) would go in it.

Mr. Hale stated that he doubted that could be done, at least not without doing some major cutting to the engine mounts. Mr. Hale stated that the biggest thing is that even if you take the six (6) out and put an eight (8) in it is going back with a gasoline engine. We need to go with a diesel. The idling three (3) and four (4) hours at a time at a fire scene is what kills a gasoline engine. It just can not take that type of wear and tear.

Mr. Moody asked if the old van lasted two (2) years when you put it in first responder.

Mr. Hale stated yes sir, it was just a unit that we used to transport people around. We put it into front line service and it didn't—

Mr. Bracey asked how many miles in two (2) years.

Mr. Hale stated that it had about forty thousand (40,000) on it when it was placed in front line service. It wasn't designed to do what it was doing. It was supposed to be a stop gap measure until we could get something with a diesel motor and we just have not been able to do that.

Mr. Bracey again stated Mr. Moody it is your district, could you go by there, look at the vehicle – he stated he could not picture what it is.

Mr. Hale stated that it is just an Econoline 250 van that has been converted.

Mr. Bracey stated no windows or anything?

Mr. Hale stated no sir – it looks just like the green one that Company One has.

Mr. Bracey stated so you would take on just about the same in better condition?

Mr. Hale stated not unless it had a diesel motor, he would rather have that one back. He stated he felt this way because this one already had the cabinets etc in it. We would not have to redo anything.

Mr. Bracey stated ok.

Mr. Hale stated if we are going to replace it or look at replacing it, do it right, get something with a diesel motor in it that will stand up to the riggers that we are putting it through.

Mr. Moody stated that the only thing that he would see do is, if they want to see if they can find something really good that is used, with a diesel engine, we can wait on it until a couple of weeks or so. If not this is probably the best we can do for now. If you like we can give them a couple of weeks to see what they can find but we do not have but so much money in the capital funds.

Mr. Bracey asked Mr. Hale if that was satisfactory with the other Board members. Let's let everyone scout about and when we come back we will make a decision one way or the other. He asked Mr. Hale if that was fair enough?

Mr. Hale answered sure.

Mr. Bracey thanked Mr. Hale and called for the next item.

IN RE: SC-98-1 – HARPERS MILL ROAD/ NAME CHANGE TO HARPERS BRIDGE ROAD

Mr. William C. Scheid, Director of Planning, came forward to present SC-98-1. He stated this was a road name change request. This name change request originated from Brunswick County. They are requesting we change the name of Harpers Mill Road to Harpers Bridge Road to coincide with the name of this road in Brunswick County . There would be no residents affected in Dinwiddie County and in Brunswick County there are several residents living on this road. In Section 17.5-24(1) of the Dinwiddie County Code it encourages the extension of common road names between adjacent jurisdictions.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that approval is granted to change the name of Harpers Mill Road to Harpers Bridge Road per SC-98-1 request.

IN RE: SC-98-2 – FRANCES DRIVE/NAME CHANGE TO JEAN LANE

Mr. Scheid again addressed the Board with a request for a name change from Frances Drive to Jean Lane. This change was submitted by the Planning Department. Problems have arisen regarding the duplication of this street name. In the 1970's Stony Springs Subdivision was developed. There are homes on this street. In the early 1990's a private road subdivision was developed off Butterwood Road near the Dinwiddie airport. One of the street names requested was Frances Drive. An error was committed when the Planning Department permitted the road to be named Frances Drive. Now there are four (4) occupied homes and one (1) under construction on this street. Problems have arisen with the Voter Registrar, UPS deliveries and FedEx deliveries. Fortunately, there have not been any calls for emergency services. But the fact that there is a name duplication within the County is a problem which must be corrected. Since the residents of Stony Springs were assigned the street name first, it was decided to change the name of the private road. The developer of the property suggested Jean Lane. On February 18th, I visited with the residents of the private street and explained the situation to them. They agreed to change the street name from Frances Drive to Jean Lane. As required by Section 17.5-27, the procedures were followed and more than 75% of the residents fronting this street signed a petition to have the street name changed to Jean Lane.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that approval is granted to change the name of Frances Drive to Jean Lane per SC-98-2 request.

IN RE: P-97-17 – GREEN ACRES MOBILE HOME PARK

Mr. Scheid came forward to present an update on P-97-17. He stated this was a continuation and not a Public Hearing but this was a follow up on the proffers. He read the following from his memorandum to the Board. At the February 4th meeting of the Board of Supervisors, action was delayed on the above referenced request until additional information could be obtained on the following:

1. The height of the recently installed chain link fence along the side property line between the mobile home part and the property of Mrs. Agnes Ozmar; and

2. Discussions with staff and Mr. Forrest regarding recreational facilities for the children residing in the existing MHP.

The applicant proffered the construction of a 6' fence. The fence that was erected is 5'. I have spoken with Luther Russell of Russell Fencing Company and have agreed to extend the height of the fence by adding an extension arm at the top with 3 strands of smooth wire. He stated to me that Mr. Forrest has agreed to the work and he was instructed to proceed. It is worth noting that Mr. Russell and Mr. Forrest had a misunderstanding on the fence height.

Mr. Tim Smith, Director of Recreation for Dinwiddie, and I visited the site several weeks ago. We developed a plan for recreational facilities for the teens and the younger children. A meeting was held with Mr. Forrest and his attorney and an agreement was reached on the recreational facilities.

Mr. Scheid continued that he would like to explain a copy of a letter that they recently received from his department which he felt needed clarification. Mr. Forrest is not making additional proffers; he is only stating how he planned to carry out the previous proffers. This letter addresses original proffer number three (3). He, Mr. Forrest, has agreed to have two (2) lots. He is proposing to have a "tot lot" recreational area of approximately ½ acre will be created and maintained by Green Acres separate from the youth recreational area. A recreational area for youth (teenagers) will be created by Green Acres, tentatively in the area discussed with Mr. Scheid to consist of basketball goals and benches for spectators. These recreational areas would be created in the existing park. Any other statements made in this letter should be disregarded as any proffers must be made prior to the Public Hearing which had already been held.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that P-97-17, Rezoning Request for Green Acres Mobile Home Park be removed from the table.

There was discussion regarding the proffers and the plans for carrying them out. It was decided that these recreational areas should be in place within a sixty (60) day time period. The Board

understands that some equipment may not be received within this time period. This was agreeable with all parties involved.

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

BE IT ORDAINED BY THE Board of Supervisors of Dinwiddie County, Virginia, that the Zoning Map of the County of Dinwiddie be amended by changing the district classification of Section 33, Parcel 69B (a portion thereof), containing approximately 9.1 acres, from Business, General, B-2 to Agricultural, General, A-2. This rezoning shall include the following proffers, as stated in the letter of December 31, 1997, and recommended by the Planning Commission:

1. A chain link fence at least 6 feet high shall be erected along the property line of the park and concerned neighbor from Route 1 to the rear of the property. The fence shall be maintained and repaired by Mr. Forrest or subsequent owner(s).

2. Any debris on Ms. Ozmore's property that can be determined to have originated from current or previous residents of the Park shall be cleaned up and removed by Mr. Forrest.

3. An open space recreation area shall be created by Mr. Forrest for the use of the Park residents. Two proposed lots have been eliminated from the proposal to provide this space.

This ordinance shall become effective immediately and in all other respects, said zoning maps remain unchanged, and

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: PUBLIC HEARING – C-98-1 – NEXTEL COMMUNICATIONS

Mr. Scheid again came forward to present C-98-1. The information on this case was forwarded to the Board in the last packet. At that time, at a day meeting, he was requested to supply some supplemental data, since this is a Public Hearing that is being held on this particular case. In trying to obtain that supplemental material for them, he apologized for it arrived piece meal, but it is the kind of thing that we got on the phone immediately, we called different jurisdictions, we asked different departments, services, individuals, to supply us data as fast as they could. Some people supplied data faster than others. Some just ignored us and did not send us what they had promised. There is in the information package some of the items that were requested. One item requested was a buffering concept and the one you see in your information package was submitted by the Forestry Service. Also enclosed is a memorandum from Mr. John M. Altman, Jr., Senior Planner/Zoning Administrator, which was addressed to Mr. Scheid. This is in regard to what they have at the City of Virginia Beach, Virginia. This information is supplied by the Arborist, Mr. Roger Huff. Mr. Scheid stated he was also asked to give some other supplemental information regarding the tower, the 360 tower, that is located in the immediate vicinity. There is no co-location requirement placed upon that tower. At this point Mr. Scheid read the memorandum from Mr. Altman, Jr. He also read the recommendation of the Planning Commission. He read an excerpt from the Planning Commission minutes which listed the following eighteen (18) conditions:

1. The proposed tower shall not exceed one hundred eighty-five (185) feet in height.
2. The applicant, Nextel, shall allow at least two (2) other wireless telecommunications providers to locate on the tower and site; and shall provide the County, upon request, verifiable evidence of having made a good faith effort to allow such location.
3. The applicant shall provide the County collocation opportunities without compensation as a community benefit to improve radio communication for County departments and emergency services provided it does not conflict with the co-location requirements.
4. The applicant must obtain staff approval for additional antenna co-location. No administrative approval shall constitute or imply support for or approval of, the location of additional towers, antenna, etc., even if they may be part of the same network or system as any antenna administratively approved under this section.

5. No commercial advertising material shall be permitted on the communications antenna or tower and any associated support buildings.

6. The tower shall be designed and adequate separation provided to property lines and adjacent dwelling such that in the event of structural failure, the tower and components will remain within the property boundaries, and not endanger such dwellings.

7. All communications antennas or towers shall be enclosed by security fencing not less than six (6) feet in height and shall also be equipped with an appropriate anti-climbing device.

8. Any combination of landscaped vegetative buffers, landscaped earthen berms, or preservation of existing vegetation shall be provided around the perimeter of the site of the telecommunication tower and associated support buildings to effectively screen the view of the base of the tower from the adjacent road. The standard buffer shall consist of a landscaped strip at least five (5) feet wide outside the perimeter of the compound.

9. The proposed telecommunications tower and all associated antennas must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate antennas and towers. If such standards regulations are changed, then the owners of the antennas and towers shall bring such antennas or towers into compliance with such revised standards as required. Failure to bring antennas and towers into compliance with such revised standards and regulations shall constitute grounds for the removal of the antenna or tower at the owner's expense.

10. A copy of any FAA, FCC, and any other governmental agency approval must be on file before a Certificate of Occupancy is issued.

11. The telecommunications antenna or tower shall be designed and installed so as not to interfere with the Dinwiddie County Public Safety Communications System. The applicant shall perform an engineering study to determine the possibility of radio frequency interference with the County system. Prior to release of a building permit, the study shall be submitted to, and approved by Dinwiddie County Administration.

12. The developer shall be responsible for correcting any frequency problems which affect the Dinwiddie County Public Safety Communications System caused by this use. Such corrections shall be made immediately upon notification by the Dinwiddie County Administration. If any property owner should have any interference problem with his or her electrical equipment, which is confirmed by the County Planning Department to have been caused by this tower, Nextel will investigate the problem, devise a solution, and replace any damaged equipment attributable to that problem.

13. The antennas and tower shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness. Dish antennas will be of a neutral, non-reflective color with no logos.

14. Antennas or tower shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, a red beacon light shall be required by the County. No strobe lighting will be permitted.

15. At such time that the telecommunications antennas or tower ceases to be operated for a continuous period of twelve (12) months the owner of such antenna tower and/or real estate shall remove same and associated equipment within ninety (90) days of receipt of notice from the Dinwiddie County Planning Department of the removal requirement. Removal includes the removal of the antennas, tower, fence, footers, underground cables, and support buildings.

16. The owner of the tower shall carry a liability insurance policy covering damages to adjacent properties resulting from structural failure. This liability coverage shall be in the amount of one million (1,000,000) dollars. Proof of

insurance coverage in form acceptable to the Director of Planning will be provided upon request with notice of cancellation to the County required.

17. The owner shall have a safety inspection conducted by a registered professional engineer licensed in the Commonwealth of Virginia upon completion of construction of the tower and such report shall be filed with the Zoning Administrator. Anytime thereafter, upon request by the County, a current inspection report shall be made available. Specifically, the report shall state if the tower is structurally sound and being used for wireless telecommunication service.

18. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions.

As you are aware the location of this tower is on Boydton Plank Road. It would be the east side of Boydton Plank Road, near the intersection of Duncan Road. This property is zoned M-1 and is approximately 2.27 acres. It is identified on the Tax Map as Parcel 21-51 A & B. This is the old tobacco warehouse property..

Mr. Scheid asked if there were any questions for him at this point.

There being no questions for Mr. Scheid, Mr. Bracey asked Mr. Howard Martin, Attorney for Nextel Communications, to come forward.

Mrs. Everett asked Mr. Martin if they had pursued any co-location on the 360 tower.

Mr. Martin stated that they are trying to do that but the problem with that tower, for them, was that it is too far away. It is about ¾ of a mile away; it is too close to their Petersburg site. Also the location that is available on that site is 35' below where they would need to be.

Mr. Tickle asked the following – What rights do we as a County have to have you and your company or any other wireless communication company to, once they enter our County limits to reline your system?

Mr. Martin stated that was a problem as far as the County is concerned. He felt that the County's responsibility was to look at any site that is presented to them and determine if there is a substantive reason for the County not to allow them to go there. It is very, very difficult for the County to be able to engineer a radio frequency system in our network and he did not think any of the communications companies will be having anyone else doing that engineering for them. He felt that under the telecommunications act it would be impossible for the County or any other political jurisdiction to say you must put your tower here or you must have this kind of separation. He felt it was the County's responsibility to look at the sites that are presented.

Mr. Tickle asked Mr. Martin, as he understood the telecommunications act – is that as a County once you enter our lines we cannot require you to realign so that you would be staggered.

Mr. Martin stated that was correct.

Mr. Tickle continued with question number two. The 360 Communications they are giving them an alignment on their tower that is less than what you would like. Now if we grant this request for you are you going to tell 360 or Mike Tickle's Communications that you are going to put me low on the pole so that I cannot function that way. Are you going to limit where they are going to want to align? Are you going to do the same thing that 360 did to you?

Mr. Martin stated he did not believe so. What they planned to do on this tower, we are at 185', they plan to be at the very top of that tower. Under the technology of the system you can have other users on that tower at different levels. There has to be a separation, 15 to 20 feet, so we could have somebody else in there at 165' and somebody else at 150'. That would be a workable arrangement for many of the users that are coming down the pipe. When we allow someone else to come on to our tower then that means that we can go on to one of their towers. We will have space for two other wireless communications and the County on this

tower. Mr. Martin passed out literature to the Board showing pictures of this tower in several settings around the State.

There was discussion between Mr. Martin and the Board regarding buffers around this site. Mr. Martin stated they would like to put some screening in the front of this site. What they propose is an at least a six (6) foot privacy fence, a wooden fence. Behind that fence we will install on 15' centers what is viewed by the Virginia Beach Planning Department as the best type of screen for this type of facility which is a Leyland Cyprus tree. It is an evergreen tree that grows to height of 40 to 50 feet, maybe even 60'. This will take time. We would have the wooden fence along the front and probably around the corner, maybe back to the edge of the building and then maybe around the other corner a similar distance. In talking with Mr. Tickle, he expressed a concern for the rest of the site. Buffering around all 360 degrees of the site, if you have seen that site you will know that presently it has trees on about three sides. The only area that isn't buffered by trees is that front which he had already addressed. Mr. Tickle expressed to him, what may be a valid point, and that is suppose the property on this side, or that side, etc., is sold and developed for industrial or commercial property and they need the property right up to the line and they cut the trees down. What is was prepared to suggest as a condition or as an addition to your landscaping conditions tonight, is not only will they do what across the front as he had explained but will go along the entire perimeter of that site. It does not seem to make a whole lot of sense right now but in the eventuality that Mr. Tickle was concerned about it would provide that Leyland Cyprus tree buffer through 1600' of perimeter, 500' deep, 300' across the back, 500' down one side and of course the fencing.

Mr. Tickle stated he would not want him to do that; he was most concerned about the fence line around the monopole. He stated he would be happy if he would just do the back side and the two sides.

Mr. Martin stated he was not sure that he understood Mr. Tickle's request. He thought they were talking about the entire perimeter of the site.

Mr. Tickle stated what he was trying to do was to suggest to the Board that they come up with a standard operation of how to handle the fenced in rectangle area. He stated that Mr. Martin had misunderstood him and he apologized. Mr. Tickle stated he was concerned with the compound only.

Mr. Bracey stated this is a Public Hearing and asked if any citizens had signed up to speak.

The following came forward to address the Board regarding the tower for Nextell Communications:

1. Mr. Norman Harris, Jr., 849 Willcox Street, Petersburg, VA. , came forward and spoke in favor of this tower. He stated that towers are essential to the communications industry.
2. Mr. Robert Belcher, 27516 Flank Road, Petersburg, VA., came forward and spoke in favor of this tower. He felt this was important for the safety of citizens and he wanted to be sure that communications is strictly a necessity.

There being no further citizens signed up, he closed the Public Hearing.

There was some additional discussion between the Board regarding the site and buffering of this tower. Upon completion of this discussion Mr. Bracey called for a motion.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the conditional use permit request of Nextell Communications, Inc., to allow them to construct a one hundred eighty-five (185) foot tall telecommunications tower on Tax Parcel 21-51B, located on the east side of Boydton Plank Road (US Route 1) north of Duncan Road (Route 670), request number C-98-1 is approved with the following conditions recommended by the Planning Commission:

1. The proposed tower shall not exceed one hundred eighty-five (185) feet in height.
2. The applicant, Nextel, shall allow at least two (2) other wireless telecommunications providers to locate on the tower and site; and shall provide the County, upon request, verifiable evidence of having made a good faith effort to allow such location.
3. The applicant shall provide the County collocation opportunities without compensation as a community benefit to improve radio communication for County departments and emergency services provided it does not conflict with the co-location requirements.
4. The applicant must obtain staff approval for additional antenna co-location. No administrative approval shall constitute or imply support for or approval of, the location of additional towers, antenna, etc., even if they may be part of the same network or system as any antenna administratively approved under this section.
5. No commercial advertising material shall be permitted on the communications antenna or tower and any associated support buildings.
6. The tower shall be designed and adequate separation provided to property lines and adjacent dwelling such that in the event of structural failure, the tower and components will remain within the property boundaries, and not endanger such dwellings.
7. All communications antennas or towers shall be enclosed by security fencing not less than six (6) feet in height and shall also be equipped with an appropriate anti-climbing device.
8. Any combination of landscaped vegetative buffers, landscaped earthen berms, or preservation of existing vegetation shall be provided around the perimeter of the site of the telecommunication tower and associated support buildings to effectively screen the view of the base of the tower from the adjacent road. The standard buffer shall consist of a landscaped strip at least five (5) feet wide outside the perimeter of the compound.
9. The proposed telecommunications tower and all associated antennas must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate antennas and towers. If such standards regulations are changed, then the owners of the antennas and towers shall bring such antennas or towers into compliance with such revised standards as required. Failure to bring antennas and towers into compliance with such revised standards and regulations shall constitute grounds for the removal of the antenna or tower at the owner's expense.
10. A copy of any FAA, FCC, and any other governmental agency approval must be on file before a Certificate of Occupancy is issued.
11. The telecommunications antenna or tower shall be designed and installed so as not to interfere with the Dinwiddie County Public Safety Communications System. The applicant shall perform an engineering study to determine the possibility of radio frequency interference with the County system. Prior to release of a building permit, the study shall be submitted to, and approved by Dinwiddie County Administration.
12. The developer shall be responsible for correcting any frequency problems which affect the Dinwiddie County Public Safety Communications System caused by this use. Such corrections shall be made immediately upon notification by the Dinwiddie County Administration. If any property owner should have any interference problem with his or her electrical equipment, which is confirmed by the County Planning Department to have been caused by this tower, Nextel will investigate the problem, devise a solution, and replace any damaged equipment attributable to that problem.
13. The antennas and tower shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness. Dish antennas will be of a neutral, non-reflective color with no logos.

14. Antennas or tower shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, a red beacon light shall be required by the County. No strobe lighting will be permitted.

15. At such time that the telecommunications antennas or tower ceases to be operated for a continuous period of twelve (12) months the owner of such antenna tower and/or real estate shall remove same and associated equipment within ninety (90) days of receipt of notice from the Dinwiddie County Planning Department of the removal requirement. Removal includes the removal of the antennas, tower, fence, footers, underground cables, and support buildings.

16. The owner of the tower shall carry a liability insurance policy covering damages to adjacent properties resulting from structural failure. This liability coverage shall be in the amount of one million (1,000,000) dollars. Proof of insurance coverage in form acceptable to the Director of Planning will be provided upon request with notice of cancellation to the County required.

17. The owner shall have a safety inspection conducted by a registered professional engineer licensed in the Commonwealth of Virginia upon completion of construction of the tower and such report shall be filed with the Zoning Administrator. Anytime thereafter, upon request by the County, a current inspection report shall be made available. Specifically, the report shall state if the tower is structurally sound and being used for wireless telecommunication service.

18. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions.

19. The developer shall install on the perimeter of the M-1 zoned site the following landscape buffers:

    a. On the road frontage of Route 1 (except for the actual driveway), Leyland Cypress (or equivalent) trees at fifteen (15) foot intervals.

    b. On the road frontage of Route 1 (except for the actual driveway), a six (6) foot wooden privacy fence.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: FIVE MINUTE RECESS

Mr. Bracey called for a five minute break at 9:05 P.M.

Mr. Bracey called the meeting back to order at 9:10 P.M.

IN RE: WEST PETERSBURG & VICINITY AWARENESS, INC. – PRESENTATION

Ms. Pauline H. Bonner, Director of WPVA came forward and thanked the Board for allowing them to give this presentation. This presentation was given to the Governor's Conference last November in Roanoke. She stated they had a problem with people thinking they were from Petersburg but they made sure that everyone understood they were from Dinwiddie County. She introduced Rev. Peter Jeffreys who made the presentation.

Mr. Jeffreys gave the presentation on the accomplishments of WPVA in Community Revitalization. He talked about WPVA's beginnings, home building & rehabilitation, home ownership education, crime prevention, youth development, project and operations financing, and award winning efforts.

Mr. Bracey thanked Mr. Jeffreys and the members of WPVA, Inc. for coming and applauded them on their accomplishments.

IN RE: COUNTY ADMINISTRATOR COMMENTS – INDUSTRIAL ACCESS ROAD

Mr. Long stated that he had enclosed some good new information in the Board packets which the VDOT Richmond office forwarded to us. This information indicated to us that the Commonwealth Transportation Board had approved up to $450,000.00 worth of funding toward the industrial access road for the TXI Project.

IN RE: COUNTY ADMINISTRATOR COMMENTS – SPECIAL ENTERTAINMENT PERMIT

Mr. Long continued by stating that he had presented to them, at a budget workshop last week, a special entertainment permit. At that time the Board had requested him to clarify this request. He had spoken to the applicant and satisfied all the concerns. It is going to be held at the Dunkin Donuts near the 85 interchange. It will be occurring on Thursday through Sunday beginning March 5th and ending on March 22nd. Because this is a first time request it does require Board action.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator to approve the above referenced Special Entertainment Permit for Contemporary Marketing.

IN RE: COUNTY ADMINISTRATOR COMMENTS – CONWAY DATA INC./SITE SELECTION – ADVERTISEMENT

Mr. Long stated the third item in their packet was on information he had received from Conway Data regarding the magazine entitled Site Selection, which focuses on economic development. Mr. Steve Jabon, Senior Development Manager for Conway Data had contacted him and indicated that the April 1998 issue will feature the TXI/Chaparral Project and thought it would be a good opportunity for the County to advertise and in this particular case, because of the feature article, Mr. Long agreed. He stated he could work with the County if the Board chooses to authorize expenditure for placing an advertisement. He stated that prices for such advertisement were enclosed in the packet.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to place an advertisement in the April 1998 edition of Site Selection Magazine not to exceed $2,500.00.

IN RE: SHERIFF'S DEPARTMENT – AUTHORIZATION TO HIRE EC7 POSITIONS

Mr. Long stated he had one more item. At the last meeting we had the question of two (2) positions come up for the Sheriff's Department. Mr. Long stated the Sheriff was present if the Board was prepared to take action on the approval of the hiring of those positions. There are two (2) County funded positions and one (1) State funded position.

The two (2) County position are 100% County funded and the State position is paid by the State Compensation Board, is that right asked Mr. Bracey? Mr. Bracey stated at this point we only need aye or nay on the two (2) County position - right – or do we need to do all three?

Mrs. Ralph stated there are some things the County still provides for the State position.

Mr. Bracey stated then all we need to do is approve the two (2) County positions.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Sheriff's Department to hire two (2) Classification EC7 positions to be funded by the County.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay - no comments

Mrs. Everett - no comments

Mr. Moody – no comments

Mr. Tickle – no comments

Mr. Bracey – no comments

Mr. Bracey asked if there was any additional information to come before the Board before they take care of some budget matters.

Mrs. Ralph stated that he might like for the public, that is still here, to know that you are planning, or have thought about continuing and having a budget session tomorrow afternoon. The plan at this time is at 5:00 P.M. tomorrow, March 5th, to hold a public budget workshop in the Conference Room.

IN RE: FIVE MINUTE RECESS

At the request of Mr. Tickle the Board recessed for five minutes at 9:50 P.M.

IN RE: FY-99 BUDGET WORKSHOP – SCHOOL BUDGET; CIP

Mr. Bracey stated this was a budget workshop meeting for us to try to finish up the school budget. There were several concerns and therefore we called or asked for this meeting. One concern was the funds for the roofs or the project or just what the situation is. It came about that we did not quite understand what the School Board was saying about the High School and a ten (10) year contract for warranty. We would like to know just what we are doing, because Mr. Bracey said he had been here ten (10) years and every year he hears something about we did not have because of the fact that we had to do some work on the roof. Mr. Clay has been on the Board twenty some years and Mr. Bracey knows that he has also heard it. He stated that he felt it was time for us to settle that problem up, now and for ever more – meaning the roof problem. We even bought equipment some years ago to do a roof at the middle – he did not know what happened to the equipment, but that is bygone – but just what is the problem or how are we going to solve this roof problem. It seems that we have spent millions of dollars on a roof or several of them but every year we have some leaks. That is concern number one. When we get that straight in a few minutes we have one other and then we can all go home.

Mrs. Troilen Seward, Superintendent of School, asked Mr. Bracey if he would like for her to go through all the roof issues, in order that he will know where you are with all the roofs, or do you just want to know about those two (2) that are listed in the budget?

Mr. Bracey stated he thought what the Board was saying those two (2) that you have that is going to take care of the roof situation. Next year we will not have anything about a roof. The next year we will not have anything about a roof.

Mrs. Seward stated there is a ten (10) year warranty at Sunnyside which will end in the year 2000.

Mr. Bracey stated that she said he owed some money for that. If this to buy an extended warranty or something?

Mrs. Seward stated what they are asking for in this year's budget is to -- at Southside Elementary, she stated she wanted to share the whole history of the roof situation there, the original roof was put on that school when it was built in 1972. A new roof was put on in October of 1988. That roof came with a ten (10) year unconditional warranty. That warranty goes out this fall, October 1998. This is the school located on Route 1. That is a 70,000 square foot roof. We can get it re-coated at $1.60 per square foot. We have not taken bids, this is an estimate that the people have given us. We will have to obtain bids for this. That come out to $112,000.00. To replace that roof, if we do not re-coat that roof, to keep the warranty in force we may not have a problem next year. However, if we do when we have to go back to do something to that roof at 70,000 square feet $4.70 per square foot we would be looking at $329,000.00 to $3330,000.00 to replace that roof. We thing it is wise to spend this money now as a preventive maintenance plan.

Mr. Bracey was concerned about the ten (10) year warranty. He asked why when he checked with other localities and they put a roof on they get longer than ten (10) years for their warranty. Is it the cost that we pay?

Mrs. Seward stated that this particular kind of roof, its that spray foam with a top, which has actually been very satisfactory. In the same thing for the High School roof, we are talking, that has the same kind of roof on the old part of the High School, which was not covered in CIP, that warranty goes out October 1998. Those two (2) roofs were done at the same time. The cost for the High School 112,000 square feet at $1.50 per square foot come to about $168,000.00. The cost estimate to replace that roof would be approximately $525,000.00. Mrs. Seward stated that the School Board thinks it is very important that they maintain those warranties as opposed to letting the warranty go and then we do not have a warranty to call on. Midway's roof should not have to be worried about for a long time. The Middle School roof should not have to be worried about for a long time. The annex still has the flat roof but the main school does not. Southside you wouldn't have to worry about for ten (10) years, the High School wouldn't for ten (10) years, you would only have to look at –

Mr. Bracey stated part of it.

Mr. Seward stated part of it, right. Sunnyside roof's warranty goes out at 2000.

Mrs. Everett stated that there was concern that there were a lot of roofing expenditures in the last budget.

Mrs. Seward stated that was Rohoic Elementary.

Mrs. Everett stated the Board wished to know if they been expended, how much was spent, was there anything left in those roofing amounts, that sort of information.

Mrs. Seward stated she would like to give the Board a little Rohoic history. The kitchen, cafeteria area and the pump house roof were replace there in August of 1992. This was done with the Firestone Rubberized membrane roof. That too carried a ten (10) year warranty. Then this last year we just finished the roof last summer there. This was on the main section and the gym.

Mr. Bracey wanted to know what year Jim Hutchinson came to Dinwiddie County?

Alice Jones stated that he came in February 1992.

Mr. Bracey asked the roof was done when?

Mrs. Seward stated that the roof was done in August 1992.

Mr. Moody asked if that roof had a ten (10) year warranty?

Mrs. Seward stated yes.

Mr. Bracey stated then it did not make –

Mrs. Seward stated no no no, that was just the cafeteria, the dining area, the kitchen, what we just did at Rohoic this summer was the big building and the gym.

Mr. Bracey stated the first roof that they did was $28,000.00, right? With Jim Hutchinson? One of your Board members alluded to the fact that if he can get that kind of work done for that price then we are going to keep him. Ok, lets look at Rohoic going toward Sutherland, on that end of the building. That would be the west end. They did some work up there, the crane was there.

Mr. Tickle stated that was the dining area, kitchen. That was what they did in 1992, if that right?

Mrs. Seward stated that was on the Sutherland end of the building.

Mr. Tickle stated that is what they repaired because it was leaking.

Mrs. Seward that is correct.

Mr. Bracey asked if the part that was completed when Mr. Hutchinson first came to Dinwiddie was still under warranty?

Mrs. Seward stated that had a ten (10) year warranty and still has five (5) more years.

Mrs. Everett asked how much the roof that was just done cost?

Mrs. Seward stated the cost of that roof was $185,600.00.

Mr. Tickle asked what else had been done?

Mrs. Seward stated they were now doing the Dinwiddie Elementary roof.

Mr. Tickle asked what budget?

Mrs. Seward stated that was on this years budget.

Mr. Tickle asked 97 or 98?

Mrs. Seward stated FY 98 budget, present school year.

Mr. Tickle asked when the funds were generated -- 97? The reason he was asking was that in last year's budget there was six hundred and some thousand dollars and it was his understanding that three hundred thousand dollars, roughly, were going to roofs.

Mrs. Seward stated that 222 was the project line last year. She reminded the Board that they had some re-appropriation for some extra money that went with it. We went over a little bit what we had and we had those extra students which helped give them extra money.

Mr. Bracey asked where was that roof?

Mr. Seward stated the one that Mr. Tickle is talking about right now is Rohoic Elementary roof that was completed last summer. This was the main school building. Right now we are doing Dinwiddie Elementary.

Mr. Moody asked were those two (2) done this past fiscal year?

Mrs. Seward stated that what they are looking at next year are the Southside roof and the main section of the High School roof.

Mr. Tickle stated in the School Board budget for five hundred and seventy some thousand dollars –

Mrs. Seward stated the local is $519,000.00.

Mr. Tickle asked of the $519,000.00, two hundred and some thousand dollars is for---

Mrs. Seward stated $292,000.00.

Mr. Tickle repeated $292,000.00 is for ---

Mrs. Seward interrupted but - but - but only – we have already included 222 - the same line that we had last year, 222, but we have to add seventy thousand to that line in order to make the total of $280,000.00 which would include the Southside and High School roofs.

Mr. Tickle asked Mrs. Seward to help him. He realized that she understood it well and that it made perfect sense to her but he wanted to be sure he understood. Mr. Tickle asked if what the School Board was really asking for in this budget is an additionally eighty some thousand dollars.

Mrs. Seward stated about seventy thousand for roofs.

Mr. Tickle stated for the five hundred nineteen thousand dollars, you subtract seventy thousand from that, that is what you are asking for in this year's budget. Mr. Tickle stated his question was after we get this he would like for Mrs. Seward to address this: That they gave the School Board roughly two hundred thousand dollars of you six hundred thousand dollar budget in 1997, really you did not come back and take away that two hundred thousand dollars really it is the six hundred seventy we gave you last year pushed the budget up to six million plus dollars and then you asked for another five hundred nineteen thousand this year. If you take the seventy thousand dollars of that, right, if you add the line 222 plus the five nineteen really that number is seven hundred and some thousand. But you did not take away the –

Mr. Seward stated no – no, the 222 last year was included in the total increase.

Mr. Tickle of six hundred seventy thousand dollars.

Mrs. Seward the total increase.

Mr. Tickle that is right. So that was roughly a ten percent increase from the year before.

Mrs. Seward stated she thought the increase was eight percent increase.

Mr. Tickle stated that was one of his questions, how we do the math.

Mrs. Seward stated the math is you have go 130 more students that you are building this budget on. That is your major growth. Last year we build our budget on 4,020 students this year you are building the budget on 4,150 students.

Mr. Tickle stated he thought

Mrs. Seward again interrupted stating that your local match for those students that is where the bulk of your five nineteen and then you lost sixty two thousand in the composite index.

Mr. Tickle stated was what happens is he voted to give the School Board money for roofs. Of that six hundred seventy some thousand dollars, two hundred and some thousand dollars which was going for roofs. So really what we really gave you was four hundred thousand dollars to grow the County in other ways. So then if you take away the roofs this year that money, if you add ten percent – or eight percent – that money grows every year. So like in a salary increase we never took that away from you and then you come back and ask for five hundred thousand this year, it is really like giving you five hundred thousand and we should have probably took away the two hundred thousand because that was for a specific use. He stated he was use to thinking about his budget at work.

Mrs. Seward asked if what Mr. Tickle was saying is that he wanted them to separate out and have a capital improvement budget. She asked if that was what he was saying?

Mr. Tickle stated yes, because when you grow budgets, as everyone understands, that three hundred thousand dollars grows as your normal budget and it was for a capital item, for roofs, at two hundred twenty some thousand dollars. If you do not use it for roofs, you can use it for anything and what you suggest is that you used it for rolling the budget for annual school system.

Mr. Moody stated that next year this roofing money will not be in the budget.

Mrs. Seward stated no, you should not have any roofs next year.

Mr. Tickle stated that is what he is getting to. So this means that next year we should loose, or your budget should be decreasing –

Mrs. Seward stated that she was not going to make Mr. Tickle that promise because at this point nobody knew what the capital needs might be. If the Board would like for them to develop a capital budget then –

Mr. Tickle interrupted by saying he liked that better, he liked that a lot better!

Mrs. Seward stated they can certainly do that. Again she wanted to state she agreed with Mr. Curtis Barnes, Chair for the School Board, for years we have had a maintenance budget that included maintenance kinds of items but we never had money in there for any real capital improvements that maintained your buildings, like roofs. Those were the things that always got cut out, if you had to cut the budget, it got cut.

Mr. Bracey asked Mrs. Seward to wait a minute. He stated he understood that statement. He stated he had heard that statement even before he came on this Board. That was your doings. When He said your doings, that was the Board's doings. When you say you do not have the money the first two places they will cut is maintenance and teachers salaries. So that one don't stick with, so do no say that we did it, or who ever was doing the finances did it, that was your choice. He stated maybe we do need a capital budget because he sees that we are paying for stuff twice. That is the way it seems to him. He stated that he is not a financial wizard but –

Mrs. Seward stated she was not following paying for it twice.

Mr. Bracey stated that it seems like, like right it seems like you want some more money for the roof. Now all he is asking is that next year we will not hear anything about a roof.

Mrs. Seward stated not unless something falls through it that the warranty does not cover.

Mr. Bracey stated that five (5) years from this year before we hear another budget request for roofs.

Mr. Barnes stated that according to this the Board should not hear anything about a roof but he did not think that Mrs. Seward was going to stand up there and tell Mr. Tickle that we will not come back to you with some sort of capital needs that we might have.

Mr. Bracey stated he had no problem with that.

Mr. Barnes stated that they were laying it out on the table, if you think we took the other money for the roofs and did not spend it on roofs then he thought that she could pretty much show—

Mr. Bracey interrupted stating that he understood that part. He just wanted to know that next year he would not hear anything about a roof.

Mrs. Seward stated she did not either!

Mr. Bracey stated five (5) years if they continue with that position that you have with the fixing of the roof.

Mrs. Seward stated that Sunnyside warranty is up in 2000.

Mr. Bracey stated but it is up, he understood that part. But the roof – you should not be coming here a five hundred thousand dollars, right?

Mrs. Seward stated not for roofs.

Mr. Tickle stated three hundred thousand dollars is in there somewhere.

Mrs. Seward asked three hundred thousand is in where?

Mr. Tickle three hundred thousand that you want to use for roofs is there. He would like for that three hundred thousand dollars, if it stays in there, if you take five million add three hundred thousand that is five three. You have ask for five seven nineteen. Next year that five three goes up five hundred nineteen thousand. It does not go on five million it goes on five three, so it is just like his budget, they tell me the same thing. If three hundred thousand is there, if you keep that three hundred thousand and you keep asking for it every year, the three hundred thousand should go to capital type items.

Mrs. Seward stated that was their intention.

Mr. Tickle stated that was what he was concerned about.

Mrs. Seward stated that was exactly what they were saying, that is why they separated out that line because when they do the bookkeeping for that line it is going to the designated projects. That is why that line is separate in the budget from the regular maintenance type.

Mr. Tickle stated he remembered when Mr. Greg Davis tried to sell this for six seventy cause there was a lot of money last time. We sold that amount or whatever the value was for the roofs. That is why we need it and that is what we will use it for and then it sounded ok to him this year when you said you needed additional money to do the extra roofs. He had no problem with that. But we are going to turn around and use that three hundred thousand extra in other areas.

Mrs. Seward stated no that is designated for roofs.

Mr. Tickle stated that we need it just as much, if not more, than you do. We are cutting back in a lot of areas and we are under great fiscal stress at this time. We need it just as much as you guys do.

Mr. Barnes stated that he hoped the Board agreed with their stance on this, that they are going at this preventively instead of having leaks and this kind of thing. We are going to try to take care of

what we have been given stewardship of. That is the way we feel we should do it. If we have to come to you like we are doing now and say this is the money we need to do this, that is what they feel like they need to do.

Mr. Tickle stated that his feeling was that their eight, nine percent, whatever, and we are working with three percent with our people. We need to pay for our departments and we also have some money -- Of course you are the most important there is no doubt about that. Just like the Sheriff's Department extremely important. It takes a lot to run the sanitation, it takes a lot to run the volunteers, etc. and then our wages for our own employees are less than in many cases you pay. So we have a lot of needs too and we are all fighting for that dollar.

Mrs. Seward stated as long as we grow we will not be saddled with that funds and as our composite index goes up again we are going to be hit hard again. When we hit that magic three (3) —

Mr. Tickle stated we have a huge debt service for courthouse and education. We have other people begging for those dollars also.

Mr. Moody stated he understood the part about the roofs but if it is just that we are in a tight budget constraint here. If for some reason we cannot just fund the total amount you all are not going to pull it out of the roofs. You will try to find it somewhere else. Roofs will not be your first pull.

Mrs. Seward stated that would not be the first pull. Mrs. Seward stated she cannot speak, Mr. Barnes may be able to, but my suspicion is that that would be the last thing that would be cut.

Mr. Barnes stated he would have to agree that that would certainly not be one of the first things that they look at. He stated he was just one member but his Board has put a priority on maintenance.

Mr. Bracey stated he understood, he really did. He stated that he sympathized with him. He stated he really did sympathize with him, what they are going through, trying to maintain a building. Whenever you get to the point that you get some maintenance in the buildings. He stated that he visits the schools a lot. He stated that they improve where they want to improve and where you don't want to it does not happen. He hoped that with this new administration that we get around to being equal and fair to all of the schools. Any time he goes into a school and the bathrooms stinking, not because your janitor was negligent but because of the ceramic tile that has been there for he did not know how many years that was not treated properly and now the urine and so forth has gotten in it. He stated that he did not care what you put on it or how you handle it you cannot take the odor out. The only thing that is going to take the odor out is a sledge hammer, a jack hammer, and start from scratch one. Now are we going to some of that with all this money that we are talking about.

Mrs. Seward stated that money that we just committed is roof money but yes, we have that in our plans. That is not in the big capital line. We have an idea of what that project is going to cost and we have looked into that. That is an item on our list. She stated that she knew exactly where Mr. Bracey was talking about and she further stated that what he was saying was exactly correct.

Mr. Bracey stated that he would be really happy with Mrs. Seward if she could come back next year and not stand there and tell him about a roof.

Mrs. Seward would be happy too. She stated that if she had to come back next year and ask him for a roof that she might just go on out of town.

Mr. Bracey asked if everyone was satisfied about the roof situation.

Mrs. Everett asked if there was anything else that they were not satisfied with.

Mrs. Seward again stated that if the Board would like them to develop a capital budget instead of putting real capital items into maintenance.

Mr. Bracey stated the other item he saw was security. He would like to have Mrs. Seward explain that, to rationalize why, what , when, or what it is suppose to do.

Mrs. Seward stated she would like to share something with the Board. We stated that they had hoped that with what they had put in their budget and a grant that they would be able to do the school resource officer. She will tell them right now that after working with several people in the County that they will not be able to swing the grant so she thought that this is probably something that will not to be. A school resource officer is someone who is in your school with arrest powers. We are approaching it at this point more from a preventive nature. She was not saying at this point that we

have to have a school security officer to take care of discipline, no. It is a preventive kind of safety measure and we are going through getting ready to start a school safety audit process which is a result of some General Assembly legislation last year. In going though the school safety audit we are pretty much on track. One of the places that we did not put anything was in school security personnel. She thought that anyone looking at their own budget is always looking to express items that are concern to your school district. Safety is one of our major items. That is something that we see as a school improvement. We had hoped that there was some grant money there, we had been told that there would be some, but she did not think it was out there for what they need. When they met on this issue there are two (2) ways to go school security. A school security officer who has no arrest powers and a school resource officer who does have arrest powers. For someone without arrest powers in the school would probably not be able to do what we are look at.

Mr. Bracey stated then you are telling me that you are going to strike that what ever it was for that.

Mrs. Seward stated she did not tell you that. She stated that if she has to prioritize things, she would certainly consider roofs before she would consider a school resource officer. She stated to Mr. Bracey that she wanted it all.

Mr. Bracey stated that no one gets it all because what you are telling me is that you want to leave that $30,000.00 in there and then sometime between here and there you are going to come up here and say that we want it transferred from one category to another.

Mrs. Seward stated she had not yet asked for any categorical transfers.

Mr. Bracey stated that she said that she could not get a grant and you are not really sold on that position.

Mrs. Seward stated that she was sold on the position but she had other needs that she had to meet first.

Mr. Tickle stated that he had two children and he had some parents that have smaller children and some of those children are terrified of the Middle School, especially when a sixth grader comes in, even though you are isolated, they are in the same yard together, and some of those kids are like Tom Green's sons. That is a good example of a small youngster in the Middle School and he is at a disadvantage. He stated he did have a problem when he knows how easy drugs are available in the schools and he does not like it when his own children have that opportunity. Someone with arresting powers would be beneficial but he does understand where Mr. Bracey is coming from. There are people at the school already who could handle these matters without having another person.

Mrs. Seward stated that a school resource officer does not get into the physical and locker checks, the hall passes, all those kinds of things.

Mr. Bracey wanted to know who was doing it now?

Mrs. Seward stated the administration and teachers do those types of things. That is their responsibility. She wanted to address one part of the school security. The whole part of that budget is not just for a school resource officer. Part of that was, you know the $8,000.00 that we have on a line item that we have for the Sheriff's Department.

Mr. Bracey stated he did not see where we needed to pay them $8,000.00. He stated he was going to be real honest, he stated he could not be any way but honest with them because of the fact that if he doesn't it is not fair to them. He thought that if the teachers and present administration would get up and put 100% out we would not have to consider what we are considering and put that burden on the taxpayers. Right at the present time you have more administrators at one school and you don't have 1200 students, we have about 1100 some students, and only a couple of principals. Sometime we need to – we pay good salaries – we have been talking that old talk about Dinwiddie don't pay – Dinwiddie is paying as well as anybody else. Some of those people who have slack classes, very few children in a day, maybe they could take up some of this time with helping children or being that security person. Not security that is running behind people but helpers. A lot of kids need help. They do not need to be whipped all day but some help.

Mrs. Seward stated that is what a school resource officer are. They are trained for that.

Mr. Barnes stated that he had mixed feelings about this position himself and he shared some of his concerns. He really thought that when they put this in the budget that this was one item that we would probably have some public comment on. Unfortunately no one commented one way or the other.

There are two ways to look at this. One way is that you have a problem and this is what you need to do. We can not handle it ourselves. We are not looking at it like that. We are looking at it as another proactive thing. Some of our neighbors have it. Chesterfield has it in their schools, Henrico has it in their schools, it may not happen this year but somewhere down the line this is probably something that our schools will eventually have.

Mr. Moody asked if the SRO actually taught classes.

Mrs. Seward stated that Mr. Rivers does that. He comes over and teaches that class action. We are already doing that. He did that with our teachers at the opening of school. That is a wonderful program. She stated there are two people with the Sheriff's Department that really work with them and they are Mr. Rivers and Mr. Winfield.

Mr. Bracey asked each member if they were satisfied or if they had any further questions for Mrs. Seward or Mr. Barnes.

Mr. Bracey stated he had one more question. He would like the documentation on these extra extra supplements and these teachers with these so called PHD programs. He wanted to know if they were in an approved program.

Mrs. Seward asked if he was talking about Masters and EDS. Mrs. Seward stated that she would look into this and supply that information.

Mr. Bracey asked again if they had any questions for them.

Mr. Barnes stated that he appreciated the Board coming to them and asking the questions.

RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 10:34 P.M. to be continued at 5:00 P.M., Thursday, March 5, 1998, in the Conference Room of the Pamplin Administration Building.

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

ATTEST:
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 5th DAY OF MARCH, 1998, AT 5:00 P.M.

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

IN RE: WORKSHOP SESSION – 1998-99 PROPOSED BUDGET

The Board met, in the Conference Room of the Pamplin Administration Building, for a workshop session on the 1998-99 proposed budget.

IN RE: DINWIDDIE AIRPORT & INDUSTRIAL AUTHORITY – GRANT MATCH FOR TRACTOR

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Board authorized a State grant match in the amount of $22,500.00 for a tractor for the Dinwiddie Airport & Industrial Authority to be included in the proposed FY 99 budget.

IN RE: SCHOOL BOARD – FY 98-99 BUDGET

After discussion regarding the School Board budget requests for FY 98-99 a vote was taken with Mr. Moody, Mr. Clay, Mr. Tickle, Mr. Bracey voting "aye" and Mrs. Everett voting "nay", to cut the budget by $100,000.00 and to include a transfer of $70,000.00 from the CIP Fund.

IN RE: NEW AGENCIES

After reviewing the requests for new agencies it was decided that no additional budget allocations would be approved for the FY 98-99 budget. Mrs. Everett supported the Tri-City Literacy Council's request.

IN RE: EXPANSION OF THE ADMINISTRATION BUILDING

After discussion regarding the expansion of the Pamplin Administration Building a vote was taken with Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", instructing Administration to proceed with plans and specifications to enclose a portion of the Administration building for additional office space to be completed by July 1st, not to exceed a cost of $75,000.00.

IN RE: RECREATION DEPARTMENT – PLANNING GRANT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Recreation Department to apply for a Planning Grant to study possible uses of Eastside Elementary School.

IN RE: MCKENNEY VOLUNTEER FIRE DEPARTMENT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to investigate the construction of a new fire department for the McKenney area.

IN RE: EMS -- JOHN RANDOLPH GRANT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Administration to pursue obtaining grant funds from the John Randolph Foundation for the building of a new Emergency Medical Services headquarters building.

RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 8:10 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

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 18TH DAY OF MARCH, 1998, AT 2:00 P.M.

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

(Mr. Tickle arrived at 2:06 P.M.)

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

Mr. Edward A. Bracey, Jr., Chairman of the Board, called the regular meeting to order at 2:03 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda. There being none Mr. Bracey moved forward.

IN RE: MINUTES

R. Martin Long, County Administrator, stated the minutes from all meetings held since March 4th, including the March 4th meeting, are not prepared at this point. Pamla A. Mann, Administrative Secretary has been ill. These minutes have been typed but have not been reviewed. They are not prepared today for approval.

Mr. Bracey stated we will take them up at the next Board meeting.

IN RE: CLAIMS

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mrs. Everett, 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 1009618 - 1009770 (void check(s) number 1009618 and 1009653); for Accounts Payable in the amount of $223,030.64: General Fund $154,316.95; E911 Fund $1,589.21; Law Library $329.26; Fire Programs and EMS $199.68; and County Debt Service $66,595.54.

IN RE: APPROVAL OF REQUISITION #15 - COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated the following invoices are included in this requisition:

Virginia Power	$ 121.00
Sands, Anderson, Marks & Miller	767.46
TOTAL REQUISITION #15	$ 888.46

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 15 in the amount of $888.46 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #29 – SCHOOL CONSTRUCTION

Mrs. Ralph stated that Requisition #29 for the School Construction consists of payments to the following:

KBS, INC.	$400,387.95
FROEHLING & ROBERTSON, INC.	88.00
STROUD, PENCE & ASSOCIATES, LTD.	2,900.00
VERCO MFG. CORP.	12,092.00
BALLUE, JUSTICE & UPTON	7.585.25
AMERICAN ACADEMIC	2,572.32
DEJARNETTE & PAUL, INC	518.00
WAYNE D. JOYCE FLOOR SERVICE	2,037.06
A STEP ABOVE	149.20
COLONIAL CARPET CLEANING	250.00
WALKER- HUDSON CONSTRUCTION	4,950.00
LOUIS SMITH CONSTRUCTION	2,700.00
MID-ATLANTIC SCHOOL EQUIPMENT	5,098.00
TOTAL OF REQUISITION NUMBER 29	$ 441,327.78

There was discussion between the Board and Mrs. Troilen Seward, Superintendent of School, regarding the final cleaning of Midway Elementary School.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 29 in the amount of $441,327.78 be approved and funds appropriated for CIP expenses for the School Project Fund.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens who had signed up to speak.

Mrs. Mann stated there were and proceeded. The following person came forward to address the Board:

1. Mrs. Anne Scarborough came forward to express concern about the following issues:
    a) The schools that have been closed in the County and are not being used at this time, is the County ever going to do anything with them? She expressed feelings that if they are not going to use these schools then to bulldoze them down.
    b) She stated if Northside had been given back to the County by the School Board, why has the title not been changed to the name of the County?
    c) She questioned the time period for submitting entertainment permits and stated that we should enforce required filing dates or it or take them off the applications.
    d) She stated that there was an article in the Richmond paper stating that

Dinwiddie County was the 3rd highest in the State on personal property taxes and wondered when bringing new industry into the County was going to start helping the $4.90 per $100.00 come down.

e) She voiced her concern about the leaves and litter located outside the Pamplin Building doors stating that this was a person's first impression of the building and felt that these areas should be kept clean.

Mr. Bracey assured Mrs. Scarborough that they were working on the schools and to please be patient with them.

Mrs. Ann Blazek asked to speak stating that there are so many children in Green Acres Trailer Park and in Harrison's Trailer Park, why don't we set up a play ground for them; there is close to one hundred (100) over there already. These children are walking the roads and going on other people's property. She felt that the County should give them a place to play.

Mr. Bracey asked Mrs. Blazek to address that matter with the Director of Parks and Recreation, Mr. Tim Smith.

Mr. Bracey asked if there were any citizens present who had not signed up but wished to speak. There being none Mr. Bracey moved forward.

IN RE: DEPARTMENT OF TRANSPORTATION – REPORT

Mr. Harold Dyson came forward to present the monthly report for Mr. Ronald Reekes.

Mr. Dyson stated that he only had one item and that was a reminder of the pre allocation hearing for primary and interstate roads will be held at John Tyler Community College on April 8th at 9:30 A.M.. Mr. Reekes stated he would be sending a letter to Mr. Bracey and Mr. Long indicating the items that he thought they might be interested in.

Mr. Tickle asked what recommendations they have for aligning the interstate in Dinwiddie County.

Mr. Dyson stated that he did not know what Mr. Reekes had outlined at this point in time.

Mr. Tickle asked for documentation to be sent to the Board of Supervisors.

Mr. Dyson stated he would pass that request on to Mr. Reekes.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, came forward stating she had nothing to report but was available for questions.

Mr. Bracey asked about Wingate & Associates stating that we paid them $12,800.00. He continued with building permits, new construction, asking that Mrs. Marston take half a second and explain that to him.

Mrs. Marston stated that in December of last year she came before the Board and asked for additional money. What they did was that during the reassessment and every year thereafter she had put in her budget, which the Board has granted, funds for them to come back and measure new construction because she stated she does not have the time to go out and make the field inspections. They come in December and do that. The money allotted for this ran over and the Board granted additional funds to cover the cost. We have pretty much keyed all in, we got some problems and he is going to come back the very first of April, or the very last week of March, to clean up some problems that they have had with trying to get houses to close on the computer drawings. By that we can not

get them to match and he is going to come back and help them clean up that. We have pretty much keyed all the properties on the books for 1998 taxation.

Mr. Bracey stated what you are telling me is 640 new pieces or revisits or what have you, when he cleans up or clean up or whatever those properties will be placed on the tax rolls. Is that what we are saying?

Mrs. Marston responded yes sir.

Mr. Tickle asked about revisits in his area?

Mrs. Marston stated some of them could be in his area. Some of these revisits are 1994 and 1995 building permits. Some people work along and just do a little bit and have not moved into the homes. We have to go back and recheck the percentage of completion when they are not 100% complete.

Mr. Tickle stated that he would like to address that issue with Mrs. Marston at a later time.

Mrs. Marston stated come on down.

IN RE: TREASURER – REPORT

Mr. William E. Jones, Treasurer, came forward to present his monthly report. He provided the Board a brief explanation of the revised January 31, 1998 General Fund Statement.

There was discussion, initiated by Mrs. Everett, regarding what affect the no car tax will have on the work load in his office.

Mr. Jones stated at this time he was not sure because procedures have not been finalized. He stated as soon as he knew he would share his findings with them. He did state that the seventy (70) counties using the Bright system have the upper hand because there are so many localities that will be doing the same thing. He stated that he did understand that the State will fund any extra help that needs to go into it. This may be just talk. There has been so much talk about how this will be done.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, Commonwealth Attorney, was not present.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward stating they had his monthly report and he was available for questions.

Mrs. Everett asked about the problems at dumpster sites . She asked why we did not continue to write people up for violations.

Mr. Shands stated that they were just thrown out of court.

Mrs. Everett stated up if we keep writing them up they have to have the inconvenience of going to court.

Mr. Shands stated he guesses that we could harass more!

Mr. Bracey suggested that the County Administrator set an appointment with the Judge in order that they could discuss the problem and determine what could be done differently to avoid the violations from being thrown out of court.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne Abernathy, Building Inspector, came forward and presented his report for the month of February 1998. Mr. Abernathy asked if there were any questions from the Board.

IN RE: BUILDING INSPECTOR – NEW VEHICLE REQUEST

Mr. Abernathy stated that in their Board packets they would find bid results for the purchase of a 1998 ½ ton regular pickup which will be used by the Clerk of the Works for Chaparral. The bids that he received are as follows:

Triangle Dodge	$15,900.00
Capital GMC	15,126.00
Strosnider Chevrolet	16,687.00
Owen Ford	15,800.00
Sadler Chevrolet	15,991.45

Mr. Abernathy stated he would recommend the vehicle from Sadler Chevrolet because it is available for immediate delivery. All other bids, with the exception of Strosnider Chevrolet, would take four (4) to eight (8) weeks for delivery. The Clerk of the Works is due on board Monday, March 23, 1998 and he will need a vehicle to drive.

Mr. Bracey asked Mr. Long if he had reviewed this information and what his recommendation was.

Mr. Long stated that he had reviewed this and he did concur with Mr. Abernathy's recommendation by virtue of the fact that we have immediate delivery.

Mr. Bracey stated that we would not bear the cost of this vehicle.

Mr. Abernathy stated that this vehicle was at no expense to the taxpayers.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to accept the bid of $15,991.45 from Sadler Chevrolet for a 1998 ½ Ton Regular Pickup Truck for the Clerk of the Works to be reimbursed by TXI/Chaparral.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, came forward and presented his report for the month of February 1998.

Mrs. Everett asked about the dog bite that occurred during the month.

Mr. Beville stated the dog was no longer with us.

There was discussion regarding an exhaust fan in the pound to help in control of airborne diseases. Mr. Beville stated he planned to have a timer placed on the existing fan in order to keep the air circulating on a regular basis.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came before the Board to present his monthly report. He stated he wished to mention one (1) item that he did not put on his monthly update for them. Last Friday, March 13th, he attended a meeting in the morning. It was an informational meeting on the Governor's School that is proposed in Petersburg. It was information as to how this would have an impact or potential impact on the

Dinwiddie County School System as well as the citizens of the County. He just wanted to make them aware that there was such a meeting. It is his understanding you may be having a presentation or something given to the Board by this body. Mr. Scheid asked if the Board had any questions for him.

Mr. Tickle asked about P-98-1 and the residential growth strategy now and since we are drawing near a completion date, is that a hardship on this individual. As you are aware Mr. Scheid, we are suggesting some things that change the current ordinance. Is that a hardship on that individual or are we too late?

Mr. Scheid stated he was not certain that he was following what Mr. Tickle was asking.

Mr. Tickle stated on the – on P-98-1 –

Mr. Scheid interrupted Mr. Tickle stating that now I see what you are saying.

Mr. Tickle stated he was coming forth for a zoning change.

Mr. Scheid stated no sir. In his opinion what would – certainly you could not have any ordinances in effect, you might have recommendations but in order to adopt an ordinance they go through the regular procedure of public advertising, going before the Planning Commission, going before the Board of Supervisors, so even if we were to have an ordinance to go next month, it would probably take two (2) months thereafter before it would be in place.

Mr. Bracey asked Mr. Scheid about A-98-3.

Mr. Scheid explained that the amendment itself was dealing with a county wide ordinance. It is not dealing with a specific site but what it essentially does is say that any facility, any bed and breakfast establishment within in an A-2 area would by right be able to operate as a bed and breakfast. We would not pass judgment on the age of the structure, size of the structure, the degree of whatever services would be provided by that particular building. What was generally thought, without getting into the case since we did not advertise for a hearing of it today; is that, generally in reviewing other county ordinances you find that most of your bed and breakfast establishments are in your outlying areas.

Mrs. Everett asked if you would have to have a conditional use permit.

Mr. Scheid stated it was not being proposed that way right now. It is being proposed as a use by right.

Mr. Bracey asked to be excused and stated that maybe what we need to do is have another conversation. What you said is what I was getting to. He stated that he felt what we were doing was opening Pandora's Box. We need to discuss this further. He stated they would get with Mr. Scheid and discuss this further as he felt it was going to be a sticky situation.

Mr. Tickle stated his comment to Guy on that was that not all situations may be the same. Say that we did one in Dinwiddie proper, adjacent on Highway One, we want to make sure it has adequate parking or various other conditions. He thinks about Lexington, Virginia where they have four (4) or five (5) of them sitting right there on the main street area. You have to have parking for those people, along with various other things, and we need to make sure that we have a right to represent the citizens to put conditions if it is not in the opportune place or the best place or something like that. He knew that was where he was coming from because we have been caught in the past where we have a blanket acceptance and it comes back to haunt us.

Mr. Scheid stated that there are certain other sections of the code that apply to the parking and things like that. There are some safe guards but what you are saying is

essentially, you are by the ordinance being proposed treating all land exactly alike and there may some situations in which they shouldn't.

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. John M. Altman, Jr., Zoning Administrator, came forward and presented his monthly report. He asked it the Board had any questions.

Mrs. Everett stated no but she would like to ask the County Administrator a question. She stated that we have in the budget for an enforcement officer for the Planning Department and she thought that it was very necessary that they move ahead and fill that position. We seem to have such an overload in that department and we have infractions and not the employees to check out on these other things.

Mr. Bracey stated he hoped that we would take that up in Executive Session and have an answer for her very, very soon.

Mr. Altman stated there was one item that he would like to point out. This item related to the prioritized Capital Improvement Program (CIP) which was passed by the Planning Commission and forwarded to the Board. This is their effort to prioritizing some projects and slotting them in years. This is supplied for the Board's review and information. He stated they have worked really hard on it and tried to supply it as swift as possible.

IN RE: SOCIAL SERVICES – REPORT

Mrs. Peggy McElveen, Director of Social Services, came forward extending a thank you for the furnace and enclosure. She stated it was wonderful. She continued by informing the Board that April is Child Abuse Prevention Month. She gave the Board an overview of the problems that are in Dinwiddie County regarding Child Abuse. She stated what they try to do is to prevent. In 1996 25 children, in Virginia, died as a result of abuse or neglect. It is just a time to raise the awareness of the problem.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Mrs. Troilen Seward, Superintendent of Schools, came forward to present her monthly report. She passed out a written report regarding incidents in the schools. She gave a brief synopsis of changes in the rules regarding drugs and weapons being brought onto the school property. The General Assembly has passed a new bill, which she had not seen or read, making the consequences much tougher for certain offenses. She stated her time today was actually going to the Office on Youth which has a very good project to present.

IN RE: OFFICE ON YOUTH – GRANT FUNDS – RECYCLING PROJECT

Mrs. Francine Newman, Director, came forward stating that for the last, she did not know how many years, the Office on Youth has been given management of the Litter Grant which comes through the County office and is funneled down to the Office on Youth. They have $6,500.00 this year. The amounts, since she has been director, range from $4,000.00 up. It depends each year on the State Litter Tax as to how much they receive. In the past they have used these funds for education activities. We have also done mini grants. She felt like they have done all that they could educationally. Last year she began working with Mr. Charlie Burgess, Past County Administrator, and also with Mrs. Seward on a recycling project to be piloted at the Administration Building. When Mr. Burgess left we were slowed down a little bit, however, she had been working with Environmental Systems of America to design a recycling project. She introduced two (2) gentlemen who gave a brief presentation and explanation of the proposed program. The first gentleman was President of Environmental Systems of America, Britt Sprinkey and The Director of Research, Mr. Jim Ragsdale. Jim was a 1992 graduate of Dinwiddie High School. They explained to the Board how they could take a expense for the County and

turn it into revenue. They would actually be selling all trash paper instead of disposing of it through the landfill. They referred to our trash paper as a resource. Future revenues projected for recycling white paper and non-white paper is $1,426.10 per year. Disposal fees for the waste stream, including an outside shredding vendor, should be reduced from $4,771.25/year to $419.59/year. This would involve the purchase of a shredder for use by all departments.

Environmental Systems of America will administer the program for a percentage of the yearly savings. Funds from the Litter Grant will be used to purchase the start-up equipment and pay for the other expenses involved.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Office on Youth Services is authorized to contract with Environmental Systems of America to administer a recycling program for the County offices with all expenses to be covered by funds available from the Litter Control Grant through OYCS.

IN RE: RECESS

Mr. Bracey called for a five minute break at 3:15 P.M.

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward to present his monthly report. He stated he would like to remind the Board of the Grand Opening of the White Oak Road Battlefield. This will be on March 28th and 29th. The dedication its self will be on March 29th 1:00 P.M. There will be a candlelight tour on March 28th at 8:00 P.M.

IN RE: RECREATION – NEW LOGO

Mr. Smith stated that in their packets there was a proposed new logo for the Parks and Recreation Department. He stated that he would like to implement this new logo because he felt that the current logo gives the impression that Parks and Recreation is sports oriented and did not reflect the other aspects of recreation.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Dinwiddie County Parks and Recreation Department to adopt a new logo which reflects educational, cultural, athletics, social programs, and parks.

IN RE: RECREATION – SUMMER SOCCER CAMP

Mr. Smith continued with his second item which was a 1998 soccer camp. He was proposing that we enter into an agreement with British Soccer, a division of Challenger Sports Corp., out of Kansas for a 1998 soccer camp to be held in July 1998.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to execute an agreement with British Soccer, a division of Challenger Sports Corp. to conduct and maintain an instructional soccer camp during the summer of 1998 at no expense to the County.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management, came before the Board and presented his report for the months of February and March 1998. He reported to the Board that they were working on a map of all dump sites in Dinwiddie County. He stated he was surprised at the number of the sites, 44 which does not include sites used by the public such as the Courthouse, Administration Building and some of the schools. Upon completion of this list he will supply the Board with a copy .

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR – REPORT

Mrs. Dawn M. Titmus, Deputy Emergency Services Coordinator, was not present due to a family medical emergency.

IN RE: FIRE & RESCUE ASSOCIATION – REPORT

Mr. Robert Mengel, Assistant Chief, came before the Board to present the monthly report. He stated that he had one item that he needed to bring before the Board. He stated that the Dinwiddie Fire & Rescue Association would like to request that the Board authorize an additional $200.00 to carry them through the end of this fiscal year.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to appropriate an addition $200.00 for the Dinwiddie Fire & Rescue Association from the current budget.

IN RE: FORD VOLUNTEER FIRE DEPARTMENT – PRESENTATION OF REPLACEMENT PROPOSAL FOR RESPONDER 2

Mr. Dennis Hale, Chief for Ford Volunteer Fire Department, came forward to present their proposal for a replacement of their First Responder Unit. Mr. Hale stated that before them he had placed a letter from the Dinwiddie Emergency Medical Services Council endorsing that this was brought to them, discussed with them, and their backing for the proposal that he had also presented to them. Mr. Hale stated that the Board should also have a letter in their packet from that Mr. Charles Lewis, Chairman of the Chief's Association. This proposal was also given to the Dinwiddie Fire & Rescue Association and backed by them as well. The proposal that is in front of them has been a combination of two (2) weeks of pretty intense work on behalf of several people in the Fire Department and in the County. We have had several meetings, lots of telephone calls, and have pretty much run some people crazy in the last two (2) weeks. He presented the proposal and hit the highlights of what they had done. This included providing statistics of calls and a task analysis for the Responder Unit. He voiced that their demand for a Responder Unit was great in their area.

There was discussion between the Board, Mr. Hale and Barbara Hale, EMS Captain at Ford Volunteer Fire Department. They discussed the cost, needs, and the offer of Ford Volunteer Fire Department to pay fifty percent (50%) of the cost of this new vehicle. There was also discussion regarding used vehicles and the pitfalls of not being able to re-chassis the vehicle because of body/chassis style changes that have been made in the past few years.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Ford Volunteer Fire Department to move forward at this

time with preparation of the specifications for a Responder Unit for the Ford Volunteer Fire Department to be delivered to the County Administrator upon completion..

IN RE: FORD VOLUNTEER FIRE DEPARTMENT – REPAIR OF FIRST RESPONDER UNIT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Ford Volunteer Fire Department to have their current First Responder engine replaced by Tri-City for $2,783.00 plus approximately $50.00 for towing of this vehicle, to be funded from the Capital Projects category of the Fire Departments budget.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Paul Jacobson, County Attorney, stated he had no monthly report but was available for questions.

IN RE: VRS REFUNDING RESOLUTION

Mr. Paul Jacobson continued by stating he had one item to bring before the Board. He presented to the Board a Resolution of the Board of Supervisors of the County of Dinwiddie, Virginia authorizing the issuance and sale of taxable general obligation refunding bonds.

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

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

A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF DINWIDDIE, VIRGINIA
AUTHORIZING THE ISSUANCE AND SALE
OF TAXABLE GENERAL OBLIGATION REFUNDING BONDS

WHEREAS, the County of Dinwiddie, Virginia (the "County"), is obligated to make certain annual payments (the "VRS Obligation") to or on behalf of the Dinwiddie County School Division (the "School System") to pay to the Virginia Retirement System (the "VRS") the School System's early retirement program costs as set forth in the Memorandum, dated May 15, 1992 from the Director of the VRS to Division Superintendents and Financial Officers of Public School Boards.

WHEREAS, the Board of Supervisors of the County (the "Board of Supervisors") proposes to issue taxable general obligation refunding bonds of the County to refinance the VRS Obligation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF DINWIDDIE, VIRGINIA:

1. Authorization of Bonds and Use of Proceeds. The Board of Supervisors hereby determines that it is advisable to contract a debt and to issue and sell the County's general obligation refunding bonds (the "Bonds") in the maximum principal amount of $2,222,612 pursuant to Article 5 of the Public Finance Act of 1991, Chapter 26, Title 15.2, Code of Virginia of 1950, as amended (the "Act"). The issuance and sale of the Bonds are hereby authorized. The proceeds from the issuance and sale of the Bonds shall be used to refund the VRS Obligation and to pay the costs of issuing the Bonds.

2. Pledge of Full Faith and Credit. The full faith and credit of the County are hereby irrevocably pledged for the payment of the principal of, premium, if any, and interest on the Bonds as the same become due and payable. The Board of Supervisors shall levy an annual ad valorem tax upon all property in the County, subject to local taxation, sufficient to pay the principal of, premium, if any, and interest on the Bonds as the same shall become due for payment unless other funds are lawfully available and appropriated for the timely payment thereof.

3. Details and Sale of Bonds. The Bonds shall be issued and sold in such manner (including competitive or negotiated sale) as the Chairman or Vice Chairman of the Board of Supervisors may determine and upon the terms established pursuant to this Resolution and upon such other terms as may be determined by subsequent resolution of the Board of Supervisors.

4. Form of Bonds. The Bonds shall be in substantially the form attached to this Resolution as Exhibit A, with such appropriate variations, omissions and insertions as are permitted or required by this Resolution. There may be endorsed on the Bonds such legend or text as may be necessary or appropriate to conform to any applicable rules and regulations of any governmental authority or any usage or requirement of law with respect thereto.

5. Execution of Bonds. The Chairman or Vice Chairman and the Clerk of the Board of Supervisors are authorized and directed to execute appropriate negotiable Bonds and to affix the seal of the County thereto and to deliver the Bonds to the purchaser thereof upon payment of the purchase price. The manner of execution and affixation of the seal may be by facsimile, provided, however, that if the signatures of the Chairman and Vice Chairman and the Clerk are both by facsimile, the Bonds shall not be valid until signed at the foot thereof by the manual signature of the Bond Registrar.

6. Disclosure Documents. The County Administrator or Assistant County Administrator and the Chairman or Vice Chairman of the Board of Supervisors, or either of them, and such officers and agents of the County are hereby authorized and directed to prepare, execute, if required, and to distribute an appropriate preliminary official statement, official statement or such other offering or disclosure documents as may be necessary to expedite the sale of the Bonds. The preliminary official statement, official statement or other documents shall be published in such publications and distributed in such manner and at such times as Chairman or Vice Chairman and the County Administrator or Assistant County Administrator shall determine.

7. Judicial Validation. Sands, Anderson, Marks & Miller is hereby authorized and directed to bring a proceeding to establish the validity of the Bonds pursuant to Article 6 of the Act.

8. Further Actions. The County Administrator or Assistant County Administrator, the County Attorney, The County Treasurer and the Chairman or Vice Chairman of the Board of Supervisors are authorized and directed to take such further action as they deem necessary regarding the issuance and sale of the Bonds and the matters set forth in this Resolution and all actions taken by such officers and agents in connection with the issuance and sale of the Bonds are hereby ratified and confirmed.

9. Effective Date. This Resolution shall take effect immediately.

Mr. Tickle questioned the fees charged by Sands, Anderson, Marks and Miller and requested an itemized statement of all charges related to Courthouse Construction and

School Construction. He stated he would like to have the itemized statement run from 1994 forward on these projects.

IN RE: CONSTRUCTION INSPECTOR – REPORT

Mr. Donald Faison, Construction Inspector, came forward and presented his monthly report.

IN RE: CONSTRUCTION INSPECTOR – NAMOZINE FIRE DEPARTMENT -- ROOF REPAIRS

Mr. Faison continued by stating that Namozine Fire Department and their Annex Building had roof problems. He stated the Fire House has need of roof repairs. We put out bids for repair for this roof. We received the following responses:

WALL SHEET METAL, INC.	$3,500.00
BROWN BROS ROOFING	$4,000.00
J. D. WITT AND SONS	NO BID

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to accept the bid of Wall Sheet Metal, Inc., to repair the Namozine Volunteer Fire Department roof, in the amount of $3,500.00 with funds appropriated from Buildings and Grounds Fund.

IN RE: CONSTRUCTION INSPECTOR – NAMOZINE FIRE DEPARTMENT -- ROOF REPAIRS – ANNEX

Mr. Faison continued with the Annex Building roof which received damage from a recent storm which rolled the metal roofing back. He stated that this wind damage will be covered by the insurance carrier. Mr. Faison stated that he received the following bids for repair of the Annex Building roof:

WALL SHEET METAL, INC.	$3,200.00
BROWN BROS. ROOFING	$3,440.00
J. D. WITT AND SONS	NO BID

Mr. Faison stated that Wall Sheet Metal, Inc. had conveyed to him that if they received both jobs that the total figure for both jobs could be lowered.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to accept Wall Sheet Metal, Inc. bid of $3,200.00 to repair the Namozine Fire Department Annex Building roof. Said funds are to be reimbursed by the insurance carrier.

IN RE: CONSTRUCTION INSPECTOR – TELEPHONE BIDS COURTHOUSE CONSTRUCTION PROJECT – ADMINISTRATION BUILDING – SHERIFF'S OFFICE – SOCIAL SERVICES

Mr. Faison continued with the telephone bids. He stated that we had received the following bids:

1. LUCENT TECHNOLOGY

BID ONE:	Courthouse	$33,822.00	
	Administration	21,246.00	
	Sheriff's Office	17,373.00	
	Social Services	21,900.00	$94,341.00
BID TWO:	Courthouse	$41,775.00	
	Administration	15,013.00	
	Sheriff's Office	11,781.00	
	Social Services	15,667.00	$84,236.00

2. TELECO/TOSHIBA

BID:	Courthouse	$24,327.75	
		3,181.08 - voice mail	
	Administration	12,255.50	
		3,181.05 - voice mail	
	Sheriff's Office	6,325.00	
		3,081.00 - voice mail	
	Social Services	12,194.00	
		3,181.25 - voice mail	
			$58,319.80

3. TOTAL OFFICE SOLUTIONS/PANASONIC

BID:	Courthouse	$17,134.00	
	Administration	12,793.00	
	Sheriff's Office	10,344.00	
	Social Services	13,072.00	$53,343.00

4. WILLIAMS COMMUNICATION SOLUTIONS/NORTEL

BID:	Courthouse	$21,433.00	
		26,741.00 - voice mail	
	Administration	12,540.00	
		15,980.00 - voice mail	
	Sheriff's Office	8,640.00	
		11,067.00 - voice mail	
	Social Services	11,481.00	
		14,936.00 - voice mail	
			$68,724.00

There was discussion between the Board, Mr. Faison, and Mrs. Ralph regarding the telephones and voice mail. Mrs. McElveen, Director of Social Services, stated they had funds to pay for their system.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Administration to negotiate a contract with the low bidder, Total Office Solutions to supply a telephone system for the Courthouse Project, Administration, Sheriff's Office and Social Services.

IN RE: PROBATION OFFICER – VJCCCA FUNDS

EXTRACT

Mr. H. L. Parrish, Probation Officer, came before the Board stating that the State has allocated $55,570.00 worth of Virginia Community Crime Control Act Funds to Dinwiddie County, if they so desire to have those funds. What he needed from the Board was a Resolution authorizing him to apply for those funds and to tell them that plans to use those funds are two fold. They presently have funds the in the amount of $21,700.00.

We have a part time County employee and the rest of the funds are used for purchase of services. We plan to expand that part time position to a full time position of which all the benefits, all the salary is paid by VJCCA Funds. That person is hired under the understanding that they are hired as a grant employee and when the funds expire they are not on the Dinwiddie County rolls.

Mr. Bracey asked if that would be in the contract.

Mr. Parrish stated that will be in the contract, if the Board so desires.

Mr. Bracey stated he would certainly like to see it there and he had no problem with his request.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to participate in the Virginia Juvenile Community Crime Control Act and accepts funds appropriated for the purpose set forth in this act.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is hereby authorized to execute a local plan on behalf of Dinwiddie County.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that these funds will be used to expand the part time position to full time, by contract, stating that when the funds expire they will not remain on the Dinwiddie County rolls. All benefits and salary requirements will be paid from these grant funds.

Mr. Parrish thanked the Board for their support.

RE: APPOINTMENTS – TRANSPORTATION SAFETY COMMISSION

Mrs. Mann stated that we received one (1) application for the vacant position on the Transportation Safety Commission from Mr. Joseph B. Fields, Jr.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Joseph B. Fields, Jr., be appointed to the Transportation Safety Commission for a term ending December 31, 1998..

RE: APPOINTMENTS – DISTRICT 19 COMMUNITY SERVICES BOARD

Mrs. Mann stated that we received one (1) application for the vacant position on the District 19 Community Services Board from Mr. Daniel S. Rapp. Mr. Rapp has been serving on this Board since 1995.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Daniel S. Rapp be re-appointed to the District 19 Community Services Board for a term ending December 31, 2000.

Mr. Bracey spoke very highly of Mr. Rapp and the wonderful job he is doing on this Board. He felt good when our students go and serve; and serve well.

IN RE: COUNTY ADMINISTRATOR COMMENTS – NURSING HOME

Mr. Long stated that there was to be a presentation made to the Board, this evening, by someone interested in locating a nursing home in the County. Evidently the folks representing this Company have been talking to folks in the community and the folks are aware they are out there. He knew that they had a Public Hearing in Prince George on March 11th and at this point he had invited the folks to come to speak this evening and he had not heard back from them. If they are here after Executive Session there may be a possibility of a vote on a Resolution of some type of support but at this time he had not been back in contact. The individual he had spoken to said he would be back with him and he had not heard from him.

Mrs. Mann stated that someone had called the office and informed her that they were going to be at the Executive Board meeting.

There was discussion between the Board and Mrs. Peggy McElveen regarding the proposed home.

IN RE: COUNTY ADMINISTRATOR COMMENTS – SHERIFF'S DEPARTMENT – NOTICE OF EMPLOYMENT

Mrs. Ralph stated just for the record there was a letter in their packet letting the Board know of the recent hires. Mr. Wayne Everett Weaver was hired as dispatcher on March 9, 1998 and Mr. Dwayne A. Sneade is the new County Jailer, in the new County Jailer position, as of March 5, 1998.

Mr. Bracey asked if those two (2) positions are Compensation Board.

Mr. Ralph stated no. Mr. Sneade is County.

Mr. Bracey stated Mr. Sneade is 100% County but Mr. Weaver is Compensation Board.

Mrs. Ralph stated she was not sure if he was one of ours – you have two (2) dispatchers. She would have to check on this and report back to them.

Mr. Bracey stated that was the thing last time. We said we will hire a dispatcher and then next time you move him to the jail or you move him somewhere and we are back in the same position that we were in.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay – He stated he would like to see the County hurry up and hire the Public Safety Officer.

Mr. Bracey stated that we will discuss that in Executive Session.

Mrs. Everett – She stated she, along with the Superintendent, had attended Appreciation Night at John Tyler Community College on Thursday night. There was a young woman from Dinwiddie County that gave the student's remarks. She was Miss Jennifer Jensen. She did an outstanding job and they were very proud of her. They did send their regards to the Board.

Mr. Moody – no comments

Mr. Tickle – no comments

Mr. Bracey – no comments

RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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; Section 2.1-344 (A) - 3 Discussion or consideration of the condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property, or of plans for the future of a state institution of higher education which could affect the value of property owned or desirable for ownership by such institution; Section 2.1-344 (A) - 5 Discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating in the community; and Section 2.1-344 (A) - 7 Consultation with legal counsel (Courthouse Contract; Group Home) the Board moved into Executive Session at 4:55 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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 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: NURSING HOME – LETTER OF SUPPORT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Chairman of the Board to sign a letter of support for the need of a nursing home in Dinwiddie County.

IN RE: CODE ENFORCER POSITION – AUTHORIZATION TO ADVERTISE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Administration to advertise for the Code Enforcer position for the Planning/Zoning Department.

IN RE: COURTHOUSE CONSTRUCTION – CHANGE CONSTRUCTION DIRECTIVE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Administration to submit a change construction directive for additional HVAC work at the Courthouse Building. There is no determination at this point on the contractor's request for additional funds or time.

IN RE: RESOLUTION – GAME & INLAND FISHERIES PARK

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to draft a Resolution to acquire property from the Game & Inland Fisheries for a potential park site for Dinwiddie County.

IN RE: PUBLIC HEARING – 1998-99 BUDGET

Mr. Long and Mr. Bracey reminded the citizens in attendance that if they wished to speak they needed to sign the sheet in the rear of the room. Mr. Bracey asked that we try to be fair to one another and keep our comments to three (3) minutes.

Mr. Long came forward extending a welcome and a thanks to all for coming to the Public Hearing. He informed the citizens that copies of the proposed General Operating Budget, School Board Budget, and a breakdown is also provided for the County's participation in funding for all Constitutional Offices. He stated he would like to point out that they do have the Constitutional Officers, Department Heads and Agency Heads present. Also of course the Board is present, along with Administration. He stated they would try to answer all questions that may come up. In the event that a question arises that they may not be able to address on the spot, Mr. Long instructed the citizens to submit it to Mrs. Mann, in writing before they leave, and he assured them he would respond back to them as soon as possible. He proceeded to give a brief overview of the proposed 1998-99 budget, in a slide presentation. He reminded the citizens present that this is a Public Hearing and currently the vote is scheduled for the April 1, 1998 meeting. Some of the highlights of the proposed budget are as follows:

SUMMARY POINTS

- Tax rates will remain the same for FY99
- 4% increase in local revenues; State revenues down
- 3% increase in General Fund operational budget
- Agency requests are fully funded
- Revenues include implementation of service fees for EMS services

PERSONNEL COSTS

- 2.25% salary increase in December For State employees
- 2% COLA and 2% merit increase in July for County employees
- 4% COLA for County hourly employees in July
- County Employee Benefits - increase in health insurance contribution - $10/month to $160

BOARD OF SUPERVISORS

- Advertising continues to increase

COMMISSIONER OF REVENUE

- Increases in printing forms/postage

- Capital Outlay - $3,000 - 2 PC's; $4,400 - Bookcases (2); Chair mats (10); Chairs (2); Calculators (4)
- GENERAL REASSESSMENT - begins in July, 1998 - funding is spread over an 18-month period

TREASURER

- Funding for calculator; PC - $4,050

SHERIFF

- Capital Items include:
- Seven (7) new cars ($147,000); 3 PC's; flashlights, office chairs, filing cabinets - ($4,000)

FIRE DEPARTMENTS & RESCUE SQUAD

- Contribution includes 3% increase for fire depts. & 1st included
- Responders; 4% for rescue squads
- $30,000 was again provided for capital items outside the abilities of the individual fire depts. And $10,000 for routine maintenance
- $45,000 in insurance premiums has been moved to this department from self insurance fund

DINWIDDIE EMS

- Increase in part-time technicians to provide 40 hour work schedules - may be turned into two full time positions if more efficient for operation of department.

JAIL

- Funds are included for: refrigerator, freezer, time clock, and (2) walkie talkies - $10,000

BUILDING INSPECTOR

- Includes funding for part time Building Inspector and part time Secretary ($44,000)
- Includes new vehicle ($14,000)

ANIMAL CONTROL

- Includes funding for part time help for pound - $5,000

PUBLIC SAFETY OFFICER

- Position and budget re-instated in FY98

WASTE MANAGEMENT

- A significant amount of the improvements at the Landfill are being funded through the County's Capital Improvement program, I.e. completing closure of the landfill and transfer station.
- The County is also investigating the cost savings of transporting its own trash to a regional landfill, which is presently accomplished through an outside vendor.

BUILDINGS AND GROUNDS

- INCREASES INCLUDE:
- Cleaning contract/personnel for new courthouse
- Increased HVAC & elec. Costs for new courthouse
- Increased grounds maintenance through personnel and/or contract
- Construction Inspector has been assigned as Buildings & Grounds Superintendent and is now included in this budget category.

OTHER PLANNING

- Increase to Airport & Industrial Development Authority for 50% funding to match State grant for tractor - $22,500

TRANSFERS

- Social Services and CSA are included as requested
- Self Insurance transfer comes from Self Insurance Fund Balance - due to the County's participation again in other insurance programs, it is no longer necessary to maintain a $1 million fund balance

TRANSFERS cont'd

- The School Transfer request was reduced by $100,000; however the Schools are still receiving:
- $307,158 in new operational funds ($180,000 - insurance)
- $292,460 for capital projects (roof work)
- $222,509 increase in debt service payments

DEBT SERVICE/CIP

- Debt service payments for County projects increased by $371,469. Transfer from General Fund for School Debt Service has been reduced by substitution of $530,000 from Meals Tax.
- Capital Projects Fund includes $2 million for CIP
- Debt Service Fund includes $7.2 Million to generate interest to assist with debt service payments

TAX RATES

Real Estate	$ .74
Mobile Homes	.74
Mineral Lands	.74
Public Services	.74
Personal Property	4.90
Personal Property - Volunteers	.25
Machinery & Tools	3.30
Heavy Construction Equipment	3.30
Airplanes	.50

The Public Hearing on Tax Rates is scheduled for 8:00 P.M. tonight or immediately following this Public Hearing.

Mr. Bracey asked if any Board member had a question for Mr. Long. There being no questions Mr. Bracey opened the Public Hearing.

The following citizens came before the Board:

1. Charles Lewis, Chairman for the Dinwiddie Fire and Rescue Association, came forward to speak on behalf of the Fire & Rescue Association of the County. Originally when they requested their budget this year for 98-99 they had an estimated a cost of $6,500.00. The Board in their proposed budget, budgeted

$1,500.00. He stated they were in the meeting earlier today requesting an additional $200.00 this year to get them through this year, to finish them out. What the Association has requested him to do is to request some additional funding, more than the $1,500.00. Originally they had asked for $6,500.00 which was a $5,000.00 increase from last year. What he was asking the Board for was an additional $1,500.00, instead of $5,000.00. This would bring them to $3,000.00. The Association is working on many projects and have been working on several things since the middle of last year. They are trying to put together some different County wide systems. They are working on the accountability system and an incident management system for the entire County. They have committees working on dispatching protocols. They have many things going on in the Association. He knows that in the past that most of this $1,500.00 has been spent on the monthly meetings, for dinner. That is going to change. They discussed that issue at the last meeting and he stated he was going to do everything that he could, as chairperson, to reduce the amount of money that is spent on meals. They hope to use this money for other things like a County wide training program; County wide recruitment and retention program; and to try to get more volunteers into the system and to keep them into the system. He again asked the Board to consider instead of $1,500.00 for the fiscal year 1998-99 to up it to $3,000.00 and give them an extra $1,500.00 to work with.

2. Joanne Ortez, President of the Friends of the Library, to thank the Board for their hard work and support. She also expressed the Library's appreciation for allocating the full requested amount for the Library in the proposed budget.
3. Anne Scarborough, came forward to express her disappointment at the Board reverting to an old habit. She saw in the paper last Wednesday that this meeting was being held. She stated she called the Administration Office to see if she could obtain a budget and was told that they were not ready. She was complaining about one thing – you have had since July 1st to think about a new budget, to call Wendy and call Glenice in and say what do you mean by this, what do you think of this. She stated she refers to this as spoon feeding plenty of information to them. She stated an old dummy like her that does not understand a lot of this. She asked if they knew what it was like to open 83 pages and try to go through it. This makes it difficult to come before the Board and ask questions about this budget. The citizens have asked before to give them at least a couple of weeks to do something about it. She voiced her concern and was upset about the timing, layout, and headings. She also voiced her concern regarding the Airplane tax rate of $.50.
4. William Phipps came forward stating that he was not here to question any figures but his hopes that these requests are based on sound business principles and are based on needs rather than wants. He stated that it was not hard for him to figure out if the County wants it he has to pay it. He was concerned about the reassessment cost. He felt that it would be better to just put a percentage on property and not go through the hassle. He further stated that this County is way lacking in Zoning and Planning.

Mr. Bracey asked Mrs. Marston if the reassessment is ordered by the General Assembly.

Mrs. Marston replied, Code of Virginia.

Mr. Bracey stated that we have no choice but to have a reassessment, right?

Mrs. Marston stated yes.

Mrs. Mann stated she had no additional names signed up.

Mrs. Ralph stated that this is a Public Hearing on the Tax Rates. That was scheduled at 8:00 P.M. and it is past that time. If there was anyone that wanted to come and speak on that.

Mr. Bracey asked if there was anyone that wished to speak on the Tax Rates.

Mrs. Scarborough wanted to know if her Airplane Tax Rate concern carried over.

The Board assured her it would.

Mr. Bracey closed the Public Hearing at this time.

Mr. Bracey asked the Board members at this time.

Mr. Clay stated he had no questions.

Mrs. Everett stated she would like to see the $1,500.00 requested by the Dinwiddie Fire & Rescue Association put into the budget.

Mr. Moody stated he had no questions at this time.

Mr. Tickle asked for Mrs. Marston to come to the podium. He questioned her about the $4.90 car tax, personal property. He wanted her to comment on the article he saw in the newspaper which ranks Dinwiddie County in the top five (5).

Mrs. Marston came forward and discussed the personal property tax with the Board. She stated that the Board sets the tax rate. There was also discussion about a reduced rate for vehicles in poor condition. Mrs. Marston continued by stating how she assessed the vehicles in the County. She stated that it is at the discretion of the Assessing Officer.

RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 8:30 P.M. to be continued at 2:00 P.M. on April 1, 1998 for a CIP Work Session.

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

ATTEST:
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTIPURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 1st DAY OF APRIL, 1998, AT 2:00 P.M.

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

Mr. Moody arrived at 2:20 P.M.

OTHER:	DANIEL M. SIEGEL	COUNTY ATTORNEY
	RICHARD PLEDGER	

IN RE: CALL TO ORDER

Mr. Bracey, Chairman, called the meeting to order at 2:05 P.M.

IN RE: EMERGENCY MEDICAL SERVICES – BILLINGS FOR SERVICES

Mr. R. Martin Long, County Administrator, stated Mrs. Dawn Titmus, Deputy Emergency Services Coordinator, was present to explain the possibility of billing for services. Mr. Long asked Mrs. Wendy Weber Ralph, Assistant County Administrator, if this subject had come up at the volunteer meeting she had attended the previous evening.

Mrs. Ralph responded that it had not been discussed.

Mr. Bracey was concerned about how we would handle the volunteers. He asked Mrs. Ralph if this was an issue?

Mrs. Ralph stated that it will be an issue but she did not feel it was something that the Board could solve right now. She continued with if the Board wanted to go forth with billing then they should go forth and the details will be worked out. Again she stated the volunteers will be an issue but we are not ready to attack it right now.

Mr. Bracey asked about insurance billings.

Mrs. Titmus stated your insurance will be billed and the patient will also be billed. The hospital will do the billing for ten (10%) percent of what is collected. Mrs. Titmus explained all billing would be done by Southside Regional Hospital. There would be three (3) mandatory billings.

There was discussion between Mrs. Titmus, the Board, Mr. Long and Mrs. Ralph regarding the billing procedure and the handling of paid personnel assisting on volunteer calls. It was agreed that many details will need to be worked out as the program progresses. It was decided that the County would not ask for any collection of bills not paid by insurance companies.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes Administration to move forward with Emergency Medical Services billing for services provided by the paid crews in Dinwiddie County. This billing process will begin on July 1, 1998.

IN RE: EMERGENCY MEDICAL SERVICES – RECHASSIS OF AMBULANCE

Mr. Long continued that the next item was also regarding EMS, in conjunction with the Capital Improvement Program (CIP). He requested Mrs. Titmus to talk about the re-chassis of the existing unit versus the purchase of a brand new unit.

Mrs. Titmus stated the County had received grant funds in the amount of $7,900.00 toward the re-chassis of the existing unit. If these funds are not used for that purpose then we will forfeit this money. She continued by stating that a chassis like they have, in her opinion, is what was needed and is adequate for their needs. She stated that the box that they currently have is in perfectly good condition and could continue to be used. To re-chassis this unit would run approximately $40,000.00. A new ambulance would run approximately $78,000.00.

There was discussion regarding re-chassis, rebuilding the motor, and purchasing a brand new unit.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Authorization is granted for Administration to proceed with exploring the options available and proceed with action not to exceed $40,000.00.

IN RE: LANDFILL CLOSURE

Mr. Long stated Mr. Dennis King, Waste Management Director, was present to discuss the closure of the landfill.

There was discussion between the Board, Mr. Long, Mrs. Ralph, Mr. Faison and Mr. King regarding the proposed costs for final closure of the Dinwiddie County Landfill. These estimated costs have been supplied by Draper Aden & Associates. They are proposing handling all aspects of the closure and will release Dinwiddie County from all future problems and responsibilities resulting from failure to comply with all rules and regulations in this closure. Estimated closure cost at this point is $403,966.00. Draper Aden & Associates felt these estimates are high and bids would come in considerably lower. Mr. Long stated the turnkey price from Draper Aden & Associates to provide engineering and supervision for the project is $69,000.00. This figure would include preparation of the bid documents, putting the bid out, procurement of the contractor, providing a man on the work site 40 hours per week, if necessary to oversee the project, and at the end of the closure; this is the important part to him. At the end of the closure, they would put their stamp on it, on a report that they will turn over to the Department of Environmental Quality (DEQ). DEQ would accept this report that the landfill is closed and behind us. If a problem occurs after that point, DEQ goes back to Draper Aden and not Dinwiddie County. That is the way he understands it and that is what is important to him is that they certify that it is done and done right. If there is any liability from that point, it is not on the County.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Authorization is granted to Draper Aden & Associates to proceed with bidding the closure of Dinwiddie County's Landfill with all bids being presented to the Board for review before any work is started on the project.

IN RE: LANDFILL CLOSURE – FUND DESIGNATION

Mr. Long continued by stating along with that what they would like to do for the CIP program for 98-99 coming up is set aside the necessary balance of $165,000.00, since we have $240,000.00 in the current year. We need to set this aside in the CIP to have it available when the bids come in

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that $165,000.00 be designated in the 1998-99 Capital Improvement Program for completing the landfill closure.

IN RE: TELEPHONE SYSTEMS – CONTRACT

Mr. Long stated the next item was the telephone system. On Monday, March 30, 1998, Mrs. Ralph, Mrs. Glenice Townsend, Fiscal Officer, Mrs. Peggy McElveen, Director of Social Services and Mr. Donald W. Faison, Construction Inspector traveled to various places to inspect and review the telephone system being proposed. Mr. Long turned the floor over to Mrs. Ralph to report on their findings.

Mrs. Ralph stated they spent the day looking at the equipment, which is Panasonic equipment. This was the type of equipment received on the low bid from Total Office Solutions which is located in Richmond. Three (3) employees from this office accompanied them on their journey. Mrs. Ralph stated she had asked very blunt questions about the system and felt that it met all the needs of the offices. Mr. Tickle also visited the first location.

There was discussion regarding equipment, support, voice mail and service after the sale.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to sign a contract with Total Office Solutions to supply a new telephone system for the Courthouse Project, Administration Building, Sheriff's Office and Social Services. Funds for the Courthouse system will be provided through the Courthouse Bonds; Social Services has provided a letter stating that they will pay for their system out of their budget and Administration and the Sheriff's systems will come from the 1998-99 CIP Fund.

IN RE: TELEPHONE SYSTEM – FUND DESIGNATION

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that additional funds be designated for the 1998-99 Capital Improvement Program Fund in the amount of $25,000.00 to provide a new telephone system for the Administration Building and the Sheriff's Office.

IN RE: BREAK

Mr. Bracey called for a five (5) minute break at 3:40 P.M.

IN RE: CAPITAL IMPROVEMENT PROGRAM

Mr. Long stated what he had provided the Board with was a list of -- the top list being the current years' capital projects and the bottom list being other items to consider. We have indicated the cost or proposed cost, whether it is has been authorized to be done, and other pertinent information. The subtotal for the current year is $944,574.00. The amount that has already been awarded or authorized to bid is $892,574.00. This means with the telephone system and Midway property option the 1997-98 million is fully allocated.

There was discussion regarding moving the fire and rescue projects to a separate list and looking into separate funding for these projects. It was decided that staff would pull together a plan for the EMS/Fire/Rescue, working with the new Public Safety Officer, and report back to the Board at the May 20, 1998 meeting. At that point the Board will look at the remaining items on the list and work forward. There was a brief discussion on using the closed schools for various community/recreation activities and/or possible office space. Mr. Tickle asked that $50,000.00 be allocated for the Lake Chesdin Recreation Area. He also expressed interest in an additional manned site at Olger's Store dumpster location.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 (Treasurer; Public Safety Officer; Pay Classification Plan); and Section 2.1-344 (A) 7 - Consultation with legal counsel (Courthouse Contract; Option – Midway property) the Board moved into Executive Session at 4:57 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:33 P.M. in the Board Meeting Room of the Pamplin Administration Building.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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.

RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 7:35 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST:
R. Martin Long
County Administrator

/pam

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 1ST DAY OF APRIL, 1998, AT 7:30 P.M.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	LEENORA V. EVERETT, VICE-CHAIRMAN	ELECTION DISTRICT #3
	AUBREY S. CLAY	ELECTION DISTRICT #5
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	HARRISON A. MOODY	ELECTION DISTRICT #1
OTHER:	DANIEL M. SIEGEL	COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 7:34 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: MOMENT OF SILENCE – MEMORY OF WILLIAM E. BOLTE

Extract

Mr. Bracey requested that we remain standing and observe a moment of silence in memory of Mr. William E. Bolte, Past Commissioner of the Revenue, who passed this past week.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda. There being none Mr. Bracey moved forward.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the March 4, 1998 Continuation Meeting; March 4, 1998 Regular Meeting; March 5, 1998 Continuation Meeting; and March 18, 1998 Regular Meeting are approved in their entirety with the corrections that were passed to the Board earlier this date.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1009771- 1009993 (void checks numbered 1009771 & 1009856); for Accounts Payable in the amount of $281,850.27: General Fund $221,485.33; Jail Commission $54.46; E911 Fund $368.00; Fire Programs Fund $3,409.07; Forfeited Asset Sharing $499.66; and Capital Projects $56,033.75. Payroll in the amount of $298,436.28 was also approved and appropriated: General Fund $298,436.28.

IN RE: APPROVAL OF REQUISITION # 16 – COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated Requisition #16 for the Courthouse consists of payment to:

GULF SEABOARD GENERAL CONTRACTORS, INC.	$158,694.65
JMJ	119,723.05
K&B	17,843.25
MORTON MARKS & SONS INC	12,001.41
BELL ATLANTIC	364.70
TOTAL OF THIS REQUISITION	$308,627.06

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 16 in the amount of $308,627.06 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if any citizens had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, stated no citizens had signed up.

Mr. Bracey asked if there was any citizen present that had not signed up but wished to speak at this time. There being none Mr. Bracey moved forward.

IN RE: PUBLIC HEARING – P-98-1 – REZONING – DAN UPTON

This being the time and place advertised in the Dinwiddie Monitor on March 18 and March 25, 1998, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing for the purpose of approving P-98-1, rezoning for Dan Upton.

Mr. William C. Scheid, Director of Planning came before the Board to present P-98-1. He stated P-98-1 seeks to rezone a portion of Tax Map Parcel 58-21 from Agricultural, General, A-2 to Residential, Rural, RR-1. Property is fronted on Hawkins Church Road which is Route 650 and is located in the Rowanty Magisterial District. The Planning Commission recommends approval of the application with the proffer.

Mr. Bracey opened the Public Hearing.

There being no citizen in attendance wishing to speak on P-98-1, Mr. Bracey closed the Public Hearing.

There was discussion between the Board and Mr. Scheid regarding the lot size, road frontage and other conditions.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that Parcel 58-21 of the Dinwiddie County Zoning Maps, is amended by changing the district classification from Agricultural, General, A-1 to Residential, Rural, RR-1 with the following condition proffered by the applicant, Mr. Dan Upton:

> No lots shall be less than three (3) acres with three hundred (300) feet of road frontage along Hawkins Church Road. There shall be only four (4) lots on road frontage, with a parcel of land located off the road, with at least five (5) acres parcel, and a right of way of fifty (50) feet to get to it.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.2-2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

In all other respects, said zoning ordinance is hereby reordained.

IN RE: PUBLIC HEARING – A-98-1 – AMENDMENT TO ZONING ORDINANCE ARTICLE IX. TELECOMMUNICATION ANTENNAE AND TOWERS

This being the time and place advertised in the Dinwiddie Monitor on March 18 and March 25, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing for the purpose of approving A-98-1, Amendment to Zoning Ordinance Article IX. Telecommunication Antennae and Towers.

Mr. Scheid came forward and presented A-98-1. He stated this was an amendment to the zoning ordinance which seeks to add Article IX, Telecommunications to the County Code.

There was discussion among the Board regarding the distance between towers and which mainly deals with Page 5 Item 5 of the proposed amendment. It was decided to change two (2) mile radius of the proposed site to three (3) mile radius of the proposed site. Mr. Scheid assured the Board that these tower permits would be made on a tower to tower basis. If a tower owner does not comply with all requirements then they would notify them that their permit is in jeopardy of being revoked.

Mr. Bracey stated this is a Public Hearing and asked if any citizens wished to speak at this time. There being none signed up and none in attendance, Mr. Bracey closed the Public Hearing portion of this case.

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

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of Dinwiddie County, that the Code of the County of Dinwiddie, Virginia be amended by adding the following article to Chapter 22 (Zoning):

ARTICLE IX. TELECOMMUNICATION ANTENNA AND TOWERS

Sec. 22-268. Definitions.

(1) *Wireless telecommunication facility:* Facility that is designed and constructed for the primary purpose of supporting communication (broadcasting and/or receiving) equipment utilized by commercial, government, or other corporate, public and quasi-public users. Towers include radio, television, cellular telephone, personal communication services (PCS), microwave and other similar communications facilities, satellite earth stations and building-supported antennas. The towers may be self-supported lattice and monopole, or guy-supported.

(2) *Building-supported antenna:* One (1) or more antenna affixed to a building or structure at least fifty (50) feet in height for purposes of supporting broadcast or receiving equipment of any frequency or electromagnetic wave, or any similar devices used for the transmission or reception of electromagnetic waves.

(3) *Co-locate:* To locate on an existing structure with another user of that structure. For this purpose structures includes, but is not limited to, existing telecommunications towers, power or telephone poles, light poles, water towers, buildings, or similar structures.

Sec. 22-269. Purpose and intent.

The purpose of this article is to establish general guidelines for the siting of telecommunication antennas and towers to ensure the provision of telecommunication services with minimal impact on the County. The goals of this ordinance are to: (i) encourage the location of antennas and towers in areas where the adverse impact on the community is minimal, (ii) to minimize the total number of tower sites, (iii) to encourage the location of towers in non-residential areas and within interstate highway, railroad, and overhead utility transmission line right-of-ways, and (iv) strongly encourage the co-location of telecommunication equipment on existing towers. The applicant shall obtain a conditional use permit from the Board of

Supervisors before erecting towers or antennas covered by this article. The Board of Supervisors shall consider the following factors in determining whether to issue a conditional use permit:

a. Height of the proposed tower;
b. Proximity of the tower to residential structures and residential district boundaries;
c. Nature of the uses on adjacent and nearby properties;
d. Surrounding topography;
e. Surrounding tree coverage and foliage;
f. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
g. Proposed ingress and egress;
h. Co-location policy;
i. Language of the lease agreement dealing with co-location;
j. Consistency with the comprehensive plan and the purposes to be served by zoning;
k. Availability of suitable existing towers and other structures; and
l. Proximity to commercial or private airports.

Sec. 22-270. Conditional use permit required.

(1) Except as provided below, all communication towers require a conditional use permit, obtained in accordance with the provisions of this chapter.

(2) A conditional use permit shall not be required for building-supported antennas and the collocation of antennas on existing telecommunications towers. An administrative review and approval process as set forth in Section 22-271 will be required.

(3) The regulations set forth herein in Article IX do not apply to the following:
   a. any amateur radio communication antenna or tower which is under fifty (50) feet in height and is owned and operated by a federally-licensed amateur radio station operator or is used exclusively for receive only antennas for amateur radio station operation;
   b. antennas and dishes limited exclusively to home use;
   c. dish antennas two (2) meters or less in diameter in areas zoned for commercial or industrial use and dish antennas one (1) meter or less in diameter regardless of the zoning district; and
   d. towers owned by the County of Dinwiddie, Virginia.

Sec. 22-271. Administrative review process.

The applicant shall submit a preliminary site plan to the department of planning for administrative review and preliminary approval by the director of planning.

(1) The site plan for the building-supported antenna shall be approved only if the following minimum standards are met:
   a. No more than five (5) antennas or antenna arrays shall be located on any one building or structure.
   b. The highest point of the antenna shall not exceed twenty-two (22) feet above the highest point of the building or structure to which the antenna is attached.
   c. Building-supported antenna shall be painted or colorized to match the color of the building, or painted or colorized to blend with the building, or surrounding environment, as determined by the director of planning.
   d. The antenna shall be screened from view, or otherwise designed and installed in a manner which renders the antenna unobtrusive from view.
   e. Antenna shall not be mounted on utility poles or lighting structures unless within a Virginia Power standard transmission easement or within a public right-of-way along or on an interstate highway maintained by the Virginia Department of Transportation.

f. Antenna shall not be attached to any building or structure less than fifty (50) feet in height as measured from ground level.

g. A statement from an engineer licensed by the Commonwealth of Virginia that NIER (non-ionizing electromagnetic radiation) emitted from any proposed communications antenna or tower and associated substations will not resulted in a ground level exposure at any point outside such facilities which exceeds the lowest applicable exposure standards established by any regulatory agency of the U. S. Government of the American National Standards Institute.

(2) The collocation of additional antennas, unmanned building, or similar appurtenances necessary for a provider to collocate on an existing telecommunications tower constructed under a valid conditional use permit may be installed upon administrative review and approval provided that all standards set out in this chapter are met and all information, reports, and evidence required under section 22-273, have been submitted as part of the application for preliminary site plan approval.

(3) Replacement or modification of existing telecommunications towers constructed under a valid conditional use permit may be approved through the administrative review process provided that:

a. The telecommunication tower, as replaced, does not exceed the height of the existing tower.

b. All landscaping requirements in this article are met.

c. All new structures and buildings installed in conjunction with the replacement of the tower meet all applicable standards of this chapter.

d. The application for approval of the site plan contains all information, reports and evidence required under section 22-273, have been submitted as part of the application for preliminary site plan approval.

Sec. 22-272. Pre-application meeting required.

Prior to submitting an application for a conditional use permit for a telecommunications tower, the applicant shall meet with the director of planning, or designee, to discuss the proposed location of the telecommunications tower, the location of all existing and planned telecommunications towers which the applicant owns or operates within the county, the feasibility of locating the telecommunications facilities on existing towers, buildings or structures. Failure to schedule and attend a pre-application meeting shall preclude the acceptance and processing of an application for a conditional use permit for a telecommunications tower.

Sec. 22-273. Required information.

In addition to the information otherwise required for a conditional use permit application, any application for a telecommunications tower shall include the following:

(1) Each applicant shall submit a scaled site plan and elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by appropriate licensed professionals, showing the location and dimensions of all improvements, including information concerning topography, radio frequency coverage, tower height requirements, setbacks, drives, parking, fencing, landscaping, adjacent uses, and other information deemed necessary to assess the application. Additionally, applicant shall provide actual photographs of the site from designated relevant views that include a simulated photographic image of the proposed tower. The photograph with the simulated image shall include the foreground, the mid-ground, and the background of the site.

(2) A statement from an engineer licensed by the Commonwealth of Virginia that NIER (non-ionizing electromagnetic radiation) emitted from any proposed communications antenna or tower and associated substations will not resulted in a ground level exposure at any point outside such facilities which exceeds the lowest applicable exposure standards established by any regulatory agency of the U. S. Government of the American National Standards Institute.

(3) Each applicant for an antenna and/or tower shall provide to the Planning Department an inventory of its existing facilities that are either within the jurisdiction of Dinwiddie County or within five (5) miles of the border thereof,

including specific information about the location, height, and design of each tower. The Planning Department may disclose such information with other applicants applying for a conditional use permit; provided, however that the Planning Department is not, by disclosing such information, in any way representing or warranting that such sites are available or suitable.

(4) The applicant shall provide copies of propagation maps demonstrating that antennas and sites for possible co-locator antennas are no higher in elevation than necessary.

(5) No new tower shall be permitted unless the applicant provides verifiable evidence in written form demonstrating the unavailability or lack of space on all towers and/or structures within a two mile radius of the proposed site. Certified mailing of verification forms provided by the County, known as the "Standard Letter of Contact with Existing Tower Owners," to the owner or operator of all existing communications towers and suitable buildings or structures within a three (3) mile radius of the proposed site, shall be sufficient evidence of the tower or building fails to respond to the form within a reasonable period of time no less than fourteen (14) days after certification of delivery.

(6) An engineering report by a Virginia-registered structural engineer stating the telecommunications antenna or tower height, design, structure, installation and total anticipated capacity of the structure, including number and type of antenna which could be accommodated, and demonstrating to the satisfaction of the director of planning and the building inspector that all structural requirements and safety specifications set in the Uniform Statewide Building Code will be met. In addition to the structural and safety specifications in the Uniform Statewide Building Code, the certification shall state that the proposed telecommunications tower will be designed to withstand 110 m.p.h. winds and to collapse within the lot lines in case of structural failure.

(7) The applicant shall provide copies of their co-location policy.

(8) A statement from a Virginia-registered structural engineer certifying that the proposed tower is compatible for collocation with a minimum of three (3) similar users including the primary user, must be submitted by the applicant.

Sec. 22-274. General Standards.

(1) The site shall be a minimum of two thousand (2,000) square feet excluding vehicular access areas.

(2) Setbacks: The following setback requirements shall apply to all towers and antennas for which a conditional use permit is required, however, the Board of Supervisors may reduce the standard setback requirements if the goals of this ordinance would be better served thereby.

a. All communications antennas or towers must be setback 200% of the height of the antenna or tower to the nearest residential structure, and in no case less than four hundred (400) feet.

b. All communications antennas or towers shall be setback 110% of the height of the antenna or tower from the property lines.

c. All towers, guys and accessory facilities must satisfy the minimum zoning district setback requirements for primary structures.

(3) All telecommunications antennas or towers shall be enclosed by security fencing not less than six (6) feet in height and shall also be equipped with an appropriate anti-climbing device; provided, however, the Board of Supervisors may waive such requirements, as it deems appropriate.

(4) Landscaping: The following requirements shall govern the landscaping surrounding antennas or towers for which a conditional use permit is required; provided, however, that the Board of Supervisors may be waive such requirements if the goals would be better served thereby.

a. Any combination of landscaped vegetative buffers, landscaped earthen berms, or preservation of existing vegetation shall be provided around

the perimeter of the site of any communication antennas and/or towers facilities and associated support buildings to effectively screen the view of the base of the tower from adjacent properties. The standard buffer shall consist of a landscaped strip at least five (5) feet wide outside the perimeter of the compound.

b. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as antennas or towers sited on large, wooded lots; the Board of Supervisors may determine that the natural growth around the property perimeter may be sufficient buffer.

c. All living and diseased-free trees eight (8) inches or larger in diameter, measured four and one-half (4 ½) feet from the base, shall be preserved and protected during construction of any communication antenna or tower and associated support buildings, except where clearing is required to accommodate the proposed communication antenna or tower and associated substation and vehicular access.

(5) The treatment, color, and lighting system for the communications antenna or tower shall be as follows:

a. Antennas or towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness. Dish antennas will be of a neutral, non-reflective color with no logos.

b. At a facility site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and the built environment.

c. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

d. Antennas or towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the Dinwiddie County Board of Supervisors may review the lighting alternatives and approve the design, in accordance with applicable requirements, that would cause the least disturbance to the surrounding views.

(6) No commercial advertising material shall be permitted on the communications antenna or tower and any associated support buildings.

(7) The County shall be provided co-location opportunities without compensation as a community benefit to improve radio communication for County departments and emergency services provided it does not conflict with the collocation requirements above.

(8) The communication antenna or tower shall be designed and installed so as not to interfere with the Dinwiddie County Public Safety Communications System. The applicant shall perform an engineering study to determine the possibility of radio frequency interference with the County system. Prior to release of a building permit, the study shall be submitted to, and approved by Dinwiddie County Administration.

(9) The developer shall be responsible for correcting any frequency problems which affect the Dinwiddie County Public Safety Communications System caused by this use. Such corrections shall be made immediately upon notification by the Dinwiddie County Administration.

(10) All communications antennas or towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate antennas and towers. If such standards regulations are changed, then the owners of the antennas and towers shall bring

such antennas or towers into compliance with such revised standards as required. Failure to bring antennas and towers into compliance with such revised standards and regulations shall constitute grounds for the removal of the antenna or tower at the owner's expense.

(11) A copy of any FAA approval must be on file before a Certificate of Occupancy is issued.

(12) At such time that the communications antenna or tower ceases to be operated for a continuos period of twelve (12) months; it shall be considered abandoned, and the owner of such antenna or tower shall remove same and associated equipment within ninety (90) days of receipt of notice from the Dinwiddie County Planning Department of the removal requirement. Removal includes the removal of the antenna or tower, all antenna/tower and fence footers, underground cables, and support buildings. If there are two (2) or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

(13) The applicant shall post a bond equivalent to the cost of removal of the tower with the director of planning.

(14) The owner of each antenna and tower shall have a safety inspection conducted annually be a registered professional engineer licensed in the Commonwealth of Virginia and a copy of the inspection report shall be filed with the Dinwiddie County Planning Department. The report shall state the current user status of the antenna and/or tower, and the structural condition of the facility and that it presents no danger to the public.

(15) Any cost associated with review by an engineer, licensed by the Commonwealth of Virginia, of any of the above required information shall be billed to the applicant.

(16) The owner of the tower shall provide the name and address of a contact person during the approval process and shall notify the Planning Department in writing of any changes. The name and address of a contact person for each lessee of tower space shall also be provided to the Planning Department.

Section 22-275. Accordance with applicable regulations.

This article shall be interpreted in accordance with all applicable federal, state, and local statues, ordinances, and regulations. In the event that a court of competent jurisdiction determines that a provision of this Article is invalid, the remaining provisions of this Article shall be interpreted as if such unenforceable provision(s) were not included.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.2-2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

In all other respects, said zoning ordinance is hereby reordained.

IN RE: PUBLIC HEARING – A-98-2 – ARTICLE X, SITE PLAN ORDINANCE

This being the time and place advertised in the Dinwiddie Monitor on March 18 and March 25, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing for the purpose of approving A-98-2, Amendment to Zoning Ordinance Article X. Site Plan Ordinance.

Mr. Scheid came forward and presented A-98-2. He stated this was an amendment to the zoning ordinance which seeks to add Article X, Site Plan to the County Code. During the past several months the Planning Commission Staff has worked with the Planning Commission to develop guidelines for site developments within the County. This ordinance is adopted for work in conjunction with the subdivision ordinance. He mentioned that this was an ordinance that will work in conjunction with the subdivision ordinance. They have had some gray area in the past as to having some criteria set out there for site plan review. This kind of covers the gray area that we have had in the past. This is the reason for this being added to the zoning code. It ties the two ordinances together. The Planning Commission recommends approval of A-98-2.

Mr. Bracey stated this is a Public Hearing and asked if any citizens wished to speak at this time. There being none signed up and none in attendance, Mr. Bracey closed the Public Hearing portion of this case.

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

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of Dinwiddie County, that the Code of the County of Dinwiddie, Virginia be amended by adding the following article to Chapter 22 (Zoning):

ARTICLE X. SITE PLANS

Sec. 22-276. Uses requiring site plan approval.

The following uses require a site plan when they require a building permit or involve a land area greater than two thousand five hundred (2,500) square feet:

(1) Nonresidential uses, to include, but not limited to, churches, schools or colleges, hospitals, nursing homes, institutional buildings, public buildings, parks and playgrounds.

(2) Any land use or development in multifamily residential, mobile home park, business, and industrial districts.

(3) Any nonresidential land use permitted by right in any district.

(4) Any land use or development for which a conditional use permit or special exception is required.

(5) Planned unit developments.

Sec. 22-277. Preparation and submission of site plans.

(1) Site plans, or any portion thereof, involving engineering, landscape architecture, architecture, or land surveying, shall be prepared or certified respectively by an engineer, landscape architect, architect, or land surveyor duly registered by the state of Virginia to practice as such.

(2) Requests for site plan review and approval shall be accompanied by the following:

(a) A completed application form;

(b) Twelve (12) copies of all applicable plans;

(c) Required fees (see Chapter 18, Section 18-13);

(d) A request by the applicant to use either the administrative site plan review process or the planning commission site plan review process; and

(e) Copies, the number of which shall be determined by the director of planning, of all commission's and board's minutes relating to zoning and development of the property.

(3) A site plan may be prepared in one (1) or more sheets to show clearly the information required by this article to facilitate review and approval of the plan. If prepared in more than one (1) sheet, match lines shall clearly indicate where the sheets join and each sheet shall contain an overall sketch plan showing the relationship of improvements on each sheet.

(4) A master site plan may be submitted for large areas to be developed in phases. Further changes, additions, or deletions may be submitted as site plans wherein only that portion of the land or building affected need be shown.

(5) Clearly legible blue- or black-line copies of a site plan prepared in accordance with the requirements of this article, are required to be submitted for approval as provided in this article.

(6) Sheet size shall not exceed twenty-four (24) by thirty-two (32) inches.

Sec. 22-278. Required information.

Every site plan shall be prepared in the following manner and show the following information and location of land uses where necessary and applicable:

(1) Proposed title and location of the development.

(2) The names, addresses, telephone numbers, and facsimile numbers of the owner or owners of record of the tract and the applicant.

(3) The name, address, telephone number, and facsimile number of the engineer, architect, designer, or landscape architect who prepared the plan.

(4) The owners names, zoning, tax map number, deed and plat book reference, and present use of all contiguous and abutting property.

(5) Date, scale, north arrow, and number of sheets.

(a) Scale shall be one (1) inch equals one hundred (100) feet or larger, for all plan sheets showing buildings or building lots; and at least one (1) inch equals six hundred (600) feet on plan sheets showing no buildings or building lots.

(b) For projects containing two hundred acres, or more, the scale shall not be more than two hundred (200) feet to one (1) inch.

(6) Vicinity sketch.

(7) Existing zoning and zoning district boundaries.

(8) Proposed zoning changes, if any.

(9) Boundary of entire tract by courses and distances, including two (2) points connected to the Virginia Coordinate System of 1983 (NAD83), and total area of parcel.

(10) Recreation or open spaces.

(11) All building and highway setback lines, utility easements, covenants, reservations, and existing, as well as ultimate, right-of-way, as shown on the general plan.

(12) Existing and finished topography with a maximum of two-foot contour intervals with spot elevations where necessary. Plans depicting any off-site drainage area shall show off-site topography with a maximum of five-foot contour intervals.

(13) Storm drainage systems, and natural and artificial watercourses.

(14) All existing improvements, including privately owned and underground utilities and the like.

(15) Limits of any established 100-year floodplains and wetlands.

(16) All existing and proposed streets, sidewalks, alleys, and easements; their names and widths.

(17) Buildings and structures to include architectural elevations/renderings; location of; distances between buildings; number of stories; area in gross square feet of each floor; number of dwelling units or guest rooms; building height; and location and size of required street address sign.

(18) Driveways, entrances, exits, parking areas, and on- and off-street loading spaces to include number of parking spaces; number of handicapped parking spaces; and number of loading spaces and pavement design detail.

(19) The location and sizes of sanitary and storm sewers, water mains, culverts, and other underground structures, and of all utility lines, including electric, natural gas, CATV, telephone, and other lines, both underground and overhead, existing and planned, in or near the project.

(20) Slopes, terraces, retaining walls, fencing and screening within the required yards and location of existing trees within yard or setback areas.

(21) Plans for collecting and depositing storm water, (in accordance with Virginia Erosion Control and Sedimentation) and method of treatment of natural and

artificial watercourses, including a delineation of proposed limits of floodplains, if any, as created or enlarged by the proposed development.

(22) Conceptual outdoor lighting, provided detailed plans are submitted prior to installation.

(23) Conceptual landscaping, provided detailed plans are submitted prior to installation.

(24) Graves, objects, or structures marking places of burial.

(25) Location and number of dumpsters, and detail of dumpster pad and type of screening.

(26) Location, size, height, and orientation of all existing and proposed signage.

(27) Any other feature of the development which is required by this chapter to be shown on a site plan.

Sec. 22-279. Site plan review processing.

(a) The director of planning or his agent shall be responsible for reviewing the site plans for general completeness and compliance with adopted plans or such administrative requirements as may be established prior to forwarding copies thereof to other reviewing agencies or officials.

(b) The director of planning or his agent shall send written notice of site plan submission to adjacent property owners by registered, certified or first class mail as soon after site plan submission as practicable, but in no event less than twenty-one (21) days prior to approval or disapproval of the site plan. If such written notice is sent by first class mail, the director of planning or his agent shall make affidavit that such notice has been sent and shall file the affidavit with the application for approval.

The director of planning or his agent shall be responsible for posting a sign notifying the public of site plan submission for administrative review as soon as practicable, but in no event less than twenty-one (21) days prior to approval or disapproval of the site plan. Such posting shall be performed as required by section 15.2-2204 of the Code of Virginia.

(c) All site plans which are properly submitted as provided in this article for review and approval shall be reviewed and recommended for approval or denial by:

(1) The director of planning, or his agents, relative to:

a. Compliance with the requirements of this chapter, including but not limited to, setbacks, side yards and rear yards, height of building, lot area and lot coverage, fencing, screening, landscaping, lighting; and pedestrian access.

b. Compliance with chapters 9, 17.5, 18, and 21.

c. Location, design and adequacy of automobile parking as to number of spaces, square footage per space including movement lanes and total area.

(2) Virginia Department of Transportation Engineer relative to highway matters.

(3) Dinwiddie County Water Authority relative to:

a. Adequacy of water supply and sanitary wastewater facilities.

b. Compliance with applicable established design criteria, construction standards and specifications for all required public water and wastewater improvements.

(4) Building official or his agent, relative to compliance with the Uniform Statewide Building Code.

(5) Appomattox River Soil and Water Conservation District relative to adequacy of drainage and erosion control measures.

(6) The Virginia Department of Health if septic tanks and other sewage disposal facilities other than sanitary sewers are involved.

(d) The director of planning, or his agent, shall approve or disapprove site plans in accordance with the reviewing authorities' recommendations. He shall notify the applicant of his decision to approve or disapprove the site plan within sixty (60) days of the date of submission of the plan, if practicable. If the director of planning fails to approve or disapprove the site plan within sixty (60) days after it has been officially submitted for approval, the applicant, after ten (10) days written notice to the director of planning, may petition the circuit court to decide whether the site plan should or should not be approved. The court shall hear the matter and shall approve or disapprove the site plan in accordance with this chapter.

Sec. 22-280. Site plan approval.

(a) An approved site plan shall become null and void if no significant work is done or development is made on the site within five (5) years after final site plan approval.

(b) There shall be no clearing or grading of any site without approval of a grading and/or erosion control plan by the director of planning. Construction or development may begin upon approval of the site plan by the director of planning and of building permits by the building official.

(c) The subdivider or developer may file for an extension prior to the expiration of final site plan approval. The director of planning may grant one or more extensions of such approval for additional periods as the director may determine to be reasonable, taking into consideration the size and phasing of the proposed development and the laws, ordinances and regulations in effect at the time of the request.

(d) Deviation from an approved site plan without the written approval of the director of planning shall void the plan and the director of planning shall require the applicant to submit a new site plan for consideration.

Sec. 22-281. Construction to be in accordance with site plan; prerequisite to issuance of permit.

(a) It shall be unlawful for any person to construct, erect or structurally alter any building or structure or develop, change or improve land for which a site plan is required, except in accordance with the approved site plan.

(b) Inspections during the installation of the off-site improvements and required on-site improvements shall be made by the department responsible for such improvements as required to certify compliance with the approved site plan and applicable county standards.

(c) The owner shall notify the director of planning twenty-four (24) hours prior to the beginning of all street or storm sewer work shown to be constructed on the approved site plan.

(d) The owner shall have one (1) set of approved plans, profiles and specifications available at the site at all times when work is being performed. A designated, responsible employee shall be available for contact by county inspectors.

(e) No building permit shall be issued to construct, erect or alter any building or structure or develop, or improve any land, that is subject to the provisions of this article until a site plan has been submitted and approved.

(f) The applicant or developer shall submit to the director of planning a set of as built drawings certified by an engineer, licensed by the Commonwealth of Virginia, acceptable to the director of planning stating that all improvements have been installed as represented and function as designed.

Sec. 22-282. Certificate of occupancy.

A final occupancy permit may be issued for any appropriately completed building or part of building located in a part of the total area of an approved site plan, provided:

(a) The other on-site construction and improvements included in the approved site plan for the section have been completed and have been inspected and accepted by the director of planning, Dinwiddie County Water Authority, or their agents.

(b) The owner shall receive an approval from the director of planning, Dinwiddie County Water Authority, or Virginia Department of Transportation on the installation of all the required improvements upon the application. Such approval will authorize the release of any bond which may guarantee the satisfactory installation of such improvements or parts thereof. Inspections will be made within a reasonable time of the request, and the bond released as quickly as circumstances will permit.

(c) The installation of improvements as required in this chapter shall in no case serve to bind the county to accept such improvements for the maintenance, repair or operation thereof, but such acceptance shall be subject to the existing regulations concerning the acceptance of each type of improvement.

(d) The off-site improvements related to and necessary to service the section have been completed and have been inspected and accepted by the director of planning, Dinwiddie County Water Authority, or their agents, or the developer has provide surety acceptable to the bonding requirements of the county.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.2-2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

In all other respects, said zoning ordinance is hereby reordained.

IN RE: PUBLIC HEARING – A-98-3 – AMENDMENT TO ZONING ORDINANCE – SECTION 22-71 -- BED AND BREAKFAST ESTABLISHMENTS

This being the time and place advertised in the Dinwiddie Monitor on March 18 and March 25, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing for the purpose of approving A-98-3, Amendment to Zoning Ordinance, Section 22-71, Bed and Breakfast Establishments, to permit by right within the Agricultural, General, District A-2.

Mr. Scheid came forward and presented A-98-3. He stated this was an amendment to the A-2 Section which would add Bed and Breakfast Establishments as a permitted use within an Agricultural, General, A-2 District. If the Board adopts the amendment of this section it will amend the section of the Code for A-2 to allow this for a Bed and Breakfast Establishment as a permitted use; it is not keyed to a particular piece of property. It is ordinance wise. The Planning Commission recommends approval to the Board of Supervisors of A-98-3. He stated he felt the Board had one of three courses of action to take: 1) you can accept the recommendation of the Planning Commission; 2) you can reject the recommendation of the Planning Commission; or 3) you can amend their recommendation. The only manner he was familiar with to amend their recommendation is to allow a Bed and Breakfast Establishment with a conditional use permit in an A-2 area.

There was discussion among the Board regarding the requirements of a Bed and Breakfast Establishment in an RR area. In RR it is by right. It was suggested that A-2 and RR should have the same requirements. After further discussion it was decided that A-2 should be with conditional use permit and RR should be re-addressed to also read with conditional use permit.

Mr. Scheid was concerned stating generally as he understood zoning law is that when you have an amendment pending in front of you, if you were to change the amendment in front of you, you can change to go to a less restrictive but not to a more restrictive, or higher density type of use. He stated his rationale for saying that the Board can indeed amend this is that you are making it more restrictive; you are not making it looser; you are making it more restrictive. He felt that the Board of Supervisors is entitled to take this amendment that is pending in front of you and say yes we do permit a Bed and Breakfast Establishment in an A-2 area but we are attaching with a conditional use permit.

Mr. Bracey asked Mr. Daniel M. Siegel, County Attorney, if that was correct.

Mr. Siegel asked if right now there was no conditional use permit in the ordinance required in the A-2, it is not a permitted use.

Mr. Scheid replied we have quite a few uses with a conditional use permit in an A-2 District.

Mr. Siegel asked but not with a Bed and Breakfast.

Mr. Scheid stated we do not permit a Bed and Breakfast Establishments in an A-2 District right now. They are asking to allow Bed and Breakfast Establishments in an A-2 area as a permitted use.

Mr. Siegel asked for time to look this matter over and asked for a delay later in the meeting.

Mr. Bracey asked if that was agreeable with Mr. Scheid.

Mr. Bracey stated this is a Public Hearing and asked if any citizens wished to speak at this time. There being none signed up and none in attendance, Mr. Bracey closed the Public Hearing portion of this case.

IN RE: TREASURER – APPOINTMENT OF SANDRA B. HARRISON

Mr. William E. Jones, Treasurer, came before the Board to recommend Ms. Sandra B. Harrison for the vacant position due to the retirement of Connie B. Rose. He stated he would like the effective date to be April 20, 1998 at a salary of $18,589.00 which is Grade 5 Step 6.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for William E. Jones, Treasurer, to hire Sandra B. Harrison effective April 20, 1998, at a salary of $18,589.00 which is Grade 5 Step 6.

IN RE: 1998-99 BUDGET – AMENDMENT – FIRE AND RESCUE ASSOCIATION

Mr. Long stated the next item is adoption of 1998-99 Budget and the 1998 Tax Rates. One question that came up during the Public Hearing of the budget on March 18, 1998 which he wanted to ask the Board's direction on is the question of whether the Board wanted to grant an additional $1500.00 to the Fire and Rescue Association. Mr. Charles Lewis, Chairman, had made that request at the Public Hearing on behalf of the Fire and Rescue Association.

Mr. Edward A. Bracey, Jr., read the following conflict of interest statement:

I, Edward A. Bracey, Jr., "In accordance with Section 2.1-639-14, paragraph (g) of the Code of Virginia, wish to disclose that my wife (Bernice Bracey) is employed by the Dinwiddie County School system. Employment of my wife occurred several years prior to my election to the Board of Supervisors and the results of any decision by this Board will affect my wife to no greater or less extent than other teachers with similar credentials and experiences. Therefore, I feel that I am able to participate in the actions of the Board concerning the 1998-99 budget effectively, fairly and in the public interest."

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that an amendment to the 1998-99 budget in the amount of $1500.00 for the Fire and Rescue Association as requested is hereby approved.

IN RE: PUBLIC HEARING – A-98-3 – AMENDMENT TO ZONING ORDINANCE – SECTION 22-71 -- BED AND BREAKFAST ESTABLISHMENTS -- CONTINUED

Mr. Scheid stated in talking with Counsel we have decided that with conditional use permit may be added to the proposed amendment. It is proper and legal action.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the ordinance to amend the Code of the County of Dinwiddie Virginia, as amended, by amending and reenacting Section 22-71, of Chapter 22, Article IV, Division 3, Agricultural, General, District A-2, by adding "Bed and Breakfast Establishments with a conditional use permit".

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.2-2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

In all other respects, said zoning ordinance is hereby reordained.

Mrs. Everett asked the Zoning Administrator to come forward at a later date to address the RR, Bed and Breakfast Establishments.

IN RE: 1998-99 BUDGET – AMENDMENT – PAY PLAN REVIEW

Mr. Long continued by stating that the next item under Budget was a request for an additional $13,500.00 be moved from the Undesignated Reserve to Internal Services for the possible implementation of a County wide pay plan after the results of the plan are presented to the Board. And the last item is for their information. He wanted to let the Board members know that they will be returning with Compensation Board recommendations once they receive them from the State.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to move $13,500.00 from the Undesignated Reserve Fund to Internal Services within the 1998-99 budget for possible implementation of a County wide pay plan.

IN RE: 1998-99 BUDGET – ADOPTION

Mr. Long stated if there be no other questions he would ask for adoption of the budget with the amendments noted.

Mrs. Ralph stated this would include, as you have done in the past, a categorical budget for the School Board if that is your desire.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following 1998-99 budget is adopted:

	Fiscal Year	
	Current	Commencing
INCOME ESTIMATES	Fiscal Year	July 1, 1998

GENERAL FUND:

Revenue from Local Sources:

General Property Taxes	$11,293,100	$11,874,325
Other Local Taxes	2,231,000	2,279,000
Permits, Privilege & Regulatory Licenses	158,900	150,600
Fines and Forfeitures	147,000	150,000
Revenue from Use of Money & Property	417,000	437,000
Charges for Services	307,120	259,686
Miscellaneous Revenue	176,350	176,350
TOTAL	14,730,470	15,326,961
Revenue from the Commonwealth	2,061,386	2,032,892
Revenue from the Federal Government	-0-	-0-
Non-Revenue Receipts	-0-	-0-
TOTAL GENERAL FUND	$16,791,856	17,359,853
LAW LIBRARY FUND	5,000	5,000
SCHOOL TEXTBOOK FUND	210,487	160,149
SCHOOL CAFETERIA FUND	958,500	1,028,000
SCHOOL FUND:		
Revenue from Local Sources	96,400	91,400
Revenue from the Commonwealth	13,844,882	15,222,707
Revenue from the Federal Government	660,332	833,061
Transfers from Other Funds	5,700,102	6,007,260
TOTAL SCHOOL FUND	20,301,716	22,154,428
VA PUBLIC ASSISTANCE FUND	1,849,389	2,079,65
E911 FUND	62,000	62,000
SELF-INSURANCE FUND	320,000	65,000
GENERAL CAPITAL PROJECTS FUND	-0-	-0-
OYCS FUND	52,807	69,090
CDBG CAPITAL PROJECTS FUND	35,108	56,322
FIRE PROGRAMS FUND	37,000	50,550
FORFEITED ASSET SHARING	7,600	-0-
MEALS TAX	300,000	400,000
SCHOOL CAPITAL PROJECTS	-0-	292,460

CSA FUND	596,500	617,638
JAIL COMMISSION FUND	11,000	5,600
COURTHOUSE MAINTENANCE FUND	20,000	20,000
COUNTY DEBT SERVICE	1,673,306	1,694,775
SVRTC FUND	135,000	215,000
HEAD START FUND	123,819	160,497
COUNTY CONSTRUCTION FUND	4,000,000	-0-
SCHOOL CONSTRUCTION FUND	6,725,552	-0-
SCHOOL DEBT SERVICE	2,001,319	2,223,828
GRAND TOTAL -- ALL FUNDS	$56,217,959	48,719,845
LESS INTERFUND TRANSFERS	9,899,532	10,495,590
TOTAL INCOME	$46,318,427	38,224,255
FUND BALANCES, JULY 1	21,741,247	22,519,450
CASH RESOURCES	$68,059,674	60,743,705

CONTEMPLATED EXPENDITURES

GENERAL FUND:

Board of Supervisors	$ 54,134	55,754
County Administrator	206,358	207,284
County Attorney	40,350	40,350
Independent Auditor	22,000	22,000
Commissioner of the Revenue	224,746	235,133
Business License	19,255	19,566
General Reassessment	-0-	140,000
Land Use	17,953	18,515
Treasurer	232,981	233,607
Data Processing	54,961	56,395
Electoral Board and Officials	75,671	78,017
Circuit Court	15,050	15,050
County Court	5,080	5,580
Special Magistrates	500	500

Clerk of the Circuit Court	57,653	60,172
Commonwealth's Attorney	110,607	116,345
Sheriff-Law Enforcement	2,163,375	2,109,532
Volunteer Fire Departments	147,000	197,000
Ambulance & Rescue Service	42,087	43,270
Forestry Service	11,720	11,720
Dinwiddie EMS	286,589	308,781
Sheriff-Correction & Detention	308,108	312,075
Probation Office	3,150	3,450
Other Correction & Detention	67,074	55,733
Building Inspection	169,387	239,482
Construction Inspector	49,383	-0-
Animal Control	104,160	94,751
Medical Examiner	500	500
Public Safety/Civil Defense		61,589
Road Administration	-0-	-0-
Street Lights	42,000	42,000
Refuse Disposal	1,186,110	1,106,317
Public Nuisance	5,000	5,000
Public Utilities	103,100	104,200
Maintenance of Buildings & Grounds	267,729	333,752
Water Service	160,000	160,000
Health	160,011	169,258
Mental Health	41,612	43,332
Other Social Services	19,916	21,582
Community College	1,307	1,793
Recreation	149,850	152,897
Lake Chesdin	1,500	1,500
Regional Library	146,676	166,948
Planning	166,102	171,090
Economic Development	18,515	16,050
Other Planning & Community Development	77,404	100,464
Regional Planning Commission	12,540	12,870
Soil and Water Conservation	7,500	7,500

Advancement of Agric & Home Economics	53,061	55,604
Internal Services	12,850	26,350
Subtotal	7,122,615	7,440,658
Transfers to Other Funds	9,383,007	9,653,154
TOTAL GENERAL FUND	16,505,622	17,093,812
HEAD START	123,819	160,497
SVRTC FUND	135,000	250,000
LAW LIBRARY FUND	5,000	5,000
SCHOOL TEXTBOOK FUND	251,585	211,650
SCHOOL FUND	20,301,716	22,154,428
SCHOOL CAFETERIA FUND	985,610	1,064,344
VA PUBLIC ASSISTANCE FUND	$1,849,389	2,079,655
E911 FUND	45,960	47,000
SELF INSURANCE FUND	347,711	324,600
OYCS FUND	52,807	79,590
GENERAL CAPITAL PROJECTS	-0-	2,000,000
SCHOOL CAPITAL PROJECTS	-0-	292,460
CDBG FUND	38,308	56,322
FIRE PROGRAMS FUND	37,000	50,550
FORFEITED ASSET SHARING	7,600	-0-
MEALS TAX FUND	440,000	530,000
CSA FUND	596,500	617,638
JAIL PHONE COMMISSION FUND	-0-	5,600
COURTHOUSE MAINTENANCE	-0-	-0-
DEBT SERVICE	1,323,306	1,694,775
COUNTY CONSTRUCTION FUND	4,000,000	-0-
SCHOOL DEBT SERVICE	2,001,319	2,231,828
SCHOOL CONSTRUCTION FUND	13,447,002	6,000,000
GRAND TOTALS - ALL FUNDS	$62,495,254	56,949,749
LESS INTERFUND TRANSFERS	9,899,532	10,495,590

TOTAL EXPENDITURES	$52,595,722	46,454,159
FUND BALANCES - JUNE 30	15,463,952	14,289,546
TOTAL REQUIREMENTS	$68,059,674	60,743,705

IN RE: 1998 TAX RATES – ADOPTION

Mr. Long stated that we now need to adopt the 1998 Tax Rates.

Mrs. Ralph read the proposed Tax Rates.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following 1998 Tax Rates are adopted:

TAX RATES 1998

■ Real Estate	$ .74
■ Mobile Homes	.74
■ Mineral Lands	.74
■ Public Services	.74
■ Personal Property	4.90
■ Personal Property - Volunteers	.25
■ Machinery & Tools	3.30
■ Heavy Construction Equipment	3.30
■ Airplanes	.50

IN RE: COUNTY ADMINISTRATOR COMMENTS – PROFESSIONAL SECRETARIES WEEK

Mr. Long stated the first item is a Resolution that is simply in recognition of Professional Secretaries Week which is April 19-25, 1998. It is to recognize the good people that we have on staff here at the County.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following resolution be adopted

RESOLUTION
OF THE
DINWIDDIE COUNTY BOARD OF SUPERVISORS
APRIL 1, 1998
IN RECOGNITION OF
PROFESSIONAL SECRETARIES WEEK
APRIL 19th - 25th, 1998

WHEREAS, professional secretaries are committed to upholding the highest ethical standards;

WHEREAS, professional secretaries contribute greatly to office excellence;

WHEREAS, the week of April 19th - 25th, 1998 has been designated Professional Secretaries Week, by Professional Secretaries International, its founder and sponsor;

NOW, THEREFORE, We, the Board of Supervisors of Dinwiddie County, Virginia do hereby proclaim the week of April 19th - 25th, 1998, PROFESSIONAL SECRETARIES WEEK and ask that management everywhere join in recognizing these outstanding professionals in their employ especially on Wednesday, April 22nd, Professional Secretaries Day.

IN RE: COUNTY ADMINISTRATOR COMMENTS – GEOGRAPHIC INFORMATION SYSTEM (GIS)

Mr. Long stated the next item is a resolution that would authorize the method of competitive negotiation for the proposals for the GIS needs assessment.

Mrs. Ralph distributed to the Board a corrected copy of the draft resolution with additional legal verbiage that the County Attorney felt should be included.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following resolution authorizing competitive negotiation - needs assessment study for a countywide geographic information system (GIS) is adopted:

RESOLUTION AUTHORIZING COMPETITIVE NEGOTIATION – NEEDS ASSESSMENT STUDY FOR A COUNTYWIDE GEOGRAPHIC INFORMATION SYSTEM (GIS)

WHEREAS, the Board of Supervisors of Dinwiddie County (the "Board") wishes to receive proposals from qualified firms for the County's "Needs assessment study for a countywide geographic information system (GIS)", to evaluate various subjective factors, including a demonstrated understanding of the project, experience and qualifications, schedule and quality of work, and to negotiate specific contractual terms and conditions favorable to Dinwiddie County (the "County"); and

WHEREAS, Section 11-41(c) of the Virginia Public Procurement Act provides that goods and services may be procured by competitive negotiation upon a determination made in advance and set forth in writing that competitive sealed bidding is not advantageous to the public;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia:

1. The County Administrator, in cooperation with other County staff persons, is authorized to issue on behalf of the County, a written request for proposals for the County's "Needs assessment study for a countywide geographic information system (GIS)" on the basis that competitive sealed bidding is not practicable and not fiscally advantageous to the public as it is advisable for the County to have the flexibility allowed by competitive negotiation procedures to consider many factors including negotiated price, experience and qualifications of the vendor, length of contract performance and other terms and conditions.
2. This Resolution shall constitute a written determination that competitive sealed bidding in not advantageous to the public for the reasons stated above.
3. This Resolution shall be effective as of April 1, 1998.

IN RE: COUNTY ADMINISTRATION COMMENTS – 1998-99 INTERSTATE AND PRIMARY PRE-ALLOCATION HEARING

Mr. Long stated that he had included a letter from Ronald Reekes, Resident Engineer, Virginia Department of Transportation regarding the FY-99 Interstate and Primary Pre-allocation Hearing which is scheduled for April 8th. In the letter two (2) projects are outlined for the County. One being the Route One corridor study from the Petersburg City limits to the intersection of Route 703, Carson Road. The other one is concerning the intersection of Cox Road, Route 226 and Route 1. He stated he was planning to attend the hearing. He thought these two (2) projects were important but also wanted to ask the Board if there are any road ways or studies that they felt should come before these priorities.

Mrs. Everett stated that these are certainly priority projects. It is very important that the County support a request for A Route 460 corridor study. She would like to see that included.

Mr. Moody asked Mr. Bracey if he planned to attend.

Mr. Bracey stated he would try to.

Mrs. Everett stated she planned to attend.

Mr. Tickle stated he had one comment. Since this is a primary/interstate preallocation hearing, he felt it would be a nice idea since this part of Virginia has a lot of historical type locations, for many different reasons, is that we investigate the possibilities of having some pull off areas on our interstate highways to stop and look at those sites. He knew this was not like a corridor plan or anything else. For example the Forts up and down the interstate, various birth places, need a pull off so someone coming through the state of Virginia or our own people can stop off and see a site. He knew that this was done in other states. He would like to see that recommended as one of the items that they possibly consider. He realizes there is a very slight chance but if we keep doing it long enough we may get someone to take attention.

Mr. Bracey asked Mr. Tickle if he wished this to be included in their comments at this meeting.

Mr. Tickle stated he would very much like for it to be included.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated he had included a couple of information topics in their packet. One item he had included is a report on the results of the committee that was charged by the Fire Chief's Association to come up with a Personnel Accountability System. This information is enclosed for your review. They have shown the presentation to him and they will be looking for action, hopefully at the April 15th meeting. He stated he would be glad to answer any questions the Board may have on this proposed system.

Also in the packets there was a report from Mr. Scheid concerning the Gas Line Project. He stated he placed this before them so they would have it as soon as possible. It was included for your review and will be going to the Planning Commission next week. It will come before the Board on May 6th.

Mrs. Mann asked the Board members to please not destroy the maps enclosed by Mr. Scheid as they were expensive to produce. The Board removed these maps at this time and returned them to Mr. Scheid for distribution at a later date.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay - no comments

Mrs. Everett – She stated that the White Oak Battlefield dedication on Sunday was impressive. Mr. Bolte was instrumental in getting that project underway. Tribute was paid to him during the ceremony. Also Mr. Tony Rinaldi was given a life membership in The Association for Preservation of Civil War Sites. She suggested that everyone make a trip out to walk the trails. She stated that there was talk of a tram traveling in the County from site to site for tourism. There may be grant money available for such a project and some concerned persons are going to look into that.

Another thing she wished to bring up is that Mr. Shelton Rideout died and he had been very active in the Old Hickory Fire Department and his son is active in it also. She felt the County needed to recognize him also.

Mr. Tickle – He stated he had no comments but he would like to go back and address the corridor study. He stated he traveled 95 everyday and there has been some serious accidents at 95 and 85. He would like for us to consider our recommendation since Dinwiddie County connects and uses that as a transportation route into the greater metropolitan area, that we investigate to make that a safer junction. He repeated again that he would like for Dinwiddie County to make that recommendation. As the Board knows they have done the lane that narrows in, they sort of force you, but he has had trucks go by him and force him right off to the side. He thinks that we need to do something about it.

Mr. Moody – He stated he had forgotten to bring up one item. In the information section of the Board packet there was a resolution from the Mecklenburg County Board of Supervisors supporting the Robb Plan for tobacco. He felt that this was the bast plan for the tobacco farmers and he would like to make a motion in support of this Plan.

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

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

RESOLUTION

WHEREAS, flue-cured tobacco is of tremendous economic importance to the producers in Dinwiddie County, generating millions annually in farm sales,

WHEREAS, there are proposals to eliminate the Flue-Cured Tobacco Acreage-Poundage Program as it currently exists which would eliminate flue tobacco quotas whereby eroding producer equity,

WHEREAS, in the proposed Tobacco Transition Act there are many different "buy-out plans" with one of these plans being proposed by Senator Charles Robb from Virginia,

WHEREAS, the Robb Plan is the most equitable plan for all parties involved, including taxpayers, producers, allotment owners, communities and tobacco companies,

THEREFORE BE IT RESOLVED, that the Dinwiddie County Board of Supervisors voted at their regularly monthly meeting on April 1, 1998, to support Senator Robb's Proposal and to request all counties in tobacco growing areas to do the same.

Mr. Tickle stated that he wanted to express opinion that he is in favor of this; however, due to his place of employment he cannot discuss or vote on this issue.

Mr. Bracey – He stated that we have received this letter from the Dinwiddie Ambulance and Rescue Squad. He asked Mr. Long what he wanted them to do with this thing.

Mr. Long stated that he simply gave it to them for your information. He stated that he had informed DVRS that he had discussed this with the Board and at that time you had indicated to him that we would not be issuing surplus vehicles but that he would give the Board the letter that had been brought to him.

Mr. Bracey asked then you have told them what the -- this letter is just for our information.

Mr. Long stated yes sir.

Mr. Bracey continued that the other comment is that he sees where we are into a study for our employees. He hoped that there were going to be some salary increases for our employees. He stated he was very much in favor of that; however, he thinks at this point, he did not know how extensive we have been doing this over a period of time, but we need a form or method of pure evaluation. Regardless of your position somebody is responsible for the evaluation of the employees. Sometimes he felt that we might be giving people raises and they do not deserve them and then sometimes we pass people over that maybe should get a step in their job and or a raise. He hoped that the Administration would use a good measurement stick because he felt that all things should be evaluated.

RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 8:39 P.M. to be continued at 12:30 P.M., Wednesday, April 15, 1998, at Eastside Elementary School.

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

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT EASTSIDE SCHOOL ON BOYDTON PLANK ROAD, DINWIDDIE COUNTY, VIRGINIA, ON THE 15TH DAY OF APRIL 1998, AT 12:30 P.M.

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

IN RE: TOUR OF EASTSIDE SCHOOL

The Board of Supervisors met with Donald W. Faison, Construction Inspector, and Timothy C. Smith, Recreation Director, to tour the Eastside Schools.

IN RE: EASTSIDE SCHOOLS – AUTHORIZATION TO MAKE BASIC REPAIRS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the staff is authorized to proceed with the following repairs to Eastside Elementary School:

(1) Make temporary repairs to the roof;
(2) Review the status of the existing pipes for the water system;
(3) Remove the existing heating system;
(4) Complete the removal of asbestos in the building.

IN RE: NEW COURTHOUSE ALARM SYSTEMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that staff is authorized to award a contract to the lowest responsible bidder for the 3rd notification party on the Courthouse security and fire alarm systems for the new Courthouse.

RE: ADJOURNMENT

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 2:00 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator
/pam

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 15TH DAY OF APRIL, 1998, AT 2:00 P.M.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	LEENORA V. EVERETT, VICE-CHAIRMAN	ELECTION DISTRICT #3
	AUBREY S. CLAY	ELECTION DISTRICT #5
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	HARRISON A. MOODY	ELECTION DISTRICT #1
OTHER:	BEN EMERSON	COUNTY ATTORNEY
	MARK FLYNN	

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

Mr. Edward A. Bracey, Jr., Chairman of the Board, called the regular meeting to order at 2:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda. There being none Mr. Bracey moved forward.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the April 1, 1998 Continuation Meeting and the April 1, 1998 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1009994 - 1010166 (void check(s) number 1009994 and stop payment on check(s) 1009162); for Accounts Payable in the amount of $323,867.05: General Fund $198,215.74; E911 Fund $659.00; Fire Programs Fund $8,615.00; Capital Projects $53,883.57; and County Debt Service $62,493.74.

IN RE: APPROVAL OF REQUISITION #17 - COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated the following invoices are included in this requisition:

SANDS, ANDERSON, MARKS & MILLER	$ 711.96
JMJ CORPORATION	450.90
TOTAL REQUISITION #17	$1,162.86

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 17 in the amount of $1,162.86 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #30 – SCHOOL CONSTRUCTION

Mrs. Ralph stated Requisition #30 for the School Construction consists of payments to the following:

KBS, INC.	$246,177.30
FROEHLING & ROBERTSON, INC.	1,930.10
STROUD, PENCE & ASSOCIATES, LTD.	2,930.00
TRI-CITY OFFICE PRODUCTS	703.00
TOTAL OF REQUISITION NUMBER 30	$251,740.40

Mr. Bracey asked how Stroud, Pence & Associates were being paid.

Mr. Faison stated they are being paid by the number of hours that they are on the job and the services that they perform while they are there. Also included in their bill is their travel to and from their home office to the job site. They submit an itemized breakdown of the hours spent on each job, which day, and what services they performed. Mr. Hutchinson, from the School Board, keeps these records and then the invoices come in accordingly.

Mr. Bracey wanted to know if Mr. Faison ever saw the records that Mr. Hutchinson kept.

Mr. Faison stated he did not.

Mr. Bracey stated he felt this was something that we may need to take up with the School Board. He stated we have spent almost $70,000.00 for these special inspections. He felt this was way out of line. He felt we may need to contact the architect. He stated he would contact the School Board regarding his concerns.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 30 in the amount of $251,740.40 be approved and funds appropriated for CIP expenses for the School Project Fund.

IN RE: RESOLUTION – VAN G. WOODELL

Mrs. Ralph stated we had a presentation to make. This resolution was adopted at an earlier meeting and the individual could not be present. He is present today and she asked Mr. Van G. Woodell to come forward at this time.

Mr. R. Martin Long, County Administrator, read and presented the following resolution to Mr. Woodell.

RESOLUTION
OF THE
DINWIDDIE COUNTY BOARD OF SUPERVISORS
MARCH 4, 1998
IN RECOGNITION OF
VAN G. WOODELL

WHEREAS, Van G. Woodell has served the County of Dinwiddie, on the Dinwiddie County Airport Industrial Authority, with distinction and integrity from September, 1993 until January, 1998 and

WHEREAS, the Board of Supervisors on this 4th day of March, 1998 is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Van G. Woodell for his many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Van G. Woodell, and a copy spread upon the minutes of this meeting.

Mr. Woodell stated the County had a wonderful asset in the Airport. He stated he had enjoyed working there and he felt when he left the Dinwiddie County Airport Industrial Authority it was a much healthier Airport, not because of him, but because of the hard work that has been done. He thanked everyone and stated he had enjoyed his years of service.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens who had signed up to speak.

Mrs. Ralph stated there were and proceeded. The following persons came forward to address the Board:

1. Robert Wheeler, 708 East Carolina Avenue, Crewe, Virginia, came before the Board to request a resolution of support or letter of recommendation to the Department of Game and Inland Fisheries for appointment to the fourth congressional district. That district stretches from Louisa County all the way down to Chesapeake. There are people from everywhere seeking this appointment. It is the most sought after appointment in the Commonwealth of Virginia. He stated he has had eighteen (18) years experience; he has looked down thousands of deer mouths aging the deer; he has aged quail wings; he has picked up millions of fish; he teaches hunter safety classes; he presently serves on the Board of the Commonwealth Sportsman's Alliance; he has served on the Department of Agriculture's Aquaculture Advisory Board; and he has been on the Steering Committee for the Virginia Natural Heritage Board. He stated he had several agendas that were near and dear to any sportsman's heart. He stated that he felt there needed to be changes and gave examples of several.

Mrs. Everett asked if there was only one appointment from each District.

Mr. Wheeler stated that was correct.

Mrs. Everett stated we have endorsed the incumbent, Mr. Russell Garrison.

Mr. Wheeler stated he did not feel that Mr. Garrison was going to be re-appointed and they were probably going to make another pick. Whether they do or do not he did not see any thing wrong with Dinwiddie County endorsing two (2) candidates. He stated if the Board did not see fit to endorse two (2) candidates then maybe some of them would endorse him on an individual basis. He thanked the Board for their time and consideration.

2. Lucille Phares, 7901 Boydton Plank Road, Lot 164, Petersburg, Virginia, came forward to discuss Green Acres Mobile Home Park. She stated the fence, which was a foot shorter than required, had been extended and barbed wire added to the top. There are three strips of barbed wire. She stated she was not sure but she thought barbed wire was illegal in a residential area. The park for the children was to be put down in the bottom but had not been put in that spot. They changed their mind and have placed this park at the end of the trailer park over where someone has cleaned a little bitty spot. This area is

about the size of one mobile home lot. They are building something down there and she has not seen a building permit. She would like for the County to look into this. The last thing she would like is to see some security in the trailer park besides the Sheriff's Department.

Mr. Bracey asked Mr. William C. Scheid, Director of Planning, if there was a time limit on Mr. Forrest to establish a Park or recreation area and did we determine or set how many square feet it had to be.

Mr. Scheid stated he did not recall designation of square feet but a time limit was established. The limit was set at the end of April. Mr. Scheid stated he would be going to the site to check the progress. As far as the addition on the fence goes, he knew the addition had been installed. He stated he had spoken with the fencing contractor. The extension arms were put up and three (3) strands of smooth wire was put up. He physically had not been out to the site to examine the fence. That was what was supposed to be put up, not barbed wire. He stated he would be going to the site and examine the fence.

Mr. Bracey asked if there was any citizen present who had not signed up to speak but wished to speak. There being none, Mr. Bracey moved forward.

IN RE: DEPARTMENT OF TRANSPORTATION – REPORT

Mr. Harold Dyson came forward to present the monthly report for Mr. Ronald Reekes.

He reported that Route 460 was under construction. There were some initial problems but he felt they had gotten them straightened out.

The Board asked the following questions:

Mr. Clay was concerned about Walkers Mill Road. This road is torn all to pieces.

Mr. Dyson stated they would try to obtain Industrial Access Funds to perform repairs.

Mrs. Everett wanted to know the status on Wheaton Road and would it be completed this year.

Mr. Dyson stated he did not know the actual advertisement date but it should be sometime this summer. As to when it would be complete, Mr. Dyson stated it depended on when they got the stone down. He stated it may be next spring.

Mr. Moody was concerned about the overlay on Route 460. He questioned what the problem was. Mr. Moody stated with the money we are spending there should not be dips, bumps, and uneven lanes.

Mr. Dyson stated what they experienced was a segregation at the end of each load of asphalt. You could tell exactly where each load ended. They have changed to a courser mix making the entire surface look the same. They have rejected several loads and they will have to be removed and replaced. They are using a super pave mix. This is a whole new design. This is supposed to be a surface that will wear longer.

Mr. Tickle agreed with Mr. Moody. If we are spending five million dollars then it should not have dips. He felt the contractor should be made to correct errors that they make.

Mr. Moody commented on the intersection of White Oak Road and Grubby Road. He stated that there have been several accidents in front of the James Maitland house. He stated there was a hill there and he felt that we may have to cut that hill down. He stated he had been told there was a large telephone cable under ground in that area but it may

have to be moved. He stated one person has been killed already. He felt that a dangerous hill like that needed to be corrected.

Mr. Tickle stated he had one final comment. At Route 460 and Route 1, in the East Coast Station area. The trucks are going into the median making ruts. He stated that this could damage a car. Mr. Tickle stated he would like VDOT to call him to make an appointment in order to discuss some other issues.

Mrs. Everett stated she had come concerns about Dinwiddie Sporting Goods. When it rains, the water pools in front of that store.

Mr. Dyson stated they are currently looking at several options to correct this problem. He stated the owner did not want to go to the expense to change the entrance to the store.

Mr. Bracey asked why the owner wouldn't have to pay.

Mr. Dyson stated the owner did not pave under Virginia Department of Transportation regulations. He could say we did not have this water problem before Dinwiddie Sporting Goods paved their lot. The paving was not something that VDOT required him to do.

Mr. Bracey stated Flatfoot Road and Old Stage Road, several years ago VDOT told him they do not have 4-way stop signs. We try to keep those to the city. Now he sees they are in other places. He would like for them to review the intersection of Flatfoot Road and Old Stage Road.

Mr. Moody stated in that area where he was speaking of a 4-way stop might help in that area. It may save a life until we can obtain funds to correct the hill problem.

Mr. Bracey continued by stating he was upset with Route 460 being closed for the Virginia Lottery advertisement. He felt Dinwiddie County was notified pretty late.

Mr. Dyson stated the County found out about the same time VDOT found out about it. He stated he only had a week's notice. He stated this was the first time he had been involved in this type of event and he did not know the rules on notification.

Mr. Bracey stated he did not feel we had been treated fair. It was not fair to the citizens or schools.

Mrs. Everett stated she was present that day and she was very impressed. She felt the county received a lot of free publicity out of the filming. She stated we will be having a lot more filming in Dinwiddie County.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Ralph stated the Board had received a note from Mrs. Deborah M. Marston, Commissioner of the Revenue, that she would not be present. She is in her office if the Board wishes to see her.

Mr. Bracey stated Mrs. Marston stated she could not be present because of work in her office and if any Board member had a question or problem please contact her.

IN RE: TREASURER – REPORT

Mr. William E. Jones, Treasurer, came forward to present his monthly report. He stated on the last page of his report was a request for approval to establish an investment account. This account would be with Craigie Incorporated. They are an investment firm. The reason behind this request is that when we dropped our relationship with Signet we also dropped some of the diversification as far as our investments through their money center. He felt that because of more money coming in and the fact that we will be having

to do our RFP for the long term investments that this type of firm is someone that would be able to provide us with a portfolio for that. He requested the Board's approval to establish an account there

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted for the Treasurer to establish an account with Craigie Incorporated.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, Commonwealth Attorney, was not present. Mr. Bob Hill, Assistant Commonwealth Attorney, and Mrs. Mindy Stell, Secretary for the Commonwealth Attorney, came forward to address the Board.

Mr. Hill stated he gets to appear before the Board about once a year when Mr. Rainey lets him out. He stated he had nothing to report on behalf of Mr. Rainey; however, he stated that all of them knew their boss, Mrs. Mindy Stell. He stated they were here to ask the County's approval of implementation of a victim witness program that has been authorized by the State and Federal Government. The only thing he wished to stress before turning the matter over for questions to Mrs. Stell, who is much more familiar with the program than he was personally, is to point out that it would require no funding by the County. The funding has been approved as part of the Grant that includes all of the necessary articles that need to be purchased such as office equipment, computers, etc. More importantly the funding that has been approved represents an 80% contribution by the Federal Government and 20% contribution by the State. The only item that needs to be provided by the County is space and electricity. This has been provided for in the new courthouse building. Mr. Hill then turned the floor over to Mrs. Stell.

Mrs. Stell stated the only thing she could say is that DCJS - Department of Criminal Justice Services - is really pushing for every County in the State of Virginia to have a victim witness program. She stated the only Counties that do not have a victim witness program are the ones in white on the printout provided to the Board. The Counties in green have been in existence for at least one year and the yellow ones were all implemented last year. We have the funds available for a full time person. All expenses are covered as far as the grant goes. She stated in the grant request she requested every possible thing that she could.

Mr. Bracey called for questions from the Board.

Mrs. Everett asked why we were not in the program sooner.

Mr. Bracey stated he did not know and all we could do was handle what was placed before the Board this date. Mr. Bracey asked the County Attorney if he knew anything about these types of programs.

Mr. Emerson stated he did not.

Mr. Mark Flynn stated this type of program has been pretty successful up in Winchester, where he served as City Attorney for eleven (11) years. Particularly in a sense from a victim that someone is there in their court.

Mrs. Stell stated this program not only assists the victim and the Commonwealth Attorney's Office but also helps the Sheriff's Office, Social Services Department, Probation Office; basically all of your prime offices in the County.

Mr. Bracey stated he had a question. When this grant runs out, these funds run out; does this become a part of the County's budget or is the program just done away with.

Mrs. Stell stated she had been told by DCJS these funds are not going to run out. This is a program that has been in effect and they are trying to make it nation wide. She stated that was all she could go by.

Mr. Tickle stated to follow the line of Mr. Bracey's questions, the thought process is that often times we have a person that is funded by the State or the Federal Government, whatever, then we have a Constitutional Officer or Department Head comes forth and says this person is doing an extraordinary job and we are going to lose this person. They then ask the Board if they will be willing to subsidize their salary. Mr. Tickle asked do you not think or is it not going to happen.

Mrs. Stell stated she could not perceive this Commonwealth Attorney coming forth requesting those funds.

Mr. Tickle stated the second question he had was, when they said space, all we are providing is the actual square footage of that office area or cubical area for that person. Everything else is funded by the grant 80 - 20%. Mr. Tickle asked if the 20% was funded by us.

Mrs. Stell stated 80% is funded by the Federal Government and 20% is funded by the State of Virginia.

Mr. Tickle repeated 20% by the State. He stated he just wanted to confirm that. Then square footage for space, now how much space are we talking about. He stated he just wanted to get all the specifics now.

Mrs. Stell stated they are not requiring any specific amount of space.

Mr. Tickle asked if they will have a cubical or if they will need their own office.

Mrs. Stell stated their own office. There is one provided in the new courthouse for that.

Mrs. Ralph stated it is a 12 X 15 room.

Mr. Faison confirmed by stating it is approximately 12 X 15, like a waiting room. Mr. Faison stated there is no furniture for that room.

Mrs. Stell stated she had requested everything including the waiting room chairs.

Mr. Bracey stated you have requested that.

Mrs. Ralph stated Mrs. Stell had covered it under the grant application .

Mr. Tickle stated he was getting close to his last question. For some reason the County sees fit or your office sees fit/that office that they have or that space is more valuable to another organization; will that person be moved to another position if so asked or is that their station in life forever.

Mrs. Stell stated it does not have to be their station in life forever. The only thing they have said is that they will not provide, as far as the grant, is to pay rent. It, the space, does not have to be located in the Commonwealth Attorney's office.

Mr. Tickle stated the question he is coming to is if they find another position they want to put in there or add to that and that is a very nice office area -- if we had something we wanted to put in there then that person could be moved to another location, correct.

Mr. Tickle asked if he could ask one more question. All the furniture for the new courthouse Mr. Faison has so kindly worked very hard to arrange and to coordinate in

that building; he was assuming that they have been working with Mr. Faison to make sure the furniture they are going to order is some what similar.

Mrs. Stell stated that she had contacted Molly Leal and she had the actual bid, all the information that had been bided out. She sent her a work sheet that had everything. From this work sheet they picked everything from the filing cabinets to the waiting room chairs. She stated she had also talked to the coordinator in Sussex County.

Mr. Bracey asked if at this point we needed a motion.

Mr. Long stated it was his understanding if the Board agreed with the proposal we needed a motion to authorize him to sign as the project administrator because the funds will run through the County.

Mrs. Ralph stated that presented a question if the funds will be run through the County payroll who will pay the administration expenses. Mrs. Ralph stated she wanted the Board to be aware there will be administration expenses incurred by the County.

Mr. Bracey asked Mrs. Stell if those expenses had been added in.

Mrs. Stell asked if she needed to. She stated she did not know if they would fund that.

Mrs. Ralph stated they probably would not but she wanted the Board to be aware there will be payroll administration expenses to the County..

Mr. Moody wanted to know if this position would be shared with another County like Nottoway.

Mrs. Stell answered no sir. We are on a .65% needs basis which allows us to have a full time person.

Mr. Bracey asked the Board if there were any other questions. Mr. Bracey continued if there are no questions we would entertain a motion.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted to the County Administrator to sign an agreement as project administrator for a Victim Witness Program and that when the Federal and/or State Funds cease the position also ceases.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward stating the Board had his report.

Sheriff Shands stated he would like to thank Mr. Long for allowing the display in the hall for Drug Awareness. On May 16th there will be a walk from the Administration Building to the High School for Drug Awareness. He stated he would be glad to answer any questions.

Mr. Bracey asked who was going to walk.

Sheriff Shands stated citizens, the public, anyone interested in the Drug Awareness Program.

Mr. Bracey asked if the Board had any questions for Sheriff Shands.

Mr. Tickle stated someone sent him, a citizen sent him a letter asking him to read on behalf of Sheriff Shands. Mr. Tickle read the following:

Dear Sheriff Shands:

Thank you for complying with our request to come to our home and discuss a solution for an on going problem in our neighborhood. We are grateful for the time you spent with us and for your action in solving the problem of excessively loud music from an adjoining business property. We realize that this was a minor problem in your specter of problems faced daily. We are especially appreciative of the concern you showed. Dinwiddie County is fortunate to have you, a conscientious hard working man, as Sheriff.

Sincerely,
Carol and Dennis Hathaway

They sent Mr. Tickle the letter and personally called him to say this on behalf of Sheriff Shands. Mr. Tickle stated he had done his good deed for the day.

IN RE: SHERIFF DEPARTMENT – PAY REQUEST FOR JESSE B. WRAY, JR.

Mr. Long stated Mr. Shands had one request in the packet. This request was for payment of vacation and accumulated compensatory time for Mr. Jesse B. Wray, Jr. who resigned from the Department..

Mr. Bracey asked what the policy was on this type of request.

Mr. Long stated vacation time only, no sick leave--

Mrs. Ralph interrupted stating it was vacation and accumulated compensatory time..

Mr. Long continued with no sick leave is reimbursed.

Mr. Bracey asked if Sheriff Shands request was in order.

Mr. Long stated yes sir.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted to pay Mr. Jesse B. Wray, Jr. For 96.0 hours of accumulated vacation time and 31.7 hours of accumulated compensatory time at a rate of $12.48 per hour.

IN RE: SHERIFF DEPARTMENT – AUTHORIZATION TO ADVERTISE VACANCY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted for the Sheriff's Department to advertise to fill the vacant position left by the resignation of Mr. Jesse B. Wray, Jr.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector, came forward to present his monthly report. He asked the Board if they had any questions.

Mr. Bracey stated he did not have a question but he would like to make a comment. He stated that he had contacted Mr. Abernathy's office concerning a contractor and really he did not understand they were going to do it that day, but the stop work order

went up that day. He stated we are improving tremendously! He stated he wanted to thank him.

IN RE: ANIMAL WARDEN -- REPORT

Mr. Steve Beville, Animal Warden, came forward and presented his report for the month of March 1998. He asked if there were any questions regarding his report.

IN RE: POULTRY – CLAIM – ALBERT FRIED

There being no questions Mr. Beville continued by stating that he did have one claim. He stated that Mr. Albert Fried had dogs kill eleven (11) sex link hens. Mr. Beville recommended to the Board that they pay the claim for the hens which were valued at $4.75 each for a total of $52.25.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted to pay Mr. Albert Fried for a poultry claim submitted for eleven (11) sex link hens valued at $4.75 each for a total of $52.25, which were killed by dogs.

Mr. Tickle asked Mr. Beville about the guidelines -- what we are required to compensate individuals and real brief, one sentence, if there are any guidelines set in the other counties in the State of Virginia if they place a limit or an amount they will pay. For example we will not pay unless the loss goes over $200.00 or $300.00. For example we are paying for every chicken, cow, anything that takes place. Can this be limited to a dollar amount and once it goes over that dollar amount possibly we start paying.

Mr. Beville stated he did not have the-- the first question was he thought came in when they gave counties the right to dog licenses. We have a limit of $300.00/$400.00. This is the amount as high as we would go. You know if the dogs were to get down somebody's $1100.00 or $1200.00 bull, or $2,000.00 bull, he thought that $400.00 is as much as the County would pay.

Mr. Tickle stated his feeling was, he just had a problem paying the $55.00 for someone's livestock claim. If the claim were $300.00 or $400.00 then he had more sympathy. People have homeowners and other things now that they did not have 20 or 30 years ago. He asked Mr. Clay and Mr. Moody, since they are farmers; it just did not seem to him that the County should be paying these claims for, the small claims; a larger claim yes, but for 10 chickens or 5 chickens or 1 chicken he could just not see it.

Mr. Beville stated it was something that the County could look into.

Mr. Bracey asked Mr. Tickle if we could get our Animal Control Officer to look into what other localities do and work with the County Administrator to find a solution or determine if this is something that the County just has to do.

Mr. Emerson stated this is provided for by statute, but he cannot remember at this time exactly what it is. He stated the County did not have a lot of choice. If anything you have to pay the small claims and not the big claims.

Mr. Beville stated if the owner of the animal could be located then it was their responsibility to pay.

Mrs. Everett stated a State Trooper had informed her there are a number of unlicensed dogs in West Petersburg and the County needed to have a roundup in that area. She asked Mr. Beville if he agreed with that.

Mr. Beville stated he, along with Mr. Alvin Booth from the Sheriff's Department had been through that area about a week or ten days ago. He continued West Petersburg was in better shape then it was. He stated it seemed there were not many violations now. He stated he had a right good clean up in that area about a year ago.

Mr. Bracey stated he understood where Mrs. Everett was going. He had a question. He stated we use to have a kind of roundup of dogs in all sections of the County.

Mrs. Ralph stated April was dog confinement month.

Mrs. Bracey stated he did not know if legally we could just set West Petersburg, saying we are going there to take care of the dog problem.

Mr. Beville stated West Petersburg does fall under the confinement area. They fall under the year round confinement. Again he stated in the last few weeks he had made added patrols in that area.

Mrs. Everett stated if there is a problem then she would like for him to keep an eye out in that area. She was also concerned about a severe dog biting incident in that area.

Mr. Beville stated that incident was not as bad as it came up to be. The kid did not receive any stitches or anything. He did get bit but the dog belonged to him. It was his own dog.

Mr. Moody asked if there were any humane officers in the County of Dinwiddie.

Mr. Beville stated there were none. Mr. Beville stated we have new laws coming into effect. He stated he had received a letter on them this week.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came before the Board to present his monthly report. He stated he did not have any additional information to add to his report at this time.

Mr. Moody asked about Mr. Cone's Garage. He stated the property looked 100,000% better. There are still a couple of mounds of scrap metal/junk. He asked that this be followed up on and the cleanup job completed.

Mr. Scheid stated he would see it was looked into. He stated he had not been pressing as hard now since they had completed so much of the requested cleanup.

IN RE: DIRECTOR OF PLANNING – VAPA CONFERENCE FUNDING REQUEST

Mr. Long stated there was an issue under his comments that seemed more appropriate to bring up now. Mr. Long continued that Mr. Scheid had requested he be allowed to attend the Virginia Planning Association annual conference. Mr. Long stated he has participated for several years. He stated Mr. Scheid had conveyed to him that by attending these conferences he felt he was able to bring back valuable information to the County. The total request is $220.00 for the registration and one (1) night stay.

Mr. Scheid stated this included meals and materials. This is a three (3) day conference, Wednesday, Thursday and Friday, April 29th through May 1st, in Williamsburg. The event actually begins on Wednesday, however, he was not asking to go Wednesday because it is basically a sign in late in the afternoon and he did not feel there was that much productivity gotten by going on Wednesday evening. What he was suggesting was he drive up early Thursday morning.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that funds in the amount of $220.00 be appropriated for Mr. William C. Scheid, Director of Planning, to attend the Virginia Planning Association annual conference April 30th and May 1st in Williamsburg.

Mr. Bracey requested Mr. Scheid provide the Board with a short report on the topics that were discussed at the meeting.

IN RE: PLANNING DIRECTOR -- REPORT

Mr. Tickle stated the Sanitation Director and the Planning Director are present now and he had an issue he wished to place before them before Mr. Scheid left the meeting. He stated on the ordinance of disposal of trash and debris; how does that work when you have businesses dumping building type items into our dumpsters and what is our ordinance.

Mr. Scheid stated he would yield to the Sanitation Department to respond to that. His take on it is we have spots the County funded throughout the County; for people who violate them or dump on the ground indiscriminately they are essentially in violation of the County dumping laws. This would be enforceable by the Sanitation Department.

Mr. Tickle stated his second question was if Mr. Bracey observes the individual doing the dumping and he calls the Sheriff's Department or the Planning Department or Sanitation Department how does that interact with our ability to prosecute.

Mr. Scheid stated he was asking a legal question which counsel would be proper to respond to. He said he requests citizens to reduce to writing, not just verbal, what they saw then he felt the County would have the right to seek a summons and take the matter to court; of course, Mr. Bracey would be subpoenaed to court to testify since the party who issued the summons did not actually see the act. Most citizens do not wish to disclose their names when they call in a complaint. Some times they will disclose it to him with the understanding it is not to be disclosed to anyone else. At that point he will pursue the matter somewhat. He stated he does request that they reduce it to writing. He very rarely gets someone to submit something to him in writing as to what they have seen. When he does get it in writing he does treat it more seriously then he does a telephone call. He stated he has found he has gotten in the middle of feuds.

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. John M. Altman, Jr., Zoning Administrator, came forward and presented his monthly report. He asked if the Board had any questions.

Mr. Moody stated that the growth study committee had finalized their work and wanted to know if they wished to now meet with the Board.

Mr. Bracey stated they would take that up at a later date.

IN RE: SOCIAL SERVICES – REPORT

Mrs. Peggy McElveen, Director of Social Services, was not present.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Mrs. Troilen Seward, Superintendent of Schools, was not present. Mrs. Ampy was present to receive any questions the Board wished to send to Mrs. Seward.

Mr. Tickle stated he would like to have an update on the School Construction and on the goings on of the schools. He would like for her to schedule that with the Chairman of the Board and the County Administrator.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management, came before the Board and presented his report for the months of March and April 1998.

He stated he would like to address Mr. Tickle's question. He informed the Board every dumpster is very clearly marked with the code requirements. These dumpsters are also marked with no scavenging signs and instructions regarding large items. These stickers on the dumpsters state the Sheriff's Department will enforce these code requirements.

Mr. Tickle stated he would take full blame because he saw a builder dump a dump truck with a trailer being pulled behind and another pick up truck at the Sutherland site. He stated that he caught him at the end of the dump. He had heavy metal items that could not be compressed. He stated he went across the street and called the Sheriff's Department. Someone came, then went to the Doctor's office, and that person never took advantage of the call. They later sent someone to sit out there but that person had already left. This is the point where Mike Tickle the supervisor has to stand up and write down the license plate of who he saw. He feels the same way an individual feels, if there is a law sitting out there then the Sheriff's Department should be there to enforce it. This person filled up a whole roll off container and a dumpster. This was a business person who should have some type of dumpster site on his property.

Mr. King stated he could bring it to the landfill.

Mr. Tickle stated if he wants to build subdivisions then he should provide some type of dumpster on his site.

Mr. King stated his problem was he did not feel he could get any kind of enforcement, you have to balance in your mind with your judgment, whether you are going to get your butt kicked or whatever by this individual. Like he had previously said it puts them in a bad spot sometimes; if someone is reasonable you can get something done but if it is somebody that is not and you are looking for support –

Mr. Tickle stated he knew the person in question was an unreasonable one. He stated he knew this person. He still felt the law should have stepped in and handled this situation. This person got a free ride on the County. The roll off unit cost the County approximately $200.00 to empty

Mr. Bracey stated he understood the problem. Either we need to enforce the laws or either we need to decide to not ticket. Once the decision is made we need to stick to it. Mr. Bracey stated we need to talk to the Sheriff regarding this matter.

Mr. King stated manned sites are an answer for this problem and that is coming.

Mr. King stated he had included the list of dumpster locations. Since making this list he had lost two (2) of these sites. These sites are Bolster's Store site and the site on Claiborne Road. Bolster's Store site he did not wish to discuss. The Claiborne Road site closing is due to a new subdivision being put in. Mr. Bain, owner of the property, is being very generous with the time to close and clean the site. Mr. King stated he will have signs made telling the citizens what is happening, why, and where the nearest dump site is located. The closing date will be June 1, 1998.

IN RE: WASTE MANAGEMENT – AUTHORIZATION TO ORDER NEW DUMP TRUCK

Mr. King stated he had budgeted for a new clean up truck for his Department. The bids are as follows:

ONE (1) TON PICKUP TRUCK – DIESEL – AUTOMATIC

A) STROSNIDER CHEVROLET	$22,439.14
B) PETERSBURG FORD	$22,853.62
C) OWEN FORD	$21,950

HEAVY DUTY CAB-OVER – DIESEL – AUTOMATIC

A) GMC TRUCK	$24,441.52
B) MITSUBISHI	$24,193.00
C) UD TRUCKS	$27,980.00

Mr. King continued by saying it looked like the best price for the body appeared to be from Simpson at $6,345.00.

Mr. Bracey stated he saw the prices and there was a 6 - 9 and a 10. This seemed like a large spread.

Mr. King stated he had been on the telephone with the low bidder and gone over the specs asking questions regarding the important features that were needed on the vehicle. Everything seemed to check out ok. The only difference between the bids is that the two higher bids did include some additional equipment that he did not want.

Mr. Bracey asked if this piece of equipment from Simpson was what he needed.

Mr. King stated it was.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Waste Management to order a Mitsubishi cab over flat bed truck at a cost of $24,193.00 from Peterbuilt of Richmond and a dump body, with stake sides, from Simpson Equipment at a cost of $6,345.00.

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward to present his monthly report and stated he had no additional information to report.

IN RE: DEPUTY EMERGENCY SERVICES COORDINATOR – REPORT

Mrs. Dawn M. Titmus, Deputy Emergency Services Coordinator, came forward to present her monthly report.

IN RE: FIRE & RESCUE ASSOCIATION – REPORT

Mrs. Titmus stated she was also representing the Fire and Rescue Association because their representative could not be present. She stated their monthly report was included in the Board packet.

IN RE: PERSONNEL ACCOUNTABILITY TAG SYSTEM AND MANAGEMENT SYSTEM

Included in the packet was the information on the Personnel Accountability Tag System and Incident Management System. They were planning to ask the Board for $3,828.67 to fund this program.

Mr. Bracey asked if this funding had been discussed with the County Administrator.

Mr. Long stated he had discussed this matter with them .

Mr. Bracey asked if we were ready to act on this item at this time.

Mr. Long stated he told them he felt the Board may wish to postpone action pending the hiring of the Public Safety Officer.

Mr. Bracey stated he felt we needed to wait on this item. Mr. Bracey polled the Board members and all were in agreement on waiting until Mr. Long felt the time was right.

IN RE: COUNTY ATTORNEY – REPORT

Mrs. Ralph stated we had Mr. Ben Emerson and Mr. Mark Flynn present today.

Mr. Ben Emerson, County Attorney, stated they had no monthly report but were available for questions.

IN RE: CONSTRUCTION INSPECTOR – REPORT

Mr. Donald W. Faison, Construction Inspector, came forward to present his monthly report. He asked if the Board had any questions.

Mrs. Everett asked about the furniture company that went bankrupt.

Mr. Faison stated he had hoped to have before them, now, the latest letter from Gulf Seaboard but it has not arrived to date. They advised him this morning by telephone they have gone to the next company that was listed in the specifications and gone through the architect and had things approved on how we can work it all out. They have been promised to have the permanent seating for two (2) of the three (3) courtrooms in place by June 1st. They were not able to give us the date they could have the other one (1) in place, which is the General District Court.

Mrs. Everett asked about any financial loss to the County.

Mr. Faison stated he did not know about financial loss but there was a lot of sleep loss! Trying to coordinate everything with everybody to finalize everything could directly have an effect on your proposed dedication date. The contractor had offered to go into the existing courtroom and move all that furniture and set it down in the courtroom in order that that courtroom will be operational on a temporary basis if the Board and Judge Warren sees fit to do that.

IN RE: COUNTY ADMINISTRATOR COMMENTS – VLGMA

Mr. Long stated he had one item. There was a request before them to allow him to attend the VLGMA summer conference. It runs from Wednesday to Friday. He is only interested in attending Thursday and Friday. This is June 25th and June 26th. It will be held at the Virginia Beach Resort and Conference Center. Mr. Long stated he would drive up early Thursday morning and would request a one (1) night stay.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to attend the Virginia Local Government Management Association summer conference on June 25-26, 1998 at Virginia Beach Resort and Conference Center and funds are appropriated for registration $125.00 and a one (1) night stay at approximately $91.00.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay – No comments

Mrs. Everett – She stated she had attended the VDOT pre-allocation hearing at John Tyler. They arrived at about 9:00 A.M. and finally got to speak about 1:00 P.M. which made for a long day. Dinwiddie was number 36 on the list.

Mr. Moody – He stated we took no action on the Game and Inland Fisheries for Mr. Wheeler.

Mrs. Everett stated we had given our endorsement to Mr. Russell Garrison and he is the incumbent and she felt that he has done a good job. She stated she did not see how we can endorse two (2) people.

Mr. Clay stated Mr. Wheeler felt that he had it in the bag but that he would very much appreciate the Board's endorsement.

Mrs. Everett stated she felt that he was probably very qualified but she felt we had given our endorsement and she felt we had an obligation to stay with that.

Mr. Tickle – He stated he had no comment until Mr. Moody presented that situation. When he supported Mr. Garrison he was under the understanding that it was one of those positions there was not a lot of competition for. In the past we have never had more than one applicant come and ask the Board for support. He felt this puts a little dilemma there. He stated he supported someone whose past history is doing a adequate job but it is not to say this new person cannot do a good job also. The question he would like to put to the Board is do we know that Mr. Garrison does a good job and do we know that this person is going to do a poorer job or a better job. Do we support all candidates or do we just let it lie. We need to think about how we support people on this position.

Mr. Bracey stated he was not impressed with this gentleman. He stated he only told him what was wrong; he never said anything about what was being done right. Everything he said seemed to begin with "Back when I was a little boy". Mr. Bracey stated he felt they had been doing a good job throughout the State of Virginia and he felt things have really improved. He felt Mr. Wheeler degraded everything. That was his personal opinion. He felt we need to just let that dog stay.

Mr. Tickle wanted to know what we were going to do if a third person came before the Board for endorsement.

Mr. Bracey stated we have made our endorsement.

Mr. Bracey – no comments

RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 (Public Safety Officer); Section 2.1-344 (A) - 3 Discussion or consideration of the condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property; Section 2.1-344 (A) - 5 Discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating in the community; and Section 2.1-344 (A) - 7 Consultation with legal counsel (Contracts - property request) the Board moved into Executive Session at 4:30 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:35 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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: LEASE AGREEMENT WITH DEPARTMENT OF GAME & INLAND FISHERIES -- PROPOSED PARK

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator to sign a lease agreement with the Department of Game and Inland Fisheries for a possible location of a Park on Lake Chesdin subject to negotiation of the terms of the agreement acceptable to the County.

IN RE: VILLAGE OF DINWIDDIE – WATER AND SEWER

Mr. Bracey stated he had a question. He asked Mr. Long to research the following : In the Dinwiddie – lets call it Dinwiddie proper here – Dinwiddie Supermarket from there down to the Village Mart or beyond – will or at any time within the next few months will that area be served by sewer. This is a very important question. It has to be answered. It could mean life or death for us. Why he is saying this is because he does not know. He asked Rob Harrison about that sewer line coming across from that thing on 85. That seems like it is not going to serve anything. Please research it for him and find out just what is happening.

IN RE: ADJOURNMENT

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 5:40 P.M. to be continued at 5:00 P.M. on May 6, 1998 for an Executive meeting at the Home Place Restaurant.

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

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT THE HOMEPLACE RESTAURANT, DINWIDDIE COUNTY, VIRGINIA, ON THE 6TH DAY OF MAY 1998, AT 5:00 P.M.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	LEENORA V. EVERETT, VICE-CHAIR	ELECTION DISTRICT #3
	AUBREY S. CLAY	ELECTION DISTRICT #5
	HARRISON A. MOODY	ELECTION DISTRICT #1
OTHER:	MARK FLYNN	COUNTY ATTORNEY
	JOANNA HALSEY	COUNTY ATTORNEY
ABSENT:	MICHAEL H. TICKLE	ELECTION DISTRICT #2

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay , seconded by Mr. Moody , Mr. Moody, Mr. Clay, Mrs. Everett, Mr. Bracey 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 (Code Compliance Officer); Section 2.1-344 (A) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property; Section 2.1-344 (A) 5 - Discussion concerning a prospective business or industry; Section 2.1-344 (A) 6 - Investment of public funds; and Section 2.1-344 (A) 7 - Consultation with legal counsel - for legal advice on proposed ordinance amendments, the Board moved into Executive Session at 5:10 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:36 P.M. in the Board Meeting Room of the Pamplin Administration Building.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mrs. Everett, Mr. Bracey 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 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.

RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 7:37 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R Martin Long
R. Martin Long
County Administrator

/pam

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 6TH DAY OF MAY, 1998, AT 7:30 P.M.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	LEENORA V. EVERETT, VICE-CHAIRMAN	ELECTION DISTRICT #3
	AUBREY S. CLAY	ELECTION DISTRICT #5
	HARRISON A. MOODY	ELECTION DISTRICT #1
OTHER:	MARK FLYNN	COUNTY ATTORNEY
	JOANNA HALSEY	COUNTY ATTORNEY
ABSENT:	MICHAEL H. TICKLE	ELECTION DISTRICT #2

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 7:38 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda.

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated she would like to add to Item 13 - Executive Session - Section 2.1-344 (A) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body (Code Compliance Officer).

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that there be an addition to Item 13 - Executive Session - Section 2.1-344 (A) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body (Code Compliance Officer).

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the April 15, 1998 Continuation Meeting, and April 15, 1998 Regular Meeting, are approved in their entirety.

IN RE: CLAIMS

Mrs. Ralph stated there was a manual check, number 1010432, written to Peterbilt of Richmond, Inc. for the purchase of the 1998 Mitsubishi chassis for the Landfill cleanup truck which is not listed but will be included in the claims that are before the Board for approval.

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mrs. Everett, 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 1010167 - 1010432 (void check(s) numbered 1010236 through 1010252; 101272 through 101309; 1010370 and 1010218); for Accounts Payable in the amount of $158,133.15: General Fund $145,456.53; E911 Fund $2,521.23; Self Insurance Fund $411.79; Law Library $60.00; Fire Programs/EMS Fund $718.70; Forfeited Asset Sharing $409.40; and Capital Projects $8,555.50. Payroll in the amount of $304,830.44 was also approved and appropriated: General Fund $303,690.25; and Grant Fund $1,140.19.

IN RE: APPROVAL OF REQUISITION #18 – COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated Requisition #18 for the Courthouse consists of payment to:

GULF SEABOARD GENERAL CONTRACTORS, INC.	$74,741.25
COMMUNICATIONS SPECIALISTS	1,050.00
CHERRY, BEKAERT & HOLLAND, L.L.P.	4,500.00
TOTAL OF THIS REQUISITION	$80,291.25

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 18 in the amount of $80,291.25 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if any citizens had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, replied there were. The following person addressed the Board:

1. Ms. Lucille Phares, Boydton Plank Road, came forward to ask the Board about Green Acres Mobile Home Park recreation area.

Mr. Bracey questioned Mr. Scheid about the progress and requested him to review the progress and report to Mr. R. Martin Long, County Administrator, as to the prgross and the proposed finish date.

Mr. Bracey asked if there was any citizen present that had not signed up but wished to speak at this time. There being none Mr. Bracey moved forward.

IN RE: PRESENTATION OF CHAIRMAN OF THE BOARD PLAQUES TO MR. AUBREY S. CLAY AND MR. HARRISON A. MOODY

Mr. Long and Mr. Bracey came forward to present plaques to Mr. Aubrey S. Clay and Mr. Harrison A. Moody. Mr. Long asked for Mr. Clay to come forward. Mr. Long stated for serving as Chairman of the Dinwiddie Board of Supervisors for the following terms: 1978, 1981, 1986, 1989, 1993, & 1996. He congratulated Mr. Clay on his accomplishments.

Mr. Long then asked Mr. Moody to come forward to receive his plaque. He continued by stating this plaque is for serving as Chairman of the Dinwiddie Board of Supervisors for the following terms: 1990 & 1997. He congratulated him on his accomplishments.

IN RE: PRESENTION OF 20 YEAR SERVICE AWARDS - MRS. ANNE HEATH AND MR. ISSAC CLANTON

Mr. Long continued they had two (2) special presentations to make to employees. He requested Mrs. Ralph join him and Mr. Bracey in making these presentations. These presentations are for 20 years or more service to the County. At this time he asked Mrs. Anne Heath to come forward. He presented her with a plaque which read: Presented to Anne L. Health in appreciation of 20 years of continuous service to the County of Dinwiddie. He stated that this was 20 years in October 1997. He stated he understood that Mrs. Heath had worked part time for the County before she became a full time employee. He stated she was currently Executive Secretary to the Building Official and that she does quite a good job. He congratulated her on 20 years of service.

Mrs. Heath thanked Mr. Long and the Board.

Mr. Long continued by asking Mr. Isaac Clanton, who is known to us all as "Scooter", to come forward. He presented him with a plaque reading: Presented to Isaac Clanton in appreciation of 20 years of continuous service to the County of Dinwiddie from April 1978 to Present. Mr. Long stated he is a Building and Grounds Person and that he does a wonderful job for the County. He thanked Mr. Clanton for his service.

Mr. Clanton thanked the Board.

IN RE: RESOLUTION – LEROY BEASLEY

Mrs. Mann stated there was one more resolution in their Board packet for Mr. Leroy Beasley.

Mr. Long read the following resolution, which will be effective as of April 15, 1998, due to the date of presentation.

RESOLUTION
OF THE
DINWIDDIE COUNTY BOARD OF SUPERVISORS
APRIL 15, 1998
IN RECOGNITION OF
LEROY BEASLEY

WHEREAS, Leroy Beasley has served as Deacon for 50 years at Gravel Run Baptist Church, in the County of Dinwiddie, with distinction and integrity, and

WHEREAS, the Board of Supervisors on this 15th day of April, 1998, is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Leroy Beasley for his many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Leroy Beasley, and a copy spread upon the minutes of this meeting.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above resolution be adopted by the Board.

IN RE: PUBLIC HEARING – P-98-3 – PATRICK CASALE REZONING

This being the time and place advertised in the Dinwiddie Monitor on April 22, 1998 and April 29, 1998, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing for a request to rezone a portion of land parcel 54-30 containing 32± acres from A-2, Agricultural, General to RR-1, Rural Residential. The property is generally bounded to the south by Scotts Road, east by Charles Dunn; north by Patrick Casale; and west by Martins Burner Service, Irving Scheiber, and Martin Golda, Jr. The property is approximately ½ mile east of the Baltimore Road/Scotts Road intersection in the Darvills Magisterial District.

Mr. William C. Scheid, Director of Planning came before the Board to present P-98-3. He read portions of the following Planning Staff Report:

File:	P-98-3
Applicant:	Patrick W. Casale
Property Address:	Scotts Road (Route 645)
Magisterial District:	Darvills
Acreage:	83 acres (32 acre portion thereof)
Tax:	54-30
Zoning:	Agricultural, General, A-2
Water Source:	on-site
Sewer Disposal:	on-site

LOCATION/DESCRIPTION

The property is located on the north side of Scotts Road approximately ½ mile east of the Baltimore Road/Scotts Road intersection.

APPLICANT REQUEST:

The applicant seeks to rezone thirty two (32) acre of a eighty three (83) acre tract from Agricultural, General, A-2 to Residential, Rural, RR-1 It is the intention of the applicant to build an interior road to State specifications to serve residential lots having no less than 2 acres each and 200' of frontage on the interior road. All lots will access Scotts Road from the newly constructed road.

DISCUSSION

During the past few years, the Planning Commission and Board of Supervisors have expressed concerns regarding the manner in which land has been subdivided for residential development. Of all of the concerns raised, two concerns appear to surface more frequently than the others. They are: private road development; and curb/cut along existing state roads (commonly referred to as strip development)

In order to attempt to exercise some control over the above, the county adopted an ordinance in 1997 which required the rezoning of land from agricultural to a residential category if three (3) or more lots were to be subdivided from a parcel of land. A primary

consideration for this requirement centered upon the observation that land was being converted from agricultural or timber use to a residential use. Therefore, an overall development plan was required with the rezoning request in order to review its impact on the neighborhood as well as the County. Also, it was noted that a residential category contained fewer uses, thus, conflicts among incompatible land uses could be avoided in the future.

The Planning Commission has reviewed several cases within the past year in which a request was made by a landowner to rezone land from Agricultural, General, A-2 to Residential, Rural, RR-1 or Residential, Conservation, R-R. As you are aware, the RR district requires a minimum of five (5) acres per home site with 300' of frontage on a public or private road. The RR-1 district requires a minimum of two (2) acres with 200' of frontage on a public road. The current zoning district, Agricultural, general, A-2 requires a minimum of three (3) acres with frontage on a public road.

The cases reviewed and recommended for approval by the Planning Commission to the Board of Supervisors are as follows:

1. P-97-6. Johnny Bain on behalf of Stone;
2. P-97-7. Johnny Bain on behalf of Bear Island;
3. P-97-8. Johnny Bain on behalf of Bear Island;
4. P-97-9. Herbert Phillingaine;
5. P-9711. Johnny Bain on behalf of Bear Island;
6. P-97-14. George Whitman on behalf of Harry Millis.
7. P-98-1. Dan Upton, Sr.

The cases P-97-6, P-97-7, and P-97-8 involved the rezoning of land to an RR, Residential, Conservation, Category with proffers. Interior road (private) was proposed with only a few lots proposed to access directly onto an existing public road. The case P-97-14 requested rezoning of land to RR, Residential, Conservation category without proffers. Again, a private road was proposed to serve almost all of the lots created. The remaining cases, P-97-9, P-97-11 and P-98-1, were requested for rezoning from Agricultural, A-2 to Residential, Rural, RR-1. In P-97-9, Herbert Phillingaine proposed to build a pubic road to state specifications which would serve all of the lots created by the rezoning. No lots in Mr. Phillingaines' subdivision would access directly to Carson Road.

In case P-97-11, Bear Island proposed to expand Smithfield Subdivision, Section 1 by adding a Section 2 containing 14 lots. While there were proffers given on this rezoning, all lots fronted onto Midway Road (Rt. 739). One of the proffers given and accepted by the County was that all lots would contain at least three (3) acres of land and have a minimum of three hundred (300) feet of frontage on the road. It must be emphasized that this development proposal was consistent with the first section and the overall development proposal was being discussed with the Planning Department prior to code amendment. In case P-98-1, John Upton, Sr. proffered that each home site fronting on Hawkins Church Road would have a minimum of 3 acres and would have a minimum of 300' of road frontage. It was noted during the Planning Commission meeting that this road is not classified as a collector or arterial road. It is further noted that the Board of Supervisors have not reviewed this case as of this date.

The Dinwiddie County Comprehensive Plan designates this property for agricultural use. The property is located within the ***Rural Conservation Area,*** as designated by the Dinwiddie County Comprehensive Plan. A brief outline of the applicable strategies for this planning area follow:

Rural Conservation Area (approximately 290,000 acres, 90% of the County)

- expected to accommodate 5% to 10% of future residential development;
- all developments within the rural conservation areas are expected to maintain the long-term viability of rural characteristics, with a minimum of land use conflicts between residential and agricultural uses;
- development in these areas will be of a very low density and thus very minimal increases in public services will be needed; and
- prime agricultural land will be identified and preserved.

The corridor plan DOES NOT IDENTIFY SCOTTS ROAD (ROUTE 645) as an arterial or collector road. In Section 2, Policies, Goals and Objectives of the Comprehensive Land Use Plan, under Housing - Goal 2 states 'provide for a limited amount of low-density single-family dwellings in agriculturally zoned lands and continues with objective (b) stating 'permit large lot residential development on interior lands if the community's welfare is not compromised'.

The soil contained in this area is:

- Georgeville (8B).

There is a moderate limitation on septic tank absorption fields and a moderate limitation on dwellings, with or without basements.

A site inspection of this property was recently conducted by staff. There are scattered home sites found in this area. The primary land uses found in this area are forming and timber production.

STAFF RECOMMENDATION:

There are several positive factors to be considered in this request. They are:

1. the applicant proposes to build a public road to State specifications:
2. all lots will have access to the newly constructed State road;
3. several lots will exceed the minimum area requirement of two (2) acres; and
4. the applicant will offer an alternative to potential home owners seeking to build in this area.

Additionally, it is staff's opinion that this the direction in which the Residential Growth Study Committee will be encouraging the Board of Supervisors to move. Therefore, staff recommends approval of the request with the following proffers:

1. A new road into the subdivision will be built, along a fifty foot right of way, to State Standards and upon completion will be dedicated to the Commonwealth of Virginia.
2. All driveways will enter upon the proposed new road. Any lot which joins Route 645 will not have a driveway entering Route 645.

There was discussion between the Board and Mr. Scheid regarding the corner lots on Route 645, Scotts Road. Mr. Scheid stated the proffer covered those lots in that no driveway will enter Route 645, Scotts Road.

Mr. Bracey opened the Public Hearing portion of the case.

Mr. Patrick Casale, the applicant, came forward inform the Board that it is actually 11 lots. This includes his lot of 50± acres.

There being no further citizens wishing to speak on P-98-3, Mr. Bracey closed the Public Hearing.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that Parcel 54-30 of the Dinwiddie County Zoning Maps, is amended by changing the district classification from Agricultural, General, A-2 to Residential, Rural, RR-1 with the following proffers by the applicant, Mr. Ronald Gordon, on behalf of Partick W. Casale:

1. A new road into the subdivision will be built, along a fifty foot right of way, to State Standards and upon completion will be dedicated to the Commonwealth of Virginia.

2. All driveways will enter upon the proposed new road. Any lot which joins Route 645 will not have a driveway entering Route 645.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.2-2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

In all other respects, said zoning ordinance is hereby reordained.

IN RE: VIRGINIA GAS COMPANY – PROPOSED GAS LINE

Mr. Scheid came forward to a request adoption of a resolution sought by the Virginia Gas Company to construct a gas line through the County.

Mr. Barry Buchanan and Mr. Jim Talkington came forward to address several issues raised by the Board.

Mr. Long stated this was a Resolution to request support and that a Public Hearing would be held later in the process.

Mr. Buchanan stated the Public Hearing would be held in Richmond under the State Corporation Commission but all citizens with property that might be effected by the line would be notified prior to the Public Hearings. He presented a special thanks to Mr. Scheid for his help in this process.

Mr. Mark Flynn, County Attorney, stated just a brief question, in order that everybody understands the nature of the dealing with the State Corporation Commission, once you get the certificate of public need and convenience you acquire the right of condemnation, if necessary. It does grant eminent domain.

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

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

WHEREAS, Natural gas is a necessary natural resource to communities in the Tri-Cities Area and is prominent in meeting our region's energy needs; and,

WHEREAS, The Dinwiddie County Board of Supervisors has been informed that the Virginia Gas Pipeline Company proposed to construct, own, and operate service from Radford Virginia to Norfolk, Virginia, bringing the proposed natural gas pipeline through Dinwiddie; and

WHEREAS, Dinwiddie County engages in an ongoing process of developing industrial sites, recruiting new industry as a way to increase its economic base; and,

WHEREAS, The Dinwiddie County Board of Supervisors recognizes that the availability of a reliable long-term natural gas supply enhances the expansion of economic development in the Tri-Cities area;

NOW, THEREFORE, BE IT RESOLVED, THE Dinwiddie County Board of Supervisors does hereby go on record as being in support of the proposed application for certification of this natural gas pipeline by Virginia Gas Pipeline Company; and,

BE IT FURTHER RESOLVED that the Dinwiddie County Board of Supervisors does hereby request that the Virginia State Corporation Commission approve the application of Virginia Gas Pipeline Company to construct, own, and operate the natural gas pipeline.

IN RE: PUBLIC SAFETY OFFICER - POSITION ANNOUNCEMENT

Mr. Long stated we have present this evening Mr. David Jolly, the County's new Public Safety Officer. He came on board Monday, May 4th and he asked for action to officially hire him at a salary of $35,290.00, Grade 16 Step A1.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to hire Mr. David Jolly as Public Safety Officer at a salary of $35,290.00, Grade 16 Step A1, effective May 4, 1998.

IN RE: PUBLIC SAFETY OFFICER - LAW ENFORCEMENT POWERS

Mr. Bracey asked Mr. Jolly about being sworn in for law enforcement powers.

Mr. Jolly stated he would like to have those powers in order to better perform his duties. He stated we could handle this tonight or later; it was at the Board's discretion. He would need a resolution in order to proceed with this process.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia by this resolution authorizes Law Enforcement Powers for the position of Public Safety Officer of Dinwiddie County which are granted through State Code; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes Mr. David Jolly to notify the appropriate state and local agencies of this official action.

IN RE: RESOLUTION AUTHORIZING THE CRATER REGIONAL PARTNERSHIP TO RECEIVE 1998-2000 VIRGINIA REGIONAL COMPETITIVENESS ACT FUNDING FROM THE COMMONWEALTH OF VIRGINIA

Mr. Long stated the Crater Regional Partnership had requested a resolution from the Board authorizing the Partnership to receive the funding authorized in the 1998 - 2000 State Budget.

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

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

WHEREAS, the ten jurisdictions within the Crater Planning District (cities of Colonial Heights, Emporia, Hopewell and Petersburg, and the counties of Chesterfield, Dinwiddie, Greensville, Prince George, Surry and Sussex) formally established the Crater Regional Partnership, under the Virginia Regional Competitiveness Act; and

WHEREAS, the Crater Regional Partnership qualified for fiscal year 1997-1998 Regional Competitiveness Program funding in September, 1997; and

WHEREAS, the guidelines for Virginia's Regional Competitiveness Program require that participating local governments within the region adopt resolutions authorizing their partnership to receive state incentive funds on the participating jurisdiction's behalf.

NOW THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Dinwiddie agrees that the Crater Regional Partnership is authorized to receive 1998-2000 Regional Competitiveness Program funding on behalf of Dinwiddie County to carry out the Partnership's approved Strategic Economic Development Plan.

IN RE: $2-FOR-LIFE FUND DISTRIBUTION

Mr. Long continued by stating he had been approached by two (2) members of the Emergency Medical Services Council about a proposal on how the $2-for-Life Funds could possibly be distributed in the County. The Council is proposing that they put together a priority list that would be submitted to the Board and would be on going. They are asking the Board for approval of such a list and the $2-for-Life Funds would be utilized in this priority order to fund these projects.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Emergency Services Council to proceed with the preparation of a priority list for the $2-for-Life Fund distribution, to be presented to the Board for final approval on an annual basis.

IN RE: NOTTOWAY RIVER--SCENIC RIVER DESIGNATION

Mr. Long continued with presentation of the information he had received on the Nottoway River Scenic River Designation. The first step in the process in designating that area as a scenic river area is a resolution of the Board that would request the Department of Conservation and Recreation to perform an evaluation of that section of the river in Dinwiddie County.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that a resolution be drafted requesting the Virginia Department of Conservation and Recreation, Division of Planning and Recreation Resources to perform an evaluation of the section of the Nottoway River located in Dinwiddie County for entry into the Scenic River Program.

The Board requested Mr. Long to contact Mr. Dick Gibbons of the Department of Conservation and Recreation requesting that he attend the next Board meeting to explain the program to them.

IN RE: SHERIFF'S DEPARTMENT – AUTHORIZATION TO PURCHASE "ROUNDS" CLOCK

Mr. Long stated Sheriff Shands had requested authorization to purchase a "rounds" clock for the Dinwiddie County Jail. He had received bids from the following companies:

CAROLINA TIME.....$4,031.00

RICHMOND SECURITY SERVICES.....$2,865.75

WESCOTT COMPANY.....$2,850.37

Mr. Long stated there is money in the Sheriff's current budget to purchase this clock.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Sheriff's Department to purchase a "rounds" clock from Wescott Company at a cost of $2,850.37, using funds from the Sheriff's existing budget.

IN RE: AMERICAN BATTLEFIELD PROTECTION PROGRAM – ACCEPTANCE OF GRANT FOR TRAILS

Mr. Long stated Mr. John M. (March) Altman had applied for an American Battlefield Protection Program (ABPP) grant. Mr. Long asked Mr. Altman to come forward and present this project to the Board.

Mr. Altman came forward giving a brief overview of the project. He informed the Board that in December 1997 a grant had been applied for. He stated Dinwiddie County had been offered a grant in the amount of $7,300.00. These funds will identify a possible route for a trail connecting the thirteen (13) battlefield sites within Dinwiddie County, and develop mechanisms to protect the historic and scenic resources, the property, and the privacy of the landowners along the trail. There are no County funds involved; only an in-kind match required. He stated he was present to request the Board's authorization to accept the grant and for Mr. Long to sign the grant agreement on the Board's behalf.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to sign the American Battlefield Protection Program (ABPP) grant agreement and to accept the grant in the amount of $7,300.00.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated the other two (2) items he had were included under information in the Board's packet.

He stated the first item was correspondence he received from the County of Prince George County regarding a new tanker for Carson Volunteer Fire Department.

After discussion, Mr. Long was instructed to write Prince George County and find out where Dinwiddie County stands and about the statistics of the Sub-Station. Mr. Long was to confer with Mr. Jolly and report their findings to the Board at the next meeting.

Mr. Long continued the second item was correspondence he had received from the Petersburg Regional Film Office, Inc.

Mr. Long was instructed to invite Mr. Kenneth W. Roy, Secretary and Executive Director of Petersburg Regional Film Office, Inc., to attend the next meeting in order for him to explain to the Board what he would like from Dinwiddie County and what Dinwiddie County might expect because of the opening of the New Millennium Studios in Petersburg.

IN RE: SCHOOL BOND RESOLUTION

EXTRACT

Mr. Long stated we had one more resolution. This is a resolution to adopt for the final school bond issue. This is for completion of the school construction work as well as a separate series attached to that for public improvements associated with the industrial access road at the TXI, Chaparral site.

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

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

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia (the "Board of Supervisors") has previously requested the Industrial Development Authority of Dinwiddie County, Virginia (the "Authority") to assist it in the financing of improvements and renovations to County school facilities (Midway Elementary School, Dinwiddie County Middle School and Dinwiddie County High School) (together the "School Project"), and pursuant to these requests the Authority issued its $3,365,000 Interim School Funding Lease Revenue Notes (Dinwiddie County School Facilities Project) Series 1995A (the "Notes"); and

WHEREAS, the County issued $13,000,000 of its general obligation bonds for school purposes on November 20, 1996 purchased by the Virginia Public School Authority (the "VPSA Bonds") to pay for a portion of the costs of the acquisition, completion and equipping of certain improvements and renovations to certain of the County's schools and related facilities, a portion of which funds were used to fully redeem the Notes on February 1, 1997; and

WHEREAS, at the request of the Board of Supervisors, in order to enable the County to complete a portion of the School Project, the Authority issued its $5,900,000 Lease Revenue Bonds (Dinwiddie County School Facilities Project), Series 1997A (the "School Bonds"), (i) to finance a portion of the costs to complete the School Project, (ii) to make a deposit to a debt service reserve fund for the School Bonds and (iii) to pay certain issuance costs and expenses incurred in connection with issuing the School Bonds; and

WHEREAS, the Board of Supervisors now desires to complete the financing of the School Project, and has requested that the Authority assist it in the financing of such project; and

WHEREAS, the Board of Supervisors also desires to finance a portion of the costs of certain improvements relating to an industrial access road and infrastructure improvements on an industrial site (the "Public Capital Project") and in order to finance the School Project and the Public Capital Project, has determined to (a) issue, offer and sell its $7,695,000 Lease Revenue Bonds (Dinwiddie County Public Facilities Project), Series 1998 (the "1998 Bonds") to finance a portion of the costs (i) to acquire and construct the Public Capital Project and (ii) to complete the acquisition, construction and equipping of the School Project on improved real property owned by the Dinwiddie County School Board (the "School Real Estate") and (b) lease the School Project and the Public Capital Project to the County to accomplish certain purposes of the Virginia Industrial Development and Revenue Bond Act (the "Act"), and the Authority has agreed to do so; and

WHEREAS, there has been presented to the Board of Supervisors a plan for lease financing of a portion of the costs to complete the acquisition, construction and equipping of the School Project and the Public Capital Project involving issuance of the 1998 Bonds by the Industrial Development Authority of Dinwiddie County, Virginia (the "Authority") which would not create debt of the County for purposes of the Virginia Constitution; and

WHEREAS, there have been presented to this meeting drafts of the following documents (the "Documents"), copies of which shall be filed with the records of the Board of Supervisors:

(a) a Second Amended Ground Lease, dated as of May 1, 1998, amending the Ground Lease dated as of December 1, 1995 between the Authority, the County and the School Board, as previously amended by Amended Ground Lease dated as of July 1, 1997, conveying to the Authority a leasehold interest

in the County Real Estate and the School Real Estate (the "Second Amended Ground Lease").

(b) a Second Amendment to Financing Lease, dated as of May 1, 1998, amending the Financing Lease dated as of December 1, 1995 between the Authority and the County, as previously amended by Amendment to Financing Lease dated as of July 1, 1997, conveying to the County a leasehold interest in the School Project and the Public Capital Project (the "Second Amendment to Financing Lease");

(c) a Second Supplemental Indenture of Trust, dated as of May 1, 1998, supplementing and modifying the Indenture of Trust dated December 1, 1995 between the Authority and Crestar Bank as Trustee (the "Trustee"), as previously supplemented by Supplemental Indenture of Trust dated as of July 1, 1997, pursuant to which the 1998 Bonds are to be issued, including the form of the 1998 Bonds, which is to be acknowledged and consented to by the County (the "Second Supplemental Indenture");

(d) a Second Amended Assignment of Rents and Leases, dated as of May 1, 1998, between the Authority and the Trustee amending the Assignment Agreement dated as of December 1, 1995, as previously amended by Amended Assignment of Rents and Leases dated as of July 1, 1997, assigning to the Trustee certain of the Authority's rights under the Financing Lease as amended, which Second Amended Assignment of Rents and Leases is to be acknowledged and consented to by the County (the "Second Amended Assignment Agreement");

(e) a Bond Purchase Agreement among the Authority, the County and Davenport & Company as Underwriter (the "Underwriter") for the purchase of 1998 Bonds (the "1998 Bond Purchase Agreement");

(f) a Continuing Disclosure Agreement between the County and the Underwriter for the purpose of assuring compliance with continuing disclosure obligations under Rule 15c2-12 (the "Continuing Disclosure Agreement"); and

(g) a Preliminary Official Statement for the offering and sale of the 1998 Bonds.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA:

1. The following plan for financing the costs to complete the acquisition, construction and equipping of the School Project and the Public Capital Project for the County as described in the preambles above is hereby approved. The Authority will be requested to issue the 1998 Bonds in the maximum amount of $7,695,000 and to use the proceeds therefrom to finance the acquisition, construction and equipping of the School Project and the Public Capital Project. The Authority will acquire, construct and equip the School Project on the School Real Estate which will be leased to the Authority under the Ground Lease as amended by the Amended Ground Lease and Second Amended Ground Lease, and the Authority will lease the School Project and the Public Capital Project to the County pursuant to the Financing Lease as amended by the Amended Financing Lease and the Second Amended Financing Lease. The Authority will also enter in to the Second Supplemental Indenture with the Trustee, pursuant to which the 1998 Bonds will be issued, which Second Supplemental Indenture is to be acknowledged and consented to by the Board of Supervisors. The Authority will also enter into the Second Amended Assignment Agreement whereby the Authority's rights under the Financing Lease as amended by the Amendment to Financing Lease and Second Amendment to Financing Lease will be assigned to the Trustee, which Second Amended Assignment Agreement is to be acknowledged and consented to by the Board of Supervisors. The Authority will be requested to lease the School Project to the County for the term of the 1998 Bonds, under a "triple net

lease" at rents sufficient to pay interest and principal due on the 1998 Bonds, all pursuant to the Financing Lease, as amended. The obligation of the Authority to pay principal and interest on the 1998 Bonds will be limited to rent payments received from the County. The obligation of the County to pay rent will be subject to the Board of Supervisors making annual appropriations for such purpose. The 1998 Bonds will be secured by an assignment of the Financing Lease, as amended, to the Trustee for the benefit of the bondholders. If the County exercises its right not to appropriate money for rent payments, the Trustee or the holder of the 1998 Bonds may terminate the Financing Lease, as amended, or otherwise take possession of the School Project, subject to the terms of the Financing Lease, as amended, the Assignment Agreement, as amended, and the Indenture as supplemented and modified by the Supplemental Indenture and the Second Supplemental Indenture.

2. The Board has selected Davenport & Company as underwriter (the "Underwriter") for the purchase of the 1998 Bonds, and the Authority is hereby requested to designate it as such.

3. The Chairman or Vice Chairman of the Board of Supervisors, either of whom may act, is hereby authorized and directed to execute and deliver the Second Amended Ground Lease, the Second Amendment to Financing Lease, the 1998 Bond Purchase Agreement and the Continuing Disclosure Agreement.

4. The Chairman or Vice Chairman of the Board of Supervisors, either of whom may act, is hereby authorized and directed to acknowledge and consent to the provisions of the Second Supplemental Indenture, the Second Amended Assignment Agreement and any other instruments executed by the Authority in connection with an assignment of the Financing Lease for the purpose of securing the 1998 Bonds.

5. The Documents shall be in substantially the forms submitted to this meeting, which are hereby approved, with such completions, omissions, insertions and changes as may be approved by the officer executing them, his execution to constitute conclusive evidence of his approval of any such completions, omissions, insertions and changes.

6. The School Project and the Public Capital Project are each hereby declared to be essential to the efficient operation of the County, and the Board of Supervisors anticipates that the School Project and the Public Capital Project will continue to be essential to the operation of the County during the term of the Financing Lease as amended by the Second Amendment to Financing Lease. The Board of Supervisors, while recognizing that it is not empowered to make any binding commitment to make appropriations beyond the current fiscal year, hereby states its intent to make annual appropriations in future fiscal years in amounts sufficient to make all payments under the Financing Lease as amended by the Second Amendment to Financing Lease and hereby recommends that future Boards of Supervisors do likewise during the term of the Financing Lease.

7. The Chairman or Vice Chairman of the Board, the County Administrator, the Assistant County Administrator, the County Treasurer and all other officers of the County are hereby authorized and directed to work with representatives of the Authority, the County Attorney, Bond Counsel, and the Underwriter to perform all services and prepare all documentation necessary to bring the 1998 Bonds to market, including without limitation, final forms of the Documents.

8. The County covenants that it shall not take or omit to take any action the taking or omission of which will cause the 1998 Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, including regulations issued pursuant thereto (the "Code"), or otherwise cause interest on the 1998 Bonds to be includable in the gross income for Federal income tax purposes of the registered owners thereof under

existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the 1998 Bonds.

9. The County covenants that it shall not permit the proceeds of the 1998 Bonds to be used in any manner that would result in (a) 10% or more of the proceeds of the 1998 Bonds being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141 (b) of the Code, provided that no more than 5% of such proceeds may be used in a trade or business unrelated to the County's use of the School Project or the Public Capital Project, (b) 5% or more of such proceeds being used with respect to any "output facility" (other than a facility for the furnishing of water), within the meaning of Section 141 (b) (4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than as governmental unit, as provided in Section 141 (c) of the Code; provided, however, that if the County receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the 1998 Bonds from being includable in the gross income for Federal income tax purposes of the registered owners thereof under existing law, the County need not comply with such covenants.

10. The Board of Supervisors hereby consents to Sands, Anderson, Marks & Miller, P.C., Richmond, Virginia serving as special counsel to the Authority and as bond counsel and as county attorney and recommends that such firm be appointed by the Authority as Bond Counsel and as special counsel to the Authority.

11. All other acts of the Chairman or Vice Chairman of the Board and other officers of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the plan of financing, the issuance and sale of the 1998 Bonds and the acquisition, construction, and equipping of the School Project and the Public Capital Project are hereby approved and ratified.

12. And authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.

13. The reimbursement resolutions adopted by the Board of Supervisors on May 18, 1994, relating to expenditures on or after March 20, 1994 with respect to the School Project, are hereby ratified, confirmed, approved and re-adopted in their entirety, with the amendment that the maximum principal amount of bonds expected to be issued for the School Project is $24.5 million and further, that the Board of Supervisors hereby declares the County's intent to reimburse itself with proceeds of the 1998 Bonds for expenditures with respect to the Public Capital Project made on or after the date which is 60 days prior to the date hereof, with the maximum amount of the 1998 Bonds to be issued for the Public Capital Project not to exceed $750,000 in accordance with U.S. Treasury Regulation 1.150-2.

14. The Board of Supervisors on behalf of the County hereby designates the 1998 Bonds as "qualified tax-exempt obligations" for the purpose of Section 265 (b) (3) of the Code allocates to the Authority $7,695,000 of its allocation of "qualified tax-exempt obligations" for the 1998 Bonds for purposes of such Section and represents and covenants that not more that $10,000,000 in bonds, notes, leases and other obligations of the County (including any subordinate issuing entities), excluding private activity bonds, will be issued in calendar year 1998 and that neither the Board of Supervisors nor the County will designate more than $10,000,000 of qualified tax-exempt obligations pursuant to Section 265 (b) (3) of the Code.

15. The County hereby agrees to indemnify, defend and save harmless the Authority, its officers, directors, employees and agents from and against all liabilities, obligations, claims, damages, penalties, fines, losses, costs and expenses in any way connected with the County, the issuance of the 1998 Bonds or the acquisition, construction and equipping of the School Project or the Public Capital Project.

16. Nothing in this Resolution, the 1998 Bonds or the Documents shall constitute a debt or a pledge of the faith and credit of the County, and neither the County nor the Authority shall be obligated to make any payments under the 1998 Bonds or the Documents except from payments made by or on behalf of the County under the Financing Lease as amended by the Second Amendment to Financing Lease pursuant to annual appropriation thereof in accordance with applicable law. The Underwriter shall acknowledge on behalf of the Bondholders that any purchase of 1998 Bonds pursuant to the 1998 Bond Purchase Agreement is made solely based on representations of the County and no representations of any kind as to the School Project or the Public Capital Project or the ability to repay the 1998 Bonds has been made by the Authority.

17. This resolution shall take effect immediately.

PASSED AND ADOPTED this 6th day of May, 1998.

IN RE: PERSONAL PROPERTY TAX RELIEF ACT OF 1998

Mrs. Ralph stated Mr. William E. Jones, Treasurer, had supplied the Board with a printout regarding the key elements of the Personal Property Tax Relief Act of 1998. She suggested that we need to take a close look at this Act. Mr. Jones had expressed to her that he feared that citizens might not fully understand that the bills they received have to be paid. She stated he would like to have an article in the newspaper in order to help the taxpayers understand what this Act is saying.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay - He voiced his concern about the condition of Walkers Mill Road and Jones Road. He stated the RGC trucks are ruining the roads.

Mr. Bracey request that Mr. Long contact Mr. Ronald Reekes, Resident Engineer for the Virginia Department of Transportation, to see if something could be done to fix the situation as soon as possible.

Mrs. Everett – She stated she had represented the Board at the Prince George Heritage Fair. She stated she was able to voice Dinwiddie County's concerns regarding tobacco to several government officials.

She continued stating there was quite a turn out at the Steven Kent Conference Center.

She stated she also attended the Meadowfoam Field Day held here in Dinwiddie County.

Mr. Moody – He stated he had two (2) bits of old news. First the Research Station had reached an agreement on the excess land. Also Military Affairs will be moving from Richmond to Fort Pickett. This will help that end of the County.

Mr. Bracey- no comments

IN RE: BREAK

Mr. Bracey stated he would like a ten (10) minute break before entering the Executive Session. He also took this time to introduce Mr. Mark Flynn, a new attorney for Sands, Anderson, Marks & Miller. He also stated Mr. Jamie Brown was back with the

newspaper for a while. Mr. Bracey asked if there was anyone in attendance that wished to speak that had not had an opportunity to do so.

Mrs. Ann Scarborough asked about the labor force for Chaparrel Steel.

Mr. Bracey stated he did not know anything about their hiring practices.

The break began at 8:48 P.M and ended at 8:58 P.M.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mrs. Everett, Mr. Bracey voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (A) 7 - Consultation with legal counsel - interpretation/enforcement of ordinance, and 2.1-344 (a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body (Code Compliance Officer), the Board moved into Executive Session at 8:58 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 9:53 P.M. in the Board Meeting Room of the Pamplin Administration Building.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mrs. Everett, Mr. Bracey 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 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: SCHOOL BOARD JOINT MEETING

Mr. Long stated we needed to schedule a time and location for a joint meeting with the School Board to discuss the progress on the Construction up to date of all the Schools including the construction funds. He stated he had communicated this to the Superintendent suggesting immediately following the next day meeting, May 20th. Mr. Long reminded the Board they will be meeting beginning at 12:00 Noon that day.

After discussion is was decided to schedule this meeting at 7:00 P.M. on May 20, 1998.

IN RE: COURTHOUSE DEDICATION

Mr. Long requested authorization to expend up to $2,000.00 for the dedication of the new courthouse.

It was decided by the Board not to lock in the $2,000.00 figure. Any expenditures over $2,000.00 would be approved by the Chairman of the Board.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator to expend up to $2,000.00 for the preparations for the Dedication Ceremony of the new Courthouse Complex. If funds needed are in excess of the allotted amount the Chairman of the Board can approve additional amounts as needed.

IN RE: ADMISSION TAX - DRAFTING OF ORDINANCE AMENDMENT

Mrs. Ralph stated we needed to authorize the County Attorney to draft an ordinance amendment for the Admission Tax Ordinance.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Attorney to draft an ordinance amendment to the Admissions Tax Ordinance, in accordance with previous State Code amendments.

RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 10:00 P.M. to be continued at 12:00 Noon, May 20th in the Multi-Purpose Room of the Pamplin Administration Building for an Executive Meeting.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE COUNTY, VIRGINIA, ON THE 20TH DAY OF MAY 1998, AT 12:00 NOON.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	LEENORA V. EVERETT, VICE-CHAIR	ELECTION DISTRICT #3
	AUBREY S. CLAY	ELECTION DISTRICT #5
	HARRISON A. MOODY	ELECTION DISTRICT #1
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
OTHER:	PAUL JACOBSON	COUNTY ATTORNEY (arrived 1:15 P.M.)

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 (Review of Pay Classification Plan); Section 2.1-344 (A) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property; and Section 2.1-344 (A) 7 - Consultation with legal counsel (Contract for Completing County Brochure), the Board moved into Executive Session at 12:05 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 2:06 P.M. in the Board Meeting Room of the Pamplin Administration Building.

IN RE: CERTIFICATION

Upon motion Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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.

RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 2:07 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST:
R. Martin Long
County Administrator

/pam

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 20TH DAY OF MAY, 1998, AT 2:00 P.M.

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

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

Mr. Edward A. Bracey, Jr., Chairman of the Board, called the regular meeting to order at 2:08 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda. There being none Mr. Bracey moved forward.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the May 6, 1998 Continuation Meeting and the May 6, 1998 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1010433 - 1010572 (void check(s) number 1010433); for Accounts Payable in the amount of $268,609.25: General Fund $186,327.99; E911 Fund $1,612.92; Self Insurance Fund $3,739.52; Law Library $381.74; County Capital Projects $120.00; and County Debt Service $76,427.08.

IN RE: APPROVAL OF REQUISITION #19 - COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated the following invoices are included in this requisition:

MORTON MARKS & SONS, INC.	$11,081.26
CONTRACT SPECIFIX	17,739.30
K&B OFFICE SYSTEMS	1,020.90
SUPERIOR FLOOR COVERINGS	18,737.09
TRI-CITY OFFICE PRODUCTS	348.75
TOTAL REQUISITION #19	$48,927.30

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 19 in the amount of $48,927.30 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #31 – SCHOOL CONSTRUCTION

Mrs. Ralph stated Requisition #31 for the School Construction consists of payments to the following:

KBS, INC.	$535,243.93
FROEHLING & ROBERTSON, INC.	1,345.49
STROUD, PENCE & ASSOCIATES, LTD.	3,040.00
NATIONAL MASTERCRAFT IND.	7,627.32
DEJARNETTE & PAUL, INC.	511.00
TOTAL OF REQUISITION NUMBER 31	$547,767.74

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 31 in the amount of $547,767.74 be approved and funds appropriated for CIP expenses for the School Project Fund.

IN RE: CITIZEN COMMENTS

Mr. Long stated that he would at this time like to welcome the shadow students from Dinwiddie County High School Advanced Level Government Class to the Board's meeting. Mr. Long asked that those in attendance stand and be recognized.

Mr. Bracey asked if there were any citizens who had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, stated there were no citizens signed up to speak.

Mr. Bracey asked if there was any one present who wished to speak at this time.

The following person addressed the Board:

1. Mr. Len Mick, 3721 Iris Circle, Petersburg 23803, representative of the Senior Honors Class, came forward to thank the Board for allowing them to attend the meeting and for taking the time to allow them to shadow. He stated they felt they had learned a great deal from this experience.

There being no additional citizens wishing to speak Mr. Bracey moved forward.

IN RE: DEPARTMENT OF TRANSPORTATION – REPORT

Mr. Long stated he had been informed that Mr. Ronald Reekes, Resident Engineer and Mr. Harold Dyson were both unable to attend because of conflicting training. If any Board member has questions please let him know or call Mr. Reekes directly.

IN RE: DEPARTMENT OF TRANSPORTATION – ACCEPTANCE OF INDUSTRIAL ACCESS ROAD FUNDS

Mr. Long stated Mr. Reekes had forwarded him a letter which needed authorization for the Chairman of the Board, the County Attorney and the County Administrator to sign the form to accept the $450,000.00 from the Department of Transportation for the Industrial Access Road Fund for the industrial access road to be constructed for the Chaparral Steel Facility.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted for the Chairman of the Board, the County Attorney, and the County Administrator to sign the acceptance form from the Department of Transportation for the $450,000.00 of Industrial Access Road funds to be used for the construction of the industrial access road for the Chaparral Steel Facility.

Mr. Long reported Mr. Reekes had indicated to him yesterday the bridge on Flatfoot Road, which is closed, has been put out for emergency contract award and they should have a contractor on that job the first part of June.

Mr. Moody asked for a message to be relayed to Mr. Reekes regarding the need for mowing on secondary roads. He was concerned because the holiday is coming quickly. He also stated that Zilles Road is in bad shape with pot holes.

Mr. Long stated he would convey this to Mr. Reekes in the morning.

Mr. Tickle stated he would like for the Board to support the VACO (Virginia Association of Counties) Finance Committee on trying to enhance the amount of funds that a County of their size receives for highway funding. We currently receive an 80-20. This is 80 percent based on population and 20 percent on area. We only receive about 1.3 million of road funds per year. He would like to see us incorporate something in our recommendations to the General Assembly next year to this effect. He also asked the County Administrator to support this concept on the Transportation Committee.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mr. Bracey stated Mrs. Deborah M. Marston, Commissioner of the Revenue, had informed him she would not be in attendance because she would be out of town in a training session. Mr. Bracey stated if any Board member had a question or problem please contact her.

IN RE: COMMISSIONER OF THE REVENUE – GENERAL REASSESSMENT

Mr. Long stated he had one issue to bring before the Board. He continued he had spoken to Mr. Wingate, Wingate and Associates, who indicated currently the assessments in the County are at 92 - 93%. Mr. Wingate indicated that typically in the profession they get into the upper 80 percentile before they perform a general reassessment. He recommended to the Board we wait another budget year to start the next reassessment.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that based on Wingate & Associate's recommendation to wait another budget year because of the current sales ratio, the date to begin the next general reassessment in the County will be postponed until July 1, 1999.

Mr. Tickle requested that we do a press release and/or make sure the local newspapers understand this is not going to happen and it is going to happen the way we just voted.

Mr. Bracey asked the newspaper reporters in attendance to meet with Mr. Long following the meeting to get the proper information on this subject.

IN RE: TREASURER – REPORT

Mrs. Ralph stated Mr. William E. Jones, Treasurer, was also out of town for training. She stated his report was placed on the table prior to the meeting.

Mr. Bracey asked if the Board members had any questions to present to the Treasurer regarding his report. There being none Mr. Bracey moved forward.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, Commonwealth Attorney, was not present at this time.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward stating the Board had his report. He stated he had one thing to report regarding non-residents using the dumpsters. He stated they are being ticketed and being prosecuted.

Mr. Tickle offered a thank you to Sheriff Shands for taking care of that matter. He requested Sheriff Shands to work closely with Mr. Denny King, Director of Waste Management, during the first few days as they initiate these crack down measures.

Mr. Bracey asked Sheriff Shands about the new clothing purchased.

Sheriff Shands stated these clothes are for the courtroom security personnel. This is only for them. All old uniforms are passed down, nothing is thrown away.

Mr. Tickle stated the co-pay for inmates medical expenses has been a success story.

Sheriff Shands stated it had been.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector, came forward to present his monthly report. He asked the Board if they had any questions.

There being no questions the Board moved forward

IN RE: ANIMAL WARDEN – REPORT

Mr. Steve Beville, Animal Warden, came forward and presented his report for the month of April 1998. He asked if there were any questions regarding his report.

IN RE: ANIMAL WARDEN -- CLAIM – ARABIAN COLT – AL BROOKS, JR.

There being no questions Mr. Beville continued by stating that he did have one claim. He stated that Mr. Al Brooks, Jr. reported that dogs had killed a two (2) day old Arabian colt. Mr. Beville reported that the colt had bite marks to the neck and hind legs. Mr. Beville recommended to the Board that they pay the claim for the colt which was valued at $200.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that authorization is granted to pay Mr. Al Brooks, Jr. for an Arabian colt claim submitted with a total value of $200.00, which was killed by dogs.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. Bracey stated Mr. Rainey is here and asked if he had anything to report to the Board.

Mr. T. O. Rainey, Commonwealth Attorney, came forward to present his report. He stated he had nothing to report at this time. He did inform the Board he had received from the Department of Taxation a report on the efforts to collect unpaid fines in Dinwiddie County. He stated the report shows that of $65,158.18 that was collectable, we have collected $34,878.02. This amount represents about a 55% success rate.

Mr. Tickle asked Mr. Rainey to work with Sheriff Shands and Mr. King in the efforts to ticket and prosecute those not following the dumpster rules and regulations.

Mr. Rainey stated he would work with them because all fines come back to the County.

Mrs. Everett asked questions regarding the Code of Dinwiddie County with regard to pornographic material featuring children.

Mr. Rainey stated he would look into the matter and report back to her. He stated he knew it was a State law but was not aware of a County ordinance covering this subject.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came before the Board to present his monthly report. He reported he had participated in the Shadow Program and his shadow Jennifer Whirley was present today. He stated it was an excellent program and commended the Board and the County Administrator on their participation in this program.

Mr. Scheid passed out additional information to the Board. The information was on the Virginia Chapter of the APA conference held in Williamsburg and the Boydton Plank Road study corridor report as the Board had previously requested.

Mrs. Everett asked about a work session, with the Planning Commission, on the corridor study.

Mr. Bracey requested Mr. Long to set up this work session and report back to the Board.

Mr. Tickle asked about P-98-4, a rezoning request by Mr. John Chappell, and the problems that might arise from this rezoning and if the County was placing any safeguards on this rezoning.

Mr. Scheid and Mr. Moody stated this case does come forward with proffers and there is additional information forthcoming which will shed new light on this case for the Board.

IN RE: DIRECTOR OF PLANNING – AUTHORIZATION TO READVERTISE FOR PLANNER/ZONING COMPLIANCE OFFICER

Mrs. Ralph stated there was one issue that needed Board action and she would like to address this issue before Mr. Scheid leaves the meeting. She stated there have been two (2) unsuccessful attempts to fill this position. It has, therefore, been recommended that we expand the advertisement and title of the Code Compliance Officer and re-advertise changing the job title and description. This job would be advertised as Grade 12 with a salary range of $25,461.00 to $52,105.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to re-advertise for a Code Compliance Officer changing the job title to Planner/Zoning Compliance Officer with a salary level of Grade 12, $25,461.00 to $52,105.00.

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. John M. Altman, Jr., Zoning Administrator, came forward and presented his monthly report. He asked if the Board had any questions.

Mr. Bracey asked about the tall grass issue and Mr. Moody asked about the light at the business on Route 460.

Mr. Altman stated letters have gone out on the grass and he had investigated the light and it is a problem and will be addressed accordingly.

IN RE: SOCIAL SERVICES – REPORT

Mrs. Peggy McElveen, Director of Social Services, came forward and began by thanking the Board for the new telephone system. She also complimented the Administration Staff on the Benefits Fair.

Mr. Long stated all credit for the Benefits Fair goes to Mrs. Glenice Townsend, Fiscal Officer for the County.

Mrs. McElveen continued by stating that May was Foster Care Month and it was also Adult Abuse Prevention Month. She gave the Board an update on Legislative changes that she felt were pertinent to her Department.

Mrs. Ralph stated there was an appointment that would be necessary for the Social Services Board which is due by the end of June.

Mrs. Mann reported there are two (2) appointments and that letters have gone out to the current members of the Board; they are being advertised; and would be ready for action at the second meeting of the Board in June.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Mrs. Troilen Seward, Superintendent of Schools, came forward to present her report. Mrs. Seward stated she was happy to report there was no high school incident report this month because there was nothing to report. She updated the Board on the bus telephones and gave examples as to the value of such service. She took this opportunity to thank Mr. T. O. Rainey, Commonwealth Attorney, for his help on the School's legal questions. She also reported that Dinwiddie County is going to be a part of the Visiting

International Facility Program this coming year in order to offer Latin in the County's Schools.

IN RE: SUPERINTENDENT OF SCHOOLS – SUPPLEMENTAL APPROPRIATION #7-FY98

Mrs. Seward continued by stating her next two (2) items were business items. She stated she had the privilege yesterday of having one (1) of the youngsters, who is present this afternoon, Shelli Jones, who followed her around yesterday and going through some of the financial stuff she remarked "Gosh I did not realize that so much was involved."

Mrs. Seward stated her first supplemental appropriation was for a transfer from the County's Self-Insurance Fund to the School Fund to cover their premium payment for insurance.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the transfer and appropriation of the following funds from the Self Insurance Fund to the School Fund, Operations category, to cover their payment for insurance:

Fourth payment to VML for Workman's Compensation	$17,441.25
Additional payment for adjustment to VML	4,826.00
May payment to ITT Hartford Insurance	35,385.00
Total amount of transfer	$57,652.25

IN RE: SUPERINTENDENT OF SCHOOLS – SUPPLEMENTAL APPROPRIATION #6-FY98

Mrs. Seward stated her final request was a supplemental appropriation based on the actual Average Daily Membership for FY-98. The March 30, 1998 Average Daily Membership was 4157. She had built her FY-98 Budget on 4020 students, and with Supplemental Appropriation #2, we adjusted this number to 4110. As a result of this additional increase, she needed a $146,043.00 supplemental appropriation in the School Fund and a $2461.00 supplemental appropriation in the Textbook Fund. Since the School Board's Budget is approved categorically by the Board of Supervisors, she requested these funds be distributed as listed below:

Maintenance	$105,113.00
Instruction	41,930.00 plus $2,461.00 for Textbooks = $44,391.00
Total	$147,043.00 plus $2,461.00 for Textbooks

The maintenance category is intended to cover the replacement of the rooftop HVAC units at Sunnyside, the renovation of the restrooms at Southside and some small maintenance projects. The cost of the HVAC replacement will be $99,455.00 with part of the cost being paid from the Trigon Settlement Fund for School Construction. She stated the School Board was also requesting the actual appropriation of the $18,193.03 plus the accrued interest from December 5, 1997 to June 5, 1998 in the School Construction Trust Fund from the Trigon settlement to help pay for the replacement of the HVAC units at Sunnyside Elementary. They estimated the amount of money in this fund on June 5, 1998 to be $18,602.37.

After discussion regarding other schools in the County that also needed repairs Mr. Bracey called for a motion.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for appropriation of $105,113.00 to the Maintenance Fund; $41,930.00 to the Instruction Fund; and $2,461.00 into the Textbook Fund from additional State Funds received by the School Board; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the funds in the School Construction Trust Fund from the Trigon settlement estimated to be $18,602.37 be appropriated for the rooftop HVAC units at Southside Elementary School.

IN RE: OFFICE ON YOUTH AND COMMUNITY SERVICES – APPOINTMENT OF MEMBERS

Mrs. Francene C. Newman, Director Office on Youth and Community Services came forward to present the Commission's recommendations for membership on the Youth Commission. The following people were recommended to serve on the Commission as new members:

Extract

For one year term: (to finish out an unexpired term)
Marie Andrews

For a three year term:
Patsy Barnes
Claire Goad
Cynthia Jackson
Joseph Johnson
Odessa Winfield

For one year term (students):
Samira Claiborne
Allison Johnson
Gerald Parham
Aaron Richardson
Carly Tilson

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following people are appointed to the Youth Commission for the terms following the names:

For one year term: (to finish out an unexpired term)
Marie Andrews

For a three year term:
Patsy Barnes
Claire Goad
Cynthia Jackson
Joseph Johnson
Odessa Winfield

For one year term (students):
Samira Claiborne
Allison Johnson
Gerald Parham
Aaron Richardson
Carly Tilson

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward to present his monthly report. He stated he had nothing to add and asked if the Board members had any questions.

Mrs. Everett asked how many children were involved in the Spring Soccer League.

Mr. Smith responded there were approximately 160 children and he anticipated the number to grow in the fall to about 200.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management, came before the Board and presented his report for the months of April and May 1998. He stated the truck the Board had approved at the April meeting had arrived and it was at the body shop as he spoke. He felt the Board would receive good service from this truck. He continued by stating he is sprucing up the Olger's Store site. He reported that all drivers will be carrying telephones and a much needed crack down was about to take place.

Mr. Bracey stated we need to define the property lines at the Olger's Store site.

Mr. Tickle stated we needed to be ready to reap the ramifications of such action.

There was discussion regarding RFP's on hauling. Mr. King stated all capital costs could be saved within a year.

Mr. Bracey stated he would like Mr. King to work closely with Mr. Long on this project and report back to the Board.

IN RE: PUBLIC SAFETY OFFICER -- REPORT

Mr. David M. Jolly, Public Safety Officer, came forward to present his monthly report. He stated there were a couple of items in his written report which required Board action.

IN RE: PUBLIC SAFETY OFFICER – ACCOUNTABILITY TAGS

Mr. Jolly continued the first item was that the Fire and Rescue Association had done a lot of work in putting together a recommendation on an accountability system. Chief Lewis is present and has been working with that committee. The bids that were received are as follows(includes tag, rings, and trigger snaps as needed):

ACCOUNTABILITY TAGS

Stan Engraving	$2,954.80
American Trademark Company	$2,509.50
Austin-Edward Company	$2,449.00

ACTION AND RESOURCE TRACKING BOARDS

Riverside Glass Company	$ 141.84
Virginia Auto Glass	$ 124.14
	$ 136.24 + 10% discount new amount w/discount $122.72

INCIDENT VESTS

Tactron Inc.	$1,657.00 and $1,867.00 (2 styles)
Slagle's	$ 997.50
Guardian Fire Supply	$ 976.50
Fire and Safety Equipment	$ 741.90

PORTFOLIOS		
Staples	$ 858.00	
MJ Designs	$ 230.00	
GREASE PENCILS		
MJ Designs	$ 39.24	
Staples	$ 19.56	
VELCRO		
Galls	$ 265.49	(better quality committee agreed to use this as our supplier)
Guardian Fire & Safety Equip.	$ 154.50	
TOTAL STARTUP COST OF SYSTEM	$3,828.67	

Mr. Jolly explained to the Board how the Accountability System worked and the benefits of having such a program in place within Dinwiddie County.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Public Safety Officer and the Fire and Rescue Association to move forward on implementing the Accountability System with a startup cost of $3,828.67 with funds being appropriated from the Fire Department Budget.

IN RE: PUBLIC SAFETY OFFICER – EMS COUNCIL BYLAW CHANGES

Mr. Jolly continued stating he would move to the EMS Council portion of his monthly report. He stated he had two (2) items to bring before the Board on their behalf. First was the set of Bylaws which was originally approved by the Board of Supervisors. These bylaws need to be amended to lower the number for a quorum and the changing of all the players so the County Administrator and one member of the Board will be non-voting members of the Association.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the amendments to the Dinwiddie Emergency Medical Services Advisory Council Bylaws are approved as presented.

IN RE: PUBLIC SAFETY OFFICER – TWO-FOR-LIFE FUNDS

Mr. Jolly continued the second item under the Council was the Board had requested the Council to prepare a list of items needed in priority order for the two-for-life funds. The list is as follows:

1. 2 - Zoll 1600 monitor/defibrillator
2. 15 - Accu-Check Advantage Glucometers with 1 bottle of strips
3. 34 - Poly-Backboards with 1000 lb. Weight limit
4. 8 - Femo KED's
5. 3 - Compact Laeradal Suction Units with disposable canisters and case

The total cost of the above items is approximately $29,307.00. The additional money will be used in training of personnel on a County wide basis. The Council is requesting your approval of this request so these items may be purchased by June 30, 1998 as required by the state guidelines. Mr. Jolly recommended to the Board approval of this request.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Two-For-Life Funds be expended as follows:

1. 2 - Zoll 1600 monitor/defibrillator
2. 15 - Accu-Check Advantage Glucometers with 1 bottle of strips
3. 34 - Poly-Backboards with 1000 lb. Weight limit
4. 8 - Femo KED's
5. 3 - Compact Laeradal Suction Units with disposable canisters and case

The total cost of the above items is approximately $29,307.00 with any additional money to be used in training of personnel on a County wide basis.

IN RE: PUBLIC SAFETY OFFICER – REMOUNTING OF 1995 AMBULANCE

Mr. Jolly stated his final item was the refurbishing of the 1995 ambulance. He stated he had priced remounting versus refurbishing the unit. The cost for a remount would be $55,000.00 where a refurbishing would run $48,000.00. Mr. Jolly recommended remounting because of the difference in warranties. Mr. Jolly reminded the Board that there was EMS Grant money available if we remount. This remount must be done in this calendar year.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Public Safety Officer to move forward with the bid process to remount the 1995 Unit making use of the Grant money available for this project.

IN RE: FIRE & RESCUE ASSOCIATION – REPORT

Mr. Charles Lewis, representative of the Fire and Rescue Association, came forward stating they had his report for the month and asked if there were any questions.

Mr. Bracey stated the written reports were very much appreciated and it helped the Board to know what was going on in the Association.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Paul Jacobson, County Attorney, stated he had no monthly report but was available for questions.

IN RE: CONSTRUCTION INSPECTOR – REPORT

Mr. Donald W. Faison, Construction Inspector, came forward to present his monthly report. He asked if the Board had any questions.

IN RE: DINWIDDIE GENERAL DISTRICT COURT

Ms. Donna W. Brockwell, Clerk of the Combined Courts, came before the Board stating that the Supreme Court of Virginia had instructed her to request an additional work station in their office area in the new Courthouse.

There was discussion between the Board; Mr. Faison, Construction Inspector, and Ms. Brockwell regarding this work station. Mrs. Ralph stated the cost of the work station would be approximately $4,233.77 and the chair $320.50 for a total of $4,554.27.

Mrs. Everett moved and it was seconded by Mr. Moody to provide the additional work space as requested by the Courts. There was additional discussion regarding this matter and it was decided the Board would like to table this item until after they had viewed the area in question. Mrs. Everett withdrew her motion, Mr. Moody withdrew his second.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that they would Table the request of the General District Courts for an additional work station until after the Board had viewed the area in question.

Mr. Bracey asked Donna Brockwell to set a time to get with some of the Board members to look at this area.

Mrs. Brockwell stated her office was also in need of a copier. She explained the one they had been using was so old the maintenance contract would no longer be offered.

Mr. Bracey asked her to get with Mrs. Ralph and Mr. Long and work on the project and see if funds were available for this purchase.

IN RE: NOTTOWAY RIVER SCENIC DESIGNATION

Mr. Dick Gibbons, Virginia Department of Conservation and Recreation, came before the Board to make a presentation on the Virginia's Scenic River Program. Mr. Tom Raines also spoke on the benefits of the Virginia's Scenic River Program and his hopes for the Nottoway River located within Dinwiddie County. Mr. Gibbons stated this would be similar to the process that was followed for the Appomattox River.

Mr. Gibbons was informed that we had, at our last Board meeting, passed a resolution requesting an evaluation of the segment of the Nottoway River located in Dinwiddie County for entry into the Program.

IN RE: THE PETERSBURG REGIONAL FILM OFFICE, INC.

Mr. Kenneth W. Roy, Secretary and Executive Director, of the Petersburg Regional Film Office, Inc., came before the Board making a presentation on their office and the Task Force being formed to support the film industry in the area of the New Millennium Studios in Petersburg.

Mr. Bracey asked Mr. Long to pull the details together and report back to the Board on the Task Force.

IN RE: COUNTY ADMINISTRATOR COMMENTS – VIRGINIA POWER AGREEMENT

Mr. Long stated his first item was the Virginia Power Rate Agreement. He requested authorization to sign on behalf of the County. He reported the rates are lower

than the current rates and would be retroactive to July 1997 which will mean the County will receive a refund on future power bills for the lower rate.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator to sign the Agreement for the Purchase of Electric Service by Municipalities and Counties of the Commonwealth of Virginia from Virginia Electric and Power Company, effective July 1, 1997.

IN RE: COUNTY ADMINISTRATOR COMMENTS – CARSON FIRE DEPARTMENT

Mr. Long stated the information the Board had requested regarding the calls made by the Carson Fire Department and Substation was included in their Board packets.

Mrs. Everett stated from the figures received the 1/3 - 2/3 formula which had been used in the past still seemed to be appropriate in this case.

After discussion, the Board instructed Mr. Long and Mr. Jolly to review this information and report back to the Board.

IN RE: COUNTY ADMINISTRATOR COMMENTS – COURTHOUSE DEDICATION

Mr. Long stated information had been included in their packet regarding the Courthouse Dedication on June 5, 1998. It was decided to hold an open house for the public with the date to be coordinated with the Court staff.

IN RE: BOND DOCUMENTS – ARBITRAGE REBATE SERVICE

Mrs. Ralph stated the Board was required under the respective Bond Documents, for the following three (3) bond issues to perform arbitrage rebate calculations in the fifth year:

a.) $1,625,000.00 - Equipment Lease Revenue Bonds, Series 1992
b.) $1,230,000.00 - Solid Waste Disposal Bonds, Series 1993
c.) $1,120,000.00 - Landfill Closure Project Bonds, Series 1992

We have received three proposals as follows:

1.	Bingham, Inc.	$6,000.00
2.	RFC	$4,500.00
3.	CKC Consultants, Inc.	$4,450.00

Mrs. Ralph recommended we accept the low bid.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to accept the low bid from CKC Consultants, Inc. in the amount of $4,450.00 for arbitrage rebate services on the referenced bond documents as required every five years.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay – No comments

Mrs. Everett – No comments

Mr. Moody – No comments

Mr. Tickle – No comments

Mr. Bracey – No comments

RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 (Public Safety Officer; Janitorial/Grounds Maintenance); Section 2.1-344 (A) - 3 Discussion or consideration of the condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property; and Section 2.1-344 (A) - 7 Consultation with legal counsel (Industrial Access Road; Revenue Sharing) the Board moved into Executive Session at 5:00 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:05 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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: COURTHOUSE CONSTRUCTION – ADDITIONAL FURNITURE – GENERAL DISTRICT COURT CLERK AND CIRCUIT COURT CLERK

Mrs. Ralph stated in relation to the Courthouse requests that have come forward to the Board, authorization is needed to purchase an additional work station and chair for the General District Court Clerk and an additional work station and chair for the Circuit Court Clerk at a cost of $8,520.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to purchase an additional work station and chair for the General District Court Clerk and an additional work station and chair for the Circuit Court Clerk at a cost of $8,520.00.

Mr. Tickle asked with reservations be placed in the minutes. Mr. Bracey also stated with a lot of reservations.

IN RE: COURTHOUSE CONSTRUCTION – CIRCUIT COURT JUDGE – REPLACEMENT OF CHAIRS

Mrs. Ralph stated the next request is the change out of the chairs that were ordered by the Judge for the Circuit Court Judge's office. Judge Thomas V. Warren has requested that the Board change the color on those. The chairs cannot be returned. The best alternative is to keep those chairs, try to use them somewhere, and order the color that the Judge is agreeable to. The cost of these three (3) new chairs is $2,221.00.

Mr. Tickle asked how much was it.

Mrs. Ralph stated $2,221.00 for the three (3) chairs.

Mr. Tickle again asked what was the reason.

Mrs. Ralph stated the reason is when the new chairs arrived they do not fit with other furniture that was ordered for his office. He has requested they be recovered.

Mr. Tickle asked who picked them out.

Mrs. Ralph continued with he picked them out and he picked out the color.

Mr. Bracey asked Mr. Tickle to make that statement again.

Mr. Tickle asked again who picked them out.

Mrs. Ralph stated the Circuit Court Judge.

It was asked what this Judge's name was.

Mrs. Ralph stated Judge Thomas V. Warren.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to order three (3) new chairs for the Circuit Court Judges office at a cost of $2,221.00.

Again the Board requested that it be stated in the minutes this action was taken with reservations.

IN RE: COURTHOUSE CONSTRUCTION – AUTHORIZATION TO ADVERTISE TWO (2) JANITORIAL POSITIONS

Mrs. Ralph stated, in relation to the Courthouse, we had discussed at budget time we would be advertising for additional janitorial assistance for the new Courthouse, two (2) positions. Since we will probably be occupying the building next month we would like to go ahead with the advertising for those two (2) positions now. These will be full-time County funded positions.

Mr. Bracey voiced his opinion on the fact that he felt there should be one (1) female and one (1) male on staff.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to proceed with advertisement of two (2) full time janitorial positions for the Courthouse.

IN RE: PUBLIC SAFETY OFFICER – LAP TOP COMPUTER

Mrs. Ralph stated the last item was we had hired a new Public Safety Officer who will be out of the office traveling around the County the majority of his time. He has requested a lap top computer. Mrs. Ralph stated he has checked on a price per state contract and that price is $4,250.00 which includes a printer. Mr. Jolly will be obtaining prices from other sources. Our request to the Board is that he be allowed to purchase a lap top computer not to exceed the state contract price of $4,250.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Public Safety Officer to purchase a lap top computer not to exceed the state contract price of $4,250.00.

IN RE: SCHOOL CONSTRUCTION – JOINT MEETING WITH THE SCHOOL BOARD FOR CONSTRUCTION UPDATE

Mr. Bracey stated he wanted to make clear to the School Board members that this meeting in no way meant someone was looking over their shoulder or this has political or any other types of implication. The only thing the Board is concerned with is how we stack up, how we shape up, because it is almost coming to an end. The School Board has graciously responded to the Board's requests and they are present tonight to inform the Board on the three (3) school projects (The Middle School; Midway; and the High School). The Board was interested on how these projects stand on finances and the completion. Mr. Bracey asked if any Board member had anything to add at this time, if not then the Board would entertain Chairman Barnes.

Mr. Curtis Barnes, Chairman of the School Board, stated he did not have anything prepared. He stated he knew the Board had had a long meeting and the School Board had supplied them with information and they, the School Board were present to answer any questions the Board might have.

There was discussion between the School Board members, Mrs. Troilen Seward, Superintendent of Schools and the Board of Supervisors regarding the financial status of the school projects and the percentage of completion and expected finish dates.

It was reported that Midway Elementary School is 99.99% complete, the Dinwiddie County High School is 75 - 80% complete and Dinwiddie County Middle School is expected to be finished around the middle of October 1998. At this point the projects are all under or at contract price.

Mr. Bracey voiced concern about Dinwiddie Elementary School and the amount of repair that is currently needed.

Mrs. Seward stated there will be money coming available from the state construction money. This money will be received in the years 1999 and 2000. She stated these funds over the two (2) year period should equal about $690,000.00. There is a local match to that money; however, the County's debt on what we just went through will count as our local match. She stated she could not get that in writing but the State Department has already confirmed to her on the telephone that our local match is covered with the debt service. She proposed to place all these funds in a special category for construction/repairs to Dinwiddie Elementary School. She stated if we can add to this account annually, eventually there will be enough to adequately repair Dinwiddie Elementary School. She stated she did not want to do it piece work because it would be

more costly if done in that manner. Mr. Tickle suggested borrowing the funds now to complete the project and using the states funds to pay the debt service.

There was discussion regarding the Governor's School, where we are and where we are going with that project. There was also discussion regarding buying additional property for school expansion in the future and the cost of diesel buses versus gas buses.

Mr. Bracey asked each School Board member if they were satisfied with the meeting tonight and wanted to know if any of them had questions for the Board of Supervisors.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 8:20 P.M. to be continued at 5:00 P.M. on June 3, 1998 for an Executive session at the Home Place Restaurant.

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

ATTEST: R Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT THE HOMEPLACE RESTAURANT, DINWIDDIE COUNTY, VIRGINIA, ON THE 3rd DAY OF JUNE 1998, AT 5:00 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 (Review of Pay Classification Plan; Evaluation System); Section 2.1-344 (A) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property; and Section 2.1-344 (A) 7 - Consultation with legal counsel - Update on Lease Contract, the Board moved into Executive Session at 5:00 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:33 P.M. in the Board Meeting Room of the Pamplin Administration Building.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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.

RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 7:35 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
County Administrator

/pam

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 JUNE, 1998, AT 7:30 P.M.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	LEENORA V. EVERETT, VICE-CHAIRMAN	ELECTION DISTRICT #3
	AUBREY S. CLAY	ELECTION DISTRICT #5
	HARRISON A. MOODY	ELECTION DISTRICT #1
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
OTHER:	JOANNA HALSEY	COUNTY ATTORNEY
	DANIEL M. SIEGEL	COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 7:35 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda.

Mr. R. Martin Long, County Administrator, stated an Executive Session was necessary following the regular meeting. This Session would be for Section 2.1-344 (3) Discussion or consideration of the condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property, or of plans for the future of a state institution of higher education which could affect the value of property owned or desirable for ownership by such institution; and Section 2.1-344 (7) Consultation with legal counsel and briefings by staff members, consultants or attorneys, pertaining to actual or probable litigation, or other specific legal matters requiring the provision of legal advice by counsel (Bid documents, Industrial Access Road).

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that an Executive Session be added to the agenda as Item 10 for the following reasons: Section 2.1-344 (3) Discussion or consideration of the condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property, or of plans for the future of a state institution of higher education which could affect the value of property owned or desirable for ownership by such institution; and Section 2.1-344 (7) Consultation with legal counsel and briefings by staff members, consultants or attorneys, pertaining to actual or probable litigation, or other specific legal matters requiring the provision of legal advice by counsel (Bid documents, Industrial Access Road).

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the May 20, 1998 Continuation Meeting; May 20, 1998 Regular Meeting; are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1010573 - 1010791 (void check(s) numbered 1010573; 1010663; 1010780; 1010763; and 1010736); for Accounts Payable in the amount of $150,735.22: General Fund $143,632.96; Jail Phone Commission $26.76; E911 Fund $1,994.30; Law Library $32.76; Forfeited Asset Sharing $510.38; Capital Projects $2,487.66; and County Debt Service $2,050.40. Payroll in the amount of $300,392.09 was also approved and appropriated: General Fund $299,273.65; and Grant Fund $1,118.44.

IN RE: COURTHOUSE CONSTRUCTION – REQUISITION #20

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated we had a claim, not listed on the agenda, for the Courthouse construction which contains invoices from Hening-Vest-Covey for architectural services. This requisition is for payment for services due at this point in time. Because the invoices are still being reviewed we would like for the approval to be for an amount not to exceed $45,000.00. This would be payment for services through April 30, 1998.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 20 in an amount not to exceed $45,000.00 payable to Hening-Vest-Covey be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

RE: CLAIMS – REQUEST FOR ADDITIONAL INFORMATION

Mr. Bracey stated at our last meeting under Claims there was discussion regarding the purchase of uniforms for the Sheriff's Department. He continued he would like to know what time of year the uniforms are usually purchased. He would like for someone to contact the Sheriff's Department and obtain an answer to this question for him.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if any citizens had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, replied she had one person signed up to speak, Mr. Harry Clay from the Magistrate's Office.

Mr. Bracey asked Mr. Clay to please wait a minute. He asked if there were any citizens present who wished to speak but had not signed up.

There being none Mr. Bracey moved forward.

IN RE: MAGISTRATE'S OFFICE – REQUEST FOR APPROPRIATION OF FUNDS FOR UPDATE OF COMPUTER EQUIPMENT

Mrs. Ralph stated the Board had a letter, which was placed in front of them, referring to this matter.

Mr. Harry Clay, representing the Magistrate's Office, came forward stating he realized this was a bad time of the year to come before them asking for money; however the Supreme Court had requested, rather more or less demanded, that each locality come up with an additional $1,200.00 to update the computers in their offices.

After discussion and the realization that the Magistrate's entire County budget amount for 1998-99 is only $200.00, the Board agreed to support their request with a letter of committal and funds being paid out of the undesignated reserve fund after July 1, 1998.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Administration to write a letter of committal to the State Supreme Court for the $1,200.00 requested for the upgrade of the computer system in the Magistrate's Office. This letter of committal will indicate the funds for this upgrade will be appropriated from the Undesignated Reserve Fund after July 1, 1998.

IN RE: INDUSTRIAL ROAD ACCESS – BID REVIEW

Mr. Long stated the Board will need to discuss these bids in the Executive Session. He asked the Board if they would like to have the bids on this proposed project read now.

Mr. Bracey stated he would like Mr. Long to tell what this project was and then read the bids.

Mr. Long stated the Industrial Access Road is a plan and design for about one (1) mile from Route 1 (Boydton Plank Road) in the vicinity of Produce Center #1 to Church Road at the entrance to the new TXI Chaparral Steel Facility. The base bids for this project are:

Herbert A. Phillingane & Son	$1,489,000.00
Bishop & Settle Construction Co.	$1,573,687.48
D. W. Lyle Corporation	$1,111,000.00

These were the bids and there will be discussion in the Executive Session. Mr. Long stated we are not ready for action on these bids at this time.

IN RE: PAMPLIN ADMINISTRATION BUILDING ADDITIONAL SPACE – BID REVEIW

Mr. Long stated Mr. Faison was present to discuss the bid results on this proposed project.

Mr. Donald W. Faison, Construction Inspector, came forward to present the bid results for the additional office space in the Pamplin Administration Building. The results were as follows:

Miller Construction Company	$ 85,623.00
Prestige Construction Group, Inc.	$ 89,800.00
R. D. Hunt Construction Company	$ 94,990.00
James Fox & Sons, Inc.	$102,730.00
Walthall Construction Company	$120,611.00
T. E. Blackstone Company	$128,062.00

This project is to enclose the area around the outer perimeter of the building that is under roof. We propose to turn this area into office space. We have asked the job be completed within ninety (90) days of the contract date.

There were some questions as to who would be using this additional space and why the cost had increased since the last discussion.

Mr. Faison explained this additional space was for the Treasurer's Office. The space vacated by the Treasurer will be given to the Commissioner of the Revenue's Office and space will also be provided for the Public Safety Officer and assessor. Additional costs incurred will provide a new vault for the Treasurer's Office and energy efficient air lock entry doors. Mr. Faison continued by stating he recommended we accept the bid from Miller Construction Company. He stated we have received additional information on Miller today and he felt they came highly recommended.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Mr. Faison to negotiate with the low bidder, Miller Construction Company, for additional office space in the Pamplin Administration Building not to exceed the low bid of $85,623.00.

IN RE: GEOGRAPHIC INFORMATION SYSTEM (GIS) – BID REVIEW

Mr. Long stated the Board had information in their packet from Mr. John M. (March) Altman, Jr., Zoning Administrator, on the Geographic Information System (GIS). On Wednesday, May 27, 1998, interviews were conducted with the following three (3) consultants that submitted proposals in response to our RFP for a "Needs Assessment for a Countywide GIS:"

- Timmons, Richmond, VA
- Michael Baker, Jr., Inc., Virginia Beach, VA
- Gannett-Fleming, Newport News, VA

As a result of the interviews, conversations with references, and review of the proposals, Staff is requesting authorization to negotiate a contract with Timmons. Their contract estimate was $9,980.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to negotiate a contract with Timmons for a "Needs Assessment for a Countywide GIS."

Mr. Tickle asked for a brief synopsis of what a Geographical Information System is.

Mr. Long stated, at this point, it is a needs assessment for a GIS system. The needs assessment looks into the County's needs for a very intricate computer system. This system would include a wide array of everything the County has on the ground and in the ground. This is the road system, water/sewer line system, storm drainage, topographic information, location of anything you can think of as far as homes, fire stations, and government buildings. This would be every building in Dinwiddie County on the computer by address.

There was discussion on the cost of the system should we implement one in the County. The Board was informed by Mr. William C. Scheid, Director of Planning, that the cost would depend on what programs were implemented and how intricate we went.

IN RE: COUNTY ADMINISTRATOR COMMENTS – SHERIFF'S DEPARTMENT AUTHORIZATION TO ADVERTISE – FOUR (4) L7 POSITIONS AND ONE (1) DISPATCHER POSITION

Mr. Long stated in the Board packet was a letter from the Sheriff's Department requesting authorization to advertise four (4) L7 positions and one (1) dispatcher position to be filled July 1, 1998.

There was discussion as to what positions were County funded. It was established all of these positions were funded through the State Compensation Board.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Sheriff to advertise for four (4) Law Enforcement Officers at a starting salary of $21,247.00 to hire July 1, 1998 and one (1) Dispatcher at a starting salary of $18,422.00. These are all state funded positions.

IN RE: COUNTY ADMINISTRATOR COMMENTS – SPECIAL ENTERTAINMENT PERMIT – HOME BUILDERS ASSOCIATION OF SOUTHSIDE VIRGINIA, INC.

Mr. Long stated he had received an application for a special entertainment permit from Mr. W. G. (Buddy) Small of the Home Builders Association of Southside Virginia, Inc., requesting permission to hold a crab feast at Virginia Motorsports Park on August 5, 1998.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the special entertainment permit application received from Mr. W. G. (Buddy) Small of the Home Builders Association of Southside Virginia, Inc., requesting permission to hold a crab feast at Virginia Motorsports Park on August 5, 1998 is hereby approved.

Mr. Small was commended on the way his permit was presented for approval.

IN RE: COUNTY ADMINISTRATOR COMMENTS – SPECIAL ENTERTAINMENT PERMIT – THURMAN L. SHANDS

Mr. Long continued although it was not included in their Board packet he had received a permit request from Mr. Therman L. Shands for an event to be held at Shands Park on June 20, 1998, which also required Board approval.

After discussion regarding special entertainment permits and business licenses it was decided to approve this request contingent upon all other licensing requirements being met.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the special entertainment permit application received from Therman Shands requesting permission to hold a function at Shands Park on June 20, 1998 is hereby approved contingent on all other licensing requirements being met.

Mrs. Mann informed the Board upon approval of a permit a letter is sent to the Commissioner of the Revenue's Office, the Health Department, and the Sheriff's Department notifying them of the approval. A copy is also mailed to the applicant telling them to contact all appropriate departments in order to see all requirements are met.

IN RE: COUNTY ADMINISTRATOR COMMENTS – PAY CLASSIFICATION PLAN

Mr. Long stated the last item he had was regarding the Countywide Pay Classification Plan, Personnel Policies and Evaluation System which was provided by Mr. Don Lacy from Virginia Tech. He asked the Board for approval to move forward with the new pay plan in accordance with Option 4 of the documentation they had received on that plan.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia adopts Option 4 of the Pay Plan, Classification Study, Personnel Policies, Job Descriptions, and Evaluation System as recommended by Mr. Don Lacy from Virginia Tech effective July 1, 1998. The Board has the right to review the Evaluation System at any time in the future and make changes as deemed necessary.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody - He stated to the Board that he felt that a review of the ordinances requiring licensing for special events should be reviewed. He felt that people that had a business license in the County should not have to purchase a second license for a special event.

Mr. Bracey stated he agreed with the same person having to obtain a second license; however, if you are not a license holder then he felt they should be required to obtain a license.

There was discussion between the Board members and it was decided these ordinances need to be reviewed and discussed further.

Mr. Clay - He requested someone contact Mr. Ronald Reekes, Virginia Department of Transportation Resident Engineer, when he returns from vacation, to find out if he had done anything about Walkers Mill Road.

Mr. Long stated as of the last time he had spoken to him, which was late last week, he had not received authorization for money. The last he heard on the topic was that he was trying to get access funds to overlay. Mr. Long stated he had asked Mr. Reekes to keep him up dated on the progress.

Mrs. Everett - She requested when Mr. Long speaks with Mr. Reekes he will bring up the mowing on the secondary roads. The grass is high and it makes the intersections dangerous. Also Wheaton Road is really dusty and needs some water put on it.

She continued by welcoming Jim Ridolphi the newly named Editor for The Dinwiddie Monitor, stating she was glad to see him back. She also thanked Mary Goodwyn for her wonderful article about the new Courthouse Complex in the Tri-City Plus.

She also requested someone to check into the large trucks on Squirrel Level Road. She understood that the large trucks were supposed to use Church Road, not Squirrel Level Road.

Mr. Long stated he had talked to Mr. Steve Williams, Project Manager at Chaparral, on Friday and indicated that was a concern of the Board's. It was indicated he would investigate the situation. Mr. Long assured Mrs. Everett he would follow up on this conversation to be sure Mr. Williams had attempted to remedy the situation.

Mr. Bracey - He reported to and apologized to the Board and citizens in attendance regarding a letter he had received from Adelphia Cable. The letter was in reference to the prices Dinwiddie County residents were paying for the service in reference to what residents in other localities were paying for the same service. Mr. Bracey stated he would leave the letter up front should any citizens wish to read it. The letter was from Mr. Luke Mathews and explained why and how things are computed. Mr. Mathews stated he hoped to extend service to other areas of the County within this year.

Mr. Tickle - He stated he would like to resound what everyone else had said regarding VDOT. He stated he would like to have documentation on what projects VDOT is currently doing and he would like a progress report monthly. He stated VDOT is working for Dinwiddie County.

He continued by requesting a report from Sheriff Shands regarding the jail inmate medical recovery cost policy. He would like to know some information on how well Dinwiddie County is doing with the recovery policy.

Mr. Tickle stated he had had calls from citizens with concerns regarding Lake Chesdin and the boats and personal water crafts traffic on the lake. He stated he has tried to explain to the citizens that Chesterfield County really owns the lake, where the lake ends Dinwiddie County begins. These citizens are smart enough to ask that Dinwiddie County make suggestions to Chesterfield County. Their suggestion is that--they have concerns about children under the age of sixteen (16) driving boats and personal water crafts. They would like to have a restriction on under aged drivers in place stating they would either have 1) a training certificate from the Game of Inland Fisheries and/or 2) there would be enforcement that no one under the age of sixteen (16) be allowed to drive boats and/or personal water crafts.

Mrs. Everett asked Mr. Tickle about the state law that takes effect July 1st .

Mr. Tickle replied that was correct. This law affects personal water crafts only. The new law states no one under the age of fourteen (14) will be allowed to operate/drive a personal water craft. The citizens' concerns are related to enforcement. These citizens would like to see Dinwiddie County 1) petition the General Assembly, and 2) they would like Dinwiddie County to interact with Chesterfield County to create ordinances.

Mr. Bracey asked Mr. Long to work on this matter and report back to the Board.

Mr. Tickle stated his last item was he would like to have a status report on Board requests included in the Board packets. He would like to have a running total for the year and a progress report as to where we stand on each request and a success rate on accomplishing these requests.

IN RE: RECESS

Mr. Bracey called for a five (5) minute recess at 8:40 P.M.

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (A) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property; and Section 2.1-344 (A) 7 - Consultation with legal counsel - (Bid Documents and Industrial Access Road, the Board moved into Executive Session at 8:45 P.M.

MR. CLAY EXCUSED HIMSELF AND LEFT THE MEETING AT 10:02 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:02 P.M. in the Board Meeting Room of the Pamplin Administration Building.

IN RE: CERTIFICATION

Upon motion Mrs. Everett, seconded by Mr. Tickle, Mr. Moody, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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: AWARD OF CONTRACT – INDUSTRIAL ACCESS ROAD D. W. LYLE CORPORATION

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to award the Industrial Access Road Contract to D. W. Lyle Corporation at the low bid of $1,111,000.00 and authorization is granted for the County Administrator to negotiate a change order for this project for Board consideration at the June 17, 1998 meeting.

RE: ADJOURNMENT

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mr. Moody, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 10:12 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

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 17TH DAY OF JUNE, 1998, AT 2:00 P.M.

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

Mr. Tickle arrived at 2:10 P.M. and Mr. Moody arrived at 2:30 P.M.

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

Mr. Edward A. Bracey, Jr., Chairman of the Board, called the regular meeting to order at 2:05 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda. There being none Mr. Bracey moved forward.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the June 3, 1998 Continuation Meeting and the June 3, 1998 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mr. Clay, Mrs. Everett, 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 1010792 - 1010987 (void check(s) number 1010792, 1010798, 1010805, 1010958, 1010479); for Accounts Payable in the amount of $165,208.05: General Fund $158,981.06; Marketing Fund $33.00; E911 Fund $1,602.04; Self Insurance Fund $760.50; Law Library $243.50; County Capital Projects $3,316.15; and Forfeited Asset Sharing $271.80. A supplement to may payroll was approved and funds appropriated as follows: General Fund $784.57. Also a supplement claim was approved and funds appropriated for Accounts Payable in the amount of $40,733.00: General Fund $23,546.50 and County Capital Projects $17,186.50.

IN RE: APPROVAL OF REQUISITION #21 - COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated the following invoices are included in Requisition 21:

C W WARTHEN COMPANY	$20,358.00
C W WARTHEN COMPANY	2,890.00
BEI T/A WYTHE CONTRACT SALES CO	1,722.86
ECS, LTD	220.00
DUNBAR, MILBY, WILLIAMS, PITTMAN & VAUGHAN	147.50
TOTAL REQUISITION 21	$25,338.36

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 21 in the amount of $25,338.36 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #32 – SCHOOL CONSTRUCTION

Mrs. Ralph stated Requisition #32 for the School Construction consists of payments to the following:

KBS, INC.	$583,652.53
FROEHLING & ROBERTSON, INC.	1,011.50
MID-ATLANTIC SCHOOL EQUIPMENT	5,278.88
VIRCO	11,306.00
TOTAL OF REQUISITION NUMBER 32	$601,248.91

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 32 in the amount of $601,248.91 be approved and funds appropriated for CIP expenses for the School Project Fund.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens who had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, stated she had one citizen signed up.

The following person addressed the Board:

1. Ms. Thelma L. Stevens, 14602 Gatewood Road, DeWitt, came forward to request assistance from the Board regarding a refund due her from real estate taxes paid in error. She stated she had worked with Sister Marston and Sister Marston had assured Ms. Stevens she would work with her; however, Ms. Stevens had not received the refund. The last correspondence she had received from Mrs. Marston was in 1995. Ms. Stevens stated she had planned to attend the meeting the first part of June and Sister Marston had told her to wait and she would receive an answer within fifteen (15) days. No response has been received. She stated she has waited seven (7) years and she expects to receive interest on her money. She stated she has repeatedly called Sister Marston's office and left messages to no avail. Ms. Stevens stated this was her error but she felt that it should have been cleared by now.

Mrs. Deborah M. Marston, Commissioner of the Revenue, came forward stating this matter was out of her hands. The County Attorney needs to handle this. She stated this matter started in 1991 as Ms. Stevens had stated. Pursuant to the State of Virginia Code Section 58.1 39 84 - it was out of her jurisdiction to handle. In 1992 she began corresponding with Daniel M. Siegel, County Attorney, on this matter. In 1995 she again corresponded with Daniel M. Siegel on the same matter. She stated she can do nothing more than what she has already done. The Attorney, by the State Statute, has to do an order to be signed for the Judge to reimburse Ms. Stevens her money. She stated she cannot do an order.

Mr. Ben Emerson, County Attorney, stated he would look into this matter and respond to Ms. Stevens within one (1) week.

Mr. Bracey asked if there was anyone present who had not signed up but wished to speak at this time.

There being no additional citizens wishing to speak Mr. Bracey moved forward.

IN RE: DEPARTMENT OF TRANSPORTATION – REPORT

Mr. Ronald Reekes, Resident Engineer, Virginia Department of Transportation, was not present.

Mr. Bracey stated if any Board member had concerns or questions they could pass them to Mr. Long and he would relay them to Mr. Reekes.

Mrs. Everett stated she had spoken with Mr. Reekes regarding the grass cutting on the secondary roads and was informed the money for this had just come down and they would be getting on this project as soon as possible.

Mr. Long stated he had addressed the concerns from the last Board meeting with Mr. Reekes and thought he was going to cover them in his report to the Board today.

Mr. Tickle again brought up the problem of agricultural products being grown and causing a hazard to motorists. He suggested we enact an ordinance to the effect if these agricultural products are causing an unsafe condition we have the ability to request VDOT to cut them back.

Mr. Long was instructed to work with Mr. Scheid on this and report back to the Board.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Marston came forward stating she had no report but was available for questions.

Mr. Tickle stated he had questions regarding the reduction on personal property for high mileage on vehicles. He would like for Mrs. Marston to take 3 to 4 minutes at the July meeting to address the rules on how a citizen receives this reduction.

Mrs. Marston gave a brief explanation of how she plans to notify the citizens.

Mrs. Everett asked why obtaining a refund or discount for high mileage in Dinwiddie County was so different than it was in Chesterfield County. There you can obtain your discount and refund within days and here you can go round and round until you just give up.

IN RE: TREASURER – REPORT

Mr. William E. Jones, Treasurer, was not present.

Mr. Bracey stated the Board had Mr. Jones' report and if they had questions please turn them over to Mr. Long.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, Commonwealth Attorney, was not present. Mr. Long stated he thought Mr. Rainey was out of town.

Mrs. Ralph stated there was a letter placed before them advising them of an equipment purchase the Commonwealth Attorney's office was making due to additional funds allotted by the Compensation Board. This is one hundred (100%) percent Compensation Board funded in the amount of $1,500.00. No action is required by the Board; this was for their information only.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward to present his monthly report. He asked if the Board had any questions for him.

Mr. Tickle stated to Sheriff Shands that he had done an excellent job on the reduction on payments - prepayments on hospitalization and dental. He stated he wanted to go back to the accounts payable. He continued he had done some calculations when he was reading the Board Packets and there is one inmate that has spent numerous dollars, a minimum of about $1,000.00. He stated he could see taking someone to the doctor's office but this is taxpayer's money. His question for Sheriff Shands was when we take inmates to the doctor and they receive prescribed drugs, how many days prescription to we fill.

Sheriff Shands stated we fill the prescription for the time period that the doctor prescribes regardless of how long the inmate is to be incarcerated.

Mr. Tickle stated his question is once they leave the jail they should be responsible. This was his opinion. After they leave the taxpayers should not be paying for their medication. Is this policy state wide or just our County.

Sheriff Shands stated once they leave we are not responsible for their medication.

Mr. Tickle continued - if Mike Tickle is incarcerated; goes to the doctor; receives a prescription – are we purchasing for 30 days or are we only purchasing the dosage for the days that Mike Tickle is incarcerated.

Sheriff Shands stated for the time Mike Tickle will be there.

Mr. Tickle stated his second question was, and he hated to be the bad guy, but didn't we hire a dispatcher last week or two weeks ago and now they have gone to a jailor. Is this common?

Sheriff Shands stated yes sir.

After a short discussion regarding the moving of employees from one position to another Mr. Tickle thanked Sheriff Shands for the information on the medical co-pay. He felt that this program will save the County several thousand dollars.

Mrs. Ralph stated the report the Board had requested regarding uniform purchases was included in the Board packet.

Mr. Bracey stated this was a public report and any citizen who was interested was welcome to review it. He further stated it was very interesting.

The Sheriff stated when an employee leaves the Department all his clothes are turned in and when a new employee is hired any items that are currently available for distribution are checked for sizing and issued if appropriate.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector, came forward to present his monthly report. He asked the Board if they had any questions.

Mr. Tickle asked about the clearing of lots for new construction and why this debris is not cleared from the property instead of just pushing it into a large pile.

It was decided that Mr. Abernathy will monitor this practice and report back to the Board on his findings.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steve Beville, Animal Warden, came forward and presented his report for the month of May 1998. He asked if there were any questions regarding his report.

Mrs. Ralph stated revenue from the sale of dog tags was down 50% and asked if the animal warden knew of a reason for this. She reminded the Board that we are not enforcing confinement during the month of April, as it appears on the books, which could be resulting in some losses.

Mr. Bracey asked Mr. Beville is there was any reason we are not doing the confinement period. He directly asked Mr. Long if he was aware of any reason.

Mr. Long stated he did not.

Mr. Bracey again asked Mr. Beville if he knew a reason.

Mr. Beville stated with the staff he now had all they could do was handle the daily complaints. Mr. Beville stated he was unaware of this but had made arrangements in his 1998-99 Budget for checking on residents to assure purchases.

Mr. Long was instructed by the Board to discuss this with Mr. Beville.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came before the Board to present his monthly report. He stated he was available for questioning.

Mrs. Everett stated Mr. Scheid should be commended on passing the Certified Erosion and Sediment Control Administrator. She felt this was valuable for the County.

There being no additional comments or questions for Mr. Scheid, Mr. Bracey moved forward.

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. John M. Altman, Jr., Zoning Administrator, came forward and presented his monthly report. He asked if the Board had any questions.

There being none Mr. Bracey moved forward.

IN RE: DIRECTOR OF PLANNING – GREEN ACRES MOBILE HOME PARK RECREATIONAL AREA

Mr. Bracey asked Mr. Scheid about Green Acres Mobile Home Park recreation area.

Mr. Scheid stated yes sir, the recreational area requirements have been met.

Mr. Bracey requested Mr. Scheid visit the Park and take photographs of this area for County records and future reference.

IN RE: SOCIAL SERVICES – REPORT

Mrs. Peggy McElveen, Director of Social Services, came forward stating she had nothing to report for her agency. She did, however, want to share with the Board that the Governor of Virginia was planning a birthday party for all citizens over the age of one hundred (100). If anyone had names she asked them to please turn them in to her and she would forward them to the Governor's office.

IN RE: SUPERINTENDENT OF SCHOOLS – SUPPLEMENTAL APPROPRIATIONS

Mrs. Troilen Seward, Superintendent of Schools, came forward stating her first item was something that goes back about a year ago. As a part of the Crater Regional Partnership Strategic Economic Development Plan, Southside Virginia Regional Technology Consortium received $50,000 to assist seven of its members with acquiring Internet access in their high schools. As fiscal agent for SVRTC, Dinwiddie County Schools received this $50,000 for distribution to Dinwiddie, Petersburg, Hopewell, Prince George, Colonial Heights, Greensville, and Sussex school systems. The Federal Reimbursement for School Food Services will be about $85,000 more than the amount included in the FY1998 School Budget. These funds will be needed by the School Food Program to cover the remaining expenditure for personnel and supplies. While there are no local funds involved in either of these adjustments, she did need the Board of Supervisors to authorize the expenditures via supplemental appropriations. At the June 9, 1998 meeting of the Dinwiddie County School Board, she was authorized to request FY1998 supplemental appropriations of $50,000 in the SVRTC Fund and $85,000 in the School Food Services Fund.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for supplemental appropriations of $50,000 in the SVRTC Fund and $85,000 in the School Food Services Fund for the FY98 School Budget.

IN RE: OFFICE ON YOUTH AND COMMUNITY SERVICES – COMPREHENSIVE SIX-YEAR PLAN FOR DINWIDDIE COUNTY YOUTH

Ms. Francene C. Newman, Director Office on Youth and Community Services, came forward and presented a synopsis of the Comprehensive Plan for Positive Youth Development for the children and youth of Dinwiddie County.

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward to present his monthly report.

Mr. Tickle requested a breakdown of percentages, breakouts of groups and other such additional information that will help identify ages etc.

Mr. Smith continued by making presentations of award to several senior citizens of Dinwiddie County. These awards read as follows: Presented to __(name)__ for your participation in the 1998 Virginia Senior Games; and for being an active Dinwiddie resident representing L.I.F.E.'s Opportunities to the fullest. These awards were signed by Edward A. Bracey, Jr., Chairman, Board of Supervisors and Timothy C. Smith, Director of Parks and Recreation. Those receiving awards included: Floyd Akins, Jr.; Margaret Akins; Mary Ayscue; Robert "Bookie" Belcher; Elsie Bushman; William Howard Carmichael; Ruth Thompson; Calvin Vaughan; Howard Blackwell; and Beasley Jones. We are very proud of these citizens and their showing at these games. Mr. Smith stated he attended the opening ceremonies on May 27th in Williamsburg and was very pleased.

Mr. Belcher stated their organization does accept donations and they will be needing help to send these citizens to Florida for the Nationals next year.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management, came before the Board and presented his report for the months of May and June 1998.

Mr. King alerted the Board to the new signs that have been placed at some dumpster sites. He stated they seem to be working. The signs basically state if you are not a Dinwiddie County resident then do not use our dumpsters. There was additional conversation regarding the use of our dumpsters by people who do not have Dinwiddie County stickers on their vehicles.

IN RE: PUBLIC SAFETY OFFICER -- REPORT

Mr. David M. Jolly, Public Safety Officer, came forward to present his monthly report.

Mr. Tickle stated he was most impressed with Namozine Fire Department. He felt the citizens should know the hard work they did and the money that was saved.

Mr. Jolly stated that Unit will be on display at the next evening meeting. It was a $6, 710.50 savings.

Mrs. Everett stated she would like to see the Board draw up a letter of commendation to the Namozine Volunteer Fire Department to be presented to them at the July 1st meeting when they bring the Unit for display.

Mr. Jolly was instructed to draft the commendation for presentation July 1, 1998.

IN RE: FIRE & RESCUE ASSOCIATION – REPORT

Mr. Jolly asked if there were any questions regarding the Fire and Rescue Association report.

There being none Mr. Bracey moved forward.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Ben Emerson, County Attorney, stated he had no monthly report but was available for questions.

Mr. Bracey asked Mr. Emerson to move as expeditiously as possible on Ms. Stevens' refund.

Mr. Emerson stated he would find out and handle this situation immediately.

IN RE: CONSTRUCTION INSPECTOR – REPORT

Mr. Donald W. Faison, Construction Inspector, came forward to present his monthly report. He stated he had one item he wanted to elaborate on. He reported the fixed seating for the Juvenile and Domestic Relations Court would be in on Monday.

Mr. Moody asked Mr. Faison about the seating in the jury box. He stated when you look over you cannot see. Also he was concerned about the judge's chairs being so low down.

Mr. Faison stated they were already looking into the jury box.

IN RE: APPOINTMENTS – SOCIAL SERVICES BOARD

Mrs. Mann stated there are two (2) positions available on the Social Services Board. We have two (2) applications for these positions from Mary Elizabeth Wynn and Arlick Brockwell. They have both been serving on this Board since 1994 and are both seeking reappointment.

EXTRACT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mary Elizabeth Wynn and Arlick Brockwell are re-appointed to the Social Services Board for a term expiring June 30, 2002.

IN RE: APPOINTMENTS – CRATER DISTRICT PLANNING COMMISSION (CDPC) & METROPOLITAN PLANNING ORGANIZATION (MPO)

EXTRACT

Mrs. Mann continued that there is one position open on the Crater District Planning Commission & Metropolitan Planning Organization. This position must be filled with a Board member. Mrs. LeeNora V. Everett has been serving on this Board since 1992 and is seeking reappointment.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. LeeNora V. Everett is re-appointed to the Crater District Planning Commission & Metropolitan Planning Organization for a term expiring June 30, 1999.

IN RE: APPOINTMENTS – APPOMATTOX REGIONAL LIBRARY BOARD

Mrs. Mann reported there is one appointment open on the Appomattox Regional Library Board. She stated she had sent out applications but none have been received back. Hopefully there will be an applicant by the next meeting.

IN RE: 1998-1999 BUDGET AMENDMENTS

Mrs. Ralph came forward to present the proposed amendments to the 1998-1999 Budget. There are as follows:

REVENUE

General Fund:	Existing	Amended	Change
Compensation Board			

Sheriff (3 new L7 positions)	1,225,000	1,296,773	71,773
School Construction Fund:			
Completion Bonds	-0-	6,605,000	6,605,000
EXPENDITURES			
General Fund:			
Sheriff	1,080,008	1,160,768	80,760
(Increase funded by State Funds & transfer of $14,000 from Life Insurance Premiums from various departments)			
Internal Services	26,350	32,350	6,000
(Pay Plan Adjustments - Provided by $6,000 transfer from Life Insurance Premiums from various departments)			
School Construction Fund:			
Completion Bonds	6,000,000	6,605,000	605,000
Self Insurance Fund:			
Transfer for School Wk. Comp.	80,000	102,894	22,894
Transfer for School Property	115,000	136,177	21,177

TRANSFERS

The State has provided a "holiday" from Life Insurance Premiums for FY 98-99 resulting in $20,000 which is available for other uses in the budget. As indicated above our recommendation is:

1. Transfer $14,000 to the Sheriff for the three new L7 positions for fringe benefits.
2. Transfer $6,000 to Internal Services for the Pay Plan adjustments adopted at the June 3, 1998 meeting.

*Note: The amount of the salary increases for State employees scheduled for December is unknown at this time; therefore, they will be presented for approval when we receive the final allocation by the State. Since these were not known at budget time, they will have to be additional appropriations.

There were some proposed Industrial Access changes which Mrs. Ralph asked not be included at this time.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the amendments, including transfers, to the FY 1998-1999 Budget are approved as presented.

IN RE: AMENDMENTS – REVISED FY 1999 SCHOOL BOARD BUDGET

Mrs. Seward came forward and presented the revisions to the FY 1999 School Board Budget. The first major revisions were to comply with the Board of Supervisors reduction of $100,000 and the movement of $292,460 from Maintenance and Operation to a special School Construction Fund. Subsequent to these changes, there have been numerous changes in state and federal revenue which have resulted in modifications to the expenditure budget. The spread sheet included in the Board packets reflects these changes to the various categories of the Revised FY 1999 School Board Budget. The instruction category has the largest positive change, but nearly all of the increases are in specified areas such as remedial summer school, the reduction of primary class size, or specific federal programs. The actual amount for state basic aide, the ADM amount, was reduced by the state as late as the veto session of the General Assembly. The increase in Administration, Attendance and Health is the result of some additional state funding which is designated by the state to increase nursing services for the children. The decrease in the Transportation category is the result of having to make some hard decisions about delaying some purchases. Maintenance and Operation has a small increase, but this is the result of several reductions and a requisite $59,071 increase in the transfer from the Self-Insurance Fund to cover the new premiums. The reduction in Facilities is due to anticipated lower costs for the Fluor Daniel Groundwater Technology Incorporated monitoring services.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Revised FY 1999 School Board Budget as presented is hereby adopted by category.

IN RE: COUNTY ADMINISTRATOR COMMENTS – DISTRICT 19 COMMUNITY SERVICES BOARD

Mr. Long stated he had included information in the Board packet from District 19 Community Services Board. This year's General Assembly amended Section 37.1 of the Code of Virginia, effective July 1, 1998, which will require localities to perform certain functions relating to their community services board. Section 37.1-194 requires "every county or city or combination of cities and counties or counties and cities that have established a community services board shall, in consultation with its community services board, designate its board as an operating community services board, an administrative policy community services board or a local government department with a policy-advisory board community services board". At it's May meeting, District 19's Board of Directors elected to designate our board as an operating board (designation maintains District 19's current structure) and is requesting that each of their localities make this designation by July 31, 1998. Mr. Long stated he planned to request Mr. Joseph E. Hubbard, C.P.A., and Executive Director, to attend the July 15th meeting to address any questions the Board might have.

IN RE: COUNTY ADMINISTRATOR COMMENTS – ADELPHIA CABLE

Mr. Long continued he had included a recent letter he received from Mr. Luke Matthews, General Manager of Adelphia Cable, explaining additional channels are being added and a rate change information sheet. He felt this would be helpful to the Board in addressing these matters with the public.

IN RE: COUNTY ADMINISTRATOR COMMENTS – STATE GRANT FOR OLD DINWIDDIE COUNTY COURTHOUSE

Mr. Long stated Mrs. Ralph had one item which just recently came in from the State.

Mrs. Ralph stated we had requested the General Assembly to consider a grant for our old courthouse for renovations. They have formally notified us the 1998 General

Assembly appropriated $100,000 for rehabilitation at Old Dinwiddie County Courthouse for the 1998-2000 biennium. This amount will be available July 1, 1998 and must be spent prior to June 30, 1999. These state funds must be matched dollar for dollar with non-state funds or with in-kind goods and services. Mrs. Ralph stated there was an agreement that needed to be signed to accept the money. Mrs. Ralph stated the State did want an easement to the property to secure this money.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to sign the State Grant Agreement to accept the $100,000 in grant funds, which is a dollar or dollar match for restoration of the Old Dinwiddie County Courthouse.

IN RE: HEALTH DEPARTMENT – TREE REMOVAL AND LIMBING

Mrs. Ralph continued the Board had been talking about doing something with the Health Department building. There are two trees that are right up against the building. There are also several trees in the yard which need to have the limbs trimmed. She stated she had two (2) bids and was trying to obtain a third one. She stated she would like to request permission for the County Administration to work with the low bidder.

Mr. Moody stated he had another local tree service he would like for us to contact for a bid.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to County Administration to work with the low bidder on a contract to have the trees removed and limbs trimmed from the trees in front of the Health Department and surrounding grounds.

IN RE: COMMENTS – OLD HICKORY VOLUNTEER FIRE DEPARTMENT

Mrs. Ralph stated Mr. Charles Rideout from Old Hickory Volunteer Fire Department had been in to see her regarding some property a citizen wished to donate to the Department. The property would be used to build an extension on the back of the firehouse. She requested permission for the County Attorney to prepare the deed.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Attorney to prepare the deed for the property being donated to Old Hickory Volunteer Fire Department.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay – He stated he would like an update on Walkers Mill Road. They had placed some crusher run on the worst part but it still needed attention. He stated if someone does not watch out they were also going to tear up Route 40.

Mrs. Everett – She stated she was pleased to see that Adelphia was going to expand the service area and that as of August 1 they will be adding the Disney Channel to their basic service.

Mr. Moody – He stated he had lost a close neighbor yesterday evening in a tractor accident. He urged all farmers to be safer when operating heavy machinery .

Mrs. Everett stated they will be having another farmer safety class in the fall or spring and urged all farmers to attend.

Mr. Tickle – No comments

Mr. Bracey – He asked Mr. Long to please ask Mr. Reekes about his 4-way stop signs.

IN RE: RECESS – FIVE (5) MINUTE

Mr. Bracey called for a five (5) minute recess at 3:50 P.M. followed by the Executive Session.

RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 (Custodians); Section 2.1-344 (A) - 3 Discussion or consideration of the condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property; Section 2.1-344 (A) - 6 Investment of public funds; and Section 2.1-344 (A) - 7 Consultation with legal counsel (Inducement Agreement Update - Access Road Contract - Group Home Litigation) the Board moved into Executive Session at 3:55 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:00 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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: PUBLIC SAFETY OFFICER – CARSON VOLUNTEER FIRE DEPARTMENT

Mr. Long asked the Board to authorize the Public Safety Officer to respond to Prince George County's Public Safety Officer regarding the Carson tanker truck and their request for our participation in the funding of that truck in accordance with Mr. Jolly's three recommendations made in his letter of June 11, 1998 to the Board.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Public Safety Officer to respond to Prince George County's Public Safety Officer regarding our participation in the funding of an tanker truck for the Carson Volunteer Fire Department in accordance with the three recommendations made in the letter of June 11, 1998 to the Board.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 5:05 P.M. to be continued at 4:00 P.M. on July 1, 1998 for workshop on the CIP.

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

ATTEST: R Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE COUNTY, VIRGINIA, ON THE 1ST DAY OF JULY 1998, AT 4:00 P.M.

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

Mr. Emerson arrived at 5:16 P.M.

IN RE: CALL TO ORDER

Chairman Edward A. Bracey, Jr. called the meeting to order at 4:07 P.M.

IN RE: WORKSHOP – CIP

Mr. R. Martin Long, County Administrator stated the following items have been authorized in the 97-98 CIP - Now they need to be prioritized:

1. Administration Building Expansion - in progress
2. Health Department Improvements (presently have $30,000 in budget from Health Department revenues)
3. Jail - Generator - presently have $30,000 in Jail Phone Commission
4. Jail - HVAC - requested by Sheriff
5. Old Courthouse Repairs - (presently have $100,000 State match)

The following items have been discussed for the 98-99 CIP but not authorized or prioritized:

1. EMS/Fire Station - $300,000
2. Dinwiddie VFD - Tanker Truck - $200,000
3. McKenney Fire Station - $300,000
4. McKenney Pumper Truck - $210,000
5. Ford 1st Responder - $35,000 - (not included in 98-99 CIP - but Department offered to fund 50%)

($1,045,000 - which could be financed through short term lease-purchase)

6. Trash Delivery Service - authorized for bidding
7. County-wide GIS - $250,000 - Needs Assessment Authorized
8. Whippernock Recreation Area - $50,000 (Contract under consideration)
9. Eastside School Renovation - Recreation/Library - $2,000,000
10. Northside Elementary School - possible School Board Office - $1.5 M
11. McKenney Elementary School - Community/Rec. Room - ?

After discussion it was decided the above items should be placed in the following order of priority for the 1997-98 CIP:

1. Administration Building Expansion - in progress – This is hoped to be completed by September 1998.
2. Health Department Improvements (presently have $30,000 in budget from Health Department revenues) – Administration is currently accepting bids for tree removal. Mr. Long was instructed to write the Health Department a letter stating that we are ready to move forward as soon as they can get their office in order.

3. Jail - Generator - presently have $30,000 in Jail Phone Commission – Authorization was granted to obtain bids – generator should not exceed the $30,000.00 in the Jail Phone Commission.
4. Old Courthouse Repairs - (presently have $100,000 State match) – Administration was instructed to obtain bids to repair the roof and windows.
5. Jail - HVAC - requested by Sheriff – no action was taken on this project.

Mr. David M. Jolly, Public Safety Officer, stated the lease on the housing currently used by the EMS was up in April 1999. At this time it appears that the lease may not be renewed. Also the EMS housing does not meet Fire Prevention or OSHA requirements. He stated he felt housing for EMS was the highest priority item.

For the 1998-99 CIP, the prioritized order is as follows:

1. Dinwiddie EMS/Fire Station - $300,000
2. McKenney Fire Station - $300,000 – McKenney has obtained land and is ready to proceed with this project. Until a new building is obtained McKenney cannot purchase any new equipment because none of the new equipment, which meets specifications, will fit into the current building.
3. Dinwiddie VFD - Tanker Truck - $200,000 – Because of the refurbishing of the vehicle at Namozine Volunteer Fire Department a vehicle from that Department is being transferred to the Dinwiddie Volunteer Fire Department.
4. Ford 1st Responder - $35,000 - (not included in 98-99 CIP - but Department offered to fund 50%) – Mr. Jolly was instructed to look into Grant funds for an ambulance instead of a 1st responder unit.
5. McKenney Pumper Truck - $210,000

Mrs. Wendy Weber Ralph stated Namozine Volunteer Fire Department had a request in for a new ambulance that had not been submitted for CIP.

Mr. Jolly stated he did not feel that a new ambulance was needed at this time and they might be able to refurbish the one they currently have.

No action was taken on the final six (6) items.

6. Trash Delivery Service - authorized for bidding
7. County-wide GIS - $250,000 - Needs Assessment Authorized
8. Whippernock Recreation Area - $50,000 (Contract under consideration)
9. Eastside School Renovation - Recreation/Library - $2,000,000
10. Northside Elementary School - possible School Board Office - $1.5 M
11. McKenney Elementary School - Community/Rec. Room - ?

IN RE: FIRE/EMS STATION DESIGN PLANS

There was discussion on what was needed in a fire/EMS building and what type of action needed to occur next.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to move forward in obtaining a Fire/Emergency Medical Services building design that could be used for all Fire/EMS buildings throughout the County.

IN RE: DINWIDDIE VOLUNTEER FIRE DEPARTMENT – SALE OF VEHICLE

Mr. David Jolly stated he felt he could get more for the Dinwiddie vehicle by auctioning it himself then would be received by placing it in an auction held by the School Board for surplus County property.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Public Safety Officer to assist Dinwiddie Volunteer Fire Department in selling the 1971 Ford Pumper.

IN RE: COUNTY RAIDO COMMUNICATION SYSTEM

Mr. David Jolly voiced concerns to the Board about the current radio communication system being used by the County. He suggested the Board begin to look down the road at changing to a high band frequency.

IN RE: FINANCING RECOMMENDATIONS

Mr. Bracey requested Mrs. Ralph and Mr. Long provide the Board with the financing options available to pay for the CIP projects.

IN RE: JOHN RANDOLPH FOUNDATION FUNDS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Authorization is granted for Administration to apply for funds from the John Randolph Foundation for an EMS/Fire Building. The deadline for application is August 1, 1998.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 (Planner/Zoning/Compliance Officer; Custodian); Section 2.1-344 (A) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property; and Section 2.1-344 (A) 7 - Consultation with legal counsel - update on inducement agreement - Chaparral; the Board moved into Executive Session at 4:45 P.M.

IN RE: BREAK FOR DINNER

Mr. Bracey called for a dinner break at 5:25 P.M.

IN RE: RETURN TO OPEN SESSION

A vote having been made and approved the meeting reconvened into Open Session at 7:32 P.M. in the Board Meeting Room of the Pamplin Administration Building.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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.

RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 7:33 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE COUNTY, VIRGINIA, ON THE 1ST DAY OF JULY 1998, AT 4:00 P.M.

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

Mr. Emerson arrived at 5:16 P.M.

IN RE: CALL TO ORDER

Chairman Edward A. Bracey, Jr. called the meeting to order at 4:07 P.M.

IN RE: WORKSHOP – CIP

Mr. R. Martin Long, County Administrator stated the following items have been authorized in the 97-98 CIP - Now they need to be prioritized:

1. Administration Building Expansion - in progress
2. Health Department Improvements (presently have $30,000 in budget from Health Department revenues)
3. Jail - Generator - presently have $30,000 in Jail Phone Commission
4. Jail - HVAC - requested by Sheriff
5. Old Courthouse Repairs - (presently have $100,000 State match)

The following items have been discussed for the 98-99 CIP but not authorized or prioritized:

1. EMS/Fire Station - $300,000
2. Dinwiddie VFD - Tanker Truck - $200,000
3. McKenney Fire Station - $300,000
4. McKenney Pumper Truck - $210,000
5. Ford 1st Responder - $35,000 - (not included in 98-99 CIP - but Department offered to fund 50%)

($1,045,000 - which could be financed through short term lease-purchase)

6. Trash Delivery Service - authorized for bidding
7. County-wide GIS - $250,000 - Needs Assessment Authorized
8. Whippernock Recreation Area - $50,000 (Contract under consideration)
9. Eastside School Renovation - Recreation/Library - $2,000,000
10. Northside Elementary School - possible School Board Office - $1.5 M
11. McKenney Elementary School - Community/Rec. Room - ?

After discussion it was decided the above items should be placed in the following order of priority for the 1997-98 CIP:

1. Administration Building Expansion - in progress – This is hoped to be completed by September 1998.
2. Health Department Improvements (presently have $30,000 in budget from Health Department revenues) – Administration is currently accepting bids for tree removal. Mr. Long was instructed to write the Health Department a letter stating that we are ready to move forward as soon as they can get their office in order.

3. Jail - Generator - presently have $30,000 in Jail Phone Commission – Authorization was granted to obtain bids – generator should not exceed the $30,000.00 in the Jail Phone Commission.
4. Old Courthouse Repairs - (presently have $100,000 State match) – Administration was instructed to obtain bids to repair the roof and windows.
5. Jail - HVAC - requested by Sheriff – no action was taken on this project.

Mr. David M. Jolly, Public Safety Officer, stated the lease on the housing currently used by the EMS was up in April 1999. At this time it appears that the lease may not be renewed. Also the EMS housing does not meet Fire Prevention or OSHA requirements. He stated he felt housing for EMS was the highest priority item.

For the 1998-99 CIP, the prioritized order is as follows:

1. Dinwiddie EMS/Fire Station - $300,000
2. McKenney Fire Station - $300,000 – McKenney has obtained land and is ready to proceed with this project. Until a new building is obtained McKenney cannot purchase any new equipment because none of the new equipment, which meets specifications, will fit into the current building.
3. Dinwiddie VFD - Tanker Truck - $200,000 – Because of the refurbishing of the vehicle at Namozine Volunteer Fire Department a vehicle from that Department is being transferred to the Dinwiddie Volunteer Fire Department.
4. Ford 1st Responder - $35,000 - (not included in 98-99 CIP - but Department offered to fund 50%) – Mr. Jolly was instructed to look into Grant funds for an ambulance instead of a 1st responder unit.
5. McKenney Pumper Truck - $210,000

Mrs. Wendy Weber Ralph stated Namozine Volunteer Fire Department had a request in for a new ambulance that had not been submitted for CIP.

Mr. Jolly stated he did not feel that a new ambulance was needed at this time and they might be able to refurbish the one they currently have.

No action was taken on the final six (6) items.

6. Trash Delivery Service - authorized for bidding
7. County-wide GIS - $250,000 - Needs Assessment Authorized
8. Whippernock Recreation Area - $50,000 (Contract under consideration)
9. Eastside School Renovation - Recreation/Library - $2,000,000
10. Northside Elementary School - possible School Board Office - $1.5 M
11. McKenney Elementary School - Community/Rec. Room - ?

IN RE: FIRE/EMS STATION DESIGN PLANS

There was discussion on what was needed in a fire/EMS building and what type of action needed to occur next.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to move forward in obtaining a Fire/Emergency Medical Services building design that could be used for all Fire/EMS buildings throughout the County.

IN RE: DINWIDDIE VOLUNTEER FIRE DEPARTMENT – SALE OF VEHICLE

Mr. David Jolly stated he felt he could get more for the Dinwiddie vehicle by auctioning it himself then would be received by placing it in an auction held by the School Board for surplus County property.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Public Safety Officer to assist Dinwiddie Volunteer Fire Department in selling the 1971 Ford Pumper.

IN RE: COUNTY RAIDO COMMUNICATION SYSTEM

Mr. David Jolly voiced concerns to the Board about the current radio communication system being used by the County. He suggested the Board begin to look down the road at changing to a high band frequency.

IN RE: FINANCING RECOMMENDATIONS

Mr. Bracey requested Mrs. Ralph and Mr. Long provide the Board with the financing options available to pay for the CIP projects.

IN RE: JOHN RANDOLPH FOUNDATION FUNDS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Authorization is granted for Administration to apply for funds from the John Randolph Foundation for an EMS/Fire Building. The deadline for application is August 1, 1998.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 (Planner/Zoning/Compliance Officer; Custodian); Section 2.1-344 (A) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property; and Section 2.1-344 (A) 7 - Consultation with legal counsel - update on inducement agreement - Chaparral; the Board moved into Executive Session at 4:45 P.M.

IN RE: BREAK FOR DINNER

Mr. Bracey called for a dinner break at 5:25 P.M.

IN RE: RETURN TO OPEN SESSION

A vote having been made and approved the meeting reconvened into Open Session at 7:32 P.M. in the Board Meeting Room of the Pamplin Administration Building.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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.

RE: ADJOURNMENT

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 7:33 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

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 1st DAY OF JULY, 1998, AT 7:30 P.M.

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

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 7:34 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda.

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated under claims there was a Courthouse Requisition which failed to be placed on the agenda. She requested this be added to Item 5. She continued under County Administrator Comments there needed to be added 1) A friendly filing for condemnation in the Industrial Access Road process. There is a Public Hearing required. Mr. Ben Emerson, County Attorney, will be covering this with the Board. This would be added under Item 14.

Mr. Harrison Moody stated we need to make an overpayment refund. He asked if that could be added as Item 14B.

Mrs. Ralph stated also there needed to be action on property options, which should be Item 14C.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following Amendment to the Agenda be added as listed:

Item 5.	Courthouse Requisition #22
Item 14.	Friendly Filing of Condemnation – Public Hearing
Item 14B.	Overpayment Refund
Item 14C	Property Options

IN RE: MINUTES

Mrs. Everett stated under her Board Comments, she felt that the words "to it's Basic Service" needed to be added to her comments on Adelphia Cable. Adelphia Cable already offers the Disney Channel but this would be a change to add it to the Basic Service.

Mrs. Ralph stated that the figures listed under 1998-1999 Budget Amendments have been corrected. Mrs. Ralph explained why these figures were different from the ones reported to the Board at the last meeting. She stated the motion for the amendment was correct but she had to make the revenue and expenditures correspond.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the June 17, 1998 Regular Meeting; are approved with corrections, as stated above.

IN RE: CLAIMS

Mr. Tickle stated he was concerned about the dollar figure on Diamond Springs bottled water. He recommended to the Board the bottled water be removed from all buildings.

There was much discussion regarding this matter and it was decided that the Administration look into alternatives. It was requested before the next Board meeting the water be tested by the Health Department and a report presented to the Board at that time.

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1010988 - 1011277 (void check(s) numbered 1011222; 1011989; 1011075 through 1011108; 1011277 and 1010876); for Accounts Payable FY 97 - FY 98 in the amount of $168,857.63: General Fund $110,996.71; Jail Phone Commission $718.29; E911 Fund $2,028.80; Self Insurance Fund $354.57; Fire Programs & EMS $26,099.29; Forfeited Asset Sharing $346.97; Capital Projects $22,613.00; County Debt Service $5,700.00; June 1998 Payroll in the amount of $301,984.06; General Fund $300,140.14; and CDBG Grant Fund $1,843.92; and Accounts Payable for FY 98 - FY 99 in the amount of 220,138.80: General Fund $59,926.30; Self Insurance Fund $78,312.50; and County Debt Service $81,900.00

IN RE: COURTHOUSE CONSTRUCTION – REQUISITION #22

Mrs. Ralph stated the following invoices are included in Requisition Number 22:

C. W. WARTHEN COMPANY	$3,650.00
JMJ CORPORATION	1,480.76
TOTAL OF REQUISITION # 22	$5,130.76

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 22 in the amount of $5,130.76 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if any citizens had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, replied she had one citizen signed up. She called Ms. Thelma Stevens.

Ms. Thelma Stevens came forward to address the Board regarding her overpayment refund. She was not pleased with the outcome and response from the County Attorney stating the statue of limitations had expired. She did not understand why the Board could not decide to refund the $342.45.

Mr. Emerson responded it was State Law and the County had no recourse. If they paid the refund they would be in violation of the law.

Mr. Bracey asked if there were any other citizens present who wished to speak but had not signed up.

There being none Mr. Bracey moved forward.

IN RE: LETTER OF COMMENDATION – NAMOZINE VOLUNTEER FIRE DEPARTMENT

Mr. David Jolly, Public Safety Officer, and Mr. Long came forward to present a letter of commendation to the Namozine Volunteer Fire Department. He asked Chief Foster and the other representatives to join them at the podium. Mr. Jolly read the following letter:

July 1, 1998
Chief Raymond Foster
Namozine Volunteer Fire Department
3913 Pelham Street
Petersburg, Virginia 23803

Dear Chief Foster:

On behalf of the members of the Board of Supervisors, I would like to commend you and your membership on the recent refurbishing of the 1981 Ford Tanker. Your organization's hard work has resulted in a saving of $6,710.50 to the taxpayers of the County.

It is through commitment such as this that the County is able to provide the quality of service that is expected by the citizens.

I know the citizens of the County join us in asking you to extend our appreciation for a job well done to each and every member of your organization.

Sincerely,

Edward A Bracey , Jr.
Chairman

Mr. Long and Mr. Jolly both thanked the gentlemen present and asked that they convey to all the members of Namozine Volunteer Fire Department their appreciation for a job well done.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION – CHANGE IN SIX-YEAR PLAN

Mr. Harold Dyson came forward to present to the Board a proposed change in the Six-Year Plan. He stated Route 665, Walkers Mill Road, was in need of immediate attention. He continued by stating they had explored several avenues to try to obtain funds to repair this road to no avail. This road has been damaged by the heavy truck traffic from the mineral plant located in the area. He stated there are approximately fifteen (15) areas between 25 and 100 feet which had to be repaired with stone. Some areas of the road are rutted approximately six inches (6") deep. This is going to require extensive repair. He felt it would take cutting the areas out and placing seven to eight inches (7 to 8") of stone; then a five inch (5") base asphalt; then on top of that a leveling course to get the road back into the crown; and then two inches (2") of intermediate mix to give it a proper surface and strength. In order to do this there needed to be a modification to the six-year plan. He would like to advertise a Public Hearing at the July 15th meeting. This is necessary to move forward with this project.

There was discussion between the Board and Mr. Dyson about other avenues of revenue to correct this problem. Mr. Bracey instructed Mr. Long to write to the Governor and the General Assembly requesting help in this matter.

Mr. Long stated he would contact the company in question and ask if they could do anything to help in repairing this road.

Mr. Dyson stated he would suggest the Board move forward with the Public Hearing in case the other avenues do not produce the needed funds.

Mr. Tickle stated he felt we should move forward because we can withdraw the amendment at any time.

Mr. Bracey voiced concern about the 4-way stop signs.

Mr. Moody voiced concern about White Oak and Grubby Road. He felt this was a very dangerous area and that 4-way stop signs are needed there also.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Mr. Dyson to move forward with a Public Hearing on the Amendment to the Six Year Plan to be held on July 15, 1998.

IN RE: PUBLIC HEARING – P-98-4 – REZONING – JOHN P. CHAPPELL

Mr. William C. Scheid, Director of Planning came forward stating that minutes from the Dinwiddie County Planning Commission were located in the back of the room for the citizens.

This being the time and place as advertised in the Dinwiddie Monitor on June 17, 1998 and June 24, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering a request to rezone Section 45, parcel 38B, of the County Tax Maps from Residential Limited R-1, to Business, General, B-2. Said parcel contains 9.18 acres of land and is generally located on the west side of Boydton Plank Road south of the Village Mart in the Dinwiddie Courthouse area.

Mr. Scheid continued by presenting P-98-4, rezoning for John P. Chappell. Mr. Scheid read excerpts of the June 10th minutes of the Dinwiddie County Planning Commission:

Planning Staff Report

File:	P-98-4
Applicant:	John Chappell
Property Address:	13570 Boydton Plank Road (Estimated)
Magisterial District:	Rowanty
Acreage:	9.18 Acres
Tax:	45-38B
Zoning:	Residential, Limited, R-1 District
Water Source:	on-site
Sewer Disposal:	on-site

EXECUTIVE SUMMARY

The applicant, John Chappell, is seeking a rezoning of the property from Residential, R-1, District to Business, B-2, District. Mr. Chappell made this request for the purpose of developing the property for commercial (office building) use & other commercial uses in the future. The property is located on the west side of Boydton Plank Road (Rt. 1) There is a mixture of residential and commercial uses found in this area. The comprehensive land use plan identifies this area for commercial use. The properties on the north and south side of this property are used for single family residences. There is commercial, public and residential uses located across the road (Rt. 1).

Staff recommends approval (noting concerns) of the request for rezoning the property in part from Residential, Limited, R-1 to Business, General, B-2. (see recommendation statement at end of report)

BACKGROUND INFORMATION:

There are no records for any rezoning request of the land parcel in question. The parcel contains approximately 9.18 acres of land with 576 feet of frontage along Route 1. Most of the property is high, well-drained with a creek draining the southern portion of the property. The Department of Housing and Urban Development flood maps do not indicate any of the land being within the 100 year flood plain delineation. The soil maps generally define the soil grouping on this site as Appling (2B). There are moderate to slight limitations regarding structures and drain field location on site. While the Planning Department does not have access to wetlands delineation mapping, it is possible that a small portion of the low land on this parcel qualifies for such designation. Public water and sewer are not available to this site. The vertical and horizontal sight distance appear adequate for compliance with VDOT standards for a commercial entrance. VDOT currently owns an eighty (80) foot right-of-way in front of the property requested for rezoning. There are mature hardwood and softwood trees on the premises which could be used for buffering purposes

ANALYSIS

There are several matters which the Planning Commission may wish to consider in reaching a recommendation on this rezoning case to the Board of Supervisors. The following analysis attempts to present those matters which the planning staff considers most relevant. The items discussed are not intended as a priority listing nor is it intended to be all-inclusive.

The comprehensive land use plan addresses this situation in several ways. The Policy Statement contained in paragraphs numbered 3 and 6 read as follows: "maintain and enhance the County's ability to coordinate a balanced land-use program among various types of residential, commercial and industrial interests by encouraging development within areas defined as growth centers and/or growth corridors;" and "protect and manage existing growth areas experiencing residential and commercial pressure by developing an area plan to identify the problems and propose short and long term development solutions." Under Economic Development, Goals 2; "encourage commercial developments to cluster in various areas of the County designated for business uses." As objectives within economic development (page 12) it is stated "(a) coordinate the proper mix of residential, commercial and industrial uses so that a mutually beneficial relationship is created and the economic stability of the County is enhanced;" and "(b) discourage strip commercial development along existing state roads."

A copy of the proposed land use plan for the courthouse area (page 111) has been enclosed in your material. It is noted that the land under consideration is within a growth center as well as along a growth corridor. There are several planning guidelines noted on pages 105 and 106 regarding the Community Planning Area. A few of these guidelines are:

1. expect to accommodate 15% of the County's future commercial and industrial development;
2. well and septic fields are permitted with reserve field on-site;
3. commercial and industrial development density will be generally limited to a floor area ratio of 0.30;
4. commercial and industrial uses should have direct access to primary roads; and
5. basic facilities such as roads, utilities, recreation and drainage facilities will be provided by the developer.

The comprehensive land use plan (page 114) classifies U.S. Route 1 as a major arterial. This road classification usually requires a 120 foot right-of-way. As previously mentioned, the VDOT indicated to this office that they currently hold an 80 foot right-of-way in the vicinity of this lot.

Zoning classification of adjacent lands as well as those in the immediate vicinity should be considered. The properties immediately adjacent to the site under consideration are zoned as follows: Residential, limited, R-1; Residential, general, R-2; and Business, general, B-2.

The Planning Commission has reviewed cases similar to the current case. The most recent cases are P-97-3 and P-96-4. Several concerns were raised during these hearings and are listed as follows:

1. the need to rezone the entire tract of land when only a portion was intended to be used at this time;

2. compliance with VDOT regulations and /or County concerns regarding the number of entrances to the land parcel, location of driveway, and acceleration/deceleration (paved) lanes;

3. additional setback from centerline of U.S. Route 1 for all structures, parking areas and loading areas;

4. no storage of junk vehicles and/or vehicles parts on premises;

5. if vehicles are stored on the property for short period of time, they shall be screened from public view from U.S. Route 1 and secured behind an 8' chain link fence;

6. buildings facing or side facing Route 1 shall be of block construction with a brick facade; and

7. buffering of adjacent properties and along U. S. Route 1.

In previous cases, the applicant proffered in writing to the Planning Commission and Board of Supervisors those conditions which the applicant felt were appropriate. As State Code required, any written proffer given to the County may be given at any time prior to the Board of Supervisors meeting. The Planning Commission has expressed their concern that they have an opportunity to review any written proffer prior to their vote on a recommendation to the Board of Supervisors.

RECOMMENDATION

In view of the above analysis, staff can recommend approval of rezoning a portion of this land parcel (northern part) from residential, limited, R-1 to Business, general, B-2. It must be noted that staff's recommendation is given with reservations concerning issues raised in previous cases, as well as those resulting from the current analysis.

Staff would consider amending its recommendation to rezone the entire tract if the applicant could properly address the issues raised by the Comprehensive Land Use Plan regarding "strip commercial development, site access, buffering, setbacks and, in general, a development concept" for the entire land parcel.

Mr. Scheid stated the applicant had submitted the following proffers:

1. Only two entranceways onto U. S. Route 1 on this parcel. All buildings constructed on the parcel must access off of one of these two entranceways.
2. The minimum set-back for all buildings and parking is to be at least 30 ft. from the edge of the existing right of way (70 ft. from the center line of the existing right of way).
3. No outside storage of junk vehicles or vehicle parts permitted on the property.
4. No building shall be constructed on the property which will have exposed cinder block visible to vehicular traffic on U. S. Route 1.
5. All structures on the site must comply with BOCA Code.
6. There shall be a 25 ft. buffer along the rear (West) property line and a 25 ft. buffer along the South property line. The Buffer zone area can be used for drain field if needed, but adequate shrubbery must be planted if the existing natural vegetation is disturbed.

Upon a vote of 6-0, with one Commissioner absent from the meeting, the Planning Commission recommended approval of this rezoning with proffers.

Mr. Bracey opened the Public Hearing for P-98-4.

There being no citizens in attendance wishing to speak Mr. Bracey closed the Public Hearing.

There was discussion regarding the size of the property and the fact it is located in a residential area. Mr. Tickle voiced concerns about shopping centers locating in residential areas.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the Zoning Map of the County of Dinwiddie be amended by changing the district classification of Section 45, Parcel 38B, containing approximately 9.18 acres, from Residential, Limited R-1 to Business, General, B-2. This rezoning shall include proffers recommended by the Planning Commission. This ordinance shall become effective immediately and in all other respects, said zoning maps remain unchanged, and

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: PUBLIC HEARING – P-98-5 – REZONING – JOHNNY BAIN

This being the time and place as advertised in the Dinwiddie Monitor on June 17, 1998 and June 24, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering a request to rezone a portion of Section 32, Parcel 10A, of the County Tax Maps from Agricultural, General, A-1 to Residential, rural RR-1. Said portion of the parcel requesting rezoning contains 82 acres of land and is generally bounded by White Oak Road and Claiborne Road and is located in the Namozine Magisterial District.

Extract

Mr. Scheid continued by reading excerpts from the June 10th minutes of the Planning Commission regarding P-98-5:

Planning Staff Report

File:	P-98-5
Applicant:	Johnny Bain, agent for Bear Island Timberland
Property Address:	Located on the east of Claiborne Road (Rt. 631) and the north side of White Oak Road (Rt. 613)
Magisterial District:	Namozine
Acreage:	82 + acres
Tax Map Parcel:	32-10 & 10A, a portion thereof.
Zoning:	Agricultural, General, A-2 District
Water Source:	On-site (well)
Sewer Disposal:	On-site (septic)

EXECUTIVE SUMMARY

The applicant, Johnny Bain, is seeking to rezone approximately 100 acres of property from Agricultural, General, A-2 to Residential, Rural, RR-1. Mr. Bain has made this request for the purpose of developing Section 3 of Runaround Subdivision, a residential subdivision in which single-family homes with lots fronting onto Claiborne (Route 631)

and White Oak Roads (Route 613), and lots to be served by private roads off of White Oak Road. The areas under consideration are two portions of Tax Map parcels 32-10 & 10A, which contain approximately 82 acres.

Staff recommends **APPROVAL** of the request for rezoning the property from A-2, to RR-1 **with proffered conditions.**

BACKGROUND INFORMATION

The subject property is located on the west side of Claiborne Road (Rt. 631), adjacent to Section 1 of Runaround Subdivision, and the north side of White Oak Road (Rt. 613), approximately 2100' from the intersection of Claiborne and White Oak Roads. The tract of land was timbered several years ago and contains a relatively young stand of pines along with a few hardwoods. The subject property can be characterized as gently sloping. It contains a natural waterway which drains underneath Claiborne Road.

The portions of the overall tract which are under consideration are (see Attachment # 3):

- a 22 acre portion along Claiborne Road (Rt. 631) which consists of 2100' of road frontage and is 450' deep; and
- a 60 acre portion along White Oak Road (Rt. 613) consisting of 2900' of road frontage and has a maximum depth of 1000'.

The soils, and their characteristics, found on the subject parcel are:

2B – Appling, sandy loam, 2 to 7 percent slope

- Well suited for building site development
- Well suited to septic tank absorption
- Well suited for local roads and streets

2C – Appling, sandy loam, 7 to 15 percent slope

- Well suited for building site development (only limited by slope)
- Moderately suited for to septic tank absorption (moderate permeability and slope)
- Well suited for local roads and streets (limited by low strength and slope)

12B – Mattaponi, sandy loam, 2 to 6 percent slope

- Moderately suited for building development (limited by wetness and shrink-swell potential)
- Poorly suited to septic tank absorption (wetness and slow permeability)
- Moderately suited to local roads and streets (low strength)

There are Civil War earthworks located adjacent to the acreage in question, but the earthworks are not located on the portions in question.

The Dinwiddie County Comprehensive Plan designates this property for agricultural use. The property is located within the ***Rural Conservation Area***, as designated by the Dinwiddie County Comprehensive Plan. A brief outline of the applicable strategies for this planning area follow:

Rural Conservation Area (approximately 290,000 acres; 90% of the County)

- expected to accommodate 5% to 10% of future residential development;
- all developments within the rural conservation areas are expected to help maintain the long-term viability of the rural characteristics, with a minimum of land use conflicts between residential and agricultural uses;
- development in these areas will be of a very low density and thus very minimal increases in public services will be needed;

- average overall residential density will be one (1) dwelling unit per five (5) acres, with no individual lot less than two (2) acres; and
- prime agricultural land will be identified and preserved.

While the property is within the rural conservation area, it is located adjacent to the ***Community Planning Area*** boundary. The Comprehensive Plan shows this boundary line running along Claiborne Road with the eastern side of the road included in the community planning area. The Community Planning Area is characterized by the following:

- accommodate 25 to 30 percent of the County's future residential development;
- well and septic fields are permitted with reserve field on site; and
- the overall density of residential development should not exceed one (1) unit per acre.

The section of White Oak Road adjacent to the site was improved in 1996 ,and the right-of-way was widened to fifty (50) feet. The Comprehensive Plan designates White Oak Road (Rt. 613) as a *minor collector*. This road classification collects traffic from the region and directs it toward an arterial road, Boydton Plank Road (US Rt. 1).

ANALYSIS

As stated above the property in question is located in a growth area. There are several large lot subdivisions in the area, such as: Dabney Estates, Trench Road and Drive, Gupton Court, and most recently Section 1 & 2 of Runaround Subdivision. There has been considerable roadside development along White Oak Road, Claiborne Road and Butterwood Road. It appears that this request is consistent with development which is occurring in the Sutherland area.

This proposal also is consistent with the characteristics of developments which have previously been approved within the Rural Conservation Area, and it is also consistent with the characteristics of the Community Planning Area

It is further mentioned that the number of uses contained in RR-1 are significantly less than those in A-2.

While the development for the most part is consistent with the development practices that are currently occurring within the rural regions of the County, Staff has some concern with regard to direct driveway access to both Claiborne and White Oak Roads. Measures should be taken to limit such penetration of the public roads, as the number of driveways entering onto the road increase the potential for traffic conflicts (i.e. accidents) also increases. Staff recommends limiting access to private roads and joint driveways.

The applicant has indicated that the proffers that will be submitted are those that were offered during the rezoning for, P-97-11, Smithfield Subdivision (Midway Road). The for that rezoning were:

1. No lot shall be less than three (3) acres with three hundred (300) feet of frontage.
2. No lot shall be used except for the purpose of a single-family residence. Not more than one (1) single-family residence, together with such out-buildings as may be appurtenant to such single-family residence, shall be erected on any lot. The minimum area of any residence built on the property shall be one thousand three hundred (1,300) square feet, exclusive of garages, porches, and any out-buildings. Up to one-third (1/3) of any such residence may be unfinished.
3. No mobile home, manufactured housing, or house trailers, whether or not permanently attached to the property, shall be allowed on any lot. No structure of a temporary character including without limitation any trailer, tent, or shack, shall be allowed on any lot. However, construction of any permitted building shall be permitted for the duration of such construction.

4. No inoperable or unlicensed motor vehicle shall be stored on any lot except within a fully enclosed garage and must comply with applicable county or state regulations.
5. Fences located in the front yard, as defined in the Zoning Ordinance of Dinwiddie County, of any lot shall be constructed only of split rail solid wood boards, or wooden pickets. Walls located in the front yard of any lot shall be constructed of brick or stone. Fences and walls of other materials may be constructed in the side yards or rear yards, of any lot, provided such fences or walls screened from view from any public road adjoining such lot.

RECOMMENDATION

Staff recommends APPROVAL of P-98-5 in changing the district classification of a 82 acre portion of Tax Map Parcel 32-10 & 10A from Agricultural, General A-2 to Residential, Conservation RR-1, with the proffered conditions, provided that the issue of driveway access can be adequately addressed by the applicant.

Mr. Scheid pointed out the proffers that are listed above have been amended slightly and are correctly listed below:

1. No lot shall be less than three (3) acres with three hundred (300) feet of frontage and having an overall lot average of at least five (5) acres.
2. No lot shall be used except for the purpose of a single-family residence. Not more than one (1) single-family residence, together with such out-buildings as may be appurtenant to such single-family residence, shall be erected on any lot. The minimum area of any residence built on the property shall be one thousand three hundred (1,300) square feet, exclusive of garages, porches, and any out-buildings. Up to one-third (1/3) of any such residence may be unfinished.
3. No mobile home, manufactured housing, or house trailers, whether or not permanently attached to the property, shall be allowed on any lot. No structure of a temporary character including without limitation any trailer, tent, or shack, shall be allowed on any lot. However, construction of any permitted building shall be permitted for the duration of such construction.
4. No inoperable or unlicensed motor vehicle shall be stored on any lot except within a fully enclosed garage and must comply with applicable county or state regulations.
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6. Bear Island Timber, L. L. C. proffers as a condition of rezoning that there be no more than five (5) total entrances each on White Oak Road and Claiborne Road for a total of ten (10) entrances.

Again Mr. Scheid stated the Planning Commission made the recommendation on a 4-1 vote with two (2) members not present to vote, to recommend approval to the Board of Supervisors of this rezoning request with the proffers.

Mr. Bracey opened the Public Hearing on P-98-5.

Mrs. Mann stated she had several citizens signed up to speak. The following citizens addressed the Board:

1. Forrest P. Clay, Jr., 18603 White Oak Road, came forward stated he was opposed to this rezoning. He was concerned about what the plans were for the additional acreage in this tract of land. He did not feel rezoning should occur

until the earthworks have been given long term protection. He was concerned about the size of homes that would be coming into the area. He had concerns about the plans of the Park Service. His last concern came from the conflict of interest of persons in the Planning/Zoning Office working on this while pursuing purchase of adjacent property.

2. Mr. Ben Wilson, Jr., 19606 White Oak Road, came forward stating he was against the rezoning of this property. He stated he owned property directly across the road from the proposed rezoning. He stated he planned to have his residence on this property within the next 18/24 months. He felt that the square footage was inadequate and that 2,000 square feet would be more in line with other homes in the area. He based his assumption on Dabney Estates homes. He stated the County is growing and there was a need for affordable housing. He stated he was gracious to Mr. Bain for taking him of a tour to show him some of the homes he had built in other areas of the County. He just felt that 1300 square feet was not equal to what was already in the area.

3. Burton Harman, 17502 White Oak Road, came forward speaking against the rezoning of this property. He felt by building small homes that the area was inviting problems. He was concerned about the roads in this area and the additional traffic this subdivision would bring. He also voiced concern for the watershed. He left the Board with a Chinese Proverb of "Today's generation plants the trees and tomorrow's generation harvests the shade."

4. Anne Scarborough, asked about impact studies and when the County requires one.

Mr. Scheid stated an impact study is done when it is suspected this would have a major impact on the County.

Mr. Bracey invited Mr. Bain to come forward to speak on his rezoning request.

Mr. Bain came forward stating he had been before the Board prior to tonight for other similar rezoning requests. He stated they had done approximately two hundred (200) lots since 1988. Of these over one hundred seventy five (175) of them have had restrictions that are far greater then what the County requires. He stated 1300 square feet may be a bit bigger but it is a whole lot bigger then what the County has required. He stated he could not say this was the best thing since sliced bread but it meets all the criteria set forth in the zoning ordinance and he had further made proffers that they felt would make this subdivision better. He stated the adjacent property is not being included in this rezoning request and every effort is being made to protect the earthworks in the area.

Mr. Patrick Casale 15474 Wilkinson Road came forward stating 1300 square feet is not an extremely big house but it is not a house that is going to sell for peanuts. He asked what the cost of such houses would be.

Mr. Bain replied in the Midway Road area houses in this size range are selling for $110,000; $115,000; and $120,000. He felt even though the house may be smaller it will be a good quality house and he felt that may be more important than size.

Mr. Larry Warstler, 19611 White Oak Road, stated he had moved back to Dinwiddie County two (2) years ago for the quality of life. He stated he had a substantial investment in his home of 2800-2900 square feet. He did not feel that you can get a quality home with just 1300 square feet. He felt this should be referred to as a cracker box. He felt 2000 square feet would be fine for the area.

There being no additional citizens wishing to speak Mr. Bracey closed the Public Hearing.

Mr. Harman asked Mr. Bain about Claiborne Road.

Mr. Bain replied he would like to see it better but it was not in his power.

Mr. Bracey polled the Board for their feelings on this rezoning request.

Mr. Clay stated he had mixed feelings but if Mr. Bain had met all criteria set forth in the County Code then he felt we should support the rezoning.

Mrs. Everett stated she would like to see a 2000 square footage requirement. She also had concerns for the earthworks and the White Oak Battlefield Park. The County needs to protect these properties.

Mr. Moody questioned Mr. Scheid about the use of this land should the Board not approve this rezoning.

Mr. Scheid stated he could have two (2) lots without rezoning.

Mr. Tickle stated he would not support this rezoning. He had concerns about the private road issue. He felt the private road issue was for the small developer and Bear Island Timberlands, in his opinion, was not a small developer. They are using old logging roads as private roads.

Mr. Moody asked that we postpone this rezoning request until the next meeting or next month.

Mr. Bracey asked Mr. Scheid if this proposed rezoning met all the Code requirements.

Mr. Scheid stated this was similar to 8/9 cases in the past 8/9 months. It does meet all Code requirements with additional proffers.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the rezoning case P-98-5 be tabled until August 5, 1998.

IN RE: FIVE MINUTE RECESS

Mr. Bracey called for a five minute recess at 9:16 P.M.

IN RE: PUBLIC HEARING – SA-98-2 – SPECIAL EXCEPTION – PATRICK CASALE

This being the time and place as advertised in the Dinwiddie Monitor on June 17, 1998 and June 24, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of considering a request to rezone a portion of Section 32, Parcel 10A, of the County Tax Maps from Agricultural, General, A-1 to Residential, rural RR-1. Said portion of the parcel requesting rezoning contains 82 acres of land and is generally bounded by White Oak Road and Claiborne Road and is located in the Namozine Magisterial District.

Mr. Scheid moved forward by reading excerpts from minutes from the June 10th meeting of the Planning Commission as follows:

VIRGINIA: MINUTES OF THE REGULAR MEETING OF THE DINWIDDIE COUNTY PLANNING COMMISSION HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING ON THE 10TH DAY OF JUNE, 1998 AT 7:30 P.M.

PRESENT: Daniel Lee, Chairman
C. Floyd Perkinson, Vice Chairman

Gilbert Wood
Harrison Moody
Dean McCray
Edward H. Titmus, III

ABSENT: Lillian Stewart

OTHER: William C. Scheid, Director of Planning
John M. Altman, Jr. Senior Planner
Dutch Bumgardner, County Attorney

IN RE: SA-98-2, PATRICK CASALE, SPECIAL EXCEPTION

Mr. Lee asked Mr. Altman to give the staff report on this case. Mr. Altman stated that the applicant is seeking a special exception to the Subdivision Ordinance, Sections 18-98(a)-(2) and (3). It is their request to reduce the stone base required from 24' to 20' and the width of pavement from 22' to 18'.

Mr. Scheid stated that the County amended the subdivision ordinance within the past few years to require stricter subdivision standards than previously required. One concern addressed was the width and surface requirement for subdivision roads. It appeared that the tar and gravel requirements of VDOT was not withstanding the wear and tear of vehicular and truck traffic. While addressing this issue, the road width requirement of VDOT was not addressing his issue, the road width requirement of VDOT (18' in subdivisions was questioned. The County amended this requirement by increasing the paved width to 22'.

Mr. Altman added that the applicant believes that this requirement is excessive in his case for the following reasons:

1. This road is to function as a cul-de-sac, thus there will be limited vehicular traffic on it;
2. As a cul-de-sac, there will not be through traffic, therefore, there will not be a need to widen the road in the future;
3. The existing State road (Scotts Road) is only 18' in width; and
4. The Comprehensive Land Use Plan indicated Scott Road to remain as a secondary road for the foreseeable future.

It was stated that the applicant is seeking relief as provided by Section 18-10 of the subdivision ordinance.

A copy of Section 18-10 is enclosed for your reference. Specific attention must be given to paragraph (b). There are four (4) conditions which must be met in order that the Planning Commission grant the relief sought. Mr. Altman added that staff has not made a recommendation in this case since the ordinance clearly outlines those matters which must be considered in rendering a decision.

Mr. Lee asked if the Planning Commissioners had any questions for Mr. Altman. Since there were no questions, Mr. Lee asked if the applicant would like to come forward to speak to the request. The applicant, Mr. Patrick Casale, was not present for the meeting. Mr. Lee then opened the public hearing and asked if there were any persons speaking for or against the request. Since there was not, Mr. Lee closed the public hearing and asked for discussion among the Planning Commissioners.

General discussion among the Planning Commissioners was as follows:

1. Opposition was expressed for two specific reasons. One was that emergency vehicles will need the additional width. The other reason was that this road could be extended to the additional property at the rear of this cul-de-sac.
2. It was questioned why the applicant did not show up for the meeting. It was noted that the applicant was personally handed a letter informing him of the meeting date and time.

3. It was questioned why this road had to be 22' wide when the state road requirements are 18' in subdivisions.
4. Planning Commissioners were concerned with the increasing number of exceptions to the Ordinance being requested. They felt as if the ordinance and its requirements were set for specific reasons and granting exceptions for such specifications could set a precedence.

With no other questions or discussion, Mr. Lee asked if the Planning Commission was ready to make a motion on the request.

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

BE IT FURTHER RESOLVED, that upon motion by Mr. Moody, seconded by Mr. Titmus, Mr. McCray, Mr. Perkinson, Mr. Moody, Mr. Wood, Mr. Titmus, Mr. Lee voting "aye", the Planning Commission voted to disapprove SA-98-2, Patrick Casale.

Mr. Bracey opened the Public Hearing portion of this case.

The following addressed the Board:

1. Patrick Casale, 15474 Wilkinson Road, came forward stating this was more than a private road. This will become a State maintained asphalt cul de sac road. This road would be coming off of Scotts Road which is a 18' state road. He asked the Board to please grant his request.

2. Mr. Ronald Gordon, 14331 Courthouse Road, came forward to speak on behalf of Mr. Casale stating he is trying to work with the County to do away with the private road issue. He stated he knew the Board had the authority to grant this special exception for him and hoped they would try to work with him.

Mr. Bracey asked if there were any other citizens wishing to speak on SA-98-2. There being none Mr. Bracey closed the Public Hearing.

There was discussion among the Board regarding State specifications and the criteria required for road building. Mr. Scheid stated County Code exceeded State road requirements. There was concern if they approved this exception would they be setting a precedence.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that SA-98-2 is hereby accepted and approved.

IN RE: PUBLIC HEARING – A-98-5 – BED AND BREAKFAST ESTABLISHMENT WITH CONDITIONAL USE PERMIT

This being the time and place as advertised in the Dinwiddie Monitor on June 17, 1998 and June 24, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for the purpose of amending Section 22-84(17) of the Zoning Ordinance by allowing "Bed and Breakfast Establishments" with a conditional use permit in the Rural Conservation RR District.

Mr. Scheid stated his final hearing was on A-98-5 and read excepts from the Planning Commission minutes from May 13th:

VIRGINIA: MINUTES OF THE REGULAR MEETING OF THE DINWIDDIE COUNTY PLANNING COMMISSION HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING ON THE 13TH DAY OF MAY, 1998 AT 7:30 P.M.

PRESENT: Daniel Lee, Chairman
C. Floyd Perkinson, Vice Chairman
Gilbert Wood
Harrison Moody
Dean McCray
Lillian Stewart
Edward H. Titmus, III

OTHER: William C. Scheid, Director of Planning
John M. Altman, Jr. Senior Planner
Mark K. Flynn, County Attorney

IN RE: A-98-5, Bed and Breakfast establishment with Conditional Use Permit

Mr. Altman stated that the Board of Supervisors, at it's April 1, 1998 meeting, considered and approved a request for amending and reenacting Section 22-71, Chapter 22, Article IV, Division 3, Agricultural, General, District A-2, by adding "Bed and Breakfast Establishments with a conditional use permit. The Board has asked staff to request the same amendment in an RR, Residential, Conservative District. Thus staff is asking the Planning Commission to consider this request to amend Section 22-84(17), of Chapter 22, Article IV, Division 4, Residential, Conservative, District RR, by adding "Bed and Breakfast Establishments with a conditional use permit".

Mr. Moody stated that this change was requested by the Board in order that so many uses are not permitted just by right. He added that the Board felt this use needed to have some conditions attached.

Mr. Lee opened the public hearing and asked for those persons speaking for or against the request to come forward. No one signed up. Mr. Lee closed the public and asked for discussion from the Planning Commissioners. With no discussion, Mr. Lee asked for a motion.

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

BE IT FURTHER RESOLVED, that upon motion by Mr. Moody, seconded by Titmus, Mr. McCray, Mr. Perkinson, Mr. Moody, Mr. Wood, Mrs. Stewart, Mr. Titmus, Mr. Lee, voting "aye", the Planning Commission voted to recommend approval of the request to the Board of Supervisors.

Mr. Bracey opened the Public Hearing portion of A-98-5.

There being no citizens wishing to speak Mr. Bracey closed the Public Hearing.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that Section 22 - 84 (17) of the Zoning Ordinance of Dinwiddie County, Virginia be amended to allow "Bed and Breakfast Establishments" with a conditional use permit in the Rural Conservation RR District. This ordinance shall become effective immediately and in

all other respects, said Zoning Ordinance of Dinwiddie County, Virginia shall remain unchanged, and

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: 1998-99 BUDGET APPROPRIATIONS RESOLUTION

Mrs. Wendy Ralph came forward to present an appropriation resolution for the 1998-99 Budget. The resolution read as follows:

APPROPRIATIONS RESOLUTION

WHEREAS, the final 1998-99 budget has been adopted by the Board of Supervisors; and

WHEREAS, in order for the various departments and agencies to make expenditures within this budget, an appropriation of funds must be authorized by the Board of Supervisors;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the total General Fund budget in the amount of $17,264,977 will be appropriated on a monthly basis as claims are approved; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following funds are appropriated beginning July 1, 1998:

Law Library - $5,000; Fire Programs Fund - $50,550; Virginia Public Assistance Fund - $2,079,655; CSA Fund $617,638; E911 Fund - $47,000; Self Insurance Fund - $383,671; OYCS Fund - $87,651; Meals Tax Fund - $530,000; General Capital Projects Fund - $2,000,000; CDBG Fund - $56,322; Jail Phone Commission - $5,600.00; County Debt Service - $1,799,180; SVRTC Fund - $250,000; Head Start Fund - $160,497; School Cafeteria Fund - $1,139,344; School Capital Projects Fund (Fund 302) - $292,460; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Construction Fund in the amount of $6,605,000 be appropriated on a monthly basis as requisitions are presented; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board budget be appropriated by category as follows, beginning July 1, 1998:

Instruction	$16,772,007
(includes School Textbook fund in the amount of $211,650)	
Administration, Attendance & Health	$ 680,296
Pupil Transportation	$ 1,613,437
Operation & Maintenance	$ 2,580,405
Facilities	$ 122,255
Special Projects (Federal Programs)	$ 882,929
School Debt Service	$ 2,231,828
(includes $530,000 transfer from Meals Tax); and	

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that $6,940 in grant match from the FY 98 budget be reappropriated to the FY 99 budget for the Dinwiddie Airport & Industrial Authority, and $30,000 in returned Health Department fees in the FY 98 budget be reappropriated to the FY 99 budget for building improvements for the Health Department.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the foregoing Appropriations Resolution and Reappropriations be adopted.

IN RE: COUNTY ADMINISTRATION COMMENTS – ADMIT ONE FESIVALS & SPECIAL EVENTS, INC. – SPECIAL ENTERTAINMENT PERMIT APPLICATION

Mr. Long stated he had received an application for a special entertainment permit from Ms. Kendra Perkins, representing Admit One Festivals & Special Events, Inc., requesting permission to hold a carnival, with assistance from the Dinwiddie County Extension Office and the Dinwiddie County Parks and Recreation Department, at the Petersburg Airport between the dates of July 30th and August 2nd, 1998..

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the special entertainment permit application received from Ms. Kendra Perkins, representing Admit One Festivals & Special Events, Inc., requesting permission to hold a carnival, with assistance from the Dinwiddie County Extension Office and the Dinwiddie County Parks and Recreation Department, at the Petersburg Airport between the dates of July 30th and August 2nd, 1998 is hereby approved..

IN RE: COUNTY ADMINISTRATOR COMMENTS – THE NATIONAL TRANSPLANT FUND RAISING ASSISTANCE -- SPECIAL ENTERTAINMENT PERMIT

Mr. Long continued also included in their packet was a special entertainment permit application from Ms. Goldie Hawkins, representing The National Transplant Fund Raising Assistance, for an event to be held on August 8th at McDonalds Restaurant on Boydton Plank Road, which also required Board approval.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the special entertainment permit application received from Ms. Goldie Hawkins, representing The National Transplant Fund Raising Assistance, for an event to be held on August 8th at McDonalds Restaurant on Boydton Plank Road, is hereby approved.

IN RE: COUNTY ADMINISTRATOR COMMENTS – SHERIFF'S OFFICE REQUEST FOR USE OF OLD COURTHOUSE OFFICE SPACE

Mr. Long continued by stating he had included in their packet a request from the Sheriff's Office for the use of one (1) office in the old Courthouse for the purpose of placing the Intozilyzer 5000 in that space. Sheriff Shands stated he would like to specifically request the space previously occupied by the General District Court. This would allow privacy during the administration of breath tests and free up much needed space in the booking room. Presently, if a breath test is being administered, many interruptions are incurred due to the fingerprinting and processing of persons arrested on other criminal matters.

After discussion Mr. Long was instructed to draft a letter to Sheriff Shands stating that at the present time we can not allow the Courthouse to be occupied.

IN RE: CUSTODIANS – AUTHORIZATION TO HIRE

Mr. Long stated interviews had been held on the two (2) custodial positions advertised by the County. The two (2) applicants chosen are Mr. Bryon Walker and Ms.

Lois Ferrell. They would like authorization to hire Mr. Walker at a salary of $10,920.00 effective July 1, 1998 and Ms. Lois Ferrell at a salary of $15,053.00 effective July 8, 1998.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to hire Mr. Byron Walker at a annual salary of $10,920.00 effective July 1, 1998 and Ms. Lois Ferrell at a annual salary of $15,053.00 and the reallocation of funds within the Building and Grounds Department is approved to cover the salaries of these positions.

IN RE: APPOINTMENTS – APPOMATTOX REGIONAL LIBRARY BOARD

Mrs. Mann stated there was one appointment open on the Appomattox Regional Library Board. She continued that Ms. Gloria Harvell had been serving on this Board since 1990 but had completed two (2) complete terms and was not eligible for reappointment. She stated one application had been received from Mr. Kenneth G. Swanson. She asked if the Board wished to take action on this appointment at this time.

After discussion it was decided to hold this appointment until the next regular Board meeting.

IN RE: COUNTY ADMINISTRATIOR COMMENTS – BUILDING AND GROUNDS MAINTENANCE SUPERVISORS TRUCK BIDS

Mr. Long stated included in the packets was a list of bids received by Mr. Donald W. Faison, Building and Grounds Maintenance Supervisor, for a truck. Bids received are as follows:

STATE CONTRACT 9/1/97 THRU 5/1/98

1998 S-10 PICKUP AT/PS/PB/AC WHITE

BASE PRICE (4 CYL. ENGINE)	$12,639.00
ADD V6 ENGINE	1,050.00
ADD DEALER UNDERCOATING	65.00
ADD ANTI-SLIP REAR	176.00
	$13,930.00

DOMINION CHEVROLET STOCK NUMBER 85491

1998 S-10 PICKUP AT/PS/PB/AC WHITE

V6 VOTEC 4300 SFI
4 SPEED AT
AM/FM STEREO ETR W/SES,DIGITAL CLOCK
SLIDING REAR WINDOW
BEDLINER

LIST	$16,602.00	
DISCOUNT PRICE	15,607.00	
LESS REBATE	1,500.00	
	$14,107.00	PLUS TAGS AND TITLE

STROSNIDER CHEVROLET

NO BID S-10 NOT AVAILABLE

HERITAGE CHEVROLET

NO BID S-10 NOT AVAILABLE

TRI-ANGLE DODGE

NO BID DAKOTA NOT AVAILABLE

PETERSBURG MOTOR COMPANY

FORD RANGER	4 SPEED AT/AC/PS/PB	WHITE
	4 SPEED AT	
	AC	
	PS	
	PB	
	AM/FM STEREO WITH CLOCK	
	SALE PRICE	$13,581.00

OWEN FORD, INC.

FORD RANGER	AT/AC	WHITE
	AUTOMATIC O/D	
	AC	
	AM/FM CLOCK	
	3.0L EFI V6 ENGINE	
	SALE PRICE	$13,032.00

STATE CONTRACT 9/18/97 THRU 4/1/98

1998 ½ TON GMC AT/PS/PB/AC

BASE PRICE	$15,126.00
V6 MIN 3.9L	
AT PLUS ANTI-SLIP REAR	

DOMINION CHEVROLET

1998 CHEVROLET ½ TON PICKUP C1500	$15,250.00
A/C	805.00
AT	970.00
PS	
PB	
VORTEC 4300 SFI V6	
HEAVY DUTY SHOCKS	40.00
RALLY WHEEL TRIM	60.00
AM/FM STEREO ETR W/SES CASSETTE	147.00
SLIDING REAR WINDOW	115.00
LIST PRICE	$18,012.00
LESS DISCOUNT	1,162.00
SALE PRICE	$16,850.00

STROSNIDER CHEVROLET

1998 CHEVROLET ½ TON C1500 PICKUP

LIST PRICE	$17,750.00
LESS DISCOUNT	1,296.00
SALE PRICE	$16,454.00

HERITAGE CHEVROLET

NO BID ½ TON NOT AVAILABLE

TRI-ANGLE DODGE

NO BID ½ TON NOT AVAILABLE

PETERSBURG MOTOR COMPANY

FORD F150	AT/AC/PS/PB	WHITE
	4.2L V6 ENGINE	
	4 SPEED AT	
	AC/PS/PB	
	AM/FM STEREO/CLOCK	
	SALE PRICE	$15,929.00

OWEN FORD, INC.

FORD F150 AT/AC WHITE

4.2L EFI V6 ENGINE
AC
AM/FM STEREO WITH CLOCK
AUTOMATIC O/D

SALE PRICE $15,654.00

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Administration to order a Ford Ranger from Owen Ford, Inc. for $13,032.00, which is low bid, for use by the Building and Grounds Maintenance Supervisor.

IN RE: COUNTY ADMINISTRATOR COMMENTS – COMMISSIONER OF THE REVENUE – CAPITAL OUTLAY BIDS

Mr. Long continued that in their packet the Board had a memorandum from Mrs. Deborah M. Marston, Commissioner of the Revenue, requesting approval to order under capital outlay six (6) chairs; four (4) calculators; one (1) paper shredder; and three (3) PC's. Mrs. Marston provided the following listing of bids for the above:

CHAIRS

MORTON MARKS & SONS	$1,314.00
SUPPLY ROOM COMPANIES	$1,284.00
HARRIS OFFICE	NO BID – DID NOT RESPOND
CHASEN'S BUSINESS	$1,038.26

CALCULATORS

S&K OFFICE PRODUCTS	NO BID – CANNOT SUPPLY
RALEIGH TYPEWRITER EXCHANGE	NO BID --DID NOT RESPOND
MONROE SYSTEMS	$ 236.00
NAKAJIMA INTERNATIONAL	$ 207.80

SHREDDER

INDUSTRIAL PAPER SHREDDERS	$1,886.00
ALLEGHENY PAPER SHREDDERS	$2,715.00
MEM CORPORATION	$2,029.42
ERI SHRED CORP	$2,270.00

PC'S

GATEWAY	DID NOT BID – COULD NOT MEET PRICE/SPECS
CYBMAX	$5,502.00

PENINSULA	$2,052.00 SHIP EXTRA, ETC. printer 822+69=2,673.00 TOTAL = 4,725.00+
IMPULSA	$6,390.15+
IBM	DID NOT BID – COULDNOT MEET PRICE/SPECS

Mrs. Marston recommended that she be allowed to order from the low bidder in all areas except for PC's and she recommended Cybmax since they are in her eyes the lowest bidder and Tony Bright of BAI recommended she use this firm.

Mr. Long requested Mrs. Marston to come forward to address each item and the quantity needed. She spoke from her seat stating it was on the bid sheets. Mr. Long asked Mrs. Marston if she had an overall total of the items requested. She did not have that figure. The total came to $8,634.06. There was discussion regarding funds available to purchase this equipment. Mrs. Ralph explained the Compensation Board only funded one third (1/3) of capital items. Mrs. Ralph stated if the total comes up to more than $7,400.00 then Mrs. Marston does not have enough in the present budget unless other items are used. Mrs. Marston was upset over funding for the shredder coming from her budget exclusively. This item was for use by the entire Administration Building staff. Because of this disagreement the shredder was removed from the request making the total $6,748.06. Mr. Bracey stated let the County buy the shredder because he could see trouble. Mrs. Ralph explained the Compensation Board would be paying $500.00 of the cost of the shredder. Mr. Bracey stated they would vote and let Administration iron out the problems.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to order the following items through the Commissioner of the Revenue's Office, with one third (1/3) being funded by the Compensation Board:

6 Chairs	Chasen's Business	$1,038.26
4 Calculators	Nakajima International	$ 207.80
1 Shredder	Industrial Paper Shredders	$1,886.00 - $500.00 from Compensation Board
3 PC's	Cybmax	$5,502.00
	TOTAL	$8,634.06

IN RE: COUNTY ADMINISTRATOR COMMENTS – DOMINION FIREWORKS, INC -- FIREWORKS DISPLAY – VIRGINIA MOTORSPORTS PARK JULY 3RD AND AUGUST 19, 1998

Mr. Long stated Mr. David Jolly had received an application for two (2) firework displays at Virginia Motorsports Park, one for July 3rd and the other on August 19th, 1998.

Mr. Jolly came forward to address any questions the Board might have. He stated the applicant's had all the insurance necessary and met all the criteria.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Special Entertainment Permit Application from Virginia Motorsports Park to hold two (2) firework displays, one on July 3rd and one on August 19, 1998 is hereby approved.

IN RE: COUNTY ADMINISTRATOR COMMENTS – WORKSHOP WITH PLANNING COMMISSION

Mr. Long stated the next item was strictly informational. Next Wednesday, July 8th, there will be a joint workshop meeting with the Planning Commission.

IN RE: COUNTY ADMINISTRATOR COMMENTS – PUBLIC HEARING RESOLUTION – FRIENDLY CONDEMNATION

Mr. Long stated his next item was a Resolution that he needed the Board to adopt on the property associated with the Industrial Access Road. He asked Mr. Emerson if he needed to read the Resolution for record.

Mr. Ben Emerson stated it could be summarized.

Mr. Long continued this Resolution was for the Miles property associated with the Industrial Access Road. A description of the property was attached to the Resolution which will be a public document. This matter has been discussed previously with the contacts that our agents could get in touch with on the property for a purchase price of $20,800.00.

Mr. Emerson stated we did need to have a Public Hearing. Mr. Emerson stated he would like to add what this Resolution was doing was authorizing a condemnation of the property or the start of a condemnation of the property. This is needed in order that the contractor can get on to the property to begin construction of the Industrial Access Road. The property owner that is local to Dinwiddie is in agreement with the County doing this because he needs more time to contact his relatives that are scattered around the country in order to discuss the purchase price. It is not contemplated that we will finish acquiring the property by condemnation although that is always possible.

Mr. Bracey opened the Public Hearing by asking if there were any citizens present wishing to speak for or against. There being none Mr. Bracey closed the Public Hearing.

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

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

RESOLUTION

WHEREAS, the Board of Supervisors **(the "Board")** of Dinwiddie County, Virginia **(the "County")** has determined that it is in the best interests of the County to build an industrial access road between U.S. Route 1 and State Route 672 as more particularly described in the Project Manual dated May 8, 1998, prepared for the County by Timmons **(the "Road")**; and

WHEREAS, a portion of the Road passes over the property described on Schedule A attached hereto and a part hereof **(the "Property")** and owned by the heirs at law of the estate of Willie Winston Miles, Sr. **(the "Heirs")**; and

WHEREAS, the County desires to acquire title to the Property for the purpose of constructing the Road thereon; and

WHEREAS, the County and the Heirs have been unable to reach an agreement as to the compensation to be paid to the Heirs for title to the Property; and

WHEREAS, the Board has determined that it is in the best interests of the County to begin construction of the Road as soon as possible;

NOW, THEREFORE, BE IT RESOLVED, that:

1. THE Board hereby adopts as findings the recitals set forth above and approves the acquisition of title to the Property by condemnation and the exercise of its power of eminent domain;

2. the use to which the Property shall be put by the County is the construction of the Road, which Road is necessary for safe vehicular access to property proposed for use as a steel recycling facility;

3. the compensation and damages to be paid to the Heirs in consideration of the taking of the Property by condemnation is $20,800.00;

4. the Chairman and Vice-Chairman of the Board, the County Administrator and the County Attorney are authorized and directed to prepare, execute and file with the appropriate authorities a Certificate setting forth the County's intent to take title to the Property in accordance with the provisions of Sections 33-119 through 132 and 15.2 - 1900, et seq. of the Code of Virginia, 1950, as amended, and to prepare, execute and deliver on behalf of the County all other certificates and agreements, and to take all other actions necessary and desirable, to acquire title to the Property and to pay the consideration therefor to the Heirs in the amount of $20,800.00.

SCHEDULE A

Being shown on Sheet 7 of the plans for Route 775, State Highway Project 0775-026-246, C-501 and lying on both sides of the proposed access road (Route 775) construction centerline from the lands now or formerly belonging to Francis M. Fenderson and Eleler M. Fenderson at approximately Station 112 + 63 to the lands now or formerly belonging to Raymond S. Mayes at approximately Station 114 + 40. Thence lying on the north side of the proposed centerline from the lands of the landowner at approximately Station 114 + 40 to the center of present Route 672 (Church Road) opposite approximately Station 114 + 85, and containing 1.233 acres, (0.499 hectare), more or less land, of which 0.011 acre, (0.004 hectare) is included in the existing right of way, and 1.222 acre (0.495 hectare), more or less, is additional land; together with all improvements thereto and the permanent right and easement to use the additional area shown as being required for the proper construction and maintenance of a drainage facility left of approximately station 112 + 75 and containing 0.001 acre, (0.0003 hectare), more or less, together with the temporary right and easement to use the additional area shown as being required for the proper construction of cut and or fill slopes and drainage purposes, and containing 0.015 acre (0.006 hectare), more or less. Said temporary easement will terminate at such time as the construction of the aforesaid project is completed, and being a part of the same land acquired by Willie Winston Miles (Sr.) from Lawrence E. Blake, Special Commissioner, by Deed of Partition dated June 22, 1983 and recorded in Deed Book 222, page 29, in the office of the Clerk of the Circuit Court of said County. The said Willie Winston Miles, (Sr.), died intestate on April 21, 1984, thus vesting title in James B. Miles, Abraham J. Miles, Willie W. Miles, Jr., Xavier V. Miles, Victor M. Miles, Hal B. Miles, Ira Miles, Van Miles, and Derrick W. Hinnant, his sons, Ronnie Montez Miles, his grandson, and Ava Hinnant and Rose Marie Hinnant, his daughters, his sole heirs at law. The said Ronnie Montez being the son and sole heir at law of Gonanzo R. Miles (son of Willie Winston Miles, Sr.) who died intestate on November 10, 1980.

IN RE: COUNTY ADMINISTRATOR COMMENTS – MIDWAY PROPERTY OPTION

Mr. Long continued with his next item which was the option on the property behind the Midway School. This item has been discussed by the Board prior to tonight. He brought forth the question of the purchase of that property, the option with the intent to purchase, keeping in mind that the School Board has offered that if funds are available at the end of the year, that are typically included for school buses and there is an overage amount there they would like to put those funds toward the purchase of this property.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to purchase the sixteen (16) acres adjacent to Midway School at a price of $61,210.00 in support of the School Board with funds being included from the School Board budget, in the event they have excess funds available at the end of the year.

IN RE: COUNTY ADMINISTRATOR COMMENTS – PUBLIC OPEN HOUSE NEW COURTHOUSE COMPLEX

Mr. Long stated he had been informed that the public open house for the new Courthouse complex has been scheduled for Friday, July 17th from 2 to 4 P.M. He asked the press place an article in their papers regarding this matter. He wanted to take every avenue to insure the citizens of Dinwiddie County were notified of this event. This open house is being set up through the staff in the new Courthouse Building.

IN RE: COUNTY ADMINISTRATOR COMMENTS – REFUND OF OVERPAYMENT OF TAXES – TARMAC MID-ATLANTIC

Mr. Long stated his final item was concerning the refund of the overpayment of taxes. He asked the County Attorney to read his initial statement regarding this matter.

Mr. Ben Emerson stated he would like to explain what they were asking. Tarmac Mid-Atlantic having filed a petition in the Dinwiddie Circuit Court in December 1997 claiming a refund for the overpayment of it's machinery and tools tax for the years 1994 through 1997. The case has proceeded through the discovery stage and the County Attorney's Office believes that Tarmac is entitled to a refund for these years. Tarmac and the County Attorney have negotiated a settlement of the litigation at this time in the amount of $368,180.00. The County Attorney recommends that the Board approve settlement in that amount and authorize the County Attorney to endorse an order, a Court order to that effect.

Mr. Bracey stated they had heard the County Attorney concerning the refund for Tarmac.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that settlement in the Tarmac Mid-Atlantic tax litigation in which Tarmac has claimed a refund due to the overpayment of machinery and tools tax for the years 1994 through 1997 in the aggregate amount of $368,180.00 is hereby approved and authorization is granted to the County Attorney to endorse a Court Order to that effect.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody - no comment

Mr. Tickle - He stated he had only one comment. He asked for the Boards support for Mr. Long and himself to attend the Virginia Association of Counties Conference at the Homestead November 8th through the 10th.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator and Mr. Tickle to attend the VACO Conference at the Homestead November 8th through 10th, 1998.

Mr. Tickle thanked the Board for their support in allowing them to attend.

Mrs. Everett - She wanted to remind the Board that they are having a hearing on the TransAmerica Corridor Study at Rohoic Elementary School July 14th from 4 P.M. to 7 P.M. She felt it was important that we support this study.

She continued that last week there were two (2) happenings in West Petersburg. Virginia Power gave a Grant in the amount of $500.00 to the West Petersburg Vicinity Awareness to further their studies or efforts. Then the Department of Housing and Community Development recognized WPVA as accomplishing so much for the State and came down and gave them special awards. They did plant a Bradford Pear tree. Several representatives from the County attended.

She stated she will be going to the Virginia Association of Planning District Commissions convention in Virginia Beach on July 16th through 18th, 1998. The cost will be picked up by Crater Planning District Commission.

Mr. Clay – He stated his only objection he had to these conferences, all the county conferences are held at the Homestead, and he felt they are entirely too expensive. He has felt that all along and there have got to be some more places in Richmond or somewhere that they can hold it that is less expensive.

Mr. Tickle stated this includes all your food.

Mr. Clay stated it is still too darn much if it includes free meals.

Mr. Tickle stated that is probably true.

Mr. Clay stated we have been talking about taxpayers money, that what you are doing with this. That is taxpayers money you are spending at $150.00 per night.

Mr. Bracey: He stated he had a couple of things. First Mrs. Everett is now the Chairman at the Crater Planning District Commission. He stated he wanted the public to know that she was now Chairman. Also he stated he was looking through his copy of the State Legislation Affecting Counties '98 and he saw Dinwiddie taxation admission's tax. He stated he was happy to see Dinwiddie ahead of other counties.

RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 10:37 P.M. to be continued at 7:30 P.M. Wednesday, July 8, 1998 for a joint meeting with the Planning Commission.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE COUNTY, VIRGINIA, ON THE 8TH DAY OF JULY 1998, AT 7:30 P.M.

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

IN RE: CALL TO ORDER

Chairman Edward A. Bracey, Jr. called the meeting to order at 7:30 P.M.

IN RE: WORKSHOP WITH PLANNING COMMISSION – PRESENTATION BY RESIDENTIAL GROWTH STRATEGIES COMMITTEE

Mr. Mark Moore gave the following presentation:

GENTLEMEN:

At your November meeting, you appointed this committee to look at Residential Growth in Dinwiddie County. We have developed strategies for you to consider in planning, **so that the growth we incur *today* does not create undue burdens on the County *tomorrow*.**

As we listened to your staff representatives and heard concerns from our committee members, we began to see that we face a variety of complex issues and that many of the problems we face today have been on going issues for a number of years. You are to be commended for seeing the need to make some changes and we sincerely hope that our recommendations will be useful to you.

We asked to meet with you and give our preliminary report in executive session, because some of these may require zoning changes. We know that some will have political implications, but we feel strongly that **the time to act is now!**

As we present to you our recommendations, we would like to share with you some of the factors we looked at before making our recommendations----

The following recommendations have the full support of our committee:

1. We applaud you for budgeting an additional position for a code compliance officer and we encourage you to keep this position in the budget, as many of the concerns we heard resulted not so much from the lack of sufficient ordinances, but from the lack of personnel to monitor compliance. We also encourage you to add the assessors position which has been budgeted (he said this, but it has not been budgeted) as this may help with the additional funding needed.

2. Eliminate Private Road Subdivisions----

   a. These present a real safety concern as emergency vehicles cannot safely reach the dwellings and sufficient turn around area is not available.
   b. Erosion and road maintenance is a major problem
   c. Causes very inefficient use of County land
   d. Costly to the County, because eventually the residents may seek to get assistance in paving or maintenance of roads.

e. Generally creates a poor quality subdivision
f. Very limited control by the County planning department

3. Require all residential structures to have a solid masonry foundation
   a. Safer design
   b. Reduces the chance of poor quality and temporary housing
   c. Provides for a better appearance

4. Require a set back for wells, drain fields, accessory structures, as well as the home site on all collector and arterial roads.
   a. We have many roads presently which will be very costly to widen. It is most important that we address this problem so that it does not continue.
   b. Improves the appearance of the properties.

5. Limit strip develop, commonly referred to as "curb and cut".
   a. Safety is of primary concern. When driveways enter the highway at each 100 feet, not only do you have the traffic concerns of the residents, but also of delivery vehicles such as U. S. Mail, newspapers, school buses, etc.
   b. Creates more highway maintenance due to the deterioration of the shoulder of the roadway.

6. When property is not subdivided, lots which front on a state maintained road will have a minimum frontage of 500 feet.
   a. Allows families to pass on a roadside lot to another family member without fostering strip developments.
   b. Encourages higher quality structures to build along the road frontage when permitted.

7. Require a single plat for every residence.
   a. Allows better monitoring for planning department
   b. Facilitates better assessment and taxation

8. Require a single well and septic system for every residence which is not on public water and sewer.
   a. Provides better sanitation
   b. Gives the landowner a more marketable property

9. Require that the storm water management system on all new subdivisions be bonded for a minimum of one year.

We also identified the following concepts as desirable but requiring more study than was possible within the time constraints given to this committee. We suggest that these be studied by either this committee or another committee of your choosing:

1. Cluster development and other alternatives which maintain the zoned density, but allow for more open space and better utilization of land. In many instances, this may be more desirable to the County than large lot subdivisions which are being built in our more rural areas of the County.

2. Require all subdivisions to be developed with either a single entry for small subdivisions or limited entries for larger subdivisions. This provides a much safer traffic pattern, enhances the value of County land, and helps protect the environment.

3. Establish service districts to provide funding for repair work on the storm water management systems in established subdivisions.

It is our recommendation that these be studied in a timely fashion and that implementation be given serious consideration.

The Chairman opened the meeting for discussion from the Board Members and the Committee Members.

The group decided the two (2) main issues to be:

1. Private roads
2. Strip residential development

The Chairman instructed the Planning Staff to work with the County Attorney to draft ordinances to deal with these issues for presentation to the Planning Committee and Board before the winter of 1998.

RE: ADMINISTRATION BUILDING ADDITION – CHANGE ORDER NUMBER ONE (1)

Mr. R. Martin Long, County Administrator, stated he needed to request a change order on the enclosure work being done on the Administration Building.

Change Order Number One (1) will consist of the following two (2) changes to the original contract:

CHANGE NUMBER ONE

1 - Demolition of (4) four additional squares of sidewalk (approximately 90 square feet).

2 - Installation of new 2X4 pressure treated wood borders.

3 - Demolition of approximately 10 square feet additional brick border.

4 - Leveling of setting bed to eliminate roll.

5 - Re-installation of existing brick pavers.

6 - Pouring of new sidewalk squares with checker board broom finish.

Change Order Number One (1) - Item Number One (1) additional work involving demolition and replacement of additional Entry Sidewalk is **EIGHT HUNDRED DOLLARS AND 00/100 ($800.00)**.

CHANGE NUMBER TWO

1 - To change roof top units from single phase to three (3) phase power.

Change Order Number One (1) - Item Number Two (2) change in roof top units is **TWO HUNDRED FIFTY DOLLARS AND 00/100 ($250.00).**

TOTAL COST OF CHANGE ORDER NUMBER ONE:
ONE THOUSAND FIFTY DOLLARS AND 00/100 ($1,050.00).

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Change Order Number One (1) as stated above is hereby approved.

RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mr. Moody, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 8:50 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

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 15TH DAY OF JULY, 1998, AT 2:00 P.M.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	LEENORA V. EVERETT, VICE-CHAIRMAN	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	HARRISON A. MOODY	ELECTION DISTRICT #1
OTHER:	DANIEL M. SIEGEL	COUNTY ATTORNEY

Mr. Moody arrived at 3:34 P.M.

ABSENT:	AUBREY S. CLAY	ELECTION DISTRICT #5

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

Mr. Edward A. Bracey, Jr., Chairman of the Board, called the regular meeting to order at 2:08 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda. There being none Mr. Bracey moved forward.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the July 1, 1998 Continuation Meeting and the July 1, 1998 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Tickle, seconded by Mrs. Everett, Mr. Tickle, Mrs. Everett, 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 11011279 - 1011414 (void check(s) numbered 1011279 and 1010700); for Accounts Payable FY 97 - FY 98 in the amount of $184,314.63: General Fund $160,544.77; E911 Fund $368.00; Law Library $434.86; Fire Programs & EMS $1,610.00; CDBG Grant Fund $6,568.00; Capital Projects $14,789.00; and Accounts Payable for FY 98 - FY 99 in the amount of $346,756.19: General Fund $70,505.44; Forfeited Asset Sharing $6,027.00; and County Debt Service $270,223.75. There was a supplemental claim approved and funds appropriated for Accounts Payable in the amount of $13,290.00: IPR Grant $13,290.00.

IN RE: CLAIM – SHERIFF'S OFFICE – AIRPLANE SEIZURE AND STORAGE FEES

Mrs. Wendy Weber Ralph, Assistant County Administrator, explained there was a claim in the packet from the Sheriff's Office written in the amount of $6,027.00 with an explanation. This money will come from the Forfeited Asset Fund. That is the fund where when there are seizures made and property is involved, in this case it was a drug seizure, then the property can be sold and the funds go into the Forfeited Asset Sharing

Account for use by the Sheriff's Department. This seizure involves an airplane and also a Thunderbird, a car. On the airplane, as explained to her, there has been a rental fee for the hanger where the airplane has been stored. The $6027.00 is to pay for that rental, for the hanger for storage, so the assets could be released and passed to the County.

Mr. R. Martin Long, County Administrator, stated those funds, once the plane is sold, will be used to reimburse this expenditure for the storage. That money will be coming back to the County. We have to cover the storage and then the plane will be sold off and the funds will cover the storage costs.

Mr. Bracey asked why we were covering storage on our Airport. Mr. Bracey continued by stating to Sheriff Shands this is the first time, he had been on the Board about twelve (12) years, this is the first time he had ever seen this. He stated he assumed that the Sheriff's Department had seized property before or was this such a large thing and is why the Board got this type of report.

Sheriff Shands stated what happened was the Federal people got into it first and they were handling it. Then they turned it back over to the County along with the bill for storage.

Mr. Bracey stated then the Airport Authority charged you storage?

Sheriff Shands stated the plane was stored in Fairfax, Virginia.

Mr. Bracey asked when the airplane and car would be put up for public auction.

Sheriff Shands stated they must keep the car at least one (1) year. He stated he did not know about the plane.

Mr. Tickle questioned a 1997 airplane would only be valued at $10,000.00 to $20,000.00.

There was discussion involving the cost of an airplane and the method of appraising and selling this airplane.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted and funds appropriated from the Forfeited Asset Fund to pay E. G. & G. Dynatrend Services the storage on the 1997 Maule Airplane in the amount of $6,027.00.

IN RE: SHERIFF'S DEPARTMENT – APPRAISAL OF AIRPLANE PRIOR TO SALE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that before sale of the 1997 Maule Airplane it be properly appraised and the results of said appraisal be presented to the Board.

IN RE: APPROVAL OF REQUISITION #23 - COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated the following invoices are included in Requisition 23:

TOTAL OFFICE SOLUTIONS, INC.	$18,000.00
TOTAL OFFICE SOLUTIONS, INC.	406.77

TOTAL OFFICE SOLUTIONS, INC.	680.00
CSI	1,290.00
JMJ CORPORATION	970.00
HENING VEST COVEY	13,319.69
HENING VEST COVEY	2,838.31
TOTAL REQUISITION NUMBER 23	$37,504.77

There was discussion regarding the fees charged by Hening Vest Covey for looking at the punch list. Mr. Tickle requested to discuss this matter further after the meeting.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 23 in the amount of $37,504.77 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #33 – SCHOOL CONSTRUCTION

Mrs. Ralph stated Requisition #33 for the School Construction consists of payment to the following:

KBS, INC.	$611,040.82
FROEHLING & ROBERTSON, INC.	454.50
JMJ CORPORATION	2,437.88
ACTON MOBIL INDUSTRIES	1,040.00
TOTAL OF REQUISITION NUMBER 33	$614,973.20

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 33 in the amount of $614,973.20 be approved and funds appropriated for CIP expenses for the School Project Fund.

IN RE: APPROVAL OF REQUISITION #34 – SCHOOL CONSTRUCTION

Mrs. Ralph stated Requisition #34 for the School Construction consists of payments to the following:

CRESTAR BANK	$139,191.54
TOTAL OF REQUISITION NUMBER 33	$139,191.54

Mrs. Ralph explained that this payment is for capitalized interest on the 1997A bond issue. The total interest payment is $162,176.25 and the balance will come from the School's Debt Service Fund. The School Administration feel they will have sufficient funds to cover the balance due.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 34 in the amount of $139,191.54 be approved and funds appropriated for CIP expenses for the School Project Fund.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens who had signed up to speak. There being none Mr. Bracey moved forward.

IN RE: DEPARTMENT OF TRANSPORTATION – PUBLIC HEARING – PROPOSED CHANGE IN SIX YEAR PLAN FOR WALKER'S MILL ROAD

Mr. Ronald Reekes, Resident Engineer, Virginia Department of Transportation, stated before the Public Hearing listed on the agenda he wanted to update the Board on what VDOT was doing concerning the Walker's Mill Road. He continued his Department had tried very diligently to obtain industrial access funds to improve this roadway and have been turned down on at least two (2) occasions. He stated in thinking about this over the weekend, he concluded the gentleman who makes the decision whether it should be used for industrial access funds or not needed to see the proposed project first hand. He stated he had invited him down on Friday, July 17th, to ride with him to review the site. He stated he had a tour set up and he had asked Mr. Long to come along with them. Hopefully, we can obtain industrial access funds. He again stated they are still working on pursuing other avenues to have this project funded. We do have to hold a Public Hearing to amend the six year plan to have Route 665 - Walkers Mill Road to have it included in the six year plan in order that they may proceed forward in repairing this roadway.

Mr. Bracey stated he would like to open the Public Hearing for the proposed change in the Six Year Plan to amend it to include Route 665 - Walkers Mill Road.

There were no citizens signed up to speak. Mr. Bracey asked if there were any citizens in attendance wishing to speak.

There was one citizen who wished to be heard:

1. James E. Tatum - He wished to know what roads were currently included in the six year plan.

Mr. Bracey asked Mr. Reekes to address that question.

Mr. Reekes asked Mr. Tatum what road he was speaking of.

Mr. Tatum replied the roads in the six year plan, we do not know what roads are currently in the six year plan.

Mr. Reekes stated they were trying to amend the six year plan to include one additional roadway. That was the purpose of this Public Hearing. We wish to add Route 665 - Walkers Mill Road, McKenney. The rest of the six year plan does not change. The priorities do not change, simply we have to add this one project into the plan.

Mr. Bracey stated he felt to be fair to the citizens Mr. Reekes needed to state why this road is proposed to be added to the Six Year Plan.

Mr. Reekes stated this road is being added because the RGC Mineral Plant in McKenney is running trucks to Sussex County for further processing and this traffic has really deteriorated the road to such a point VDOT is not able to maintain it any longer. It is now, or better stated it was a hard surface road, and now it is over fifty percent (50%) gravel. Since we do not have the maintenance funds to cover repairing it we have to use construction funds to improve the road in order to meet RGC Mineral Plant's needs. There have been suggestions that we restrict the roadway; this is simply going to transfer the problem to another road. That would mean we have to fix two (2) roads. We want to keep the traffic where it is but we must repair the road where it can be traveled over and the general public can travel over it with out experiencing what is being experienced today.

Mr. Bracey asked Mr. Tatum if he understood Mr. Reekes answer.

Mr. Tatum stated he did.

There being no further citizens wishing to speak Mr. Bracey closed the Public Hearing on the proposed change in the Six Year Plan.

Mr. Tickle asked what time on Friday the activity was to take place.

Mr. Reekes stated eight o'clock (8:00 A.M.) at the residency. He stated to Mr. Tickle he was welcome to come along if he so liked.

Mr. Tickle stated his suggestion was, since they have a chairman, if he is available that he also attend.

Mr. Bracey asked when.

Mr. Reekes stated the time and place again and continued by stating this is the man who can say yes or no to the industrial access funds.

Mr. Tickle stated this was his recommendation: the Chairman attend to stress the Board of Supervisors point. He stated he knew the County Administrator will be voicing it but as a political entity he felt the Chairman should also be there. He stated he did not wish to use the term strong arm but make a very strong verbal comment that we don't feel it is justified for us using our money to pay for something another county is getting the tax advantages from. Using $400,000.00 of our road money, out of 1.8 million dollars, which is roughly 28% of our money for roads, is just not justified in this case.

Mr. Reekes stated Mr. Tickle made a good point.

Mr. Bracey stated he could not attend and asked Mr. Tickle to attend in his place and to please do his homework before he attended.

Mr. Bracey stated he had no problem but wished Mr. Reekes, or someone else, could guarantee that our money for roads is going to be put back for our roads. We have so many roads in Dinwiddie that need work; we have a six year plan; now what we are going to do is take a barrel of money to do a road for an industry that has more money than this County ever dreamed of having and take from our citizens their road funds. If someone could guarantee him that next year something wouldn't happen or the County would get their money back.

Mr. Reekes stated he was trying, that was all he could say was that he was trying. There is no guarantee we will get industrial access funds.

Mr. Bracey stated he did not care what type of funds they were. He asked Mr. Reekes if he thought it will be feasible to call the Governor's Office.

Mr. Reekes stated he wanted to pursue this avenue on Friday before pursuing other avenues. He stated he had been talking to the County Administrator for the past week and a half concerning this. We do want to pursue this avenue and we thought the best thing to do was to bring the horse to the water, to let him see for himself.

Mr. Bracey stated if the horse doesn't drink---

Mr. Reekes stated if we do not meet the criteria ---

Mr. Bracey stated if the horse don't drink then he thought we need to go to the highest official, the head of this State, the Governor.

Mr. Reekes stated then we bring another horse.

Mr. Bracey stated we want to see who does the drinking so we know who we are casting our votes for on election day.

Mrs. Everett stated she thought we all knew we have to have that road repaired. It is in deplorable state and a lot of cars are being damaged. There have been wrecks on this road because of the condition. We need to take every step possible to try to get some funding to help with the cost.

Mr. Bracey stated not some funds to help but some funds other than Dinwiddie County funds.

Mrs. Everett stated that was what we have to do but in the meantime we need to have this roadway put into the Six Year Plan so he can remedy the situation. She stated she moved that it be included in the Six Year Plan.

Mr. Bracey asked as top priority.

Mr. Reekes stated yes sir.

Mr. Bracey stated everything else goes back.

Mr. Reekes stated no sir, well---

Mr. Bracey stated Mrs. Everett your road is going back.

Mrs. Everett stated no it is not!

Mr. Bracey called for roll call.

Mrs. Everett stated her road had been advertised in August.

Mr. Long injected the following stating he had attempted to contact Mr. Russell St. J. Clark, and he is out of the office until this date.

Mr. Reekes stated he had contacted Mr. Paul Lamperson and set it up with him. Mr. Russell St. J. Clark will be there on Friday.

Mrs. Everett asked if he had said Wheaton Road would be advertised.

Mr. Reekes stated yes.

Mr. Bracey stated as long as she gets Wheaton Road everything is all right. He asked for a roll call.

Mrs. Pamla A. Mann, Administrative Secretary, stated she needed a second to Mrs. Everett's motion.

Mr. Tickle stated he would second the motion but wished to inquire as to whether the appropriate documentation had been written by the County Administration and sent to the proper authorities within VDOT as the Board had requested at the previous meeting.

Mr. Long stated on this incident he was not sure about correspondence but he did know that he has been involved with this issue for a couple of months. It came up first about two (2) months ago through Mr. Clay.

Mr. Reekes stated at that time they tried to secure industrial access funds. He stated he had documentation he would be glad share with the Board.

Mr. Tickle stated he thought the last time the Board met the recommendation from the Board was the County Administration would document this and send it to the either

the Commissioner or the person that directly has input to make that decision. He continued if he was wrong he stood corrected. He stated he thought someone from the County was supposed to document that and he had not seen any documentation on that issue at all.

Mr. Long stated he did not think Mr. Tickle was wrong at all. He thought that was how it came up. Mr. Reekes contacted him because he was not available at the last meeting and asked him if he agreed we take this step before doing that because Mr. Reekes thought it was in the best interest in working with the Department and so he agreed to that. Mr. Long explained further by stating that is why it has not been done because Mr. Reekes had asked him about this intermediate step in between start and finish to bring Mr. Gibbons in.

Mr. Tickle stated he would like to address Mr. Bracey's comment. When the Board asks for something to happen, he expected it to happen. He felt the County should use what little bit of political influence the Chairman and the County had with VDOT and on up the ladder. It seems nice but Mr. Long should have let the Board know plans were being changed and it was not being documented. He stated he assumed the Board's recommendation had been carried out and then finds out Mr. Reekes and Mr. Long were changing plans and doing it their way. He stated he thought we had a two prong attack and it appears now we have made this change by just trying to get individuals to approve it at a lower position rather than using our influence and doing it two prong.

Mr. Long stated he concurred with Mr. Reekes to do what he thought was best within the hierarchy of VDOT to establish the end that we are trying to achieve.

Mr. Reekes stated he would like to try this way first. He thought it was much more tactful; trying not to strong arm any body and just try to show them it meets the criteria that is spelled out.

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

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

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has recommended pavement strengthening for Route 665, Walker's Mill Road; and

WHEREAS, the Board of Supervisors agrees with the recommendation to restore this road to its original condition;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Dinwiddie this 15th day of July, 1998, that it hereby approves amending the 1998 Six-Year Construction Improvement Plan and the 1998-1999 fiscal budget for secondary roads improvement to include Budget Item 0665-5002 for the purposes of pavement strengthening of Route 665, Walker's Mill Road.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION – REPORT

Mr. Reekes stated he had one other comment. Boydton Plank Road at the R. T. Elder plant was fixed last night.

Mr. Bracey stated he wanted to ask Mr. Reekes a question about that road. Are we going to allow that road to become a Walkers Mill Road. He stated he could see it coming.

Mr. Reekes stated he could not disagree. He stated he did not know any other way to get the trucks in there. It is the best alternative of all the other secondary roads. The industry itself fixed the entrance and they have been very good to work with.

Anytime he has called them they have gone out patched, fixed entrances, and have taken care of what ever the problem might be.

There was additional discussion about the trucks and the areas they were traveling. The industrial access road will be in place soon and this will remedy the situation.

Mrs. Everett asked about the interstate mowing policy.

Mr. Reekes stated they mow as much and often as they can. Part of the problem is the equipment that mows around the guardrail breaks down on a regular basis.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mr. Bracey stated Mrs. Marston had informed him she had some very important work to do and she would not be in attendance unless needed.

IN RE: TREASURER – REPORT

Mr. Long informed the Board that Mr. William E. Jones, Treasurer, was not present because he was on vacation.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, Commonwealth Attorney, came forward stating he had nothing to report but was available for questions. He reminded everyone of the open house on Friday from 2:00 to 4:00 P.M.

Mrs. Everett asked about the pornography issue.

Mr. Rainey stated he would review his notes and see that was addressed.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward to pass out and present his monthly report. He asked if the Board had any questions for him.

Mr. Tickle asked about the Sheriff's Department using the Tranquility Lane spot as a speed trap.

Sheriff Shands stated he would move down the road.

Mrs. Everett asked about the dumpsters on Vaughan Road.

Sheriff Shands stated he would ask for closer surveillance.

Mr. Bracey questioned Sheriff Shands about the new telephone system concerning complaints received about the method of answering the telephone. Mr. Tickle also had concerns about the menu and the method of answering the telephone.

Sheriff Shands answered Mr. Bracey's and Mr. Tickle's concerns to the best of his ability.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector, came forward to present his monthly report. He asked the Board if they had any questions.

Mr. Abernathy also gave a report on the land clearing brush piles still remaining on the property at his final inspection.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steve Beville, Animal Warden, came forward and presented his report for the month of June 1998. He asked if there were any questions regarding his report.

Mrs. Everett stated she had heard some concerns regarding dog problems in the Piney Beach area.

Mr. Beville stated he has had traps set for over a week and driven the area on a regular basis with no luck.

There was discussion on the rules and regulations regarding confinement and Mr. Beville was instructed to get with Mr. Long, the County Attorney and Mr. Scheid to discuss the rules, regulations and control issues.

Mr. Beville stated he wanted to discuss the license issue which Mrs. Ralph had brought up at the last meeting. The figures Mrs. Ralph had disclosed were only from one station being recorded. He stated he had been by to see Mr. William E. Jones, Treasurer, so he could check the total figures for last year but the figures were not available.

Mr. Long added they had found out through Mr. Jones that some of the stations had not turned in collections for licenses yet at the time the report was printed. So the figure reported was lower than it should have been because some collections for licenses had not been received by Mr. Jones' office.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came before the Board to present his monthly report. He stated he was available for questioning.

IN RE: PLANNING DEPARTMENT – DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT REHABILITATION TRAINING WORKSHOP

Mr. Scheid continued by stating the Board would find in their packet a letter from the Department of Housing and Community Development requesting attendance at the Rehabilitation Training Workshop. The Program Management Office of this Department conducts a training program annually for participants in CIG and IPR funded rehabilitation programs. The training covers administrative, technical and construction aspects of these programs. The Department of Housing and Community Development believes that it is important for the persons involved in the program to attend so they can learn about new policy interpretations, administrative procedures and technical directives that have been put into effect. The Department found that the CIG and IPR Programs are sufficiently complex and this annual refresher course is important and useful for grantees to meet and discuss programs with one another. They, along with Mr. Scheid, conveyed they believe it is important for Cheryl Stewart to keep current with the program since she directs the flow of IPR paperwork and funds through the County administration and occasionally receives questions from program applicants and rehabilitation recipients. To that end they requested that Cheryl Stewart be authorized to attend the 1998 Rehabilitation Workshop, September 29 through October 1, 1998 in Bristol, Virginia. The registration fee is $150.00 and lodging is $53.00 per night for three (3) nights. The total cost for registration and lodging will be $309.00. The cost for this workshop is covered through the IPR program. There will be other costs associated with this such as meals and transportation to and from Bristol. He also stated we will need to pay one-half (1/2) of the fees for Ms. Gladys Vassor. We only need to pay one-half (1/2) of hers because she also works for the Town of Blackstone and they will be paying the other half. We are trying to arrange a car pool for Cheryl and Gladys to travel with.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to send Cheryl Stewart from the Planning Department to Bristol, Virginia to attend the Department of Housing and Community Development's annual training program for participants in CIG and IPR funded rehabilitation programs September 29 through October 1, 1998 with all funds being covered through the IPR program.

Mr. Bracey stated please don't send a soul to something that they have to end up spending their money. That should not cost that young lady any money at all out of her pocket.

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. John M. Altman, Jr., Zoning Administrator, came forward and presented his monthly report. He asked if the Board had any questions.

Mrs. Everett asked about the tall grass ordinance. She asked if there was any chart stating how much we would charge if the County had to cut your grass for you.

Mr. Altman stated there were no fees set when the ordinance was adopted. He agreed there should be a set fee and it should be large enough to where it hurts. He felt a flat rate plus an hourly rate to cover the amount of time it takes to cut the grass should be enacted.

Mr. Bracey instructed Mr. Long to handle this and have a report ready at the next meeting. He also asked if the County had anybody to cut this grass or were we going to depend on a contractor.

Mr. Long stated we did not have personnel available. We would have to hire out this type of work.

There was discussion as to how we would get grass cut when we enforced the ordinance.

IN RE: SOCIAL SERVICES – REPORT

Mrs. Peggy McElveen, Director of Social Services, came forward to present her monthly report. She gave the Board an 18 month report on Welfare Reform. She reported their case load had dropped from 245 to 149; 61 were mandatory work participants, 46 are already working and 15 are left (5 are new to the program and 10 are hard to serve). They are shifting from job training to job retention. She continued by reporting to the Board on their automation and conversion to the new system. Mr. Long had received a letter from their Commissioner informing the Local Governments that they were converting to an entirely new computer system. The deadline for completing the conversion was February 1999 but they have almost completed theirs. They plan to be finished by the end of July 1998. She reported it is working very well. She shared with the Board the new healthcare program for children under the age of 19 who are in families that are below 185% of the poverty level. It is called Title 21.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Mr. Long stated Mrs. Troilen Seward, Superintendent of Schools, was not present because they were on a retreat this week.

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward to present his monthly report and an 18 month report.

Mrs. Everett stated she would like to commend him on his 18 month report. She stated it was a very good report.

Mr. Long also stated he felt the report was excellent and he hoped Mr. Smith would share the compliments with Mrs. Charity Taylor, Secretary for Parks and Recreation, who he thought had a part in putting this report together.

Mr. Tickle asked Mr. Smith, based on the areas done in the 18 month report what areas did he feel could be enhanced.

Mr. Smith replied that obviously they have been mainly sports and one of his goals is to get us out of that, well not out of it but to expand beyond that. He asked the Board to review his projected plans for 1999 where they will find his desire to increase the number of non-athletic and special event programs. He stated he felt that was an area of the County that was critically below. He hoped to find the resources of the folks that can teach the classes, qualified people. Also coming up with locations to teach the classes. That is what he is working on at this point.

Mr. Bracey stated Mr. Tickle you engineered, well you created the questions about that report, and since that time he has watched those two (2) people work many many man hours trying to pull this together. He would like to thank them for it. Not only that but Mr. Smith, Mr. Clay and himself went to Williamsburg and James City to look at some recreational programs and he now better understood what Mr. Smith meant when he said he wanted to expand beyond the basic athletic programs. There were programs there that were impressive. He stated he would hope the Board would see fit in the very very near future of allowing Mr. Smith and his staff to work with Eastside School to create the basics for our recreational programs beyond athletics. Mr. Bracey stated he felt he learned a lot from the trip with Mr. Smith and saw first hand where Mr. Smith wanted our Recreation Department to go. He hoped the other Board members would take time to visit other localities with Mr. Smith.

Mr. Tickle stated, he found from the data Mr. Smith's Department had presented that the data supported his concerns. His concerns were with the fall soccer, spring soccer, girls youth spring softball, and girls summer softball. In these areas we have children under the age of 15 and we have sports related activities our age groups are so far apart. There is a difference between a child that is 8 and one that is 11. There is a difference between a child that is 12 and one that is 15. A 15 year old female is a woman and a 12 year old does not have the same physical capabilities. It is the same thing with boys, there is big difference between a 10 year old boy and a 13 year old boy. When you only have 119 children, in three divisions, and you are going from 10 to 13 – it does not present a very competitive sport to start with. Then you have physical differences between male and female and that is even a greater problem. His only concern, because he agrees with Mr. Bracey on what you have done and how you have done it, you are doing a great job. He would like to see us grow this and find a way to grow and see if we can get a more competitive program. That competitiveness is going to help us in our High School programs. Keep up the good work.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management, came before the Board and presented his report for the months of June and July 1998.

Mr. King stated he had problems over the weekend with equipment shortage and manpower shortage. He stated he even drove a truck on Saturday to pick up trash. It was looking good but with it being a pretty weekend and with us being short like that. Some things he did not know about and if he had he would have worked later. He stated he is not a person for excuses.

Mrs. Everett stated this was never any criticism against you or your men. It is a criticism of the citizens that are disrespectful of our property and our system. When she got the call today they had high praise for you all for coming out there Monday and cleaning everything up. The slobs have again been out and it looked like it did again today. It is sickening. The dumpsters are not filled but the ground is.

Mr. King stated he has found the signs they have put up out are acting as a kind of deterrent and he thinks they might try them in other areas. They are seeming to be effective.

Mrs. Everett stated she felt signs stating if you do not show proper respect for this facility the County will have to close it.

Mr. King stated they did that at Claiborne Road and we closed it. He stated he can foresee in the future that we are going to have to take the bull by the horns in that area and set up something like a Rohoic there. Sheriff Shands is going to help us look after that area this month along with the placing of signs and we hope things will look better.

IN RE: WASTE MANAGEMENT – LANDFILL CLOSURE

Mr. King continued they have been proceeding on the closure on the landfill. They are at a point where they can do some work. We separated the closure. The closure is primarily earth work and grass seeding. There was another aspect of closing that we separated from that work. That was the gas detection probes that are around landfills to detect migrating methane gas. We are at a point where we can do that. He would like to see the County do something because he had talked with DEQ today and all he does is make excuses of why we have not done this or that. We have gone about the proper method to reach this point and we need to finish the project. He asked for approval to move forward on that work.

Mr. Bracey asked if Mr. King and Mr. Long could take care of this.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to move forward with the installation of gas probes for the landfill closure with funds appropriated from the CIP Fund.

Mr. Bracey asked Mr. Long to work with Administration and give the Board the bottom line to what we need, how we need it, of taking care of the basic things at the landfill. From what he can see, when you told me you did not have the help, why? Did someone get sick, did they lay out, what is the problem? Don't we have people we can call in when someone is out?

Mr. King stated the County needs to ask how much staff do they want to have. We had one employee who's brother died, one man has been working every week end - he works his butt off - he wanted last week end off and I said hey take it off. This is why I drove myself this weekend. I could have made him come in but I said it is just not fair to this guy. It was not that we had a problem with this staff it was just that –

Mr. Bracey said he just wanted to know what County Administration can do to help in this situation. It just doesn't look good to have all this stuff piled up. You cannot work a man every Saturday and Sunday.

IN RE: PUBLIC SAFETY OFFICER -- REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his monthly report.

IN RE: PUBLIC SAFETY OFFICER – EQUIPMENT NEEDS FOR POSITION

Mrs. Everett stated she saw in the packet his request for equipment to do your job with. When we hired a Safety Director we did not put a line item in the budget for equipment because we would have to determine what that cost was later on and put it in.

He has outlined his needs and they deal with radios, emergency response things, law enforcement equipment and inspection, investigation and miscellaneous equipment. The total cost comes to $8,079.84. He needs this equipment to do his job and he is doing a splendid job in this County. She would like to see the Board fund these purchases today and put it in the budget.

Mr. Moody asked where is the money; are we just going to appropriate it?

Mr. Long stated we will have to show it under the equipment line items in his budget. As where to pull it from at this point he would only know the reserve to pull it from.

Mrs. Everett stated it will have to come from there because we have left that line item out of the budget.

Mr. Long stated we left it blank because we had no way of knowing what the needs were going to be until he got here and outlined them for us.

Mr. Moody stated he knew Mr. Jolly needed this equipment but we just lost $386,000.00 a few weeks ago.

Mr. Bracey stated we are going to get that money back.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Public Safety Officer to purchase the following equipment at the low bidder prices for a total of $8,079.84:

ITEM NEEDED			
RADIOS	**COMM TRONICS**	**TELEPAGE**	**RAIDO COMM.**
VHF MAXTRAC 6 CHANNEL LOW BAND	$ 528.00	$ 580.00	$ 530.00
VHF HI-BAND RADIO	560.00	670.00	560.00
UHF MAXTRAC RADIO	604.00	711.50	605.00
PORTABLE RADIO WITH CHARGER	718.00	798.00	725.00
MINTOR III PAGER	400.00	345.00	400.00
INSTALLATION	500.00	380.00	420.00
VEHICLE REPEATER	700.00	625.00	1,200.00
TOTAL	**$ 4,010.00**	**$ 4,109.50**	**$ 4,440.00**

EMERGENCY RESPONSE CAPABILITIES	**GALLS**	**GUARDIAN FIRE**	**FIRE-X**
DASHMISER II STROBE DASHLIGHT	$ 200.00	$ 219.50	$ 197.57
DASHMISER I STROBE REAR DECK	110.00	120.56	108.85
STROBE GRILL LIGHTS	320.00	379.62	340.00
ELECTRONIC SIREN	210.00	235.00	223.44
6 POSITION SWITCH	70.00	101.85	97.44
TOTAL	**$ 910.00**	**$ 1,056.53**	**$ 967.30**

LAW ENFORCEMENT EQUIPMENT	**SOUTHERN POLICE**	**GREEN TOP**	**DANCES SPORTING GOODS**
HANDGUN	$ 525.00	$ 565.00	$ 585.00
NYLON BELT HOLSTER FOR GUN	60.00	62.30	65.00
NYLON DUTY BELT	35.00	35.50	42.50
NYLON AMMUNITION CASE	24.00	27.50	26.50
NYLON HANDCUFF CASE	20.00	22.00	22.30
HANDCUFFS	22.00	25.00	NO BID
NYLON MACE CASE WITH MACE	25.00	27.50	33.50
TOTAL	**$ 711.00**	**$ 764.80**	**$ 774.80**

INSPECTION AND INVESTIGATION	**GALLS**	**GUARDIAN FIRE**	**FIRE-X**
RECHARGEABLE FLASHLIGHT	$ 80.00	$ 69.50	$ 65.50

100' TAPE MEASURE	20.00	25.00	27.50
BINOCULARS	60.00	70.00	75.00
SET OF TURNOUT GEAR	1,227.00	1,202.00	NO BID
SAFETY HARD HAT	65.00	67.50	NO BID
TOTAL	**$ 1,452.00**	**$ 1,434.00**	**$ UNABLE TO BID SOME ITEMS**

MISC. EQUIPMENT	**RICHMOND CAMERA**	**RITZ CAMERA**	**LUMS**
35 MM CAMERA WITH CASE	$ 853.50	$ 765.34	$ 875.67
	SEARS	**MAC TOOLS**	**SNAP ON**
COMPLETE TOOLS BOX	150.00	225.00	227.00

IN RE: PUBLIC SAFETY OFFICER - DARVILLS COMMUNITY CENTER

Mr. Moody asked about the investigation of the Darvills Community Center fire. Has anything been determined regarding the nature of the fire?

Mr. Jolly stated it had been determined to be of incineration in nature. They have a few leads, it is a joint effort between the Sheriff's Office and him. As of this date this is about as much as he could say in public.

Mr. Long stated Mr. Jolly would be available to him for questions after the meeting.

Mrs. Everett stated they should have had some insurance on that center.

IN RE: FIRE & RESCUE ASSOCIATION – REPORT

Mr. Jolly stated he was also representing Chief Lewis as he was fighting a fire at Five Forks. He asked if there were any questions for the Fire and Rescue Association.

Mr. Tickle had questions as to the structuring of the Squads throughout the County.

Mr. Bracey suggested that Mr. Tickle and Mr. Jolly plan a meeting to discuss this issue.

IN RE: PLAN OF FINANCING FOR CHAPARRAL STEEL

Mr. Daniel M. Siegel, County Attorney, came forward to give a brief synopsis of the proposed Resolution of the Board of Supervisors of Dinwiddie County, Virginia related to a Plan of Financing for Chaparral Steel.

Extract

Mr. Tickle had concerns about this $80 million coming back to haunt us.

Mr. Siegel stated he saw no way that could happen. He felt this adequately protects the County from any concerns that might come up throughout the financing. All the County is doing was giving public approval that is required in the Federal Law and State Law and nothing else.

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

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

WHEREAS, the Industrial Development Authority of Dinwiddie County, Virginia (the "IDA") has considered the application of Texas Industries, Inc., whose address is 1341 West Mockingbird Lane, Suite 700W, Dallas, Texas 75247, with a local address at 6887 Church Road, Petersburg, Virginia 23803 (together with Chaparral Steel Company,

its wholly-owned subsidiary, the "Company), requesting the issuance of the IDA's exempt facility revenue bonds in connection with a plan of financing of an amount not to exceed $80,000,000 (the "Bonds"), in one or more series from time to time, to assist in financing the acquisition, construction and equipping of facilities related to dust, slag and scale collection and processing, waste processing and wastewater treatment, and other qualified and functionally related and subordinate facilities (the "Project") comprising "solid waste disposal facilities" or "sewage facilities," as described in Section 142 (a) of the Internal Revenue Code of 1986, as amended (the "Internal Revenue Code") to be located at the Company's recycling steel and rolling mill facility for the production of structural steel products located on an approximately 760 acre parcel located at west of Squirrel Level Road, east of Church Road, north of Flank Road, and south of the Norfolk Southern railroad tracks, southeast of the intersection of State Route 603 and Church Road in the Rohoic Magisterial District of the County;

WHEREAS, Section 147 (f) of the Code provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is to be located must approve the issuance of such bonds after a public hearing has been held with respect to the issuance of bonds for such facility;

WHEREAS, the IDA issues its bonds on behalf of the County of Dinwiddie, Virginia (the "County"); the Project is to be located in the County; the Board of Supervisors of the County (the "Board") constitutes the highest elected governmental unit of the County; and the IDA held a public hearing regarding the Company's plan of financing related to such matter in accordance with Section 147 (f) of the Code on June 30, 1998; and

WHEREAS, the IDA has recommended that the Board approve the issuance of the Bonds in accordance with such plan of financing, and copies of the IDA's resolutions approving the issuance of the Bonds, subject to the terms to be agreed upon, and requesting the Board's approval in accordance with Section 147 (f) of the Code, a summary of the public hearing, and a fiscal impact statement have been filed with the Board;

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF DINWIDDIE, VIRGINIA:

1. The Board hereby approves the plan of financing by the IDA and the issuance of the Bonds pursuant thereto for the benefit of the Company, solely to the extent required by Section 147 (f) of the Internal Revenue Code and Section 15.2-4906 of the Code of Virginia of 1950, as amended (the "Virginia Code"), to permit the IDA to assist in the financing of the Project.
2. This approval of the plan of financing does not constitute an endorsement to prospective purchasers of the Bonds of the creditworthiness of the Project or the Company, the ability of the Company to pay the Bonds or the successful operation of the Project. As required by Section 15.2-4909 of the Virginia Code, the Bonds shall provide that neither the County nor the IDA shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefore and that neither the faith and credit nor the taxing power of the Commonwealth of Virginia, or any political subdivision thereof, including the County or the IDA, shall be pledged thereto. The County makes no representation of any kind as to the Bonds or the Project. Any purchaser of Bonds shall purchase such Bonds at his sole risk and neither the County nor the IDA shall have knowledge of or interest in the success of the Project or payment of the Bonds. The County approval herein has been requested by the Company is solely for purposes of Section 147 (f) of the Internal Revenue Code and Section 15.2-4906 of the Virginia Code.
3. The Board directs the County Administrator to request allocations from the "state ceiling", as such term is defined in Chapter 50 of Title 15.2 of the

Virginia Code in accordance with Section 146 of the Internal Revenue Code to cover the initial issuance of up to $50,000,000 of Bonds in calendar year 1998, and any remaining balance of the $80,000,000 of Bonds in 1998 or thereafter, to finance the Project.

4. This resolution neither provides nor implies any assurance of receipt of any such allocations from the state ceiling, and whether or when the Company receives such allocations is not determined by the County. Moreover, the Board understands that the documents in connection with issuance of the Bonds shall provide that the Company will indemnify the County and the IDA, and their respective officers, employees, directors, and agents from any liabilities, obligations, claims, damages, penalties, losses, costs and expenses in any way connected with the Project or the issuance of the Bonds.
5. This resolution shall take effect immediately upon its adoption.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT – REPORT

Mr. Donald W. Faison, Construction Inspector, came forward to present his monthly report. He began by introducing his new employees Mr. Byron Walker and Ms. Lois Ferrell.

Mr. Bracey asked the Board be kept informed about the repair work at Midway.

Mr. Faison asked Mr. Bracey if the Board would like to have copies of the Dunbar, Milby and Williams reports.

Mr. Bracey stated he did not know about the rest but he would like to have them.

Mr. Long asked if they would like them placed in the Board packets every two weeks.

Mr. Bracey stated yes.

Mr. Faison continued by stating you can now see the Health Department building. The next, which is step two, will be to have the outside of the building pressure cleaned. After that we hopefully will be moving to the interior.

Mr. Bracey asked who was responsible for getting a new sign for the Courthouse.

Mr. Long stated he was the person and he would look into it.

Mr. Faison stated he wanted to go back to one old thing. The Board had discussed grass cutting with Mr. Altman today and you also talked to Mr. Smith about his duties of cutting grass, and part of his new duties was cutting grass. He stated this is now three (3) employees cutting grass. Just be sure the Board is thinking about getting the equipment to do the job with!

Mr. Bracey stated his philosophy is let's sit down and talk about it.

Mr. Bracey said he had to commend Mr. Faison. He further stated he hated to continue commending men but Donnie was doing a really good job.

IN RE: BREAK

Mr. Bracey called for a five (5) minute break at 4:10 P.M.

Mr. Bracey called the meeting back to order at 4:20 P.M.

IN RE: DISTRICT 19 COMMUNITY SERVICES BOARD

Mr. Long stated as he had indicated in their packets last month there has been a change in the legislation affecting Community Service Boards. He had asked Mr. Joseph E. Hubbard, Executive Director of District 19 Community Services Board, to attend this meeting to answer any questions the Board might have.

Mr. Hubbard came forward to give a brief synopsis of the changes. It is his understanding the State has deemed it necessary to have each of the localities that make up the respective forty (40) Community Services Boards to formally pass resolutions designating their Boards as one (1) of three (3) options. The intent as it has been passed on to the Community Services Board System is not to change the structure of the existing Boards but to recognize the structure that they have evolved into. For multi-jurisdictional such as District 19, the operating Board which is simply put, is a Board that employs it's own staff and provides services that is the only type of structure that matches what we are currently doing.

Mr. Bracey asked if this was to Dinwiddie County's advantage.

Mr. Hubbard stated the bottom line to this, as it is being presented, is it is nothing more than a step for the localities to take. The literature that has come out and been passed on to VACo and VML indicates this in no way does anything different as far as the liability issues go for the Counties.

Mr. Long stated he felt this was the only part that he did not understand. He stated he did not see any changes in funding or anything else. It was just a designation but he still wanted to ask Mr. Hubbard to come out in the event the Board had any questions before they adopted the resolution.

Mr. Tickle stated he was in support of the resolution; however, he had concerns and complaints about the agency. There was discussion regarding Mr. Tickle's experiences with the agency and complaints he had received from other citizens.

After lengthy discussion Mr. Bracey suggested that Mr. Tickle and Mr. Hubbard make an appointment to discuss this matter.

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

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

WHEREAS, *The Code of Virginia,* Section 37.1-194 requires each locality to designate the type of community services board through which it provides mental health, mental retardation, and substance abuse services to its residents; and

WHEREAS, the County of Dinwiddie, Virginia delivers its services through District 19 Community Services Board; and

WHEREAS, District 19 Community Services Board, through its Board of Directors appointed by member localities, sets policy for the provision of mental health, mental retardation, and substance abuse services that are provided through District 19 Community Services Board Staff or contacts with other organizations and providers; and

WHEREAS, this model most closely fits the definition of "operating community services board" as outlined in the law; now therefore, be it

RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that District 19 Community Services Board is hereby designated as an operating community services

board with the duties and responsibilities conferred upon it by law and such other duties and responsibilities assigned by this Body.

Mr. Hubbard stated there was one other item that needed to be discussed. It was the performance contract.

Mr. Long stated the only item he was aware of was the Resolution.

Mr. Hubbard stated this is another code change. In the past when the Board approved the budget that was all that was required. What the State Code now says is the Performance Contract, which is their contract with the State, must be formally adopted by the locality.

Mr. Long stated he must have missed that but would put the information back into the packets next month and ask for approval.

Mr. Bracey stated to Mr. Hubbard he need not be present for that unless he deemed it necessary.

Mr. Hubbard stated he would love the opportunity to meet on a regular basis with the Board. The one thing he would like to leave with the Board is there is a perception with Regional Boards that they are State Agencies. They are not a State Agency. They are a locally governed agency.

IN RE: APPOINTMENTS – APPOMATTOX REGIONAL LIBRARY BOARD

Mr. Bracey stated we needed to appoint a person to fill the position of Ms. Gloria Harvell who cannot serve again. She has served on the Board since 1990 and is no longer eligible to serve another term. At the present time we have one (1) application for this position from Kenneth G. Swanson.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Kenneth G. Swanson is appointed to the Appomattox Regional Library Board effective immediately for a term expiring June 30, 2002.

Mr. Bracey asked Mrs. Mann to prepare a resolution for Ms. Gloria Harvell for the time served on this Board.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated the first item under his comments in the Board packets, was the Resolution for the final school completion bonds , public capital project , and refunding. There are still some questions on combining, we are looking on combining those with the water bond and he requested we wait until August 5th. This should not affect the closing and the sale of these bonds.

IN RE: COUNTY WELL UPDATE

Mr. Long continued he had enclosed a status report and quite a bit of documentation from the Health Department. At the last meeting Mr. Tickle had asked about an update on the water system at all the County buildings. What was prepared was a report of the tests that have been taken at all the buildings, received the levels that we are at. And you will see the overall recommendation the Administration has is on the top sheet is as follows:

RECOMMENDATION:

A. If the Board chooses to remove the bottled water in the Administration Building, Social Services Building and Health Department, we do so after the corrosion control system has been installed and is tested. Then we will need to flush the system and make sure the water fountains are in working order in all three (3) buildings.
B. If the Board chooses to remove the bottled water in the Jail, we proceed with connecting the old Courthouse well to the Jail Well. If we continue to use the old Courthouse well, we will have to raise the well above grade and upgrade our pump house as required by the Health Department. We will then need to install a treatment system on the Jail well that is designed to filter VOC's and MTBE's. The alternative would be to live on a quarter to quarter reporting basis with the possibility of VOC's and MTBE's showing up at any time in the potable water being used by the inmates. At this time, we do not have a cost estimate on a treatment system.

Mr. Tickle still had questions regarding why we are not using the water. He feels there is nothing in the water that will hurt anyone and that the County should not be paying for water.

Mrs. Everett wanted to know about the cost of doing all the work necessary to do away with the bottled water.

Mrs. Ralph stated she did not know because the jobs had not been bid out. She did however know the filters had to be changed regularly on the jail system.

Mr. Bracey stated he understood what was being said. He said we need to go and look to see if we have the necessary things in place to use this water, the necessary fountains and so forth. All this has to be put into the cost. Mr. Bracey stated he did not hear anything about the new courthouse building.

Mrs. Ralph stated they are using their water because we have not had anything show up from their new well. Their water will be tested also. They are on a new well system.

Again Mr. Tickle stated his problem was in spending $1,000.00 or more a month on bottled water. He expressed we are spending enough per year on water to hire another employee.

Mr. Bracey and Mr. Long stated they were concerned with spending all this money and still having a problem with the water. There was also discussion about the new machine that the School Board office had that filtered the water.

Mr. Bracey suggested to Mr. Long he call Diamond Springs and inform them the Board is considering taking the water out because of the price and see if they are willing to work with the County to bring the cost down.

Mrs. Ralph stated she was assuming we are putting the corrosion control treatment on the Administration well system and then we are going off bottled water or are we are staying on in these three buildings.

Mr. Bracey asked how much that was going to cost.

Mrs. Ralph stated the corrosion control system will cost about $2900.00.

Mr. Faison stated new fountains will have to be purchased to go into the Social Services building and Health Department building.

The Board advised Administration to continue with the corrosion control system on the Administration well, flush the system and work with Mr. Tickle on judgment of the water quality.

IN RE: ARCHITECTURAL/DESIGN SERVICES – FIRE EMERGENCY MEDICAL SERVICES BUILDING

Mrs. Ralph stated at the CIP Workshop the Board wanted to proceed with securing somebody to design fire and rescue building plans. In order for Administration to do that we need to adopt the following resolution:

RESOLUTION AUTHORIZING COMPETITIVE NEGOTIATION

WHEREAS, the Board of Supervisors of Dinwiddie County (the "Board") wishes to receive proposals from qualified firms for the County's "Architectural/Design Services – Fire/Emergency Medical Services Building", to evaluate various subjective factors, including a demonstrated understanding of the project, experience and qualifications, schedule and quality of work, and to negotiate specific contractual terms and conditions favorable to Dinwiddie County (the "County"); and

WHEREAS, Section 11-41 (c) of the Virginia Public Procurement Act provides that goods and services may be procured by competitive negotiation upon a determination made in advance and set forth in writing that competitive sealed bidding is not advantageous to the public;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia:

1. The County Administrator, in cooperation with other County staff persons, is authorized to issue on behalf of the County, a written request for proposals for the County's "Architectural/Design Services – Fire/Emergency Medical Services Building" on the basis that competitive sealed bidding is not practicable and not fiscally advantageous to the public as it is advisable for the County to have the flexibility allowed by competitive negotiation procedures to consider many factors including negotiated price, experience and qualifications of the vendor, length of contract performance and other terms and conditions.
2. This Resolution shall constitute a written determination that competitive sealed bidding is not advantageous to the public for the reasons stated above.
3. This Resolution shall be effective as of July 15, 1998.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above resolution is adopted for the purpose of soliciting proposals from qualified firms for the County's "Architectural./Design Services – Fire/Emergency Medical Services Building".

Mr. Bracey stated he had seen drawings made by staff of what the County would be looking for in this design. He stated Dinwiddie County is getting better because now when this architect came we would have information to present to him.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay – was not present

Mrs. Everett – She stated she had attended the Extension Leadership Council meeting last night and she thought there might be a few items you would be interested in. Mike Parrish announced that the tobacco field day will be held at the Blackstone Research Station 9:00 A.M. on August 4th. August 27th is peanut and cotton field days at the Holland Tidewater Research Station. Also she wanted to report that there will be a Dinwiddie County Fair at Airport July 30th through August 2nd. It is being put on by Admit One Events. She stated reports are they are doing quite well with obtaining booths,

exhibits, etc. Her last remark involved a request for a County flag to be sent to VACo for display at the annual meeting.

Mr. Moody – no comments

Mr. Tickle – He stated he had two (2) items that he wanted the Board to think about and obtain information on.

a) Meals' Tax – he would like to meet with Mrs. Ralph and Mr. Long concerning that matter and then report back to the Board.

   Mr. Bracey stated he would like for Mrs. Glenice Townsend, Fiscal Officer for the County, to be a part of that committee. He would like for them to meet before Mr. Tickle says anything to anybody.

   Mrs. Everett had concerns and Mr. Bracey assured her everything would be made public after the committee meeting. Mr. Bracey asked Mr. Siegel if a committee meeting was legal. Mr. Siegel stated it was.

b) His second request is regarding property on Simpson Road near the NWB property. This is the third time he has brought this up and he would like to see the Board take action at this time. He was asking the County Administration, with the Board's support, to investigate the State donating that land to Dinwiddie County. He did not feel that the Mental Health Department should make a profit on State land and for economic development. He further stated his beliefs regarding economic development on State land is that the County is the best persons to do that. When Governor Allen came we suggested that to him, we thought their economic person was going to take care of it and they did not. He stated he was asking the Board to write a letter to have the State donate the land, for economic development, to Dinwiddie County. The word he had received is that it is not land that mental health is going to use. That is the idea and concept of how the land got donated to the State Police. They are looking to sell the land, if they do anything, to make a profit for mental health. He did not think that was the function of State government to make money on land. He felt if it was economic development then the County should be in charge of that.

   Mr. Long asked if he was talking about the property that they have been considering putting the State Police on.

   Mr. Tickle replied yes, there are approximately seven (7) lots there.

   Mr. Long stated he could certainly do that. He stated the reason the State Police could not locate there was because of sewage connections. It was going to cost too much.

   Mr. Tickle stated $70,000.00 to run the sewage lines.

   Mr. Bracey stated then they are not coming.

   Mr. Tickle stated the Water Authority was negotiating with the State to find out who is going to pay parts of it or all of it or none of it. That is an issue with the State, why the State Police are so far down on the Water Authority. Rumor has it the Mental Health Department is negotiating with a hotel for the other six (6) lots. His personal opinion is this is not an issue for Mental Health Department to be in economic development. This should be more of a County property, this is State owned land. Why not get the State of Virginia to donate the land to the County since the Mental Health Department is not

going to use this property for Mental Health Department related concerns. Let us say who we want to put there and how we want to put it.

Mr. Bracey stated we need to start with Jay DeBoer. Mr. Moody stated we need to ask for help from Richard Holland. Mr. Tickle suggested Senator Marsh also.

Mr. Bracey – Mr. Bracey stated Mrs. Troilen Seward, Superintendent of Schools, had asked for a meeting with Mrs. Ralph, Mr. Long, and himself concerning Dinwiddie Elementary School. He stated he would like another Board member to be in the meeting. He would also like for Mrs. Seward to ask her chair or vice-chair to be there so there will be no miss understanding. Mr. Long was instructed to set the meeting up.

RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mr. Moody, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 (Code Compliance Officer, County Administrator); and Section 2.1-344 (A) - 7 Consultation with legal counsel (possible litigation involving a vendor) the Board moved into Executive Session at 5:14 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:17 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mr. Moody, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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. Moody, seconded by Mrs. Everett, Mr. Moody, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 6:20 P.M. to be continued at 4:00 P.M. for an Executive Session at The Homeplace Restaurant, followed by an open session in the Board Room of the Pamplin Administration Building at 6:00 P.M. for a CIP Workshop.

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

ATTEST: _____
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT THE HOMEPLACE RESTAURANT DINWIDDIE COUNTY, VIRGINIA, ON THE 5TH DAY OF AUGUST 1998, AT 4:05 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 (Code Compliance Officer; Public Safety Officer; County Administrator); Section 2.1-344 (A) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property; and Section 2.1-344 (A) 7 - Consultation with legal counsel and briefings by staff members, consultants or attorneys (Division of Risk Management settlement); the Board moved into Executive Session at 4:05 P.M.

IN RE: RETURN TO OPEN SESSION

A vote having been made and approved the meeting reconvened into Open Session at 6:03 P.M. in the Board Meeting Room of the Pamplin Administration Building.

IN RE: CERTIFICATION

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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: CIP – DISCUSSION OF PROJECTS

Mr. Long stated we have Mr. Darrell V. Hill, from Davenport & Company, LLC, who will present some scenarios, as the Board had requested, regarding debt service.

Mr. Darrell V. Hill came forward and presented four (4) options. The four (4) scenarios dealt with 1) Dinwiddie Elementary School; 2) Dinwiddie Elementary School, two (2) fire stations, and a fire truck; 3) Dinwiddie Elementary School, two (2) fire stations, a fire truck and Eastside Elementary School; and 4) Eastside Elementary School

only. He proceeded to explain to the Board what would transpire regarding the County's Debt Service should the Board move forward on one or all of the above projects.

There was discussion between the Board, Mr. Hill, Mrs. Wendy Weber Ralph, Assistant County Administrator, Mrs. Troilen Seward, Superintendent of Schools, and Mr. Ray Watson, Director of Finance Dinwiddie County School Board.

IN RE: DINWIDDIE COUNTY SCHOOL BOARD – SCHOOL CONSTRUCTION FUNDS

Mrs. Seward came forward to explain the state has budgeted $333,958.00 in FY-98 and $363,583.00 in FY-99 or a total of $677,541.00 for school construction. Mrs. Seward proposed to use this years' money toward debt service and take the money budgeted for debt service and place it in a special account. The state has approved this action.

There was discussion regarding the best use of the budgeted funds, to save it or use it toward debt service to save interest payments. The Board was informed that you cannot pay off bonds early without incurring tremendous penalties.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that approval is granted to the Dinwiddie County School Board to use the School Construction Funds provided by the State toward the current year's debt service with the budgeted funds for FY98-99 to be placed into a special account for construction at a later date.

IN RE: DINWIDDIE COUNTY SCHOOL BOARD – LITERARY LOAN FUNDS

There was discussion regarding application for a Literary Loan and the process of getting on the list is a time consuming one. The School Board requested authorization to move forward with this process.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Dinwiddie School Board to move forward with application for Literary Loan Funds for Dinwiddie Elementary School.

IN RE: CIP WORKSHOP – DISCUSSION

Mr. Long explained the Board had been supplied a handout with CIP projects listed. He did not feel the Board had sufficient time to get into detail.

Mr. Ralph stated she did feel it was necessary to comment on one (1) item. This was the generator for the Jail. There was an error in placing the $30,000.00 Phone Commission on the line with the generator for the Jail. The Sheriff's Department felt this $30,000.00 was to be used toward HVAC for the Jail. This was the one change that needed to be discussed.

The Board voiced concern for these projects not being completed and/or taken care of. There was concern that the ball was being dropped and things not carried through.

Mrs. Ralph stated she did not feel any one had dropped the ball. We have been working on the generator in line with all the other projects we currently have going but it fell back when the air conditioning system came forward. We are working on it at the

same time. She stated the point she was trying to make was the Sheriff's Department wanted the Phone Commission to go toward the HVAC and not a generator. She stated she would not move forward on any project until the Board had voted on authorization for Administration to move forward. We are working on it.

Mr. Clay did not accept this explanation and stated he felt Administration should get out tomorrow and obtain a bid on this generator. He felt that it should not take three (3) or four (4) months to get a little job done.

Mr. Bracey stated he was going to come to the defense of the Administration on this one. He thought they were but all of the sudden the funds seemed like we got a miscommunication of what the $30,000.00 was going to do from the Phone Commission.

Mr. Clay stated it did not matter where the funds were coming from. The Jail had to have a generator.

Mr. Donald W. Faison, Building and Grounds Superintendent, stated we needed two (2) generators at the Jail. This was due to the fact that they are on two (2) metered systems. He had been informed of this by Virginia Power and the electrical contractor. He stated he had been working on this project.

It was decided to meet at 11:00 A.M. on August 19, 1998 in the multi-purpose room of the Pamplin Administration Building for further discussion on the CIP list. Mr. Long was instructed to have a status report on the first page and half of the handout regarding CIP.

RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 7:15 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST:
R. Martin Long
County Administrator
/pam

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 5TH DAY OF AUGUST, 1998, AT 7:30 P.M.

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

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 7:33 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda.

There being none Mr. Bracey moved forward.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the July 8, 1998 Continuation Meeting and the July 15, 1998 Regular Meeting were approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1011415 through 1011689 (void check(s) numbered 1011417 - 1011390 - 1011510 - 1011511 - 1011689); for Accounts Payable FY 97 - FY 98 in the amount of $30,951.11: General Fund $28,707.69; Forfeited Asset Sharing $307.60; CDBG Grant Fund $863.59; Capital Projects $952.23; and County Construction Fund $120.00; Accounts Payable for FY 98 - FY 99 in the amount of 557,987.95: General Fund $434,297.75; E911 Fund $1,694.07; Self Insurance Fund $3,958.25; Fire Programs & EMS $104.13; CDBG Grant Fund $13,654.97; Capital Projects $20,618.78; and County Debt Service $83,660.00; Payroll for July 1998 $323,879.82: General Fund $321,102.43 and CDBG Grant Fund $2,777.39.

IN RE: COURTHOUSE CONSTRUCTION – REQUISITION #24

Mrs. Ralph stated the following invoices are included in Requisition Number 24:

GULF SEABOARD GENERAL CONTRACTORS INC.	$90,224.35
C W WARTHEN COMPANY	2,262.00
K&B OFFICE SYSTEMS INC	3,883.38
K&B OFFICE SYSTEMS INC	992.85

TOTAL OFFICE SOLUTIONS INC	646.00
TOTAL OF REQUISITION NUMBER 24	$98,008.58

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 24 in the amount of $98,008.58 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if any citizens had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, stated she did have citizens signed up to speak. The following taxpayers addressed the Board:

1. Mr. Forrest P. Clay, Jr., 18603 White Oak Road, came forward to voice his views on environmental impact studies, wells, septic systems, large developments, and the possibility of all future large developments having water and sewer available.
2. Ms. Anne Scarborough addressed the Board regarding bottled water in the office buildings and her belief that if tests indicate the water is safe to drink then bottled water should be removed from the buildings. She continued with her concern regarding closed schools in Dinwiddie County and when the Board will decide what will be done with them. Her third issue was the Virginia Bio-Fuels litigation and were we ever going to get this settled.
3. Mr. Ben Wilson had signed up to speak but requested his name be removed from the list.

Mr. Bracey asked if there were any other citizens present who wished to speak but had not signed up.

There being none Mr. Bracey moved forward.

IN RE: RESOLUTION OF APPRECIATION – GLORIA HARVELL

Mr. Long and Mr. Bracey came forward where they read and presented a Resolution of Appreciation to Ms. Gloria Harvell.

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

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

RESOLUTION
OF THE
DINWIDDIE COUNTY BOARD OF SUPERVISORS
AUGUST 5, 1998
IN RECOGNITION OF
GLORIA HARVELL

WHEREAS, Gloria Harvell has served the County of Dinwiddie, on the Appomattox Regional Library Board, with distinction and integrity from December 21, 1988 until June 30, 1998 and

WHEREAS, the Board of Supervisors on this 5th day of August, 1998 wishes to acknowledge these qualities and further to express its appreciation for this work on behalf of the County;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Gloria Harvell for her many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Gloria Harvell, and a copy spread upon the minutes of this meeting.

IN RE: PUBLIC HEARING – P-98-5 – REZONING – JOHNNY BAIN

The Board of Supervisors of Dinwiddie County, Virginia conducted a public hearing on Wednesday, July 1, 1998, for the purpose of considering a request to rezone a portion of Section 32, Parcel 10A, of the County Tax Maps from Agricultural, General, A-1 to Residential, rural RR-1. Said portion of the parcel requesting rezoning contains 82 acres of land and is generally bounded by White Oak Road and Claiborne Road and is located in the Namozine Magisterial District. Action was tabled at that meeting.

Mr. Scheid advised the Board the applicant had revised proffer number 6 (slightly) on July 9, 1998. Legal counsel advised staff that a public hearing must be held since a change was made to one of the proffers. This being the time and place as advertised in the Dinwiddie Monitor on July 22, 1998 and July 29, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for P-98-5, for the purpose of considering a request to rezone a portion of Section 32, Parcel 10A, of the County Tax Maps from Agricultural, General, A-1 to Residential, rural RR-1. Said portion of the parcel requesting rezoning contains 82 acres of land and is generally bounded by White Oak Road and Claiborne Road and is located in the Namozine Magisterial District.

Mr. Scheid referenced the minutes of the Planning Commission meeting dated June 10, 1998 and the Board of Supervisors minutes of July 1, 1998. He presented the proffers, with the revision, to the Board as follows:

1. No lot shall be less than three (3) acres with three hundred (300) feet of frontage and having an overall lot average of at least five (5) acres.
2. No lot shall be used except for the purpose of a single-family residence. Not more than one (1) single-family residence, together with such out-buildings as may be appurtenant to such single-family residence, shall be erected on any lot. The minimum area of any residence built on the property shall be one thousand three hundred (1,300) square feet, exclusive of garages, porches, and any out-buildings. Up to one-third (1/3) of any such residence may be unfinished.
3. No mobile home, manufactured housing, or house trailers, whether or not permanently attached to the property, shall be allowed on any lot. No structure of a temporary character including without limitation any trailer, tent, or shack, shall be allowed on any lot. However, construction of any permitted building shall be permitted for the duration of such construction.
4. No inoperable or unlicensed motor vehicle shall be stored on any lot except within a fully enclosed garage and must comply with applicable county or state regulations.
5. Fences located in the front yard, as defined in the Zoning Ordinance of Dinwiddie County, of any lot shall be constructed only of split rail solid wood boards, or wooden pickets. Walls located in the front yard of any lot shall be constructed of brick or stone. Fences and walls of other materials may be constructed in the side yards or rear yards, of any lot, provided such fences or walls screened from view from any public road adjoining such lot.
6. Bear Island Timber, L. L. C. proffers as a condition of rezoning that access to lots shall be limited as follows:

a) All lots fronting Claiborne Road (Route 631) adjacent to an existing or relocated logging road shall use the existing logging road as access to the lot; and

b) access to all lots fronting on White Oak Road (Route 613) shall be limited to three (3) turn in areas which may be designed as an access road to the remainder of the land tract.

Mrs. Mann reminded the Board P-98-5 needed to be removed from the table before discussion could occur.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that P-98-5 be removed from the table and heard at this time by the Board of Supervisors.

Mr. Bracey opened the Public Hearing portion of the hearing on P-98-5. He asked if any citizens had signed up to speak on this issue.

Mrs. Mann stated she did have citizens signed up to speak. The following taxpayers addressed the Board:

1. Mr. Forrest P. Clay, Jr., 18603 White Oak Road, came forward stating this zoning request was predicated by pure greed by a carpetbagger corporation. This corporation has enjoyed a tax break all these years while making a profit on the timber harvested in Dinwiddie County. The best he knew they now wanted to rezone the timber land so that they can take out of the County a huge final profit. That money will head straight to Wall Street. What they leave behind is a development with very small homes, with individual wells, and septic systems. How can we continue to approve such developments that make a mockery of the policy to preserve timberlands and agricultural use.
2. Mr. Ben Wilson, White Oak Road came forward asking what had been offered or what is the resolution as far as zoning or how they are going to handle the property.
   Mr. Scheid came to the podium reading the proffers and stating what Mr. Johnny Bain was requesting in his rezoning request.
3. Ms. Julia Benner, White Oak Road, came forward stating she lived in Dabney Estates and she was concerned about ground water, shallow wells, septic systems and the lack of dumpsters in her area. She asked the Board to give this matter much thought before they approved the request.

Mr. Bracey asked if there were any other citizens present who wished to speak on P-98-5.

There being none Mr. Bracey closed the Public Hearing and moved forward.

There was discussion between the Board, Mr. Johnny Bain (representative of Bear Island Timberlands), and Mr. Scheid regarding: A) criteria for access roads; B) was there a contingency plan if this rezoning request was not granted; C) the fact that Mr. Bain had made an effort to meet the Board half way; and D) the opinion that we need to conserve agricultural, forest land and the historical nature of this land.

Mr. Tickle made a motion to approve P-98-5, with the proffers. Mr. Bracey called for a second. There was no second offered. Mr. Bracey stated we did not abide by Robert's Rules of Order. Normally, this motion would die right here; however, because we are not governed by these then the Chairperson has the prerogative to drop it or go on. He stated he felt this person or any other person needs an answer now because this is the second time around and called for the vote. Mr. Clay, Mr. Tickle, Mr. Bracey voting "aye", Mr. Moody, Mrs. Everett voting "nay",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the Zoning Map of the County of Dinwiddie be amended by changing the district classification of Section 32, Parcel 10A, containing approximately 82.0 acres, from Agricultural, General, A-1 to Residential, Rural RR-1 . This rezoning shall include proffers recommended by the Planning Commission. This ordinance shall become effective immediately and in all other respects, said zoning maps remain unchanged; and

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: RESOLUTION FOR SCHOOL COMPLETION BONDS AND PUBLIC CAPTIAL PROJECT BONDS, SERIES 1998

Mr. Long stated the Board had before them the Bond on the combination of the final school bond issues, the bond issue to cover the cost above the state allocation on the industrial access road for the Chaparral Steel Project, and for the potential refinancing of 1995 Bonds. The maximum amount of the bonds would be $13,100,000.00. The breakout on the schools final issue 1998A Bonds is 7.1 million, the maximum for 1998B for the Capital Project for the Industrial Access Road would be 1 million, and the 5 million for 1998C which would be the refunding bonds.

Mrs. Ralph stated there was one new item with this financing that we have not done in the past and was recommended to us by our financing consultant and that is the use of an insurance firm. She stated she had presented them with a copy of what was called a commitment letter which Mr. Hill from Davenport is going to refer to and she would like for him to explain the advantages to the Board of insuring this Bond issue and discuss the cost of this policy.

Mr. Hill came forward and explained the previous bonds have had a "bank qualified" status which means the County had intended not to issue more than 10 million dollars in this calendar year. Due to the size of this issue for the school completion, the industrial access road and the potential refinancing we are in excess of that 10 million dollars and we are no longer eligible for the bank qualified status. In the analysis that was performed and provided at the last formal presentation on the different financing options for this borrowing, included an insurance premium estimate. The premium that was used in the analysis was .6% and the quote received from Municipal Bond Insurance Agency (MBIA) is .45%, which is an aggressive quote. Essentially what the insurance policy does is takes the County's bonds, provides this financial guarantee insurance policy which guarantees the investors the repayment of the debt. If for some unforeseen reason the County cannot pay the debt service in any given year this insurance policy would step in and make the payment for the County. This .45% premium affords the County the AAA rating. In the past we have issued the County's bonds as non-rated and bank qualified; we are over the limit for the bank qualification this year but we have the ability to lock in triple A rates which is the highest rate possible.

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

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

RESOLUTION OF THE BOARD OF SUPERVISORS
OF DINWIDDIE COUNTY, VIRGINIA

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia **(the "Board of Supervisors")** has previously requested the Industrial Development Authority of Dinwiddie County, Virginia **(the "Authority")** to assist it in the financing of improvements and renovations to County school facilities (Midway Elementary School,

Dinwiddie County Middle School and Dinwiddie County High School) (together the **"School Project"**), and pursuant to these requests the Authority issued its $3,365,000 Interim School Funding Lease Revenue Notes (Dinwiddie County School Facilities Project) Series 1995A **(the "Notes")**; and

WHEREAS, the County issued $13,000,000 of its general obligation bonds for school purposes on November 20, 1996 purchased by the Virginia Public School Authority **(the "VPSA Bonds")** to pay for a portion of the costs of the acquisition, completion and equipping of certain improvements and renovations to certain of the County's schools and related facilities, a portion of which funds were used to fully redeem the Notes on February 1, 1997; and

WHEREAS, at the request of the Board of Supervisors, in order to enable the County to complete a portion of the School Project, the Authority issued its $5,900,000 Lease Revenue Bonds (Dinwiddie County School Facilities Project), Series 1997A **(the "School Bonds")**, (i) to finance a portion of the costs to complete the School Project, (ii) to make a deposit to a debt service reserve fund for the School Bonds and (iii) to pay certain issuance costs and expenses incurred in connection with issuing the School Bonds; and

WHEREAS, the Board of Supervisors now desires to complete the financing of the School Project, and has requested that the Authority assist it in the financing of such project; and

WHEREAS, the Board of Supervisors also desire to finance a portion of the costs of certain improvements relating to an industrial access road and infrastructure improvements for an industrial site in the County **(the "Public Capital Project")**; and

WHEREAS, the Board of Supervisors previously requested the Authority to assist it in the financing of a portion of the acquisition, construction and equipping of a courts complex and related facilities to house the County's courthouse **(the "Courthouse Project")** and pursuant to that request the Authority issued its $5,500,0000 Lease Revenue Bonds (Dinwiddie County Courts Facilities Project), Series 1995B **(the "1995 Bonds")**; and

WHEREAS, the Board of Supervisors now has requested the Authority to refund a portion of the 1995 Bonds in order to take advantage of decreases in the interest rate on municipal bonds due to more favorable market conditions which will result in substantial savings to the County; and

WHEREAS, in order to finance the School Project, the Public Capital Project, and the refunding of a portion of the 1995 Bonds, the Board of Supervisors has requested the Authority to (a) issue, offer and sell up to $13,100,000 of its Lease Revenue Bonds (Dinwiddie County Public Facilities Project), composed of $7,100,000 in Series 1998A Bonds (for completion of the School Project), $1,000,000 of Series B Bonds (for the Public Capital Project) and $5,000,000 of Series C Bonds (for refunding a portion of the 1995 Bonds) **(together, the Series A, Series B and Series C Bonds are referred to** hereinafter **as the "1998 Bonds")** to finance a portion of the costs (I) to acquire and construct the Public Capital Project, (ii) to complete the acquisition, construction and equipping of the School Project on improved real property owned by the Dinwiddie County School Board **(the "School Real Estate"),** and (iii) to refund a portion of the 1995 Bonds and (b) amend its lease of the School Project, and the Courthouse Project and to lease the Public Capital Project to the County to accomplish certain purposes of the Virginia Industrial Development and Revenue Bond Act **(the "Act")**; and

WHEREAS, there has been presented to the Board of Supervisors a plan for lease financing of (a) a portion of the costs to complete the acquisition, construction and equipping of the School Project and the Public Capital Project and (b) refunding a portion of the 1995 Bonds, which plan involves issuing of the 1998 Bonds by the Industrial

Development Authority of Dinwiddie County, Virginia **(the "Authority")** which would not create debt of the County for purposes of the Virginia Constitution; and

WHEREAS, there have been presented to this meeting drafts of the following documents **(the "Documents")**, copies of which shall be filed with the records of the Board of Supervisors:

(a) a Second Amended Ground Lease, dated as of August 15, 1998, amending the Ground Lease, dated as of December 1, 1995, between the Authority, the County and the School Board, as previously amended by Amended Ground Lease, dated as of July 1, 1997, conveying to the Authority a leasehold interest in the real estate described therein **(the "Second Amended Ground Lease").**

(b) a Second Amendment to Financing Lease, dated as of August 15,1 998, amending the Financing Lease, dated as of December 1, 1995, between the Authority and the County, as previously amended by Amendment to Financing Lease, dated as of July 1, 1997, conveying to the County a leasehold interest in the Public Capital Project and amending the terms of the conveyance to the County of a leasehold interest in the School Project and the Courthouse Project **(the "Second Amendment to Financing Lease");**

(c) a Second Supplemental Indenture of Trust, dated as of August 15, 1998, supplementing and modifying the Indenture of Trust, dated December 1, 1995, between the Authority and Crestar Bank as Trustee **(the "Trustee")**, as previously supplemented by Supplemental Indenture of Trust, dated as of July 1, 1997, pursuant to which the 1998 Bonds are to be issued, including the form of the 1998 Bonds, which is to be acknowledged and consented to by the County **(the "Second Supplemental Indenture")**;

(d) a Second Amended Assignment of Rents and Leases, dated as of August 15, 1998, between the Authority and the Trustee amending the Assignment Agreement, dated as of December 1, 1995, as previously amended by Amended Assignment of Rents and Leases, dated as of July 1, 1997, assigning to the Trustee certain of the Authority's rights under the Second Amendment to Financing Lease, which Second Amended Assignment of Rents and Leases is to be acknowledged and consented to by the County **(the "Second Amended Assignment Agreement")**;

(e) a Bond Purchase Agreement among the Authority, the County and Davenport & Company, LLC as Underwriter **(the "Underwriter")** for the purchase of the 1998 Bonds **(the "1998 Bond Purchase Agreement")**;

(f) a Continuing Disclosure Agreement between the County and the Underwriter for the purpose of assuring compliance with continuing disclosure obligations under Rule 15c2-12 **(the "Continuing Disclosure Agreement")**; and

(g) a Preliminary Official /Statement for the offering and sale of the 1998 Bonds.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA:

1. The following plan for (a) financing the costs to complete the acquisition, construction and equipping of the School Project and the Public Capital Project for the County and (b) refunding a portion of the 1995 Bonds, as described in the preambles above is hereby approved. The Authority will be requested to issue the 1998 Bonds in the maximum amount of $13,100,000 composed of (I) $7,100,000 in Series 1998A Bonds (ii) $1,000,000 in Series 1998B Bonds and (iii) $5,000,000 in Series 1998C Bonds, and to use the proceeds therefrom to finance the costs to complete the acquisition,

construction and equipping of the School Project and the Public Capital Project and the refunding of a portion of the 1995 Bonds. The Authority will complete the acquisition, construction and equipping of the School Project on the School Real Estate which is leased to the Authority under the Second Amended Ground Lease, and the Authority will continue to lease the School Project and the Courthouse Project and lease the Public Capital Project to the County pursuant to the Second Amendment to Financing Lease. The Authority will also enter into the Second Supplemental Indenture with the Trustee, pursuant to which the 1998 Bonds will be issued, which Second Supplemental Indenture is to be acknowledged and consented to by the Board of Supervisors. The Authority will also enter into the Second Amended Assignment Agreement whereby the Authority's rights under the Second Amendment to Financing Lease will be assigned to the Trustee, which Second Amended Assignment Agreement is to be acknowledged and consented to by the Board of Supervisors. The Authority will be requested to continue to lease the School Project and the Courthouse Project and to lease the Public Capital Project to the County, each for the term of the applicable series of 1998 Bonds, under a "triple net lease" at rents sufficient to pay interest and principal due on the applicable series of 1998 Bonds, all pursuant to the Second Amendment to Financing Lease. The obligation of the County to pay rent will be subject to the Board of Supervisors making annual appropriations for such purpose. The 1998 Bonds will be secured by an assignment of the Second Amendment to Financing Lease to the Trustee for the benefit of all bondholders. If the County exercises its right not to appropriate money for rent payments, the Trustee or the holders of the 1998 Bonds may terminate the Second Amendment to Financing Lease or otherwise take possession of the School Project or the Courthouse Project, as applicable, subject however to the terms and limitations of the Second Amendment to Financing Lease, the Second Amended Assignment Agreement and the Second Supplemental Indenture, which may limit or restrict such rights to possession.

2. The Board has selected Davenport & Company, LLC as underwriter for the purchase of the 1998 Bonds, and the Authority is hereby requested to designate it as such.
3. The Chairman or Vice Chairman of the Board of Supervisors, either of whom may act, is hereby authorized and directed to execute and deliver the Second Amended Ground Lease, the Second Amendment to Financing Lease, the 1998 Bond Purchase Agreement, the Continuing Disclosure Agreement and such other documents as he or she deems necessary to the consummation of the financing described herein.
4. The Chairman or Vice Chairman of the Board of Supervisors, either of whom may act, is hereby authorized and directed to acknowledge and consent to the provisions of the Second Supplemental Indenture, the Second Amended Assignment Agreement and any other instruments executed by the Authority in connection with an assignment of the Second Amendment to Financing Lease for the purpose of securing the 1998 Bonds.
5. The Documents shall be in substantially the forms submitted to this meeting, which are hereby approved, with such completions, omissions, insertions and changes as may be approved by the officer executing them, his or her execution to constitute conclusive evidence of his or her approval of any such completions, omissions, insertions and changes.
6. The School Project, the Public Capital Project and the Courthouse Project are each hereby declared to be essential to the efficient operation of the County, and the Board of Supervisors anticipates that the School Project, the Public Capital Project and the Courthouse Project will continue to be essential to the operation of the County during the term of the Second Amendment to Financing Lease. The Board of Supervisors, while recognizing that it is not empowered to make any binding commitment to make appropriations beyond the current fiscal year, hereby states its intent to make annual appropriations in future fiscal years in amounts sufficient to make all payments under the Second Amendment to Financing Lease and hereby recommends that future Boards of

Supervisors do likewise during the term of the Second Amendment to Financing Lease.

7. The Chairman or Vice Chairman of the Board, the County Administrator, the Assistant County Administrator, the County Treasurer and all other officers of the County are hereby authorized and directed to work with representatives of the Authority, the County Attorney, Bond Counsel, and the Underwriter to perform all services and prepare all documentation necessary to bring the 1998 Bonds to market, including without limitation, final forms of the Documents.
8. The County covenants that it shall not take or omit to take any action the taking or omission of which will cause the 1998 Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, including regulations issued pursuant thereto **(the "Code"),** or otherwise cause interest on the 1998 Bonds to be includable in the gross income for Federal income tax purposes of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the 1998 Bonds.
9. The County covenants that it shall not permit the proceeds of the 1998 Bonds to be used in any manner that would result in (a) 10% or more of the proceeds of the 1998 Bonds being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, provided that no more than 5% of such proceeds may be used in a trade or business unrelated to the County's use of the School Project, the Public Capital Project or the Courthouse Project, (b) 5% or more of such proceeds being used with respect to any "output facility" (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than as governmental unit, as provided in Section 141 (c) of the Code; provided, however, that if the County receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the 1998 Bonds from being includable in the gross income for Federal income tax purposes of the registered owners thereof under existing law, the County need not comply with such covenants.
10. The Board of Supervisors hereby consents to Sands, Anderson, Marks & Miller, P.C., Richmond, Virginia, serving as special counsel to the Authority, as bond counsel and as county attorney and recommends that such firm be appointed by the Authority as Bond Counsel and as special counsel to the Authority.
11. All other acts of the Chairman or Vice Chairman of the Board and other officers of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the plan of financing, the issuance and sale of the 1998 Bonds and the acquisition, construction, and equipping of the School Project and the Public Capital Project and the refunding of a portion of the 1995 Bonds are hereby approved and ratified.
12. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.
13. The County hereby agrees to indemnify, defend and save harmless the Authority, its officers, directors, employees and agents from and against all liabilities obligations, claims, damages, penalties, fines, losses, costs and expenses in any way connected with the County, the issuance of the 1998 Bonds or the acquisition, construction and equipping of the School Project or the Public Capital Project or the refunding of a portion of the 1995 Bonds.
14. Nothing in this Resolution, the 1998 Bonds or the Documents shall constitute a debt or a pledge of the faith or credit of the County, and neither the County not the Authority shall be obligated to make any payments under the 1998 Bonds or the Documents except from payments made by or on behalf of the County under the Second Amendment to Financing Lease pursuant to annual appropriation thereof in accordance with applicable law. The Underwriter

shall acknowledge on behalf of the Bondholders that any purchase of 1998 Bonds pursuant to the 1998 Bond Purchase Agreement is made solely based on representations of the County and no representations of any kind as to the School Project, the Public Capital Project or the Courthouse Project or the ability to repay the 1998 Bonds has been made by the Authority.

15. This resolution shall take effect immediately.

PASSED AND ADOPTED this 5th day of August, 1998.

IN RE: RESOLUTION AUTHORIZING COMPETITIVE NEGOTIATION – HVAC & CONTROL SYSTEMS

Mrs. Ralph stated this is just another standard. Whenever we are doing any kind of bid process by using competitive negotiation, when it is not a straight bid, by Code we need to have this Resolution authorized by the Board prior to putting out bids.

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

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

RESOLUTION AUTHORIZING COMPETITIVE NEGOTIATION

IN RE: HVAC & CONTROL SYSTEMS

WHEREAS, the Board of Supervisors of Dinwiddie County (the "Board") wishes to receive proposals from qualified firms for the County's "HVAC &Control Systems" to evaluate various subjective factors, including a demonstrated understanding of the work and ability to perform, experience and qualifications, schedule and quality of work, and to negotiate specific contractual terms and conditions favorable to Dinwiddie County (the "County"); and

WHEREAS, Section 11-41 (c) of the Virginia Public Procurement Act provides that goods and services may be procured by competitive negotiation upon a determination made in advance and set forth in writing that competitive sealed bidding is not advantageous to the public;

NOW THEREFORE BE IT RESOLVED BY THE Board of Supervisors of Dinwiddie County, Virginia:

1. The County Administrator, in cooperation with other County Staff persons, is authorized to issue on behalf of the County, a written request for proposals for the County's "HVAC & Control Systems" on the basis that competitive sealed bidding is not practicable and not fiscally advantageous to the public as it is advisable for the County to have the flexibility allowed by competitive negotiation procedures to consider many factors including negotiated price, experience and qualifications of the vendor, length of contract performance and other terms and conditions.
2. This Resolution shall constitute a written determination that competitive sealed bidding is not advantageous to the public for the reasons stated above.
3. This Resolution shall be effective as of August 5, 1998.

IN RE: DISTRICT 19 COMMUNITY SERVICES BOARD --- PERFORMANCE CONTRACT

Extract

Mr. Long stated at the last meeting Mr. Joseph E. Hubbard, Executive Director, had informed the Board there were two (2) changes enacted by the General Assembly. One was the designation of what type of Board District 19 Community Services Board declared themselves to be. We took care of this at the last meeting with a resolution

declaring them as an operating board. We now need to address the second change. This requires each governing body of a community services board to formally approve the annual performance contract signed by the Department of Mental Health, Mental Retardation, and Substance Abuse Services and the community services board. This requirement does not impact the contract for FY 99; however, District 19's Board of Directors is requesting that each of their localities formally approve the FY 99 contract. They wanted this to be approved by July 31, 1998. The Board was supplied a copy of this contract in their Board packets in July. The Department of Mental Health, Mental Retardation, and Substance Abuse services has indicated that localities are being asked to review and approve Exhibit "A" which contains the budgetary information.

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

WHEREAS, *The Code of Virginia,* Section 37.1-194 requires each locality to designate the type of community services board through which it provides mental health, mental retardation, and substance abuse services to its residents; and

WHEREAS, the County of Dinwiddie, Virginia delivers its services through District 19 Community Services Board; and

WHEREAS, this model most closely fits the definition of "operating community services board" as outlined in the law;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that District 19 Community Services Board is hereby designated as an operating community services board with the duties and responsibilities conferred upon it by law and such other duties and responsibilities assigned by this Body, and

BE IT FURTHER RESOLVED, pursuant to the requirements of Va. Code Section 37.1-198D (Supp. 1998), that the FY 1999 Community Services Board Performance Contract, in the form attached to the letter from Joseph E. Hubbard, Executive Director of the District 19 Community Services Board be approved.

Mr. Tickle stated he had met with Mr. Hubbard since the last meeting and felt that they had reached an agreement on suggestions for better service to the public.

IN RE: JOHNSON CONTROLS PERFORMANCE CONTRACT – CONSENT RESOLUTION TO REFINANCE LEASE

Mr. Long stated he had received a letter and a Resolution from Troilen G. Seward, Superintendent of Schools, regarding Johnson Controls Performance Contract. Mrs. Troilen Seward and Mr. Ray Watson, representatives from the School Board, were present to address questions the Board might have.

Mrs. Seward came forward stating due to the reduction in interest rates since August 1995, they would like to refinance the Performance Contract Lease. They had received a proposal from a financial institution to refinance the Johnson Controls Performance Contract lease at 4.62%. As a result of this, they investigated the refinancing of their lease, and have received a 4.61% proposal from the current lease holder, Crestar Bank. This refinance plan will save the County approximately $39,000 over the life of the loan by reducing the amount of the payments for the final four years. Since the FY99 Budget has been approved, the payments for next year will remain as budgeted. The original plan had the payments increasing each year for the life of the loan. Under this new plan, these payments will level out after FY99. In the final year of the loan, the monthly savings will be $2,000 per month. To attempt to further "shop" this loan would require additional legal expenses due to the Tax Exempt, Bank Qualified nature of the loan. Crestar has agreed to capitalize the call premium and to pay for the legal expenses to obtain the requisite Opinion of Counsel in refinancing this lease. The School Board authorized Mrs. Seward to seek authorization from the Dinwiddie County Board of

Supervisors to refinance this debt, and pending approval., authorize the School Board Clerk to sign a letter of agreement with Crestar Bank. In the Board packet was included a resolution prepared by Daniel M. Siegel, County Attorney, allowing this refinancing to take place.

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

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

RESOLUTION OF THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY CONSENTING TO THE SCHOOL BOARD'S REFINANCING LEASE

WHEREAS, the Dinwiddie County School Board **(the "School Board")** entered into a Performance Contract, dated April 21, 1995, with Johnson Controls, Inc. and financed the purchase of Equipment relating thereto pursuant to a Equipment Lease Purchase Agreement with Crestar Bank **(the "Bank")**, dated as of August 8, 1995, in the original amount of $1,130,777 amortized over a 10 year period, at a net interest cost of 5.75% subject to annual appropriation by the Board of Supervisors of Dinwiddie County **(the "Board of Supervisors")** and the School Board **(the "Lease Obligation")**; and

WHEREAS, THE School Board has negotiated for a lower interest rate through a refinancing of the Lease Obligation with the Bank with a net savings of approximately $39,000 over the term of the Lease Obligation by its entering into a Amendment to the Equipment Lease Purchase Agreement **(the "Refinancing Lease")** and has requested the consent of the Board of Supervisors to the Refinancing Lease;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA as follows:

1. The Board of Supervisors hereby approves and consents to the Refinancing Lease and authorizes and directs its Chairman or Vice Chairman, Clerk and County Administrator, County Attorney and/or other County official to execute and deliver such documents and certificates as are appropriate or necessary for the consummation of such Refinancing Lease, the execution of such documents or certificates to be conclusive evidence of such appropriateness or necessity.
2. This Resolution shall be effective immediately.

Dated as of this 5th day of August, 1998.

IN RE: COUNTY ADMINISTRATOR COMMENTS – NATIONAL HOUSEKEEPERS WEEK

Mr. Long stated he had received a letter from the Old Dominion Chapter of the International Executive Housekeeper's Association, Inc., asking that the Board issue a proclamation to support the efforts to recognize the professional Housekeepers in the Commonwealth of Virginia during September 13-19, 1998.

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

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

PROCLAMATION
OF THE
DINWIDDIE COUNTY BOARD OF SUPERVISORS
AUGUST 5, 1998
IN RECOGNITION OF

NATIONAL HOUSEKEEPERS WEEK
SEPTEMBER 13TH - 19TH, 1998

WHEREAS, the Old Dominion Chapter of the International Executive Housekeeper's Association, Inc., and the Housekeepers in the Commonwealth of Virginia are committed to a cleaner, safer, healthier environment; and

WHEREAS, professional Housekeepers contribute greatly to this common purpose as supported and communicated to members, the public and other organizations through leadership, education and research;
and

WHEREAS, the week of September 13th - 19th, 1998 has been designated National Housekeepers Week, by International Executive Housekeepers Association, Inc.;

NOW, THEREFORE, We, the Board of Supervisors of Dinwiddie County, Virginia do hereby proclaim the week of September 13th - 19th, 1998, NATIONAL HOUSEKEEPERS WEEK and ask that citizens everywhere join in recognizing these outstanding professionals.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated there were two (2) additional items in the Board packet from Crater Planning District Commission regarding the "Commission on Educational Infrastructure" and "Legislative Study of the Freedom of Information Act". He continued he had included these for their information.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated in the packet there was a memorandum from David M. Jolly, Director of Public Safety, asking for approval to bid the Ford Fire Department's Old Brush Truck (1984 Ford F250).

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to David M. Jolly, Director of Public Safety, to bid the Ford Fire Department old brush truck.

IN RE: COUNTY ADMINISTRTOR COMMENTS – CRIMINAL HISTORY RECORD CHECK WITH VIRGINIA STATE POLICE

Mr. Long stated the next item was one that was not included in their packet because it had not been brought to him until after the packets had been delivered. Tim Smith, Recreation Director, had shared with him a letter where he had interacted with the Virginia State Police asking about criminal history checks. Currently the County has new employees fill out the documents and they take about six (6) weeks to process. We have found out the County can be authorized, through the State Police, to do these checks through the computer system here at the office. The only cost is $25.00 for the software plus the cost of a new telephone line dedicated to the use of this modem connection with the State Police. We will still have the $20.00 per each request, and you have the up front cost of the telephone line and the software. We can get these requests back in twenty-four (24) to seventy-two (72) hours. The cost of the telephone line should not exceed $350.00. He requested authorization from the Board to enter into an agreement with the State Police to receive this service.

There was discussion among the Board, Mr. David M. Jolly, Public Safety Director, and Mrs. Troilen Seward, Superintendent of Schools, regarding the importance

of running these checks and receiving the information prior to putting new employees into service. This is for the protection of the County and the citizens that we serve.

Mr. Bracey stated he felt the Board needed more information on this subject before a decision could be made. He further stated the Board had always been very generous to the Sheriff's Department and he had been told it does not take six (6) weeks to obtain this information but it was only available to them. He questioned why they could not work with us on this project. He felt the cost was too high for the few people we employ. He again stated we needed further research.

Mr. Long stated he would place all the information he had available in the next packet for further discussion at that time.

IN RE: COUNTY ADMINISTRATOR COMMENTS – INDUSTRIAL ACCESS ROAD

Mr. Long stated, with reference to the Industrial Access Road, he needed to ask for Board action on the right of way deeds. The Board had talked previously about the right of way needed for the access road and had discussed an amount not to exceed $80,000.00 for these properties. The County was able to acquire the needed right of way within the limit agreed upon and now needed action from the Board to accept the deeds once the properties are closed on and to authorize the Chairman to sign the checks to obtain the right of way.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Chairman to sign the checks to obtain the right of way for the Industrial Access Road and for the County to accept the deeds.

IN RE: COUNTY ADMINISTRATOR COMMENTS – INDUSTRIAL ACCESS ROAD CHANGE ORDER

Mr. Long continued with there was a change order initiated on this same project. This being a project the State will have to accept at the end their inspector said a change order was necessary to complete the project. The change was in the area associated with the wet lands. Additional undercut needed to be taken out, additional fill put in with fabric layers, and the amount of the Change Order is $105,000.00. This would increase the total amount of that contact to $1,216,000.00 of which we are receiving $450,000.00 from the State for the project. The bonds that we spoke of earlier this evening are to cover the remainder and Mr. Long stated he is currently working on additional funding sources to try and help out on the project. He stated he did need approval of the Board for this Change Order to complete the project.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to accept Change Order One on the Industrial Access Road in the amount of $105,000.00 increasing the total of this contract to $1,216,000.00.

IN RE: COUNTY ADMINISTRATOR COMMENTS – RISK MANAGEMENT SETTLEMENT

Mr. Long stated his last item was one he would ask Mr. Ben Emerson, the County Attorney, for an explanation of action to accept the settlement offer with the Division of Risk Management on litigation regarding Virginia Bio-Fuels.

Mr. Emerson stated, as the Board knew, there has been a dispute going on with the Division of Risk Management for some time over the County's claim. It is basically a coverage dispute, as to whether or not certain expenses incurred by the County in the defense of the Virginia Bio-Fuels claim would be covered by the Division of Risk

Management or not. The amount of the claim was a total of $158,930 and some change. The Division of Risk Management position over about a year and a half has been that they do not owe any of that money. We have dealt with three (3) Attorney Generals on it over that period of time. They have recently offered to settle that claim for approximately 68% of the amount claimed or $108,930.00. These funds, or the majority of these funds, have already been expended by the County to their counsel in the Bio-Fuels litigation. He stated they felt this was an advantageous settlement to the County and recommended the County accept the offer. If the County were to sue, for the entire amount, it would incur far more expense then what they would be giving up by settling. Again he stated legal counsel felt the County should approve the settlement and authorize the Chairman to enter into the settlement agreement.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to enter into a Settlement Agreement and for the Chairman to execute the same on behalf of the County, and that the County and Sands, Anderson, Marks & Miller share in the total payment from the Department of Risk Management pro rata, with the County having $74,660.54 (68.54% of $108,930.52) and Sands, Anderson, Marks & Miller receiving $34,269.48 (68% of $50,000). Sands, Anderson, Marks & Miller will agree to defer payment of its remaining deductible ($15,830) from the County until the Escrowed Amounts are released in the County's lawsuit.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated that was all he had for the evening.

Mr. Bracey stated he saw in the Board packet a request from the Department of Game & Inland Fisheries for storage space in the old Courthouse.

Mrs. Ralph stated it was not really a request; then she stated well, it is a request but she had asked the gentleman to put it in merely to make the Board aware of another need. She stated she thought the Board had received one earlier from the Sheriff's Department and this was just to get it on record. This was not for the Board's decision tonight. It looks like everybody is looking for space and this way we will have a record of him asking and she had requested he write the Board a letter. She continued she had explained to him that we still had a lot of work to be done.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay - He asked if the Board had any report on Walkers Mill Road.

Mr. Long provided him with a brief update on the progress since Mr. Clay's last meeting.

Mrs. Everett - no comments

Mr. Moody - no comments

Mr. Tickle - He stated he would like to comment on something that Mrs. Seward and Mr. Long failed to fully address and that was the Commission on Educational Infrastructure. The nice thing he felt everyone should know is that when we talk about lottery profits. Everyone says we are not getting lottery profits for what we voted on. He thought it was Delegate Richard Cranwell out of Roanoke who suggested next year we take 50% of the lottery profits and put it toward the infrastructure or capital facilities like building new schools. In his recommendation Mr. Tickle stated he believed was for the year 2002 to 2004 make that 100% of the funds generated profits from the lottery go forth to capital improvements. He also stated he thought he understood Mr. Ray Watson from the Schools to say another alternative was to increase sales tax by half a penny. That was the two (2) things forthcoming to us and with our increasing school population we can most certainly be using those in the future. He hoped our Delegates would support this with full speed ahead and give us some money.

Mr. Bracey - He stated he had a question. He asked Mr. Tickle if a letter had been received by him regarding an apron on the road. He stated he did not quite understand the letter. Mr. Tickle stated he was going to investigate this matter. The gentleman was Mr. Lloyd Shands on White Oak Road.

His second item was he had a request on Rainey Road. Persons on that road state they are experiencing high speed going through there. He would like for someone to call Mr. Ronald Reekes, Resident Engineer for Virginia Department of Highways, and have him look into the matter in order to post or drop the speed through that area.

Mr. Bracey stated he had received Mrs. Troilen Seward's comments from the School Board meeting about private roads. He stated he saw that they have three (3). He stated he questioned two (2) and one (1) he did not question because he really really understood the trailer park. He stated he did not understand the other two (2). There are other roads in the County that are private roads that look as well as those two (2) that they go on. He thought his question was what criteria does the School system use to use those other two (2). The one (1) he understood that; it would take three (3) buses to go in there and pull all those kids out. On Whippernock and Warwick Roads –

Mrs. Seward responded by stating what the policy did was; she stated she was reading from the Board minutes, "Transportation was provided to residents who shall be routed only on public roads with exception of the three (3) private roads which were being served at the time of the adoption of the policy". At that time those three (3) roads were being served. They adopted the policy which included those which were being served and then said no more. Those that had been served for years were grand-fathered in.

Mr. Tickle stated the Board of Supervisors supported this policy. He stated Mrs. Seward brought this policy to them and remember there was a young lady who came up here when we were talking about doing away with this from Green Acres Trailer Park and she convinced the Board for the seventy-eight (78) or sixty-eight (68) kids that they needed that for safety reasons because of Route 1. At that time Mrs. Seward brought forth to us that analogy she just gave, that we presently having three (3) and her recommendation, and we accepted that recommendation, that we would accept no more but we would accept these three (3) and that would be our criteria. As we remembered, we remembered wisely that we did not want to accept the other two (2) but we felt in conforming, he continued not making it difficult grand-father them in was our idea in concept.

Mrs. Seward stated they had not been served at that point and they had requested service.

Mr. Bracey stated he was not going to dispute what Mr. Tickle was saying but just one (1) of those roads he did not see, the private, it is just that one – because really it is a city within itself. Those other two (2) he did not see why but thank you for the information. He stated he had some other private roads in his district who want to be served and he wondered if he needed to get those people to come and ask that they be put on.

Mrs. Seward replied no. The policy was, at that time, they would take the three (3) that had been serviced forever but that they would take no more. We do not serve anymore private roads. We only come to the end of the private road to pick up the students.

Mr. Bracey that is all right, it is ok. We are not going to hassle.

Mrs. Everett asked when the Board planned to do the evaluation of the County Administrator.

Mr. Bracey asked when we promised him.

Mrs. Everett stated a month ago.

Mr. Clay stated we could do it when we come in early for the next meeting.

Mr. Bracey asked if that was ok.

Mr. Long stated it was fine with him.

Mr. Bracey stated we would handle this at the 11:00 session on the 19th of August.

RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 9:14 P.M. to be continued August 19, 1998 at 11:00 A.M. in the Conference Room of the Pamplin Administration Building.

Edward A. Bracey, Jr.
Chairman

ATTEST:
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE COUNTY, VIRGINIA, ON THE 19TH DAY OF AUGUST 1998, AT 11:00 A.M.

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

Mr. Tickle and Mr. Moody arrived late.

IN RE: CALL TO ORDER

Mr. Edward A. Bracey, Jr., Chairman, called the meeting to order at 11:00 A.M.

IN RE: EXECUTIVE SESSION

Upon motion of Mrs. Everett , seconded by Mr. Clay , Mr. Clay, Mrs. Everett, Mr. Bracey 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 (County Administrator); the Board moved into Executive Session at 11:00 A.M.

IN RE: RETURN TO OPEN SESSION

A vote having been made and approved the meeting reconvened into Open Session at 12:13 P.M. in the Multi-Purpose Room of the Pamplin Administration Building.

IN RE: CERTIFICATION

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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: CIP – DISCUSSION OF PROJECTS

Mrs. Troilen Seward, Superintendent of Schools, was present to discuss the Dinwiddie Elementary School renovation project. She stated Option 2 was the path she felt was most in line. This included everything included under Option 1. Option 2 includes upgrading the building without additions and minimum improvement and renovation of the interior of existing building without

additions. Many of the items listed were required by ADA (American Disabilities Act).

There was discussion regarding the cost of these renovations and it was decided that $3.5 million was the Board's maximum amount of contribution to this project.

Mr. Bracey asked that Mr. R. Martin Long, County Administrator, Mrs. Wendy Weber Ralph, Assistant County Administrator and Mrs. Seward get together and work on the financial funding of this project.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the School Board to move forward with plans for the Dinwiddie Elementary School renovation as outlined in Option 2; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that funds be advanced until permanent funding is put in place on the project with the total cost not to exceed $3.5 million.

IN RE: FIRE/EMERGENCY MEDICAL SERVICES BUILDING -- TOUR TO REVIEW DESIGNS

Mr. Long stated the next item was the Fire/Emergency Medical Services Building design. Staff met with perspective consultants/architectural engineers firms on fire houses on Monday. We need to set up some visits to some of the stations they have designed and built in the past so we will have some idea of who we are dealing with and what type of work they are capable of. He stated he thought they were going to shoot for a week from Friday. This would be Friday, August 28th. Board members are to let Mr. Long know if they would like to make this trip to visit these buildings.

Mr. Bracey asked which firms were interviewed on Monday.

Mr. Long stated they interviewed Ballou Justice & Upton Architects, Forrest Coile out of Newport News and DGJ out of the Tidewater area. DGJ and Ballou Justice & Upton were the best two (2) interviews. Now he feels that it is necessary to look at the type of design work these firms provide.

IN RE: PAMPLIN ADMINISTRATION BUILDING ADDITIONAL SPACE – CHANGE ORDER NUMBER TWO

Mr. Long stated with regard to the expansion work in progress there was an action item. There is an update needed on the electrical panel that presently serves the Administration Building. The current service is insufficient and is maxed out. The Change Order information is as follows:

CHANGE NUMBER TWO
The Miller Construction Company will provide all necessary material for upgrading the electrical service. This will include providing and installation of a 24" X 24" metal access door into the conduit chase area: The breakdown of cost is as follows:

♦ Electrical	$5,500.00
♦ Access Door	150.00
♦ Subtotal	$5,650.00
♦ 10% OH & P	565.00
♦ TOTAL	$6,215.00

TOTAL COST OF CHANGE ORDER NUMBER TWO:

SIX THOUSAND TWO HUNDRED FIFTEEN DOLLARS AND NO/CENTS ($6,215.00).

Mr. Bracey asked who would be doing this work.

Mr. Long stated The Miller Construction Company was the contractor and the electrical work was being subbed to McCray Electric, a Dinwiddie County business.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator to execute Change Order Two (as shown above) for the Pamplin Administration Building additional space for a total price of Six Thousand Two Hundred Fifteen Dollars and No/Cents ($6,215.00).

IN RE: PAMPLIN ADMINISTRATION BUILDING – SPACE PLANS FOR CURRENT AND NEW ADDITIONAL SPACE

Mr. Long stated plans had been completed for the overall use of the Pamplin Administration Building upon completion of the additional space which have been drawn up by Mr. Raymond Birdsong. Mr. Donald W. Faison, Building and Grounds Superintendent, had color coded the plans to show what department would be using each space.

The plans were reviewed and discussed by the Board. The Board was shown what area would be designated for the Treasurer's Office, the Commissioner of the Revenue's Office, the Code Compliance Officer's Office, the Reassessment Office and Public Safety Director's Office.

The Board voiced concern about Mrs. Deborah M. Marston's comments that she would be loosing space and not gaining space with this renovation. After reviewing the plans the Board agreed they did not see grounds for her comments.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to move forward with the floor plan by obtaining a price from The Miller Construction Company for the necessary renovations to provide the Director of Public Safety an office and report back to the Board with these figures.

IN RE: OLD COURTHOUSE AND JAIL WELLS

Mr. Long asked Mrs. Ralph to address the jail wells with the Board.

Mrs. Ralph stated the jail well situation is that if they want Administration to move forward, they need authorization or action to connect the old Clerk's Office and the Old Courthouse to the jail well. This would be abandoning the Old Courthouse well.

There was discussion regarding drilling a well verses using the old well. The major problem with this was we still do not know where the gasoline additive originated. There was also discussion regarding shallow wells verses the deep wells. There was concern about the cost of a new well and the additional costs of hooking it up to the current system.

Mrs. Everett wanted to know how much the Board was willing to spend to do away with the bottled water.

This brought up all kinds of questions regarding the water issue in the Courthouse buildings.

It was decided to continue the investigation of a drilled well and report findings to the Board at a further meeting.

IN RE: CHESDIN RECREATIONAL SITE

Mr. Long stated the only other item he knew that needed to be discussed was the recreation site. Administration stated they needed direction on how the Board wished Administration to move on the proposed Chesdin recreational site.

Mr. Tickle stated he could not see any reason that we should not lease the property from the Game and Inland Fisheries. He further stated he felt it was a win win situation for the County.

After discussion it was decided to ask a member of the Game and Island Fisheries to come to the next CIP session and discuss this area with the Board. The Board wished to know what the Game and Island Fisheries was actually going to provide toward the development.

The Board asked Mr. Long to contact the Game and Island Fisheries to find this information to be able to report back to the Board.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (A) - 3 Discussion or consideration of the condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property; the Board moved into Executive Session at 1:37 P.M.

IN RE: RETURN TO OPEN SESSION

A vote having been made and approved the meeting reconvened into Open Session at 2:05 P.M. in the Board Meeting Room of the Pamplin Administration Building.

IN RE: CERTIFICATION

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 2:07 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
County Administrator

/pam

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 19TH DAY OF AUGUST, 1998, AT 2:00 P.M.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	LEENORA V. EVERETT, VICE-CHAIRMAN	ELECTION DISTRICT #3
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	HARRISON A. MOODY	ELECTION DISTRICT #1
	AUBREY S. CLAY	ELECTION DISTRICT #5
OTHER:	DANIEL M. SIEGEL	COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., Chairman of the Board, called the regular meeting to order at 2:07 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda.

There being none Mr. Bracey moved forward.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the August 5, 1998 Continuation Meeting and the August 5, 1998 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1011690 - 1011854 (void check(s) numbered 1011572; 1011692; 1011718; 1011705; 1011589 and 1011853); for Accounts Payable in the amount of $171,840.88: General Fund $77,735.68; Jail Commission $70.77; E911 Fund $684.20; Law Library $47.99; Fire Programs $10,144.80; Capital Projects $1257.44; and County Debt Service $81,900.00

IN RE: APPROVAL OF REQUISITION #25 - COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated the following invoices are included in Requisition 25:

MORTON MARKS AND SONS, INC.	$26,846.97
CONTACT SPECIFIX	478.57
HENING VEST COVEY	3,545.24
TOTAL REQUISITION NUMBER 25	$30,870.78

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 25 in the amount of $30,870.78 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #35 – SCHOOL CONSTRUCTION

Mrs. Ralph stated Requisition #35 for the School Construction consists of payment to the following:

KBS, INC.	$278,300.72
FROEHLING & ROBERTSON, INC.	548.75
SOUTHSIDE ELECTRIC COOPERATIVE	198.28
DEJARNETTE & PAUL, INC.	3,192.00
SCHNABEL ENGINEERING	3,341.38
DUNBAR, MILBY, WILLIAMS, PITMAN & VAUGHAN	2,094.56
TOTAL OF REQUISITION NUMBER 35	$287,675.69

There was discussion regarding Midway's unfortunate situation and the cost of services being performed on that site. Mr. Tickle felt we should not incur any costs related to this incident.

Mr. Ray Watson, Assistant Superintendent of Schools, stated Schnabel Engineering and Dunbar, Milby, Williams, Pitman & Vaughan were hired by Dinwiddie County.

After further discussion it was decided that we should pay for the services we requested and try to recover the costs from the contractor. Mr. Tickle agreed to this suggestion.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 35 in the amount of $287,675.69 be approved and funds appropriated for CIP expenses for the School Project Fund.

Mr. Tickle stated we, the Board of Supervisors, need to send information to the School Board stating we feel KBS should pay for this; the Board should not be paying for extraneous costs related to this issue. They should cover that. He wanted to petition and have the School Board report back to the Board of Supervisors on this issue. He did not feel that taxpayers should be covering this expense.

Mr. Bracey asked if he was asking the County Administrator to take care of reporting back to the Board on this issue.

Mr. Bracey wanted to know who would be paying Dinwiddie County or the School Board.

Mrs. Ralph stated it was her understanding that you were requesting for the additional services to be hired to protect our interest but the School Board was paying for it.

Mr. Bracey stated they are paying for it.

Mr. Watson stated it would be paid out of the contingency CIP Fund. He further stated the School Board was not, at this point, asking for an increase in the CIP Fund.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens who had signed up to speak. There being none Mr. Bracey asked if there were any citizens present who had not signed up but wished to speak. There being none Mr. Bracey moved forward.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION – REPORT

Mr. Ronald Reekes, Resident Engineer for the Virginia Department of Transportation, came forward to present his monthly report. He gave a brief report on the status of projects currently in progress and projects that will be beginning shortly.

Mr. Tickle asked questions regarding the large trucks from the gravel plant on Route 226. It was suggested they place a pad prior to access to a State maintained road and/or put in an acceleration lane.

Mr. Long was requested to contact TarMac and request their dump trucks use 460 when ever possible and to limit traffic on Route 226. Also he was asked to see if the Company would place a pad prior to using the State maintained road and put in lanes for acceleration and deceleration.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION – SECONDARY CONSTRUCTION SIX-YEAR PLAN – PROPOSED DATES

Mr. Reekes stated he had written a letter to Mr. Long informing him it was once again time to update the Secondary Construction Six-Year Plan and Annual Fiscal Budget. He was proposing to do this during the months of October and November. He proposed the following schedule:

- Wednesday, October 7, during the regular scheduled board meeting, public information meeting to seek input into updating plan.
- Wednesday, October 21, during regular scheduled board meeting, workshop with Board of Supervisors.
- Wednesday, November 4, during regular scheduled board meeting, public hearing and adoption of proposed six-year plan and annual budget.

Mr. Reekes continued that in the past, the public information meeting had been well received by residents, and he believed this should continue. The Department will advertise for the public information meeting. The public hearing should be included in the normal board schedule advertisement.

There was discussion on the time and date and decided the proposed dates would work for all involved.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, came forward to present her report. She stated for the last several months her office had been overwhelmed with the Governor Gilmore Plan. She presented what she hoped would be taken as a fairly good, quickly put together, report on that. She gave a brief overview of the number of vehicles which her office had to review for qualification and key for the PPTRA (Personal Property Tax Relief Act). As of July 31st, with the diligent help of her full time employees and part time employees; she stated they needed and deserved the credit, Linda Stamos, Dorothy Rogers, Dorothy Alston, Rebecca Winn, full time employees and Mary Jo Beville, Marjorie Flowers, Betty Giddens, Peggy Avery, Connie Rose and Mary Lee Nye did what ever she had asked of them and she wanted to publicly thank them and put their names on the record. She continued that as of July 31st, within the time frame that the Governor had set through the General Assembly, as her time line

to submit to certify to the County's Treasurer – 20, 912 vehicles with a posted tax of $2,909,286.33. They have been working very hard with the Treasurer to get the fine tuning done. She was very pleased with the error rate that her employees had in the keying process. She stated she hoped the papers would put a little bit of positive in there about them, that they got it done and we are getting ready to certify it to DMV.

There was discussion about the weight of the vehicles, business vehicles and other information of qualification requirements.

IN RE: TREASURER – REPORT

Mr. William E. Jones, Treasurer, came forward and presented his report for the months of June and July.

There was discussion regarding the General Fund statements. Mr. Jones pointed out that the General Fund balance was down somewhat because of a couple of items: the funds advanced to the School Construction Fund until the Completion Bonds are issued; the delay in assessing and billing the public service corporations; and the Tar-Mac check.

Mr. Bracey stated that he hoped in the very very near future that the County has some type of statement to make concerning the matter of the $300,000 plus check. He stated he is just beginning now to understand exactly what went on with that three hundred and some dollar item.

Mr. Jones stated he received a Court Order to pay it and that is all he did.

Mr. Bracey stated the thing is that he thinks the citizens deserve a right to know where their money went to and what for. He stated he did not know who was going to make the report but he thought it was time now. It has been several months. He stated he felt Mr. Jones and Mr. Long needed to get together for a statement.

Mr. Jones stated again he just had a Court Order.

Mr. Bracey stated yes, but there had to be a root. We can dance and we can jump but there had to be a root to create something. He understood where Mr. Jones was coming from.

IN RE: TREASURER – PUBLISHING DELINQUENT TAX LIST

Mr. Jones stated he had one item which needed Board action. He stated each year the Board decides whether to give authorization to publish the delinquent taxpayer list in a local newspaper. This is used as a collection tool. He further stated that this year he did not feel the need to publish this list and recommended to the Board that this not be done. He stated he had other collection methods in place.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the recommendation of the Treasurer to not publish a delinquent taxpayer list be accepted.

It was decided that Mr. Jones should investigate and evaluate publishing a list after eighteen (18) months of nonpayment and report back to the Board.

IN RE: TREASURER - PERSONAL PROPERTY TAX RELIEF ACT

Mr. Jones stated Mrs. Marston did have the information to him within the time frame, prior to deadline set out by the Personal Property Tax Relief Act. He stated there were 16,757 vehicles on which personal property tax had been paid, are eligible and would be receiving the refund. The total amount of the refund, as of August 15, 1998, is

$222,862.69. He commented the Commissioner's office had very few errors in their keying. He hoped to have this information to DMV by Monday. He stated the Commissioner's Office needed to be commended for their efforts. He stated it was a big strain on them to get this information corrected, get it reformatted, go out there and find the vehicles that actually qualified. He publicly thanked the Commissioner and her staff along with Ms. Cathy Carwile, Data Processing Coordinator, for her help in the conversion of the files.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. Long stated he had received a memorandum from Mr. T. O. Rainey, Commonwealth Attorney, stating he would not be present today because he is out of town on vacation.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward to pass out his report, apologized for it being late and presented the report. He asked if the Board had any questions for him.

Mr. Bracey asked Sheriff Shands to keep an eye on Courthouse Road for vehicles exceeding the speed limit.

Mr. Bracey also stated several departments needed to get together and discuss the problems with the adult homes within the County.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector, was not present. Mr. David Hartsook came forward and presented the report.

Mr. Tickle commented about the fees being charged by the Building Inspector's Office and stated we may need to investigate the possibility of increasing the fees.

Mr. Long was directed by the Board to meet with Mr. Dwayne Abernathy to review this matter and report back to the Board.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steve Beville, Animal Warden, was not present because he was on vacation. Ms. Mary Ellison came forward and presented the monthly report. The Board had no questions for Ms. Ellison.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, was not present due to the death of his father, William L. Scheid on August 16, 1998.

Mr. John M. Altman, Jr., Zoning Administrator, came forward and presented Mr. Scheid's monthly report. Mr. Altman stated there were two (2) items in Mr. Scheid's report that needed Board action.

IN RE: DIRECTOR OF PLANNING – INDOOR PLUMBING PROGRAM

Mr. Altman presented a request that the Board adopt the 1998-1999 Section 3 Plan for the Indoor Plumbing Program which is funded through the Community Improvement Grant. The Board passed a similar resolution last year.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that they adopt the following 1998- 1999 Section 3 Plan for the Indoor Plumbing Program which is funded through the Community Improvement Grant:

COUNTY OF DINWIDDIE
1998-1999
SECTION 3 PLAN

1. The County of Dinwiddie, Virginia (the "County"), designated as its Section 3 covered project area the boundaries of the County.
2. The County, its contractors, and designated third parties shall in utilizing Community Improvement Grant funds utilize businesses and lower income residents of the Section 3 covered Project Area in carrying out all activities, to the greatest extent feasible.
3. In awarding contracts for work and for procurement of materials, equipment or services the county, its contractors and designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by a person residing in the Section 3 covered area:
   a) The County shall ascertain what work and procurements are likely to take place through the Community Improvement Grant funds.
   b) The County shall ascertain through various and appropriate sources including
      The Dinwiddie Monitor
      The Progress Index
      Virginia Employment Commission
      the business concerns covered by Section 3 which are likely to provide materials, equipment and services which will be utilized in the activities funded through Community Improvement Grant.
   c) The identified business concerns shall be apprised of opportunities to submit bids, quotes or proposals for work or procurement contracts which utilize CIG funds.
   d) To the greatest extent feasible the identified businesses and any other project area business concerns shall be utilized in activities which are funded with CIGs.
4. In the utilization of trainees or employees for activities funded through CIG's the County its contractors and designated third parties shall take the following steps to utilize lower income persons residing in the Section 3 covered project area.
   a) The County in consultation with its contractors (including design professionals) shall ascertain the types and number of positions for both trainees and employees which are likely to be utilized during the project funded by CIGs.
   b) The County shall advertise through the following sources the availability of such positions.
      The Dinwiddie Monitor
      The Progress Index
      Virginia Employment Commission
   c) The County, its contractors and designated third parties shall be required to maintain a record of inquiries and applications by project area of residents who respond to advertisements, and shall maintain a record of the status of such inquiries and applications.
   d) To the greatest extent feasible, the County, its contractors, and designated third parties shall utilize lower income project area residents in filling training

and employment positions necessary for implementing activities funded by CIGs.

5. In order to ascertain substantial compliance with the above affirmative actions and Section 3 of the Housing and Community Development Act of 1968, the County shall keep, and require to be kept by contractors and designated third parties, listing of all persons employed and all procurements made through the implementation of activities funded by CIGs. Such listing shall be complete and shall be verified by site visits and interviews, cross checking of payroll reports and invoices, and through audits if necessary.

Adopted this 19th day of August, 1999 by the Dinwiddie County Board of Supervisors.

_____

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

_____

R. Martin Long, County Administrator

IN RE: APPOINTMENT – REHAB BOARD FOR INDOOR PLUMBING PROGRAM

Mr. Altman continued with Mrs. Mary Williams has requested the Board replace her as a member of the Rehab Board. Her work schedule is such that she can not attend the meetings on a regular basis. She recommended Mrs. Beth Baldwin to replace her. Beth is an employee with the Dinwiddie Health Department.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. Beth Baldwin be appointed to the Rehab Board to replace Mrs. Mary Williams from the Dinwiddie County Health Department.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. Altman stated he believed it was traditional for Mr. Scheid to let the Board know what would be coming their way from the Planning Commission. As of the date of this memo or staff report which was the date of the Planning Commission Meeting, the Board will be hearing the four (4) requests from Bear Island and the request for rezoning and the request from Sprint for conditional use permit. He reported the Board would not be hearing Mr. Goodwyn's request for a Christian retreat campsite because the Planning Commission tabled that.

Mr. Tickle asked for an update on Chaparral.

Mr. Altman gave a brief synopsis on the project.

Mr. Bracey stated we had a problem up on Franklin Street and wanted to know if we were close to solving it.

Mr. Altman stated the problem came with the tall grass and trash on the hill located by Franklin Street. No one claimed this property. Mr. Altman stated he has been in contact with Food Lion's attorney and are trying to set up a meeting with all persons involved in order to find a solution to the situation.

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. John M. Altman, Jr., Zoning Administrator, continued by presenting his monthly report.

Mr. Altman stated one item he did not have in his report was that he was contacted last week by the National Park Service out of the Philadelphia office. They are interested in submitting a project to work with us and possibly develop an overall trail program for the County. This would connect into the effort that is currently underway with the Park Systems on the Appomattox. He stated he had talked to her about it and expressed interest on the County's behalf. This was simply putting our name in the hat and he did not know if we will get any money or not. We will have to wait and see what will happen. He stated he went out in front of everybody and we will take the chance. We don't lose anything by trying.

There was discussion regarding the taxation of single wide mobile homes within the County. Mrs. Marston had left the meeting and was not available to answer questions.

Mr. Bracey instructed Mr. Long to get information on the taxation of mobile homes and report back to the Board.

IN RE: SOCIAL SERVICES – REPORT

Mrs. Peggy McElveen, Director of Social Services, came forward stating she had no official report. She did, on a personal note, thank the Board for their support during her husband's illness.

Mr. Bracey asked Mrs. McElveen to call Sheriff Shands and to help steer them in the right direction regarding the adult homes in the County in order that this does not get blown out of proportion.

She stated she would be glad to do that because it took up a lot of her staff's time also.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Mrs. Troilen Seward, Superintendent of Schools, was not present because she was at Dinwiddie County Middle School surveying the progress, pushing a little. The contractors are assuring them all the schools will be opening on time.

Mr. Ray Watson came forward reporting that currently we have 4,247 students registered for school this coming year. This is 61 new students.

He reported that Chaparral Steel was working with them on a new program called work keys and would be assessing and matching students to jobs. He felt this was an asset to the school system.

He stated if the Board gets any complaints about the telephone system, the new system did not convert as anticipated but has now been completed.

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward to present his monthly report.

IN RE: RECREATION – BRITISH SOCCER CAMP

Mr. Smith continued he would like the Board's approval on holding the British Soccer Camp in the summer of 1999. He stated we had 30 participants this year and he felt it went really well.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Recreation Department to enter into a contract with Challenger British Soccer Camps to hold a camp in the summer of 1999.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management, came before the Board and presented his report for the months of July and August 1998.

Mr. King stated he felt the signs were working in the Piney Beach area.

Mr. Moody stated we needed to be looking into trucks for this department. He felt we needed to do some preplanning.

Mr. Bracey asked if some vegetation could be planted to shield the dumpsters from the home across from the Sheriff's Office. He stated it was what Mrs. Andrews saw when she came out her front door.

Mr. King stated he would be glad to. He felt it was a good idea.

IN RE: PUBLIC SAFETY OFFICER -- REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his monthly report.

Mrs. Everett asked Mr. Jolly to elaborate on the trailer incident that occurred.

Mr. Jolly explained how the resident had set Raid Foggers off in the trailer, with his family in the trailer, and failed to extinguish the pilot light causing an explosion. Mr. Jolly stated he had never seen a trailer destroyed like this one and further stated the family was lucky to have escaped without injury.

Mr. Jolly stated the Ford Volunteer Fire Department would be picking up their brush truck this coming Saturday.

He also stated the Grant cycle, for this time, for EMS equipment we have approximately $20,000.00 worth of requests. That would be a County portion of about $4,000.00 and at this time until we get some approvals back saying that we even got the money he did not recommend that we take any action; he stated he was just making them aware of that. We do have some funding options open to us should we get approval and it will be a couple more months before he knows that.

Mr. Tickle stated he liked the format of his report. He stated he liked both the visual and numeric charts of how the squads of the County are taking the calls. It makes it very easy to determine which group is doing the work and how they are doing the work.

Mr. Jolly stated next month they would see the same graphic for the fire side. He stated they are currently also working an a standardized monthly report for the Departments.

IN RE: FIRE & RESCUE ASSOCIATION – REPORT

Mr. Jolly stated he was also the Fire & Rescue representative today because Mr. Charles Lewis was unable to attend.

There were no questions from the Board for Mr. Jolly regarding the Fire & Rescue Association.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Daniel M. Siegel, County Attorney, came forward stating he had no report but was available for questions.

Mr. Bracey asked Mrs. Ralph is we took care of Ms. Hodges; he stated he did not know her married name.

Mrs. Ralph stated that would depend upon the answer from an attorney who is not here right now. We will have to check with her attorney.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT – REPORT

Mr. Long stated that Mr. Donald W. Faison, Construction Inspector, was not present due to illness. Mr. Faison's report is included in the Board's packet and Mr. Long stated he would try to answer any questions the Board might have.

Mr. Bracey stated he did notice some work had been started at the Health Department and the addition project was moving forward. Mr. Faison has also been working on the jail problem and some of that has been solved at a very minimum cost. A lot of time we take Mr. Faison – he has really saved us a lot of money and he does some good work. He is also doing a good job of keeping the Courthouse clean and the building here. He hoped this would continue because the taxpayers have a lot of money in these buildings.

IN RE: GENERAL DISTRICT AND JUVENILE DOMESTIC RELATIONS COURT – REQUEST FOR NEW COPIER

Mrs. Donna Brockwell, Clerk, came forward to request funding for a copier. She stated their current copier has died and she had obtained four (4) estimates for a new one. These estimates were passed to Mrs. Ralph for her review. The bids were as follows:

1. Southern Copier Sales & Service
   Mechanicsville VA 23111
   Ricoh 4822 Copier
   22 copies per minute
   Maintenance - $375.00 mo. - 25,000 copies $6,195

2. Total Office Solutions
   Richmond, Virginia 23227
   Panasonic FP 7742
   42 copies per minute $6,380
   Maintenance: .014/copy
   20 bin sorter $1,350
   Stapler/Sorter $2,150
   $9,880

3. Ikon Office Solutions
   2211 Dickens Road
   Richmond, Virginia 23230
   Canon NP 6330
   w/10 Bin Sorter
   30 copies per minute $4,562.45

   Canon NP4050
   40 copies per minute
   Maintenance - $56/mo (15,000 copies)
   Service Richmond $6,241.45

4. Virginia Office Systems, Inc.
   4455 Flexon Drive
   Prince George, Virginia 23875
   Canon NP4050
   40 copies per minute
   w/20 bin sorter/stapler
   Maintenance - $73/mo (10,000 copies)
   Service - Colonial Heights $4,300

*Note: Average usage by Clerk is 2,500 copies per month

Mrs. Brockwell recommended that we accept the bid of Virginia Office Systems, Inc. which is the low bid.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted and funds appropriated for the General District And Juvenile & Domestic Relations Court to order a Canon NP4050 copier from Virginia Office Systems, Inc. for a price of $4,300.00. This machine will make 40 copies per minute and will have a 20 bin sorter/stapler. Maintenance will be $73.00 per month up to 10,000 copies with service being provided from Colonial Heights.

IN RE: COMMUNITY DEVELOPMENT BLOCK GRANT ECONOMIC DEVELOPMENT – AMENDMENT OF RESOLUTION

Mrs. Ralph stated that we needed to amend the Community Development Block Grant Resolution which was passed in October of last year. However, it has taken us time to get the information needed to actually submit the grant application. She refreshed the Board's memory by stating the County was trying to obtain funds from the Community Development Block Grant to help Chaparral with water and sewer costs. We have everything ready, except this resolution, to go to the State. In fact Mr. Jim McClure from the Planning District Commission is going to run it to the State first thing tomorrow to deliver it. She stated they need to readopt the resolution because there are two (2) changes. The actual funding for the loan application to the Virginia Resource Authority will be $4,113,380.00 and that is due to 16" line change to 24" line. Also there was an additional 2,000' of rerouted access road. Then when we got the letter back from Chaparral they had changed their original letter from $490 million to $470 million.

Mr. Long stated the bottom line to this is it is the State Economic Development Grant that would provide $700,000.00 for this project. This is just part of their requirement that we amend the Resolution to get that nearly three quarters of a million dollars from the State.

Mrs. Ralph stated what will happen is, as you are familiar with, we did the Wal Mart project this way; Mr. Robert Harrison and the Dinwiddie County Water Authority have agreed to administer the Grant. The funds will have to come to us and then we will turn around and issue a check to them. They will actually administer the funds.

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

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

WHEREAS, the Virginia Department of Housing and Community Development published a Fund Distribution Plan that outlined the proposed allocation of Community Development Block Grants funds in Virginia for fiscal year 1998; and

WHEREAS, Community Improvement Grants will provide funds to eligible Virginia local governments to assist local governments to increasing business and employment opportunities, conserving and improving housing conditions, and improving the availability and adequacy of community facilities; and

WHEREAS, economic growth and the creation of jobs is essential for Dinwiddie County's continued economic well-being; and

WHEREAS, a major industrial facility is planning to locate in Dinwiddie County; and

WHEREAS, the service capacity of the existing water system needs to be increased to meet the industry needs; and

WHEREAS, an access road has to be constructed to serve the industrial plant site; and

WHEREAS, the Dinwiddie County Board of Supervisors have complied with the citizen participation requirements by conducting two public hearings; one on October 2, 1997 to receive input regarding community development needs, and the second on October 15, 1997 to receive input regarding a proposal for Community Improvement Funds.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia does hereby agree to submit an application to the Virginia Department of Housing and Community Development requesting $700,000 under its Community Improvement Grant Program for the Chaparral Steel East Project said funds will be used to construct a water line to serve the major manufacturing facility and to cover grant administrative costs; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia commits to apply for the Virginia Department of Transportation (VDOT) for a $450,000 grant under the Industries Access Road Program, which will require $870,000 in local matching funds; commits to submit through the Dinwiddie County Water Authority a $4,113,380 loan application to the Virginia Resource Authority for water and sewer construction costs, and Texas Industries commits to expend $470 million for the development of the Chaparral East Project.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the planned location of the major distribution facility will create 300 new jobs, 51% of which are projected to made available to persons with low to moderate incomes; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby authorizes the County Administrator to sign the application on behalf of the Board of Supervisors, submit all appropriate documentation, execute the grant contract, and administrator of the GIC Program.

IN RE: COUNTY ADMINISTRATOR COMMENTS – CRIMINAL HISTORY RECORD CHECK WITH VIRGINIA STATE POLICE

Mr. Long stated the only comment he had included in the packet he had since resolved. That was the information on the Criminal History Record Checks which we discussed briefly at the last meeting. He stated he has since verified through Captain Booth that within sixty (60) days, Captain Booth stated the VCIN program will be updated in the Sheriff's Office to include the method with the personal computer which would be much quicker. Since it will be put in the Sheriff's Office this request is rescinded.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody – The only item he had was the Planning Commission had a meeting last week and they had four (4) re-zonings. He stated he thought we have come to a turning point and that we need to get on the ball and get rolling to let these developers know what we really are asking. They can not bring the Board something and then do not know what they are going to get. We need to have something set down to let people know this is what we think is going to be acceptable to the County as far as zoning goes. He just wanted to put that in.

Mr. Bracey asked if what Mr. Moody was saying, he wanted to be sure he understood, was that he was pushing for the Board's changes and or recommendations so that the Planning Commissioners will have more concrete things to ---

Mr. Moody stated so the Planning Commission and also the contractors will have something in concrete that will be acceptable to the County. This will let the developers know what the guidelines will be.

Mrs. Everett – She stated the draft of the Appomattox River Corridor Plan has been released by the Crater Planning District Commission and there will be further meetings on that. One of the recommendations in that Plan was that we can figure working with Chesterfield County on carrying out some of these proposals. Mrs. Janet Potter met with Crater last week and explained what her agency does and the possibility of them working with our locality on the development of some of these plans. It looks like it might be very favorable for all of us. She stated Mr. March Altman had worked very hard on this project.

Mrs. Everett further stated she wanted to commend Mr. March Altman on being appointed to the Board of Directors of the Film Studios of Petersburg.

Mrs. Everett stated some of the industrial employers in the area have concern that the transit system does not extend outside of the City of Petersburg and there might be need for service to get people to work at some of these industrial sites. They have asked Crater Planning District Commission to ask Petersburg area transit to poll some of the industries and employers to find out exactly what the need might be on extending transit services.

Mr. Bracey stated we do not have any transit service now, right?

Mrs. Everett replied none now.

Mr. Bracey stated not even in the City of Petersburg.

Mrs. Everett stated outside of Petersburg. They are primarily looking at some other locations out side of the City that some of the industries might want to be serviced.

Mr. Clay – no comments

Mr. Tickle – He made a quick comment about the ABIDCO report. He stated he felt that we should receive this portion of the report every month.

Mr. Long was instructed to ask ABIDCO to provide this each month.

Mr. Bracey – no comments

RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 (Code Compliance Officer); Section 2.1-344 (A) - 5 Discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's' interest in locating in the community; and Section 2.1-344 (A) - 7 Consultation with legal counsel (Group Home Litigation) the Board moved into Executive Session at 4:25 P.M.

Mr. Bracey called for a five (5) minute break prior to the Executive Session.

A vote having been made and approved the meeting reconvened into Open Session at 4:59 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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 ER: APPOINTMENT – CODE COMPLIANCE OFFICER

Mr. Long stated he would like to ask the Board's action on hiring Mr. David Thompson for the Code Compliance Officer effective September 8, 1998 at a Grade 12 Step B salary $26,098.00 annually.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to hire Mr. David Thompson for the Code Compliance Officer effective September 8, 1998 at a Grade 12 Step B salary $26,098.00 annually.

IN RE: COUNTY ADMINISTRATOR – SALARY MERIT INCREASE

Mrs. Everett stated we have evaluated the County Administrator and the Board recommends a salary increase of 5% effective July 1, 1998.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator receive a salary merit increase of 5% effective July 1, 1998.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 5:10 P.M. to be continued August 28, 1998 at 8:00 A.M. at the Pamplin Administration Building for the purpose of reviewing fire and rescue buildings for potential architect selection.

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

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE COUNTY, VIRGINIA, ON THE 28TH DAY OF AUGUST 1998, AT 8:00 A.M.

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

Mr. Moody left at 10:15 A.M.

IN RE: CALL TO ORDER

Mr. Edward A. Bracey, Jr., Chairman, called the meeting to order at 8:10 A.M.

IN RE: RENOVATIONS TO COMMISSIONER OF REVENUE OFFICE

Mr. R. Martin Long, County Administrator, stated Mr. Donald W. Faison, Superintendent of Buildings and Grounds, was present to brief the Board on the requests of Mrs. Deborah M. Marston, Commissioner of the Revenue, regarding the office space being renovated for her staff. Mr. Long further stated Mrs. Wendy Weber Ralph, Assistant County Administrator, Mr. Bracey, Mr. Faison and himself had met with Mrs. Marston on Tuesday evening to discuss the space allotted to her. This meeting was the direct result of Mrs. Marston not letting a contractor into her space to survey the situation in order to place a bid on the needed renovations.

Mr. Faison stated he had been working with Mrs. Marston and her staff for the past two (2) days and felt they had reached an agreement that would work within the space allotted to her. He stated Mrs. Marston had relinquished the space labeled for "reassessment" stating if it was not hers permanently then she did not want it on a part time basis. He presented the plans to the Board for discussion.

There was discussion on carpet, workstations, files, and the location of doors within this area. It was decided the Board wished a door to be located between the Reassessment Office and the Commissioner of the Revenue Office. After much discussion it was decided to place the final plan decision in the hands of Mr. Faison. He was instructed to keep the costs down. A comparison bid on the additional office space for the Public Safety Officer should be ready by the September 2, 1998 meeting.

IN RE: CLAIMS – GULF SEABOARD RETAINAGE

Mrs. Ralph asked Mr. Faison to discuss with the Board the figure included in the Courthouse Requisition which will be coming up on Wednesday.

Mr. Faison stated that Gulf Seaboard had requested $356,619.25 of the retainage; however, he had expressed to Shane Rollison, Hening-Vest-Covey, that Dinwiddie County would like to hold $56,619.25 bringing the amount of payment to $300,000.00.

The Board decided, after discussion regarding problems at the Courthouse, they would like to hold at least $125,000.00.

There was further discussion regarding some of the problems that result from design issues and who was responsible for their correction. Mr. Long was

instructed to investigate this by contacting the lawyers to see who was responsible for correction of these problems. Mr. Bracey stated the Board would be looking to the County Administrator for a report.

IN RE: PRIVATE ROADS – PROPOSED CHANGES TO CODE

Mr. Long stated the Board needed to discuss the private road section of the Code.

Mr. Tickle stated we also needed to discuss the curb and cut section of the Code.

There was discussion regarding the private roads, curb and cut, subdivision planning, and the method of advertising. There was also discussion regarding Mr. Johnny Bain's requests for rezoning on Bear Island Timberland properties.

Mr. W. C. Scheid, Director of Planning, came before the Board to give his opinion of the above subjects.

Mr. Long informed the Board Mr. Altman, Mr. Scheid and himself had met with Mr. Daniel M. Siegel, County Attorney, to obtain legal counsel's opinion on these matters.

The Board had concerns regarding the four (4) rezoning requests that were to be heard at the meeting on the Bear Island Timberlands properties. It was explained that these issues would have to be returned to the Planning Commission because they were advertised incorrectly.

Mr. Harrison Moody explained to the Board the issues for which the four (4) requests were denied by the Planning Commission. Mr. Moody stated County growth, comprehensive plan, traffic impact, school impact and preservation of agricultural land.

Mr. Long asked Mr. Scheid if the Board had supplied him with enough information to prepare a draft of an ordinance amendment to address private roads as well as strip development.

Mr. Bracey stated the Board would be looking for staff to present a plan. He felt we needed to handle private roads now! He further stated this might entail working some nights and that it might mean staying late, after 5:00 P.M. some days.

There was discussion regarding junk yards and/or junky looking areas in the County. This would fall under the Code Compliance Officer's duties and the Board was looking forward to him coming on board September 8th.

IN RE: BOND PRICING – 1998 BOND ISSUE

Mrs. Ralph stated the County received the bond pricing which resulted in really good rates between 4.15% and 5.1% which were about a percent lower than last year. These are set to close on September 8th.

IN RE: ROHOIC PROPERTY

Mr. Bracey asked if the County was interested in selling the 7 acres located near Rohoic Elementary School.

There was discussion but no decision was made.

IN RE: WESTGATE SHOPPING CENTER – LITTER/GRASS PROBLEM

Mrs. Everett asked about the hill side at the Westgate Shopping Center.

Mr. Scheid stated they had met with Food Lion's attorneys, the owner of Westgate, and VDOT. He felt they had reached an agreement on who would be responsible for the grass and trash problem. He informed the Board the agreement would be a written agreement and the Board would receive a copy.

IN RE: CODE VIOLATIONS

The Board was informed about several places code violations were present. One place was Hofler's Store in West Petersburg. The Board asked Mr. Long to keep on it and also for him to work with Mr. Dwayne Abernathy, Building Inspector and Mr. David Jolly, Director of Public Safety on this matter.

IN RE: HEALTH DEPARTMENT -- RENOVATIONS

Mrs. Ralph gave the Board an update on the renovations at the Dinwiddie County Health Department. She stated they had visited the Department and were working on a plan to utilize the space in the office more efficiently. Mr. Faison will be working with them on this project.

Mr. Long reported that Dr. Grayson Miller has stepped in and helped him out regarding the perk test on a proposed site for a fire/emergency medical services building. When he asked them to perform this test their main concern was when they would receive their check for $115.00. They also informed him the test would not be performed for about thirty (30) days. After talking with Dr. Miller there will be no fee charged and the test will be done 9:00 A.M. Tuesday morning.

IN RE: RE-SCHEDULE OF TRIP TO FIRE/EMS STATIONS

Due to the effect of Hurricane Bonnie, the Board agreed to re-schedule their trip to visit fire houses. They agreed to visit one (1) house in Victoria, Virginia, this date, because it was not affected by the storm.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 3:07 P.M. to be continued at 5:00 P.M. September 2, 1998 at the Homeplace Restaurant for Executive Session.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT THE HOMEPLACE RESTAURANT DINWIDDIE COUNTY, VIRGINIA, ON THE 2ND DAY OF SEPTEMBER 1998, AT 5:00 P.M.

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

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (A) 7 - Consultation with legal counsel (Group Home Litigation; Clarification of Advertisement Requirements and Courthouse Contract); the Board moved into Executive Session at 5:15 P.M.

IN RE: RETURN TO OPEN SESSION

A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M. in the Board Meeting Room of the Pamplin Administration Building.

IN RE: CERTIFICATION

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

RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 7:31 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

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 2ND DAY OF SEPTEMBER, 1998, AT 7:30 P.M.

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

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 7:31 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda.

Mrs. Everett stated she would like to have an item added as number 13 on the Agenda for Executive Session with the purpose being consultation with legal counsel concerning an on going investigation.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that an Executive Session be added to the Agenda, as Item 16, for the purpose of consultation with legal counsel.

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated the August 28, 1998 continuation meeting minutes would not be considered tonight. The copies received by the Board are draft copies and will not be acted on this evening but will be ready for action on September 16th.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the August 19, 1998 Continuation Meeting and the August 19, 1998 Regular Meeting were approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1011855 through 1012064 (void check(s) numbered 1011855 - 1011942); for Accounts Payable in the amount of $391,249.96: General Fund $381,338.66; Jail Commission $122.06; E911 Fund $5,111.91; Forfeited Asset Sharing $283.96; CDBG Fund $2,320.15; Capital Projects

$2,073.33; and Payroll for August 1998 $329,261.88: General Fund $326,484.44 and CDBG Fund $2,777.44.

IN RE: SUPPLEMENTAL CLAIM

Mrs. Pamla A. Mann, Administrative Secretary, stated there was a supplemental claim placed before them in the amount of $22,040.00 for Miller Construction Company for contract work on the additional space in the Pamplin Administration Building.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claim is approved and funds appropriated for same using check numbered 1012065; for Accounts Payable in the amount of $22,040.00: Capital Projects Fund $22,040.00.

IN RE: COURTHOUSE CONSTRUCTION – REQUISITION #26

Mrs. Ralph stated the following invoices are included in Requisition Number 26:

JMJ CORPORATION	$ 13,635.89
TOTAL OF REQUISITION NUMBER 26	$ 13,635.89

Mr. Bracey asked if this would pay that claim 100%.

Mr. Donald W. Faison, Building and Grounds Superintendent, stated this would pay them 100%. He further stated they have completed all punch list items.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 26 in the amount of $13,635.89 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if any citizens had signed up to speak.

Mr. Bracey asked if there were any other citizens present who wished to speak but had not signed up.

There being none Mr. Bracey moved forward.

IN RE: CHAIRMAN – SPECIAL ANNOUNCEMENT REGARDING AGENDA ITEMS 7 - 8 - 9 - 10 – PUBLIC HEARINGS

Mr. Bracey read the following statement:

Mr. Bracey stated he felt it was appropriate he let the public know up front, on the advice of legal counsel, the public hearings scheduled for Bear Island Timberlands must be re-advertised and heard by the Planning Commission in October. These public hearings will come back to the Board of Supervisors in November. Therefore, public hearing P-98-7 through P-98-10 will not be heard tonight. They will be heard by the Board of Supervisors on November 4, 1998. If any one came tonight solely for these hearings the Board will allow comment during that portion of the meeting; however, the Board will

offer no response tonight. He apologized for the inconvenience and thanked the citizens for coming. As always he welcomed everyone to stay for the entire meeting. Mr. Bracey continued by stating if someone has something to say concerning those hearings please come forward now. He reminded the citizens that the Board will offer no response.

Mr. Moody stated he would like to add that the Planning Commission will also be hearing this again in October.

Mr. Tickle stated if citizens choose not to speak tonight they will have the opportunity to speak both at the Planning Commission in October and at the Board of Supervisors meeting in November.

Mrs. Everett added that they may speak at both if they so choose.

Mr. Bracey stated they can speak at this meeting, the Planning Commission meeting and at the Board of Supervisors meeting.

The following persons came forward to address the Board:

1. Joseph A. Mason, 2310 Grove Avenue, Richmond, Virginia, came forward stating he was a property owner in the County of Dinwiddie. He further stated his sister is involved in particular in agenda Item Number 9, P-98-7. Her property is adjacent to that particular proposal that was to come before the Board. The comment he would like to make is that his sister and himself live out of town so it is going to present some effort and inconvenience on their part to get back for two (2) more hearings. We are here for the second hearing now. He understood that most of these proceedings are recorded. He asked if there was any precedent for recorded portions of previous hearings being heard at later hearings. He stated he did not know whether that is procedure or not for the County. We made public statements before the Planning Board and we would like to make sure that those public statements get re-entered. Mr. Mason continued by asking if they need to appear in person for the next two (2) meetings or can the recorded statements from the previous Planning Board hearing be presented at the next meeting.

   Mr. Long stated those previous statements were recorded as part of that record but as far as the next one he stated he would have to ask Mr. Ben Emerson, County Attorney.

   Mr. Emerson stated he supposed we could play the recording again or have it transcribed and read into the record or noted for the record the individual wished the comments to be considered as a part of that hearing. From a practical standpoint, if the comments have been heard once by the Planning Commission and then if you were to make them again tonight before the Board, even though you are not speaking at the Public Hearing, the purpose of the Public Hearing is simply for the Board to hear the public's comments before the Board makes a decision. From a practical standpoint you are speaking before to the Planning Commission and the Board would serve the same purpose in terms of them having benefit of your comments.

   Mr. Mason stated he was just concerned that the comments be heard whether or not he is absent because he may not be able to be here for two (2) more hearings. That may also be true for my sister who lives in New York, this could present a hardship for her to get here. Now so the question is, if the County played back at that time it would be fine, he would be willing to make summary comment now if that makes more sense.

Mr. Bracey asked Mrs. Mann if she had those tapes.

Mrs. Mann replied no sir because he spoke at the Planning Commission and she did not have tapes of those meetings.

Mr. Bracey asked Mr. John Altman, Jr., Zoning Administrator, if his department had those tapes.

Mr. Altman replied yes sir.

Mr. Bracey asked if it would be too much of a problem to just pull that part out and not necessarily play the tape but read that at that meeting. Mr. Bracey asked Mr. Emerson if that was permissible.

Mr. Emerson stated it is permissible.

Mr. Bracey stated he did not want the entire tape just the comments of Mr. Mason.

Mrs. Ralph asked if the minutes of the meeting would capture that.

Mr. Altman stated they are action minutes. He stated he could transcribe out the portion of Mr. Mason and read that into the record of the next Planning Commission meeting.

Mr. Bracey asked Mr. Mason if that was what he was looking for.

Mr. Mason stated yes. He stated what he was requesting was if he could not be present and his sister Mattie Stevens cannot be present that their comments be read in or be transcribed.

Mr. Bracey stated Mr. Altman would read it at his meeting and comments that you have here tonight we will read it at our meeting.

Mr. Mason stated his comments in brief are that at the Planning Commission meeting what he noted was that the property that his sister owns adjacent to the P-98-7 tract is part of a complex watershed. This is a watershed that flows from Flatfoot Road all the way down across our property and all the way down to Stony Creek which is at the, technically like the northern side of the property of the P-98-7 tract and that that watershed, when my sister first bought the property some eight – fourteen – more like fourteen years ago, we installed a pond in that area and we had to take special precautions to allow for flooding and overflow of that pond. What we have experienced over the years is about two (2) to three (3) times a year that whole watershed overflows heavily, it overflows everything on one side of our property right on down to the bottom of the hill, overflows that pond and it has been built and designed to allow that overflow over the top end near the road. There is a catch basin and then the main driveway in. There are then culverts and whatnots to allow water flow underneath the road but even so that catch basin fills at times and flows over top of the road and washes rocks away from it and begins to cut into the road. He stated he was saying all that to be cognizant that that whole area that is below us is a continuation of that watershed and that he would be very very concerned about installation of sanitation, whether its any kind of sewage treatment system and how they are located in relationship to the watershed. If there is any problem with any kind of seepage or leakage it is going to go directly down to Stony Creek. The LAST Thing in the world that he would like to see, having lived in Dinwiddie County all his life, fished

and had recreation on Stony Creek, is to see that water body polluted anymore than it already is. It is polluted in other areas already in some ways. He just wanted to be very careful that in any planning that we take into careful consideration how that watershed operates and whether there are going to be any health problems with the water table because he did not know how far below the level of ground the actual water table was as you approach Stony Creek. He further stated that he wanted to be sure the Health Department, the Planning Department and all other applicable departments have done complete studies before any action is taken on that property. Mr. Mason ended by thanking the Board for listening.

2. Ms. Mattie Stevens, 18509 Old Stage Road, Dinwiddie, Virginia, came forward stating her main concern tonight, as a continuation of the other meeting, is also the wildlife. She stated she was at Sam's Club in the morning and she had seen twenty (20) geese sitting in the middle of the parking lot doodling in a little bit of water that was there. Upon seeing this she stated she thought about the turkeys; there is a group of about fourteen (14) to twenty (20) turkeys that come up every day from the woods. There are deer that come up. If you take away the woods you do not have a haven – we have fox, we have raccoons, everything comes up there. If you take away that area from the woods to the creek you are going to have a --- she again stated she was concerned about the wildlife. She stated she was also concerned about the blockage of the creek. Stony Creek runs through Dinwiddie, she stated she has run through all her life, she stated she had always heard her father refer to the depth of the creek, how high the creek is pertaining to his farming, way over in Carson. It was a main stream of water that everybody relied on and she was concerned about the areas coming in, housing developments, right off of the creek. That was another concern.

Mr. Bracey asked if anyone else in attendance wished to speak on that subject. There being none Mr. Bracey moved forward.

Mrs. Mann stated she had one citizen signed up to speak on Agenda Item 10 – P-98-8, Mr. Gary Karp.

Mr. Karp declined to speak at this time stating he planned to be at the October and November meetings.

IN RE: PUBLIC HEARING A-98-6 – ORDINANCE AMENDMENT – CHANGE IN POLLING PLACE ELECTION DISTRICT NUMBER 1

This being the time and place as advertised in the Dinwiddie Monitor on August 18, 1998 and August 25, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for A-98-6, for the purpose of considering for adoption an ordinance amending Chapter 8, Section 8-3 of the Dinwiddie Code to provide for the change of a polling place in Election District Number 1 from Darvills Community Center to the Cut Bank Hunt Club, 16106 Old Cryors Road, McKenney, Virginia 23872. The change is proposed under authority of Sections 24.2-306 through 310 of the Code of Virginia.

Mrs. Elizabeth S. Jeter, Registrar, came forward and presented the Cut Bank Hunt Club's building as the proposed new polling place for Election District Number 1 replacing the Darvills Community Center which burned. She explained this site had put in a ramp for the handicapped, they had storage for the voting machine, were equipped with tables, chairs, rest rooms, heat and

kitchen facilities. She felt this was a suitable polling place and was more centrally located in the District.

Mr. Bracey asked questions about the location of the Hunt Club and questioned if this location was with in the law.

Mrs. Jeter stated she did not see any problem with this location.

Mr. Jordan made remarks about the Club and how they have fixed it up and offered it to the County for use.

Mr. Bracey opened the Public Hearing asking if any citizens had signed up to speak. There being none Mr. Bracey asked if there were any citizens present who had not signed up but wished to speak.

There being none Mr. Bracey closed the Public Hearing.

Mr. Jordan from Cut Bank Hunt Club was present to answer any questions the Board might have regarding the use of this site.

Mr. Moody asked about the condition of the road going into the Club.

Mr. Jordan stated they had graveled the road once and would be doing it again before hunt season which meant it would be done prior to the November 3rd Special Election.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that A-98-6 - an amendment of the ordinance - Chapter 8, Section 8-3 of the Code of Dinwiddie County - to change the polling place of Election District Number 1 from Darvills Community Center to the Cut Bank Hunt Club be approved to read as follows, and in all other respects be reordained:

WHEREAS, the voting place for Darvills Precinct in Election District Number 1, the Darvills Community Center was destroyed by fire; and

WHEREAS, the Board of Supervisors did properly advertise a Public Hearing which was held at the regular Board Meeting of September 1, 1998 at 7:30 p.m.; and

WHEREAS, it is necessary to change the voting place from the Darvills Community Center by reason of said fire.

NOW THEREFORE, BE IT ORDAINED that the polling place for Precinct 101 of Election District Number 1 be changed from the Darvills Community Center to the Cut Bank Hunt Club, located at 16106 Old Cryors Road, McKenney, Virginia 23872 and that such change be made to Section 8-3 of the Dinwiddie County Code.

This amendment to the Code of Dinwiddie County shall become effective immediately.

IN RE: PUBLIC HEARING – C-98-4 – CONDITIONAL USE PERMIT – SPRINT PCS

This being the time and place as advertised in the Dinwiddie Monitor on August 19, 1998 and August 26, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for A-98-6, for the purpose of

considering a conditional use permit to erect a 199' tall communication tower on property identified as Tax Map Parcel 18-15 and located at 4904 Station Road in Sutherland.

Mr. John M. Altman, Zoning Administrator, came forward to present C-98-4. He read portions of the minutes from the August 12, 1998, Planning Commission meeting.

Mr. Altman stated the applicant, Sprint PCS, is seeking a conditional use permit to construct, operate, and maintain a one hundred ninety-nine (199) foot lattice telecommunications tower, related equipment and improvements for the purpose of mounting wireless telecommunications antennas. The proposed site is located on the west side of Station Road (Route 623) north of Cox Road (US Route 460) at 4904 Station Road. The site is identified as Tax Map 18, Parcel 15 by the Commissioner of the Revenue's Office, and is owned by Alice C. Green. The property contains a dwelling, as well as, a number of out buildings and is currently in the land use taxation program. The subject parcel, along with, the adjacent parcels are zoned Agricultural, General, A-2, and "communications towers with station" are permitted with a conditional use permit within this zoning district. The site is located within the Rural Conservation Area as identified by the Dinwiddie County Comprehensive Land Use Plan. Telecommunication towers have been approved within this planning area by the Board of Supervisors in the past.

Staff's opinion is that this request generally complies with the provisions of the Dinwiddie County Zoning Ordinance. Therefore, Staff's recommendation of **APPROVAL** of the request for a conditional use permit is contingent upon the applicants ability to sufficiently address the deficiencies listed below, and the following conditions:

DEFICIENCIES:

- Section 22-273 (9) requires the applicant to provide written justification for the siting of a tower within two (2) miles of a Virginia Scenic Byway or a property listed on the National Register of Historic Places or the Virginia Landmark Register. The proposed tower site is located within ½ mile of Namozine Road (Route 708) which has been declared a Virginia Scenic Byway.
- Section 22-273 (8) requires that the applicant submit a statement from a Virginia registered structural engineer certifying that the proposed tower is compatible for co-location with a minimum of three (3) similar users, including the primary users. The applicant did not submit such a statement with the application nor has such a statement been received.
- Section 22-274 (4) requires the applicant to provide a fifteen (15) foot landscaped buffer strip on all sides of the tower compound. The application indicates that a landscaped buffer will be provided on the west and south sides of the tower site.
- Section 22-274 (5) addresses the treatment, color, and lighting system of towers; the applicant has not provided any information concerning these issues. However, the height of the tower is under 200 feet, and therefore FAA does not require the painting or lighting of towers under 200 feet in height.
- Section 22-275 (7) requires the applicant to provide the County with co-location opportunities without compensation as a community benefit to enhance the County's emergency communications. The applicant has not provided any information acknowledging this requirement.
- Section 22-275 (13) states that the applicant shall post a bond equivalent to the cost of removal of the tower with the Director of

Planning. No documentation has been received regarding this requirement.

CONDITIONS;

- The tower proposed by Sprint PCS shall not exceed one hundred ninety-nine (199) feet in height.
- The applicant, Sprint PCS, shall allow at least two (2) other wireless telecommunications providers to locate on the tower and site; and shall provide the County, upon request, verifiable evidence of having made a good faith effort to allow such locations.
- Sprint PCS shall develop the proposed tower site as detailed in the site plan developed by Matrix Engineering titled "Sprint PCS, Comprehensive Site Plan, Site ID No. RI03xc094E, Green Property," which was submitted by the applicant, Sprint PCS, with this application.
- The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions.

Mr. Altman stated he would like to add that recently there had been discussion about preservation of the buffer area around the site and concern that the site is built and adequately buffered at the current time, what happens if the property owner decides to timber the property and what used to be a buffer is no longer there. He stated he spoke with the applicant and Mr. Ray, who represents Sprint PCS, offered an additional condition to the County. That condition is as follows:

- The applicant, Sprint PCS, shall acquire a twenty-five (25) foot buffer easement also on the site.

Mr. Altman stated Mr. Ray had provided documentation of that tonight and he felt that would adequately address the buffer concerns around the site.

If the applicant is not able to provide the information necessary to comply with Article IX of Chapter 22 of the Code of the County of Dinwiddie, Virginia, then Staff must recommend **DENIAL** of the request as submitted.

The Planning Commission unanimously voted to recommend approval of the request, C-98-4 Sprint PCS, with the conditions presented.

Mr. Bracey opened the Public Hearing on C-98-4.

The following addressed the Board:

- 1. Norman Ray, Sprint PCS, came forward making a presentation of how Sprint PCS planned to place towers within Dinwiddie County and the Company's feelings on co-location.
- 2. Larry Horton, Sprint PCS, declined to speak stating he was with Mr. Ray and only there in the event the Board had questions or concerns that Mr. Ray could not answer.

Mr. Bracey asked if there were any other citizens present who had not signed up but wished to speak on C-98-4.

There being none Mr. Bracey closed the Public Hearing.

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

BE IT RESOLVED BY the Board of Supervisors of Dinwiddie County, Virginia that C-98-4 Sprint PCS, request for a conditional use permit to erect a

199' tall communication tower on property identified as Tax Map 18-15 located at 4904 Station Road, Sutherland, Virginia, is unanimously approved with the conditions recommended by the Planning Commission and the additional proffer as stated above.

IN RE: 1998 BOND ISSUE – APPROVAL OF PRICING

Mr. Long stated on Wednesday, August 26, 1998, the Bonds were priced for the School Completion Bonds, the Public Capital Projects, and the Refinancing Bonds. Staff was very pleased with the rates which range between 4.15% and 5.10% for an average of about 5%. This was about 1% better than those priced about a year ago. Mr. Long stated the Board members have a copy of a Resolution in their packets to approve the pricing of those Bonds that went to market last Wednesday.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following Resolution is adopted and authorization is granted to the Chairman to execute on behalf of Dinwiddie County:

RESOLUTION OF THE BOARD OF SUPERVISORS
OF DINWIDDIE COUNTY, VIRGINIA

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia **(THE "Board Of Supervisors")** adopted a resolution on August 5, 1998 **(the "Approving Resolution")** relating to the issuance by the Industrial Development Authority of Dinwiddie County, Virginia **(the "Authority")** of lease revenue bonds (i) in an amount not to exceed $7,100,000 **(Dinwiddie County School Completion Bonds),** Series 1998 A **(the "School Completion Bonds")** to finance the costs to complete the acquisition, construction and equipping of certain renovations and improvements to the County's schools and related improvements **(the "School Completion Project")**, (ii) in the amount of $1,000,000 (Dinwiddie County Public Capital Project) Series 1998 B **(the "Public Capital Project Bonds")** for certain public projects and (iii) in the amount of $5,000,000 (Dinwiddie County Courthouse Project) Refunding Series 1998 C **(the "Refunding Bonds")** to advance refund a portion of the Authority's $5,900,000 Lease Revenue Bonds **(Dinwiddie County Courts Facilities Project)** Series 1995 B **(the "1995 Bonds")**; and

WHEREAS, Davenport & Company, LLC **(the "Underwriter")** has offered and sold the School Completion Bonds, the Public Capital Project Bonds and the Refunding Bonds pursuant to a Preliminary Official Statement, dated August 19, 1998 and has requested authorization and direction to complete the financing based on such expectations:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA:

A. The issuance of the School Completion Bonds in the original aggregate amount of $6,590,000, in serial and term forms with a final maturity of February 1, 2019, and in the amount and bearing interest at the rates set forth on the attached Exhibit A, is hereby approved, the issuance of the Public Capital Project Bonds in the original aggregate amount of $875,000, in serial forms with a final maturity of February 1, 2009, at the rates set forth on the attached Exhibit A, and Refunding Bonds in the original aggregate amount of $4,500,000, in serial and term forms, and with final maturity of February 1, 2017, in

the amount and bearing interest at the rates set forth on Exhibit A, are hereby approved. The Chairman or Vice Chairman of the Board of Supervisors, the County Administrator, the Clerk of the Board of Supervisors, the County Treasurer and all other County officers are hereby authorized and directed to execute and deliver all documents and instruments related to or appropriated in connection with the issuance of the School Completion Bonds, Public Capital Project Bonds and Refunding Bonds, with such completions, omissions, insertions and changes as may be approved by the officer executing them, his or her execution to constitute conclusive evidence of his or her approval of any such completions, omissions, insertions and changes.

B. All other acts of the Chairman or Vice Chairman of the Board and other officers of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the plan of financing, the issuance and sale of the School Completion Bonds, Public Capital Project Bonds and Refunding Bonds and the acquisition, construction, and equipping of the Projects (as referred to in the Approving Resolution) are hereby approved and ratified.
C. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.
D. The County hereby agrees to indemnify, defend and save harmless the Authority, its officers, directors, employees and agents from and against all liabilities, obligations, claims, damages, penalties, fines, losses, costs and expenses in any way connected with the Authority, the issuance of the School Completion Bonds, Public Capital Project Bonds and the Refunding Bonds or the acquisition, construction and equipping of the Projects.
E. This resolution shall take effect immediately.

PASSED AND ADOPTED this 2nd day of September, 1998.

IN RE: COUNTY ADMINISTRATOR COMMENTS – PUBLIC SAFETY OFFICER – DESK REQUEST

Mr. Long stated he had included in their packets a memorandum from Mr. David M. Jolly, Public Safety Officer, requesting a desk from the old Courthouse. He stated he verified through the Clerk's Office that the Judge no longer needed the desk and that we can take it; therefore, we are requesting the Board's approval that this desk be transferred to the Public Safety Officer when the new office is completed.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to transfer the desk from the old Courthouse to the Administration Building for use by the Public Safety Officer upon completion of his office space.

IN RE: COUNTY ADMINISTRTOR COMMENTS – HISTORICAL SOCIETY – REQUEST FOR OLD STATE FLAG

Mr. Long continued with the Historical Society had requested that they be allowed to keep or house the old State Flag from the Circuit Court Clerk's old office. They wish to house this Flag at the historic Fork Inn in Dinwiddie County. He stated he had also talked with Ms. Annie Lee Williams, Clerk of the Court, on this issue and verified that her office did not want the flag any longer. He asked the Board for authorization to put the Flag into the care of the society. Mr.

Darrell Olgers who is a member of the society and proprietor of Fork Inn is here should the Board have any questions for him.

Mr. Olgers came forward asking if the Board had any questions.

Mr. Bracey wanted to be sure that the society was going to preserve this Flag.

Mr. Olgers stated they would preserve and conserve it. Upon the request of Mrs. Everett, Mr. Olgers described the Flag. He stated it belonged to Company I of the 3rd Virginia Cavalry of Dinwiddie. It was made by the ladies of Dinwiddie and presented to the Cavalry Troop and used during the Civil War. It has hung for an extended period of time in the Clerk's Office and they do not seem to want it anymore. Something of this nature is very light and environment sensitive and it will slowly deteriorate if left in it's present state. We are asking for the Board's support in allowing the society to take this as a project and conserve this Flag for our County.

Mr. Tickle recommended the County enter into a written agreement between the Board of Supervisors, the County and Mr. Olgers that will be reviewed every few years and renew this document. This is to insure that this will not be lost because the County needs to keep up with that Flag. Someday the County may want it back.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to enter into an agreement with the Dinwiddie County Historical Society for them to house the old State Flag, as described above, at the historical Fork Inn, Sutherland, Virginia. Said agreement would be renewable as determined by Administration.

IN RE: COUNTY ADMINISTRATOR COMMENT – RESIGNATION OF JAY RUPKEY – REQUEST TO ADVERTISE

Mr. Long stated that in their packets there was a letter of resignation from Mr. Jay Rupkey effective August 31, 1998. Mr. Long requested the Board accept the resignation and also provide authorization for advertisement to fill the vacancy.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the resignation of Mr. Jay Rupkey is accepted and authorization is granted for Staff to advertise for replacement.

IN RE: COUNTY ADMINISTRATOR COMMENTS – AUTHORIZATION TO NEGOTIATE PRELIMINARY SERVICES – PHASE I ENVIRONMENTAL STUDY, GEO TECHNICAL SOILS STUDY AND LAND SURVEY

Mr. Long continued that another item he would like their approval of is he had received three quotes on some preliminary services meaning a Phase I Environmental Study, Geo Technical Soils Study and Land Survey for a potential site for a fire house and a potential site that the School Board wishes to acquire. He requested authorization to negotiate and accept price with the low bidder on those items.

Mr. Bracey stated he assumed he did not have all the bids available tonight.

Mr. Long stated he was missing one bid that he needed to complete the process.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to negotiate a contract with the low bidder on a Phase I Environmental Study, Geo Technical Soils Study and Land Survey for a potential site for a fire house and a potential site that the School Board wishes to acquire.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated he had an informational item, under their information tab, from Mrs. Betty Jeter, Registrar. This is general information on some possible Constitution amendments. These questions will come up on the ballot for the special election on November 3, 1998.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay – no comments

Mrs. Everett – She expressed to Mr. Bracey that some months ago we received a copy of the U. S. Corridor Study and we were all supposed to review that and we hoped to later have a meeting with the Planning Commission and review that study to see what steps we should take to maybe beautify some of Highway 1 and maybe to look at some possible ordinances that would help make it a better place in our County. She continued that she knew that we have had an awful lot on our plate during the past months and we have not gotten back to this but she hoped that before the end of the year certainly or even if possible that we make arrangements for the Planning Commission and the Board of Supervisors to meet jointly and to come prepared to review the corridor study and to see what we think is feasible and what we would like to see done in that regard. She stated that with an enforcement officer coming on board that this is going to be very helpful in this County and something that we have needed for a long time and she felt that this kind of tied in with some of the ideas that they might have about things along the Route 1 corridor.

Mr. Bracey stated he assumed she was making that request and he also assumed that Mr. Long was going to set that meeting or conference up as soon as he can.

Mr. Everett stated Mr. Altman, Mr. Scheid and Mr. Long could all determine what would be the best time to have that.

After discussion it was decided to have a joint meeting at the November 11, 1998 Planning Commission meeting which would be held at 7:30 P.M.

Mr. Moody – no comments

Mr. Tickle – He stated he did not have a comment but noted that Staff had placed before them information from the September 1998 Virginia Business. He thought it was interesting that in the top twenty (20) new construction projects Chaparral Steel was listed as number two (2). What really scared him was the School construction costs. The figures placed before them in this article was a really scary thought when 43 million was the cost.

Mr. Bracey – no comments

IN RE: FIVE MINUTE BREAK

Mr. Bracey called for a five (5) minute break at 8:35 P.M. before moving into Executive Session.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (A) 7 - Consultation with legal counsel (Investigation update); the Board moved into Executive Session at 8:40 P.M.

IN RE: RETURN TO OPEN SESSION

A vote having been made and approved the meeting reconvened into Open Session at 8:48 P.M. in the Board Meeting Room of the Pamplin Administration Building.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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: RESOLUTION -- COMBS-MARSHALL SETTLEMENT AGREEMENT

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

RESOLUTION

WHEREAS, the County Attorney has negotiated a favorable confidential settlement of the lawsuit filed against the County by Joyce Combs-Marshall and Housing Opportunities Made Equal of Richmond, Inc.; and

WHEREAS, the Board of Supervisors believes it to be in the best interests of the County to enter into such confidential settlement;

NOW, THEREFORE, be it resolved that the Settlement Agreement and Release of All Claims presented to the Board by the County Attorney is hereby approved, and the Chairman of the Board of Supervisors and County Administrator are each hereby authorized to execute, deliver and perform such Settlement Agreement and Release on behalf of the County.

RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 8:55 P.M. to be continued September 11, 1998 at 8:00 A.M. at the Pamplin Administration Building for the purpose of reviewing fire and rescue buildings for potential architect engineer selection.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE COUNTY, VIRGINIA, ON THE 11TH DAY OF SEPTEMBER 1998, AT 8:00 A.M.

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

IN RE: CALL TO ORDER

Ms. LeeNora V. Everett, Vice Chairman, called the meeting to order at 8:35 A.M. at the Great Value Supermarket, Petersburg, Virginia.

IN RE: TRAVEL TO VISIT EMS/FIRE HOUSES

The Board traveled to Spotsylvania and York Counties to visit and tour EMS/Fire Houses.

IN RE: ADJOURNMENT

Upon motion of Ms. Everett, seconded by Mr. Moody, Mr. Clay, Mr. Tickle, Mr. Moody, Mrs. Everett voting "aye", the meeting adjourned at 3:15 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator
/pam

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 16TH DAY OF SEPTEMBER, 1998, AT 2:00 P.M.

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

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

Mr. Edward A. Bracey, Jr., Chairman of the Board, called the regular meeting to order at 2:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda.

There being none Mr. Bracey moved forward.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the August 28, 1998 Continuation Meeting, the September 2, 1998 Continuation Meeting and the September 2, 1998 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1012066 - 1012237 (void check(s) numbered 1012067); for Accounts Payable in the amount of $244,901.43: General Fund $158,259.85; Jail Commission $6.90; E911 Fund $1,771.36; Self Insurance Fund $306.20; Fire Programs/EMS Fund $1,201.52; CDBG Fund $137.60; Capital Projects Fund $1,318.00; and County Debt Service $81,900.00.

IN RE: APPROVAL OF REQUISITION #27 - COURTHOUSE CONSTRUCTION

Mr. R. Martin Long County Administrator, stated the following invoices are included in Requisition 27:

GULF SEABOARD GENERAL CONTRACTORS INC.	$300,000.00
TOTAL REQUISITION NUMBER 27	$300,000.00

Mr. Long explained this was the amount, by law, we were required to release at this time. He further explained we will continue to hold approximately $75,000.00 remaining in the fund.

There was discussion among the Board members and Mr. Donald W. Faison, Building and Grounds Supervisor, regarding the problems which have been experienced since the completion of the Courthouse. Mr. Faison gave a brief report on the progress of negotiations with the architect to have the remaining problems cleared.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 27 in the amount of $300,000.00 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

Mr. Bracey asked for documentation and follow up on the progress.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens who had signed up to speak.

Ms. Cheryl Stewart, Executive Secretary, stated she had one person signed up to speak. She called on Mr. Forrest P. Clay to come forward to address the Board.

1. Mr. Forrest P. Clay, 18603 White Oak Road, Sutherland, Va., came forward to express his concerns regarding the following subjects:
   a) Zoning Ordinance forbidding tenant houses, guest houses, and other second houses on the same parcel of land.
   b) Zoning Ordinance which requires that he subdivide a parcel in order to build a vacation log home - he felt this was outrageous.
   c) Speed Limit 45 miles per hour- White Oak Road - there is only one sign on this road notifying citizens and visitors to the County who travel this road to get to Five Forks – right now he felt it was being used as a speed trap. He had spoken to Mr. Ronald Reekes, Resident Engineer for the Virginia Department of Transportation, regarding this information.

There was discussion between the Board and Mr. William Scheid, Director of Planning, regarding the recourse Mr. Clay might have to remedy his situation. Mr. Scheid stated he had discussed the matter with Mr. Clay and Mr. Long prior to the meeting. He further stated he would discuss the matter with Mr. John M. Altman, Jr., Zoning Administrator, regarding the matter upon his return. Mr. Scheid stated he would see Mr. Clay received his options in writing during the next few days. There was also discussion regarding the ramifications of allowing several home sites on one (1) parcel of land.

IN RE: VIRGINIA COOPERATIVE EXTENSION – DROUGHT RESOLUTION

Mr. Long stated as he had indicated to the Board, back at budget time, periodically he would have individuals from some of the County funded Agencies appear before them and briefly bring them up to date on what was going on in their areas and to answer any questions the Board might have regarding their operations.

Mr. Michael J. Parrish, Extension Agent, came forward and addressed the Board. He began by addressing the drought conditions of the agricultural crops.

He stated he knew several Board members had received telephone calls from members of the community about setting forth a resolution to declare a disaster for this crop year. He had talked to Mr. Moody, about a month ago, stating they were working together with NRCS Farm Service Agency and Rural Development on coming together with a committee to estimate crop losses this year. To help the Board make their resolution they came up with over five million dollars estimated losses on crops this year in Dinwiddie County. We are roughly 14 inches short in rainfall. We are expecting somewhere around 1200 pounds of peanut crop this year versus an average of 2800 pounds. To add on top of the drought stress, we have a lot of insect problems that come along with that too. When you have low yields the farmers do not want to put on preventive chemicals applications because they incur more costs. He requested the Board declare a resolution to send to the Governor's Office for Dinwiddie County to be declared a disaster this year.

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

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

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia , that the following resolution be formally drafted and filed with the Governor of Virginia:

WHEREAS, the drought conditions in Dinwiddie County have severely affected the farmers; and

WHEREAS, total losses from drought conditions in Dinwiddie County are approaching the $5,775,000 level; and

WHEREAS, it is incumbent upon the Board of Supervisors to request the Governor to declare the County a drought disaster area.

NOW THEREFORE BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is hereby instructed to file with the Governor of Virginia a request that the County of Dinwiddie be designated a drought disaster area.

IN RE: VIRGINIA COOPERATIVE EXTENSION – GROUNDWATER EDUCATION AND WATER-TESTING PROGRAM

Mr. Parrish continued by stating the Board had received a letter from him requesting support for a well-water testing program. This is a research based program which has many advantages to the County residents and extensions. He stated they were requesting $1,000.00 to offset the cost for the citizens of Dinwiddie County. He stated they are planning to test up to 150 wells. The Appomattox River Soil and Water Conservation District has given $500.00. The samples will cost the citizens $30.00 without the Board's support. If they have support from the County and the Conservation District it brings their cost back to $20.00. Hopefully the lower cost will encourage people with a need to apply and to participate in having their wells tested. The 1990 census reported we had over 5,600 wells in Dinwiddie County. We are basing the program on 150 due to the lab capacity at Virginia Tech. They can only test 150 samples at a time. Dinwiddie County will have two (2) collection dates and are working in conjunction with Prince George County. Prince George County will collect 75 samples on their first collection date and we will too. Both Counties will repeat

two (2) weeks later with 75 more. Extension is looking at this as an educational program on well-water safety and well-water concerns. The results from this will help the Extension Office determine what type of programming they need to focus on. For a private citizen to have this type of testing done would cost approximately $150.00 to $180.00 and the Extension Service has obtained a USDA grant to cut it down to $30.00 and with the support of the Board they can bring the cost down to $20.00 for the 150 participants. If they do not have 150 participants then the money that is not spent will stay with the County. Mr. Parrish further explained there will be no legal recourse with the results which come from this testing. Several Counties have been concerned that citizens will find a problem and want to take legal action. All names are purged at the end because it is a research program. If a problem is detected then the citizen will have to pay on their own and provide their own research and sampling. There will be two (2) informational sessions on November 2nd in the multi-purpose room of the Pamplin Administration Building one at 3:00 P.M. and one at 7:00 P.M.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that funds are approved and appropriated from the Undesignated Fund balance in the amount of $1,000.00 for the Virginia Extension Service to conduct a groundwater education and well-water testing program.

IN RE: VIRGINIA EXTENSION SERVICE – REPORT

Mr. Parrish continued by providing a brief update on the Extension Service programs that are presently in place. He provided information on the metafoam, which was a new crop last year in Dinwiddie County, and reported the yields were less than desirable. He continued he had recently made a trip to Oregon where he worked with their growers association and learned a great deal about what they need to do to improve and make it a better crop potential in Virginia.

Mr. Parrish stated he had also just attended a program concerning insecticides in peanuts. He reported a lot of people are short on hay this year and the Extension Office was trying to get out the word regarding their concern on spraying some of the herbicides and insecticides due to the fact people will be using peanut vines for hay this year. This is something the Extension Office wanted cattlemen to be aware of this year. The lack of hay caused by the drought stress will cause the use of more peanut vines and soybeans for feed. Because of the drought we are already feeding hay to a lot of the livestock. Many farmers are selling off their livestock because of their limited feed supply.

IN RE: APPOMATTOX REGIONAL LIBRARY

Mr. Charles Koutnick came forward giving the Board a brief update on how things were going at the Regional Library. Since July they have had Saturday hours at the Dinwiddie Courthouse Library. Also the Book Mobile is making runs in Dinwiddie County every week. In the first two (2) months of the Saturday hours they are averaging 45 to 46 checkouts per Saturday. That works out to be about 20 patrons per Saturday. This is about the average for all the days the Library is open. They are very pleased with this attendance and hope as more people become aware of the Saturday hours this will increase. They have had less success with their effort to provide internet access into the branches. They have had internet access into the Headquarters Library in Hopewell for a while now. The problem is they are waiting on word regarding their E rate application hoping it will be accepted. E rate is the educational rate. They have applied for an ATM connection with Network Virginia. They are also studying a frame relay connection. This would be slower but the cost would also

be much lower. They would be able to have this type of connection for about the same price as the ATM connection with the discount from the government. They have received a grant from the John Randolph Foundation for this project in the amount of $26,400.00. He explained their network technician had told them, only yesterday, he had accepted another position and will be leaving them. He further reported the State aid for this year will be $242,981.00 which is up $21,657.00 from last year. This is the first year of increase they are expecting over three (3) year period. He thanked the surrounding counties for their support because their contribution made State aid possible.

Mr. Koutnick reported the Dinwiddie Library Foundation is busy evaluating submissions from architectural firms for the renovation of the Clerk's Office. They have approximately $150,000.00 for that project. They are very excited about this and they hope to be in the building within a year's time.

In Hopewell the City Council is in the process of appointing a committee to study the relocation of the Headquarters Library. This should be of interest to all the counties because we do much of the behind the scene services.

Mr. Koutnick stated the summer reading program had about the same attendance as in 1997. At the Rohoic and McKenney branches it was down some but Dinwiddie Courthouse was up about 24% in attendance.

They will be working on the five year plan which will be from 2000 through 2005. A committee from the Library Board will be coming together in November to start discussing this plan. They will keep the County updated on the progress of that committee.

IN RE: RECESS

Mr. Bracey called for a five (5) minute recess at 3:08 P.M.

Mr. Bracey called the meeting back to order at 3:15 P.M.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION – REPORT

Mr. Ronald Reekes, Resident Engineer for the Virginia Department of Transportation, came forward to present his monthly report. He gave a brief report on the status of projects currently in progress and projects that will be beginning shortly. He reported on Route 674 Wheaton Road; Walkers Mill Road, and there was discussion on U. S. 1 and Route 226; the drainage problem in front of Dinwiddie Sporting; Pamplin Park access road; speed limit signs on White Oak Road; and Tarmac entrance. Mr. Reekes also reminded the Board the Six-Year Plan would be heard at the next Board of Supervisors meeting.

Mr. Bracey asked if we could petition the General Assembly to obtain additional funds for Intersection of Route 226 and Route 1.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION – WATCH FOR CHILDREN SIGNS

Mr. Long stated there was a letter under his comments that was brought about by a letter from Mr. Reekes. He asked if the Board or Mr. Reekes wished to take care of this matter at this time.

Mr. Bracey stated yes take care of it.

Mr. Long continued that is pertained to "Watch For Children" signs. Mr. Long asked Mr. Reekes if there was any action needed from the Board.

Mr. Reekes stated there was. He continued by stating that during the General Assembly session of 1997 they passed into law a requirement for the Department to install "Watch For Children" signs; however, the law strictly states the county or the municipality must pass a resolution supporting this. So far in the County he has only had two (2) requests. They are:

1. Clay Estates
2. Rohoic Farms

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that a Resolution is adopted for Clay Estates and Rohoic Farms Subdivisions to have "Watch For Children" signs installed.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mr. Long stated he understood Mrs. Deborah M. Marston, Commissioner of the Revenue, was out sick today.

IN RE: TREASURER – ROBERT B. PAMPLIN, SR. TRUST

Mr. William E. Jones, Treasurer, came forward to address the Board. He stated he would like to begin with the Pamplin Trust. Mr. Robert B. Pamplin, Sr., desires to issue some more bonds to the County that in time will end up in the Evelyn Abrahams Scholarship Fund account the County currently has. The bonds will say - in time the bonds will be transferred but the income from these bonds will not be used until his death. What Mr. Pamplin has proposed is (Nancy Ingram with Sands, Anderson, Marks & Miller, Trust Department looked over this and suggested some corrections be made) an irrevocable trust agreement to be named the Robert B. Pamplin, Sr. Charitable Remainder Annuity Trust. The Trustee, which if the Board approves of themselves, the Board of Supervisors would pay Mr. Pamplin twice a year installments on October 1 and April 1 an amount of $30,000.00 or 5%. The greater of the 5% of the value of the bonds or $30,000.00 each time which will be a $60,000.00 annual payment. They would act as the Trustees to this agreement. Upon his death these bonds would then be transferred to the Evelyn Abrahams Scholarship Fund and the $60,000.00 at that time would be used for scholarship payments. The bond that is going to be transferred is a municipal bond, Oregon State Health Housing Education for Lewis and Clark College, it is a 6% bond. It comes due in the year 2013. At some point there may be some refinancing. What Mr. Jones was requesting from the Board was several things – number one (1) was to entertain a motion to approve the Trust Agreement; number two (2) was to approve themselves as Trustees to this Agreement; and number three (3) was to approve the Chairman to sign the Agreement when everything is in line. He continued we will need somewhere to safe keep these bonds when they are transferred. He had spoken with Craigie Inc. Craigie will do it at no charge including supplying the County some checks where the County would make these payments to Mr. Pamplin on those twice a year installments.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that they grant approval and acceptance of the Robert B. Pamplin, Sr. Charitable Remainder Annuity Trust as presented.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that they approve of the Board of Supervisors of Dinwiddie County, Virginia as Trustees of the Robert B. Pamplin, Sr., Charitable Remainder Annuity Trust.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Chairman of the Board of Supervisors of Dinwiddie County, Virginia to sign the Irrevocable Trust Agreement (Robert B. Pamplin, Sr., Charitable Remainder Annuity Trust) on behalf of the County.

IN RE: TREASURER – REPORT

Mr. William E. Jones, Treasurer, continued with his report for the month of August.

Mrs. Everett stated she would like to see a letter sent on behalf of the County thanking Mr. Pamplin for his continued generosity.

Mr. Bracey instructed Mr. Long to take care of that – soon.

Mrs. Everett stated Mr. Pamplin graduated from Midway School and the auditorium out there is very beautiful since it has been renovated. She did not know if the School Board has named it Pamplin Auditorium or not or would even consider it. She stated she did not know if it was an option they had thought about.

Mrs. Troilen Seward, Superintendent of School, stated they certainly had not considered that but –

Mrs. Everett stated she thought he would be very proud to have that auditorium named Pamplin.

Mr. Bracey suggested the Board discuss this matter later with the School Board.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, came forward stating he had no report but was available for questions.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Mr. Long stated Samuel Shands, Sheriff, had informed him he would be out of town and unable to attend.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, came forward and presented his report for the month of August.

Mr. Bracey stated some time ago there was discussion regarding the increasing of fees.

There was discussion at this time regarding this project and Mr. Abernathy stated they definitely will be increasing them as soon as time allows.

Mr. Long stated he had started to gather information to compare the County to other localities and he planned to discuss this information with Mr. Abernathy in order to compile an overall report to present to the Board.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steve Beville, Animal Warden, came forward and presented his report for the month of August.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came forward to address the Board.

He began by introducing the new Code Compliance Officer, Mr. David Thompson.

Mr. Thompson came forward stating he was glad to be on board and hoped to do the best job possible.

Mr. Bracey asked if the Board would be receiving a monthly report from Mr. Thompson.

Mr. Long stated Mr. Thompson would be reporting directly to Mr. Altman, Zoning Administrator. If there was some special issue that Mr. Thompson needed to be present for, of course he would be asked to attend. Otherwise information regarding his position would fall under Mr. Altman's report.

IN RE: DIRECTOR OF PLANNING – RAILROAD INDUSTRIAL ACCESS PROGRAM RESOLUTION ON BEHALF OF CHAPARRAL STEEL

Mr. Scheid explained he had one item to bring before the Board that was not included in their packets due to the time he received the item and the packets going out. Mr. Scheid stated he had asked Mr. Long about presenting this item to the Board because it was rather important this resolution be looked at by the Board and he would like to have permission to pursue this matter at this time.

Mr. Long stated he had tried to indicate to each member that he received a call after the packets had gone out from the State Department of Rail and Public Transportation. This call indicated to him funds were available for the rail siding at the Chaparral project site just as were available for the industrial access road that is currently being constructed. He continued he had requested Mr. Scheid handle the call for him. Chaparral had indicated they are interested and would like the application filed. It has to be filed by the County on behalf of the Company. There are no funds involved on the County's part. Chaparral has asked we pursue this. The first $100,000.00 would be grant funds and additional $200,000.00 in matching for a total of $300,000.00 from the State. Mr. Long stated he was pleased the State called to inform him there were more funds available. All we are doing is applying for them on behalf of Chaparral. If the Board so chooses to authorize this transaction Mr. Scheid will take care of filing the application.

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

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

A RESOLUTION OF THE
COUNTY BOARD OF SUPERVISORS

WHEREAS, CHAPARRAL STEEL, INC. HAS EXPRESSED ITS INTENT AND DESIRE TO THE DINWIDDIE COUNTY BOARD OF SUPERVISORS TO LOCATE ITS INDUSTRIAL OPERATION IN DINWIDDIE COUNTY; AND

WHEREAS, CHAPARRAL STEEL, INC. AND ITS OPERATION WILL REQUIRE RAIL ACCESS; AND

WHEREAS, THE OFFICIALS OF CHAPARRAL STEEL, INC. HAVE REPORTED TO THE COUNTY THEIR INTENT TO APPLY FOR INDUSTRIAL ACCESS RAILROAD TRACK FUNDS FROM THE COMMONWEALTH OF VIRGINIA'S DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION IN THE AMOUNT OF $300,000.00 AND;

WHEREAS CHAPARRAL STEEL, INC. HAS REQUESTED THAT THE DINWIDDIE COUNTY BOARD OF SUPERVISORS PROVIDE A RESOLUTION SUPPORTING ITS APPLICATION FOR SAID FUNDS WHICH ARE ADMINISTERED BY THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION.

NOW, THEREFORE, BE IT RESOLVED, THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF DINWIDDIE HEREBY ENDORSES AND SUPPORTS THE APPLICATION OF CHAPARRAL STEEL, INC. FOR $300,000.00 IN INDUSTRIAL ACCESS RAILROAD TRACK FUNDS; AND

BE IT FURTHER RESOLVED, THAT THE COUNTY OF DINWIDDIE HEREBY MAKES KNOWN ITS DESIRE AND INTENT TO ASSIST THE COMMONWEALTH TRANSPORTATION BOARD IN PROVIDING THE MAXIMUM FINANCIAL ASSISTANCE TO CHAPARRAL STEEL, INC. FOR THE PURPOSE OF LOCATING ITS INDUSTRIAL FACILITY IN DINWIDDIE COUNTY.

ADOPTED: _____, 199___.

_____
CHAIRMAN, BOARD OF SUPERVISORS
COUNTY OF DINWIDDIE, VIRGINIA

_____
CLERK, BOARD OF SUPERVISORS
COUNTY OF DINWIDDIE, VIRGINIA

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. Scheid stated Mr. John M. Altman, Jr., Zoning Administrator, was not present but the Board had before them his report. He stated he would try to answer any question the Board might have.

IN RE: SOCIAL SERVICES – REPORT

Mrs. Peggy McElveen, Director of Social Services, came forward an presented an update on her Department's services.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Mrs. Troilen Seward, Superintendent of Schools, came forward stating she wanted to share with the Board that Mr. Bracey had attended the school opening convocation and sat on the stage. She further stated she had received some very positive comments from teachers about how nice it was to have someone from the Board of Supervisors with them. She thanked Mr. Bracey for attending. Also that day they had in attendance their State Superintendent of Public Instruction who gave the opening address and on behalf of the Department of Education presented them with a State Flag which he asked them to fly over their School Board Office. Since the School Board office is located in the Pamplin Administration Building she presented the flag to the Board and requested the next time a State Flag is needed they fly this.

Mr. Bracey thanked her for the flag.

Mrs. Seward continued by giving the Board an enrollment update. They closed in June with 4,065 and as of yesterday the enrollment was 4,260. She stated they have been averaging about 9 to 10% increase per year. The Weldon Cooper Center shows Dinwiddie County as the only County around here who is going to gain over the next few years due to the birth rate decline. We are projected to grow 200 or more. There are increases taking place all over with no pattern.

Mr. Tickle asked if the Board could continue to receive the incident report.

Mrs. Seward stated they had one fight at the high school during the last month.

Mr. Tickle asked why locker fees were charged to parents when they actually own the lockers.

Mrs. Seward stated it had to do with students who owe money. She stated she would check into the matter further and report her findings to him.

Mr. Tickle was concerned with $10.00 for parking and $5.00 for lockers – he stated it has been said for 12 years you were going to pave the parking area and the whole 12 years go by and you do not pave it, it does not seem parents should have to pay.

Mrs. Seward again stated she would check on this and report her findings.

Mr. Bracey stated there should be a pile of money somewhere to pay for paving the parking area.

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward to present his monthly report.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management, came before the Board and presented his report for the months of August and September 1998.

Mr. King continued that he had one additional item to discuss which came in after his report was in. He stated they had bid out the hauling of the waste and did have four (4) firms respond. He stated the bid were not all apples and apples. Some firms did not really follow the work sheet provided in the bid

packet. He presented the Board with a printout with bid information. He requested the Board review the information and call him with any questions they might have. He stated action was not being requested at this time; however when the Board was ready to move forward on this he would also be ready.

Mr. Long stated he had requested Mr. King provide the Board with this information for their review. He stated there were some issues that the Board really needed to think about on the County hauling their own waste versus the bids that we have received from the respondents. If the Board sees fit, we would discuss this at a later meeting after the Board has had time to review the information and forwarded questions to Mr. King or him.

Mr. Tickle requested a bar graph showing the top ten (10) trash sites. He would like to have them monitored to what load they are on. That is what he felt would dictate what they do and what we do with those dump sites.

Mr. King replied the Chesdin and Rohoic sites were the only two (2) he would have information on. The other sites are lumped in with all the other waste.

IN RE: DIRECTOR OF PUBLIC SAFETY -- REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his monthly report.

Mr. Jolly pointed out he had, per Mr. Tickle's request last month, included a bar graph on the fire calls for the month. He stated it showed the calls are ever increasing.

Mr. Jolly stated in reference to Mrs. Everett's request last month, he had placed in their packets reference to the pumps on our apparatus regarding the maintenance that has been done. With some further inquiries to the Departments about their schedule and looking at the overall picture, he had found the Ford and Dinwiddie Departments were having the pump apparatus maintenance done annually; Namozine was doing theirs in house; and the other two (2) County stations were not doing any type of annual pump maintenance at all. After looking at the vendor selection the only other vendor out there that does this type of work and is able to come to the County to do it is out of South Boston and it also happens to be the same vendor we just purchased the brush truck from. This is the truck that has taken forever to get in. With that being said he would recommend that if we are going to continue this project we continue to use the vendor they have been using in the past which is Singer Associates out of Richmond. He stated he would like to start with the newer apparatus first and then see how things go from there. Maybe not do the complete fleet of vehicles at this time. The money for this maintenance would come out of the regular maintenance fund. No action is required by the Board.

IN RE: DIRECTOR OF PUBLIC SAFETY – FORD BRUSH TRUCK TRANSFER TO DINWIDDIE CORRECTIONAL UNIT #27

Mr. Jolly stated in their packet there was a letter from the Commonwealth of Virginia, Department of Corrections, Dinwiddie Correctional Unit #27. This letter was requesting the Board give consideration to donating the Ford Brush Truck, which has been replaced, to the Dinwiddie Correctional Unit for use on the Unit Farm grounds. Mr. Jolly stated they do sponsor a couple of meetings each year and have done a lot to keep the Ford grounds looking good. He offered up a recommendation they accept and felt it would be a good investment on their behalf.

Mr. Bracey asked if all we would be doing was transferring the title to the Ford Brush Truck to the Dinwiddie Correctional Unit.

Mr. Jolly stated the actual unit we would be transferring to them is going to need some work before it is used. If we bid out the sale of this unit we probably would not receive a large sum of money on the sale.

Mr. Clay was concerned about giving something in poor condition away. The Ford Volunteer Fire Department told us before they ordered the new unit that this old unit was completely worn out and nothing on this unit was in working condition.

Mr. Bracey stated he did not know about that but someone who wishes to make something out of it may be able to do that. He stated he has done it before! It may not be a top of the line unit but it could serve their purpose. He asked Mr. Jolly if that was the bottom line.

Mr. Jolly stated this particular unit is going to need to have repair work done to it before it is used. It is not like we are giving them a unit they will be able to start using tomorrow.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to transfer the title for the Ford Volunteer Fire Department 1984 Ford brush truck, vehicle identification number 1FTEF26H1ENA68721, to the Commonwealth of Virginia Department of Corrections, Dinwiddie Correctional Unit #27.

There was discussion regarding Carson Volunteer Fire Department and the number of calls they had responded to in the previous month. Mr. Tickle was concerned about the money the County was putting out and if we were getting our moneys worth from them.

Mr. Jolly stated this data is very consistent. They are going to run two to five calls per month. There are not participating on first responder program. For the record he stated Old Hickory Volunteer Fire Department does not participate in the first responder program. Because of this, Dinwiddie Volunteer Fire Department is required to run first responder calls in that District. This is the reason the first responder calls in Dinwiddie are up. As you will think back about two or three months ago we started the training process for the accountability training. There was a policy statement issued by Mr. Jolly stating that if you do not have the required training by November 1, 1998 you would not be able to run calls. As of this date they have not sent a provider from Carson to the accountability training. This is going to force him, County Administration and the Board to take a stand as to whether we are going to allow them to run calls. His personal feelings are we set the rules and if they do not want to run by them then we cover those two or three calls per month with our other companies. He wanted to do some research and come back with a good formal recommendation prior to November 1st.

Mr. Tickle stated we have an investment and we should be getting a return on that investment. He would like to see how many calls Carson runs in Prince George County compared to the number of calls they run in Dinwiddie.

Mr. Jolly stated he also has spoken with Mr. Ken Brown, who is his equal in Prince George County, to asked him to update the status on a letter that he drafted for the tanker which the Board had recently talked about. Mr. Jolly continued by stating we are waiting to hear from Prince George County regarding the funding requests. Mr. Jolly wanted to have all information

available in order to discuss Carson Volunteer Fire Department as a whole, not in piece meal.

IN RE: FIRE & RESCUE ASSOCIATION – REPORT

Mr. Jolly stated he was also the Fire & Rescue representative today because Mr. Charles Lewis was unable to attend.

Mr. Jolly informed the Board that Fire Prevention Week is coming up October 4th -10th. The Ford Fire Department and the Namozine Fire Department will be having open house on Sunday, October 4th. He thought the hours for the open house would be 1:00 P.M. to 5:00 P.M. at both locations. They have both indicated it would be great to have County staff and/or the Board stop by.

There were no questions from the Board for Mr. Jolly regarding the Fire & Rescue Association.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Dutch Bumgardner, County Attorney, came forward stating he had no report but was available for questions.

There being no questions Mr. Bracey moved forward.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT – REPORT

Mr. Donald W. Faison, Building and Grounds Superintendent, came forward to present his monthly report.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT
- **RENOVATIONS PUBLIC SAFETY DIRECTOR/**
- **COMMISSIONER OF THE REVENUE OFFICES**

Mr. Faison stated the Board had requested him to be prepared to give them revised figures today on the renovations on the Public Safety Director and Commissioner of the Revenue offices. He presented the Board with the following figures:

a. Partitions.....$ 3,747.30
b. High Density File System.....$ 8,305.00
c. Carpet.....$ 4,345.28
d. Demolition, new walls, painting, electrical...$ 6,300.00
e. Relocate Old File System.....$ 1,500.00
f. Computer Telephone Wiring.....$ 1,500.00 (estimate)

TOTAL $25,697.58

Mr. Faison went over each line item with the citizens and Board members.

Mr. Clay stated he felt this was entirely too much money to spend just to change around the Commissioner of the Revenue. We are already spending $85,000.00 so this makes over $110,000.00 to get the Treasurer and Commissioner of the Revenue new offices, new desks and what have you. Again he stated he felt it was too much money. Just because she wants something does not mean she has to have it. We are giving her more office space than she had and it is costing us $25,000.00 and $89,000.00 on the other building, he stated he can not go for that. Mr. Clay said all this spending resulted from the Commissioner because Mr. Jones was happy where he was.

Mr. Faison stated if you take only what we would have to do to provide Mr. Jolly with an office, that equals $4,400.00 and you add carpet price the total comes to $8,745.28. If you deduct that cost from the total it would mean to accommodate Mrs. Marston's requests is $16,952.30 and half of that is the high density file system, which is $8,300.00.

Mrs. Everett wanted to know how beneficial that was going to be to the County.

Mr. Faison stated he thought it would condense her file systems tremendously.

Mrs. Everett asked if there was enough money left in the CIP to cover these renovations.

Mr. Long stated he believed there was. He stated he would have to verify the number. He stated he could check with Mrs. Glenice Townsend, Fiscal Officer.

Mr. Bracey asked Mr. Long to verify this with her while they moved forward.

Mr. Long left the meeting at this time to check with Mrs. Townsend.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT MAINTENANCE REQUEST FORM

Mr. Faison stated he had one more item to show the Board which he felt was going to be beneficial to all. He proceeded to supply the Board with a copy of a maintenance request form which he had printed up. All maintenance requests are to be submitted in writing to his department. The form carried the following format:

REQUEST NUMBER
No. _____

PLEASE PRINT
PRESS HARD 3 COPIES

DINWIDDIE COUNTY COURTHOUSE COMPLEX
DINWIDDIE, VIRGINIA

SECTION I : To be completed by the person requesting service or repairs.

BUILDING : _____ **DATE :** _____

DEPARTMENT : _____

DESCRIPTION OF WORK REQUESTED

_____

_____

_____

_____

_____

SIGNATURE OF DEPARTMENT HEAD MAKING REQUEST :

_____

****

SECTION II : To be completed in the office of the Building and Grounds Superintendent.

DATE REQUEST RECEIVED : _____

RECEIVED BY : _____

ASSIGNED TO : _____

ON : _____

PROJECT COMPLETED ON : _____

WORK PERFORMED APPROVED : _____
Signature of Supervisor

WORK PERFORMED NOT ACCEPTABLE : _____
Signature of Supervisor

**Work will be scheduled and completed according to priority. If a request is going to be held for any length of time you will be notified as to the reason for the delay. A list of completed work requests will be sent out on a monthly basis. If you make a MISTAKE on a form, please write void across it and send us our copies. We want to be able to account for every maintenance request.

TOP TWO (2) COPIES ARE TO BE SENT TO MAINTENANCE DEPARTMENT

ONE COPY IS TO BE RETAINED BY THE DEPARTMENT MAKING THE REQUEST

He stated he had passed out these forms to all departments and department heads.

Mr. Bracey stated he hoped this form would help Dinwiddie County to get work performed in a more timely fashion.

Mr. Bracey asked if these forms were sent with a letter to each department.

Mr. Faison stated he did not send them, he visited each department and personally placed the forms in proper hands.

Mr. Bracey asked Mr. Faison to follow up with a letter to be filed. This way no one can say nobody told me.

There was discussion regarding the moving of Mr. Jones' Office and the shelving/cabinets he wished to add in his new space. It was not in the original design to have them. Mr. Faison stated he did not believe it would be an expensive item. He was going to request a price from the contractor. He hoped to have that information within the next few days.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT
- **RENOVATIONS PUBLIC SAFETY DIRECTOR/**
- **COMMISSIONER OF THE REVENUE OFFICES**

Mr. Long returned from checking with Mrs. Townsend to report he would explain this the best he could. He stated he could not pull an exact figure on the

CIP and the reason being the CIP is not on the computer. It is a portion of the Reserve Fund. Mrs. Townsend was thinking that the $25,000.00 to $30,000.00 he had spoken of may have gone to the telephone system. What he could tell them now was if they authorize the work we would have to come back with the claims and he would at that time explicitly indicate which fund it would come out of. If it is still enough in the CIP Fund to cover it he would indicate such; otherwise it would be the Undesignated Reserve.

Mr. Bracey stated he understood what he was saying. He asked if action on this needed to take place now.

Mr. Faison stated to keep this within the scheme of the schedule – moving people he was hoping they could do it today. He stated he did not think we have to do it today. It would work better for the schedule if we could.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Building and Grounds Superintendent to move forward with the renovations to provide offices for the Public Safety Director and the Commissioner of the Revenue not to exceed $25,697.58.

IN RE: PUBLIC HEARING – SALE/CONVEYANCE OF PROPERTY

This being the time and place advertised in the Dinwiddie Monitor on September 9,1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing for the purpose of receiving public comment on the private sale and conveyance of a parcel of property containing approximately 2.9 acres owned by the County of Dinwiddie in exchange for other real property in the County of Dinwiddie. This property is a portion of Tax Map Parcel Number 445D (1) 16 and is situated at the intersection of Courthouse Road and Edsel Lane, immediately adjacent to the Dinwiddie County Courthouse.

Mr. Long stated this Public Hearing is being held in accordance with Section 15.2-1800 of the State Code of Virginia that requires a Public Hearing for disposal or exchange of real estate within a political subdivision. This Public Hearing is specifically for a parcel of property approximately 2.9 acres currently owned by the County in exchange for other real property in the County of Dinwiddie. The property we are speaking of here is a portion of Tax Map Number 45D (1) 16 which is exactly located at the intersection of Courthouse Road and Edsel Lane. This is the wooded property immediately adjacent to the Dinwiddie County Courthouse. We are required to hold a Public Hearing for the purpose of public comments on the Board's interest of conveying this property.

Mr. Bracey opened the Public Hearing. He asked Ms. Stewart if she had any one signed up to speak.

She replied no citizens had signed up to speak.

Mr. Bracey asked if there was anyone present who would like to speak for or against.

At this time the following person came forward to address the Board:

1. Anne Scarborough, Dinwiddie, Virginia, asked why was the Public Hearing being held at an afternoon meeting instead of a night meeting when most Public Hearings are held.

Mr. Long replied he would explain it. When the question of this property and whether the Board might be interested in conveying or exchanging it came up, he was directed at that time to put it on the next possible agenda to get it underway because the Board was interested in conveying this property. He continued he did indicate to the Board that September 16th meeting was an afternoon meeting and he was directed to move forward. We did advertise according to the State Code.

There being no other citizens in attendance wishing to speak, Mr. Bracey closed the Public Hearing.

Mr. Long stated there was no action necessary today. This Public Hearing was in conformance with the law.

IN RE: APPOINTMENTS – ABIDCO

Mr. Long stated Mrs. Pamla A. Mann, Administrative Secretary, had placed in their packets appointments for the ABIDCO Board. There are two positions. Applications are enclosed from Mr. Milton I. Hargrave, Jr. who has been serving on this Board since 1992 and is seeking reappointment; Ms. LeeNora V. Everett who has been serving on this Board since 1997 and is seeking reappointment; Mr. William L. Coleman; and Ms. Christina F. Winfield.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Milton I. Hargrave, Jr. is re-appointed to the ABIDCO Board for a term ending September 30, 1999.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Ms. LeeNora V. Everett is re-appointed to the ABIDCO Board for a term ending September 30, 1999.

There was discussion regarding advertisement of Board appointments which must be Board members. It was stated this was a waste of money and does not need to be advertised.

Mr. Bracey asked Mr. Long to please note in the future these positions need not be advertised.

There was additional discussion regarding advertisement of appointments. Again, no decisions were made regarding the method the Board wished to follow regarding this matter.

IN RE: COUNTY ADMINISTRATOR COMMENTS – VIRGINIA CHAMBER OF COMMERCE

Mr. Long stated he only had one item left under his comments and that was a letter he had received from the Virginia Chamber of Commerce regarding two (2) constitutional amendments that are on referendum November 3, 1998. This request from the Chamber of Commerce is asking for funding assistance from localities to publicize in the media the reason they believe these two (2) items need to be voted yes on. These are items number 3 and 4 on the referendum which are both regarding economic development initiatives at the local level. In a nut shell it is: currently cities and towns can enter into regional agreements with other localities without holding a referendum, but counties have to hold a referendum to enter into a regional agreement. The thought process on these amendments is that the referendum often times takes more time than a

business prospect may be willing to wait to find out if it is going to pass or not. Mr. Long continued by stating they are requesting $3,000.00 from Dinwiddie County and he wanted the Board to understand he was passing this information along for their information and review. It is only an action item if the Board wishes to take it.

Mr. Tickle stated his recommendation was we wait on this issue. Due to the fact there are 95 counties and we have a county to the North that has a budget of 1.8 billion dollars, they would have it a lot easier than we would to pay $3,000.00. He did in fact support this but thinks we should wait.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay – He would like to ask the County Administrator to get them an up to date reading on just how much Dinwiddie County owes. He wanted to be sure that we will not ruin the County's credit.

Mr. Long stated he has already begun to put the debt service schedule on the computer. He is also trying to put together an overall sheet that would tell them total principal amount owed, total interest amount owed and then the grand total owed.

Mr. Clay stated his concern was an increase in taxes.

Mrs. Everett – no comment

Mr. Moody – no comment

Mr. Tickle – no comment

Mr. Bracey – He stated we might need someone to come before the Board to explain the sheet that Mr. Long was preparing and tell them how this debt would affect the County.

IN RE: RECESS

Mr. Bracey called for a five (5) minute recess prior to the Executive Session.

RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 (Sheriff's office concerning ongoing investigation); and Section 2.1-344 (A) - 5 Discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's' interest in locating in the community the Board moved into Executive Session at 5:03 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:05 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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. Tickle, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 6:10 P.M. to be continued October 7, 1998 at 3:00 P.M. at the Pamplin Administration Building Multi- Purpose Room for the purpose of holding a CIP Workshop.

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

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE COUNTY, VIRGINIA, ON THE 7TH DAY OF OCTOBER 1998, AT 3:00 P.M.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	LEENORA V. EVERETT, VICE-CHAIR	ELECTION DISTRICT #3
	AUBREY S. CLAY	ELECTION DISTRICT #5
	HARRISON A. MOODY	ELECTION DISTRICT #1
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
OTHER:	DANIEL M. SIEGEL	COUNTY ATTORNEY
	MARK FLYNN	COUNTY ATTORNEY

Mr. Tickle arrived at 3:02 P.M.
Mr. Siegel arrived at 3:06 P.M. and left at 5:09 P.M.
Mr. Mark Flynn arrived at 4:55 P.M.

IN RE: CALL TO ORDER

Edward A. Bracey, Jr., Chairman, called the meeting to order at 3:00 P.M.

IN RE: PARKS AND RECREATION – SUFFOLK PEANUT FESTIVAL -- PASSES FOR BOARD

Mr. Tim Smith, Director of Parks and Recreation, came before the Board to offer them free passes for the Suffolk Peanut Festival which will be taking place October 9, 10, and 11, 1998. Mr. Smith stated Mr. Bracey would be accompanying him on Friday to visit the site. Mr. Smith felt it would be beneficial for the Board to visit this Festival to see how the airport could be used for Fairs and Festivals. Suffolk is now drawing approximately 250,000 people during this four (4) day festival. With Dinwiddie County holding its first fair in 1998 they may wish to look down the road to see how this fair can grow and how the airport property can be utilized for this event.

IN RE: CHAPARRAL STEEL – STORAGE OF STEEL ON AIRPORT PROPERTY

Mr. Tickle stated he wished to report to the Board his concern regarding the speed of the trucks hauling steel for Chaparral Steel which is being stored on Airpark Drive. The speed limit is 35 MPH and he felt this should be enforced. He stated he had informed the Sheriff's Department of this problem and hoped they would look into the situation.

Mr. Long stated he thought he had gone over this matter with each of the Board members, but if he had missed anyone to please stop him and he would explain further.

Mr. Moody stated he did not know about this agreement.

Mr. Long apologized to Mr. Moody for not informing him of this agreement and stated he would meet with him later to supply him with more details on this agreement.

Mr. Long continued by explaining there has been an eighteen (18) month agreement signed between Chaparral Steel and the Dinwiddie County Airport Authority for them to store their steel at a site on Airpark Drive. The Authority is receiving $6,000.00 per month for twelve (12) months and $3,000.00 for the last six (6) from Chaparral Steel to store their steel at this site. Mr. Long stated a portion of this money will be coming to the County toward some funds they owe the County from years gone by.

Mr. Long stated he would contact Mr. Louis Colatriano at the Dinwiddie site. Mr. Colatriano will be the manager of the Dinwiddie plant when it is opened. He stated Mr. Colatriano has been responding to him really quickly and he will ask him about this matter.

IN RE: CIP WORKSHOP

Mr. Long stated what was on the agenda for this CIP meeting included two (2) main topics which he would like for the Board to keep in mind. One (1) of those being the current status of the County's debt, where we stand, along with some comparison to other localities in the State. The same type of discussion we have had before but we have updated our bond/debt status to show the Board – Mr. Darryl Hill, Davenport & Company, LLC, will be providing you with updated charts to show the Board comparison factors. The other topic being the status of looking at two (2) fire houses within the County.

IN RE: DEBT SERVICE COMPARISONS

At this point Mr. Long asked Mr. Hill to proceed with his presentation.

Mr. Hill began by providing the Board with updated printout showing Comparisons of surrounding localities as of the audited fiscal year 1997 financial report and comparisons of surrounding localities projected for additional bonding / debt service.

There was discussion regarding the percentages of debt service to assessed value, debt service to general fund revenues, and debt per capita.

Mr. Tickle stated this was not the whole picture and he wanted to see additional figures – a budget forecast for the years to come. His main concern seemed to center around the possibility of a tax increase.

Mr. Bracey instructed Mr. Hill, Mrs. Ralph, along with Mrs. Glenice Townsend, Fiscal Officer, and Mr. Long to weed through and try to understand and provide Mr. Tickle with the information he has requested.

IN RE: EMS/FIRE STATION ARCHITECTURAL SERVICES

Mr. Long stated Mr. Donald W. Faison, Building and Grounds Supervisor and Mr. David M. Jolly, Director of Public Safety, were present to submit information about the architectural firms they interviewed for the proposed EMS/fire station plans.

Mr. Long continued the Board had talked about some, looked at some and after the Board went to Spotslyvania and York County as a whole, Mr. Faison and Mr. Jolly had visited a fire station in Suffolk that Ballou Justice has designed. This gave them at least one design from each of the architectural firms that had submitted bids.

Mr. Faison stated when they visited Suffolk they saw a station that was designed by Ballou Justice. It was a station that was about 8,000 square foot. It was a two (2) bay drive through. It had very nice bunking facilities; a reasonable kitchen; the day room was not satisfactory in their eyes; and the combination of the two. The building that was designed in Suffolk had to meet more building code requirements because of the locality and the threat of hurricanes. He continued that after visiting that station; after visiting the station in York County that was designed by DJG; and visiting Fredericksburg and seeing what another architect, one they did not interview had built; visiting Victoria which was designed by another engineer; and reviewing some of the basic functions that

were put into all of them, Mr. Jolly and Mr. Faison both felt like DJG or Ballou Justice were pretty much equal. He further stated they were a little more impressed with the designs, workmanship and the whole knowledge of what the people looked like they had in the Suffolk station which was designed by Ballou Justice. Because of that, it was their agreement that of the three (3) architects that had been selected for interview, out of the six (6) that responded to the RFP, that they would like to recommend to the Board to allow them to start negotiations with Ballou Justice.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Mr. Donald W. Faison, Building and Grounds Superintendent, and Mr. David M. Jolly, Director of Public Safety, to begin negotiations with Ballou Justice for architectural services for EMS/Fire Houses to be built in Dinwiddie County.

IN RE: PROPERTY -- FOR EMS/FIRE HOUSES

Mr. Faison continued by discussing the proposed site for the Dinwiddie EMS/Fire station. There was concern about the property lines; the placement of the station on the property; and the natural drainage field on the south side of the property. The concerns are something Mr. Faison felt the architects would be able to help with. Mr. Faison had also spoken with Mr. Chappell about changing the property lines on the plat. He is currently waiting for his answer on this. There would be an additional cost for the additional property being requested. Mr. Faison will report back to the Board upon Mr. Chappell's answer and discussion with the architect.

IN RE: CIP – TWO (2) FIRE TRUCKS

Mrs. Ralph stated in relation to that no fire truck has been authorized anywhere. If the Board wants to purchase fire trucks then the Board needs to decide where.

Mr. Long requested Mrs. Ralph distribute the CIP update sheets at this time. Mr. Long stated this sheet provided information on the projects that have been completed; authorized; and the additional breakdown regarding cost of the Public Safety Director's office and the Commissioner of the Revenue's office.

There was discussion regarding the new addition to the Pamplin Building. Mr. Faison explained the situation regarding the delay in receiving the glass but reported the addition is 99.9% finished at this time.

Mrs. Ralph went over the changes that have occurred since the last CIP update meeting. She stated there was nothing that held the Board to a million dollars in each one of the years, there is two million dollars sitting in the fund. She stated she had outlined it in different years to keep some logical way of keeping up with the projects. The difference from last report is the EMS pay out had to come out of this money and it was not shown on the last update. Also added was the Public Safety Office and Commissioner of the Revenue Renovation/Furnishings. She further stated future projects that have been approved or projects the Board is currently looking at are listed. Following this are items that no action has been taken on. She explained these are items that have been discussed but they have not been authorized. This includes the two fire trucks. This would be one for McKenney and one for Dinwiddie.

Mr. Jolly stated the first would be to place a tanker at Dinwiddie in place of something that is in Dinwiddie now. The second unit is a fire engine for

McKenney. McKenney is the next Company in the overall system that is up for a pumper is reason number 1 and number two is they have the oldest pumper in the fleet, one of which is in pretty desperate need of having some replacement or pretty high dollar maintenance. Until we build a new station in McKenney we can not house a new truck there because a new unit will not fit into their current station.

Mr. Bracey stated this is the time to get authorization for any action that is needed.

After discussion on several fire and first responder units issues, Mr. Bracey called for a motion.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Director of Public Safety to write specifications for a tanker unit for Dinwiddie Volunteer Fire Department and an engine for the McKenney Volunteer Fire Department and to put these specifications out for bid.

IN ER: WELL CORROSION CONTROL SYSTEM AND TEST RESULTS

Mrs. Ralph passed out a notice from Sydnor Hydrodynamics, Inc. updating the Board on the well water testing and the corrosion control systems. She stated this information was to keep the Board informed on the progress of this system in order that questions regarding bottled water can be answered by Board members.

IN RE: LANDFILL CLOSURE – CONSTRUCTION BIDS

Mrs. Ralph reported the landfill closure construction bids are out and due back in on October 25, 1998.

IN RE: OLD COURTHOUSE

Mrs. Ralph continued they, meaning Mr. Faison, Mr. Long, and herself, met with the State representatives on the old courthouse. They are going to be helping with some of the specifications to make sure we are in line with what the State wants.

IN RE: SHERIFF'S DEPARTMENT/JAIL GENERATOR

Mrs. Ralph reported with regard to the jail generator the temporary wiring has been completed. They are currently on the E911 generator which provides them with things they did not have before.

Mr. Faison stated Mr. Denny King, Director of Sanitation, had requested the old generator.

The Board stated he could have it. They requested he be told to get a wrecker and move it to the landfill.

IN RE: EASTSIDE SCHOOL RENOVATION

Mr. Long stated we had covered about everything he had hoped to cover in this time period.

Mr. Bracey asked about Eastside School.

Mr. Long stated this was a part of this overall project schematic. He wanted to know what Mr. Bracey wanted to know.

Mr. Bracey asked what was going to be done with the 2 million. He stated he disagreed totally on this figure. But he did agree with having it done. When they said 2 million dollars and in my last talk with the chairman of the school board and the school board persons that 2 million was kind of a number to turn that place into a school, wasn't it.

Mrs. Ralph stated she thought that was just to get it to office space.

Mr. Bracey stated he was not in the mood for a 2 million dollar project.

There was discussion regarding the roof, the updated electrical panel, asbestos removal, removal of pipes and additional work such as flooring and painting.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for staff to proceed with development of plans for partial renovation of Eastside School for community use.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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; Section 2.1-344 (a) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose; and Section 2.1-344 (a) 7 - Consultation with legal counsel (Property Sales Agreement); the Board moved to the Homeplace Restaurant for Executive Session at 5:30 P.M.

IN RE: RETURN TO OPEN SESSION

A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M. in the Board Meeting Room of the Pamplin Administration Building.

IN RE: CERTIFICATION

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

RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 7:31 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

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 7TH DAY OF OCTOBER, 1998, AT 7:30 P.M.

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

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 7:31 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda.

Mrs. Pamla A. Mann, Administrative Secretary, stated we need to add under Item Number 7 - a second resolution. This resolution is for the Springfield Baptist Church.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that under agenda Item Number 7 - a resolution for the Springfield Baptist Church be added.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the September 11, 1998 Continuation Meeting and the September 16, 1998 Regular Meeting were approved in their entirety.

IN RE: CLAIMS

Mrs. Mann stated there was a supplemental claim in the amount of $1,675.00 for the property survey on the EMS/Fire Station proposed site.

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1012238 through 1012478 (void check(s) numbered 1012238 through 1012252 and 1012440); for Accounts Payable in the amount of $728,102.73: General Fund $712,799.45; Self Insurance Fund $10,681.33; Law Library $58.69; Forfeited Asset Sharing $395.12; CDBG Fund $618.85; and Capital Projects $3,549.29; and for the supplemental claim for Accounts Payable $1,675.00: Capital Projects Fund $1,675.00.

IN RE: COURTHOUSE CONSTRUCTION – REQUISITION #28

Mrs. Ralph stated the following invoices are included in Requisition Number 28:

JMJ CORPORATION	$ 1,113.75
JMJ CORPORATION	2,900.36
HENING-VEST-COVEY	1,237.77
TOTAL OF REQUISITION NUMBER 28	$ 5,251.88

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 28 in the amount of $5,251.88 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: SCHOOL CONSTRUCTION – REQUISITION #36 (IDA98-1)

Mrs. Ralph stated the following invoices are included in Requisition Number 36:

KBS, INC.	$496,992.36
BALLOU, JUSTICE & UPTON	28,173.87
STROUD, PENCE & ASSOCIATES, LTD	9,130.00
FROEHLING & ROBERTSON, INC	2,036.00
TRI-CITIES OFFICE PRODUCTS INC	888.00
VIRGINIA POWER	999.64
WARTHAN ASSOCIATES INC	1,500.00
TOTAL OF REQUISITION NUMBER 36	$539,719.87

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 36 in the amount of $539,719.87 be approved and funds appropriated for CIP expenses for the School Project Fund.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if any citizens had signed up to speak.

Mrs. Mann stated she had one person signed up to speak. She called Mrs. Anne Scarborough.

1. Mrs. Anne Scarborough, Dinwiddie, Virginia, came forward to address the Board. She voiced concerns regarding the following:

    a. Eastside School – she pointed out that the school was turned over to the County in 1983 and wanted to know if the County was ever going to do anything with this property.
    b. Northside School was closed in 1988 and was also concerned about what the County planned to do with this property.
    c. She pointed out that she was unable to hear the Board and wanted them to speak up. She stated she would raise her hand to signal that she could not hear.
    d. She requested information regarding the Invitation to Bid on the Landfill Closure. She thought this was done in 1992 and wanted to know about the money that was spent then.

Mr. Bracey stated asked Mr. Long to respond to Mrs. Scarborough's landfill questions in a timely manner. He also asked Mrs. Scarborough to hang in there just a little bit longer on the schools because he was working on that project.

Mrs. Everett stated he should tell her about the meeting and action that had been taken earlier in the day.

Mr. Bracey continued by explaining to Mrs. Scarborough the action the Board had taken in the CIP workshop meeting earlier this same date.

Mr. Bracey asked if there were any other citizens present who wished to speak but had not signed up.

There being none Mr. Bracey moved forward.

IN RE: RESOLUTION OF RECOGNITION – THOMAS FITZGERALD EDMUNDS

Mr. Long stated Mr. Edmunds was unable to attend this meeting. The Board would take action on this tonight and Mr. Edmunds and some of his family members will be present at the October 21st, day meeting to accept the Resolution. Mr. Long read the following:

RESOLUTION
OF THE
DINWIDDIE COUNTY BOARD OF SUPERVISORS
OCTOBER 7, 1998
IN RECOGNITION OF
THOMAS FITZGERALD EDMUNDS

WHEREAS, *Mr. Thomas Fitzgerald Edmunds was born on October 19, 1898, to Thomas Castleton and Nannie Thweatt Edmunds and has resided in the County of Dinwiddie for approximately 75 of those years; and*

WHEREAS, *on October 19, 1998, Mr. Edmunds will celebrate his 100th birthday; and*

WHEREAS, *during his 100 years, Mr. Edmunds was married on June 5, 1923 to the late Mrs. Lucy Pryor McIlwaine Edmonds and during their 62 years together were blessed with a loving family of four children, Mary Plummer Humphrey, Lucy Ann Traynham, Jane Castleton Powers and Thomas F. Edmunds, Jr.; and*

WHEREAS, *Mr. Edmunds, besides being a devoted husband and father, has also dedicated his life to serving God as a member of Concord Presbyterian Church where he still attends regularly and now serves as Elder Emeritus; and*

WHEREAS, *the Board of Supervisors on this 7th day of October, 1998 would like to acknowledge Mr. Edmunds service and dedication to his Church, his Family and the Dinwiddie County Historical Society (their oldest member); even though he is more interested in the present and the future than he is in the past; and*

WHEREAS, *Mr. Edmunds is considered a perfect example of a fine Christian gentleman – a gem of a man and is quoted for saying young people need to "Work hard, play some, eat well, and get plenty of rest."; and*

WHEREAS, *the Board of Supervisors desires to acknowledge Mr. Edmunds 100th birthday and join with his family and friends in this celebration;*

NOW THEREFORE BE IT RESOLVED *that the Board of Supervisors of Dinwiddie County, Virginia, acknowledges his 100th birthday and wishes Mr. Edmunds a very blessed and prosperous life*

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that above resolution of recognition of Mr. Thomas Fitzgerald Edmunds is hereby adopted.

IN RE: RESOLUTION – SPRINGFIELD BAPTIST CHURCH

Mr. Long stated this Resolution was in recognition of Springfield Baptist Church's 131st Anniversary. He read the following:

RESOLUTION
OF THE
DINWIDDIE COUNTY BOARD OF SUPERVISORS
OCTOBER 7, 1998
IN RECOGNITION OF THE
SPRINGFIELD BAPTIST CHURCH
131ST ANNIVERSARY

WHEREAS, in 1867, two years after the Civil War ended, one of the South's oldest Black Churches was founded, and

WHEREAS, Springfield Baptist Church has set aside October 11, 1998 to celebrate its 131ST year of service in the Dinwiddie community, and

WHEREAS, the Church has been able to support many members and friends in the Dinwiddie County community, as well as in surrounding communities, and

WHEREAS, the Board of Supervisors would like to support the celebration with this resolution of recognition for its many years of growth and prosperity.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Springfield Baptist Church for devoted service and for its accomplishments in the community and in the County, and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that a copy of this resolution be presented to Springfield Baptist Church for its October 11, 1998 celebration and a copy spread upon the minutes of this meeting.

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

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BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that above resolution of recognition for the Springfield Baptist Church is hereby adopted.

Mrs. Mann stated the Church had requested a Board member be present at the Church on Sunday, October 11th at 3:00 P.M. to present this resolution.

Mr. Moody agreed to make the presentation.

IN RE: PUBLIC INFORMATIONAL MEETING – VIRGINIA DEPARTMENT OF TRANSPORTATION – SIX YEAR IMPROVEMENT PLAN

Mr. Ronald Reekes and Mr. Harold Dyson, Resident Engineer and Assistant Resident Engineer, came forward giving a brief rundown of the current plan. Mr. Reekes stated he hoped this would not last more than 30 minutes total and asked citizens to keep their comments to 3 minutes. Mr. Reekes stated if there were any citizens who wished to receive a copy of the current plan if they would raise their hands one would be provided for them. Mr. Dyson distributed the printouts. Mr. Reekes proceeded to read the current plan.

Mr. Bracey asked if there were any citizens present who wished to speak on the six year plan. He asked if any citizens had signed up to speak.

There being none Mr. Bracey moved forward with Board discussion.

Mr. Moody stated he had no comments at this time.

Mr. Tickle stated he saw no projects in his district.

Mr. Reekes corrected him by stating #2, Route 708, was in his district.

Mr. Tickle stated he missed that. He stated he had some other areas in his district that needed attention. He sited Claiborne Road and Butterwood Road as high traffic areas that lead to the high school and further stated he felt they were in need of attention.

Mr. Clay stated he was glad to see Courthouse Road and Coleman Lake Road sited for improvement.

Mrs. Everett stated she was pleased with Wheaton Road, Blue Tartan Road, Duncan Road and Halifax Road being placed on the list.

Mr. Bracey voiced his opinion on Boisseau Road, stating it was narrow, bumpie, a connector road to our school system, and in need of repair. Also he felt Halifax Road was way down on the list. This road needed repair and had since he was a boy! He wanted to know what the problem was on getting this road repaired.

Mr. Reekes stated it was moving up on the list.

Mrs. Everett asked how many miles of dirt road are left in the County.

Mr. Reekes stated he felt it was still over 50 miles.

Mr. Tickle stated one positive thing was the total funds to the County are being increased.

Mr. Reekes stated we will be working with greater funds starting with the current year. The new T21 Bill that was passed by the Federal Legislation increased the Secondary Funds in Dinwiddie County, adding don't quote me on this, about $300,000.00 this year and $150 to $170,000.00 in additional years. We do have some increase in funds and hopefully this will allow them to advance some of the projects.

Mr. Bracey asked about the work on Route 1 in front of Dinwiddie Sporting Goods and asked where the water will be going.

Mr. Reekes stated they had not finished that project.

Mr. Long stated he would like to ask Mr. Reekes to comment on an item that is under County Administrator Comments. Mr. Long continued there was a Resolution up tonight regarding Walkers Mill Road. He stated his understanding was it is fairly certain that the County will receive funding for that road. The Resolution will officially request the funds from the Commonwealth Transportation Board.

Mr. Reekes stated that was correct. It is on the Commonwealth Transportation Board's agenda for the month of October. It was reviewed by the subcommittee and they felt positive toward it so it is going forward to the full Board. This resolution will hopefully guarantee its approval. Until they vote on it he could not say for certain but he felt like it had a good chance.

Mr. Long thanked Mr. Reekes for his input and further stated he wanted to state that he felt a large part of that was due to Mr. Clay's being rather persistent with that issue with the Department. He thought if we could get approved for the $300,000.00 it would go a long way.

IN RE: PUBLIC HEARING C-98-3 – CONDITIONAL USE PERMIT – FREDERICK GOODWYN

This being the time and place as advertised in the Dinwiddie Monitor on September 16, 1998 and September 23, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for C-98-3, for the purpose of considering a conditional use permit to establish a Christian Retreat Campsite on property identified as Tax Map 57-73A and 55-57 containing 11.40 acres of property and 4.38 acres of property and located on the north side of Highway 85, near its intersection with Gatewood Road in the Rowanty District.

Mr. Long stated he had placed before the Board a request addressed to them from the applicant Mr. Goodwyn stating he was not completely ready to move forward with his request at this time. He asked that the Board table the hearing; therefore, it was his understanding that it would have to be re-advertised and the applicant would be responsible for payment for re-advertisement.

IN RE: PUBLIC HEARING – A-98-9 – JUNK STORAGE

This being the time and place as advertised in the Dinwiddie Monitor on September 16, 1998 and September 23, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for A-98-6, for the purpose of considering an amendment to amend and reordain Section 22-223 of the Code of the County of Dinwiddie, Virginia by deleting use number (16) Junk Storage (screened) as a permitted use in Industrial, General, District M-2.

Mr. William C. Scheid, Director of Planning, came forward stating in reviewing the County Zoning Ordinance, the County Administration noted that there was an oversight committed in 1991 when an amendment, A-91-6, sought to remove salvage (junk) yard from various districts. This amendment seeks to correct the oversight by deleting "junk storage" as a permitted use in the light industrial zoning district. The Dinwiddie County Planning Commission heard A-98-6, number changed to A-98-9, on September 9th. On a vote of 6-0 the Planning Commission recommended approval of the amendment.

Mr. Long asked about the number on this case.

Mr. Scheid explained it was numbered incorrectly and stated it was being changed to A-98-9.

Mr. Bracey stated this was a Public Hearing and asked if any citizens had signed up to speak. There being none Mr. Bracey asked if there was any citizen present who wished to speak on A-98-9. There being none Mr. Bracey closed the Public Hearing.

There being no discussion Mr. Bracey called for a vote.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that A-98-9 which amends Section 22-223 of the Code of the County of Dinwiddie, Virginia to read as follows:

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of Dinwiddie County, that Section 22-223 of the Code of the County of Dinwiddie, Virginia, as amended, is amended and reenacted to read as follows:

Sec. 22-223. Permitted uses – Enumerated.

(1) Truck terminals.

(2) Sand and gravel operations, with a conditional use permit.

(3) Crushed stone operations, with a conditional use permit.

(4) Wood preserving operations.

(5) Abattoirs.

(6) Acid manufacture.

(7) Cement, lime and gypsum manufacture.

(8) Fertilizer manufacture.

(9) Petroleum refining, including byproducts.

(10) Petroleum storage.

(11) Asphalt mixing plant.

(12) Sawmills and planing mills.

(13) Pape and pump manufacture.

(14) Brick manufacture.

(15) Boiler shops.

(16) *Reserved.*

(17) Meat, poultry and fish processing.

(18) Off-street parking as required by this chapter.

(19) Public utilities.

(20) Conservation areas.

(21) Game preserves.

(22) Accessory uses as defined.

(23) Business signs.

(24) General advertising signs.

(25) Location signs.

(26) Public airports with, if needed, one (1) security dwelling unit.

(27) Governmental offices.

(28) Communication towers with station, with a conditional use permit.

(29) Compounding, manufacturing and assembly of printing inks and related products.

(30) Manufacturer's outlet stores in association with on-site manufacturing.

(31) Component assembly and product distribution.

(32) General and cogeneration of electricity to exclude the burning of municipal solid wastes (MSW) as a source of fuel.

(33) Machinery and parts manufacture, including casting of ferrous and nonferrous metals through the use of an electric furnace and metal fabrication and associated tasks enclosed and housed in such a manner that no noxious fumes and odors are expelled into the atmosphere.

(34) Processing, blending, and packing green and redried tobaccos.

(35) General contractors, to include sheet metal, heating, ventilation and air conditioning, general construction, and any other fitting this definition at the discretion of the zoning administrator.

(36) Indoor athletic and fitness facilities.

(37) All uses permitted in M-1.

This ordinance shall become effective upon the date of its adoption by the Board of Supervisors. In all other respects said zoning ordinance shall remain unchanged and be in full force and effect.

BE IT FURTHER RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286 (A)(7) it is stated that the purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience general welfare and good zoning practice.

IN RE: PUBLIC HEARING – C-98-5 – CONDITIONAL USE PERMIT – MICHAEL B. MAYES

This being the time and place as advertised in the Dinwiddie Monitor on September 16, 1998 and September 23, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for C-98-5, for the purpose of considering an amendment submitted by Michael B. Mayes seeking to change condition number 5 of C-97-4 which was adopted by the Board of Supervisors at their October 1997 meeting. The applicant is requesting to change the percentage of three (3) bedroom townhouses in Phase 2 from 25% to 30%. The townhouses are known as Rohoic Woods and are located on Duncan Road near Route 1.

Mr. Scheid stated the request seeks to increase the percentage of 3 bedroom apartments permitted in the second phase from 25% to 30%. Since the total number of units approved for this section is 120, the actual increase in 2 bedroom units would be from 30 to 36. The overall percentage of 3 bedroom units for phase 1 and phase 2 averaged together would be 25%. Mr. Mayes has stated that there is a great demand for 3 bedroom units. Many times the third bedroom is used for storage. Generally, his units do not generate many children, require few other community services and do not overburden the road system in this area.

Mr. Scheid continued that the Dinwiddie County Planning Commission heard C-98-5 on September 9th. On a vote of 6-0, the Planning Commission recommended approval to amend condition #5 contained in the conditional use permit C-97-4.

Mr. Bracey stated this was a Public Hearing and asked if any citizens had signed up to speak. There being none Mr. Bracey asked if there was any citizen present who wished to speak on C-98-5. There being none Mr. Bracey closed the Public Hearing.

Mrs. Everett stated we are proud to have Rohoic Woods in Dinwiddie County and that they certainly are needed.

There being no further discussion on Mr. Bracey called for a motion.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that C-98-5 as described above is hereby approved, with condition number 5 of the original case C-97-4 being amended to read as follows:

5. The number of three (3) bedroom units will be limited to thirty (30%) percent of the total number of apartments in Phase II of Rohoic Woods. This would give the entire complex an overall average of twenty-five (25%) percent of three (3) bedroom units.

IN RE: PUBLIC HEARING – C-98-6 – CONDITIONAL USE PERMIT -- SPRINT PCS

This being the time and place as advertised in the Dinwiddie Monitor on September 16, 1998 and September 23, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for C-98-6, for the purpose of considering a conditional use permit submitted by Sprint PCS to construct a communications tower up to 199' in height on Tax Map Parcel 57-83 which is owned by the A.M.E. Zion Church. Said parcel is located at the end of Lundys Road near Courthouse Road.

Mr. Scheid stated the Dinwiddie County Planning Commission heard C-98-6 on September 9th. On a vote of 6-0, the Planning Commission recommended approval with conditions. The applicant spoke with the Planning Department after the Planning Commission meeting and agreed to the amended conditions. The conditions are as follows:

1. The tower proposed by Sprint PCS shall not exceed one hundred ninety-nine (199) feet in height.
2. Sprint PCS shall develop the proposed tower site as detailed in the site plan developed by Matrix Engineering titled "Sprint PCS, Comprehensive Site Plan, Site ID No. RIO3XC083G, Zion Church, " which was submitted by the applicant, Sprint PCS, with this application.
3. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions.
4. The proposed tower and foundation shall be designed and constructed, at the expense of the applicant, to permit the extension of the tower up to approximately 300 feet.

Mr. Scheid stated item 4 was done in order to provide a site for an enhanced Dinwiddie County system in the future.

Mr. Clay questioned was there an alternative site. Some citizens do not feel next to a nursing home is a proper site for a tower.

Mr. Scheid responded the nursing home is owned by the same Church as the tower site. They had the right to say where they would like to have the tower placed on the property. Through their Board of Directors, their religious organization, said this was a good site as far as they were concerned.

Mrs. Everett stated she had no comment at this time.

Mr. Tickle stated his only concern was there was a couple of exposed areas within the buffer area. He further stated he had spoken with Mr. Norman Ray, Mr. Henry Waller and Mr. Larry Horton regarding this matter and they had stated they would fill this in. Mr. Tickle was wondering if we needed to have this in writing.

Mr. Scheid stated this was already covered in the ordinance but he felt certain if the Board felt uncomfortable and they wanted to just make reference to that specific section in the code that indeed the buffering area between the tower and the nursing home would be adequately addressed.

Mr. Tickle suggested loblolly pines be placed in that area. He asked Mr. Scheid what his recommendation was, to do it or not.

Mr. Scheid replied stating it was in the code already so he believed the Board was covered but if the Board wishes or would feel more comfortable with it being addressed as part of the conditions or they would like to reference that particular section and reference in that particular direction they want to be assured then he would have no problems in adding it. He again stated he felt comfortable with the way it stands.

Mr. Bracey stated he had several things. Number one being - He heard Mr. Scheid refer to Church and Sprint but he stated this tower is being located in a community. The AME Zion Church has been very good to the community and the community has been very good to AME Zion. Now when this thing came up it was the first time that he has not heard any word from the AME Zion Church. He stated he understood churches, they want money. That is the whole deal. We have not considered the people who live in this community. He noticed a month or so ago Henrico rejected one and told them to find another site. What he is seeing here tonight is the same old story all the time – he assumes, he asked someone to tell him if he was wrong, that the State and Federal people say we have to do it but at what point do citizens in a community have something to say. The citizens are not getting any money from it. AME Zion Church will be getting this money -- $6 to $700 per month. That is no problem -- business is business. He was concerned about the citizens in his district. He stated he had a lot of elderly people in this district that surrounds the Church and this proposed tower. They are not able to get out and the ones that have called him they were a little shaky about it. They did not quite understand. He stated he was not saying he was going to vote for or against but sometimes we need to take into consideration the citizens.

Mr. Bracey stated this was a Public Hearing and asked if any citizens had signed up to speak.

Mrs. Mann called the first name on the list.

1. Mr. Norman Ray, Zoning Manager Sprint PCS, who came forward to address the Board. He stated he agreed to all the proffers including Landscaping. He gave a brief description of the site and reason for choosing this site. It was explained as lawn sprinklers, they have to be placed close enough to provide adequate coverage.

2. Mr. Don Morgan, 15116 Courthouse Road, Dinwiddie, Virginia, came forward stating he was an adjacent property owner. He explained to the Board that he was into short wave radio. He was concerned about bleed over and interference from the tower.

   Mr. Henry Waller, Property Manager Sprint PCS, came forward stating briefly they are FCC licensed. Part of that license is that they do not interfere with other people and other bands. This means radio, television, short wave, etc. Their frequency they are licensing is actually at 1.9 giga hertz. Short wave is 10. Or 11. If they were to interfere they could have their license revoked. The power levels are very low power.

   Mr. Morgan wanted to know what recourse he would have if this did take place.

   Mr. Waller stated with the FCC.

   Mr. Moody stated this was addressed in our conditional use permits. Is that addressed in our telecommunications ordinance?

   Mr. Scheid was researching that at this time.

3. Mrs. Anne Scarborough, had not signed up but wished to address the Board on the following issues:

   a. Choice of location – do we have the option to deny?
   b. Tax – does the County get any tax from a tower?
   c. Towers – can they be disguised?

Mr. Waller stated if you try to disguise a tower it usually makes it more visible.

Mr. Tickle asked why mono instead of lattice.

Mr. Waller stated because of the County's 300' request and also because lattice is less visible.

Mr. Tickle asked about the second site – site number 2 – the alternate site. What would prevent them from using this site.

Mr. Waller stated they felt site number one was less populated than site number two.

Mr. Scheid stated he had found the answer to the question regarding the telecommunications ordinance. The section in question reads:

"A communication antenna or tower shall be designed and installed so as not to interfere with reception communications of surrounding land owners electrical and communication equipment."

Mr. Scheid stated he would offer that as a condition of the permit.

Mr. Mark Flynn, County Attorney, was asked to address the portion of Mrs. Scarborough's question regarding denying a site.

Before he answered Mr. Scheid gave his explanation. It was explained that the FCC regulations the way they are right now, that there is a criteria, you must show an overwhelming reason for not being able to

locate or allowing a facility to locate in an area. He stated he felt the Attorney might be better qualified to answer.

Mr. Flynn explained when cell towers first started hitting the landscape there was a lot of concern because of the Federal law that local government's hands were tied. Virginia Beach is the decision that was really the landmark decision and it was only issued by the Fourth Circuit Court of Appeals in Richmond September 1st. Just in a nut shell basically what that case had to do with zoning aspects, the zoning approval process, in siting a cellular tower. The court said treat it like a zoning issue. You have some constraints. You can not deny. You can not discriminate against towers versus other uses. You can not discriminate among types of towers; however, when it comes down to zoning questions, you treat it like a zoning question. In this case you have before you, of course, it is not a rezoning, it is not purely a legislative decision of do you want the tower. This is a conditional use permit and under those rules, under normal zoning rules, if conditions can be imposed that will allow the use, whether it is a tower or junk yard, or any other sort of use that would be allowed, if conditions can be imposed to make that work then you are pretty hard pressed to deny it. The Board can not use the process to say we do not want this use at all. If you have reasons for that, that there are no set of conditions, or the conditions offered will not make it workable, then you can deny it. It is not a legislative decision that we do not want it.

Mr. Scheid stated regarding towers and taxation, he had checked with the Commissioner of the Revenue and when towers are built in the community that the Commissioner of Revenue does contact Richmond, and Richmond through the Department of Taxation does have an appraiser who comes out, reviews the tower, puts a value on the tower, puts a value on the equipment, and then the Commissioner of the Revenue applies a rate to the value that is set up in Richmond and taxes are collected on that tower. That would be done no matter who owned the property.

Mr. Moody wanted to know if AME Zion Church would have to pay tax.

Mr. Flynn stated that in the tax exempt statute once property is put to a for profit use, it is not related directly to the operations of the charity, then it is taxable.

Mr. Moody wanted to know if they would pay State and Federal tax on the income from the rent.

Mr. Flynn stated he did not know.

Mr. Bracey closed the Public Hearing and asked for Board comments.

Mr. Moody questioned if there would be a number 5 condition added regarding the design, installation, and operation of the equipment so not to interfere with the surrounding land owners.

There was discussion regarding the amount of time that would be imposed on Sprint PCS to respond to any complaints. It was decided they should respond within forty-eight (48) hours.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that C-98-6 – Sprint PCS request to place a telecommunications tower on the AME Zion Church property, is approved with the following conditions.

1. The tower proposed by Sprint PCS shall not exceed one hundred ninety-nine (199) feet in height.
2. Sprint PCS shall develop the proposed tower site as detailed in the site plan developed by Matrix Engineering titled "Sprint PCS, Comprehensive Site Plan, Site ID No. RIO3XC083G, Zion Church, " which was submitted by the applicant, Sprint PCS, with this application.
3. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions.
4. The proposed tower and foundation shall be designed and constructed, at the expense of the applicant, to permit the extension of the tower up to approximately 300 feet.
5. The communication antenna or tower shall be designed, installed and operated so not to interfere with reception and communication of surrounding land owner's electrical and communication equipment. The County will immediately notify the communications company of the complaint and they shall respond to the complainant within forty-eight (48) hours.

IN RE: PUBLIC HEARING – C-98-7 – CONDITIONAL USE PERMIT – SPRINT PCS

This being the time and place as advertised in the Dinwiddie Monitor on September 16, 1998 and September 23, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for C-98-7, for the purpose of considering a conditional use permit submitted by Sprint PCS to construct a communications tower up to 199' in height on Tax Map Parcel 29-62 which is owned by David and Brenda Reese. Said parcel is located in the Poole Siding area east to Trinity Church Road and south of Cox Road.

Mr. Scheid continued with C-98-7 stating the Dinwiddie County Planning Commission heard C-98-7 on September 9th. On a vote of 6-0 the Planning Commission recommended appro al with conditions. Those conditions being as follows:

1. The tower proposed by Sprint PCS shall not exceed one hundred ninety-nine (199) feet in height.
2. Sprint PCS shall develop the proposed tower site as detailed in the site plan developed by Matrix Engineering titled "Sprint PCS, Comprehensive Site Plan, Site ID No. RIO3XC083G, Reese Property," which was submitted by the applicant, Sprint PCS, with this application.
3. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions.
4. The communication antenna or tower shall be designed, installed and operated so not to interfere with reception and communication of surrounding land owner's electrical and communication equipment. The County will immediately notify the communications company of the complaint and they shall respond to the complainant within forty-eight (48) hours.

Mr. Tickle asked about the Norfolk-Southern's tower. He stated he would like to have an explanation regarding page two (2) of the Planning Commission minutes. On this page there is discussion on an existing tower - Norfolk-Southern. He stated he was disappointed that Norfolk-Southern would not work in agreement with Sprint on this. We state in our new telecommunication code

we enforce or strongly suggest that companies co-locate. He stated he would assume that this was a post prior to our telecommunication ordinance that we cannot force Norfolk-Southern to let them co-locate.

Mr. Scheid stated that was correct. Mr. Scheid stated railroads can sometimes be difficult to deal with. The County does not have any leverage in this instance because the tower was in place prior to the County's telecommunication ordinance.

Mr. Tickle asked if Norfolk-Southern might be coming back in the future to ask for another communications tower.

Mr. Scheid stated he did not know; however, he had been told that this tower has been there a long time and the tower maybe has not been inspected as thoroughly or as frequently as they maybe should have.

Mr. Tickle stated it would be nice if it was inspected then.

Mr. Moody stated he understood there was something about the tower being structurally sound.

Mr. Scheid stated that was what was stated at the Planning Commission, of course he had no way of knowing if that was factual. He stated he did know that the tower had been there many many years. Obviously if steel is not maintained over a period of time, as we have witnessed with our bridges, that it does have a tendency to deteriorate.

Mr. Moody stated there was something about Norfolk-Southern could ask them to leave at any given time.

Mr. Tickle stated that was what he had read and he found that very – not very corporate citizen like.

Mr. Tickle proceeded to ask about the last inspection of the Norfolk-Southern tower and he felt we should find out the condition of that tower. He stated we did not want any tower in the County that did not stand up to conditions after they are up.

Mr. Scheid stated that tower was built before he came into the County and that was in the mid 70's.

Mr. Tickle stated if it is unsafe, it is unsafe no matter what the conditions are.

Mr. Scheid stated he was not certain what the Building Inspection Department has authority wise to go on or their ability to even conduct such an inspection.

Mr. Tickle stated he would assume FCC does.

Mr. Bracey stated that issue was a little bit different. He asked Mr. Long and Mr. Scheid to investigate that issue and report their findings at the next Board meeting.

Mr. Bracey stated this was a Public Hearing and asked if any citizens had signed up to speak.

Mrs. Mann stated the same persons had signed up for this Public Hearing as the last.

1. Mr. Ray again came forward stating he would not go through everything again but wanted to state that Sprint PCS agreed to all the conditions.

There being no additional persons wishing to speak for C-98-7 Mr. Bracey closed the Public Hearing.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that C-98-7 Sprint PCS request to place a telecommunications tower to be located south of Cox Road and the Norfolk-Southern railroad and north of Route 460 adjacent to the existing Norfolk-Southern communications tower, is approved with the following conditions.

1. The tower proposed by Sprint PCS shall not exceed one hundred ninety-nine (199) feet in height.
2. Sprint PCS shall develop the proposed tower site as detailed in the site plan developed by Matrix Engineering titled "Sprint PCS, Comprehensive Site Plan, Site ID No. RIO3XC083G, Reese Property, " which was submitted by the applicant, Sprint PCS, with this application.
3. The conditional use permit must be reviewed at least every two (2) years for compliance with stated conditions.
4. The communication antenna or tower shall be designed, installed and operated so not to interfere with reception and communication of surrounding land owner's electrical and communication equipment. The County will immediately notify the communications company of the complaint and they shall respond to the complainant within forty-eight (48) hours.

IN RE: RECESS

Mr. Bracey called for a five (5) minute recess at 9:10 P.M.

Mr. Bracey called the meeting back to order at 9:20 P.M.

IN RE: PUBLIC HEARING – A-98-8 – ADMISSIONS TAX

This being the time and place as advertised in the Dinwiddie Monitor on September 23, 1998 and September 30, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for A-98-8, for the purpose of considering the adoption of an ordinance to amend Section 19-120 of the Code of Dinwiddie County to exclude school-sponsored events and participants in sporting events from the applicability of the admissions tax.

Mr. Long stated a while back a concern, or a situation, arose which brought to the attention of the Board that the State Code had been amended regarding admissions tax that would actually allow participants in a sporting event to be taxed. When this situation came to the Board's attention, he wanted it stated clearly it is intended that the admissions tax in the County not apply to participants of a sporting event. It was like unto charging baseball players to go out on the field to play a ball game for the public. In conjunction with this he thought it was part of the amendment to the code that school sponsored functions event be removed as well.

There was some discussion regarding other groups such as musical groups.

Mr. Long gave a brief overview of the amendment.

Mr. Bracey stated this is a Public Hearing and asked if there was any citizen wishing to speak for or against. There being no citizen wishing to speak Mr. Bracey called for Board comments. There being none Mr. Bracey called for a motion.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following amendment to the Code of Dinwiddie County Section 19-120 is hereby approved:

WHEREAS, section 19-120 of the County Code, which imposes a tax on admissions charged to events in the County, specifically excludes events which benefit charitable purposes from the applicability of the tax; and

WHEREAS, Virginia Code Section 58.1-3817 has been amended to expand the categories of events to which the admissions tax applies, including participants in sporting events and school-sponsored events; and,

WHEREAS, THE Board of Supervisors intends that the admissions tax shall not apply to school-sponsored events or to participants in sporting events.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Dinwiddie County that section 19-120 of the County Code be amended to read as follows:

Sec. 19-120. Imposed; amount.

Pursuant to the authority granted to the County of Dinwiddie by Section 58.1-3818 of the Code of Virginia, there is hereby imposed a tax on admissions charged for attendance at an event in the amount of four (4) percent of the amount of charge for the admission to any event occurring within Dinwiddie County.

No such tax shall be charged on the admissions charged for the following classes of events:

1. Admissions charged for attendance at any event, the gross receipts of which go wholly to charitable purpose, which shall include voluntary fire departments or rescue squads or auxiliaries thereof recognized by an ordinance or resolution of the political subdivision where such is located as being part of the safety program of such political subdivision;
2. Admissions charged for attendance at public and private elementary, secondary, and college school-sponsored events, including events sponsored by school-recognized student organizations;
3. Admissions charged to participants in order to participate in sporting events.

In all other respects, such ordinance is hereby reordained;

BE IT FURTHER RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286 (A)(7) it is stated that the purpose for which this Amendment is initiated is to fulfill the requirements of public necessity, convenience general welfare and good zoning practice.

IN RE: COUNTY ADMINISTRATOR COMMENTS – WALKERS MILL ROAD – INDUSTRIAL ACCESS ROAD FUNDING

Mr. Long explained he had received word from Mr. Reekes that Dinwiddie County was eligible to receive Industrial Access Road funding to repair Walkers Mill Road, as we had discussed briefly earlier in this meeting. This road has been damaged by the heavy truck traffic from the RGC (USA) Mineral Sands facility. He explained the Board would need to adopt a resolution to request this funding.

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

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

WHEREAS, the RGC (USA) Mineral Sands, Inc. has purchased property located in the County of Dinwiddie and has constructed its facilities on that property for the purpose of producing refined sands; and

WHEREAS, this new facility is expected to involve a new private capital investment in land, building and manufacturing equipment of approximately $14.2 million and the RGC (USA) Mineral Sands, Inc. is expected to employ 44 persons at this facility; and

WHEREAS, manufacturing operations began at this new facility on or about November, 1997; and

WHEREAS, the existing public road network does not provide for adequate access to this facility and it is deemed necessary that improvements be made to Walkers Mill Road, Route 665, and Bolsters Road, Route 617; and

WHEREAS, the County of Dinwiddie hereby guarantees that the necessary right of way for this improvement, and utility relocation or adjustments, if necessary, will be provided at no cost to the Industrial Access Fund;

NOW, THEREFORE, BE IT RESOLVED THAT, the Dinwiddie County Board of Supervisors hereby requests that the Commonwealth Transportation Board provide Industrial Access Road funding to provide adequate road improvements to this new manufacturing facility.

IN RE: COUNTY ADMINISTRATOR COMMENTS – PARKER OIL CONTRACT

Mr. Long stated he had enclosed a letter from Parker Oil Company, Inc., who currently has the County's contract for gasoline, diesel and fuel oil. The current contract extended through September 30, 1998 and was on a firm price basis. Parker Oil stated in their letter they would like to propose that Dinwiddie County extend this contract for an additional twelve months. They explained when they set firm prices for an extended period of time, they do so through the New York Mercantile Exchange (NYMEX). The NYMEX pricing at this time allows them to reduce the price on all three (3) products. They proposed the following prices to commence October 1, 1998 and stated these prices will remain fixed and firm through September 30, 1999.

A. 87 octane no lead gasoline $ .6250 per gallon

B. Low sulfur diesel fuel $ .5850 per gallon

C. #2 fuel oil $ .5790 per gallon

These prices are for all deliveries to the County owned tanks and for our Fuel Freedom Card System. Time is of the essence as the NYMEX prices could

increase anytime and they need to move as soon as possible to lock in the above prices.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the contract for gasoline, diesel fuel and #2 fuel oil with Parker Oil Company, Inc. be extended for another year at the following prices:

A. 87 octane no lead gasoline $ .6250 per gallon

B. Low sulfur diesel fuel $ .5850 per gallon

C. #2 fuel oil $ .5790 per gallon

Said contract shall remain in effect until September 30, 1999 with the above prices remaining fixed and firm.

IN RE: COUNTY ADMINISTRATOR COMMENTS – HVAC MAINTENANCE SERVICES

Mr. Long reported the HVAC bids for maintenance services are not ready for discussion at this time.

IN RE: COUNTY ADMINISTRATOR COMMENTS – STREET LIGHTS – BELL STREET

Mr. Long stated he had received a letter from Wanda Beasley requesting two street lights for Bell Street. Ms. Beasley explained on her street there is a divorced mother with two (2) young girls, a senior citizen man, a senior citizen couple, and herself. She explained her husband works shift work and many times she is home alone with her young son. She is concerned about the safety in her area.

After discussion Mr. Long was instructed to write Ms. Beasley a letter explaining the County's adopted policy regarding street lights and to also forward a copy of Ms. Beasley's letter to Sheriff Shands.

IN RE: COUNTY ADMINISTRATOR COMMENTS – INDUSTRIAL ACCESS ROAD – D. W. LYLE – CHAPARRAL STEEL – CHANGE ORDER NUMBER THREE (3)

Mr. Long stated there have been two (2) additional change order requests from D. W. Lyle. He stated he needed the Board's authorization to sign. The work for these change orders has already taken place. The second change order in the amount of $41,235.70 was related to the first change order the Board had on this project where a substantial amount of additional fill was needed in a wet area of this road to properly fill it to VDOT standards. The change order that we had – this was added to it because just beyond that area there was another wet area that had to be filled for all the same reasons in order for the road to stand up to the anticipated heavy traffic. Change order number three (3) involves the concrete area in front of the Produce Center that was put down where the south bound turn lane will be when the road is completed. This is the same type of thing; when the pavement was cut open to be over laid and filled there were boring tests that were done ahead of time that showed some concrete beneath the surface that would be utilized as an acceptable fill. When they got in the entire area some of it had been affected to the point that it was not acceptable fill. It had to be dug out, refilled, and compacted to be suitable and acceptable to VDOT specs, because this road will have to be taken over by the VDOT once it is completed. At that point it will then be the responsibility solely of VDOT and of course we also have to do that because we are receiving

industrial access road funds on this project in the amount of $450,000.00. Number three (3) change order was for $29,879.56 making a total of these two change orders $71,111.26. We are working near completion of this and in accordance with these two (2) change orders he did receive one that he had spoken to the Board about that was associated with time only that was requested. This request was for an additional seven (7) weeks that was to install the water line through the Water Authority that would go along with this project. This request was for time only because Dinwiddie County Water Authority is handling payment of this contract themselves. By doing things this way, putting the water line in now, they could save as much as $100,000.00 on that project. They are doing that now and he would like to grant them the time as well.

Mr. Tickle stated he would like to place something in the record on behalf of the Board of Supervisors. We got some industrial funds and supposedly VDOT came up with an idea of how much this road would cost. Originally they said the cost would be about $750,000.00 of which $450,000.00 would be industrial access road funds leaving the County with approximately $300,000.00. Mr. Tickle asked Mr. Long how much this road was now proposed to be costing.

Mr. Long stated about 1.2 million dollars.

Mr. Tickle stated his question to the minutes is he would like to know who did the investigation of the proposed cost for this, the engineer. When you are 1.2 and 750 that is almost $500,000.00 off. That is 60 to 70% off. That is a major cost to the taxpayers of this County that we did not anticipate. He stated he was not very happy about the additional change order cost one way or the other. We have discussed this many times. Mr. Tickle further stated he would like for it to go into the minutes number one and number two find out what was the proposal from the engineer and why we had such a great – well lets say for us to have to pay so much more because that is their job. They are to go out, do the site plan, and find out what the proposed costs are. They should be very close to what they anticipated.

Mr. Long stated he would like to respond to that. He stated the initial estimates that they were speaking of were verbal ones through the VDOT. Our engineers, that the County hired, actually their estimates, the bid came in a little bit under that. With these change orders it is about $50,000.00 over their estimate. He stated he believed their estimate was $1,176,000.00. At this point it is about $50,000.00 over what the engineers estimate was.

Mr. Tickle, VDOT?

Mr. Long no our engineers were within $50,000.00 on the original bid and with these change orders it is about $50,000.00 over. The only other thing he would add is he has not and will not stop trying to gain assistance through the Company as well for this road. The County is responsible now for about right at $750,000.00 to $800,000.00. There is about $450,000.00 coming from the State and with that remainder he stated he would continue to try to work with the Company to get some additional help with the road.

Mr. Tickle stated he had mentioned to the citizens there would be a minimum cost for this Company when they came in. Remember that, when we were doing - approving the zoning? Now all of the sudden we are at 800 - $900,000.00 right off the bat. That is a lot of money. He stated he knew that we could not help it but it seems to him that someone did not give us enough money or we did not ask for enough money or something. He did not know what it was. Now he is sitting there and he did not want to be part of the blame but he did not realize that it would be 1.2 million.

Mr. Moody stated he did not quite understand how we pay an engineer to check these things out and then somebody bids on it and then they find a

problem there and then they get the change order and we paid the engineer also and they still get more money. He stated he did not understand that.

Mr. Tickle stated that was his concern.

Mr. Moody wanted to know was it the State messing up or was it our engineers.

Mr. Long stated in this particular case he understood that one factor that affected the change order number three (3) at Route 1 had to do with an undercut from a drain field in the area and there was some undercut in the soils out that way as a result because it has been there so long. The soils were not in the condition that was anticipated. There were bores done around this area by our engineer and from that showed a more substantial fill underneath the pavement. They claim this was done in compliance with what they are required to do bore wise before a project.

Mr. Moody asked the State or our engineer.

Mr. Long stated Timmons did the boring before the bids. As he said the engineers estimates, the engineers that we hired, their estimates were very close and still are to the total price only now it is a little bit over instead of a little bit under which is not a good thing. However, the actual engineers estimates, the engineers we hired, were within a very close range of what the bid turned out to be. He stated he understood the Board's concerns as far as doing borings and then still having problems once you open up the ground. He thought that had happened before on other projects.

Mr. Moody stated he wished he could bid on a job and if something messed up say I'm going to charge you more.

Mr. Clay stated he did not have much faith in boring. We bored over here where the Courthouse was and that cost us $160 - $170,000.00 to get the rock out of there. They should have known it was there if they bored.

Mr. Bracey asked Mr. Long what he needed from the Board.

Mr. Long stated he needed authorization to sign the change orders and return them to the contractor.

Mr. Bracey stated then we need to write a check.

Mr. Long stated yes sir.

Mr. Bracey stated there is no guarantee that we are ever going to get any of that money back.

Mr. Long stated it is not a guarantee. Mr. Long stated outside of the $450,000.00 we will be receiving from the State.

Mr. Bracey stated we will get $450,000.00 of the 1.2 million. That leaves what. That is about $800,000.00!

Mr. Long stated yes sir.

Mrs. Everett asked when the road was going to be finished.

Mr. Bracey stated he had another question – we will have to do what we have to do. He said now tell me this, this road is supposed to be a road for whom?

Mr. Long stated the road is being constructed for the Chaparral Steel Facility.

Mr. Bracey stated he assumed that we own the land that it is on, or Dinwiddie County or whomever, is that – that the road is on – right.

Mr. Long stated yes sir. The right of way had to be obtained by the County and will then be turned over to the State along with the road.

Mr. Bracey stated so now all the other land on both sides of the road can be developed, right.

Mr. Long stated yes sir.

Mr. Bracey stated but the road had to be put in at the County's expense.

Mr. Long again replied yes sir.

Mr. Bracey stated something isn't right.

Mrs. Everett stated County and State.

Mr. Bracey stated the State feels that the $450,000.00 is their share.

Mr. Long stated by the State law the $450,000.00 is the maximum allotment for one project for industrial access funds. It is the maximum allotment under state code.

Mr. Bracey stated he assumed we have to pay our bills.

Mr. Long stated yes sir –

Mr. Bracey stated we will be paying Sands Anderson a half million dollars now to get him out. He stated he hoped when the assessors or somebody go in there – what ever it is – that this property be assessed to the point that we can get that money back. That is high dollar property in there now with that kind of road.

Mr. Long stated those property values should certainly increase.

Mrs. Anne Scarborough stated when you bid for something in this County she thought that the Board investigated and knew what they were doing. She further stated she had sat there for different things and they come back and say we have a problem and the Board very generously pay all of these. What is the purpose of people of bidding if they do not know what they are doing and why do we come back and pat them of the shoulder and say we will give you $50,000.00 because you made a mistake. She stated she did not think the county tax dollars should be used when they bid and make a mistake. She stated she was serious, we do it time and time again.

Mr. Bracey asked Mr. Mark Flynn, County Attorney, the following question. He stated he had Mr. Long standing here looking for a motion to pay this bill or what have you. How much time does he have to pay this bill?

Mr. Flynn stated he did not know the timing on when the change orders were submitted and what the contract says for the number, how long – typically the process is the change order is submitted to the engineer who signs off on it, which they obviously have in this case, and then the owner has so many, usually a month or so, to respond. He stated he has not reviewed the contract documents to see what the time period is; however, when there is investigation of it going on, and he is not sure even if this is something that has just come up or have these just come from the engineer recently.

Mr. Long stated the second one came through several weeks ago that was – what happened was the second one had been done and came through when he caught the fact that the change order had not been submitted through

Administration to the Board. The second bill came through but the second change order didn't in other words. Because as he said this – in working this thing with the DOT construction inspectors evidently they are out there and approve the change order and the work is done. The third one just came up and was brought to his attention and when it was brought to his attention he was told but this work has already been done because otherwise the project would stop.

Mr. Flynn stated they still have to have a change order approved even if it has been done. His only question was about the timing of when engineer approved change order's come in. That usually starts the clock on how long you actually have to pay the change order. Realistically if you need to investigate it you might get into a squabble over some interest on the retainage or any amount owed rather. If you are not just sitting on it you are probably going to be all right with taking a little bit of time to investigate it. If you just take it and put it in the bottom drawer and leave it you can really get yourself in trouble.

Mrs. Everett asked if the VDOT approved the change order.

Mr. Long stated yes they did.

Mrs. Everett stated so the State approved it.

Mr. Long stated yes.

Mr. Tickle stated then the State can pay for it.

Mrs. Ralph stated it is strange because the contract is with us but VDOT is running the show.

Mr. Long stated he did not disagree but that is the difficult part of it.

Mrs. Ralph stated we can argue but there is not a whole lot – we can take VDOT to court.

Mr. Tickle stated let's take that lead. Let's go ahead and write that letter saying that we did not approve it and the engineers did not show it so maybe VDOT would like to take some of the cost.

Mr. Flynn stated he was not suggesting that it should not be paid. He stated he was talking about the response time to investigate it. He stated he was not trying to advise the Board on that particular issue because he did not have the facts.

Mr. Bracey stated we are going to have to pay Sands Anderson regardless, so could he read it and let us know .

Mr. Flynn stated he would take a look over it.

Mr. Long stated possibly he could let them know the result of the findings when we meet next Tuesday. He stated he would let them know then what the findings were.

Mrs. Everett stated the project should be completed November 1, 1998. Is it possible we will have some more change orders between now and then?

Mr. Long stated he certainly hoped not.

Mr. Bracey stated he hoped not.

Mr. Long stated he did ask the engineer that question and he did not get a straight yes or a straight no. There is a base layer of pavement that is put down, has already been put down, and an intermediate level. What is left after the water line is installed is the final layer of super pave. The chances are

certainly more slim at this point then they were but he would not commit to Mr. Long that he felt he could tell them that there would not be any more. He again stated he did ask that question and he did not get a no or yes.

Mr. Bracey asked who he asked Ron Reekes?

Mr. Long stated no sir, he stated he had asked the representative with Timmons.

Mr. Flynn stated in construction contract like this, he has run into this, it is not just Dinwiddie it is unfortunately the – it is fairly standard in the industry that with subsurface conditions you could spend a lot of money up front to completely investigate what you are going to run into with subsurface conditions and the industry standard is generally it is not worth it to do that. As a result of that sometimes you will, and you base it on what you expect you are going to run into. So usually it is only going to be more expensive, topically it is not going to be less expensive. You base it on what you expect to find and if you have, what he guesses you would call, the bad luck of the draw, it sometimes ends up being more. The point is that is not just something that happens in Dinwiddie that has been his experience in fourteen (14) years of local government work.

Mr. Bracey stated thank you sir. He stated let's move on. He asked Mr. Long if he would take care of that.

Mr. Long replied yes sir.

IN RE: COUNTY ADMINISTRATOR COMMENTS – HENING-VEST-COVEY – NEW COURTHOUSE

Mr. Long stated he did put a memo before them regarding information the Board had discussed previously about a couple of items at the new Courthouse. Mr. Faison indicates there has been some improvement shown. What he would like to suggest at this point is in the next two (2) weeks before the day meeting on the 21st we keep closely monitoring this situation and report to you at that time. Mr. Faison stated the Clerk will agree that the humidity problem seems to be relieved substantially to this point.

IN RE: COUNTY ADMINISTRATOR COMMENTS – COMMISSIONER OF THE REVENUE – REQUEST FOR USED FURNITURE FROM OLD COURTHOUSE

Mr. Long stated he had received a memorandum from Mrs. Deborah M. Marston, Commissioner of the Revenue, requesting she be allowed to use the two (2) metal desks (one (1) right hand and one (1) left hand) left in the Circuit Court Clerks Office. She stated she would be using these instead of the folding tables currently being used in her office. She also requested she be allowed to use the small sliding file system left in the General District Clerks Office. The file system will be used to house data currently stored in the office space that is becoming a part of the Building Inspectors Office.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Commissioner of the Revenue's office to use the two (2) metal desks left in the Circuit Court Clerk's Office and the small sliding file system left in the General District Clerk's Office.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay – He stated he had no comments because he got his money for Walkers Mill Road and he was happy.

Mrs. Everett – She stated the County Administrator had a note to contact the Sheriff about Bells Road. She would also like, when he made that call, for him to tell the Sheriff that she had complaints about speeding on Weakly Road and Church Road. Maybe we need to have radar on both of those places.

She also stated surveillance at the dumpsters down there. They are being very abused. We need some of those big signs like Mr. King put up at Rohoic. She would also like the Sheriff to check it regularly.

She stated there was also the Health Fair on Tuesday, October 13th from 10:00 A.M. until 2:00 P.M.

Mr. Tickle – He stated he had no comments.

Mr. Moody – He stated he had a couple of items. First was the drought disaster resolution. He wanted to be sure it had been sent to the state and wanted to know where it was at this time.

Mr. Long stated it had been sent but he had not had any reply yet.

Also Mr. Moody wanted to ask the Board on behalf of Mr. Scheid for suggestions for a name for the new industrial access road.

Mr. Bracey – He stated he had no comments.

RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 10:02 P.M. to be continued until Tuesday, October 13, 1998 at 2:00 P.M. in the multi-purpose room of the Pamplin Administration Building for a joint meeting with the Dinwiddie County School Board for discussion on proposed renovations to Dinwiddie Elementary School.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING, DINWIDDIE COUNTY, VIRGINIA, ON THE 13TH DAY OF OCTOBER 1998, AT 2:00 P.M.

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

Mr. Tickle arrived at 2:28 P.M.

IN RE: CALL TO ORDER

Mr. Edward A. Bracey, Jr., Chairman, called the meeting to order at 2:00 P.M. He welcomed the School Board members to this joint meeting to discuss the proposed renovations to Dinwiddie Elementary School. The School Board members and representatives in attendance were as follows:

Troilen Seward, Superintendent of Schools
Alice Jones, Clerk
Curtis Barnes, Chairman/Board member
Carol Fisher, Board member
Greg Davis, Board member
Harold Walker, Board member

Mr. Long stated they had representatives from Ballou Justice Upton Architects, Mr. Billy Upton and Mr. Delip Chakraborty. Mr. Long turned the floor over to Mrs. Seward.

IN RE: PRESENTATION BY BALLOU JUSTICE UPTON ON PROPOSED RENOVATIONS TO DINWIDDIE ELEMENTARY SCHOOL

Mrs. Seward stated they wished to share with the Board of Supervisors what the architects had shared with them so they could all participate in this project together. She reminded the Board about options I, II, and III. She stated she felt both Boards were in agreement that option I did not offer enough to continue with that. Option II and III are currently being explored. She stated the School Board wanted to show the Board of Supervisors what was included in each option. They are currently being referred to as Plan I and Plan II.

Mrs. Seward at this time turned the meeting over to Mr. Upton.

Mr. Upton began by thanking the Boards for the wonderful opportunity they have had to work on the projects that they have worked on and for the opportunity to bid and work with them on future projects being planned in the County.

Mr. Upton proceeded to review Plan I and Plan II pointing out the renovations that would be done in each.

There was discussion regarding the cost, the additional room that would be generated by the renovation, the placement of buildings on the property, and cost of additional plans from the architects.

The Board thanked Ballou Justice Upton and the School Board for the presentation and stated they would further discuss the renovations and report back to them at the next Board of Supervisors meeting.

IN RE: RECESS

The joint meeting was adjourned at 2:25 P.M. and Mr. Bracey called for a short recess.

Mr. Bracey called the meeting back to order at 3:40 P.M.

IN RE: DISCUSSION REGARDING DINWIDDIE ELEMENTARY SCHOOL RENOVATIONS

There was discussion among the Board regarding the re-prioritizing projects to provide the funds to proceed with the renovations to Dinwiddie Elementary School. It was decided that space was of the utmost importance and that Plan II, with the second floor added, will cost more but would be the most cost effective in the long run. There was discussion regarding the additional costs for debt service if they chose Plan I or Plan II and what costs might be incurred if additional renovation/additions were made at this time. The cost could be increased from $3,500,000.00 to $6,000,000.00.

It was decided to proceed with Plan II with a ceiling price of $6,000,000.00.

Mr. Bracey instructed Mrs. Ralph to inform Mrs. Seward of the ceiling price of 6 million in order that Ballou Justice Upton can move forward on the plans for the project.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Tickle, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (A) 7 - Consultation with legal counsel (Current Litigation); the Board moved into Executive Session at 3:45 P.M.

IN RE: RETURN TO OPEN SESSION

A vote having been made and approved the meeting reconvened into Open Session at 3:50 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Moody, seconded by Mrs. Everett, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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: COURTHOUSE CONSTRUCTION – CHANGE ORDERS

Mr. Long stated Mr. Faison had change orders number 64, 77, 81, and 76 which he needed approval to sign. Mr. Long stated what we showed for the total was $28,178.00 but Mr. Faison said to subtract $9,000.00 because currently you have a minimum of $8,000.00 coming off of that on one credit he is working on. This makes the total $19,178.00.

Mr. Bracey stated at $19,178 we are still holding money for –

Mr. Long stated the $75,000.00 for Gulf Seaboard 's retainage.

Mr. Bracey stated then you need approval for this.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator to sign change orders submitted by Hening-Vest-Covey Architectural Corporation on behalf of Gulf Seaboard General Contractors, Inc., for the Dinwiddie County Courthouse project as follows: Change orders number 64 in the amount of $25,164.00; number 77 in the amount of $886.00; number 81 in the amount of $1,760.00; and number 76 in the amount of $198.00.

IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATIONS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to move forward in working with the School Board and the architect on the design for Plan II for the renovations to Dinwiddie Elementary School.

IN RE: FIRE/EMS SITES -- VISITATION

Mr. Faison stated he, along with Mr. David M. Jolly, Director of Public Safety, would be visiting the two (2) proposed sites for the Fire/EMS building with Ballou Justice Upton on Monday, October 19, 1998 at 8:00 A.M. to begin negotiations. He invited the Board members to join the meeting.

IN RE: CRATER YOUTH CARE COMMISSION – TOUR/OPEN HOUSE INVITATION

Mr. Long stated he wanted to tell the Board they would be or should have received an invitation to the Crater Youth Care Commission regarding a tour/open house of that facility on Monday, October 19, 1998 from 4:00 P.M. until 6:00 P.M. Mr. Long encouraged the Board members to attend because some changes are coming within the next few years.

RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Tickle, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 4:00 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R Martin Long
R. Martin Long
County Administrator
/pam

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 21ST DAY OF OCTOBER, 1998, AT 2:00 P.M.

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

Mr. Moody excused himself from the meeting at 5:45 P.M.

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

Mr. Edward A. Bracey, Jr., Chairman of the Board, called the regular meeting to order at 2:03 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda.

Mr. R. Martin Long, County Administrator, stated he would like to add to Item 10, Executive Session, under Section 2.1-344 (a) 7 - Consultation with legal counsel - we need to add for the purpose of discussing Property Sales Agreement.

Mr. Long also stated between Citizen Comments and Constitutional Officers and Department Heads he would like to add the presentation of a Resolution to Mr. Thomas Fitzgerald Edmunds.

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated under Item 10, Executive Session, under Section 2.1-344 (a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body (Public Safety Officer) - we need to add Code Enforcement Officer.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following amendments to the Agenda are approved:

1. Item 10, Executive Session, under Section 2.1-344 (a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body (Public Safety Officer and Code Enforcement Officer).

2. Item 5A - Presentation of Resolution to Mr. Thomas Fitzgerald Edmunds.

3. Item 10, Executive Session, under Section 2.1-344 (a) 7 - Consultation with legal counsel - Property Sales Agreement..

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the October 7, 1998 Continuation Meeting, the October 7, 1998 Regular Meeting and the October 13, 1998 Continuation Meeting, held jointly with the Dinwiddie County School Board, are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mrs. Everett, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1012479 through 1012644; for Accounts Payable in the amount of $315,118.78: General Fund $223,356.49; E911 Fund $2,354.77; Self Insurance Fund $75.78; Law Library $51.22; Forfeited Asset Sharing $47.57; CDBG Fund $55.00; Capital Projects Fund $26,549.00; and County Debt Service $62,628.95.

IN RE: COURTHOUSE CONSTRUCTION -- REQUISITION #29

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated the following invoices are included in Requisition Number 29:

DEJARNETTE & PAUL INC.	$1,135.00
SANDS, ANDERSON, MARKS & MILLER	71.60
TOTAL REQUISITION NUMBER 29	$1,206.60

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 29 in the amount of $1,206.60 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: SCHOOL CONSTRUCTION – REQUISITION #2 (1998A)

Mrs. Ralph stated the following invoices are included in Requisition Number 2 for the Dinwiddie County School Completion Project Series 1998A:

SANDS, ANDERSON, MARKS & MILLER	$39,931.65
CADMUS	4,508.71
TOTAL OF REQUISITION NUMBER 2	$44,440.36

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 2 in the amount of $44,440.36 be approved and funds appropriated for CIP expenses for the School Project Fund.

IN RE: PUBLIC FACILITIES (ACCESS ROAD) – REQUISITION NUMBER 1

Mrs. Ralph stated the following invoices are included in Requisition Number 1 for Public Facilities (Industrial Access Road):

SANDS, ANDERSON, MARKS & MILLER	$5,299.79
CADMUS	598.66
TOTAL OF REQUISITION NUMBER 1	$5,898.45

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 1 in the amount of $5,898.45 be approved and funds appropriated for CIP expenses for the Public Facilities Project Fund..

IN RE: REFUNDING BONDS – REQUISITION #1

Mrs. Ralph stated the following invoices are included in Requisition Number 1 for the Refunding Bonds:

SANDS, ANDERSON, MARKS & MILLER	$27,266.33
CADMUS	3,078.83
TOTAL OF REQUISITION NUMBER 1	$30,345.16

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 1 in the amount of $30,345.16 be approved and funds appropriated for CIP expenses for the Refunding Bonds Fund.

IN RE: PRESENTATION OF RESOLUTION - THOMAS EDMUNDS

Mr. Long stated he would like for Mr. Thomas Fitzgerald Edmunds to come forward for the presentation. Mr. Clay read the Resolution, which was adopted at the September 16th meeting of the Board and he, along with the help of Mr. Bracey presented the Resolution to Mr. Edmunds.

Mr. Edmunds stated he remembered several years ago at Church they had a Board of Elders and a Board of Deacons. The Board of Elders took care of the spiritual matters of the Church and the Deacons took care of the money matters of the Church. One of the Deacons said when he stood up to speak his thoughts sat down. He stated he was glad to be here and to see so many of his friends but at his age he stated he was glad to be anywhere!

Mr. Edmunds oldest daughter thanked the Board and stated it was quite an honor for Mr. Edmunds and the entire family.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens who had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, stated no citizen had signed up to speak.

Mr. Bracey asked if there was any citizen present who had not signed up but wished to speak.

There being none Mr. Bracey moved forward.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION –

RESOLUTION – CALVIN WRAY

Mr. Long stated that under Mr. Ronald H. Reekes', Resident Engineer, Virginia Department of Transportation, report today he had requested and Mr. Long had included a Resolution for the Board to consider adopting for Mr. Calvin (Potsie) Wray. Mr. Long proceeded to read the following:

WHEREAS, Mr. Calvin (Potsie) Wray has loyally served the Commonwealth of Virginia, Virginia Department of Transportation and the County of Dinwiddie for over 40 years; and

WHEREAS, Mr. Calvin Wray has worked continuously to improve the transportation system and the quality of life for the residents of Dinwiddie and the Commonwealth of Virginia; and

WHEREAS, Mr. Calvin Wray's dedication to quality work can be seen in such projects as I-95, I-85, Route's 1, 460 and numerous other projects throughout the County; and

WHEREAS, Mr. Calvin Wray has provided an extraordinary example of leadership for fellow employees and served as a mentor for many young engineers in training.

NOW THEREFORE BE IT RESOLVED, the Dinwiddie Board of Supervisors hereby commends Mr. Calvin Wray of the Virginia Department of Transportation for his loyal dedicated service and work to improve the quality of life for residents of Dinwiddie and the Commonwealth of Virginia.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above resolution of recognition of Mr. Calvin (Potsie) Wray is hereby adopted.

Mr. Long asked for Mr. Wray to stand and be recognized. He stated a final resolution would be put together, signed by the Board and delivered to him.

Mr. Wray said he appreciated all the help the Board had given him. He stated, to Mr. Tickle, he did finish 85! Mr. Wray continued by saying to the Chairman and members of the Board that he thanked them very much and he appreciated the Resolution.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION – WORKSHOP FOR SIX YEAR PLAN

Mr. Ronald H. Reekes, Resident Engineer, Virginia Department of Transportation, came forward to discuss the proposed six year plan with the Board. He stated his recommendation to the Board was we do not add or change the Six-Year Plan that is currently adopted. Mr. Reekes continued by stating financial reasons for not wanting to change the plan.

Mr. Long asked if the Public Hearing for the Six-Year Plan was scheduled to be heard on November 4th and if VDOT was doing the advertisement for that hearing.

Mr. Reekes stated November 4th is correct and VDOT will be placing the advertisement for the meeting.

Mr. Tickle stated he had lunch with Mr. Reekes, this date, and discussed the Six-Year Plan. He stated he wanted to, go matter of record, to comment as he stated last time there is only one (1) project, out of 10 million dollars in the Six-Year Plan; there is only one (1) project for his district and that is $70,000.00. He stated he was going to go forth and support this issue but as a matter of record he would like to have that noted on that statement about the fact Mr. Reekes talked about not amending or not asking for a change this year but possibly addressing this issue next year. He wanted that to go into the official minutes so in the future when someone says you did not address this the year before or the year after whenever there will be something in the minutes he can go back to and discuss this when it comes up next year.

Mr. Bracey stated a few years ago we had a road Blue Tartan—

Mr. Reekes stated it is still on there.

Mr. Bracey stated Blue Tartan Road got on there through some conversation about these roads on the end. We put it in on the end with some comment or something from the VDOT Office or from Mr. Reekes himself. He stated he had some comments about it then and the way it was explained to him was that he was not going to see this thing but really but he keeps looking at year by year. He stated he was saying that to say this: at our last meeting we talked about Boisseau Road being a connector road to our school systems and he would hope we would put Boisseau Road in the same way we did the Blue Tartan or when a project is finished this will roll to the top. He stated he thought that was what Mr. Tickle was also saying.

Mr. Reekes stated yes sir—

Mr. Bracey stated he would like the record to show he was asking Boisseau Road be considered because – he stated he understood about the funding. He asked Mr. Reekes if he remembered the comment – He further stated he thought they could go back and find the minutes.

Mr. Reekes stated he thought Blue Tartan was added before he got here but he asked if he could just make a quick comment on Blue Tartan.

Mrs. Everett stated Blue Tartan was on the list and had been kicked back and we fought and we got it back where it belonged and that is where it is now.

Mr. Reekes stated a certain amount of these funds must be spent on unpaved roads. Wheaton Road qualifies, Blue Tartan Road qualifies, Shady Lane qualifies, Tranquility Lane and they have to use a certain amount on dirt roads. Mr. Reekes stated the basic criteria they use is traffic count. There is generally very little accidents on dirt roads and there is hardly any development that occurs on dirt roads so the best thing to use is traffic count. He stated they take it from highest on down. Frankly Wheaton and Blue Tartan were some of the highest traffic counts.

Mr. Bracey stated he would like to see this road be treated the same way. He further stated he was going to ask the staff to go back and get the minutes. It was either your comment or Penny Grenole's comment of how this thing or something about some other funds or something. There is no big problem he just thought Boisseau Road needed to considered. This is one of the connector roads for the County school system.

Mr. Moody stated if Mr. Reekes was going to consider Boisseau Road he might have a couple of others for him to consider.

Mrs. Everett stated she did not want to see this plan messed with because we have worked too hard to get our roads in priority and they are moving up and she did not want to see them jeopardized.

Mr. Clay stated if he remembered correctly ever since he has been on the Board they have been fussing about Blue Tartan Road. The Sergeant Major used to come out and give them—

Mrs. Everett stated but it got knocked back, you remember, and we got it reinstated and now it is riding up to the top again and she did not want to see it knocked off again.

Mr. Bracey stated he did not say that. He stated he did not say knock it off. What he was saying was to give these other roads the same consideration.

Mrs. Everett stated well you should have given --

Mr. Bracey stated Blue Tartan is not a connector. He further stated he did not want to see anything happen to it but –

Mrs. Everett stated you should have given consideration years ago but it got left out.

Mr. Bracey stated he can't do what the Board did before he was sitting there. All he was asking was to please consider – he thought we had all the roads covered around the schools except for Boisseau. He thought, he was almost positive.

Mr. Reekes stated it was worth consideration.

There was discussion regarding Wheaton Road, Duncan Road and the increase over projected costs for these projects.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION – BRICKWOOD SUBDIVISION SECTION 2– ACCEPTANCE INTO SECONDARY SYSTEM OF STATE HIGHWAYS

Mr. Tickle suggested we address the acceptance into the Secondary System of State Highways of the Brickwood Subdivision Section 2 prior to Mr. Reekes leaving the meeting. Mr. Tickle stated many times in the past we accept a road and Mr. Reekes has already left and we are not able to ask questions about the road. He thought that we may want to discuss the acceptance of the Brickwood roads while Mr. Reekes is here.

Mr. Reekes stated only Section 2 of Brickwood.

Mr. Tickle repeated only Section 2.

Mr. Reekes stated they have reviewed; the developer has worked the punch list they set forth; they re-reviewed and set forth a second punch list and that has also been completed.

Mr. William C. Scheid, Director of Planning, came forward to address the issue. He presented the issues he felt were important to the acceptance of these roads.

There was discussion regarding the roads meeting the specifications, the driveways, drainage ditches, and then the drainage that goes from the roads to the nearest receiving body of water. Both Mr. Scheid and Mr. Reekes stated

they were comfortable with the additional work the developer had performed to meet the County and State requirements.

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

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

RESOLUTION

WHEREAS, the streets described on the attached Additions form SR-5 (A), fully incorporated herein by reference, are shown on plats recorded in the Clerks Office of the Circuit Courts of DINWIDDIE, and

WHEREAS, the Resident Engineer for the Department of Transportation has advised the Dinwiddie County Board of Supervisors the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, requests the Virginia Department of Transportation to add the streets described on the Attached Addition Form SR-5 (A) to the Secondary System of State Highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills, and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION – REPORT

Mr. Moody stated he would like to ask Mr. Reekes a question regarding a rezoning which would be coming before the Board on November 4th. This is the Rolley rezoning and he questioned Mr. Reekes about a road the Rolley's wished to use.

Mr. Reekes stated that road had been abandoned and therefore it reverted back to the previous owner. He stated they did have a meeting scheduled regarding this the following morning to discuss where the establishment would be located and how the roads could be used.

Mr. Moody asked Mr. Reekes if they would be able to use the old road they used to go to the Homeplace Restaurant.

Mr. Reekes stated that would be between them and the property owners.

Mr. Clay asked about speed limit signs and the criteria for having them put up. He further stated he had two citizens contact him regarding Route 709, Shippings Road, who were concerned about the speed of traffic in that area.

Mr. Reekes stated he would do a speed study on Shippings Road.

There was discussion regarding where and why signs are erected. Mr. Reekes stated he would check into the areas in question.

Mrs. Everett questioned Mr. Reekes about moving farm equipment signs which had been installed in the Dinwiddie area.

Mr. Reekes stated they had put about eight (8) up. Mr. Reekes stated they have been placed in areas leading from the urbanized areas of the County coming into the rural areas.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION – WALKERS MILL ROAD – INDUSTRIAL ACCESS FUNDS GRANTED

Mr. Reekes stated at the Commonwealth Transportation Board meeting Walkers Mill Road was approved for Industrial Access Funds. We will not have to use County money and the project we have will be taken off the Six-Year Plan.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mr. Bracey stated Mrs. Deborah M. Marston, Commissioner of the Revenue, would not be present today because she was busy moving into her new office area. If any Board member had questions for Mrs. Marston they should forward them to Mr. Long and he would obtain an answer for them.

Mr. Tickle stated he had asked Mrs. Marston about the classic car tax. He thought Mrs. Marston would be present today to provide him an answer to his inquiry. He stated he wished Mr. Long to note on his pad that we officially send a memorandum to Mrs. Marston notifying her to be sure the Board receives the requested information.

IN RE: TREASURER – REPORT

Mr. William E. Jones, Treasurer, continued with his report for the month of September. He stated they have completed their move to the new office area and were very pleased with the outcome of the project. He stated they may need some type of window covering to block the glare on the computer screens but they will address that issue at a later date.

IN RE: TREASURER – AUTHROIZATION TO DESTROY PAID TAX TICKETS FROM JULY 1, 1989 TO JUNE 30, 1992

Mr. Jones stated he did have one item which needed action. He stated the Virginia Public Records Act provides localities with guidelines and schedule retention for the disposition of public records. The disposition of paid Personal Property and Real Estate tax tickets is allowable for any tickets five years or older and with the governing body's approval to have those tickets destroyed. He stated he was seeking their approval to destroy paid tax tickets from the time period of July 1, 1989 to June 30, 1992. These tickets were stored in the vault at the time of their move. Older years are currently in storage in the storage room and approval to destroy those will come at a later date.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Treasurer to destroy the paid Personal Property and Real Estate tax tickets from a time period of July 1, 1989 to June 30, 1992.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, came forward stating he had no report but was available for questions. He apologized to the Board for his attire but stated he had been on the ropes course with the Mentor Program. Mr. Rainey continued by thanking Mr. Long and his staff for the time they gave on the previous Friday to 150 third grade students.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward to present his report for September and stated he was available for questioning.

There was discussion on the appraisal of the airplane and Mr. Shands stated he should have a written appraisal within approximately thirty (30) days. There was also discussion regarding the fact the airplane never left Dinwiddie County.

IN RE: BUILDING INSPECTOR -- REPORT

Mr. Dwayne Abernathy, Building Inspector, came forward and presented his report for the month of September.

IN RE: BUILDING INSPECTOR – PERMIT FEES

Mr. Abernathy continued by stating included in their packets he had included an update on the permit fees currently being charged and his proposed new table of fees.

There was discussion between the Board and Mr. Abernathy regarding the written report on the current fees charged, the proposed increase in fees, and the fees being charged in surrounding localities. Mr. Abernathy also supplied the Board with the number of persons on staff in the offices in surrounding localities. Mr. Abernathy requested the Board allow him additional time to continue his research on the matter to provide additional figures regarding commercial, gas tanks, and all of the fees. There was also discussion regarding the fees covering the expenses of the department.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steve Beville, Animal Warden, came forward and presented his report for the month of September.

There was discussion regarding the dog bite/attack on a youth during the month and the fate of the dog. It was reported the youth is recuperating well but will require surgery for the scars.

Mr. Bracey questioned Mr. Beville about the Code on dog fighting.

Mr. Beville replied it was a felony. It is a State law.

Mr. Moody stated but it is not to fight chickens.

Mr. Beville stated he was not sure on that.

Mr. Moody stated as long as it is not for money it was not against the law to fight chickens.

Mr. Beville stated but it is a felony to fight dogs.

Mrs. Everett asked Mr. Beville to keep an eye on the Piney beach area for stray dogs.

There was discussion regarding confinement areas and it was stated this issue was something the County needed to address.

Mr. Long stated he would meet with Mr. Beville to discuss the problem and report back to the Board with suggestions on the matter of confinement.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came forward to present his monthly update for October 1998. He stated the one item he had in his report that required action was addressed earlier in the meeting.

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. John M. Altman, Jr., Zoning Administrator, came forward to present his monthly report for September 1998.

IN RE: ZONING ADMINISTRATOR/CODE COMPLIANCE -- REPORT

Mr. Altman reported to the Board that following his report they would find the monthly report from Mr. David Thompson, Code Compliance Officer.

Mr. Bracey stated the only thing that bothered him was "unknown". He wanted to know if our tax records or our mapping was not to the point that we have "unknown". He stated Rainbow Street was listed as NAME "unknown" and he felt that we all knew who owns that property.

Mr. Altman stated several were properties that were in foreclosure and we do not know who holds title.

Mr. Tickle stated he had visited Mr. Bracey's district when reviewing the AME Zion tower site and he was embarrassed when he entered a subdivision very close to Mr. Bracey's home. He did not know the name of this subdivision but there were numerous homes in need of repair.

Mr. Bracey stated Rainbow.

Mr. Tickle stated he knew but he was trying to be diplomatic. He stated again he was very embarrassed to go in there knowing we have a Code Enforcer now and that subdivision is in disarray. He would like to suggest sometime, someplace within the next month or month and a half a little report or documentation be sent back to the Board of Supervisors and then they will make a decision on what they wish to do with it. He stated it is a mess. He stated if he saw one dog he saw twenty dogs running free; he saw houses falling down; he saw tall grass; and he felt he saw everything.

Mr. Altman asked for clarification on exactly what Mr. Tickle wished back from him.

Mr. Tickle stated he would like to have suggestions from the Planning Department as to what the Board should do with that subdivision.

Mr. Altman asked that one in particular or County wide.

Mr. Tickle stated he could do County wide.

Mr. Bracey stated he felt the Building Department and Planning Department need to meet and set forth some guidelines for the Code Compliance Officer.

IN RE: ZONING ADMINISTRATOR – ZONING FEES

Mr. Long stated he wished the Board to note following the Code Compliance Officer's report was a report on the zoning fees which he had requested Mr. Altman compile. He continued Mr. Altman had put together a scenario of comparisons of those rates. He stated he did not know if the Board wished to consider those rates as well but he did not see where it would hurt to see where the County stood on those as well as Building fees.

There was discussion regarding how the fees were charged – per lot or per acre. Mr. Scheid came forward explaining to the Board the reasoning behind the fees charged. Mr. Altman stated to the Board the zoning fee should at least cover the cost for the Department's services. He stated as this County grows the more staff time will be needed in these cases. He further stated he does not see the need, although it may hurt some small land owners, to keep our fees low if more time will be demanded from staff to put forth in these cases. We need to move the fees up and maybe get more aggressive with the fees we charge because we are going in that direction. We can do it a whole lot better than other localities have done it but that is the direction we are going. We need to adjust our fees as to the direction we see ourselves going. We should not look at who is low and feel we need keep our fees as low. Another locality may not be doing anything and we are doing a whole lot of activity and we need to cover our costs. At a recent conference Mr. Altman attended one developer said development needs to pay for itself. That is a thought, if a developer is going to require services from staff then maybe that cost should be made up somewhere in these fees.

Mr. Scheid stated one item they have never charged for but takes considerable time is people coming into the office with one lot subdivision. They are breaking off one parcel. By the time we take this plat in, research it, call up to ask some of the background on it, research it again, we have spent a lot of time and we make no charge for this service. The number on one acre parcels that come into the Planning Office over a years period of time, he'd bet them they hit one hundred to two hundred of them. The amount of time that it takes to research them is just lost time. He stated he felt a very modest $10.00 per plat that comes in is very reasonable. He stated this would be coming up at the next meeting.

IN RE: RECESS

Mr. Bracey called for a five (5) minute recess at 3:25 P.M.

Mr. Bracey called the meeting back to order at 3:30 P.M.

IN RE: SOCIAL SERVICES – REPORT

Mrs. Peggy McElveen, Director of Social Services, came forward and presented an update on her Department's services. She proceeded to review the 1997-1998 Annual Report.

Mrs. McElveen stated she wanted to recognize her Board. The members are as follows:

Mary E. Wynn – Chairman
Hope H. Mitchell – Vice-Chairman
Arlick Brockwell

Aubrey S. Clay
Linwood Ernest Fitzgerald, Sr.
Franklin Stewart

She stated these people do not get recognition and the Board appoints them. She stated they are an excellent Board.

Mrs. McElveen stated the Welfare Reform is working. She gave a brief synopsis of the advancements that have been made through this program.

Mr. Tickle stated he had a question – suppose he was an alien working on some type of work or on a farm in this County and for some reason he had brought his family with him. Do we have a certain part of that population that is involved with our school system or is that going to be an issue. What is that situation?

Mrs. McElveen stated she did not know about the school system and Mrs. Seward may be able to answer that. She further stated we do have, she stated she did not know about Dinwiddie County either, particularly about the number of aliens or refugees but there are people who are legally here. There are different rules for Haitians and Cubans and so if they live in the County then she would assume that they would be in our County schools.

Mr. Tickle stated so if you work on a particular farm or working for a brick mason, with a green card, then they have students. He stated maybe he needed to ask Mrs. Seward because he wanted to know if we have those in the school system. Mrs. McElveen has informed him that there are none receiving benefits from the Department of Social Services.

Mr. Tickle stated his next question was the number of children we have via that system. That are using our school systems or another service.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Mrs. Troilen Seward, Superintendent of Schools, came forward stating she could answer his question. They do not have any of those children in the school system. She stated Mr. Bracey, along with her, had counted the number of Hispanic children and the number of Asian children. She stated she did not remember the number exactly but it was a very small number of each. Maybe 10 perhaps Asian youngsters and 6 or 7 Hispanics.

Mr. Bracey stated all total it was a small number.

There was discussion regarding aliens and the programs they are tapping into.

Mrs. Seward stated she was desperate for bus drivers. They are currently ten (10) short.

There was discussion regarding the 4X4 programs and students having only one (1) class per semester. Mrs. Seward assured the Board this would work itself out as the classes move up from 9th grade to 12th grade.

IN RE: SUPERINTENDENT OF SCHOOLS – SUPPLEMENTAL APPROPRIATION #1 – FY 1999

Mrs. Seward stated the FY1999 Fall Membership is 4,269 students. When we compare the Average Daily Membership to the Fall Membership over the last eight years, the ratio is 99.7%. Using this ratio to project our FY1999 ADM produces an estimated Average Daily Membership of 4,256 students. The

adopted FY1999 Budget is based on a projected ADM of 4,150. At the October 13, 1998 meeting of the Dinwiddie County School Board, she was authorized to request a supplemental appropriation based on a conservative adjustment of the ADM number to 4,225 students. As a result of this, we propose a $232,101 supplemental appropriation distributed as follows:

CATEGORY	FUND	AMOUNT
Instruction	Textbooks (206)	$ 2,893.00
Instruction	School (205)	188,762.00
Maintenance & Operation	School (205)	37,446.00
Executive Administration	School (205)	3,000.00
TOTAL		$232,101.00

There was discussion regarding the maintenance and operations.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the requested supplemental appropriation in the amount of $232,101.00 to be distributed as follows:

CATEGORY	FUND	AMOUNT
Instruction	Textbooks (206)	$ 2,893.00
Instruction	School (205)	188,762.00
Maintenance & Operation	School (205)	37,446.00
Executive Administration	School (205)	3,000.00
TOTAL		$232,101.00

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward to present his monthly report for September 1998.

Mr. Bracey stated he had toured the Peanut Festival Fair in Suffolk and noted that it was a very well planned affair. He was pleased with what he had seen and stated it showed him what Dinwiddie County could do in time.

Mr. Clay asked if any recreation was being held in the McKenney area or if any recreation programs are being planned for that area.

After discussion regarding where recreation is being held in the County Mr. Long was instructed to meet with Mr. King and Mr. Smith to discuss some recreation within the McKenney area. Mr. Long stated he and Mr. Smith would attend a McKenney Council meeting.

IN RE: WILSON-KAUTZ DRIVING TOUR – RESOLUTION OF SUPPORT

Mr. Smith stated he had one item which required Board action. He requested a letter of endorsement or support for the Wilson-Kautz Driving Tour which is a driving tour following the route of the Southside Railroad Raid (June 22 - July 1, 1864) of General James H. Wilson and General August V. Kautz during Grant's Petersburg Campaign. This initiative has been in progress since October/November 1997. Encouraged by the success of Lee's Retreat Driving Tour, the committee feels that this tour will further aid in the interpretation of the Civil War. Under the proposed route, Dinwiddie County has five stops, or 19% of the driving tour.

Mr. Smith stated an endorsement of the Wilson-Kautz Driving Tour concept is a positive step towards Dinwiddie County's future in the tourism market.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia endorses the concept of the Wilson-Kautz Driving Tour and authorizes staff to work with the Tour Committee.

IN RE: RECREATION – CIVIL RIGHTS IN EDUCATION HERITAGE TRAIL

Mr. Smith stated he had included information in their packets regarding the Civil Rights in Education Heritage Trail. He stated he would bring them more information on this Trail as it became available.

Mrs. Ralph stated they were in need of a person who was knowledgeable on Dinwiddie County and what the County has to offer. If anyone knew of a person who might be willing to serve on this committee she would appreciate having their name.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management, came before the Board and presented his report for the months of September and October 1998.

IN RE: WASTE MANAGEMENT – AUTHORIZATION TO NEGOTIATE WITH WASTE MANAGEMENT

ATLANTIC

Mr. King stated Mr. Long, Mrs. Ralph, Mr. Tickle and himself had met with representatives from Waste Management regarding a hauling contract. He stated after reviewing five proposals, researching the proposals, and lots of number crunching he felt Waste Management had the best offer. Mr. King stated they did have a lot of help from Mr. Tickle regarding the negotiations. He stated he was before the Board to ask for authorization to accept the proposal with Atlantic Waste.

There was discussion regarding what we are currently paying Shoosmith Bros. For hauling ($28.00 Ton - $100.00 a pull - $1.60 a mile). Last fiscal year we spent approximately $796,000.00 for waste removal. With the proposed fees from Atlantic Waste ($21.50 ton - $1.40 per mile) the County would reap a $300,000.00 saving per year. Mr. King stated he was recommending that we accept the proposal and move forward with preparing a five (5) year contract with Atlantic Waste.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to finalize a five year contract with Atlantic Waste based on the fees presented.

IN RE: WASTE MANAGEMENT – OVERHEAD ROLLING DOOR REPLACEMENT AND REPAIR

Mr. King continued since they can now use the inside of the building they need a way to secure it and he had requested Mr. Faison look into the replacement of the roll up doors. Mr. Faison expeditiously did so and has the

bids ready to present to the Board for their review and action. Mr. King stated they had budgeted for these doors for two (2) years but had not proceeded with the work because they were still banging things around in there and did not feel it was necessary at that time. The bids were are follows:

COMPANY	4 NEW DOORS	REPAIR 1 DOOR	REPAIR 1 JAM	ELECTRIC HOIST
Overhead Door	$ 7,734.00	Included	$ 950.00	$ 2,187.00
J.S. Archer	$ 8,650.00	?	$ 1,800.00	$ 3,400.00
Apple Door	$ 9,939.00	$ 110.00	$ 450.00	$ 1,450.00

TOTALS

Overhead Door	$10,871.00
J.S. Archer	$13,850.00
Apple Door	$11,949.00

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Building and Grounds Superintendent to move forward with contracting with Overhead Door to make the necessary repairs and replacements of the overhead rolling doors at the Dinwiddie County Landfill for a sum not to exceed $10,871.00.

Mr. King stated he would like to thank Mr. Faison for his help in obtaining the bids.

IN RE: DIRECTOR OF PUBLIC SAFETY -- REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his monthly report.

Mr. Tickle stated he wanted more information on the Carson Fire Department. He was concerned about the number of calls being answered in Dinwiddie County versus Prince George County.

Mr. Jolly stated there were several issues regarding Carson that needed to be addressed. He explained to the Board about the 911 system not being programmed correctly to dispatch Carson to all calls within their area and also about the fact that Carson does not carry radios for paging. He stated they were addressing this but it would be a long term project. He further stated he saw a two truck system for Carson, an engine and a tanker. This is what he felt they needed to respond in Dinwiddie County.

Mr. Tickle requested, in writing, a statement from Carson stating they were willing to respond to any calls for which they are dispatched within Dinwiddie County. He stated he felt we were not getting our moneys worth.

Mrs. Everett suggested we review the agreement we have with Prince George County.

Mr. Jolly stated he would pull the necessary information and report back to the Board.

IN RE: DIRECTOR OF PUBLIC SAFETY – FORD VOLUNTEER FIRE DEPARTMENT – ENGINE 23 REPAIRS

Mr. Jolly stated he had included in his report a copy of the statement from Wheel Service, Inc. for wrecker service and repairs to Ford Volunteer Fire Department's Engine 23. This engine is a reserve engine for the rest of the County. He stated he had spoken with Chief Dennis Hale of Ford about the repair and Chief Hale conveyed they were unable to pay for these repairs out of their available funds. Mr. Jolly requested that we use the capital line item in the Volunteer Fire budget to cover this cost. He further stated Ford's Department had contacted him prior to the work and he had approved the work to be done so the unit could be kept in service.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted and funds appropriated from the Capital Line Item in the Volunteer Fire budget to pay Wheel Service, Inc. $1,655.50 for wrecker service and repairs on the Ford Volunteer Fire Department Engine 23.

IN RE: FIRE & RESCUE ASSOCIATION – REPORT

Mr. Jolly stated he was also the Fire & Rescue representative today because Mr. Charles Lewis was unable to attend.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Ben Emerson, County Attorney, came forward stating he had no report but was available for questions.

Mr. Bracey asked Mr. Emerson to make an announcement regarding Virginia Bio-Fuel litigation.

Mr. Emerson stated the courts issued an opinion in the Virginia Bio-Fuel law suit against the County dismissing the claims against the County and the former County Administrator. That portion of the suit is at an end. The County still has some claims of its own to pursue against various other parties but they are not a part of the same action. This ends the liability of the County to the Bond Holders or the potential for liability. That ruling could be appealed but as of this point in time the claims have been dismissed against the County.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT – REPORT

Mr. Donald W. Faison, Building and Grounds Superintendent, came forward to present his monthly report.

Mr. Faison gave a brief update on the progress on the renovations to the Pamplin Administration Building.

He stated with Mrs. Marston's cleaning efforts and shredding they have filled the recycling bins already.

Mrs. Everett asked about carpet for the remainder of the first floor.

Mr. Faison stated he already called to get a price of carpeting.

Mr. Clay asked about the Courthouse and the progress of clearing up the problems.

Mr. Faison stated they were working on the problems. They had problems during this week with the chiller.

There was discussion regarding the fact the Board was unhappy with having to have this chiller fixed and felt it may be defective and should be replaced. It was suggested that we request an extended warranty, or replace the unit.

Mr. Tickle requested documentation on this matter be forwarded to him.

IN RE: HVAC MAINTENANCE -- REQUEST TO NEGOTIATE

Mrs. Ralph came forward stating an RFP had been put out for an HVAC maintenance and control system contract for all the County buildings. They received 4 proposals; reviewed, and interviewed them all and were now requesting authorization from the Board to begin negotiations with Honeywell.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Administration to begin negotiations with Honeywell to provide HVAC maintenance for all the County Buildings.

IN RE: DINWIDDIE COUNTY WATER AUTHORITY – CHAPARRAL STEEL WATER PROJECT VRA

Mr. Long stated he had received a status report on the Chaparral Steel Water Project VRA Financing from Mr. Rob Harrison, Executive Director of the Dinwiddie County Water Authority. Mr. Long stated Mr. Harrison had stated the following:

1. Chaparral Steel interim water supply – Waterline project along industrial access road approximately 60% complete. This should allow them to provide an interim supply of water to Chaparral Steel by the mid November deadline requested by Chaparral Steel. Interim supply will be no more that 0.5MGD.
2. Main water project (pump station, 24" waterline, elevated tank) being prepared for bid in 30 - 60 days.
3. VRA (Virginia Resource Authority) Financing - They have been approved for VRA (Virginia Resource Authority) financing. Financing contingent upon support agreement between County and DCWA (Dinwiddie County Water Authority) and "take or pay" agreement between Chaparral Steel and DCWA (Dinwiddie County Water Authority).
4. DCWA (Dinwiddie County Water Authority) needs at this time – Item three (3) above.

Mr. Long continued that there was no action required by the Board; this was just for their information.

IN RE: INDUSTRIAL ACCESS ROAD CHANGE ORDERS

Mr. Long stated he still needed authorization from the Board to sign the two (2) additional change order requests from D. W. Lyle as discussed at the previous Board meeting. Again Mr. Long explained the work for these change orders has already taken place. The second change order in the amount of

$41,235.70 was related to the first change order the Board had on this project where a substantial amount of additional fill was needed in a wet area of this road to properly fill it to VDOT standards. Change order number three (3) involves the concrete area in front of the Produce Center that was put down where the south bound turn lane will be when the road is completed. This change order is in the amount of $29,879.56 making a total of $71,111.26.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administration to sign Change Order Number Two (2) in the amount of $41,235.70 and Change Order Number Three (3) in the amount of 29,879.56 as presented by D. W. Lyle Corporation on the Industrial Access Road for Chaparral Steel.

IN RE: COUNTY ADMINISTRATOR COMMENTS – INFORMATION BOOKLET ON DINWIDDIE COUNTY

Mr. Long stated in the front of the Board packets was placed a booklet on Dinwiddie County which Mrs. Charity Taylor, Parks and Recreation Staff Assistant and Mrs. Mann had compiled. He stated he felt this was a fantastic piece of work and would provide information on the County to incoming residents. This booklet is a draft copy and he asked the Board members to look through it and if they knew of any additional information that needed to be included to please let Mrs. Taylor or Mrs. Mann know. He thanked them for their hard work.

IN RE: COUNTY ADMINISTRATOR -- COMMENTS

Mr. long stated he had included in their packet a letter from the County of Isle of Wight. This letter was from Mr. Robert C. Claud, Sr, Chairman, Board of Supervisors requesting support of Malcolm T. Cofer who currently represents Region 2 localities on the VACo Board of Directors. Mr. Cofer's term is set to expire on December 31st and according to VACo's by-laws is eligible to serve additional terms of office.

Mr. Long stated no action was needed unless the Board wished to support Mr. Cofer with a resolution of support.

Mr. Long continued that he had enclosed a letter from Mr. J. Chapman Petersen, Council Member, City of Fairfax, regarding proposed legislation for the upcoming 1999 General Assembly session which will preserve important historic properties in the Commonwealth. The Historic Courthouse Preservation Zone enabling legislation is an effort to draw attention to and support for historic County Circuit Courthouses throughout the Commonwealth and , more pertinently, the historic neighborhoods which surround them. It does so by creating a "zone" around the historic Courthouse which awards incentives for appropriate preservation and redevelopment.

Mr. Long stated if any Board member had any further questions about this proposed legislation to please let him know and he would obtain answers for them.

IN RE: COUNTY ADMINISTRATOR COMMENTS – PROPOSED RETREAT

Mr. Long stated he felt a Retreat was needed to discuss the CIP and budget goals for the upcoming year.

After discussion it was decided to try to schedule the Retreat for December 7th and 8th at the Omni in Charlottesville. Mr. Long will move forward on this and report his findings to the Board.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay – He asked why the lights on the outside of the Courthouse were turned out at night.

Mr. Long stated Administration had received complaints regarding the costs of burning the lights so they were turned off.

Mr. Clay stated he felt the lights should be on at night.

Mrs. Everett – She stated she, along with Mr. Long, had attended the Crater Juvenile Detention Center on Monday for a tour. She stated she felt every Board member should visit the Center to see the condition of the Center and needs.

Mr. Moody – no comment

Mr. Tickle – no comment

Mr. Bracey – no comment

IN RE: RECESS

Mr. Bracey called for a five (5) minute recess at 5:15 P.M. prior to the Executive Session.

RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 (Public Safety; Code Compliance Officer); and Section 2.1-344 (A) - 7 Consultation with legal counsel (Property Sales Agreement) the Board moved into Executive Session at 5:30 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:45 P.M.

IN RE: CERTIFICATION

Upon motion of Mrs. Everett, seconded by Mr. Clay, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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. Tickle, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 6:47 P.M. to be continued at 5:00 November 4th at the Nottoway Restaurant for an Executive Session.

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

ATTEST: R Martin Long
R. Martin Long
County Administrator

/pam

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 4TH DAY OF NOVEMBER, 1998, AT 7:30 P.M.

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

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 7:32 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda.

Mrs. Wendy Weber Ralph, Assistant County Administrator, requested that under Agenda Item Number 3 we add an additional claim for Public Facilities - Requisition Number 2.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that under Agenda Item Number 3 we add an additional claim for Public Facilities - Requisition Number 2.

IN RE: MINUTES

Mr. Tickle stated he would like to have the minutes edited to spell out what the abbreviation VRA represented (Virginia Resource Authority).

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the October 21, 1998 Regular Meeting were approved with corrections.

IN RE: CLAIMS

Mr. Tickle stated he would like for staff to investigate and report to him if we have contracts with area businesses that we purchase from on a day to day basis (i.e. the Department of Waste Management) which allows the County to receive a discount or a reduced price.

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1012645 through 1012835 (void check(s) numbered 1012645 through 1012729 and 1012805); for Accounts Payable in the amount of

$106,176.25: General Fund $83,129.32; E911 Fund $368.00; Self Insurance Fund $73.50; Law Library $2,015.67; Forfeited Asset Sharing $419.62; CDBG Fund $785.79; and Capital Projects Funds $17,383.90; and County Debt Service $2,000.45. Payroll in the amount of $325,876.56: General Fund $323,1002.47 and CDBG Fund $2,774.09 were also approved and funds appropriated.

IN RE: COURTHOUSE CONSTRUCTION – REQUISITION #30

Mrs. Ralph stated the following invoice is included in Requisition Number 30:

GULF SEABOARD GENERAL CONTRACTORS	$93,218.25
TOTAL OF REQUISITION NUMBER 30	$93,218.25

Mrs. Ralph stated this is the final retainage, all moneys owed to the general contractor.

There was discussion among the Board and Mr. Donald W. Faison, Building and Grounds Superintendent, regarding the punch list items at the new Courthouse and how the repairs are progressing.

Mr. Faison assured the Board that he felt the situation at the Courthouse had improved and that all items would be completed.

Mr. Tickle voiced concern about season changes and wanted to see a legal document drawn up stating if a problem occurred it would be addressed within X number of days. He felt this way since it seemed his prior recommendation to replace the entire unit would not be honored.

Mr. Faison stated there was a difference between warranty and paying the contractor for the work they had performed. He felt we should pay the contractor the moneys owed and address the warranty situation with the equipment manufacturer.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 30 in the amount of $93,218.25 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: REFUNDING BONDS – REQUISITION #2

Mrs. Ralph stated the following invoice is included in Requisition Number 2:

THE ARBITRAGE GROUP, LLC	$2,500.00
TOTAL OF REQUISITION #2	$2,500.00

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 2 in the amount of $2,500.00 be approved and funds appropriated for CIP expenses for the Refunding Bonds Fund.

IN RE: PUBLIC FACILITIES (ACCESS ROAD) – REQUISITION #2

Mrs. Ralph stated the following invoice is included in Requisition Number 2:

COUNTY OF DINWIDDIE	$750,000.00
TOTAL OF REQUISITION #2	$750,000.00

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 2 in the amount of $750,000.00 be approved and funds appropriated for CIP expenses for the Public Facilities Fund.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if any citizens had signed up to speak during the citizen comment portion of the meeting.

The following person came forward to address the Board:

1. Anne Scarborough – (a) She voiced her embarrassment over an article which had appeared in the newspapers regarding the Freedom of Information Act and Dinwiddie County's failure to respond. She stated she felt the citizens of the County deserved an apology. (b) She spoke against secret meetings – Executive Sessions – stating she felt things should not be discussed in secret and kept from the citizens of the County. (c) She was opposed to retreats out of the County and meeting and/or eating out of the County and/or stated she was opposed to feeding the Board at any time out of taxpayer funds. (d) She stated she was opposed to having the lights on at the new Courthouse at night. She felt this was a waste of taxpayer dollars.

The Board addressed the newspaper article stating that no employee in Administration had received a request for any information and a letter was being drafted to defend the County on these false accusations.

IN RE: PUBLIC HEARING – VIRGINIA DEPARTMENT OF TRANSPORTATION – SIX YEAR IMPROVEMENT PLAN 1999 - 2005

Mr. Ronald H. Reekes, Resident Engineer for the Virginia Department of Transportation, came forward to present the proposed Six-Year Plan. He gave a brief synopsis of the plan and provided copies for the citizens.

Mr. Bracey opened the Public Hearing for the Virginia Department of Transportation Six-Year Plan.

The following citizens came forward to speak:

1. Floyd Baird, 14810 Brick Road, came forward to ask the Board to consider repairs on Halifax Road.
2. Walter Love, 27921 Perkins Road, also spoke on Halifax Road asking the Board to consider moving it up on the priority list.
3. Jeri Orton, 26726 Perkins Road, came forward to speak about the condition of Halifax Road. She presented Mr. Reekes with a petition asking for repairs to Halifax Road from the entrance to Richard Bland College to the Prince George County line. She asked the citizens present regarding Halifax Road to please stand and be acknowledged.
4. John Boswell, 7303 Church Road, came forward to ask if anything could be down about trees in the road ditch.

Mr. Bracey closed the Public Hearing on the proposed Six-Year Plan.

There was discussion from the Board regarding the desire to repair all the roads in the County but agreed lack of funding was their main problem. There is just not enough to go around.

Mr. Reekes stated any trees within the right of way would be taken down by VDOT.

Mr. Bracey asked that Boisseau Road be considered for improvements.

Mr. Tickle asked the citizens to contact their representatives and ask for additional highway funds. He also asked that the minutes reflect that he had requested improvements for his District.

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

WHEREAS in accordance with Section 33.1-70.01 of the Code of Virginia, 1950 as amended, the Board of Supervisors of the County of Dinwiddie jointly held a public hearing with representatives of the Virginia Department of Transportation; and

WHEREAS the purpose of the public hearing was to receive comments from interested citizens concerning the Six-Year Plan for secondary roads construction for Dinwiddie County for FY 99-00 through FY 04-05; and

WHEREAS the public hearing was held at 7:30 P.M. on the 4th day of November 1998, in the Dinwiddie County Board of Supervisors' Meeting Room;

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Dinwiddie County, Virginia that they officially adopt the FY 99-00 through FY 04-05 fiscal budget for the Six-Year Plan for Secondary Systems Construction Program for Dinwiddie County as presented this date.

IN RE: PUBLIC HEARINGS – GENERAL STATEMENT

Mr. William C. Scheid, Director of Planning, came forward reading the following general statement prior to the scheduled Public Hearings.

As previously requested by the Board of Supervisors DRAFT copies of the Planning Commission meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting room. The purpose of doing so is to expedite the hearing process without compromising the publics' access to pertinent information. It is noted that the Board has been given various information on all of the hearings, to include, the application, zoning map, adjacent property owner list, locational map(s), proffers (if applicable), soils data, comprehensive land use maps and references, etc. with this information noted, he stated he would proceed with the cases.

IN RE: PUBLIC HEARING P-98-11 – LAWRENCE AND LINDA ROLLEY

This being the time and place as advertised in the Dinwiddie Monitor on October 21, 1998 and October 28, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for P-98-11, for the purpose of considering a rezoning application submitted by Lawrence and Linda Rolley seeking to change the district classification of Tax Parcel 57-93 containing 5.03 acres from Residential, Limited, R-1 to Business, General B-2. The property is located on the east side of Route 1 approximately ¼ mile south

of Nash Road. A restaurant is proposed. There are no density standards set forth in the zoning or land use plan. The land use plan identifies this area for agricultural-residential purposes.

Mr. William C. Scheid, Director of Planning, came forward to present P-98-11. He presented a brief synopsis of the case and read the following proffers:

1. We will be using the existing entrance that is now directly in front of the property. We will have space provided to the side and to the back of location, we will have to have so many spaces paved and marked off depending on seating required by the Health Department.
2. We will have the front landscaped by professional landscapers, we will be doing extensive work to the inside and outside of the property and we have no intentions of spending thousands of dollars to remodel and not have a nice looking business.
3. We will also have the back of the property filled in and do whatever is necessary to have additional parking for trucks, entrance shown on drawings.
4. No storage of vehicles or equipment to be stored on outside of the property.
5. We will meet all building and health department codes that will be needed for us to relocate our existing business from 19606 Carson Road, Dinwiddie, VA 23841.
6. We will follow what ever course is necessary to assure safety.

He stated the Planning Commission voted to recommend approval of P-98-11 to the Board of Supervisors with proffers; however, the following items were of concern and interest to the Planning Commission members:

1. Feelings of support for a restaurant but a great deal of concern that this might become a truck stop in the future.
2. Concern that this blanket rezoning would allow 40 or more additional businesses which would not be conducive to this area.
3. Suggested that the blanket rezoning concern be addressed prior to presentation to the Board of Supervisors.

Mr. Scheid noted certain items that had occurred since the Planning Commission meeting: 1) A letter from VDOT, signed by Mr. Reekes, addressing the traffic issue; 2) Mr. Schied had met with Mr. & Mrs. Rolley, at the site, with Mr. Reekes and several other matter were discussed; and 3) He had met with Mrs. Rolley, this week, to discuss the proffers as to any additions, deletions, corrections or whatnot to the proffers. Mrs. Rolley indicated to Mr. Scheid she wished the proffers to remain the same.

Mr. Scheid, assisted by Mr. John M. Altman, Jr., Zoning Administrator provided visual aids during the presentation.

There was discussion from the Board requesting information on the other uses listed under B-2 and regarding the acreage being requested for rezoning.

Mr. Scheid read, from the Code of Dinwiddie County, the 40 uses listed in a B-2 area. Mr. Scheid stated he had asked Mr. and Mrs. Rolley if they wished to add any additional proffers and they stated they did not.

Mr. Bracey asked Mr. and Mrs. Rolley, for the record, if this was correct.

Mr. and Mrs. Rolley both responded that was correct.

Mr. Bracey asked the applicants if they would like to address the Board at this time.

Mr. and Mrs. Lawrence Rolley, the applicants, along with Mr. George P. Eliades, their attorney, came forward to address the Board.

Mr. Eliades spoke briefly on behalf of the applicants.

Mrs. Linda Rolley and Mr. Lawrence Rolley spoke stating they intended to use this property for a restaurant and no other use; however, they wanted the B-2 blanket zoning because if the restaurant did not work they did not want to have to go through this procedure again. They hoped the Board would grant this request.

Mr. Bracey opened the Public Hearing for P-98-11.

The following citizens addressed the Board:

1. Polly Winfield came forward stating she was Arthur Richardson's sister. She stated he was unable to attend because of his health. She stated Mr. Richardson was opposed to this rezoning request because he felt it would devalue the property he has which borders this property. She stated she was not opposed to this rezoning because she frequents That's a Burger and feels it is a good family restaurant.
2. William C. Adkins, 14608 Boydton Plank Road, came forward speaking in opposition of this rezoning. He was concerned about the noise, litter, vehicle traffic, and large trucks.
3. Mark Waddell, 14506 Boydton Plank Road, came forward voicing opposition to this request. He echoed Mr. Adkins concerns.
4. John Scarborough came forward stating he was a property owner approximately 300 yards to the northwest of the property considered for this rezoning. He stated the applicants have proposed a good family sit down restaurant which would seat approximately 100. This sounded good. He wanted to know what assurance they had if this rezoning is granted this will materialize. A change of mind or ownership could mean one of the other 40 other permitted uses. He questioned why the property owners, if they are as serious as they appeared to be of wanting a restaurant, will not come forth and request this rezoning based on the condition of a restaurant and a restaurant alone. Is summary, Mr. Scarborough stated he felt an attractive family style sit down restaurant, not a truck stop, would create minimum opposition from those owning property nearby.
5. Robert Mengel, P O Box 300, came forward stating he owned parcel 57-79A which is approximately 200 feet from 57-93 which is in question. Mr. Mengel stated he and his wife were present to voice their support in favor of this request to rezone. He stated this location, on Route 1, was in the business corridor of the Courthouse area. A four lane highway is not a place to raise children. It was designed to handle traffic. He cannot believe property values will drop. The six acres he purchased next to the Homeplace Restaurant went up 322% after he purchased it. This was in the first reassessment after the purchase! He asked how many people who live and work in the Courthouse area, including County employees, travel to Brunswick County to eat. Isn't traveling to Brunswick County a major cause of noise and traffic? Maybe that's ok as long as it is in somebody else's community. There is a definite need for both restaurants in the Courthouse area. He eats in both of the restaurants and there are times he has to go elsewhere because these places are full. They would like to see this request granted for rezoning. Mr. Mengel asked about the property owners as shown on the County records. He stated this was in error – his property was still listed on the maps as B-2. Six years ago he stated he had spent a lot of money to have it changed to A-2, why are these records still that way?

Mr. Bracey stated he felt Mr. Mengel should address that to Administration and they would investigate it. He asked Mr. Scheid to address this issue with Mr. Mengel and see if the error could be corrected.

6. Sherry J. Grizzard, Chief Magistrate for Dinwiddie County and several other communities, 20418 Mitchell Avenue, came forward and spoke in favor of this rezoning. She stated she did not believe this restaurant would cause that much more traffic or noise than the Homeplace Restaurant. She stated as Magistrate she knew this was not a trouble spot in the County. She stated they run a family business, it is a quiet business.
7. Anne Scarborough came forward to speak about the growth corridor. She did not understand why the applicants would not come forth and state they would agree to just say they want it rezoned for a restaurant only. She did not feel from the old Courthouse to Nash Road could be considered a growth corridor. There was no land available in that area.

Mr. Bracey closed the Public Hearing for P-98-11 and requested comments from the Board.

Mr. Clay stated his only concern was there are too many things in B-2 that could be used and he had been on the Board long enough to know that some people came in got B-2 zoning and they did not put what they said they were going to put. He stated if they think they want to put a restaurant there then he did not understand why they would not proffer that.

Mrs. Everett stated she would also like to see that proffer but on the same token she supported the request.

Mr. Moody asked if the Rolley's would like to make a statement before they finished.

Mrs. Rolley and Mr. Eliades came forward. Mr. Eliades addressed a couple of items that citizens had questioned. His main concern was if the Rolley's proffered this property to be used only for a restaurant and that venture failed then where would they be. They would then have a piece of land that would only allow a restaurant, who on earth would buy it. He stated he did not feel traffic and noise would be a major issue. The Virginia Department of Transportation had examined the area and stated they saw so problem with placing a restaurant of this size on the property.

Mrs. Rolley stated she had contacted all adjoining land owners asking each to call or come to see her and she would address all issues regarding the proposed restaurant with them. She stated the reason she wanted B-2 was because she qualified for B-2, my intended purpose of the property is a restaurant and that falls under B-2. She hoped to be there until retirement and pass the restaurant on to her daughter. She stated she felt like she was being red-lined. She asked the Board to please grant her the B-2 zoning so she could move her restaurant and get on with business in the County.

Mr. Moody stated a lot of zoning has its limits. He further stated he would agree to almost all the uses in B-2 except a few and it would work so much better if a proffer could be made. He stated he would love to see a restaurant. He stated he would be willing to postpone this to see if the applicant would be willing to maybe listen to what some of the Board members have stated.

Mr. Tickle stated Mrs. Rolley had made a statement we have done blanket zonings in the past. That statement is exactly right; however, some of those have been good and some of these have been bad. Just because we did those in the past does not mean that we have to continue to do that in the future. Once you find out that you have made a mistake you need to try to transition into something that is better. He stated Mrs. Rolley is very adamant about the fact she should have that just because it is B-2 and she wants to have that zoning. That is not necessarily true. The reason for that is that the people in that community – usually when zoning changes it changes in a transition over time. In this particular case this is a very residential area and he would hate to see a garage or anything else go in there. Mr. Tickle stated he is in favor, as one Board member, to put a restrictive zoning on this. Mr. and Mrs. Rolley have had every opportunity, to proffer a restaurant only. We had made mistakes in the past. He stated he sits on the Board to make a recommendation that benefits the community first and he wants to support a restaurant because Mrs. Rolley has assured him that she is going to do great things there and do whatever is correct. Mr. Waddell brought up the issues of noise, also Mr. Atkins, about noise, buffering, limiting operation hours, no speakers outside, etc. There are great concerns and we should address each of them. Mr. Tickle still had concerns about truck traffic and them having to slow down without a deceleration lane. If they would like to rethink this and come back, he stated he would be in support. If not then he would have to be against this issue.

Mr. Bracey stated he would love to have a restaurant. He had no problems with a restaurant. He thought the County needed another restaurant. However, there is a thing called being a good neighbor. It is a mixture there, business and residential, and he was thinking what the neighbors and some of the Board members were saying is that we have no problem in saying yes to a family type restaurant, not because the restaurant fails I want to put a whatever. If for some reason that particular venture fails, maybe not this Board but another Board will be sitting right here and you go through another process of getting something done. At the present time he stated he wanted to say yes, and he stated he would say yes to a restaurant but if he just gave them a blank check you can walk out the door, turn around and tell him just where to go. If you say restaurant, Mrs. Rolley you've got it because he felt all of us need to live together. He felt the whole issue was people are afraid that maybe there would be a billiard hall. Some months ago we had the Church people here about a young man who wanted to put a billiard hall down there by the Church. It was just rejected. He stated he would hope that they would come forth and say restaurant. He stated if you can do it tonight or we can do it later or what have you. He stated where they are planning to locate the property should reflect the area.

Mrs. Rolley came forward to readdress the Board. She stated the Board wanted assurance that she was going to have nothing but a restaurant. She stated to Mr. Bracey that she was going to have a restaurant there. She continued this was her full intention of doing – a restaurant.

Mr. Bracey stated put it in writing.

Mrs. Rolley repeated put it in writing. She asked if she puts that in writing and tells them she is not going to do anything but a restaurant and that restaurant fails then she has got to come back and go through this same thing again.

Mr. Bracey stated all you have to do is come back and take five (5) minutes to fill out the papers and do what you have to do.

Mrs. Rolley asked Mr. Bracey and the Board if they could tell her what they wanted her to proffer that they do not want in the area. She stated there would be no truck stop, no overnight parking, --

Mr. Bracey stated he felt we could solve this issue in half a second if your attorney will poke his head over there with our attorney and say restaurant we can move on to a five (5) minute recess and take on the other public hearings. He asked if he was hearing that or was he hearing something else.

Mrs. Rolley stated if he would tell her what he wanted her to proffer she will proffer. She stated what she thought she was being told was you have a restaurant or you are not going to get what you want. She stated that was what it boils down to, it was cut and dry.

Mr. Bracey stated he would like to see this.

Mrs. Rolley stated she would to.

Mr. Bracey stated this was to be sure that Mrs. Rolley, her neighbors, and the neighbors in the surrounding area of Dinwiddie will live happily ever after. He stated he would hate to see a neighborhood fall apart because of something. He also stated he did not want Mrs. Rolley to think that her neighbors there are so evil and mean that they do not want her there. That is not the issue. We are trying to get together and love one another. A restaurant, he would vote yes, that is all he had to say.

Mr. Moody stated he was not so sure that we can do that at this point. He thought the proffer had to be made prior to the Public Hearing.

Mr. Emerson stated the proffers needed to be made, in writing, prior to the Public Hearing. We have had the Public Hearing. We can postpone a decision, have another Public Hearing once proffers have been submitted. This would have to be an advertised Public Hearing and have it at a later date. The point is you can not do it tonight.

Mr. Bracey stated but it does not have to go back to the Planning Commission.

Mr. Emerson stated that is correct, it does not have to go back to the Planning Commission.

Mr. Eliades stated he felt one of the concerns these people have, that needs to be expressed to the Board, is everyone here, including the members of this Board, are asking for an assurance that this be a restaurant and a restaurant only and if anything happens you should repeatedly come on back. He stated he thought the issue was what is the assurance that a new zoning would be granted in order that the property could be used for something else. This is should another fit and proper purpose be found for this property other than a restaurant. He stated he did not think they were saying that out of the forty (40) potential uses of B-2 a restaurant is the only one that is fit and proper. Clearly there are more uses that are fit and proper and acceptable.

Mr. Bracey asked if he was asking what other things in the zoning he, not the Board, would say yes to.

Mr. Eliades stated no sir, he was not asking that but he was asking – you are saying if ever we need a change come on back. His thought was if there was to be assurance from the applicants that there would only be a restaurant what assurance was there the necessary changes that may be needed in the future would be granted.

Mr. Bracey asked if Mr. Eliades was asking that this be put off.

Mrs. Everett stated if she was not willing to proffer for a restaurant there is no sense in doing that and there are other uses that are fit and proper on that list. She stated she could see both sides of this situation and felt we needed to look at both sides carefully.

Mr. Eliades stated it may productive if we pass this momentarily and speak with the County's attorney and see if what resolution, if any, we can reach.

Mrs. Everett stated we were talking about passing and now we are talking about delaying it.

Mr. Eliades stated hoping to resolve it this evening.

Mrs. Everett repeated resolve it this evening.

Mr. Eliades stated yes. We may pass this issue to move on to other business, speak with the County's attorney and see if we may dispose of it this evening.

Mrs. Everett stated she thought we were just told that we could not do that.

Mr. Eliades stated because of the proffer procedure.

Mr. Emerson stated the problem is you can make proffers - you can change – if the Board delays making a decision either yes or no on the application then you can amend the proffers and they can hold another Public Hearing and then make a decision on the amended application. You can not amend the proffers and ask them to make a decision tonight. The other problem that you should be aware of, well not problem but thing that might impact you under the County's ordinance, is that if they deny the application you are prohibited from resubmitting it for six (6) months. You can request that they not make a request tonight if you want to consider amending the application.

Mr. Long stated in that case he believed we could have it back in four (4) weeks. Because of advertising requirements it would not make it back for the November 18th meeting but would make the December 2nd meeting.

Mr. Eliades stated he felt that would be acceptable to the applicants and that they ask that this Board withhold and finding or decision at this time until the December 2nd.

Mrs. Everett asked if this meant we had to go through all of this again.

Mr. Bracey stated life is very – none of us get everything in life.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that P-98-11 be tabled until December 2, 1998.

IN RE: RECESS

Mr. Bracey called for a recess at 9:45 P.M.

Mr. Bracey called the meeting back to order at 10:00 P.M.

IN RE: PUBLIC HEARING – P-98-7 – JOHNNY BAIN FOR BEAR

ISLAND TIMBERLANDS

This being the time and place as advertised in the Dinwiddie Monitor on October 21, 1998 and October 28, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for P-98-7, for the purpose of considering a rezoning request submitted by Johnny Bain on behalf of Bear Island Timberlands, seeking to change the district classification of Tax Parcel 73-7, containing 95 acres from A-02, Agricultural, General, to RR, Residential, Conservation. Said parcel is located on Old Stage Road (Route 609) about ½ mile south of Olde Bole Road (Route 682). A residential subdivision is proposed. The RR district allows a maximum density of 1 unit per gross five (5) acres. The Land Use Plan recommends a maximum density of 1 unit per gross five (5) acres.

Mr. Scheid presented a brief synopsis of the case and read the following proffers:

1. No Lot shall be used except for the purpose of a single-family residence. Not more than one single-family residence, together with such outbuildings as may be appurtenant to such single-family residence, shall be erected on any Lot. The minimum area of any residence built on the Property shall be 1,500 square feet, exclusive of garages, porches and any outbuildings. Up to 300 square feet of such 1,500 square feet may be unfinished space. The foregoing shall not be deemed to prevent timber harvesting or other timber management function on the Property.
2. No use shall be made of any Lot, or any part thereof, that will constitute a nuisance or violate any law, regulation or ordinance.
3. No manufactured housing, whether or not permanently attached to the Property shall be allowed on any Lot. No structure of a temporary character including without limitation any trailer, tent or shack, shall be allowed on any Lot. In addition, no garage, barn or other building shall be used on any Lot as a residence temporarily or permanently at any time. Construction trailers will be exempt from this restriction during the construction of a residence or outbuilding on a Lot, provided such construction is completed within one year of the issuance of a building permit for such construction.
4. No Lot shall, at any time, be used or maintained as a dumping ground for rubbish, hazardous waste, or toxic substance of any nature. Trash, garbage, hazardous wastes, toxic substances, or waste of any kind shall not be kept except in appropriate containers which shall not be visible from any road through the subdivision.
5. No swine or poultry shall be raised, kept, or bred on the Property.
6. No inoperable or unlicensed motor vehicles shall be stored on any Lot except within a fully enclosed garage.
7. Lots fronting the state maintained road and adjacent to the private road shall use the private road as access to the lot.
8. The sight distances for private roads and driveways which intersect with the existing state road or roads bordering the property (the "Existing Roads") shall conform to Virginia Department of Transportation (VDOT) standards. Any improvements to the Existing Roads required to meet VDOT standards for intersections between private roads and state roads shall be at the expense of the developer. The developer shall obtain a road entrance permit from VDOT.
9. Prior to recordation of any subdivision plat for the property, the developer shall record a road maintenance agreement (1) notifying purchasers of lots in such subdivision that neither Dinwiddie County nor the Commonwealth of Virginia shall be responsible for the maintenance of any private roads within the subdivision, and (ii) providing for the sharing, by the owners of lots in the subdivision, of

the cost of maintenance and improvement of all private roads within the subdivision. Such maintenance shall be paid for from a maintenance fund to be established under the terms of the road maintenance agreement (the ""Road Maintenance Fund"). The Road Maintenance Fund will be supplemented annually by assessment of the owners of lots in the subdivision. Prior to the issuance of the first building permit for each lot, the developer shall furnish the County with evidence that the developer has contributed $500.00 to the Road Maintenance Fund with respect to such lot.

10. Prior to the recording of any subdivision plat for the property, the developer shall furnish evidence reasonably satisfactory to the County Health Office that there exists on each lot shown on such subdivision plat a safe and effective site for a well for potable water and a safe and effective site for a septic system of sufficient capacity to service the proposed improvements on such lot.
11. Prior to the recording of any subdivision plat for the property, the developer shall submit for the approval of the County an erosion and sediment control plan meeting all County standards for the clearing and grading of the Property.

Mr. Scheid stated the Planning Commission voted 5-2 to recommend disapproval of rezoning case P-98-7.

Mr. Tickle asked about this Public Hearing and the others also he understood there is going to be no dwelling that will actually have access to a public road. He asked if that was true or not true.

Mr. Scheid stated that would not be true on all of the cases in front of the Board. It will be true of most all of the cases in front of them.

Mr. Tickle asked in this case right here.

Mr. Scheid stated in this case there will be no lots that will have direct access. In this Case 2 lots will have direct access to a state maintained road. All other lots will access off of a private road.

There was additional discussion regarding the number of lots and access to state maintained road. It was stated it could be designed by easements that no proposed lot could or would have access to the state maintained road.

Mr. Johnny Bain, representative for Bear Island Timberlands, came forward stating the overhead maps are just generalizations drawing of a timber map. It does not mean that the number of lots shown are the number that will actually be. This will be the same for all cases. This is the number we would like to get should everything be perfect. It will depend on the lay of the land and if the property will perk. We determined this number of lots by dividing 5 acres into the total acreage of the tract.

Mr. Bracey opened the Public Hearing on P-98-7.

There were no citizens signed up to speak.

Mr. Bracey asked if there was any citizen present who had not signed up but wished to speak for or against P-98-7. There being none Mr. Bracey closed the Public Hearing for P-98-7.

Mr. Bain came forward presenting pictures to the Board of a representation of the properties in close proximity to the subject property. He continued by stating in the interest he would like to make one statement that will cover all the rezoning requests he had before them tonight. He made the following statement:

- In reference to the rezoning requests before the Board tonight Bear Island had worked with Planning staff to meet all the requirements necessary for approval by the Board. These rezonings not only meet zoning regulations in effect at this time but by use of proffers and subdivision restrictions they far exceed what has been the norm in the past cases by them and others that have been passed. He continued by stating he hoped they would judge each case on its individual merits and hoped they would see fit to approve all of them.

Mr. Bain stated he would now proceed with the individual case.

Mr. Bain stated in answer to Mr. Tickle's question he would certainly try to get all lots to enter from the private road, if that is necessary. The subject property is located in a rural, fairly densely populated area. It is bordered on one side by Stony Creek. It is located about seven (7) miles from Interstate 85 at the 703 exit. About the same distance from Dinwiddie Courthouse. It is about the same distance from Interstate 95 to Carson. These are not proffers but they are things that were talked about today that we would do because there has been some concern about this. 1) no dwelling shall be constructed within 300' of Stony Creek; 2) no dwelling will be within 150' of Old Stage Road or external properties; 3) and all residents will have recreational access to Stony Creek.

Mr. Bracey called for comments from the Board.

Mr. Tickle wanted to be sure Mr. Bain would make every effort to see that no direct access to the state maintained public roadway.

Mr. Bain stated he would do that.

Mr. Tickle further explained the reason for that was he had two telephone calls yesterday, continuing they were probably related, but they only gave me one of their names but he assured the person that –

Mr. Bain there would be two – the person that is across the road there has been concerned about someone being across the road from them. He stated he had showed them the same thing that he had showed Mr. Tickle that this person unless they decided to clean up all the trees in front of their house, which would probably be 4 or 500 feet off of the road, they would never know anybody is over there.

Mr. Tickle stated the reason he had asked that was because he assured the person that if you did not do that then he would not support it.

Mr. Bain again stated they would do that.

Mr. Tickle stated he had already given his word to both of them of that one so I do not want to have to go back on either one of them.

Mr. Bain stated he would do that. He further stated that was the intention for it to be that way.

Mr. Moody stated Mr. Bain said he would do it but it is not a proffer. It is just like the previous rezoning you can say you will do it and he believed Mr. Bain would do it but if the lots turn out the way – it is possible that you could have some frontage.

Mr. Bain stated Mr. Scheid had to approve the plat and he thought he would handle that because they have done that in the past.

Mr. Bracey asked if that was what—

Mr. Scheid stated he would like to be able to say yes he could disapprove something but unless there is – if a person meets the code requirements and in this particular case they possibly could meet the code requirements for two (2)lots, he would be duty bound to allow two (2) lots, no more than two (2) lots, to access onto the state maintained road. He hoped that answered the Board's question. He did not legally know of any way that he can now tell him no he can't on those two (2) lots. He did however know that he had worked in this situation in the past with Mr. Bain, and he could give a specific example which Mr. Tickle was familiar with, it is on Claiborne Road, as soon as you go across the creek, between White Oak Road and Sutherland. There was one lot that was right by that creek and if you are familiar with how people heading toward the High School, again as you were saying, they use that road to get to Boisseau Road. The way the traffic flows on that and the orientation of the bridge and the way that the hill, the washboard, goes up that hill it would be extremely dangerous for a driveway to be located there. He felt certain in the case of lot number 6 that he would work with VDOT and VDOT would concur with him that they would deny any driveway access for lot number 6. He further stated he was not so certain that if it turned out that lot number 3 materialized to be a lot that he could work with VDOT to deny access there. He felt that one of the two (2) lots that they were looking at that he could deny. The point he was making on the other one, the one on Claiborne, while he did not have to go to actually get VDOT to support him, Mr. Bain voluntarily put in that fifty (50') foot right of way to the rear of the lot, as he had mentioned so they come in off of a private road and go down a fifty (50') foot right of way to their lot and they enter the lot from the back.

Mr. Bracey polled the Board at this time for additional questions.

Mr. Tickle, Mr. Moody, and Mr. Clay had no additional questions at this time. Mrs. Everett asked if they had looked into the drainage of this property to see if there were any environmental concerns there might be with regard to Stony Creek.

Mr. Bain stated yes, they had to meet all the specification that we do anytime with regard to runoff. The water is suppose to leave just like it came. He stated he was not trying to be aversive. He further stated they are looked at by Soil and Erosion Control Plan which must be implemented before they disturb the soil and they have to take care for the silt not to get carried into the streams and this kind of thing. The only way they had gotten by in the past without doing it and it is not really getting by, it is just timber companies are able to do whatever they want to do about timber. In some cases there hadn't been a soil and erosion case.

Mrs. Everett asked if there was an area of that which would be in a flood plan and would get high water.

Mr. Bain stated certainly. There are located right next to Stony Creek and the answer is yes. Mr. Bain stated it rises sharply from Stony Creek. He would estimate a forty (40 to fifty (50) foot rise in 3 to 400 ' there. The bridge is thirty (30') feet off the creek. They are planning for the water to leave there just as it came there.

Mr. Clay stated he was concerned about the impact on the school system. If you take 16 lots then that could mean 32 children and we just spent 25 million and we are still running over. He was really concerned about any more subdivisions. He was also concerned about the fact this property was located in an agricultural situation. We are currently trying to preserve some agricultural land here in Virginia, in Dinwiddie.

Mr. Bain stated he spoken about the school situation. He stated he had seen people come up there with 120 apartments and get them passed and he did not see where there was any difference in kids coming from big lots down on Stony Creek then it is people coming from apartments over here next to Petersburg. Mr. Bain stated he did not know how to address this. You are multiplying seventeen (17) lots time two (2) saying thirty-four (34) children coming from there. He stated he did not have any way to refute that. There might be 3 times that many or 4 times that many or there might not be one. He again stated he did not have any way to refute that but he sees people getting 120 unit in one place and they could have 240 kids or 360 kids or 480 kids. The only thing he can go by when he comes up here is to ask Mr. Scheid what he needs to do for this piece of land. There is nothing in there about any impact on the schools and he again stated he did not know how to address that. He can't ask people how many kids they have. If he did ask this he would be in violation of his credentials as a real estate person. He stated we might as well get it out of the way now because he could not answer about impact on schools. He stated he was not trying to be short but he did not know how to address things that he could not control.

Mr. Clay stated we were getting into a situation we do not know how to adjust things on building more schools.

Mr. Bain stated how about the apartments or the two-hundred seventy (270) houses on one tract over on River Road?

Mr. Clay stated the main building should be in the northern end of the County because we are trying to preserve some agricultural out here.

Mr. Bain stated this place is seven (7) miles from the Courthouse that is in the center of the County sir.

Mr. Bracey stated he hoped this was not getting into a debate here.

Mr. Moody stated he would like to make a statement. He continued Mr. Bain had seen him several times already. This was the third time through he thought and he already knew what he was going to say. It was back before these came before us that we had some other ones that he was concerned about with the growth in the County and also with protecting agricultural and forestry lands. He thought this -- at that time he made the statement that there is a point in time where you have to really stop and take a reality check to see what is going on in the County and he felt like now was the time that we really need to look at what growth is going on in the County. We need to try to structure our zoning to take care of this growth.

Mr. Bain asked if he was suppose to respond to that because it meets all the codes and regulations that we have right now. That is what he has told the Board time and time again.

Mr. Moody stated at most of the Public Hearings the applicant has a rebuttal at the end and then each Board member has a comment.

Mr. Bracey stated at this point if there be no further comments and concerns we will entertain a motion P-98-7.

Motion to accept P-98-7 with proffers was made by Mr. Tickle.

Mr. Bracey called for a second. There being none Mr. Bracey, as Chairman, called for the vote.

Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", Mr. Moody, Mr. Clay voting "nay",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the Zoning Map of the County of Dinwiddie be amended by changing the district classification of Tax Parcel 73-7, containing 95 acres from A-02, Agricultural, General, to RR, Residential, Conservation. This rezoning shall include the following proffers:

1. No Lot shall be used except for the purpose of a single-family residence. Not more than one single-family residence, together with such outbuildings as may be appurtenant to such single-family residence, shall be erected on any Lot. The minimum area of any residence built on the Property shall be 1,500 square feet, exclusive of garages, porches and any outbuildings. Up to 300 square feet of such 1,500 square feet may be unfinished space. The foregoing shall not be deemed to prevent timber harvesting or other timber management function on the Property.
2. No use shall be made of any Lot, or any part thereof, that will constitute a nuisance or violate any law, regulation or ordinance.
3. No manufactured housing, whether or not permanently attached to the Property shall be allowed on any Lot. No structure of a temporary character including without limitation any trailer, tent or shack, shall be allowed on any Lot. In addition, no garage, barn or other building shall be used on any Lot as a residence temporarily or permanently at any time. Construction trailers will be exempt from this restriction during the construction of a residence or outbuilding on a Lot, provided such construction is completed within one year of the issuance of a building permit for such construction.
4. No Lot shall, at any time, be used or maintained as a dumping ground for rubbish, hazardous waste, or toxic substance of any nature. Trash, garbage, hazardous wastes, toxic substances, or waste of any kind shall not be kept except in appropriate containers which shall not be visible from any road through the subdivision.
5. No swine or poultry shall be raised, kept, or bred on the Property.
6. No inoperable or unlicensed motor vehicles shall be stored on any Lot except within a fully enclosed garage.
7. Lots fronting the state maintained road and adjacent to the private road shall use the private road as access to the lot.
8. The sight distances for private roads and driveways which intersect with the existing state road or roads bordering the property (the "Existing Roads") shall conform to Virginia Department of Transportation (VDOT) standards. Any improvements to the Existing Roads required to meet VDOT standards for intersections between private roads and state roads shall be at the expense of the developer. The developer shall obtain a road entrance permit from VDOT.
9. Prior to recordation of any subdivision plat for the property, the developer shall record a road maintenance agreement (1) notifying purchasers of lots in such subdivision that neither Dinwiddie County nor the Commonwealth of Virginia shall be responsible for the maintenance of any private roads within the subdivision, and (ii) providing for the sharing, by the owners of lots in the subdivision, of the cost of maintenance and improvement of all private roads within the subdivision. Such maintenance shall be paid for from a maintenance fund to be established under the terms of the road maintenance agreement (the ""Road Maintenance Fund"). The Road Maintenance Fund will be supplemented annually by assessment of the owners of lots in the subdivision. Prior to the issuance of the first building permit for each lot, the developer shall furnish the County with evidence that the developer has contributed $500.00 to the Road Maintenance Fund with respect to such lot.
10. Prior to the recording of any subdivision plat for the property, the developer shall furnish evidence reasonably satisfactory to the County

Health Office that there exists on each lot shown on such subdivision plat a safe and effective site for a well for potable water and a safe and effective site for a septic system of sufficient capacity to service the proposed improvements on such lot.

11. Prior to the recording of any subdivision plat for the property, the developer shall submit for the approval of the County an erosion and sediment control plan meeting all County standards for the clearing and grading of the Property.

This ordinance shall become effective immediately and in all other respects, said zoning maps remain unchanged.

IN RE: PUBLIC HEARING – P-98-8 – JOHNNY BAIN FOR BEAR ISLAND TIMBERLANDS

This being the time and place as advertised in the Dinwiddie Monitor on October 21, 1998 and October 28, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for P-98-8, for the purpose of considering a rezoning request submitted by Johnny Bain on behalf of Bear Island Timberlands, seeking to change the district classification of Tax Map parcel 48-8, containing 114 acres from Agricultural. General, A-2 to Residential, Conservation, RR. Said parcel is located on the west side of Halifax Road(Route 604) near its intersection with Butler Branch Road (Route 607). A residential subdivision is proposed. The RR district allows a maximum density of 1 unit per gross five (5) acres. The Land Use Plan recommends a maximum density of 1 unit per gross five (5) acres.

Mr. Scheid presented a brief synopsis of the case and stated the proffers as the same as P-98-7. Mr. Scheid stated the Planning Commission voted 4-3 to recommend disapproval of rezoning of P-98-8.

Mr. Altman again provided visual aides while Mr. Scheid presented the Case.

There was discussion regarding the curve and a cut back of this property to provide a safe entrance to the highway.

Mr. Bracey opened the Public Hearing on P-98-8.

The following citizens came forward to address the Board:

1. Gloria Crowder, 11310 Halifax Road, came forward to speak in opposition to P-98-8. Ms. Crowder was concerned about the condition of Halifax Road and the speed limits on this road.
2. Gary Karp, 1172 Old Stage Road, came forward to speak in opposition to P-98-8. He was concerned about the roads, school system, liability factors with regard to a pond, illegal dumping, trespassing, response times for police, fire and medical and property values in this area.

Mr. Bracey closed the Public Hearing for P-98-8.

Mr. Bain again provided the Board with photographs of surrounding properties within the subject area. Mr. Bain made reference to the General Statement made at the beginning of the first Case and also made reference to the proffers, which are the same as the first Case. He proceeded to stated this met all the code requirements. He stated there is a curve in the road and we have handled it before and we will handle it in this case, if it is approved. We do not want to clean up any more of the trees than necessary but they will clean them up on the entire frontage if they had to. Mr. Bain stated these are not proffers but are in the restrictions: no structure will be erected within 150' of

Halifax Road on 150' of any external property lines, which would be on boundaries next to Mr. Carp, in other words there would be a 150' buffer there; all the private roads have to have asphalt entrances, which they will have; this property is within four (4) miles of Petersburg City limits, he thought he was right on that he was guessing because he has not been down there in – well he had not clocked it, approximately six (6) to seven (7) miles from Squirrel Level Road Exit, about the same distance from I-95; there are four (4) subdivisions of like kind in this area one (1) of them being the Warwick Swamp, three (3) being Stage Meadow I, II, and III. This is an area of rapid growth. He stated he knew Halifax Road was not the best road but he could not remedy that. Construction is expected to begin April 1999 and they believe these will sell out quickly because stuff in that area has been of great demand.

Mr. Bracey asked about the number of lots.

Mr. Bain stated approximately 18 lots.

Mr. Bracey asked out of those 18 lots they would use approximately how many.

Mr. Bain stated once again this is the optima. This is just a generalization. Mr. Bain stated the soil is good there but the water table is high. You have to have, in order to get your drain field passed, you have to have at least an 18" standoff. That means the water table have to be at least 30" deep. In some cases they are not going to be. If we can get ten (10) good lots out of this property we will be doing good but if we can get sixteen (16) then we will try to. Again Mr. Bain stated he did not know how to address schools. Mr. Bain jokingly stated all the roads in the County need improvement and if this passes they will pave the road all the way to Richmond.

The Board responded by get it in writing!

Mr. Tickle stated on of the reason he took a tour of the properties in question today is because Mrs. Crowder and Mr. Karp had come in and spoke at the Planning Commission. He stated he had listened to their entire presentation at the Planning Commission and was very – they had a lot of data and a lot of information and it caught his attention when they spoke about the traffic numbers. Mr. Tickle stated to Mr. Bain that he liked what they were doing by cutting it back but a concern he had thought about while he was listening to Mrs. Crowder was that where you create the butterfly when you allow people to come into the subdivision, where it just spreads out at turning lanes. He stated he used the word butterfly because that was the thing that it looks like to him. When you are turning, you know the width that you turn into your private roads, that you are asphalting. Mr. Tickle stated to Mr. Bain on Claiborne Road they had done a nice job on the apron which butterflies out and made it easier to turn into the subdivision. One of the things that he was thinking about, while Mrs. Crowder was talking, is that because of the 1456 traffic count that she had, is it possible to increase that apron a little bit and it sort of works like a deceleration lane. It makes it much easier to turn in because when it is sort of squared off it makes it to where you almost have to stop before you make your turn.

Mr. Bain stated this was something that was new to him. The aprons on Claiborne Road are the first two (2) that he has been affiliated with. He did not see any reason that it could not be any bigger. The size the aprons were constructed is the size Mr. Bain was instructed to make them.

Mr. Tickle stated when they went over there it appears that the depth of that apron is like one car length and he knew that was probably all that VDOT will offer but if out of the kindness of his heart if you can extend it one car length more and that will prevent the gravel from migrating back from your private road onto the public road.

Mr. Bain stated this conservation took place when they actually put the aprons in and he himself wished they had gone further. The only thing that is required to be done is to get to the right-of-way but it is not that much more money to go another 15 or 20 feet. He hoped that the next time they would go the extra distance. This was their first shot at this and he did not like the way they turned out because they thought it should be extended.

Mr. Tickle stated it made it better then what we had in the past and if out of the goodness of your heart you can work with Mr. Scheid and VDOT –

Mr. Bain stated this is something he is new at and VDOT standards were what they use but like he said it does not cost anymore – it costs more to go there and start doing it then it does to put extra asphalt down. He thought that would be better too and they have already talked that they plan to do that on future sites.

Mr. Bain stated he did not know what to say about the Board's concerns except this is what they have been doing, it meets the regulations and he knew they have to stop sometime but it looks like the proper time to stop is when the regulations change and he thought that might happen tonight if he ever stopped talking.

Mrs. Everett stated the traffic count was 1995 and she felt the traffic in that area had increased since that time.

Mr. Tickle stated he had a statement to make. He stated he made the motion last time and no one seconded the motion. He stated he would like to say a little bit about what was going on here. Number one is that Mr. Bain had been coming before the Board in the past, as Mrs. Crowder said, and in the past he has fought him tooth and nail and he had challenged him the past couple of time to enhance some of the things that he was doing as representative of Bear Island. One of his concerns were the square footage of these subdivisions at 11 and 1200 and many times Mr. Bain had some use of trailers in those subdivisions. He stated he was not an opponent of private roads at all but he had met his challenge and he is in a little bit of dilemma he challenged Mr. Bain and Mr. Bain went forth and went further then what his challenge was. We have the asphalt overlay, he has gone from 1100 to 1200 to 1500 square feet, and he has done a few other things that have surprised him by not having any access on the road frontage. Again Mr. Tickle stated he was in a bit of a dilemma because he is in support of Mr. Bain due to the fact that he challenged him and met his guidelines. When someone meets your guidelines in the past then he is somewhat supportive of this and he will continue to be unless he changes any of those conditions.

Mr. Moody stated he just wanted to reiterate the statement from the last Case. He stated he had the same concerns. Also it was talked earlier tonight about Halifax Road and it was stated earlier about the increased traffic and he would also like to say each rezoning that they look at is judged on its own merits. Just because Mr. Bain has done everything by the book as far as applying for this rezoning doesn't mean that we have to rezone it. Each one is on its own merits. He would like to say that we have spent money on schools, they are full now, it is going to take more money to build more schools, and those acres of land out there aren't really costing the County a whole lot of money right now, of course it won't be bringing in as much but he would guarantee it would be costing more than they are bringing in when you put all the houses on there. That is just a fact of nature of what it costs to educate the children. There comes a time when you just have look at your zoning and study it a little bit more. He thought it was back a month or two ago but we need to take a hard look at what we are doing.

Mr. Clay stated he was not against Johnny or anything of that type. He thought if he was in Johnny's shoes he would be doing the same thing he is doing. He felt like his job was to do what was best for Dinwiddie County and he felt like too much growth is not good for Dinwiddie County at this time. We can not handle it. That was his reasoning for voting no on this rezoning.

Mr. Clay asked for the recommendation of the Planning Commission.

Mr. Scheid stated the recommendation of the Planning Commission on a 4-3 vote was to recommend disapproval of this case.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that rezoning request P-98-8 is hereby denied; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: PUBLIC HEARING – P-98-9 – JOHNNY BAIN FOR BEAR ISLAND TIMBERLANDS

This being the time and place as advertised in the Dinwiddie Monitor on October 21, 1998 and October 28, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for P-98-9, for the purpose of considering a rezoning request submitted by Johnny Bain on behalf of Bear Island Timberlands seeking to change the district classification of 90 acres of Tax Map Parcel 49-13 containing 121 acres, from A-2, Agricultural, General, to R-R, Residential, Conservation. Said parcel is located on the north side of Oak Grove Road (Route 606) near the Prince George County line. A residential subdivision is proposed. The RR district allows a maximum density of 1 unit per gross five (5) aces. The Land Use Plan recommends a maximum density of 1 unit per gross five (5) acres.

Mr. Scheid presented a brief synopsis of the case and again referenced the above proffers.

Mr. Bracey opened the Public Hearing on P-98-9.

Mr. Bracey asked if there were any citizens present who wished to speak for or against P-98-9. There being none Mr. Bracey closed the Public Hearing for P-98-9.

Mr. Bain again came forward and presented photographs of the subject property and surrounding area.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the Zoning Map of the County of Dinwiddie be amended by changing the district classification of 90 acres of Tax Map Parcel 49-13 containing 121 acres, from A-2, Agricultural, General, to R-R, Residential, Conservation. This rezoning shall include the following proffers:

1. No Lot shall be used except for the purpose of a single-family residence. Not more than one single-family residence, together with such outbuildings as may be appurtenant to such single-family residence, shall be erected on any Lot. The minimum area of any residence built on the Property shall be 1,500 square feet, exclusive of garages, porches and any outbuildings. Up to 300 square feet of such 1,500 square feet may be unfinished space. The foregoing shall not be deemed to prevent timber harvesting or other timber management function on the Property.
2. No use shall be made of any Lot, or any part thereof, that will constitute a nuisance or violate any law, regulation or ordinance.
3. No manufactured homes, whether or not permanently attached to the Property shall be allowed on any Lot. No structure of a temporary character including without limitation any trailer, tent or shack, shall be allowed on any Lot. In addition, no garage, barn or other building shall be used on any Lot as a residence temporarily or permanently at any time. Construction trailers will be exempt from this restriction during the construction of a residence or outbuilding on a Lot, provided such construction is completed within one year of the issuance of a building permit for such construction.
4. No Lot shall, at any time, be used or maintained as a dumping ground for rubbish, hazardous waste, or toxic substance of any nature. Trash, garbage, hazardous wastes, toxic substances, or waste of any kind shall not be kept except in appropriate containers which shall not be visible from any road through the subdivision.
5. No swine or poultry shall be raised, kept, or bred on the Property.
6. No inoperable or unlicensed motor vehicles shall be stored on any Lot except within a fully enclosed garage.
7. Lots fronting the state maintained road and adjacent to the private road shall use the private road as access to the lot.
8. The sight distances for private roads and driveways which intersect with the existing state road or roads bordering the property (the "Existing Roads") shall conform to Virginia Department of Transportation (VDOT) standards. Any improvements to the Existing Roads required to meet VDOT standards for intersections between private roads and state roads shall be at the expense of the developer. The developer shall obtain a road entrance permit from VDOT.
9. Prior to recordation of any subdivision plat for the property, the developer shall record a road maintenance agreement (1) notifying purchasers of lots in such subdivision that neither Dinwiddie County nor the Commonwealth of Virginia shall be responsible for the maintenance of any private roads within the subdivision, and (ii) providing for the sharing, by the owners of lots in the subdivision, of the cost of maintenance and improvement of all private roads within the subdivision. Such maintenance shall be paid for from a maintenance fund to be established under the terms of the road maintenance agreement (the ""Road Maintenance Fund"). The Road Maintenance Fund will be supplemented annually by assessment of the owners of lots in the subdivision. Prior to the issuance of the first building permit for each lot, the developer shall furnish the County with evidence that the developer has contributed $500.00 to the Road Maintenance Fund with respect to such lot.
10. Prior to the recording of any subdivision plat for the property, the developer shall furnish evidence reasonably satisfactory to the County Health Office that there exists on each lot shown on such subdivision plat a safe and effective site for a well for potable water and a safe and effective site for a septic system of sufficient capacity to service the proposed improvements on such lot.
11. Prior to the recording of any subdivision plat for the property, the developer shall submit for the approval of the County an erosion and

sediment control plan meeting all County standards for the clearing and grading of the Property.

This ordinance shall become effective immediately and in all other respects, said zoning maps remain unchanged; and

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: PUBLIC HEARING – P-98-10 – JOHNNY BAIN FOR BEAR ISLAND TIMBERLANDS

This being the time and place as advertised in the Dinwiddie Monitor on October 21, 1998 and October 28, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for P-98-10, for the purpose of considering a rezoning request submitted by Johnny Bain on behalf of Bear Island Timberlands seeking to change the district classification of Tax Map Parcel 54-12, containing 72 acres , from Agricultural, General, A-2 to Residential, Conservation, RR. Said parcel is located on the east side of Old White Road (Route 610) north of its intersection with Scotts Road (Route 645). A residential subdivision is proposed. The RR district allows a maximum density of 1 unit per gross five (5) acres. The Land Use Plan recommends a maximum density of 1 unit per gross five (5) acres.

Mr. Scheid presented a brief synopsis of the case and referenced the proffers, as previously read. Mr. Scheid stated that the Planning Commission voted 4-3 to recommend disapproval of rezoning case P-98-10.

Mr. Bracey asked if there were any questions for Mr. Scheid from the Board. There being none Mr. Bracey moved forward.

Mr. Bracey opened the Public Hearing on P-98-10.

Mr. Bracey asked if there were any citizens present who wished to speak for or against P-98-10.

The following citizen came forward to address the Board:

1. Daniel Lee, 15104 Scotts Road, came forward stating he was apprehensive about coming forward to speak but after the first hearing he had wanted to come forward on the last two. On this case, which is in Mr. Clay's district and his district also, he felt the Board needed to look at this case strictly as the zoning that is on this piece of property is developed for the County keep the existing zoning that is on it now which will mean it can only be divided twice, such as it is, for two more houses to be built on this piece of property or either take what Mr. Bain is going to do to it and have it cut up like that and the impact that it will have on the County. He felt the existing zoning would be better for Dinwiddie County then the zoning that Mr. Bain is proposing.

There being no additional citizens wishing to speak Mr. Bracey closed the Public Hearing for P-98-10.

Mr. Bain came forward and presented a brief synopsis regarding this parcel of land stating this was a slow growth area of the County. He felt they had worked with Planning to make it more palatable to the Board. He stated they had several requests for lots in this area and that was their reasoning for

moving forward with this rezoning request. There is another development, about a mile down the road, that has been previously approved. It is about the same size as this request and has a paved road. It is in the same area and he did not see why or what would be the difference in the same thing on a paved road or on an unpaved road. It meets all the County's criteria. He felt it would be 5 or 6 years before all the lots were sold and felt the impact on the schools would be minimal. Lots will be less expensive which means the homes will be less expensive and the tax income would not be great but this is the reason they have these lots so people who cannot afford the others can afford these. These lots will allow modular homes but will not allow manufactured.

Mr. Tickle asked about the giant lots 1, 2 and 3 are they on the road or not.

Mr. Bain stated these were already done before and these two have already been.

Mr. Tickle stated only the shaded lots are the ones in questions.

Mr. Bain responded yes.

Mr. Scheid stated the lots on Scotts Road were subdivided in 1995 which was prior to an ordinance change requiring rezoning of a piece of property once you went into three parcels or more. That was permitted and signed off administratively. Since then you will see lots 4 and 5 that are down there that are not within the rezoning. Under the current subdivision ordinance you are allowed to have two (2) split offs without coming for a rezoning but on a third one you must come forward. He did sign off on a plat today for number 4 and number 5 which they were permitted by ordinance. They are not seeking rezoning on those two (2) parcels because they have been approved.

Mr. Bain stated they did not do that to circumvent one of those roads. They just did not know whether this would be approved and they had people who wanted those lots and they felt like they needed to move forward with it so they could enter into contract. We have met all the other criteria and set the proffers.

Mr. Clay asked about the new house in that area.

Mr. Bain proceeded to point out on the map where that dwelling was located.

Mr. Tickle asked Mr. Bain when this was incorporated into a subdivision you are going to put the asphalt overlay up the front.

Mr. Bain stated we have to.

Mr. Tickle stated he assumed there is an existing – there is no existing road in there.

Mr. Bain stated oh yea.

Mr. Tickle stated you are going to put a road in there. Mr. Tickle said when he heard a statement from one of the individuals that spoke about being farm land, the whole County has private roads in there. If you going to accept private roads in one area then you should be able to accept private roads in all areas. You can't buy that.

Mr. Bain stated he was not going to dispute that. Mr. Bain stated Mr. Moody believes what he believes and he was not going to dispute it.

Mr. Tickle stated if it meets certain criteria then he did not understand how he can say just because it is farm land that it can not accept a private road.

Mr. Bain stated as he said this is slow. He stated he would like to sell them all next week but he thought maybe a couple of lots per year up there. He stated some people like to be up there. The five (5) acres lot will probably sell for $13,500.00. Where a five (5) acre lot on the previous acreage would probably be $23,000.00 or $24,000.

Mr. Tickle stated the square footage will be 1500 correct.

Mr. Bain stated 1500 square feet.

Mr. Moody again wanted to voice the same concerns. Just because private roads are allowed, that is fine, they are allowed if it is rezoned to allow private roads. He again stated we do not have to rezone every property that comes before the Board. Again we need to look at each one individually. He again stated we need to preserve agricultural and forest land and look at the big picture before we go on with a whole lot of development.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that rezoning request P-98-10 is hereby denied; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.1-491 (g), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: RECESS

Mr. Bracey called for a recess at 11:17 P.M.

Mr. Bracey called the meeting back to order at 11:30 P.M.

IN RE: PUBLIC HEARING – A-98-7 – AMENDMENTS TO CODE OF DINWIDDIE COUNTY – SECTIONS 18 AND 22

This being the time and place as advertised in the Dinwiddie Monitor on October 21, 1998 and October 28, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for A-98-7, for the purpose of considering PROPOSED AMENDMENTS TO Section 18-3, Definitions (subdivision and through street); Section 18-13, Processing fees; Section 18-96, Access to arterial and collector streets; Section 18-98, Construction requirements; and Section 18-101, Private streets; of the Subdivision Ordinance and Section 22-72, minimum lot area in A-2; Section 18-74 of Frontage in A-2; Section 22-87; Frontage in RR; of the Zoning Ordinance.

Mr. Scheid read the proposed amendments to Section 18 and 22 of the Code of Dinwiddie County as follows (filling in dates where necessary):

An Ordinance To Amend The Code Of The County Of Dinwiddie, Virginia, As Amended, By Amending Section 18-3, Definitions; Section 18-13, Processing Fees; Section 18-96, Access To Arterial or Collector Streets; Section 18-98, Construction Requirements/Inspections; Section 18-101, Private Streets; and Section 22-72, Minimum Lot Area; Section 22-74, Frontage; and Section 22-87, Frontage.

1. amend the definition of subdivision contained in Section 18-3 such that it will read as follows:

Subdivision: any division of a parcel of land into three (3) or more lots or parcels, from a land parcel of record prior to[1] _____ 199____, any one (1) of which contains an area of less than twenty (20) acres for the purpose of transfer of ownership or building development, or, if a new street is involved in such division, any division of a parcel of land, except that the following divisions of land shall be exempted from this definition:

1) The division or partitioning of land in an estate by court order or among heirs of the original owner unless or until development of the land is proposed.
2) A bona fide division of a tract of land made so that one or more of the resulting parcels may be used as part of a public utility right-of-way; provided, that if a parcel resulting from such a division is ever to be used as a building site for other than such right-of-way, before a building permit may be issued for such other use, the owner shall comply with the minimum requirements of this chapter and Chapter 22 of this Code.
3) The sale or exchange of parcels of land between owners or adjoining properties for the purposes of small adjustments in boundaries; provided, that none of the original lots, portions of which are sold or exchanged, shall be reduced below the minimum sized required by this chapter or Chapter 22 of this Code.
4) A single division of land into parcels where such division is for the sale or gift to a member of the immediate family of the property owner. Only one (1) such division shall be allowed per family member and shall not be for the purpose of circumventing this chapter. A member of the immediate family shall be defined as any person who is a natural or legally defined offspring, spouse, sibling, grandchild, grandparent or parent of the owner. All lots resulting from such division ~~of less than five (5) acres shall have a reasonable right-of-way of not less than ten (10) feet providing ingress and egress to~~ shall have frontage on a dedicated recorded public street or thoroughfare. (In the case there is insufficient land abutting (fronting) a state maintained road, the lot (s) shall have a Right-of-way of not less than __?__(50) feet providing ingress and egress.)[2]

The term "subdivision" shall include resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided and solely for the purpose of recordation of any single division of land into two (2) lots or parcels, a plat of such division shall be submitted for approval in accordance with Section 18-24 of this Code.

All plats showing the division of land into one (1) or more parcels to include the exemption categories stated herein shall be subject to the processing fees set forth in Section 18-13 of this Code.

2. Amend Section 18-3 by adding the following definition:

Street, through: A street or road that carries a large volume of through traffic and is also used as a public access to abutting properties, the anticipated volume of traffic is less than five hundred (500) vehicles a day.

[1] Suggested date of November 4, 1998
[2] Suggested at October 14, 1998 Planning Commission Meeting

3. Amend Section 18-13, processing fees, by deleting the verbiage lined through and inserting the verbiage underlined:

Sec. 18-13. Processing fees.

The fees for processing subdivision or land developments by the county shall be payable upon submission of the plats to the county for preliminary or final review and shall be equal to the following:

(1) Preliminary review:

a. Subdivision plat containing ~~two (2)~~ one (1) or more lots - $10.00 per lot.
b. Subdivision plat containing ~~two (2)~~ one (1) or more lots and served by proposed private street - $125.00 plus $10.00 - per lot.
c. Subdivision plat containing ~~two (2)~~ one (1) or more lots and served by a proposed public street - $250.00 plus $10.00 per lot.
d. Land development, $250.00 plus $10.00 per acres.

(2) Final Review:

a. Subdivision plat containing ~~two (2)~~ one (1) or more lots - $10.00 per lots.
b. Subdivision plat containing ~~two (2)~~ one (1) or more lots and served by a proposed private street - $125.00 plus $10.00 - per lots.
c. Subdivision plat containing ~~two (2)~~ one (1) or more lots and served by a proposed public street - $250.00 plus $10.00 per lot.
d. Land development, $250.00 plus $10.00 per acre.

~~An annual review of these fees shall be conducted by the Planning Department. Such indexes as the Consumer Price Index shall be used to determine if the fee schedule should be adjusted.~~ A separate charge will be made for the review of public water and/or sewage plans. Such charge will be due upon submission of the plans for review and the amount shall be determined by the authority as established by ordinance and/or set forth by its rules and regulations.

(Ord. of 10-19-83, Sec. 15-13; Ord. of 6-15-88)

State law reference—Authority for above fees, Code of Virginia, Sec. 15.2-2241.

4. Amend Section 18-96 by deleting the verbiage lined through and inserting the verbiage underlined.

Where a subdivision borders on or contains an existing or proposed arterial, ~~or~~ collector or through streets, the Planning Commission may require that access to such streets be limited by one (1) or more of the following means:

(1) The subdivision of lots so as to back onto the arterial, ~~or~~ collector or through street and screen planting shall be provided on a strip of land along the rear property line of such lots.
(2) A series of cul-de-sacs, U-shaped streets or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the arterial, ~~or~~ collector or through streets.

(3) A marginal access or service road, separated from the arterial, ~~or~~ collector or through street by a planting or grass strip and having access thereto at suitable points.
(4) Keeping the number of residential streets entering an arterial, ~~or~~ collector or through streets to a minimum. Such residential street shall be separated by a minimum of six hundred ('600) feet.

5. Amend Section 18-98 by adding the following paragraph (c) :

Owners of property, who have recorded approved subdivision plats in Clerk's Office of the Circuit Court prior to [3] -shall have one (1) year to construct a private street in accordance with the requirements of Section 18-101 as in effect immediately prior to [4] .

6. Delete Section 18-101, Private streets, and in its place adopt the following:

Section 18-101. Private Street

(a) A private street shall not be allowed in any subdivision. All parcels within a subdivision shall be served from a publicly dedicated street that is constructed in accordance with this chapter.

(b) Owners of property, who have recorded approved subdivision plats in the Clerk's Office of the Circuit Court prior to [5] shall have one (1) year to construct a private street in accordance with the requirements of Section 18-101 as in effect immediately prior to [6] .

7. Amend Section 22-72 by deleting the verbiage lined through and inserting the verbiage underlined:

Sec. 22-72. Minimum lot area.

The minimum lot area for permitted uses in agricultural , general district A-2 shall be ~~three (3)~~ five (5) acres or more. ~~Any lot recorded prior to July 1, 1988 with a preexisting site to include water and septic facilities, upon which manufactured housing previously existed may waive the lot size requirements for replacement manufactured housing for said site only, provided that the current setback requirements are met.~~ Any lot properly approved and recorded prior to July 1, 1988[7] may be utilized for a single-family dwelling unit provided the current setback requirements are met and a health permit issued.

8. Amend Section 22-74 by deleting the verbiage lined through and inserting the verbiage underlined:

Sec. 22-74. Frontage.

The minimum frontage for permitted uses in agricultural, general, district A-2 shall be ~~three~~ five hundred ~~(300)~~ (500) feet, at the building setback line. When a subdivision contains a new internal road for the subdivision that is built to the higher of the State or County standards then lots fronting onto this new internal road shall be allowed to have minimum frontage along this new internal road of 300 feet.

[3] Suggested date of February 28, 1999
[4] Suggested date of November 4, 1998
[5] Suggested date of February 28, 1999
[6] Suggested date of November 4, 1998
[7] Suggested date of November 4, 1998

9. Amend Section 22-87 by deleting the verbiage lined through and inserting the verbiage underlined:

Sec. 22-87. Frontage.

The minimum frontage for permitted uses in residential, conservative, district R-R shall be ~~three~~ five hundred ~~(300)~~ (500) feet. When a subdivision contains a new internal road for the subdivision that is built to the higher of the State or County standards then lots fronting onto this new internal road shall be allowed to have minimum frontage along this new internal road of 300 feet.

This Ordinance shall become effective on the date of its adoption. In all other respects, Chapters 18, Subdivision and 22, Zoning are hereby reordained.

Mr. Scheid made reference to a fax received this date from Griffin Land and Timber Products which the Board should now have a copy. Mr. Scheid stated the residential growth study committee were strong in their feelings that they wanted him to mention this next item to the Board and he felt obligated to do so. They feel the Board ought to look to having such resolution or whatever is in the appropriate mechanism that all Department Heads that charge fees, user fees or whatnot, report on an annual basis the fee structure that they charge and any changes that they feel are appropriate.

There was discussion regarding private roads, division of property between family members and use of same driveway and division of property with other than relatives and use of same driveway. There was also discussion regarding the cost of the contractor putting in a state maintained road.

Mr. Bracey opened the Public Hearing on A-98-7.

The following citizens came forward and addressed the Board:

1. Forrest P. Clay, Jr., 18603 White Oak Road, came forward to speak in opposition to A-98-7. He stated five (5) acres lot size was probably desirable but felt the five hundred feet (500') of road frontage was going to work a hardship on many landowners. He stated he thought this was an outrage.
2. Thomas F. Green, 19312 Namozine Road, came forward stating he was the Chairman of the Residential Growth Committee and took this time to introduce the committee members; Daniel Lee, Edward Bracey, Jr., Jack Eubank, Dean McCray, Tom VanPelt, Mark Moore, and Michael Tickle. He gave a brief overview of the Committee's work and the ordinance.
3. R. S. Mayes, 6706 Church Road, came forward to speak in opposition to the amendments as presented tonight. He stated he respected the amount of time that had been put in on this study and agreed that there are changes that need to be made. He stated he hesitated to endorse the amendments as they are presented tonight and he also felt the 500' was not necessary. He requested the Board to further review these amendments before taking action.
4. Ronald Gordon, 14331 Courthouse Road, came forward voicing his opposition to the proposed amendments. He stated the private road standards had not been given a fair chance. He further questioned the need for the five (5) acres five hundred (500') foot requirement. He stated he agreed with Mr. Mayes and felt this needed to be tabled and reviewed further.

5. Jerry Cook, came forward asking the Board to consider tabling any action on this tonight. He felt there are a lot of things in there that need further review before action is taken. He was very much opposed to the private road and frontage requirements.
6. Paul Walk, 5819 Trinity Church Road, came forward asking the County not to delay regarding the private road issue. He spoke on the condition of the private roads currently in place within Dinwiddie County.
7. Gerry Brown, 24216 Gaydell Drive, a volunteer for the Namozine Volunteer Fire Department/EMS, stating many of the private roads in the County are poorly maintained and felt they should be done away with.
8. Johnny Bain came forward to voice opposition to the proposed ordinances. He spoke on the increase in size of lot required for building. He spoke on family division, road frontage, and the number of lots he has developed in this County and surrounding localities. He stated private roads are the landowners business. With this proposed ordinance if you have 5,000 acres you can only divide twice and then you will have to spend $75,000.00 on a road according to Mr. Scheid. He did not feel this was fair. He felt this needed to be thought about some more. He had concerns about the impact on school on paved roads versus private roads and square footage restrictions. He stated what he would like to see was for the County to put some type of freeze on this thing until we can get an ordinance that people can do something with.

Mr. Bracey closed the Public Hearing.

Mr. Bracey called for comments and discussion from the Board.

Mr. Tickle stated he had sat through the Planning Commission and he had sat through this and hears a lot of people say that people want to move out to the County and that they want to live on a private road and they want to have five (5) acres on a private road. He road on Claiborne Road just the other day private road and when he goes in that private road he sees four (4) houses 75' setback and the people who cleared a little section maybe 4/10 or ½ acre and had a minimum driveway. To him we were talking about oxie morons here, it seems if you have five (5) acres and you wanted to be out in the middle of no where and you wanted to have the extra land you would put your driveway that you would put your driveway 150-200' off the road and you would add that privacy. Why would you go back and do something very similar to what a paved subdivision has. He stated he had listened the whole time and it does not make sense to him. This committee worked very hard on a lot of things. The other thing we missed with the 500', is that he lives in District 2, which is River Road. He stated he would like to ask everyone in the room to ride down River Road. If you come back here next meeting and 50 plus 1 tells him that they are satisfied with River Road then he will back off of the 500'. He for one, as a Supervisors, gets tired of doing the curb and cut number one, every 100, 200, 300 feet and he is loosing his green space in District 2. Very shortly what you see on River Road is going to happen in Mr. Clay's District, Mr. Moody's District, it is already happening in Mr. Moody's District because he has midway, it is eventually going to take over on Courthouse Road area where Mr. Bracey lives and it is already happening in New Hope where Mrs. Everett is. So to him the 500' means more than just cutting 500'. When you get to Mr. Moody and Mr. Clay's Districts where they have farm land, so is it ok not to do 500' in their area and don't do anything for our area where we are suffering now. Something has to be done. The issue of private roads. Private roads are not a problem in his District. The private roads they had have already come and gone and there are probably not a lot more in his District. He has five (5) on his road near the lake. He did not realize that until he started looking and if you as the citizens in this group start looking for a private road on the road you drive home everyday you are going to

see an unbelievable number. The third thing he would ask to have done is within the last two or three weeks, along with Mr. Scheid and other people, he has ridden 70 to 100 private roads. He wanted to tell them that some of those roads were in awful shape. He could also tell them that a lot of houses have 1100 to 1200 square feet. Somebody had said private roads are upscale. The majority he had seen were not upscale. He asked them to show him. He stated he came from the old Missouri, show me. He stated he was willing to ride with anyone in the room who could show him a majority of the houses 50 plus one are upscale. Frontage – devalue my property! Once again Mr. Tickle stated I live on a farm and I feel my farm is valuable. I do not want to cut it, I don't want to put a subdivision there but I don't want to protect my road frontage. He stated he did not understand that either but once again he is willing, in Mike Tickle's District Number 2, to allow us to destroy my green space. He stated he had a problem with not turning down but going forth with this but he would like to hear other comments from fellow Board members and why can't we support this and why can't we support the committee.

Mrs. Everett stated she was very concerned about the private roads. She stated she felt that we had to give some attention to this and do something about it. If the Board did not take action on this tonight she would hope that you would give more study to it and come back here and definitely take some action. Someone had asked why doesn't the Board delay any further private roads in the meantime. Is there anyway we can put a moratorium on them until we can take action.

Mr. Bracey stated no the State Code would not allow that.

Mrs. Everett stated ok. She continued in reference to the 500' to her it kind of sounded excessive but she can see where Mr. Tickle was coming from. Maybe that needs to be looked at a little further but she can see both side of that issue.

Mr. Clay stated he felt five (5) acres was a little excessive and that it might work a hardship on some people wanting to build a house. As far as the private roads were concerned he felt as far as this Board was concerned and for the County we have to do something with the private roads. If fire and rescue equipment cannot travel these private roads and are expecting service that will cause a hardship on the citizens. He stated he was definitely in favor of doing away with the private roads and he thought maybe we need to study the 500' a little more.

Mr. Moody stated he was very much in agreement with Mr. Clay. He felt like the private roads were an issue the Board needed to deal with. Some of the other portion of this proposed amendment changes need further study. He stated it was late, a late hour, and he would like to think about all the situations that these amendments would affect before he really votes on all the rest of them.

Mr. Tickle stated his question to the Board was who is going to go back and readdress this. It is not going to do anybody any good to go back and send it back to committee to make headway. It means that the five (5) Board members need to get together with the Planner and talk about this. The committee sat and talked about it. If the Planning Commission read every word of this and talked about it in great detail just prior to just an open meeting perhaps they would have come up with some suggestions. He stated he had sat there and listened to a lot of comments from the citizens and everyone else and he does not hear anybody giving suggestions. He had spoken to several people here that are in favor of private roads and are in favor of doing away with the 500' but he asked each and everyone he talked to give him some suggestions of how we can have a happy compromise. There should be a happy compromise. He stated he believed in a happy compromise. His idea in concept is that they

bring in some of these people who have great concerns, which they do, and they are good concerns and let them work with the Board members and Planning Commission and what we come up with we will live with. Don't just sit back there spending three (3) to five (5) minutes skimming this document because you can not skim it in five (5) minutes. It took this committee hours to just read over the document and them fine tune it and then someone comes and reads it in half an hour or in an hour and we sit here and discuss it a few minutes we are not going to do it justice. His suggestion, a very strong suggestion, is that we as a Board put up and let the Planning Commission put up and put the time necessary to do it and do it right. We need to ask four (4) or five (5) of these people to come and join us. He Tickle stated he was very adamant about the situation in his District and he did not want it to happen next year or two (2) years from now.

Mrs. Everett stated the committee did devote countless hours and she felt that they acted in good faith and she felt that we ought to respect the recommendations of the committee. We may need to look and study them closer. They have done a tremendous job in bringing forth what they have.

Mr. Bracey stated he understood the comments. The 500' issue, needed further studied, and he really took his hat off to the committee for working on this. He felt that the Planning Department needs to come up with some alternatives concerning this. This 500', 5 acres thing just might put a hardship on some people. He felt that portion should go back to Mr. Scheid and what ever Mr. Scheid and his Department felt needed to be done, should come and get whomever and work with it.

Mr. Tickle stated he did not want to be involved in that part of it because he believed if the Board members do not get in there and put their teeth in it and we will never solve this issue because we are second or third hand. We are sitting here today, and he is not going to ask him point blankly, but did he take an hour or hour and half to read this stuff. He stated he talked to one member who was against this and he asked him several questions—

Mr. Bracey stated he was trying to give Mr. Tickle what he was asking for.

Mr. Tickle stated he was trying to get Mr. Bracey to give him what he wants!

Mr. Bracey stated we have got to be fair. He stated we need to study the five acre five hundred foot situation.

Mr. Tickle stated he agreed.

Mr. Bracey stated when he said study he meant put some intellectual brains and all in it, some figures and the whole nine yards.

Mr. Tickle stated he wanted his fellow Board members to do the same thing.

Mr. Bracey stated yes but as far as the private road situation is, he was in favor of removal of private roads in Dinwiddie County for many many reasons. Someone alluded or spoke just a while ago about people coming, he thought all of the them had sat there through VDOT and so forth and citizens have come and citizens had called him concerning the private roads and he wanted the State to take it in now. A young man called a few months ago, very concerned, stating the developer told him the State was going to take it in. He felt that we need to be fair about it and as far as he was concerned we could take care of the private roads in a minute but the other part of the 500' and 5 acres we need to study that. He felt the committee was broad minded enough not to say that the Board was throwing something back at them or that we did not like their work. His suggestion was that tonight we act on the private road situation and

would have to ask counsel for assistance on the other part. How can we sit the other part down for a particular time.

Mr. Ben Emerson, County Attorney, stated the Board could simply approve whatever part of the ordinance that they wish to approve, or the proposed ordinance, and the other would not be. Then either send it to the committee to work on it or send it to the Planning Commission or ask Staff to work on it. If the changes are extensive, and he thought it may depend a little bit on the timing, of what to do. If you are asking for a specific minor sort of a change relatively quickly then he was not certain another Public Hearing would need to be held but if it is going into a major sort of a reworking or if it is going to take them more than another meeting or two(2) in terms of time then the Board would probably want to have another Public Hearing.

Mr. Bracey stated he thought it was going to take more than one meeting, more than two (2), because it took more than that to get to this point. Mr. Bracey stated he thought it would take several month but when it comes back there will be some agreement or something that we can vote on and everybody will leave happy. We know that is not going to happen but---- He would personally put it back in the hands of Mr. Scheid and his staff along with the Administration to work it out and get the necessary people or persons or what have you to work on the document.

Mr. Tickle asked when would the Board of Supervisors going to actively sit down in a working committee meeting on an afternoon, when we redo the document, when we cross the T's and dot the I's and that the people who want to come and watch it, when can that take place and if that going to take place.

Mr. Bracey stated that he understood what he was saying but Mr. Scheid and Mr. Long would be the ones to establish that. These people are here in a professional capacity to handle it. If Mr. Scheid calls him as says you need to come to a workshop such and such a day, then he as an official, if he is true to his constituents he is going to have to be here.

Mr. Tickle stated that was all he was asking.

Mr. Bracey stated if Mr. Long calls, then he has got to be there.

Mr. Tickle stated he had answered his question.

Mr. Bracey stated let's move on, it is quarter to one, 10 minutes to one or whatever. Are we together now? We are going to send that back to Mr. Scheid, whatever Mr. Scheid sets up with the committee, the citizens, the Board members, or what have you—

Mrs. Everett stated those citizens with the concerns, she would like to see them write out some recommendations that they think of and report them to the Board so the Board can study them also.

Mr. Bracey stated they should send them straight to Mr. Scheid. Mr. Bracey stated Mrs. Everett was right, absolutely right.

Mrs. Everett stated she would like for each of the persons who spoke regarding this issue to write down their concerns and suggestions.

Mr. Bracey asked if this was agreeable with the citizens.

The citizens felt that it should be made know publicly that input is being requested so everyone will have a chance to contribute ideas and suggestions.

Mr. Bracey stated when you let it be known – when you sit here – you will never do anything if you sit with an open meeting with two hundred people to work out what we are trying to do.

The citizens wanted to continue to be involved after they submit their suggestions.

Mr. Bracey stated he intended them to continue to be involved. He asked if that was agreeable.

There was discussion between Mr. Bracey and the citizens in attendance regarding what they wished to be acted on this evening. Mr. Bracey stated we would be acting on the private roads tonight and the remainder of the proposed changes would be going back for further study.

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

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of Dinwiddie County, that the Code of the County of Dinwiddie, Virginia be amended by adding the following article to Section 18-98 and Section 18-101 of the Code of the County of Dinwiddie, Virginia:

Section 18-98

Owners of property, who have recorded approval subdivision plats in Clerk's Office of the Circuit Court prior to May 1, 1999 shall have one (1) year to construct a private street in accordance with the requirements of Section 18-101 as in effect immediately prior to November 5, 1998.

And

Section 18-101, Private Street

(a) A private street shall not be allowed in any subdivision. All parcels within a subdivision shall be served from a publicly dedicated street that is constructed in accordance with this chapter.
(b) Owners of property, who have recorded approved subdivision plats in the Clerk's Office of the Circuit Court prior to May 1, 1999 shall have one (1) year to construct a private street in accordance with the requirements of Section 18-101 as in effect immediately prior to November 5, 1998, and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.2-2286 (A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

In all other respects, said zoning ordinance is hereby reordained.

Mrs. Anne Scarborough asked the Board to be sure this was placed in the minutes. She stated the street lights the Board voted on years ago did not get into the minutes, she did not think, until very recently.

IN RE: ADJOURNMENT

Mr. Bracey stated due to the lateness of the hour we need to move the County Administrator Comments and other personnel reports until next meeting which will be November 11, 1998, with the Planning Commission.

Mrs. Everett stated she had one item to present. She stated the Airport Authority wanted to have the Board out on a day in December for a briefing and

a tour. They would like to have to Board set a date. She asked that the Board think about a date.

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mrs. Everett, Mr. Tickle, Mr. Bracey voting "aye", the meeting adjourned at 1:00 A.M. to be continued at 7:00 P.M. November 11, 1998 in the Board Meeting Room of the Pamplin Administration Building.

Edward A. Bracey, Jr.

Chairman

ATTEST: R Martin Long

R. Martin Long

County Administrator

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VIRGINIA: AT THE CONTINUATION 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 11TH DAY OF NOVEMBER, 1998, AT 7:00 P.M.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	LEENORA V. EVERETT, VICE-CHAIRMAN	ELECTION DISTRICT #3
	AUBREY S. CLAY	ELECTION DISTRICT #5
	HARRISON A. MOODY	ELECTION DISTRICT #1
ABSENT:	MICHAEL H. TICKLE	ELECTION DISTRICT #2
OTHER:	DUTCH BUMGARDNER	COUNTY ATTORNEY

IN RE: CALL TO ORDER

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 7:00 P.M.

Mr. Long stated we would pick up where we left off on November 5th, with County Administrator Comments.

IN RE: COUNTY ADMINISTRATOR COMMENTS – STREET NAME – INDUSTRIAL ACCESS ROAD

Mr. Long stated he had received a memorandum from Mr. Scheid regarding the street name for the new industrial access road which leads to Chaparral Steel. The industrial access road is nearing completion. The County has an ordinance that requires all roads within the County to be named. Mr. Scheid had stated in the memorandum that during his meetings with Chaparral he had mentioned the fact the County will be naming the access road. He stated he had informed Chaparral they might wish to submit a name for consideration. Mr. Scheid had received a fax from them suggesting the following name: Henry Clay Hofheimer Way (or Parkway).

Mrs. Everett suggested we place Chaparral in the name of the road.

Mr. Moody stated he would like to look at all the names suggested for the road.

Mr. Clay stated he did not know what he wanted to name the road but did know that he certainly would not want to name it Hofheimer; he stated that name is too lengthy for a road sign.

Mr. Bracey stated the Board is often criticized for the naming of roads and suggested we put it to the citizens. He stated we had done this with the water tower slogan. Mr. Bracey instructed Administration to have something ready for the next meeting.

IN RE: COUNTY ADMINISTRATOR COMMENTS – 1999 LEGISLATIVE ISSUES FOR DINWIDDIE COUNTY

Mr. Long continued by stating he had included in the Board's packets a list of significant issues identified by the Board over the past year. He requested the Board review this list and inform him of any additions, deletions and/or changes in order that a completed list may be drafted. Mr. Long further stated he would like to get this list out the first or second week of December.

IN RE: COUNTY ADMINISTRATOR COMMENTS – ABIDCO UPDATE

Mr. Long stated he had received a memorandum from Mr. Jay Langston regarding recent activities at ABIDCO (Appomattox Basin Industrial Development Corporation). The air supply company is moving forward with their facility. This is a nice investment for the County at approximately $16 million. Additionally, the slag company, Olympic Mill Services, is also providing an investment of approximately $25 million. Mr. Long stated he would continue to provide the Board with information on these companies as he receives it.

Mr. Bracey requested a representative from the air supply company and slag company come before the Board to make a presentation on their proposed companies.

IN RE: COUNTY ADMINISTRATOR COMMENTS – EASTSIDE ELEMENTARY SCHOOL – ASBESTOS REMOVAL

Mr. Long stated included in the Board's packet were three bids on the asbestos removal work for Eastside Elementary School. He asked Mr. Donald W. Faison, Building and Grounds Superintendent, to come forward on this issue.

Mr. Faison came forward and presented the bids as listed below.

WALKER HUDSON	$16,950.00
WACO, INC.	$32,198.00
NASH CONSTRUCTION COMPANY, INC.	$39,950.00

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Administration to move forward with securing a contract with Hudson Walker Construction, Inc. for asbestos removal work at Eastside Elementary School.

IN RE: COUNTY ADMINISTRATOR COMMENTS – MINI-BLINDS – TREASURER AND COMMISSIONER OF THE REVENUE OFFICE

Mr. Faison continued by stating the Board would also find enclosed bids on mini-blinds for the Treasurer's Office and for one section of the windows in the Commissioner of the Revenue's Office. The bids are as follows:

WINDOWS 'N' WALLS	$1,226.17
KIRKLAND VENETIAN BLIND SERVICE	$1,661.50
SOUTHERN DECORATING, INC.	$1,986.00 (1 ½" RAIL)
	$1,895.85 (1" RAIL)

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Administration to move forward with securing a contract with Windows 'N' Walls for mini-blinds for the Treasurer and Commissioner of the Revenue's offices.

IN RE: COUNTY ADMINISTRATOR COMMENTS – ELECTRICAL WORK EMS BUILDING

Mr. Long stated the last bid is for electrical work at the EMS building located at 13509 Boydton Plank Road. The bid price is $980.00. Mr. Faison may wish to shed some additional light on this work.

Mr. Faison stated this bid was for circuits and electric baseboard heaters for the EMS building. After consideration it was decided to use the gas heaters purchased for the Sheriff's office instead of electric baseboard heaters. This would reduce the cost of this bid to $470.00 for two dedicated circuits. One circuit will be for the block heater and the other will be for the space heater inside the ambulance cab.

IN RE: COUNTY ADMINISTRATOR COMMENTS – HVAC CONTRACT

Mr. Long stated Mrs. Ralph and Mr. Faison had negotiated a contract for the County's HVAC services.

Mrs. Ralph stated she and Mr. Faison had met with Honeywell to negotiate a contract and the results of those negotiations are shown below:

	Prev. Maint. Only	Maint., Controls & Monitoring
	Per Year	Avg. Cost Per Year For Five Years -
Catlett Johnson	$28,621	$37,260
EMC	$25,998	$33,391.50
Pneutronics	$36,384	$43,980
Honeywell	$23,300	$36,200

Mrs. Ralph and Mr. Faison stated their recommendation is to award the contract to Honeywell, Inc. for full service mechanical equipment maintenance, full maintenance control system service, 24-hour per day equipment monitoring as well as control system retrofit at an annual cost of $36,200.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to enter into a five (5) year contract with Honeywell, Inc. for full service mechanical equipment maintenance, full maintenance control system service, 24-hour per day equipment monitoring as well as control system retrofit at an annual average cost of $36,200.

IN RE: COURTHOUSE CONSTRUCTION – HUMIDITY SENSOR FOR RECORD ROOM

Mr. Faison came forward to present a recommendation to install a humidity monitor in the Record Room of the Dinwiddie County Courthouse. The scope of this work is as follows:

- Install Humidity Sensor in Records Room and connect to the Andover System. Program a trend log report so that a history of Humidity levels in the Record Room may be kept.

Mr. Faison stated the price he received from ESI to do the above work is $1,100.00. This price does not include programming or equipment to control the Humidity, but will allow monitoring Humidity.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Administration to enter into a contract with ESI to install a Humidity Sensor in the Records Room and connect same to the Andover System for a cost of $1,100.00.

IN RE: COUNTY ADMINISTRATOR COMMENTS – LANDFILL CLOSURE – BID ACCEPTANCE

Mr. Long stated he was pleased to request Board action on accepting the low bid for the landfill closure plan. The County received twelve (12) bids with the lowest three (3) being:

R. M. Soderquist, Inc.	$198,412.00
Sanford Brothers, Inc.	$222,565.00
Tharpe Excavating, Inc.	$246,289.00

Mr. Long stated he was pleased to make this recommendation because the County had budgeted $400,000.00 for this work out of the CIP and the low bid was $198,412.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to enter into a contract with R. M. Soderquist, Inc. out of Vienna, Virginia to complete the landfill closure for $198,412.00.

IN RE: COUNTY ADMINISTRATOR COMMENTS – AUTHORIZATION TO HIRE EMS PROVIDER

Mr. Long requested the Board's approval for the hiring of Mr. Chad Springer as an EMS provider at Step 10A, $21,829.00 effective November 3, 1998.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to hire Mr. Chad Springer as an EMS provider at Step 10A, annual salary $21,829.00 effective November 3, 1998.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay – no comments

Mrs. Everett – She again stated the Airport Authority would like the Board to pick a date and time that they might attend a reception, tour, briefing and flight. The Board suggested December 2nd or December 16th.

Mr. Tickle –.was not present.

Mr. Moody – no comments

Mr. Bracey – no comments

IN RE: RECESS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that a recess is called at 7:45 P.M. During this time, the planning commission opened their meeting and conducted the public hearing they had before the joint public hearing with the Board.

IN RE: CALL BACK TO ORDER

Mr. Bracey called the meeting back to order at 8:35 P.M.

IN RE: JOINT PUBLIC HEARING – C-98-8 – MICHAEL MAYES

Mr. Scheid presented the case C-98-8 for both the Planning Commission and the Board of Supervisors. This case was for Michael Mayes, Rohoic Woods Apartments. Mr. Mayes was requesting amendment of the original conditional use permit C-97-4. Item number 6 of that conditional use permit dealt with the side and rear set back lines; the set backs were established at 35' and what the applicant is seeking is to have the 35' reduced to 25' on the side that is immediately adjacent to Trinity Mobile Home Park and that side only.

The Planning Commission had discussion and voted on the approval of C-98-8 be recommended to the Board.

Mr. Bracey opened the Public Hearing on C-98-8. There being no citizens present wishing to speak Mr. Bracey closed the Public Hearing .

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that C-98-8, conditional use permit is hereby approved with the following condition added to the conditional use permit, " a six (6) foot temporary board fence shall be erected until permanent vegetation is planted and matures on the property line adjacent to the Trinity Mobile Home Park at which time the fence may be removed;" and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.2-2286A (7), it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: CORRIDOR STUDY – ROUTE 1 – WORKSHOP

Mr. John M. Altman, Jr., Zoning Administrator, came forward to give a brief presentation of the Route One Corridor Study. This study was done on the Northern end of the County from the Petersburg City line to the Dinwiddie area.

There was discussion from the Board of Supervisors and the Planning Commission regarding the future of Route One and ways the County can improve this area. There were numerous suggestions from the Boards. Some of these items include: redesign the gateways into the County contacting the General Assembly and VDOT for support; make the Dinwiddie area pedestrian friendly by installing sidewalks, lighting, and commercial development with a theme; save the tree lines; adopt a sunset date when everyone must be in compliance; look into adopting BOCA codes; spruce up entrances to mobile home parks on Route 1; get a business organization designated; signage issues; blanket rezoning; the need to involve businesses; concept of a

committee for this project; hold a General Public Hearing; get volunteers; and to start on this project by the first part of the year.

Mr. Long was instructed to talk with Mrs. Elizabeth S. Jeter, Registrar, regarding removal of election signs after an election.

One citizen, Mr. James Merrick, came forward stating he was an owner of an eye sore on Route 1, located across from the Moose Lodge. He operates a car related business and asked the Boards to consider the burden put on the business owner when suggesting beautification requests.

RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 9:48 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

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 18TH DAY OF NOVEMBER, 1998, AT 2:00 P.M.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	LEENORA V. EVERETT, VICE-CHAIRMAN	ELECTION DISTRICT #3
	AUBREY S. CLAY	ELECTION DISTRICT #5
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
OTHER:	PAUL JACOBSON	COUNTY ATTORNEY
ABSENT:	HARRISON A. MOODY	ELECTION DISTRICT #1

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

Mr. Edward A. Bracey, Jr., Chairman of the Board, called the regular meeting to order at 2:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda.

Mr. R. Martin Long, County Administrator, asked that under Item 12, Executive Session, to clarify Section 2.1-344 (a) 7 - Consultation with Legal Counsel - we add the description Contract - Industrial Access Road.

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated under Item 12, Executive Session, Section 21.-344 (a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body, that the description of Public Safety be removed.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the above requested Amendments to the Agenda are hereby approved.

IN RE: MINUTES

Mr. Tickle stated he had a comment regarding the November 4, 1998, Continuation Meeting. He stated the minutes reflected he was absent from the meeting at the Nottoway Restaurant. He stated he would like for it to be noted in the minutes he was at the Pamplin Administration Building but absent from the meeting and this was not at his own decision.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the November 4, 1998 Continuation Meeting and the November 4, 1998 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mrs. Everett, seconded by Mr. Tickle, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1012836 through 1013077 (void check(s) number 1012836); for Accounts Payable in the amount of $222,659.69: General Fund $151,494.75; E911 Fund $1,602.07; Self Insurance Fund $70.55; Law Library $72.21; Forfeited Asset Sharing $889.25; CDBG Grant Fund $277.98; Capital Projects Fund $5,623.93; and County Debt Service $62,628.95.

IN RE: APPROVAL OF REQUISITION #3 - SCHOOL CONSTRUCTION

Mrs. Ralph stated the following invoices are included in this requisition:

KBS, INC.	$383,330.81
FROEHLING & ROBERTSON, INC.	1,885.60
TRI-CITIES OFFICE PRODUCTS, INC.	13,261.50
WARTHAN ASSOCIATES, INC.	27,600.00
CONSOLIDATED PLASTICS COMPANY	957.00
VIRCO	11,065.00
UPBEAT, INC.	1,585.45
J.H. PENCE COMPANY	963.80
WINDOWS 'N' WALLS	2,216.75
WENGER	3,274.50
TOTAL REQUISITION NUMBER 3	$446,140.41

Mr. Clay asked about the cost to repair the bleachers.

Mr. Ray Watson, Assistant Superintendent to Schools, stated this was to replace the bleachers. The project started as a repair but was soon discovered it would be less expensive to replace the bleachers.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 3 in the amount of $446,140.41 be approved and funds appropriated for CIP expenses for the School Project Fund.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens who had signed up to speak. There being none Mr. Bracey asked if there was any citizen present who had not signed up but wished to address the Board at this time. There being none Mr. Bracey moved forward.

IN RE: CRATER HEALTH DEPARTMENT

Dr. Grayson Miller, Director of the Crater Health Department came forward to present the Board with an update on his Department. He introduced Ms. Beth Baldwin and Ms. Alice Hines, new employees in the Dinwiddie Department.

There was discussion regarding the placement of septic systems and wells. Mr. Tickle was concerned about these being placed so close to the collector roads and State easements.

Dr. Miller stated he would look into this matter and report his findings to the Planning Department.

IN RE: CRATER YOUTH CARE COMMISSION

Mr. Andrew Brown, Director of the Crater Youth Care Commission located in Disputanta, Virginia came forward giving the Board an update on the Commission's activities, needs and plans for the future.

There was discussion regarding the preliminary cost analysis for expanding the Secure Detention facility to 48 beds.

IN RE: DEPARTMENT OF TRANSPORTATION – REPORT

Mr. Ronald Reekes, Resident Engineer, came forward to present his monthly report.

There was discussion on Shippings Road (lowering of speed limit); Boisseau Road (accidents which seem to happen at the bottom of the bridge); Glebe Road (ditches with no shoulders); and Walker's Mill Road (out for bid).

Mrs. Everett reported that the Metropolitan Planning Organization (MPO) met on the 12th of November and approved the 1999-2001 Transportation Improvement Plan. She further stated she had presented to them the fact that Dinwiddie County felt the Route 1 and Route 226 intersection was unsafe and needed redesign. It was suggested by Mr. Herbert Pegram, Virginia Department of Transportation representative, that the MPO amend the plan and go to the pre-allocation hearing in April. The MPO agreed to amend the plan and Mrs. Everett requested the following items:

1. A resolution from the Board supporting the need for redesign of the Route 1 and Route 226 intersection based on reasons of safety,
2. Remarks from Mr. Reekes and his staff supporting this need,
3. Mr. Reekes, Sheriff Shands and the State Police to join together to compile figures on accidents at that location to be passed on to the General Assembly.

Mr. Reekes stated this redesign has been requested for 3-4 years and he felt the main problem was an operation problem.

Mr. Long stated the Chaparral Industrial Access Road was scheduled for final paving today, final seeding on Friday and striping on Monday.

Mr. Tickle stated he had a conversation with Mr. Reekes regarding his expectations for the $900 million that we spend for highway funds, especially the ones spent on the interstate. He asked for someone to have a representative of VMS and the Dinwiddie County Transportation Director to call him in order that he could discuss funding; how the funds will be used and the quality of work performed.

Mrs. Ralph stated she had been asked on behalf of the Transportation Safety Commission to bring to the Board and Mr. Reekes the problem with the ingress and egress at the Dinwiddie County High School and to see if we can remark these areas to help alleviate the congestion at peak traffic times.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, came forward to present her monthly report.

IN RE: COMMISSIONER OF THE REVENUE – REQUEST FOR USED FURNITURE FROM OLD COURTHOUSE

Mrs. Marston stated the Board had before them a letter requesting she be allowed to use the wooden secretarial desk that is currently housed at the old Courthouse in the

office of the Commonwealth's Attorney. She would like to use this instead of the metal desk currently being used in her Office which she feels is not a workable desk.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Commissioner of the Revenue's Office to obtain and use the wooden secretarial desk currently housed at the old Courthouse in the office of the Commonwealth's Attorney.

IN RE: COMMISSIONER OF THE REVENUE – REQUEST FOR BUDGET MONIES FOR GENERAL REASSESSMENT CATEGORY

Mrs. Marston continued that the Board also had before them a letter asking that the monies she requested in her FY1998-99 budget for new construction, and moved by Administration to the General Reassessment category, be placed back into her budget in order that she be able to move forward with scheduling the Wingate Appraisal firm to begin this process in mid-December, 1998. The amount she had requested was $15,000.00 and she stated she had retrieved this figure from Mr. Harold Wingate during budget time earlier this year. She stated she was making this request since the Board voted to extend the General Reassessment until a later date. She was also seeking approval from the Board to allow her to schedule Wingate Appraisal Company to do this job again this year.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Commissioner of the Revenue to contract with Wingate Appraisal Firm to assess new construction with funds, up to $15,000.00, being appropriated from the General Reassessment Fund.

IN RE: COMMISSIONER OF THE REVENUE - CLASSIC CAR REPORT

Mrs. Marston stated she had a response to a question posed by Mr. Tickle regarding classic cars and the special taxation thereof. What she has been told by the attorney she is talking with, who is located in the Arlington County Commissioner of the Revenue's Office and is currently involved with the Botetourt Coca-Cola case - the attorney had not gotten back with Mrs. Marston to date - other than what Mrs. Marston had learned at the Commissioner's Convention, was that this special consideration was only for vehicles of classic nature that are not used regularly. They are only used for antique shows; they have special antique plates and this is the consideration and that was all that they knew. There was no new law that came into effect July 1, 1998. That is all the information that she was able to obtain to date. She requested that Mr. Tickle look further and contact the citizen who needed this information and report back to her.

IN RE: TREASURER – REPORT

Mr. William E. Jones, Treasurer, came forward to present his monthly report.

IN RE: TREASURER - REQUEST FOR FURNITURE FROM OLD COURTHOUSE

Mr. Jones stated the Board had before them a request for their approval for him to obtain one (1) of the three (3) seated chair sets that is currently in the lobby of the old Courthouse. There are two and he is in need of just one.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Treasurer to obtain and use one (1) of the three (3) seated chair sets that are currently in the lobby of the old Courthouse.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, Commonwealth Attorney, came forward stating he had nothing to report but was available for questioning.

He thanked Mr. Tickle for his interest in what was going on with the Juvenile Justice System.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands came forward stating the Board had before them his monthly jail report.

IN RE: SHERIFF'S DEPARTMENT – REQUEST TO ORDER SEVEN NEW POLICE VEHICLES

Sheriff Shands stated the Board had a letter regarding the purchase of seven police vehicles. The Board had in the 1998-99 approved and appropriated $147,000.00 for the purchase of these vehicles. On October 26, 1998, Sheriff Shands had received State Contract IFB#0000001441. This is a competitive bid conducted by the State of Virginia for police vehicles. State bid price is $20,089.00 per vehicle for marked vehicles and $20,071.00 for unmarked vehicles. In keeping with what he understood to be the Board's desire to consider local bids in addition to State Contract, he had received bids from Beach Ford of Virginia Beach, Virginia. This bid was $20,183.00 per marked vehicle and $20,423 for unmarked vehicles. He stated he had also received a bid from Petersburg Ford of $20,172.00 for marked vehicles and $20,390.00 for unmarked vehicles. With consideration of these bids, he requested authority to purchase from State Contract IFB#0000001441 seven (7) police vehicles from Dick Strauss Ford, Isuzu-Suzuki, Inc. of 10601 Midlothian Turnpike, Richmond, Virginia. The total purchase price for the seven (7) vehicles is $140,569.00. He stated he expected to take delivery within sixty (60) days after placing order.

There was discussion regarding marked vehicles versus unmarked vehicles.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Sheriff's Department to order seven (7) police vehicles, this would be five (5) marked ($20,089.00 each) and two (2) unmarked vehicles ($20,071.00 each), for a total price of $140,587.00, using State Contract IFB#0000001441 from Dick Strauss Ford, Isuzu-Suzuki, Inc. of 10601 Midlothian Turnpike, Richmond, Virginia.

Mr. Bracey stated when the new cars come in the current cars that are being taken out of service be immediately, not six (6) weeks not ten (10) weeks, but the day they take possession of the new vehicles, a report on these retired vehicles be brought to County Administration and data supplied about the condition and whereabouts of said retired vehicles. These vehicles are County property.

IN RE: SHERIFF'S DEPARTMENT – TRANSFER OF VEHICLE TITLES

Sheriff Shands continued by stating that over the past two (2) years, several vehicles have been awarded by various courts to the Dinwiddie County Sheriff's Office as a result of drug violations. Once awarded, these vehicles were mistakenly titled in the Dinwiddie County Sheriff's Office name through the Division of Motor Vehicles. He had recently been reminded by the County Administrator's Office that any and all vehicles insured by Dinwiddie County must be registered to the Dinwiddie County Board of Supervisors and the Board must accept title to these vehicles prior to registration, or insurance. Sheriff Shands stated he accepted this situation was caused by members of his office and not by the County Administrator's Office nor their staff. He assured the Board this will not happen again. In the future, all vehicles awarded to the Sheriff's Office will be presented to the Board for their approval and acceptance prior to titles being sought. He respectfully requested the Dinwiddie County Board of Supervisors to accept title to the four (4) vehicles listed below in order that these vehicles may be utilized in various law enforcement uses.

1. 1993 Ford Thunderbird, VIN 1FAPP6244PH208316: To be placed into normal use as an investigative vehicle in order to save the purchase of a new vehicle for Investigator W.B. Knott.
2. 1991 Honda Accord, VIN JHMCB7668MC002285: Narcotics investigation.
3. 1971 Ford Pickup, VIN F01GNM0068: To be used by community service workers for cleanup, and the transportation users of this office when a truck is needed.
4. 1985 Cadallic, Sedan, VIN 1G6CD4786F4368661: This vehicle to be sold at public auction due to large amount of damage to the rear portion of the vehicle.

Mrs. Ralph stated we will not change the title on the Cadallic because it is going to be sold at public auction and there would be nothing gained by transferring the title to Dinwiddie County Board of Supervisors.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County upon receipt they accept the titles to the following three (3) vehicles:

1. 1993 Ford Thunderbird, VIN 1FAPP6244PH208316.
2. 1991 Honda Accord, VIN JHMCB7668MC002285.
3. 1971 Ford Pickup, VIN F01GNM0068.

IN RE: SHERIFF'S DEPARTMENT - BIDS FOR SEIZED AIRPLANE

Sheriff Shands stated the Board had in their packet the appraisal for the 1976 Maule M6 airplane prepared by Mr. Chip Harrup, President of the Central Virginia Aviation, Inc. Mr. Harrup stated in his appraisal of this aircraft that he felt the salvage value, in its current condition, would be $8,700.00 as equipped. Sheriff Shands requested permission to obtain sealed bids for the sale of said airplane.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Sheriff's Department to move forward with advertisement for request of sealed bids for the sale of the 1976 Maule M6 airplane.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector, came forward to present his monthly report.

Mr. Tickle asked why builders are putting low value on permits. He stated there must be some advantage to placing a low figure and he wanted to know what it was.

There was discussion regarding the value being placed on the permits and the fact the cost of the permits are based on square footage not the value. Mr. Abernathy will investigate this problem and/or reasoning for low valuation by the builders and report back to Mr. Tickle.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steve Beville, Animal Warden, came forward and presented his report for the month of October 1998. He asked if there were any questions regarding his report.

There were no questions but there was discussion regarding Mr. Beville checking the subdivision as asked at the last meeting, the new subdivision off of Hunnicutt and whether or not he got the dog referred to as Wolfgang, and the extension of the confinement area.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came before the Board to present his monthly report. He stated his report included the IPR activities report.

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. John M. Altman, Jr., Zoning Administrator, came forward and presented his monthly report. He asked if the Board had any questions.

Mr. Altman stated he had one item he wished to bring to the Board's attention and that was Mr. Danny Edwards, a native son, placed 3rd in the World in Jet Ski competition in Arizona.

IN RE: SOCIAL SERVICES – REPORT

Mrs. Peggy McElveen, Director of Social Services, came forward stating she did not have a report.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Mrs. Troilen Seward, Superintendent of Schools, was not present but Mr. Ray Watson attended in her absence. He apologized to the Board for Mrs. Seward's absence stating she was in Williamsburg attending a joint meeting of the Virginia School Boards Association and the Association of School Superintendents.

IN RE: SUPERINTENDENT OF SCHOOLS – REAPPROPRIATION #1-FY99

Mr. Watson stated the first issue of business was letter 1 in their packets. The letter stated the preliminary report on the FY-1998 audit shows the School Fund ended with an "unexpected balance" of $375,997.45. They have attempted to save $360,000.00 to be used for the Midway land and the bus purchases in FY-99. The difference between these numbers represents 0.07% of the FY-98 budget for the School Fund. While they do have a continuing need to update the bus fleet, they have been informed there must be upgrades completed at the Transportation Department and Sunnyside Elementary fueling

stations. The Environmental Protection Agency regulations require they make these improvements by December 22, 1998. These are non-budgeted expenses, as this was an unknown issue at the time of the budget preparation. They have completed the bid process on these upgrades and the lowest bid is $67,177.00. They respectfully requested the Board of Supervisors approve the re-appropriation and transfer of $127,177.00 from the FY-98 "unexpended funds" to cover the cost of the Midway land purchase and the repairs of the fueling stations. This supplemental appropriation would be in the Facilities category. Mr. Watson further stated they will wait for the final audit report before making their request for the balance of these funds to be used for the purchase of buses.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the transfer and appropriation of the funds in the amount of $127,177.00 from the FY-98 "unexpended funds" to the Facilities category, for the Midway land purchase and the repairs of the fueling stations at the Transportation Department and Sunnyside Elementary School.

IN RE: SUPERINTENDENT OF SCHOOLS – SUPPLEMENTAL APPROPRIATION #2-FY99

Mr. Watson continued by stating Item Number 2 was, as stated in the letter from Mrs. Troilen Seward, in September 1998 we received notice via Superintendent's Memoranda the entitlements for Carl Perkins and Title VI have been adjusted. Both of these adjustments necessitate supplemental appropriations. There also was an additional insurance premium charge of $5,656.00 which requires an adjustment in the budgeted transfer from the County's Self-Insurance Fund. This additional charge was the result of the insurance company correcting their information as to the number of students and teachers. The Instruction Category supplemental appropriations requested are $6,583.00 under Title VI (Pre-School) and $3,468.00 under Carl Perkins for a total of $10,051.00. The $5,656.00 supplemental appropriation and transfer from the Self-Insurance fund would be in the Operation and Maintenance Category.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for supplemental appropriation and transfer from the Self-Insurance Fund to the Operations and Maintenance Fund of $5,656.00 to cover an additional charge for insurance based on the number of students and teachers; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for supplemental appropriation, as requested, of $6,583.00 under Title VI (Pre-School) and $3,468.00 under Carl Perkins for a total of $10,051.00 for the Instructional Category, with no local funds involved.

IN RE: OFFICE ON YOUTH AND COMMUNITY SERVICES – SUPPLEMENTAL APPROPRIATION

Mr. Watson stated he had one more supplemental appropriation which was for the Office on Youth. The Office on Youth has received several donations and increases which were not reflected in the FY-99 budget. OYCS has received the following increases and donations which need supplemental appropriations in order for the Office on Youth to use the funds:

PUBLIC/PRIVATE VENTURES	$ 200.00
LITTER GRANT	$ 971.00
DEPARTMENT OF JUVENILE JUSTICE	$ 1,470.00
GRANT FROM SAFE AND DRUG FREE SCHOOLS	$14,209.00

LIFE SKILLS TRAINING MINI-GRANT.....$ 200.00

TOTAL $17,050.00

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the supplemental appropriation of the above listed donations and increases for the Office on Youth for FY-99.

IN RE: SUPERINTENDENT OF SCHOOLS - REPORT

Mr. Watson continued with the monthly report for the School Board. He gave a brief update in Mrs. Seward's absence.

There was discussion regarding the bomb threats with Mr. Watson thanking Sheriff Shands and his department for their support during this time. Mr. Watson reported to the Board they will be installing new tracking equipment in the High School in order to track numbers of those calling in. There have been four (4) juveniles arrested and there is a zero tolerance policy. They are asking for full prosecution.

Mr. Tickle requested the School Superintendent call County Administration and inform them of any major events taking place at any of the schools. This is to inform the Board members so they can appropriately answer questions and concerns County citizens might address to them.

Mr. Watson gave the Board an update of the smokestack-fume problem. They have called in every available person who might be able to shed light on this problem. They have made suggested improvements and will be testing these on the weekend.

Mr. Bracey asked for a detailed report be sent to all Board members and Administration regarding this matter. He requested Mr. Donald W. Faison, Building and Grounds Superintendent, be called into the meetings as he may have suggestions

IN RE: RECESS

Mr. Bracey called for a five (5) minute recess at 3:57 P.M.

The Chairman called the meeting back to order at 4:10 P.M.

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward to present his monthly report. He stated he had nothing to add and asked if the Board members had any questions.

IN RE: RECREATION – NEEDS ASSESSMENT SURVEY

Mr. Smith continued that he had one item which required Board action. He stated there was a memorandum in their Board packets explaining a proposed Parks and Recreation needs assessment survey. This survey would aid the County in knowing what, recreationally, the public wants programmatically and facility wise in the near future. He explained this survey would be mailed to 255 individuals at no cost to the county and these 255 individuals represent 1% of the general population, 2% of the registered voters. They would be mailed to individuals of each voting district. Mr. Smith's survey and needs assessment would provide the following:

- The objectives of the needs - assessment are to 1) identify and prioritize program areas needed to be programmed by the Recreation Department, and 2) as a tool for reinforcing Part-B concerning leisure time and recreation facility development.
- The objectives of the survey are to 1) provide insight to the department the amount of available free time; 2) find out indoor and outdoor recreation development interest; 3) figure out if citizens would support facility development financially; and 4) distinguish the importance of recreation to the citizens quality of life.

Mr. Long stated he, along with, Mr. Smith and Mr. Clay had attended the McKenney Town Council meeting and he felt it had been well received. We discussed recreation and the Code Compliance Officer at this meeting.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Parks and Recreation to proceed with the mailing of a needs assessment and recreation and parks survey.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management, came before the Board and presented his report for the months of October and November 1998.

IN RE: PUBLIC SAFETY OFFICER -- REPORT

Mr. David M. Jolly, Public Safety Officer, came forward to present his monthly report. He stated there were a few things of interest and a few items which required Board action.

IN RE: PUBLIC SAFETY OFFICER – RE-CHASSIS OF RESCUE 91

Mr. Jolly stated he had received the bids for the re-chassis of Rescue 91. He stated there were three (3) bids received and after review he would recommend that P. L. Customs bid be accepted at a cost of $72,635.00. The bids were as follows:

L.I.S.	$53,500.00 - this bid did not meet specifications
P. L. Custom	$72,635.00
Singer	$72,709.00

The low bid did not meet the specifications as written; therefore we are recommending we accept the next bid which meets the specifications. They are also the manufacturer that made the unit originally.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Public Safety to accept the bid of $72,635.00, which meets all specifications, from P. L. Customs to re-chassis Rescue 91.

IN RE: PUBLIC SAFETY OFFICER – REPAIRS TO NAMOZINE VOLUNTEER FIRE DEPARTMENT'S TRUCK 4

Mr. Jolly stated in the Board packets there is a memorandum from Mr. Ronald Erb, Treasurer of Namozine Volunteer Fire Department, requesting funds to cover repairs on Truck-4. Mr. Erb stated with the purchasing of Hydraulic lines on Truck-4, 600 ft. of

1 ¾ hose, the refurbishment of Tanker-4 and their monthly bills they are just unable to meet these additional repair bills. The repairs and funds needed are as follows:

1.	Rear end alignment/parts and labor	$ 608.43
2.	4 16Ply G124 Tires	$1,740.88
	Total	$2,349.31

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted and funds appropriated from the Fire and Rescue Capital Fund to cover the repairs, as described above, in the amount of $2,349.31.

IN RE: PUBLIC SAFETY OFFICER – SALE OF 1971 FORD PUMPER

Mr. Jolly stated since the Board was so generous with their approval for money he would like to bring some money back into the system. The bids for the 1971 Ford Pumper have been received. There were two (2) bids on the unit. The high bid was $1,111.11 from Parker Simmons. Mr. Jolly recommended we accept that bid and place the money received into the maintenance line item (101-032200-3311) for the upkeep of the current inventory.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Public Safety to accept the bid from Parker Simmons on the 1971 Ford Pumper of $1,111.11 and funds received to be placed into the maintenance line item (101-032200-3311) for the upkeep of the current inventory.

Mr. Tickle was interested in knowing if we could use any parts on that truck and then scrap the remainder.

Mr. Jolly stated that might be able to be done but where would we keep the parts. He further stated all radios, lights and usable related equipment have been removed from the vehicle in question.

IN RE: FIRE AND RESCUE ASSOCIATION – REPORT

Mr. Jolly stated Mr. Charles Lewis was unable to attend so he was also the Fire and Rescue Association representative at this meeting. Mr. Jolly pointed out that Dinwiddie Volunteer Rescue Squad had staffing for approximately 11 days this past month and that nine (9) members provided most of that staffing. He stated in his professional opinion that if this continues to be the case those nine (9) members will not be there long.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Paul Jacobson, County Attorney, stated he had no report but was available for questioning.

Mr. Bracey requested that the County Attorney define what freedom of information is and what is an Executive Session – in lay terms. We have been having remarks such as "you are not telling the public" and we would like to have something to pass out to the citizens.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT – REPORT

Mr. Donald W. Faison, Building and Grounds Superintendent, came forward to present his monthly report.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT – COURTHOUSE CONSTRUCTION SUMMARY

Mrs. Ralph joined Mr. Faison and presented the Board with a Courthouse Construction Summary, as requested at the last meeting, showing the revenues and expenditures on the Courthouse Project.

IN RE: COUNTY ADMINISTRATOR COMMENTS – 1999-2000 BUDGET CALENDAR

Mr. Long stated he had included in the packets a tentative 1999-00 budget calendar. The calendar reads as follows:

November 18th	Discussion with Board of Supervisors of FY 99-00 Budget Goals
November 20th	Budget materials distributed to Agencies and Departments
December 21st	Agencies/Departments submit Budget requests
Week of January 4th	1998 value estimates submitted by the Commissioner of the Revenue
Week of January 25th	Proposed Budget submitted to the Board of Supervisors
Month of February	Board of Supervisors Budget Work Session
March 3rd	Budget Public Hearing

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above 1999-2000 Budget Calendar is hereby approved.

IN RE: COUNTY ADMINISTRATOR COMMENTS – RESOLUTION FOR CDBG PROGRAM – WATER PROJECT FOR CHAPARRAL STEEL

Mr. Long stated he had included in their packets some forms and documentation relative to the $700,000.00 CDBG Funds that have been made available for the water tank project for Chaparral Steel Facility. He thought the Board was familiar, through past CDBG projects, that there are several certificates and forms that are required to be signed off on. Before these forms can be signed off on the Board needs to authorize signature.

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

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia has applied for Community Development Grant Funds to construct a 2MG Elevated Water Storage Tank for Chaparral Steel; and

WHEREAS, under the guidelines of this grant, the County as agreed to adopt the following:

1. Local Business and Employment Plan
2. Non-discrimination Policy
3. Anti-Displacement Plan
4. Handicapped Accessibility and Non-discrimination Plan;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby re-adopts the above described documents; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Chairman of the Board of Supervisors or the County Administrator are hereby authorized to sign the necessary paperwork to execute the grant.

IN RE: COUNTY ADMINISTRATOR COMMENTS – HOLIDAY SCHEDULE

Mr. Long stated he had placed in the Board packets for their information and consideration a copy of an article in the Richmond newspaper showing the holidays the Governor has granted State Employees. In the past, the State holiday schedule has been presented to the Board for their approval, if they so choose. The article lists the following dates for State employees:

- Thanksgiving, close at noon on Wednesday, November 25th, and reopen the following Monday, November 30th.
- Christmas, close at noon on Wednesday, December 23rd; have off Christmas Eve and Christmas Day and reopen Monday, December 28th.
- New Year's, closed Thursday, December 31st and Friday, January 1st; reopening January 4th.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above schedule is adopted for County employees.

IN RE: COUNTY ADMINISTRATOR COMMENTS – TOUR OF COUNTY BUSINESSES

Mr. Long stated he had one more item of business. As the Board was aware they would be touring some of the County businesses this Friday and he would like to schedule a second date for touring because there are more businesses than can be seen in one day. He asked the Board if the following week agrees with them.

Mr. Bracey instructed Mr. Long to set it up and to let the Board members arrange to be present.

IN RE: BOARD MEMBER COMMENTS

Mrs. Everett – She reported to the Board the Airport Authority would like to have the Board visit them on Wednesday, December 16th at 10:30 A.M. to attend a briefing and tour of the Airport facilities after which the Pilot's Association would provide planes and pilots to fly the Board members over the Chaparral site. Upon return to the Airport, they would meet in the Conference Center where lunch will be provided.

Mr. Clay – He stated the Board packet notebooks are too small and he felt larger ones should be purchased.

Mr. Tickle – He stated both he and Mr. Long participated in the Virginia Association of Counties Meeting and as the Board knew they were very successful last time; they got two things incorporated for Dinwiddie County. This year he heard about

the growth study that is being done on a State basis. Spotsylvania County is leading the fight and they are soliciting support from other localities to do the things that we need about mandating funds to help support things like school construction and other items. Mr. Long has a copy of it. He would like to see a copy of this put into the Board packets for the next meeting and for the Board to look at and support that as number one. Number two thing is he keeps hearing we are growing about nine (9%) percent. Well you can not ask for a proffer or any type of impact fees unless you meet ten (10%) percent. One of the things the Spotsylvania group and the other twenty-three (23) counties that are going forward on is they are asking that to be reduced. So we as a County need to solicit our delegation in the General Assembly to have that revised so we can start asking developers to start supporting us, the County, more.

The other item Mr. Tickle wanted to address was the Appomattox Basin Industrial Development Corporation and about the situation in Prince George. The County Administrator and Mr. Tickle sat with Prince George and they, Prince George, have the same feeling about this that Dinwiddie County has and believes we all need to investigate this a little bit further. Businesses are coming through our County, a bunch of businesses, on a routine basis and we are not getting a suitable report back on what the status is and what we can do to enhance it. He would like for the Board to, when we have a meeting, to add this to the agenda of items to discuss and for us to get a general idea of how we want to go forth on this and make this work better for Dinwiddie County. Prince George has the same idea and concept and they would love to meet with the Dinwiddie Board of Supervisors to make a better product for us.

Mrs. Everett stated Prince George County had dropped out of ABIDCO for a while and then came back after they discovered it was to their benefit to belong.

Mr. Bracey stated we should have better reporting from them.

Mr. Bracey – He reported there was a meeting scheduled on Monday, November 23rd, at 6:00 P.M. at the Half-way House with the legislators and he wanted to know if the Board wanted him to carry with him any concerns from the Board. He stated his concerns were as follows:

1. Dinwiddie County needs more highway dollars
2. Since School Board members can now be elected that their governing regulations be looked at and changed to fit other government agencies regulations.

It was requested that Mr. Bracey carry the list of concerns which Mr. Long had on his prepared list.

Mr. Bracey stated he had a request and he wanted to know if there was any way when administration prepared Board packets that they could do three (3) additional packets for the press. Mr. Bracey stated if this was legal.

Mr. Long stated it certainly was legal; however, the only question which came to him which he would have to have the Board's approval to do is whether or not the Board wishes any cost to be assessed for that. Simply because the State Code says you can charge for services typically when Administration receives a request because of the time that these requests consume we would charge a per page amount. The only thing he would need from the Board is if they intend these packets to be given to the press then the Board authorize Administration to give the packets to them at no charge.

Mr. Bracey stated he felt the press would need a complete packet just as each Board member receives. These packets would not be placed in a notebook just in an envelope and if they wished to receive it they would have to pick it up.

Mrs. Everett stated there was a lot of information included in a Board packet that she did not feel the press would need copies of. She felt it would be nice to provide the press with a small condensed version of the packets.

Mrs. Ralph asked if the Board was aware that at every meeting, and has been for the past couple of years, a whole notebook put together for anybody to come in and look at. We have had newspapers come in and go through that pack before a meeting and if they need something copied we do. It is available on the Friday before the meeting just as the Board packets are sent to Board members on the Friday prior to the meeting.

Mr. Bracey stated all he was saying was that if Administration made three (3) packs and left one for the Progress Index, one for the Dinwiddie Monitor and one for the Richmond Times – he paused and stated if it is a problem then forget it.

Mr. Clay stated on Board days they do not have all this time to do extra work. He stated the book is available to the press if they wish to look at it.

Mr. Bracey stated but they cannot take that book out.

Mrs. Ralph stated no they cannot take it out. She stated we would do the best we can.

Mr. Bracey stated it was not his instruction to do this, it was just a question. He would like to see Administration try it. He would leave it up to Administration to do whatever they deemed necessary.

Mr. Bracey requested Mr. Long inform him about the packets for the press.

RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (A) - 7 Consultation with legal counsel (Industrial Access Road Contract) the Board moved into Executive Session at 5:03 P.M.

IN RE: RECESS

Mr. Bracey called for a five minute recess prior to going into the Executive Session

RE: RETURN TO OPEN SESSION

A vote having been made and approved the meeting reconvened into Open Session at 5:25 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Tickle, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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. Tickle, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 5:27 P.M. to be continued at 8:30 A.M. on Friday, November 20, 1998 at the Pamplin Administration Building.

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

ATTEST: R Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT THE PAMPLIN ADMINISTRATION BUILDING , DINWIDDIE COUNTY, VIRGINIA, ON THE 20TH DAY OF NOVEMBER 1998, AT 8:30 P.M.

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

IN RE: TOUR OF COUNTY BUSINESSES

The Board traveled to and toured the following businesses:

1. NWB, Inc.
2. Ingram Book Company

IN RE: BREAK FOR LUNCH

The Board returned to the Pampiin Administration Building where they joined the staff for a Thanksgiving Luncheon at 12:00 P.M.

IN RE: TOUR OF COUNTY BUSINESSES

The Board resumed their tour, at approximately 1:00 P.M., visiting the following businesses:

3. Manchester Tank
4. Tindall Concrete
5. Walmart Distribution Center

RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 3:45 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

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 2ND DAY OF DECEMBER, 1998, AT 7:30 P.M.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	LEENORA V. EVERETT, VICE-CHAIRMAN	ELECTION DISTRICT #3
	AUBREY S. CLAY	ELECTION DISTRICT #5
	HARRISON A. MOODY	ELECTION DISTRICT #1
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
OTHER:	DANIEL M. SIEGEL	COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., Chairman, 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

Mr. Bracey asked if there were any amendments to the agenda.

Mr. R. Martin Long, County Administrator, stated he would like to add Item 12 - Executive Session - Section 2.1-344 (A) 7 - Consultation with legal counsel (Potential Litigation).

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that there be an addition to the Agenda as above stated.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the November 11, 1998 Continuation Meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, 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 1013078 through 1013282 (void check(s) numbered 1012551, 1013078, 1012436, 1012796, 1013280, 1012882, and 1013170 through 1013174); for

Accounts Payable:

(101) General Fund	$151,065.16
(103) Jail Commission	$ 7.92
(104) Marketing Fund	$ -
(222) E911 Fund	$ 1,709.14
(223) Self Insurance Fund	$ -
(225) Courthouse Maintenance	$ 225.30

(226) Law Library	$ -
(228) Fire Programs & EMS	$ 402.67
(229) Forfeited Asset Sharing	$ 314.89
(304) CDBG Grant Fund	$ 1,625.48
(305) Capital Projects Fund	$ 34,429.81
(401)County Debt Service	$ -
TOTAL	**$ 189,780.37**

PAYROLL (11/30/98)

General Fund	$ 324,511.95
CDBG Fund	$ 2,774.09
TOTAL	**$ 327,286.04**

IN RE: APPROVAL OF REQUISITION #31 – COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated Requisition #31 for the Courthouse consists of payment to:

Hening-Vest-Covey	$ 1,898.46
TOTAL OF THIS REQUISITION	$ 1,898.46

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 31 in the amount of $1,898.46 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

There was discussion regarding Hening-Vest-Covey's costs; how much we are going to pay; if this was the last payment; who will pay the County back; and the fact the daily task log does not give complete information on what the County is paying for.

Mr. Long was instructed to call Hening-Vest-Covey for explanation of items before we pay. Administration was instructed to hold the check and report to the Board prior to mailing.

Mr. Long stated he felt he could obtain most of the requested information from Mr. Donald W. Faison, Building and Grounds Superintendent.

Mr. Bracey asked about the meeting on site.

Mr. Long assured the Board the meeting in question did take place.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if any citizens had signed up to speak.

Mrs. Ralph replied there was. The following person addressed the Board:

1. Anne Scarborough came forward asking if a letter to the Times-Dispatch had been written.

   Mr. Long replied a letter had been written but no answer had been received. Mr. Long explained a copy had also been sent to the General Assembly's Freedom of Information Committee. He stated the letter had just recently been

completed and mailed.

Mrs. Scarborough stated she just wanted to check and see if the answer she received at this meeting would match the answer she had received when she contacted the Richmond Times. She stated from the information she had obtained the Richmond Times had good documentation and she did feel Dinwiddie County was contacted and did not comply with the requests.

Mrs. Scarborough continued with remarks about the lights at the Courthouse, all 43 of them. She stated she had come to the Courthouse the evening before and counted them. She further stated she may be off a few but it was close to 43. She stated the bill, which she could obtain, was $5,036.88. She questioned why there are only two (2) lights in the public parking lot which the citizens use.

Mrs. Scarborough questioned who paid for the railing to be changed in the jury box.

Mrs. Scarborough stated she wanted to tell them something about herself. She stated the Board was having a retreat all the way in Charlottesville. She did not know until Mr. Charles Burgess, Past County Administrator, was here that it was open or she would have been at some of them. Last time the Board went to Charlottesville she found out her rate for just her, the very cheapest thing she could do was $83.00. She stated she had to buy gas and meals. She stated she did not know how long the Board intended to be in Charlottesville but she would have to buy her own meals. She stated she had to pay for all of that to attend a public meeting where the Board had stated they would be discussing the County budget and CIP. She wanted to know why the Board could not just go to Steven Kent with their brand new conference room and discuss the budget. She stated she was sure it was costing the citizens close to $1,000.00 for the retreat. She stated she felt the Board was excluding her from attending the retreat and she felt this was being done on purpose because the Board knew she was not going to spend that kind of money to go up there to hear something that she should be able to hear somewhere in a close vicinity. She stated she did not care if every other County in this State goes to the Homestead we do not have that kind of money and the Board is always saying the County is poor so she is just asking the Board to rethink this.

Mrs. Scarborough stated her last item was four (4) questions that she had asked the Board about items she had talked about this date. She stated they would not believe this, and she was really glad Mr. Daniel M. Siegel, County Attorney, was present, cause it is really not throwing off on him. She stated she had a statement signed by Mr. Siegel. She wanted the Board to listen to the opening statement: "The Board of Supervisors has asked that I respond to your letter"; these were the questions that the Board requested her to submit. Those questions were insignificant. Any Supervisors could have answered them for her. So now this has been sent over to Mr. Siegel and it comes back with codes stated. She stated she knew the answers to these questions but what she wanted to know was what's in the Board's brain, their thought process. Why does the Board feel they have to get away from the County so far?

Mr. Bracey asked if there was any citizen present that had not signed up but wished to speak at this time. There being none Mr. Bracey closed the Citizen Comments and moved forward.

IN RE: STATEMENT PRIOR TO PUBLIC HEARINGS

Mr. William C. Scheid, Planning Director, came forward to making the following statement prior to the Public Hearings.

"As previously requested by the Board of Supervisors, Draft copies of the Planning Commission Meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting room. The purposes of doing so is to expedite the hearing process without compromising the publics' access to pertinent information. It is noted that the Board has been given various information on all of the hearing(s) to include, the application, zoning map, adjacent property owner list, locational map(s), proffers (if applicable), soils data, comprehensive land use maps and references, etc. With this information noted, I will proceed with the cases."

IN RE: PUBLIC HEARING – C-98-3 – FREDERICK GOODWYN

This being the time and place advertised in the Dinwiddie Monitor on November 18 1998 and November 25, 1998, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing for C-98-3, for the purpose of considering a conditional use permit to establish a Christian Retreat Campsite on property identified as Tax Map 57-73A and 55-57 containing 11.40 acres of property and 4.38 acres of property and located on the north side of Highway 85, near the intersection with Gatewood Road in the Rowanty District.

Mr. Scheid proceeded with this presentation of C-98-3. He stated a meeting was held on October 30th with Frederick Goodwyn, representatives of the Noble Street Baptist Church, March Altman, and himself. The discussion focused on the intended use of the property by the Church. It was agreed that the conditional use permit would be heard by the Board of Supervisors at their December 2nd public hearing. The planning department requested that their vision of the property use be reduced to writing. He had not received any correspondence from the Church since the October 30th meeting. Since the Board tabled this request without holding a public hearing, the Board must remove the case from the table and conduct a public hearing.

The Dinwiddie County Planning Commission heard this case on August 12th and September 9th. On a vote of 5-0, with one (1) member abstaining, the Planning Commission voted to recommend denial of this request. Correspondence has been made with Mr. Goodwyn with in the past week. Several unsuccessful attempts have been made to contact Thomas Williams, a member of the Church. He stated he had gotten an answering machine several times and left messages for him to return the call. To date no call has been received.

Mr. Bracey asked if there was anyone present representing the Noble Street Church.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that C-98-3 Frederick Goodwyn be removed from the table and heard at this time.

Mr. Bracey opened the Public Hearing. There being no citizens present wishing to speak on C-98-3, Mr. Bracey closed the Public Hearing.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that C-98-3 - Conditional Use Permit request for Frederick Goodwyn is hereby denied.

IN RE: PUBLIC HEARING – P-98-11 – LAWRENCE AND LINDA ROLLEY

This being the time and place as advertised in the Dinwiddie Monitor on November 18, 1998 and November 25, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for P-98-11, for the purpose of considering a rezoning application submitted by Lawrence and Linda Rolley seeking to change the

district classification of Tax Parcel 57-93 concerning 5.03 acres from Residential, Limited, R-1 to Business, General B-2. The property is located on the east side of Route 1 approximately ¼ mile south of Nash Road. A restaurant is proposed. There are no density standards set forth in the zoning or land use plan. The land use plan identifies this area for agricultural-residential purposes.

Mr. Scheid stated this case was heard by the Board of Supervisors at their November 4th meeting. Due to the discussions held during this meeting, the Board tabled action on this case to this evening (December 2nd). The Board requested that legal counsel for the applicant, the County's attorney and the County Planning Department get together to rework some of the proffers offered by the Rolleys'. Mrs. Rolley met with Mr. Scheid on November 23rd and December 1st. A revised proffer statement has been submitted and was given to the County Administrator for distribution to the Board. Since the proffers have been amended, the Board should reopen the public hearing portion of this meeting.

Mr. Scheid read the following amended proffers:

1. We will be using the existing entrance that is now directly in front of the property. We will have space provided to the side and to the back of location, will have the required number of parking spaces marked and paved depending on seating required by the health department.

2. We will have front landscaped by professional landscapers, we will be doing extensive work to the inside and outside of the property and we have no intentions of spending thousands of dollars to remodel and not have a nice looking business.

3. We will have the back of the property filled in and do whatever is necessary to have additional parking.

4. No storage of vehicles or equipment to be stored on outside of property.

5. We will meet all building and health department codes that will be needed for us to relocate our existing business from 19606 Carson Road, Dinwiddie, Virginia 23841.

6. We will follow whatever course is necessary to assure safety.

7. Service stations with major repair under cover will not be permitted.

8. There will be no overnight parking of tractor trailers, we will not operate a truck stop, services of fuel, sales on commercial vehicles.

Please note that the above were some items that were previously proffered. Since the main concern at the Board of Supervisors meeting were service stations and truck stops we have added #7, and #8 above. We have also listed below items that will not be permitted and add to the above proffer list, these items have been struck from the General Purposes list.

9. Public utilities, #24 on permitted uses.

10. Government offices, #33 on permitted uses.

11. Show horse facility, #41 on permitted uses.

12. Computer software, #40 on permitted uses.

13. Hotels and motels, #10 on permitted uses.

14. Hospital, #14 on permitted uses.

15. Wholesale and processing, #21 on permitted uses.

16. Waterfront business activities, #26 on permitted uses.

Mr. Scheid asked if there were any questions from the Board regarding the proffers or any information presented to the Board. He further stated Mr. and Mrs. Rolley were both present.

Mr. Siegel stated he had a couple of points for clarification. He asked about the following items:

1. With regard to proffer 2. How will the landscaping be done?

   Mrs. Rolley stated she did not have any formal plans at this time. She did state it would be a covered entrance with planters and it would be paved.

2. With regard to proffer 4. Does no storage on the outside of property - is that outside of the building - or does that mean no storage sheds?

   Mrs. Rolley stated this meant that no broken down vehicles would be allowed to remain on the property. There will be no storage sheds.

3. With regard to proffer 6. He asked about the safety issue.

   Mrs. Rolley stated this item had come up with Ronald Reekes. There was a letter from Virginia Department of Transportation regarding ingress and egress which cleared up this matter with the Board.

   Mr. Siegel stated then these were traffic safety issues.

   Mrs. Rolley replied yes sir.

4. With regard to proffer 7. He asked about service stations with major repairs under cover won't be permitted. He wanted to know if that meant service stations will not be allowed.

   Mrs. Rolley stated yes sir, that means no service stations.

5. With regard to proffers 9 through 16. None of these items will be permitted.

   Mrs. Rolley stated these uses will not be permitted on the property.

Mr. Bracey opened the Public Hearing for P-98-11.

The following citizens came forward and addressed the Board.

1. William Adkins, stated he would like for the records to show that both he and his wife are opposed to this request to place a restaurant on the subject property. He felt it would destroy the quiet neighborhood in which he lives. He was concerned about property values, influx of traffic and what protection the County was going to provide for the citizens in that area should they approve this request.

2. Mark Waddell, 14506 Boydton Plank Road, stated he was still opposed for the same reasons as he had voiced at the previous meeting.

3. Robert Mengel, Box 300, Dinwiddie, stated he and his wife own property 200 feet away from this subject property and they are in support of this restaurant. He stated the property is located on a four lane divided highway, on a business corridor, and that he could not believe property values would drop.

4. John Scarborough, stated he was there for clarification. When Mr. Scheid went through the proffers from Mr. Rolley he mentioned Government Offices page 2 Item 10 and said it was number 33 rather than 34. He stated he was confused. He stated he had come up and gotten a copy of the Dinwiddie

County Code and his distinctly shows it as item 34. How many copies of the County Code are out?

Mr. Scheid stated this may be in codification and a page failed to be changed.

Mr. Bracey asked Mr. Scheid to look into this matter.

Mr. Scarborough continued by stating there were other businesses that he felt would not be suitable for this property. He asked about under zoning, things that they have not eliminated such as auto and home appliance services, #8 and you also have #18 that says auto sales and service. He continued by asking about clubs and lodges #17, and #23 machinery sales and service. He wanted the Board to study this matter further.

There was discussion regarding auto and home appliance services, auto sales and service, machinery sales and service, and the explanations of such businesses.

Mr. Bracey asked if there were any other citizens wishing to speak on P-98-11. There being none Mr. Bracey closed the Public Hearing and moved forward.

Mr. Bracey asked about the difference between rezoning and conditional use permits.

Mr. Scheid stated on a rezoning request a person comes in and asks for a zoning category; the category in and of itself may not seem offensive or it may seem offensive to adjacent property owners. There may be in that zoning category certain uses that are offensive and certain that aren't. In a rezoning you may find that you are inclined to rezone a piece of property if certain uses are not allowed to be in that zoning district. The only way that you can rezone that piece of property and not allow those uses to be in that district is that the person that seeks the rezoning willingly gives you what is called a proffer. A proffer is a statement that says if you will rezone my piece of property I will either confine myself to certain uses or within that district I will not do certain uses but that means I can do any of the other uses that are in that district. There are two (2) ways you can go about it on your proffer statement. In a rezoning that is when you hear a proffer. When you see a conditional use permit—

Mr. Bracey asked when do you get a conditional use permit.

Mr. Scheid stated a conditional use permit comes into play when if my property is already zoned a certain category. I am already zoned a Business B2, within a Business B2 under use 35 or 34 you will see there is a veterinary hospital. That means although my property is zoned Business B2 I cannot establish a veterinary hospital within the B2 district until I come through the Planning Commission and Board of Supervisors and obtain this conditional use permit. This means that yes your use will be allowed but we feel that certain conditions should or are not necessary in order for it to be permitted. It is a procedure in which you do not have to have the property rezoned, it is already zoned in a manner in which you can use it for certain uses but one of the uses that you want to use it for says you have to have a conditional use permit.

Mr. Tickle stated he was concerned about Item 18-Auto sales and service and machinery sales and service.

Mr. Moody stated he was disappointed we can't work it out tonight. It seems like it is up to the applicants to make proffers that are acceptable to the Board. They have not addressed the Board's concerns at the last meeting. He was sorry it will be six (6) months before they can reapply. He stated he was not concerned about a restaurant.

Mr. Bracey stated he wanted to be sure he understood what Mr. Moody was concerned about.

Mr. Scheid stated he would like to make a suggestion on something. What Mr. Moody said was correct, if you vote on a rezoning application that you are not permitted to consider a reasonable request that is similar in nature for a period of six (6) months.

This is basically a cooling off period. He stated he would like to note that at the last meeting the Board did table this matter with out taking a vote on it.

Mrs. Everett asked just what was he saying.

Mr. Scheid stated he wanted to point out that there is an alternative, if what he was hearing is that there seems to be a problem and that the feeling of the Board is that this thing is very close to what they feel is acceptable. If we take a vote right now then the applicant cannot come back for six (6) months because it would be essentially the same application. The Board does not have to vote on this issue this evening. The Board can do as they did before and table it. He stated he did not know what Board policy was if it had to be held to the next evening meeting or if you can make exceptions. He also stated he did not know about advertising criteria.

Mr. Siegel stated he felt it would have to be the January 6, 1999 meeting.

Mr. Long stated he appreciated the comment Mr. Scheid had made because in going back and summarizing what we have talked about, proffers are voluntary exclusions from the current zoning that the applicants make. He stated what he was trying to convey was that it may be inappropriate to convey the request . If we turn it down, there is a six (6) month waiting period, if the two (2) uses were overlooked by the applicant but they did not intend for them to stay in, it seems unfair to deny the entire request. He was just saying in the six (6) months versus tabling and bringing it back in one (1) month if that was the intent of the applicant. All he can say is if that was the intent because obviously proffers are voluntary. We cannot make an applicant do anything.

Mr. Tickle stated there may be a way around this. It says no storage of vehicles or equipment to be stored outside the property. If we read closely would that be a storage of vehicles?

Mr. Siegel stated Mr. Tickle was right, unless enclosed, Auto Sales and Tractor Sales and service must be inside – this would limit but not keep it from happening.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that P-98-11 be approved for the rezoning of 2.94 acres from R1 to B2 to include the proffers as offered by the applicant; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that in order to assure compliance with Virginia Code Section 15.2-2286-A7, it is stated that the public purpose for which this resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

IN RE: PUBLIC HEARING – P-98-14 – COUNTY OF DINWIDDIE

This being the time and place as advertised in the Dinwiddie Monitor on November 18, 1998 and November 25, 1998 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a public hearing for P-98-14, for the purpose of considering a rezoning application submitted by the County of Dinwiddie seeking to change the district classification of Tax Parcel 45D-(1)-16 (a 2.94 acre portion thereof) from Residential R-1 to Business, Limited, B-1 District. The property is located on Courthouse Road at its intersection with Edsel Lane.

Mr. Scheid came forward stating the Planning Commission heard this case at their November 11th joint meeting with the Board of Supervisors. During that meeting, several questions were asked by the Planning Commissioners. Due to the fact the Board of Supervisors was in the process of developing a contract with a potential buyer for the property, some of the Planning Commissioners' questions could not be answered. Mr. J. S. Major appeared in opposition to the rezoning request on behalf of his mother, an

adjacent property owner. Upon conclusion of the general discussion among Planning Commissioners, they voted 5-0-1 to recommend disapproval of the rezoning request.

Mr. Scheid continued it is important staff comment on some matters that were raised at the Planning Commission meeting as well as another rezoning case in this general vicinity which was heard by the Board. Case P-94-2 was a rezoning request submitted by the Bank of McKenney on the parcel of land upon which the current Dinwiddie branch is located. The property was rezoned from Residential, Limited, R-1 to Business, Limited, B-1. The property is adjacent to the home site of Mr. and Mrs. Scarborough. The only proffer given for the rezoning of the property was the use was limited to a financial institute. The rezoning was unanimously approved by the Planning Commission and the Board of Supervisors.

Case P-85-4 was a rezoning request submitted by James Thrower seeking to rezone the property across Route 627 from the County's property from Residential, limited, R-1 to Business, General, B-2. Mr. J. S. Major, a joint property owner with Mr. Thrower, appeared in support of the application at the June 12, 1985 Planning Commission meeting. He further stated his mother, an adjacent property owner, was in support of the rezoning application. A strip of land measuring 150' in width adjacent to the home owned, at that time, by Mr. and Mrs. Lewis remained Residential, Limited, R-1 with the balance of the land reverting to Business, General, B-2. Approximately one-half (½) of the road frontage along Courthouse Road owned by Mrs. Major is adjacent to the Business, General, B-2 zoning. He believed it was worth noting the County's property is separated by a road (private) from Mrs. Major's property. The County is asking for B-1.

Mr. Scheid stated lastly, it was his understanding the County is working on a contract for the land in which there will be a limitation on the number of uses permitted on his property. This information was not available to the Planning Commissioners at their last meeting and could have affected their recommendation to the Board.

Mr. Long stated at the September 16th meeting the Board held a Public Hearing to express interest in conveying or exchanging a piece of property as Mr. Scheid just described. Since the November 11th Planning Commission Meeting the County has put together two (2) proffers. There are copies located in the back of the room. Mr. Long read the following proffers into the record:

1. The permitted uses of the property shall be restricted to professional offices, financial institutions, and/or governmental offices, and accessory uses as determined under Dinwiddie County's zoning ordinance.

2. There shall be no direct vehicular access between, or parking lots or private roadways directly connecting, the Property and the adjoining property on which Dinwiddie County Courthouse (the "Courthouse Property") is situated; provided, however, that this provision shall not restrict pedestrian access between the Property and the Courthouse Property.

Mr. Scheid stated he would like to enter into the record the above proffer statement was received prior to the meeting.

Mr. Bracey opened the Public Hearing on P-98-14. The following persons came forward to address the Board:

1. J. S. Major - came forward stating he was representing his mother. He stated she had lived there for about fifty (50) years. He spoke in opposition to the rezoning of the property siting the following reasons. He was concerned about the County selling property which is adjacent to the new Courthouse, which he felt would be needed in the future by the County. He spoke about Mr. Thrower and himself giving up 150' for a buffer in order to get rezoning. He stated his mother's home faces Edsel Lane and she can't move it. He reminded the Board God isn't making any more land.

2. Anne Scarborough - came forward stating she was upset because that Mr. Major tried his best to get some feel of what the County was going to do with that property and he just drew a blank. Not any answer was offered to him at the Planning Commission meeting. Had it been a citizen wanting a piece of land rezoned she felt they would have been required to give the Planning Commission some type of knowledge on what we planned to do with the property. She wanted to state that she felt in the future if the County is going to get involved they should play square with the citizens. She felt the Board should have spoken up at that meeting and given the reason for the rezoning request. She agreed with Mr. Major that land is not being pulled out of the air and you are always saying the County does not have much land around this building. This is something the County should think about down the road and the County might need this land itself. She stated she is not against anybody but feels this is valuable land and the County should hold on to it.

Mr. Bracey asked if there were any other citizens present who had not signed up to speak but wished to speak on P-98-14. There being none Mr. Bracey closed the Public Hearing and moved forward.

Mr. Long stated he would like to make a brief comment. He stated it would have been better if he had appeared at the Planning Commission meeting. He apologized for that. He stated he knew more about the rezoning request than Mr. Scheid did and the Planning Commission. The Public Hearing which was held on September 16th did not go through the Planning Commission; it was held only by the Board of Supervisors, because this property was owned by the Board of Supervisors it was the only Board that was responsible for holding that hearing. At that stage it did not go through the Planning Department or the Planning Commission. He stated he did like to try to make it a habit to learn from his mistakes and would like that one noted for the record.

Mr. Long stated his recommendation, based on some of the things he had heard was as follows. He would say to the Board if they have further questions, any reservations, if they would like to check with the community further or if they have further questions for staff, that this Public Hearing, if he is not mistaken, being held, advertised and held, and proffers having been submitted – this issue, could be tabled at this time but voted on at another meeting without advertising again.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that P-98-14 be tabled in order for the Board to do further study.

Mr. Major asked when the case will be tabled to and would adjacent property owners be notified of the date it will be coming back to the Board for vote.

Mr. Long asked Mr. Siegel to respond.

Mr. Siegel stated it would be up the Board.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Board hereby instructs staff to notify adjacent property owners seven (7) days prior to any action by the Board.

IN RE: COUNTY ADMINISTRATOR COMMENTS – CODE COMPLIANCE OFFICER REQUEST FOR FURNITURE

Mr. Long stated the Board had before them a memorandum from the Planning and Zoning Department requesting the acquisition of a desk from the old Courthouse located

in the old Magistrates office adjacent to the General District and JD&R Clerk's office. This desk will be used by the Code Compliance Officer.

Mr. Bracey asked if the Board would grant the County Administrator authorization to do what was necessary to handle furniture requests.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Planning and Zoning Department to obtain a desk from the old Courthouse located in the old Magistrates office adjacent to the General District and JD&R Clerk's office for use by the Code Compliance Officer; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator to handle requests for furniture from the old Courthouse complex.

IN RE: COUNTY ADMINISTRATOR COMMENTS – AUCTION OF AIRPLANE

Mr. Long stated Mr. Fendall Vaughan, from the Sheriff's Office, was here to present an option on the airplane that was taken in a drug bust. The Board had discussed sealed bids for that plane.

Mr. Vaughan came forward to present a proposal to hold a Sheriff's Sale rather then a sealed bid. He had been contacted by a company, MACI Auctioneer, who will auction another aircraft at the Airport. He has submitted a proposal of 9 ½% of hammer price, or selling price. This proposal was being presented for the Board's consideration. He stated he did not believe it would be appropriate for them but he would like to also address instead of doing a sealed bid he would suggest they do a Sheriff's Sale the same day that this firm holds their auction. He felt it would be beneficial to do this sale while there is a group of airplane people assembled for the Bank's sale.

Mr. Long stated he felt it should be noted for the Board information that the Sheriff's Office could reserve the right to reject bids.

Mr. Long asked if the person would be auctioning the County's plane for no charge.

Mr. Vaughan stated no sir, he will be charging 9 ½% of the sale price plus $650.00 advertisement fee. What he does is lists it, advertises it, has a brochure made up; this is what he does for a living and he does charge 9 ½% plus advertisement costs.

There was discussion regarding if the plane did not sell who would be responsible for the $650.00 advertisement bill.

Mrs. Ralph stated she understood that the Sheriff's Office was not recommending the Board go with this organization but they were asked to present this proposal to the Board. What the Sheriff's Office would like to do is obtain their own auctioneer, which in the past has been one of the Deputies.

Mr. Vaughan stated they will be advertising at local airports and newspapers.

Mr. Bracey stated he wanted to be sure the airplane brought in enough money to cover the amount the County had put up to pay storage and for any advertisement costs associated with the sale of the airplane.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Sheriff's Department to hold a Sheriff's Sale (auction)

on January 6, 1999, at the Dinwiddie County Airport for the sale of the 1976 Maule M6 Airplane.

IN RE: COUNTY ADMINISTRATOR COMMENTS – DESIGN PROPOSAL FOR JURY RAILING

Mr. Long stated he had the design proposal to correct the jury railing at the Courthouse. Mr. Faison had given this to Mr. Long earlier this date and asked him to bring it to the Board's attention because the recommendation is to receive and move forward with it only with the understanding that it is at no cost to the County. What had been recommended was cutting down the jury box from 3'6" to 3'6" difference which as he said Mr. Faison the architect, and the judge have looked at. Mr. Faison asked that the design recommendation by the architect be accepted and the work authorized to be moved forward. This is being done with the understanding there will be no cost to Dinwiddie County.

Mr. Moody wanted to know if the design cost anything.

Mr. Long stated in his opinion this was one of the things that Mr. Faison screened out.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to accept the recommendation of Building and Grounds Superintendent to move forward with correcting the jury railing by accepting the design proposal submitted by the architect at no cost to the County of Dinwiddie.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated in their packets there was a memorandum from Mrs. Pamla Mann, Administrative Secretary, on several re-appointments which, if he reads correctly, all are due by December 31st. He asked that the Board review these and be ready for action at the December 16th meeting.

Mr. Long stated his last item was informational which the Board might have seen in the newspaper. Governor Gilmore has declared at least a partial State of Emergency based on the continued drought in the State.

Mr. Long stated finally he had a fumes report on the High School. He stated he had copies for the Board members.

Mrs. Everett wanted to be sure copies of the fumes report were made available for the press.

Mr. Long continued by stating, based on Mrs. Everett's request, the Board had asked at the last meeting to let the Board know what he had discussed or decided in regard to the press receiving information. What he had indicated to both gentlemen present, he had not spoken with Mary Goodwin, is at least at this point, he knew at least a couple of Board members leave their packets behind and if there are no objections the information on the Public Hearings, which was what he heard the most about, he could give the press a copy of those that are available this evening. He stated we are a couple of people short right now and as he indicated at the last meeting it can be a time consuming process.

Mrs. Everett stated she would like to see the newspapers receive a full packet.

There was discussion on this subject and Mr. Long stated he would see how things looked when they got back to full staff.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay – no comments

Mrs. Everett -- She reminded the Board of the Airport Tour on December 16th at 10:30 A.M.

Mr. Moody – no comment

Mr. Tickle – He stated he now has other full-time employment unlike what he had in the past. Over the next five (5) months he stated he will be going through some intense training outside of Dinwiddie County. He stated at this time he will be forced to miss two (2) Board meetings. However, the retreat is scheduled for December 14th and 15th and he would really like to be there. At this time he is scheduled to be in Chicago that week. He requested they review calendars and try to work with his calendar in order that he be able to attend.

There was discussion regarding penalty for changing or canceling reservations.

Mr. Long stated he did not know if there was, he would have to check.

Mrs. Everett stated the Board did want to do this in December because the budget was starting in January.

Mr. Tickle stated he would be in Virginia the 3rd and 4th week in January

Mr. Clay made a motion to reschedule the retreat for the 3rd week in January if no penalty will be incurred for cancellation of rooms.

After discussion regarding alternatives Mr. Clay withdrew his motion.

After further discussion, the Board decided unanimously to reschedule the retreat for January 21st and 22nd.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (A) 7 - Consultation with legal counsel - (Potential Litigation), the Board moved into Executive Session at 9:55 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:40 P.M. in the Board Meeting Room of the Pamplin Administration Building.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mrs. Everett, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey 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 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.

RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Tickle, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 10:45 P.M. to be continued at 10:30 A.M., December 16th at the Dinwiddie County Airport.

Edward A. Bracey, Jr.
Chairman

ATTEST: R Martin Long
R. Martin Long
County Administrator

/pam

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 16TH DAY OF DECEMBER, 1998, AT 2:00 P.M.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	LEENORA V. EVERETT, VICE-CHAIRMAN	ELECTION DISTRICT #3
	AUBREY S. CLAY	ELECTION DISTRICT #5
	HARRISON A. MOODY	ELECTION DISTRICT #1
OTHER:	PAUL JACOBSON	COUNTY ATTORNEY
ABSENT:	MICHAEL H. TICKLE	ELECTION DISTRICT #2

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

Mr. Edward A. Bracey, Jr., Chairman of the Board, called the regular meeting to order at 2:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey asked if there were any amendments to the agenda.

Mr. R. Martin Long, County Administrator, stated unless the Board saw it necessary he saw no reason for Executive Session listed as Item 12 on the Agenda.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the above requested Amendments to the Agenda are hereby approved.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the November 18, 1998 Regular Meeting and the November 20, 1998 Continuation Meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mrs. Everett, 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 1013284 - 1013408 (void check(s) numbered 1013194, 1012621, and 1013284); for

Accounts Payable:

(101) General Fund	$333,538.57
(103) Jail Commission	$ 28.91
(104) Marketing Fund	$ -
(222) E911 Fund	$ 5,168.00
(223) Self Insurance Fund	$ -

(225) Courthouse Maintenance	$	-
(226) Law Library	$	857.75
(228) Fire Programs & EMS	$	-
(229) Forfeited Asset Sharing	$	86.65
(304) CDBG Grant Fund	$	1,410.18
(305) Capital Projects Fund	$	-
(401)County Debt Service	$	64,629.85
TOTAL	**$**	**405,719.91**

IN RE: APPROVAL OF REQUISITION #30 – COURTHOUSE CONSTRUCTION

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated the following invoice is included in Requisition #30:

ANDREWS IRON	$1,665.00
TOTAL REQUISITION #30	$1,665.00

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 30 in the amount of $1,665.00 be approved and funds appropriated for CIP expenses for the Courthouse Project Fund.

IN RE: APPROVAL OF REQUISITION #4 - SCHOOL CONSTRUCTION

Mrs. Ralph stated the following invoices are included in this requisition:

FROEHLING & ROBERTSON, INC.	$	792.00
TRI-CITIES OFFICE PRODUCTS, INC.		3,855.00
VIRCO		8,777.15
J H PENCE COMPANY		6,610.10
WINDOWS 'N' WALLS		249.30
SCHNABEL ENGINEERING		633.24
NATIONAL HEALTH SUPPLY CORP		448.39
TOTAL REQUISITION NUMBER 4	**$**	**21,365.18**

There was discussion regarding the invoice from Froehling & Robertson, Inc. The question was if this invoice should be considered part of the Bond Issue. It was decided to have legal counsel review this item before payment.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 4 in the amount of $21,365.18 be approved, contingent upon the review by legal counsel of the Froehling & Robertson, Inc. invoice, and funds appropriated for CIP expenses for the School Project Fund.

IN RE: CITIZEN COMMENTS

Mr. Bracey asked if there were any citizens who had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, stated she did have names signed up. The following citizens addressed the Board:

1. Mr. Herman L. Harvell, P. O. Box 374, Dinwiddie, came forward to voice a complaint against Deborah M. Marston, Commissioner of the Revenue, regarding an erroneous assessment which he stated had been unresolved in 18 months. Mr. Harvell stated he wanted the office investigated. He further stated he did not feel he should be charged any fees, fines, penalties or interest.

   Mr. Bracey asked Mrs. Marston to please meet with Mr. Harvell and try to resolve this issue before close of business today.

   Mrs. Marston stated she had a computer problem and a tax ticket could not be generated at this time. She agreed to correct the matter as soon as possible.

   Mr. Bracey asked Mr. Harvell if this was agreeable with him and Mr. Harvell stated it was. Mr. Bracey instructed Mr. Harvell to contact the Judge if the matter was not resolved because the Board had no jurisdiction over Mrs. Marston.

2. Mrs. Anne Scarborough, Dinwiddie, came forward with questions and concerns regarding the upcoming Board's retreat. She wanted to know if an exact date for the retreat had been set and if there was any expense in changing the dates. She wanted to know about Department Heads attending the retreat and the cost for the County of such attendance. She requested an agenda for the retreat. She was very upset over the cost.

   Mrs. Scarborough continued with issues regarding the lights at the new Courthouse Complex and the lack of lights in the public parking area of the Pamplin Administration Building.

   Mrs. Scarborough's last item was in regard to the Richmond Times response to the County's letter and if one had been received.

   Mr. Bracey stated the retreat was scheduled for January 21st and 22nd. There was no penalty for changing the reservations. Mr. Faison was asked to check the wattage on the lights at the new Courthouse and compute the cost to burn.

Mr. Bracey asked if there were any other citizens present who had not signed up but wished to address the Board. There being none Mr. Bracey moved forward.

IN RE: PRESENTATION OF AUDIT – ROBINSON, FARMER, COX

Mr. Paul Lee, representative from Robinson, Farmer, Cox came forward and presented a brief report on the audit. He stated the County was in good fiscal health. He suggested the County may wish to include public service assessments on a twice a year basis.

Mr. Long took this opportunity to thank Mrs. Glenice Townsend, Fiscal Officer, and Mrs. Ralph for all their hard work.

Mr. Lee stated it was a pleasure to work with the staff of Dinwiddie County and in that he included the Dinwiddie School System employees and Social Services staff.

There was discussion regarding the public service twice year billing. Mrs. Marston, Commissioner of the Revenue, asked if the Board wished to do this to please include mineral lands in the ordinance change.

Mr. Bracey asked that Mrs. Marston and Mr. Long get together to discuss the matter and requested a report on this matter at the next meeting.

IN RE: DEPARTMENT OF TRANSPORTATION – REPORT

Mr. Ronald Reekes, Resident Engineer, came forward to present his monthly report. Mr. Reekes wished the Board a Merry Christmas.

There was discussion on Boisseau Road (submitted to Traffic Control Department for ideas), Route 226 and Route 1 (redesign), Route 619 to Hardiways Mill Road (holes in road and aprons needed), and Airport Road (potholes in road).

There was discussion regarding business licenses, zoning approval and possible changes that need to be made in the ordinance regarding this matter.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, came forward stating she had no report and wished the Board a Merry Christmas and Happy New Year.

IN RE: TREASURER – REPORT

Mr. Long stated Mr. William E. Jones, Treasurer, was not present because he was in Charlottesville for a Bright Users Group meeting. Ms. Mary Ann Winfield was present in his absence.

IN RE: TREASURER – REQUEST FOR ORDINANCE CHANGE FOR USE OF CREDIT CARD PAYMENTS

Mrs. Ralph stated the Board had before them a memorandum from Mr. Jones requesting approval to advertise for a Public Hearing an ordinance providing for the payment of taxes and fees to the local Treasurer by the use of a credit card. Currently, Section 58.1-3013 of the Code of Virginia allows for such use by ordinance. Over the years, the request for use has increased and office staff, as well as Mr. Jones, feel the time has come to implement this payment method. Again this request is for approval to advertise and Mr. Jones will provide the Board with more information once the ordinance is presented for approval.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Attorney to draft an ordinance amendment and for the Treasurer to advertise for a Public Hearing on said ordinance providing for the payment of taxes and fees to the local Treasurer by the use of a credit card.

IN RE: TREASURER – VEHICLE AND DOG LICENSE AGENTS FOR THE 1999 DISTRIBUTION PERIOD

Mrs. Ralph continued there was a second memorandum from Mr. Jones seeking the Board's approval for vehicle and dog license agents for the 1999 distribution period as follows:

VEHICLE LICENSE

Namozine Fire and Rescue - Raymond Foster	Namozine Fire House
Wilson-Hebron-Ford Ruritan - Albert Mathias	B & B Grocery
Reams Ruritan - Albert Fried	Reams Station Grocery
Robert A. Wallace	Wallace & Sons Grocery

DOG LICENSE

George Williams	County Hardware
Dr. Richard Grenoble	Chesdin Animal Hospital
Reams Ruritan - Albert Fried	Reams Station Grocery
Robert A. Wallace	Wallace & Sons Grocery

Mike Barnes	Old Bolsters Store
Steve Beville	County Pound

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that approval is granted for the Treasurer's Office to use the above satellite stations, and agents for the sale of vehicle and dog licenses.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, Commonwealth Attorney, was not present at this time.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel Shands was not present. Deputy Claude Townsend was present in Sheriff Shands absence. The Board received Sheriff Shands' Dinwiddie County Monthly Average Daily Population Report for the Month of February dated 03/02/98.

There was discussion regarding the marking of patrol vehicles. Mr. Bracey quoted a portion of the State Code of Virginia. Deputy Townsend was instructed by Mr. Bracey to forward this information on to Sheriff Shands. Mr. Long was to follow up and meet with Sheriff Shands regarding this matter.

IN RE: SHERIFF'S DEPARTMENT – POSITION ADVERTISEMENT

Deputy Townsend stated the Board had before them a request for authorization to place a job advertisement in two (2) local newspapers for current position openings of Correctional Officer at a starting salary of $21,726.00. Following an adequate advertisement period, the Sheriff's office will select potential employees to participate in the testing and interviewing process. They will be hiring three (3) new employees; two (2) positions will be 100% County funded and one (1) position will be State funded.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Sheriff's Department to place a job advertisement in two (2) local newspapers for three current position openings of Correctional Officer at a starting salary of $21,726.00, two (2) positions will be 100% County funded and one (1) position will be State funded.

Mr. Bracey voiced concerns about the interviewing and hiring process for Sheriff Office employees that are 100% funded by the County.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector, came forward to present his monthly report. Upon completion of his monthly report he wished the Board a Merry Christmas.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steve Beville, Animal Warden, came forward and presented his report for the month of November 1998. He asked if there were any questions regarding his report. There being none he wished the Board a Happy Holiday.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came forward and presented his monthly report.

IN RE: DIRECTOR OF PLANNING – COMMEMORATIVE MAPS

Mr. Scheid stated there was one item in the packets that needed Board action. This was the commemorative maps that Ms. Cheryl Stewart, Executive Secretary, for the Planning Department has been working on. Mr. Scheid requested Board authorization to have the maps printed as presented.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the printing of the Dinwiddie County Commemorative Maps.

There was discussion regarding recognizing Mr. Tom VanPelt who was kind enough to take the pictures for the Maps and to include a way of labeling the pictures to identify what they were of.

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. John M. Altman, Jr., Zoning Administrator, came forward and presented his monthly report. He asked if the Board had any questions.

There was discussion regarding the zoning requirement with reference to businesses. Mr. Altman stated at this point the County ordinances had no regulations about the look of an establishment. Mr. Altman stated he would investigate changes and report back to the Board after the first of the year.

Mr. Altman gave a brief update of the activities of the Petersburg Regional Film Office. He presented the Board with invitations to some of the celebrations that the Petersburg Regional Film Office was involved with.

IN RE: SOCIAL SERVICES – SOUTH CENTRAL PRIVATE INDUSTRY COUNCIL

Mrs. Peggy McElveen, Director of Social Services, came forward giving an update on the legislative changes regarding the South Central Private Industry Council. Ms. Betty Lou Weaver, Director of South Central Private Industry Council, was also present to provide information about changes in Federal legislation directly impacting services and activities provided by the Private Industry Council. Ms. Weaver explained action was required by local elected officials in order to remain in the same District Service area.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia is in support of remaining in the same District Service Area of the South Central Private Industry Council as currently exists.

IN RE: SOCIAL SERVICES – COMPREHENSIVE SERVICES FOR AT-RISK CHILDREN

Mrs. McElveen continued by stating her Department would like to give an overview of the 1997-98 Annual Report, Comprehensive Services Act. Mrs. Francene Newman, Office on Youth came forward and took part in the discussion.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, came forward stating he had no report but was available for questioning. There being none he wished the Board a Merry Christmas.

IN RE: RECESS

Mr. Bracey called for a five (5) minutes recess at 3:38 P.M.

Mr. Bracey called the meeting back to order at 3:43 P.M.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Mrs. Troilen Seward, Superintendent of Schools, came forward giving a brief update on school issues.

IN RE: SUPERINTENDENT OF SCHOOLS – SUPPLEMENTAL APPROPRIATION #4-FY99

Mrs. Seward stated the Board had in their packets a letter for supplemental appropriation #4-FY99. She stated they had been notified their application for training funds from a Technology Literacy Challenge Grant had been approved for $56,335.35. They were also to receive $33,518.36 for equipment and $843.62 for training under the Goals 2000: Educate America Grant. The Goals 2000: Educate American Grant notice was received after the FY1999 Budget was prepared, and the Technology Literacy Challenge Grant application process did not begin until September 1998. Therefore, neither of these amounts were available during the FY1999 Budget preparation period. Each school division in the state received some funding under the Goals 2000 grant, but the Technology Literacy Challenge Grant was a competitive one. The Technology Literacy Challenge Grant is limited to staff training. All grant funds will be placed in the Instructional Category and does not require any additional local funds.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for a supplemental appropriation of grant funds from the Technology Challenge Grant in the amount of $56,335.35 and Goals 2000: Educate America Grant in the amount of $34,361.98 for the Instructional Category, with no local funds involved.

Mrs. Seward wished the Board a Happy Holiday.

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward to present his monthly report. He stated he had nothing to add and asked if the Board members had any questions.

IN RE: RECREATION – MISSION STATEMENT

Mr. Smith continued that he had one item which required Board action. He stated there was a memorandum in their Board packets explaining a proposed mission statement for the Recreation Department. Mr. Smith stated that shortly after he arrived in Dinwiddie County he had requested their department logo be changed to better reflect the various components of recreation. He was now requesting the Board of Supervisors' approval for their Department's mission statement. The purpose of the mission statement is to give the public, in written form, an indication of what their department is about; essentially defining the purpose of their operation. The mission statement is one step of the organizational mission and vision process. The statement reads as follows:

Through the utilization of facility, community and natural resources, our goal of designing a balanced recreational program may be met; thus incorporating the needs, interest and desires of the citizens. With the citizens support and involvement, recreation can: enhance community spirit; develop partnerships between private enterprises, civic organizations and individuals; and enrich individual and community lives.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that they adopt the above Mission Statement for the Dinwiddie County Parks and Recreation Department.

Mr. Smith wished the Board a great Holiday Season.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management, came before the Board and presented his report for the months of November and December1998.

IN RE: PUBLIC SAFETY OFFICER -- REPORT

Mr. David M. Jolly, Public Safety Officer, came forward to present his monthly report.

IN RE: FIRE AND RESCUE ASSOCIATION – REPORT

Mr. Jolly stated Mr. Charles Lewis was unable to attend so he was also the Fire and Rescue Association representative at this meeting.

Mr. Jolly wished the Board Merry Christmas and Happy New Year.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Paul Jacobson, County Attorney, stated he had no report but was available for questioning. He wished the Board Christmas Greetings from everyone at Sands, Anderson, Marks & Miller.

It was reported that Mr. Dutch Bumgardner was a new father. He had a baby girl born eight days ago and named Emma.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT – REPORT

Mr. Donald W. Faison, Building and Grounds Superintendent, came forward to present his monthly report.

IN RE: BUILDING AND GROUNDS SUPERINTENT – EASTSIDE ELEMENTARY SCHOOL ASBESTOS REMOVAL

Mr. Faison stated he had received a proposal from Walker-Hudson to perform work at the Eastside Elementary School. The proposals are as follows:

1. To remove and dispose of the old acoustical tile ceiling in corridors throughout the building for the sum of $2,400.00 (TWO THOUSAND FOUR HUNDRED DOLLARS AND NO CENTS)
2. To remove and dispose of the asbestos containing boiler gaskets in the old boiler room for the sum of $1,175.00 (ONE THOUSAND ONE HUNDRED SEVENTY-FIVE DOLLARS AND NO CENTS)

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Building and Grounds Superintendent to issue a change order for the following items:

1. To remove and dispose of the old acoustical tile ceiling in corridors throughout the building for the sum of $2,400.00 (TWO THOUSAND FOUR HUNDRED DOLLARS AND NO CENTS)
2. To remove and dispose of the asbestos containing boiler gaskets in the old boiler room for the sum of $1,175.00 (ONE THOUSAND ONE HUNDRED SEVENTY-FIVE DOLLARS AND NO CENTS)

IN RE: BUILDING AND GROUNDS SUPERINTENDENT – MINI -BLINDS FOR CODE COMPLIANCE AND ZONING OFFICES

Mr. Faison stated he obtained a bid for mini-blinds for the offices of Mr. David Thompson, Code Compliance Officer and Mr. John M. Altman, Zoning Administrator. The cost for said blinds from Walls 'N' Windows is $71.11 each. The purpose of the blinds is for privacy when confidential issues are discussed.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Building and Grounds Superintendent to enter into a contract with Windows 'N' Walls for mini-blinds for the Code Compliance Office and Zoning Administrator Office at a cost of $71.11 each.

Mr. Faison wished the Board Merry Christmas.

IN RE: APPOINTMENTS – DINWIDDIE COUNTY TRANSPORTATION SAFETY COMMISSION

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Joseph B. Fields, Jr., Mr. Roy Hodges, Mr. Calvin P. Ampy, Mr. Daniel Lee, Mr. Terry Jones, Mr. Aubrey Clay and Mr. James D. Watkins are re-appointed to the Dinwiddie County Transportation Safety Commission for a term ending December 31, 1999.

IN RE: APPOINTMENTS – DINWIDDIE COUNTY WATER AUTHORITY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Thomas J. Leftwich is re-appointed to the Dinwiddie County Water Authority for a term ending December 31, 2002.

IN RE: APPOINTMENTS – DINWIDDIE COUNTY PLANNING COMMISSION

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Edward Hutson Titmus, III and Mr. Gilbert Wood are re-appointed to the Dinwiddie County Planning Commission for a term ending December 31, 2002.

IN RE: APPOINTMENTS – CRATER DISTRICT HEALTH ADVISORY BOARD

After discussion it was decided to hold this appointment until the next scheduled Board meeting.

IN RE: APPOINTMENTS – BOARD OF ZONING APPEALS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Board recommend to the Circuit Court Judge that Mr. Gilbert Wood be re-appointed to the Board of Zoning Appeals for a term ending December 31, 2003.

IN RE: COUNTY ADMINISTRATOR COMMENTS – VIRGINIA COALITION OF HIGH GROWTH COMMUNITIES

Mr. Long stated his first item he had included in their packets is a memorandum and information from Mr. March Altman on the Virginia Coalition of High Growth Communities. He provided the Board with a summary sheet with the two (2) major legislative issues of this Coalition. They are (1) increased State aid for schools and (2) authority from the State for adequate public facility ordinances. Mr. Long stated he had included the following "draft" resolution which endorsed the coalition and supports the Board's participation in the coalition. If the Board wished to adopt the resolution then they would also need to indicate as part of that who they would like to designate to serve as a representative to the coalition. Mr. Long suggested Mr. Altman be appointed due to his interest in the coalition.

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

BE IT RESOLVED BY the Board of Supervisors of Dinwiddie County, Virginia that the following resolution be adopted:

A RESOLUTION ENDORSING THE ESTABLISHMENT OF THE "VIRGINIA COALITION OF HIGH GROWTH COMMUNITIES"

WHEREAS, many jurisdictions in the Commonwealth of Virginia are experiencing rapid growth; and,

WHEREAS, rapid growth presents unique fiscal and infrastructure development challenges in jurisdictions that are experiencing this phenomena; and,

WHEREAS, issues of growth are of major concern to local elected and appointed officials in these high growth jurisdictions; and,

WHEREAS, on June 19, 1998, more than twenty jurisdictions attended a high growth forum and concluded that there is the need to address common issues in a more unified and strategic fashion; and,

WHEREAS, the Commonwealth of Virginia is a Dillon Rule state and, therefore, local governments must rely on the Virginia General Assembly for much of their authority; and,

WHEREAS, the economic well being of the Commonwealth of Virginia is dependent upon the economic development of its local jurisdictions; and,

WHEREAS, the high growth local governments in the Commonwealth of Virginia are interested in establishing a partnership to help raise the awareness of the Virginia General Assembly to local growth management concerns.

NOW, THEREFORE BE IT RESOLVED, by the Dinwiddie County Board of Supervisors that it hereby endorses a partnership of jurisdictions in the Commonwealth of Virginia that are experiencing rapid growth to be known as the "Virginia Coalition of High Growth Communities"; and,

BE IT FURTHER RESOLVED that the Dinwiddie County Board of Supervisors supports the participation of the County of Dinwiddie in the Coalition and that Mr. March Altman be designated to serve as the representative on this Coalition if acceptable by the Coalition. If Mr. Altman is not acceptable and the Coalition wishes a Board member to represent the County one will be appointed at a later date.

IN RE: COUNTY ADMINISTRATOR COMMENTS – LEGISLATIVE ISSUES FOR DINWIDDIE COUNTY

Mr. Long stated he had included the final draft of the 1999 legislative issues for the Board to approve.

It was decided to include all the concerns Dinwiddie County has regarding the possible closure of Central State Hospital.

IN RE: COUNTY ADMINISTRATOR COMMENTS – RESOLUTION CONCERNING ROUTE 226 AND ROUTE 1 INTERSECTION

Mr. Long stated he had before the Board the Resolution regarding improvement of the Route 226 and Route 1 intersection.

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

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

WHEREAS, the Dinwiddie County Board of Supervisors ("the Board") has continuously expressed its concern over the safety of the intersection of Route 226 and Route 1, and;

WHEREAS, the daily traffic volume at this intersection continues to increase, and;

WHEREAS, the Board desires to go on record as supporting enhancements to this intersection;

NOW, THEREFORE, BE IT RESOLVED THAT, the Dinwiddie County Board of Supervisors hereby requests that the Commonwealth Transportation Board add this project to the priority list for the 1999-2000 primary road allocation for Dinwiddie County.

It was stated that a copy of this resolution should be sent to the Crater Planning District and the Board needed to remember to re-adopt this Resolution for the April pre-allocation hearings.

IN RE: COUNTY ADMINISTRATOR COMMENTS – CONTRACTS FOR CDBG PROGRAM – CHAPARRAL WATER TANK

Mrs. Everett continued by asking if the press received Board packets for this meeting.

Mr. Long stated as he had indicated to the Board this would be changed after he got back to full staff. He stated Mrs. Mann had just started back recently but we are working toward full days at this point because there is certainly some recuperation time involved there. At this point he would have to suggest the same approach that we took last month by obtaining inserts from a couple of booklets at the end of the meeting. No additional ones were made today.

Mrs. Everett stated she hoped that beginning the first of the year that packets will be made available to the press prior to the meeting in order that they can come to the meetings knowing what is going on.

Mrs. Everett reminded the Board about the 250th Celebration in Petersburg tomorrow, December 17th.

Mr. Bracey – He thanked each member of the staff, Board members and all, stating he appreciated each of them for helping during the year. He stated he felt this Board had taken on all tasks placed before them this year. He stated he hoped this coming year they can do the same thing by facing some problems and getting them done. He hoped that each member of the staff has a Merry Christmas and a Happy New Year. To the citizens he always says thank you for the year and hoped they had a Merry Christmas.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 4:55 P.M. to be continued at 5:00 P.M. on Wednesday, January 6, 1999 at the Pamplin Administration Building.

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

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT THE DINWIDDIE AIRPORT - TERMINAL BUILDING, 23301 AIRPORT ROAD IN DINWIDDIE COUNTY, VIRGINIA, ON THE 16TH DAY OF DECEMBER, 1998, AT 10:30 A.M.

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

IN RE: CALL TO ORDER

Mr. Edward A. Bracey, Jr., Chairman, called the continuation meeting to order at 10:40 A.M.

IN RE: TOUR OF DINWIDDIE AIRPORT FACILITY

The Board enjoyed a tour, guided by Mr. David Ploeger, Airport Manager, of the Dinwiddie Airport Facility. Mr. Ploeger briefed the Board on the future plans for the Dinwiddie Airport Facility. Following the tour and briefing the Board was then entertained by flights over the County, including the new Chaparral Steel site and new Courthouse Complex. The tour ended with a luncheon in the Conference Room of the Facility.

RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 2:00 P.M.

Edward A. Bracey, Jr.
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT THE HOMEPLACE RESTAURANT IN DINWIDDIE COUNTY, VIRGINIA, ON THE 6TH DAY OF JANUARY, 1999, AT 5:00 P.M.

PRESENT:	EDWARD A. BRACEY, JR	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
	LEENORA V. EVERETT	ELECTION DISTRICT #3
	HARRISON A. MOODY	ELECTION DISTRICT #1
ABSENT:	MICHAEL H. TICKLE	ELECTION DISTRICT #2
OTHER:	BEN EMERSON	COUNTY ATTORNEY

IN RE: CALL TO ORDER

Mr. R. Martin Long, County Administrator, called the continuation meeting to order at 5:15 P.M.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mrs. Everett, Mr. Moody, Mr. Clay, Mrs. Everett, Mr. Bracey voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-333 (A) - 1 Discussion of employment, salaries disciplining of public officers, appointees, or employees of any public body (Administration) and Section 2.1-344 (A) 7 - Consultation with legal counsel (Property Sales Agreement) - the Board moved into Executive Session at 5:15 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

Upon motion Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mrs. Everett, Mr. Bracey 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 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.

RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mrs. Everett, Mr. Bracey voting "aye", the meeting adjourned at 7:31 P.M.

R. Martin Long
County Administrator

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
Assistant County Administrator

/pam

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 6TH DAY OF JANUARY, 1999, AT 7:30 P.M.

PRESENT:	EDWARD A. BRACEY, JR.,	ELECTION DISTRICT #4
	LEENORA V. EVERETT	ELECTION DISTRICT #3
	AUBREY S. CLAY	ELECTION DISTRICT #5
	HARRISON A. MOODY	ELECTION DISTRICT #1
ABSENT:	MICHAEL H. TICKLE	ELECTION DISTRICT #2
OTHER:	BEN EMERSON	COUNTY ATTORNEY

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

Mr. R. Martin Long, County Administrator, called the regular meeting to order at 7:32 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: TERM OF CHAIRMAN AND VICE-CHAIRMAN

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mrs. Everett, Mr. Bracey voting "aye", the Chairman and Vice-Chairman for the Board of Supervisors will serve a one year term of office.

IN RE: ELECTION OF CHAIRMAN - 1999

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Bracey voting "aye", Mrs. Everett "abstaining", Mrs. LeeNora V. Everett was elected Chair for the year of 1999 or until her duly elected successor assumes office.

IN RE: ELECTION OF VICE-CHAIR - 1999

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mr. Bracey, Mr. Moody, Mrs. Everett voting "aye", Mr. Clay "abstaining", Mr. Clay was elected Vice-Chairman for the year of 1999 or until his duly elected successor assumes office.

IN RE: SCHEDULE OF MEETINGS AND DATES FOR 1999

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the following meeting schedule is established for the regular meetings of the Board of Supervisors for the calendar year of 1999 with the 8th day following the meetings to be used as a makeup date if the regular meeting is to be continued because the Chairman or Vice-Chairman finds that weather or other conditions are hazardous for the Board members to attend:

JANUARY 6TH
JANUARY 20TH
FEBRUARY 3RD
FEBRUARY 17TH
MARCH 3RD
MARCH 17TH

APRIL 7TH
APRIL 21ST
MAY 5TH
MAY 19TH
JUNE 2ND
JUNE 16TH
JULY 7TH
JULY 21ST
AUGUST 4TH
AUGUST 18TH
SEPTEMBER 1ST
SEPTEMBER 15TH
OCTOBER 6TH
OCTOBER 20TH
NOVEMBER 3RD
NOVEMBER 17TH
DECEMBER 1ST
DECEMBER 15TH

THE FIRST MEETING OF EACH MONTH, HELD ON THE FIRST WEDNESDAY, WILL BE AT 7:30 P.M.

THE SECOND MEETING OF EACH MONTH, HELD ON THE THIRD WEDNESDAY, WILL BE AT 2:00 P.M.

MRS. LEENORA V. EVERETT, ASSUMED THE CHAIR.

IN RE: ANNOUNCEMENT REGARDING PUBLIC HEARING ON P-98-13 – MR. AND MRS. PATEL

Mr. Long stated that earlier today the applicant on P-98-13, Public Hearing for Mr. and Mrs. Patel, withdrew the application so there will not be a Public Hearing on that issue. He further stated the Board was sorry for any inconvenience and added all citizens were welcome to stay but he did want to let everyone know who had come just for that Public Hearing.

IN RE: ACCEPTANCE BY CHAIRMAN

Mrs. Everett stated she appreciated the confidence the Board was showing in her and she wanted to thank Mr. Bracey on behalf of the Board for an outstanding job as Chairman. She further stated she felt it would be a pleasure to serve with Mr. Clay as Vice-Chairman.

IN RE: MOMENT OF SILENCE

Mrs. Everett stated before we begin with the Agenda for this meeting she would like to observe a moment of silence in regard to the death of three (3) public servants in the area: Herbert Williams, former Commonwealth Attorney for Dinwiddie County and former counsel for the Dinwiddie County Industrial Development Authority; Arthur Ford, former member of the Dinwiddie Airport and Industrial Development Authority and a former Petersburg council member; and Harry King, former Chairman of the Prince George Board of Supervisors and a long time member of that body.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Everett asked if there were any amendments to the agenda. There being none Mrs. Everett moved forward.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the December 2, 1998 regular meeting; December 16, 1998 continuation meeting; and December 16, 1998 regular meeting are approved in their entirety.

Mrs. Pamla A. Mann, Administrative Secretary stated in the November 18, 1998 minutes she had found an error in one of the headings. She stated she had listed an item as supplemental appropriation and it should have read re-appropriation and had made the correction prior to placing the minutes in the permanent record book. The Board voiced approval for this action.

IN RE: CLAIMS

Mr. Long stated he had an addition to the claims. This was for the re-chassis of one of the rescue vehicles the County owns. The Board had prior approved this work to be done but by approving the payment of this claim this evening the County would save $1,500.00 on the cost of this re-chassis. The initial bill was $29,250.00 to P. L. Custom Emergency Vehicles. The total work for this project was $72,635.00 and will drop to $71,135.00 by paying for the chassis now.

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Bracey, Mrs. Everett 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 1013408 through 1013645 (void check(s) numbered 1013494, 1013495, 1013642, 1013592, 1013636, 1013409); for

Accounts Payable:

(101) General Fund	$ 182,388.90
(103) Jail Commission	$ -
(104) Marketing Fund	$ -
(222) E911 Fund	$ 2,082.50
(223) Self Insurance Fund	$ 9,672.84
(225) Courthouse Maintenance	$ -
(226) Law Library	$ -
(228) Fire Programs & EMS	$ 83.54
(229) Forfeited Asset Sharing	$ 347.51
(304) CDBG Grant Fund	$ -
(305) Capital Projects Fund	$ 6,026.26
(401)County Debt Service	$ 1,276.18
TOTAL	**$ 201,877.73**

PAYROLL (12/18/98)

General Fund	$ 328,403.47
CDBG Fund	$ 2,832.94
TOTAL	**$ 331,236.41**

ADDITIONAL CLAIM

P. L. Custom Emergency Vehicles $ 29,250.00

IN RE: CITIZEN COMMENTS

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

Mrs. Mann stated she did have citizens signed up. The following citizens came forward to address the Board:

1. Calvin Ellington, 23909 Ellington Road, Petersburg, Virginia came forward expressing concerns regarding the condition of Halifax Road and requested the Board move forward with plans to repair the road by widening, leveling and paving. He stated these upgrades are long overdue.

2. Jeri Orton, 26727 Perkins Road, Petersburg, Virginia came forward to express similar concerns regarding the condition of Halifax Road. She stated she had additional petition sheets with excess of 400 names.

   Mr. Bracey instructed Ms. Orton to provide copies of the petitions to Mr. Ronald Reekes, Resident Engineer for the Virginia Department of Transportation but to keep copies for her records and for presentation to the members of the Virginia Department of Transportation Pre-allocation Board which will meet in April at John Tyler Community College.

3. Robert Belcher, 27516 Flank Road, Petersburg, Virginia came forward requesting information on the new road leading to the Chaparral Steel Facility. He wanted to know when this road would be opened, who owned the road, and who paid for this road.

   Mr. Long stated the road will be owned and maintained by the Virginia Department of Transportation. The road will be opened when the traffic signal, at the intersection of Hoffheimer Way and Church Road, has been installed and is operational. This signal is being supplied by Chaparral Steel for safety purposes.

   Mr. Belcher also stated a light was needed at the Courthouse Road and Boydton Plank Road intersection.

4. Edward Titmus, III, 5704 Rocky Branch Road, Sutherland, Virginia came forward to talk to the Board regarding a growing concern that he felt the Board can do something about. That issue is trash in Dinwiddie County especially on the North end; at the Rohoic, lake, and Olgers Store sites. He stated he is getting tired of seeing commercial waste being brought into these facilities and tired of seeing Chesterfield residents come in here on the days that the gentleman does not sit at the sites. He stated he knew Dinwiddie County was wasting thousands and thousands of dollars on Chesterfield's trash and not Dinwiddie's trash. He stated he thought money had been appropriated through Capital Expenditures for the modification of the Rohoic Elementary dump site, $40,000.00, and wanted to know why no action had been taken on this project. He stated he felt we need to limit the time in which people can go in and out in order to permit the site to be manned at all times. He stated he knew it would be an inconvenience for some citizens but felt that after they saw the savings they would understand. He also suggested closing the lake and Olgers Store sites and just rely on one well

planned manned site, suggesting Rohoic's site. He stated every day he saw contractors from everywhere dumping in our sites. He stated even if he took pictures and took down license plate numbers he did not feel a fine would ever come out of it like it is supposed to. We need to do something about this situation. He stated he had further sanitation concerns but would not air them at this time; however, he did request a meeting with one or more of the Board members to discuss them.

Mr. Bracey stated if he took the pictures and presented them to the Sheriff someone could go and inform them about the regulations in Dinwiddie County regarding dumping of waste.

Mr. Titmus asked if it was his job to provide this service.

Mr. Bracey stated if he was a good citizen then maybe someone else would follow.

Mr. Titmus stated he had a plan and would discuss it with whomever met with him regarding this matter.

There was discussion regarding the $40,000.00 and it was stated it had not been appropriated at this time. The Board would look into this matter further.

5. Fletcher Mayton, 4001 West Drive, Petersburg, Virginia came forward to discuss a problem located in the Edgehill Subdivision. There is a road which has been cabled off and signs placed stating it is a private road. No one seems to know who owns the property in question. He felt this was a problem because school buses and emergency vehicles were no longer able to use this crossover road. The water and sewer line runs down this street. There is also a fire hydrant located on this section of road.

   There was discussion between Mr. Mayton, the Board and Mr. David Jolly, Director of Public Safety regarding this section of road. The Board assured Mr. Mayton they were aware of this problem and were currently working on finding out who owned the property and reaching a solution. There was also discussion regarding the right to use this road.

   Mr. Ben Emerson, County Attorney stated if it was in fact a private road then no one, including the County or County vehicles, had a right to trespass on the property.

Mrs. Everett asked if there were any other citizens present who wished to speak. There being none Mrs. Everett closed the Citizens Comments section and moved forward.

IN RE: STATEMENT PRIOR TO PUBLIC HEARINGS

Mr. William C. Scheid, Planning Director, came forward to make the following statement prior to the Public Hearings.

"As previously requested by the Board of Supervisors, Draft copies of the Planning Commission Meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting room. The purpose of doing so is to expedite the hearing process without compromising the publics' access to pertinent information. It is noted that the Board has been given various information on all of the hearing(s) to include, the

application, zoning map, adjacent property owner list, locational map(s), proffers (if applicable), soils data, comprehensive land use maps and references, etc. With this information noted, I will proceed with the cases."

IN RE: PUBLIC HEARING – P-98-12 – KELLY RENE FORD -WILLIAMS

This being the time and place as advertised in the Dinwiddie Monitor on December 16, 1998 and December 23, 1998, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing for P-98-12, for the purpose of considering a rezoning application submitted by Rene Williams seeking to change the district classification of tax parcel 35-6 containing 1.373 acres from residential, limited, R-1 to agricultural, general, A-2. Said property is located on the east side of Route 613 (Squirrel Level Road) approximately 1/8 mile north of Fort Emory Road. The comprehensive plan recommends this area as agricultural-residential with an overall density not exceeding 1 unit per acre for residential use and a floor area ratio of 0.3 for commercial use. The current zoning classification does not permit a density greater than 1 unit per three (3) acres. Commercial use of the property is proposed.

Mr. Scheid stated the applicants, Kelley Rene Ford-Williams and A. B. Ford, Sr., are seeking a rezoning of the property from Residential, Limited, R-1 to Agricultural, General, A-2. Mrs. Ford-Williams and Mr. Ford are seeking the rezoning for the purpose of reestablishing and operating a general store with gasoline sales on the property located at 7821 Squirrel Level Road. The property in question is identified as tax parcel 35-6. A general store has been operated at this location in the past. The applicants voluntarily submitted the following letter to the County listing proffers if the rezoning is granted.

December 9, 1998

Dinwiddie County Planning Department

Attn: Zoning Administrator

P O Box 266

Dinwiddie, Virginia 23841

RE: Voluntary Proffers

Case No.: P-98-12

Tax Map Parcel # 35-6

Dear Zoning Administrator:

The undersigned owner and/or agent of the property referred to above hereby voluntarily proffer(s) the following as conditions to be attached to the property for itself, its representatives, and successors upon approval of the rezoning request:

1. The property under consideration will be utilized for the following uses only:
    a. Single-family dwelling
    b. Church
    c. Professional office (within occupant's dwelling)
    d. Gift shop
    e. Antique shop
    f. General store, as defined
    g. Beauty shop
    h. Barbershop
    i. Home occupations, as defined, conducted by occupant

j. Business signs
k. Church bulletin boards and identification signs
l. Directional signs
m. Home occupation signs
n. Locational signs
o. Governmental offices with a conditional use permit
p. Veterinary hospital with a conditional use permit
q. Day care center
r. Nursery and landscaping services

The Planning Commission heard this case on December 9, 1998 and unanimously voted to recommend approval of P-98-12 with proffers. This concluded Mr. Scheid's report to the Board of Supervisors.

Mrs. Everett asked the applicants if they wished to make a statement at this time. They declined to do so.

Mrs. Everett stated this is a Public Hearing and asked if any citizens had signed up to speak on this case P-98-12. There being none Mrs. Everett asked if any citizen wished to speak.

The following person addressed the Board on P-98-12:

1. Mrs. Robert Belcher, 27516 Flank Road, Petersburg, Virginia stated she was delighted to hear they were hoping to reopen because it was so convenient for her and that they ran a good operation before when the store was open.

Mrs. Everett asked if there was anyone else who wished to speak. There being none Mrs. Everett closed the Public Hearing.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the district classification of Tax Map Parcel 35-6 containing 1.373 acres be changed from R-1 to A-2 with and subject to the following proffers:

1. The property under consideration will be utilized for the following uses only:
   a. Single-family dwelling
   b. Church
   c. Professional office (within occupant's dwelling)
   d. Gift shop
   e. Antique shop
   f. General store, as defined
   g. Beauty shop
   h. Barbershop
   i. Home occupations, as defined, conducted by occupant
   j. Business signs
   k. Church bulletin boards and identification signs
   l. Directional signs
   m. Home occupation signs
   n. Locational signs
   o. Governmental offices with a conditional use permit

p. Veterinary hospital with a conditional use permit

q. Day care center

r. Nursery and landscaping services; and

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that said zoning ordinance is hereby reordained in its entirety; and

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that in order to assure compliance with Virginia Code Section 15.1-491 (g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practices.

IN RE: PUBLIC HEARING – P-98-13 – MR. AND MRS. PATEL

This being the time and place advertised in the Dinwiddie Monitor on December 16, 1998 and December 23, 1998, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing for P-98-12, for the purpose of considering a rezoning application submitted by J. R. Patel seeking to change the district classification of tax parcels 80-55A and 55 (a portion thereof) containing 12.85 acres from business, general, B-2 to agricultural, general, A-2. The property is located on the east side of Route 1 (Boydton Plank Road) approximately ¼ mile south of the Town of McKenney and is known as the Scottish Inn. This parcel is designated for commercial purposes by the comprehensive plan with a 0.3 floor area ratio density limitation. There are no current density restrictions. The applicant wishes to establish an assisted living facility in the existing structures.

Mr. Scheid stated Mr. and Mrs. Patel (Jai Krisna Co, Inc.) had withdrawn their rezoning application by letter, dated this date.

IN RE: APPOINTMENTS

Mrs. Pamla A. Mann, Administrative Secretary, stated that we have one (1) opening on the Crater District Health Advisory Board. We have received two (2) applications for this opening from Ms. Christina F. Winfield and Mr. John A. Burch.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. John A. Burch is hereby appointed to the Crater District Health Advisory Board for a term ending December 31, 2001.

IN RE: COUNTY ADMINISTRATOR COMMENTS – RESOLUTION FOR THE DECLARATION OF THE LOCAL EMERGENCY

Mr. Long stated his first item was the ratification of a Resolution for the Declaration of the Local Emergency. This Resolution would allow the County to be reimbursed for the expenses incurred by the localities during the emergency, when and if funds become available from the State. The Resolution is as follows:

RESOLUTION FOR THE
DECLARATION OF THE LOCAL EMERGENCY

WHEREAS, the Board of Supervisors of the County of Dinwiddie does hereby find that:

1. Due to the ice storms, the County of Dinwiddie is facing dangerous conditions and extensive power outages; and
2. Due to the ice and power outages a condition of extreme peril of life and property necessitates the proclamation of the existence of an emergency;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that an emergency now exists throughout said County; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said emergency the powers, function, and duties of the Director of Emergency Services and the Emergency Services organization of the County of Dinwiddie shall be those prescribed by state law and the ordinance, resolutions, and approved plans of the County of Dinwiddie in order to mitigate the effects of said emergency.

DATED: DECEMBER 26, 1998 BOARD OF SUPERVISORS

ATTEST: CLERK-BOARD OF SUPERVISORS-COUNTY OF DINWIDDIE COMMONWEALTH OF VIRGINIA

CONFIRMATION BY ENTIRE BOARD - FIVE (5) DAYS - SPECIAL MEETING

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above Resolution for the Declaration of the Local Emergency is hereby adopted.

Mr. Long praised the volunteers who provided services during this emergency.

IN RE: COUNTY ADMINISTRATOR COMMENTS – CRATER YOUTH CARE COMMISSION RESOLUTION FOR AMENDING OF SECTION 16.1-318 OF THE CODE OF VIRGINIA

Mr. Long stated he had brought before the Board the plight of the Crater Youth Care Commission and the dilemma of not enough beds for the number of juveniles. Adopting this Resolution will not effect the County financially but would allow the Commission to sell bonds for this expansion project. Bonds sold by the Crater Youth Care Commission will not reflect on the County's bond ratings. It does not count toward any debt limit for the County. All items will have to come back before the Board for their approval prior to moving forward with the project.

RESOLUTION OF DINWIDDIE BOARD OF SUPERVISORS
SUPPORT AMENDING
SECTION 16.1-318 OF THE CODE OF VIRGINIA

WHEREAS, THE CRATER YOUTH CARE COMMISSION which serves the Cities of Hopewell, Petersburg, and Emporia and the Counties of Prince George, Dinwiddie, Sussex and Surry lying within the Crater Planning District area operates a twenty-two (22) bed regional juvenile detention facility that serves the juvenile detention needs of the said Cities and Counties for such a facility; and

WHEREAS, THE CRATER YOUTH CARE COMMISSION Secure Detention facility is currently overcrowded and cannot meet the juvenile detention needs of the COMMISSIONED JURISDICTIONS; and

WHEREAS, THE CRATER YOUTH CARE COMMISSION initiated a Needs Assessment Study, which noted the need to expand the Security Detention facility from twenty-two (22) beds to seventy (70) beds, was approved by the Virginia Department of Juvenile Justice on September 10, 1997; and

WHEREAS, THE CRATER YOUTH CARE COMMISSION has requested Senator Richard J. Holland and Delegate Riley E. Ingram to sponsor legislation in the 1999 General Assembly to amend Section 16.1-318 of the Code of Virginia which will allow the CRATER YOUTH CARE COMMISSION to issue revenue bonds to finance expanding the Secure Detention facility from twenty-two (22) to seventy (70) beds; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia meeting in regular session on this the 6th day of January, 1999, that it supports legislation that will amend Section 16.1-318 of the Code of Virginia which will allow the CRATER YOUTH CARE COMMISSION to issue revenue bonds to finance the Capital Improvement Plan of expanding the Secure Detention facility from twenty-two (22) to seventy (70) beds.

Done on this 6th day of January, 1999.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Resolution, as stated above, supporting amending Section 16.1-318 of the Code of Virginia is here approved.

IN RE: COUNTY ADMINISTRATOR COMMENTS – VIRGINIA COALITION OF HIGH GROWTH COMMUNITIES

Mr. Long stated he had one final issue dealing with the Virginia Coalition of High Growth Communities. At a previous meeting we adopted a Resolution endorsing the establishment of the "Virginia Coalition of High Growth Communities". At that time we appointed Mr. John M. Altman, Jr., to serve on this committee; however, the Coalition has requested we appoint a Board member to serve.

Mrs. Everett asked if any Board member would like to serve on this committee.

Mr. Harrison Moody agreed to serve.

It was suggested by the Board that Mr. Altman continue to attend the meetings along with Mr. Moody. They felt Mr. Altman had a strong interest in this matter and that it would be a good learning experience for him.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Resolution adopted at the December 16, 1998 meeting be amended to appoint Mr. Harrison A. Moody to serve on the Virginia Coalition of High Growth Communities.

IN RE: COUNTY ADMINISTRATOR COMMENTS – TOUR OF COUNTY BUSINESSES

Mr. Long asked the Board to tentatively mark their calendars for February 5th to continue the tours of County businesses. He hoped to tour RGC, the Comfort Group, Phillip Morris, and the construction at Pamplin Park. He hoped to have a firmed up schedule at the January 20th meeting.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody – He gave congratulations to Mrs. Everett on her appointment.

Mr. Bracey – He blessed Mrs. Everett and wished her well this year.

Mr. Clay – No comments

Mrs. Everett – She stated she wanted to commend the staff and volunteers for an outstanding job during the emergency situation. She stated she would like a motion to place an advertisement of appreciation to be placed in the Dinwiddie Monitor and the Progress Index.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for staff to place an advertisement of appreciation in the Dinwiddie Monitor and the Progress Index.

Mrs. Everett continued that she had attended the Petersburg 250th Anniversary Celebration on December 17th. She stated she had brought back some artifacts which she presented to Administration for safe keeping. She stated we need to keep track of these things because Dinwiddie County will be celebrating their 250th year in 2002. She stated she would like to have interested people to form a planning committee to work on this project.

She further stated she would like to have a Resolution saluting Petersburg on their 250th Anniversary.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Administration to draft a Resolution saluting the City of Petersburg on their 250th Anniversary.

RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Bracey, Mrs. Everett voting "aye", the meeting adjourned at 8:34 P.M.

LeeNora V. Everett
Chairman, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

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 20TH DAY OF JANUARY, 1999, AT 2:00 P.M.

PRESENT:	LEENORA V. EVERETT, CHAIRMAN	ELECTION DISTRICT #3
	AUBREY S. CLAY, VICE-CHAIRMAN	ELECTION DISTRICT #5
	MICHAEL H. TICKLE	ELECTION DISTRICT #2
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	HARRISON A. MOODY	ELECTION DISTRICT #1
OTHER:	DANIEL SIEGEL (arrived at 2:10 P.M.)	COUNTY ATTORNEY

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

Mrs. LeeNora V. Everett, Chairman of the Board, called the regular meeting to order at 2:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Everett asked if there were any amendments to the agenda.

Mr. Long stated under Agenda Item Number 15 - Section 2.1-344 (a) 7 - Consultation with legal counsel he would like to add Property issue and also Section 21.-344 (a) 1 - Personnel needed to be stricken from the Agenda.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the above requested Amendments to the Agenda are hereby approved.

IN RE: MINUTES

Mr. Tickle stated on page 11 of the January 6, 1999 Regular Meeting minutes, under Appointments there was an error in names listed under roll call which needed correction, Mr. Tickle needs to be removed and Mr. Moody needs to be added.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the January 6, 1999 Regular Meeting and the January 6, 1999 Continuation Meeting are approved with corrections as noted above.

IN RE: CLAIMS

Mrs. Ralph stated there was a change in the amount of Debt Service listed in the claims. The two (2) payments to Crestar for the First Bond Issue and the Second Bond Issue on the Courthouse appear on one (1) check. The first Bond Issue on the Courthouse was refunded; therefore, we just got the final payment on that with the amount confirmed and were able to reduce that amount. Instead of $328,448.75 it is $305,473.00.

Upon motion of Mr. Tickle, seconded by Mr. Moody, Mr. Moody, Mr. Bracey, Mr. Tickle, Mr. Clay, Mrs. Everett 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 1013646 through 1013784 (void check(s) numbered 1013647 and 1013679); for

Accounts Payable:

(101) General Fund	$257,401.05
(103) Jail Commission	$ 478.80
(104) Marketing Fund	$ -
(222) E911 Fund	$ -
(223) Self Insurance Fund	$ -
(225) Courthouse Maintenance	$ -
(226) Law Library	$ 72.23
(228) Fire Programs & EMS	$ -
(229) Forfeited Asset Sharing	$ 1,392.72
(304) CDBG Grant Fund	$ 600.00
(305) Capital Projects Fund	$ 899.25
(401)County Debt Service	$ 616,441.95
TOTAL	**$ 877,286.00**

IN RE: APPROVAL OF REQUISITION #40 (IDA98A - #5 - SCHOOL CONSTRUCTION

Mrs. Ralph stated the following invoices are included in this requisition:

KBS, INC.	$45,074.63
JMJ CORPORATION	862.30
TRI-CITIES OFFICE PRODUCTS, INC.	13,077.10
ELECTROLUX	1,599.80
SAX ARTS & CRAFTS	500.00
WASHINGTON MUSIC SALES CENTER	2,432.00
CONSOLIDATED PLASTICS CO.	81.72
MID-ALTANTIC SCHOOL EQUIPMENT	1,675.44
SCHOOL SPECIALITY	170.50
TOTAL REQUISITION NUMBER 5	**$ 65,473.49**

Mr. Bracey had concerns regarding these invoices and the original CIP.

Mrs. Troilen Seward, Superintendent of Schools, assured Mr. Bracey these expenses were included in the original CIP.

Mr. Bracey was not satisfied with Mrs. Seward's response and stated he would like further documentation.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 40 (IDA98A - #5) in the amount of $65,473.49 be approved.

IN RE: CITIZEN COMMENTS

Mrs. Everett stated she would like to thank the Petersburg Fraternal Order of Eagles for their donation to the Namozine Fire Department for equipment.

Mrs. Everett also stated she had gotten word from the SPCA that they are going to be providing a computer, a washer and dryer for the Animal Control Center. She stated the County and Board appreciated the donation.

Mrs. Everett asked if there were any citizens who had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, stated she did have names signed up. The following citizens addressed the Board:

1. Anne Scarborough, Dinwiddie, Virginia, came forward speaking in favor of the County purchasing thermal imaging cameras for the Fire Departments.

   She stated she had no problem with asking the major industries of the County to help with the cost of these expensive cameras. She also had concerns about bills not being presented monthly and questioned a Carolina Trailways bus ticket purchased in December 1998. Her last request was for a detailed agenda for the upcoming Retreat meeting.

   The Board addressed her questions and concerns by stating they were looking into purchasing the thermal imaging cameras; the bus ticket was purchased for the Court system; and the detail agenda for the Retreat meeting would be provided by Mrs. Mann. They were unsure how to respond to the bills issue and Mrs. Scarborough stated she would provide them with specific information before an answer is given.

2. Ms. Lois Ferrell, North Drive, Petersburg, Virginia, came forward to speak on the North Drive road issue. She stated she was speaking for a group of citizens located on this road none of which were able to be present this date. She stated the State was not maintaining this portion of road and the citizens located on this road were tired of the trash, traffic, mechanics using the road to test drive cars, cars parked on the road for going fishing on the river, drug users, drug dealers, parking and sleeping in vehicles overnight, transfer trucks using this road, high speeds, and the theft that has occurred because of this road. She stated they wanted this road closed for the safety of their children.

   Mrs. Everett asked if the road has been closed?

   Ms. Ferrell stated the road had been closed.

   Mrs. Everett asked who closed it?

   Ms. Ferrell stated she did.

   Mrs. Everett asked who gave her the authority to close this section of road.

   Ms. Ferrell stated at first she tried to talk to Mr. William C. Scheid, Director of Planning, but was unable to meet with him. Then she called three nights before Thanksgiving because she was awoken about 1:30 A.M. and there were five (5) men in the road looking for drugs. They kept her up until about 4:00 A.M. By the time you call the Sheriff's Department and they arrive at the scene the men are gone. So she then called the Virginia Department of Highways and the Dinwiddie Water Authority because they were more or less the ones who set our house that way, facing that road. So after talking with them they told her that, Dinwiddie Highway Department told her, they were not going to maintain the road and they came down and put up a sign "End of State Maintenance". Dinwiddie Water Authority said that they were not going to keep up with the roads. So she stated she closed the road until

she was able to find out who owned the road. Between Mrs. Palmer, herself and Mr. Overby, Chris, and Mr. Brown she stated they have been maintaining the road. Mr. Brown goes back to 93, Mrs. Palmer goes to 54, she goes back to 80, Chris goes back to 95, Mr. Overby goes back to the 50's also maintaining this one road.

Mrs. Everett stated you have maintained it?

Ms. Ferrell stated yes. She stated the Highway Department, the last time she talked to Mr. Gill, he said well Ms. Ferrell I have been down there a few times scraping the road. She stated yes she knew that and wanted to say thanks. Since 93 the road has been scraped by the Highway Department approximately three (3) times.

Mrs. Everett stated to Ms. Ferrell she had mentioned several other people in talking. She asked Ms. Ferrell if she had a petition or letter or anything from them.

Ms. Ferrell stated no ma'am, she did not. They were supposed to come to the meeting and she had tried to locate them during her lunch time but none of them were available to attend.

Mrs. Everett asked if any of the Board members had questions to ask.

Mr. Bracey stated he was having a serious concern about this road. First he wanted to know who gave her, Mr. Overby, or Mr. Anybody else on that road the authority to close a road that you or any of the other persons involved do not own. He stated it is not on Ms. Ferrell's deed or any other person's deed, showing the road did not belong to them. With the crime that Ms. Ferrell has expressed happening, Mr. Bracey felt she should talk to Sheriff Shands. He did not see how a citizen could just close a road by chaining it off when this road is used by fire and rescue vehicles. Mr. Bracey stated from his investigation he had determined the Highway Department was taking care of the road real well. He stated he hoped that today before we leave that we can handle this situation. He wanted to see the chain come down because that would solve a lot of problems. He just did not feel any citizen has a right to close any road.

Ms. Ferrell stated she would like to make another comment. She stated the reason they had closed the road off – she continued that she had talked to the Highway Department and they refused to help on the road, to maintain it; she had talked with Mr. Gill and like she had stated previously it has been maintained three (3) times by them and they came down and put up the "End of State Maintenance" sign and told her that it was not going to be maintained by them.

Mrs. Everett asked if this happened recently.

Ms. Ferrell stated yes – then she stated well they already had the sign up. She stated she has lived at this location for nineteen (19) years and she could not come up in front of these people and say that the State Highway Department has maintained this road. She stated they have maybe four (4) times at the most. She continued that she had put out a lot of money and a lot of hard work on the road. She further stated to their knowledge included in the deed to each of their land is a clause stating that there is an easement across and this had not become clear until the week, before they took off this Friday, who owned the road. When she called Mr. Goodwyn he stated to her he did not know if he owned the road or not. He said the best thing to do was to get with a surveyor and let him check the entire subdivision. She stated her deed and title and dedications are reading the last five feet is an

easement on this 200 and some acres of land. At this point we do not know if he owns it –

Mr. Bracey stated but you know that you do not own it.

Ms. Ferrell stated she did know she did not own it but she did not feel it was right for – to get out there and do all of this and the people on West Street and the people on Lee Boulevard they are not up through the night with the problems and the picking up of the trash and whatever.

Mr. Long stated unfortunately Mr. Ronald Reekes from the Virginia Department of Transportation had contacted him yesterday and neither he nor a representative was able to make it today. That is unfortunate because, as he had indicated to Ms. Ferrell previously, he had gotten somewhat different information from the Department then she has. It would be good if they could clarify that but they are not present today. The issue of maintenance is not one that can be resolved today because all we would be able to do was go back and forth on what someone thought someone said.

Mrs. Everett stated the issue is that it is a public road.

Mr. Tickle stated he had one comment. He too was concerned about the blocking off of the road but his recommendation was we, the Board, intervene by interacting with the Sheriff's Department to help Ms. Ferrell with the root of her problem.

Mr. Daniel M. Siegel, County Attorney, asked to respond at this time. He stated he knew the Board would be discussing this issue in Executive Session but wanted to make a statement now.

Mrs. Everett stated there was one more citizen to speak on this issue and asked if Mr. Siegel would like to hear this comment before he makes his statement.

Mr. Siegel agreed.

3. Fletcher Mayton, 4001 West Drive, Petersburg, Virginia, came forward stating he lived about half way down West Drive. He stated he built his home in 1954. At that time it was just a dirt road. Mr. Kessler, his next door neighbor, built at the same time. Mr. Mayton stated between the two of them they had spent several thousand dollars keeping that road up but they did not go in there and chain it off to keep neighbors out. He stated they have a number of problems too. He stated he did not appreciate people traveling down his 25MPH zone road at 55MPH or the loud music rocking him out of his easy chair and all this kind of stuff but everybody has their share of problems. As far as closing the road that just borders on the threshold of ridiculous. He stated he felt the road belonged to everybody in Edgehill Park. This is a main thoroughfare that is cut off when this road is closed. He stated he is really sorry Ms. Ferrell is having problems down there but everybody has their share of problems. He thought the Sheriff's Department or law enforcement ought to take care of that. He stated there has been nobody killed or any drugs on his street, not as far as he knew of. He stated Ms. Ferrell had said something about Ms. Palmer. He stated he had talked to Ms. Palmer and she was very upset about her yard being torn up by people trying to get around the cable. He stated he hoped we could get this issue resolved and get the cable down so everybody can have access to the road.

Mr. Bracey asked if the cable was still up.

Mrs. Everett stated the cable was back up. She further stated it was down but it was back up.

Mr. Mayton stated he had a letter for the Board from the Chief of Namozine Fire Department regarding this issue. He gave the letter to Mrs. Everett.

Mrs. Everett read the letter for the record.

Members of the Dinwiddie Board of Supervisors this letter is in reference to possible closing of North Drive. This Drive is in close proximity of our fire station. The closing of this road will hamper both the fire and EMS protection. This Drive connects Lee Boulevard with West Drive and it is an obstruction to any type of fire that is in the area. The hydrant at West Drive north to North Drive will be used. Closing of this Drive the next closest hydrant is on Ferndale Road. The using of this hydrant on Ferndale will close a heavy traffic road. Please consider our request to keep this road open.

The letter was signed by Steven A. Jones, Chief of Namozine Fire Department.

Mrs. Everett thanked Mr. Mayton for his remarks and for delivery of the letter from the Fire Department.

Mr. Siegel stated he wanted to make sure that Ms. Ferrell understood that these are very serious issues and the Board would be talking about taking serious legal action which might be taken because while the concerns she has raised are real and should be solved in some way, trying to solve it individually by obstructing the road is not the proper way to do it and that is really going to cause serious problems and we will have to take serious legal action and we will talk about that later. He concluded by stated he would recommend that the cable be taken off immediately.

Mrs. Everett asked if the Board would need to adopt a resolution to that effect and order the cable taken down by the Sheriff's Department. She wanted to know if that was the way the Board should proceed.

Mr. Siegel stated there were a number of different options and after the Board discusses those options in Executive Session they will come back into open session and be ready to proceed with a motion for action.

Mrs. Everett stated there would be a resolve made today.

Mrs. Everett asked if there were any other citizens present who had not signed up but wished to address the Board. There being none Mrs. Everett closed the Public Comments and moved forward.

IN RE: RESIGNATION – MICHAEL H. TICKLE

Mrs. Everett turned the floor over to Mr. Tickle.

Mr. Tickle stated this was an emotional time for him and he stated he would try to go as slow and easy as he could and hoped they would understand it was emotional. Effective today he stated he would be resigning his seat on the Dinwiddie County Board of Supervisors and did that with great sadness because he enjoys working with each member of his Board and he is approaching an endeavor that he has wanted to do his entire life. He stated he has always wanted to sell pharmaceuticals. He stated he had always been told he would do well selling pharmaceuticals and it is a great opportunity for him. There have been three (3) things in his life that have been real exciting and important to him. One was graduating from college, being the first Tickle to do that; two was being able to go and spend an entire day with the President of the United States, being

one of twenty individuals from the State of Virginia being selected; and probably the greatest accomplishment that he had, for a person of his background and from where he came from, being elected to the County Board of Supervisors of this County. He stated he was very proud of his accomplishments and as he had stated before he is very proud of the people he had to work with because they and myself made those accomplishments. But more importantly we set direction but the members of the staff that makes the difference. He continued that he sincerely believed that Dinwiddie County has a tremendous staff and they actually care about what they do and they actually care about their jobs. The last thing he wished to express was he would like to send thanks to his mother and father for instilling him with the integrity and responsibility in him which was probably the reason he ran for the Board of Supervisors. He stated as he had mentioned before he thought every member of the Board had integrity and responsibility and that was why they were there also. He stated he would like to thank the people who called and wished him good luck and the people who stopped by to see him. He stated his parents could not be there today due to the fact that one of his parents was not feeling well, he had a medical condition but his Aunt was present, Ms. Linda Lewis, and he wanted to acknowledge her presence. He stated his mother had asked her to attend to represent her today. He stated he was going to leave with fine memories and a personal enjoyment that he can never repay to the citizens of Dinwiddie County but he would like for us to remember him and his family, his family will be here for about two (2) more months and asked that we all help look after them.

Mrs. Everett stated the Board commended him for his service to Dinwiddie County and they wish him, Debbie and the boys very well in their new location and in his new undertaking. She continued that the Board now needed to accept this resignation.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the resignation of Mr. Michael H. Tickle from the Board of Supervisors is hereby accepted with regret.

Mrs. Everett then presented Mr. Tickle with a plaque, a Service Award for exceptional performance in service to Dinwiddie County, Virginia by serving as a member of the Board of Supervisors 1990-1991 and 1996-1999.

Mr. Tickle thanked Mrs. Everett and the Board.

IN RE: HISTORICAL SOCIETY PRESENTATION

Ms. Karen Oliver, President of the Dinwiddie County Historical Society and Ms. Betty Bowen came forward to present the Board with a tool box containing tools for preserving the history of our County. Ms. Oliver explained to the Board how she received this tool box and how she hoped the County would use these tools.

IN RE: SOUTHSIDE CENTER FOR VIOLENCE PREVENTION

Mr. Long stated he had received a letter from Linda Sue Lewis, President, of the Southside Center for Violence Prevention, Inc. requesting permission to address the Board.

Ms. Lewis came forward stating the Southside Center for Violence Prevention is an organization of individuals from the Counties of Amelia, Buckingham, Charlotte, Cumberland, Lunenburg, Nottoway and Prince Edward that have joined together to develop a sexual assault crisis center and a

domestic violence safe house. Brunswick, Mecklenburg, Dinwiddie, Halifax,and Powhatan will also be joining them to provide a safe haven for domestic violence victims. She stated there are more animal shelters then there are domestic violence shelters. Numerous discussions have taken place with the Land Reuse Authority at Fort Pickett to develop a safe house on their property. A proposal is being prepared for renovating an officer's quarters into a safe haven for domestic violence victims. Currently they are at the mercy of other areas to house their victims since they can not provide this service. Ms. Lewis stated she was not asking for anything from the Board at this time but would be back at a later date and would be asking for a one time financial donation.

Mr. Bracey asked who the contact person would be in Dinwiddie County.

Ms. Lewis stated the County had a new victim witness person and Mr. Rainey, Commonwealth Attorney would be introducing her shortly.

Mrs. Everett asked Mrs. Peggy McElveen, Director of Social Services if Dinwiddie County had a need for this type of service.

Mrs. McElveen stated there is a need for this service. She stated she spent numerous hours trying to find places for victims of domestic violence.

IN RE: RECESS

Mrs. Everett called for a five (5) minute recess at 4:05 P.M.

Mrs. Everett called the meeting back to order at 4:15 P.M.

IN RE: DEPARTMENT OF TRANSPORTATION – REPORT

As previously reported there was not representative present from the Virginia Department of Transportation.

Mr. Tickle, as a citizen, stated he noticed there was problems with the newly paved highway in the Sutherland Manor area of Route 460. He wanted the Board to look into who would pay for the repairs because he did not think that Dinwiddie County should have to take additional money from its road funds to correct this problem.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, came forward wishing the Board a Happy New Year and stating she had no report but was available for questions. She told Mr. Tickle she was going to miss him.

Mr. Bracey asked Mrs. Marston if she understood the letter she had received from legal counsel regarding twice a year billing.

Mrs. Marston acknowledged she did.

IN RE: TREASURER – REPORT

Mr. William E. Jones, Treasurer, came forward beginning by thanking Mr. Tickle for his support and wished him luck in his future endeavors. Mr. Jones presented his monthly report and a report of collection rates for 1995 through 1998.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, Commonwealth Attorney, came forward thanking Mr. Tickle for his service and stating it had been a pleasure working with him. He continued by introducing the County's new Victim Assistance Coordinator, Ms. Mindy Stell and his new secretary Ms. Stephanie Durham.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Samuel Shands, Sheriff, came forward wishing Mr. Tickle God's speed. He stated the Board had his report and he was available for questions.

Mr. Bracey asked Sheriff Shands about the marking of the vehicles per the Code of Virginia.

Sheriff Shands stated the Code reads the cars can be marked; however, he had not included in his budget the cost for marking of the vehicles which would be approximately $400.00 to $800.00 per vehicle. The Sheriff agreed to meet with the County Administrator and the County Attorney to discuss this issue at a later date.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector, came forward presenting his monthly and yearly reports. He wished Mr. Tickle luck in his new endeavor.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steve Beville, Animal Warden, came forward and presented his report for the month of December 1998 and his annual report for 1998. He wished, from himself and his staff, good luck to Mr. Tickle and his family.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came forward and presented his monthly report. He stated he wanted to bring to the attention of the Board one item which was a site inspection on the property owned by Ms. Kavonne Y. Harville, 3718 Susie Drive, Petersburg, Virginia, 23803. A copy of the letter sent to her was included in their packet. The problem Ms. Harville is experiencing is related to storm water runoff. Problems similar to her complaint have been mentioned to the Board in the past. He wanted the Board to be aware of this problem because he knew it would arise again. Mr. Scheid concluded by wishing Mr. Tickle luck and stating the Planning Department would really miss him.

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. John M. Altman, Jr., Zoning Administrator, came forward and presented his Department's monthly report and yearly report. Also included in the Board's packets was the Code Compliance Officer's monthly and yearly report. He asked if the Board had any questions on these reports. He stated he had included copies of the minutes of the December 11, 1998 Petersburg-Regional Film Office, Inc. for their review. He then passed out copies of the Petersburg Regional Film Office, Inc. Business Plan. He expanded on the tool box presented to the Board by the Historical Society stating they had an intern coming in from Longwood College who will work with them to help identify the historical structures within Dinwiddie County. He again asked if the Board had any questions for him.

IN RE: SOCIAL SERVICES – REPORT

Mrs. Peggy McElveen, Director of Social Services, came forward giving an update on her Department. She thanked Mr. Tickle and wished him good luck.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Mrs. Troilen Seward, Superintendent of Schools, came forward giving a brief update on school issues. She stated she had seen Mr. and Mrs. Tickle earlier wishing them the best.

IN RE: SUPERINTENDENT OF SCHOOLS – LITERARY FUND LOAN APPLICATION

Mrs. Seward continued stating she had included in the Board packets pages one (1) through three (3) of the Literary Fund Loan Application for Dinwiddie Elementary School. Page three (3) contains the wording of a resolution that they needed for the Board to adopt at this meeting. They plan to submit the original document with all of the requisite signatures by the end of January 1999. The State Department of Education has been notified of their intent to apply for this Literary Fund Loan. They will need to submit the final plans for the renovation and construction prior to being placed on the approved list by the State School Board. They prefer to submit this application at this time in order to avoid any delay which might cause them to move up to the 3% interest rate. The resolution on page three reads as follows:

AT A MEETING of the Board of Supervisors for the County of Dinwiddie, Virginia, held in the said County on the 20th day of January 1999:

WHEREAS, The School Board for the County of Dinwiddie, on the 20th day of January, 1999, presented to this Board, an application addressed to the State Board of Education of Virginia for the purpose of borrowing from the Literary Fund $5,500,000 for the new school building (or for adding to or improving the present school building) at 13811 Boydton Plank Road, to be paid in 20 annual installments, and the interest thereon at 2 per cent paid annually.

RESOLVED, That the application of the County School Board to the State Board of Education of Virginia for a loan of $5,500,000 from the Literary Fund is hereby approved, and authority is hereby granted the said County School Board to borrow the said amount for the purpose set out in said application.

THE BOARD OF SUPERVISORS for said County will each year during the life of this loan, at the time they fix the regular levies, fix a rate of levy for schools or make a cash appropriation sufficient for operation expenses and to pay this loan in annual installment and the interest thereon, as required by law regulating loans from the Literary Fund.

I hereby certify that the foregoing is a true copy as taken from the minutes of the Board of Supervisors for the County of Dinwiddie.

_____, Clerk

(SEAL)

BOARD OF SUPERVISORS FOR THE
COUNTY OF DINWIDDIE, VIRGINIA

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the foregoing resolution is hereby adopted.

IN RE: SUPERINTENDENT OF SCHOOLS – REAPPROPRIATION #2-FY99

Mrs. Seward stated the Board had in their packets a letter for re-appropriation request #2 -FY99. She stated in November 1998, they had requested the Board approve the re-appropriation of $127,177.00 from their unexpended FY98 funds. This amount was needed to pay for the purchase of the land at Midway and for the repairs to the fueling stations at Transportation and Sunnyside. This request was approved on November 18, 1998. They have received the Audit Report for FY98 which confirmed their unexpended balance was $375,997.45. This is exactly the amount they projected. Since $127,177.00 of this amount has already been re-appropriated to the school system, $248,820.45 remains. At the School Board meeting on January 12, 1999, She was authorized to request the Board of Supervisors to re-appropriate the $248,820.45 for the purchase of school buses. The appropriate category for this is Transportation.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the re-appropriation of funds from the Unexpended Balance of FY98 in the amount of $248,820.45 to the Transportation category for the purchase of school buses.

Following the vote there was discussion regarding the salary of bus drivers in Dinwiddie County.

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward to present his monthly report. He stated he had nothing to add and asked if the Board members had any questions. He wished Mr. Tickle well and stated he enjoyed working with him and appreciated all his support.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management, came before the Board and presented his report for the months of December1998/January 1999. He thanked Mr. Tickle for his support and wished him good luck.

Mrs. Everett stated to Mr. King that he and his department had done an excellent job during this time of crisis and gave thanks for all their hard work.

IN RE: PUBLIC SAFETY OFFICER -- REPORT

Mr. David M. Jolly, Public Safety Officer, came forward to present his monthly report. He extended thanks to Mr. Tickle for all his support and wished him well.

IN RE: PUBLIC SAFETY OFFICER – PUMP MAINTENANCE

Mr. Jolly stated that he had the pump maintenance performed on all the front line units and he was now requesting the Board approve the payment of this invoice in the amount of $3,000.00 from line item 032200-3310.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to pay the above referenced invoice from budget line item 032200-3310.

IN RE: FIRE AND RESCUE ASSOCIATION – REPORT

Mr. Jolly stated Mr. Charles Lewis was unable to attend so he was also the Fire and Rescue Association representative at this meeting. He asked if the Board had any questions.

Mrs. Everett asked about the open burning violations and if any legal action was taken on these violations.

Mr. Jolly stated legal action was taken and fines imposed.

Mrs. Everett commended Mr. Jolly on all his efforts during the ice storm.

Mr. Jolly stated he had a great staff of volunteers.

IN RE: PUBLIC SAFETY OFFICER – GRANT FUNDS

Mr. Jolly stated back in October 1998 he had reported to the Board his intent to put in, through the State Department of Fire Programs, for computer grants. We had asked all Departments to put in their paper work if they needed computers. Two (2) volunteer fire companies and himself put in and all three (3) have received State Grants which totals the amount of $6,000.00. This is for the fire reporting programs. We will have to purchase software which will amount to approximately $800.00.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Daniel M. Siegel, County Attorney, stated he had no report but was available for questioning. He stated he would like to join the crowd and wish Mr. Tickle good luck in his new career.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT – REPORT

Mr. Donald W. Faison, Building and Grounds Superintendent, came forward to present his monthly report. He stated to Mr. Tickle that he would miss him and wished him the best.

There was discussion regarding the lights at the Courthouse and the cost to burn the outside bulbs per month. The estimated cost is $75.00 per month.

Mrs. Scarborough spoke up and asked about the $4,000.00 per month bill and what was running the cost up so high.

Mr. Faison listed several items at the Courthouse that he felt tended to run a high bill.

IN RE: APPOINTMENTS

Mrs. Everett stated included in their packets was information on appointments which were due by January 31, 1999. She further explained that advertisement on these appointments was made late due to Mrs. Mann being out for surgery and they would be ready for action on February 3rd.

IN RE: RESIGNATION – AMENDMENT TO PREVIOUS ANNOUNCEMENT

Mrs. Everett stated upon accepting the resignation of Mr. Tickle the Board needed to fill the vacancy left in District 2.

Mr. Siegel interrupted Mrs. Everett stating Mr. Tickle had stated at the end of this meeting and requested Mr. Tickle amend his resignation to take effect now. Mr. Tickle can continue to sit on the Board as a non voting member until the end of the meeting.

Mr. Tickle stated he would like the Board to accept his resignation as of this moment.

IN RE: APPOINTMENT TO FILL BOARD VACANCY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Donald L. Haraway is hereby appointed to fill the unexpired term of Mr. Michael H. Tickle, representative of District 2.

IN RE: ADMINISTRATION OF OATH -- DONALD L. HARAWAY

Mrs. Annie Lee Williams, Clerk of the Court, came forward administering the oath to Mr. Haraway. Upon completion Mr. Haraway took his place on the platform.

IN RE: COUNTY ADMINISTRATOR COMMENTS – CIVIL RIGHTS IN EDUATION HERITAGE TRAIL

Mr. Long began by wishing Mr. Tickle good luck in his new endeavors. He continued by welcoming Mr. Haraway to the Board stating he looked forward to working with him.

Mr. Long stated included in their packets was a memorandum from Rodney Lewis, Resource Conservation & Development Coordinator for the Old Dominion Resource Conservation & Development, Inc. in reference to the Civil Rights in Education Heritage Trail. They are requesting from the Board a letter of support for a Transportation Enhancement Project grant application. The application is due February 1, 1999. They have stated they need this letter of support no later than January 25, 1999. If funded, the money will become available October 1999. Longwood College has agreed to partner with RC&D and serve as the fiscal agent. The funds are intended to provide professional guidance to the development committee and for product development such as the trail interpretive displays and brochures. A six-month report to be released mid January will detail the progress made on the trail. The report will be mailed to you as soon as it is available. The project application is an 80% federal fund matched with 20% local funds. The RC&D Council voted at their December meeting to provide the 20% match. They further stated that sometime in the future they may request funds to assist in project development or management, but they are not requesting any assistance regarding this grant application. This grant application is requesting approximately $300,000. In closing of this memorandum Mr. Lewis stated conservatively speaking, estimates of the economic impact of the Civil Rights in Education Heritage Trail are between $65 and $80 million annually. This translates into over 1100 jobs spread through 13 jurisdictions.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to draft a letter of support for the Civil Rights in Education Heritage Trail grant application.

IN RE: COUNTY ADMINISTRATOR COMMENTS – APPLICATION FOR SPECIAL ENTERTAINMENT PERMIT – BUDDY SMALL – BEACH BLAST 1999

Mr. Long continued that also included in their packet was an application for a Special Entertainment Permit from Mr. Buddy Small to hold Beach Blast 99 at Virginia Motorsports Park on Sunday, May 23, 1999.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to approve the Special Entertainment Permit from Mr. Buddy Small to hold Beach Blast 99 at Virginia Motorsports Park on Sunday, May 23, 1999.

IN RE: BOARD MEMBER COMMENTS

Mr. Haraway – He stated after serving on the School Board for eight (8) years and then serving with this Board for four (4) years he felt honored that they had invited him back on the Board. In looking over the material for the meeting for the next two (2) days, some things don't change. The schools want funds, the fire department, fire engines, so he did not feel he had been away for three (3) years. He continued that they were addressing these same things when he left three (3) years ago. He stated he was looking forward to renewing some old friendships with the staff and Board members. He stated he was looking forward to working with all of us during the next year.

Mr. Moody – He stated he wanted to wish Mr. Tickle well and stated he enjoyed working with him both of his terms. He also welcomed Mr. Haraway back on the Board agreeing with him that things haven't changed too much but the numbers are a lot bigger.

Mr. Tickle – He stated once again he appreciated the opportunity to work with a fine group of people, not only the Board of Supervisors but the staff. He took this opportunity to bid adieu to Mrs. Ann Scarborough and Mrs. Ann Blazak.

Mr. Clay – He wished Mr. Tickle the best and welcomed Mr. Haraway back to the Board.

Mr. Bracey – He stated 1999 will be good! He welcomed Mr. Haraway and wished Mr. Tickle good luck reminding him not to forget us.

Mrs. Everett – She stated she wanted to say again they were happy to have Mr. Haraway and again wished Mr. Tickle the best.

IN RE: RECESS

Mrs. Everett called for a five minute recess prior to going into Executive Session at 4:38 P.M.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 7 - Consultation with legal

counsel (Litigation; Inducement Agreement Amendment; Property Issue) - the Board moved into Executive Session at 4:45 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:14 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 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: DECLARATION OF LEGAL ACTION

Mr. Long stated the first issue was over the issue of North Drive being blocked off, it has been agreed upon that it is a threat to the public safety. The Board needs to take action to direct the County Attorney to take whatever legal action is necessary to have the cable removed.

Mr. Bracey asked what action that would be.

Mr. Siegel stated he would make a declaration that it is a public nuisance and direct the County Attorney to take such action, legal action, to obtain a court order to remove any obstacles related to North Drive.

Mr. Haraway stated the Board was also asking Mr. Siegel to recover the costs also.

Mr. Siegel stated that was correct.

Mrs. Everett asked if there was to be an injunction of any further effort to block it off.

Mr. Siegel stated that would be part of the Court action that they take. Given all that he thought the motion was to do that.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Attorney to move forward with legal action to remove any obstacles related to North Drive and to recover all costs related to this action.

IN RE: CHAPARRAL STEEL – INDUCEMENT AGREEMENT – AMENDMENT

Mr. Long continued there was one other matter and he asked the County Attorney to explain exactly what action is necessary regarding the inducement agreement amendment.

Mr. Siegel stated first the Board needed to authorize the Chairman and the County Administrator to enter into a support agreement with the Dinwiddie County Water Authority to support debt service on a Church Road water system that has been planned and bids are in. Secondly the Board needs to authorize the Chairman and County Administrator to enter into an agreement amending the inducement agreement with Chaparral Steel, Texas Industries, relating to reimbursements on that system and there is also some road issues that are dealing with that amendment as well. So to summarize to authorize a support agreement and to authorize an amendment to the inducement agreement.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Chairman and the County Administrator to enter into a support agreement with the Dinwiddie County Water Authority to support debt service on a Church Road water system and to authorize the Chairman and County Administrator to enter into an agreement amending the inducement agreement with Chaparral Steel, Texas Industries, relating to reimbursements on that system and road issues in the original agreement.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Haraway, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 5:20 P.M. to be continued at 7:30 A.M. on Thursday, January 21, 1999 at the Pamplin Administration Building.

LeeNora V. Everett
Chairman, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT THE CHARLOTTESVILLE OMNI, CHARLOTTESVILLE, VIRGINIA, ON THE 21ST DAY OF JANUARY, 1999, BEGINNING AT 9:30 A.M.

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

IN RE: DINWIDDIE ELEMENTARY SCHOOL RENOVATION

Representatives from Ballou, Justice & Upton met with the Board to present the design documents for renovation of Dinwiddie Elementary School. Not included in the project cost at this time are relocating the School Maintenance Shop and removal of the Food Bank building. Also, the cost of new casework is not included. The Architect recommended and the Board agreed to include an add-alternate in the bid to refinish the casework, which was described as restaining and sealing.

Due to the recent ice storm and need for emergency shelter, the Architect had been asked to investigate placing an emergency generator in the renovation project. The cost for a generator to run the entire school is $200,000. The cost to run the Cafeteria, Gym, Dining Room and emergency lights is $70,000. After a general discussion, the Board instructed the Architect to include pricing for a generator to run the Cafeteria, Dining Room, Gym, 1st floor of new classrooms and the administrative area for telephone and computer service. It was also agreed that two showers would need to be installed in the gym rest rooms.

The Architect stated the project was still within budget. The schedule is to open the school in November of 2000. The Superintendent stated the plans were to relocate the children before the '99 school year to modulars at Southside Elementary.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Moody, Mrs. Everett voting "aye", the School Board and Ballou, Justice & Upton were instructed to proceed with the renovation project as presented with the add-alternates as discussed above.

The Board suggested that the School Board received sealed bids to relocate or demolish the Food Bank Building.

The Superintendent advised the Board that the Maintenance Building will be relocated with existing bond funds.

IN RE: DISCUSSION OF FIRE STATIONS—DESIGN SKETCHES

Representatives from Ballou, Justice, Upton, Architects met with the Board to review their proposed design sketches for the new fire stations for Dinwiddie and McKenney. The Dinwiddie Station was proposed to be 9,344 sq. ft. and include 4 bays. The McKenney Station was proposed to be 8,030 sq. ft. and include 3 bays. Both stations will provide living quarters. Estimated cost for Dinwiddie is $98/sq ft. and McKenney is $104/sq. ft. These estimates include site work. Construction time is eight to ten months. The Architect advised the Board that their estimate of a pre-engineered facility is $107/sq. ft.

IN RE: DISCUSSION OF FIRE/RESCUE VEHICLES

Mr. David Jolly, Public Safety Director, stated the estimated cost for a 3,000 gallon tanker for the Dinwiddie VFD and a pumper for the McKenney VFD is approximately $200,000 each. The specifications for these vehicles are being prepared for bidding within the next six months. He pointed out to the Board that the major emphasis during the past has been on the major apparatus and little effort has been spent on the other units in the stations i.e. brush trucks, first responder and support vehicles. His suggestion was for the Board to consider purchasing four wheel drive vehicles for designated County departments which, based on a limited mileage criteria, would be transferred to the fire/rescue stations for brush trucks and natural disaster transportation needs.

IN RE: DISCUSSION OF DESIGN-BUILD CONSTRUCTION PROCESS

Mr. Donald Faison, Building & Grounds Superintendent, and Mr. David Jolly, Public Safety Director, were also present to discuss their research on pre-engineered buildings. Mr. Faison and Mr. Jolly held discussions with a building contractor who presented a cost estimate of $55/sq. ft. for a pre-engineered building and $70/sq. ft. with a brick front. They also held discussion with a design-building firm who presented an estimated cost of $45/sq. ft. It was estimated that the Dinwiddie station could be built for $425,000 with a brick front and the McKenney Station would be $361,351.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Moody, Mrs. Everett voting "aye", staff was instructed to proceed with the Design-Building process for construction of the fire stations.

IN RE: RECESS

The Board recesses at 12:07 P.M. for lunch. The meeting reconvened at 1:10 P.M.

IN RE: REVISION OF BUILDING FEE SCHEDULE

Mr. Dwayne Abernathy, Building Official, met with the Board to review the proposed increase in building fees. Mr. Abernathy advised the Board through a written comparison with surrounding localities, that the proposed increase would put the County more in line with the area and cover the increasing costs of his office.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Moody, Mrs. Everett voting "aye", the Building Official was authorized to proceed with the preparation and advertisement of the proposed building fee schedule for public hearing as soon as possible.

IN RE: DISCUSSION OF FULL-TIME POSITION -- BUILDING INSPECTIONS

Mr. Dwayne Abernathy, Building Official, met with the Board to discuss the part-time positions presently included in his budget and to request that these positions be replaced with a full-time position. Funding in the amount of $44,000 was included for a part-time building inspector and part-time secretarial help. The full-time position would devote more time to the office but also be able to perform inspections. His estimated cost for the position is $34,000. He also recommended that the $14,000 included in his budget for a new truck not be expended as staff anticipates the availability of the vehicle being used by the Construction Inspector at the Chaparral site at the end of the project.

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Moody, Mrs. Everett voting "aye", the Building Official is authorized to proceed with advertising and filling a full-time Building Inspector position to replace the two part-time positions presently in his office budget.

IN RE: REVIEW OF PLANNING AND DEVELOPMENT FEE SCHEDULE

Mr. William C. Scheid, Director of Planning, met with the Board to review the proposed increase in the planning and development fee schedule. The fee revision also includes erosion and sediment control review. Mr. Scheid pointed out that the increase was necessary to basically cover the advertising costs and staff time involved in the review process. The present fee schedule barely covers the advertising cost for hearings.

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Moody, Mrs. Everett voting "aye", the Director of Planning is authorized to proceed with the preparation and advertisement of the proposed planning and development fee schedule for public hearing as soon as possible.

IN RE: CIP PROCESS/GIS REPORT

Mr. March Altman, Zoning Administrator, met with the Board to discuss the Capital Improvements Program process and ask for their recommendations. After a general discussion, the general consensus was to continue the process with some ideas for improvement of the process of incorporating the Board's input into the initial review by the Planning Commission. Mr. Altman also distributed copies of the initial GIS Report and advised the Board a formal presentation would be made at their day meeting on February 17, 1999.

IN RE: DISCUSSION OF EASTSIDE SCHOOL RENOVATION/RECREATION COMPLEX

Mr. Tim Smith, Director of Parks and Recreation, met with the Board to discuss preliminary conceptual plans for the renovation of Eastside School and possible community/recreational use. He pointed out that the County was losing the recreational use of the school facilities due to the increasing needs of the School system and the growing demand for recreation in the County. Both plans propose renovation of the existing building with the addition of multi-purpose gymnasium space. The renovation also includes space for the Rohoic Branch Library. The Board agreed to continuing the renovation process to make useable space, but leave the gymnasium space until an outside funding source could become available. Mr. Haraway recommended that staff contact local industry since they are very interested in fitness programs for health insurance cost containment.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that conceptual plan #2 for the renovation of Eastside Plan Elementary School was approved and staff was authorized to proceed with obtaining an artist's rendition of that plan for marketing purposes; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that staff bring back estimates of the basic costs to occupy the building for approval and appropriation of funding.

IN RE: PARKS AND RECREATION FOUNDATION

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia supports the idea of the formation of a Parks and Recreation Foundation for the purpose of providing a partnership with citizens who are interested in addressing and improving the recreation component of the County's quality of life.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia agrees to advance the fees to the Foundation for start-up costs, which consist of State Corporation and IRS fees.

IN RE: CONTRACT FOR GROUNDS MAINTENANCE— AUTHORIZATION TO REQUEST PROPOSALS

Mr. Donald W. Faison, Building And Grounds Superintendent, and Mr. Tim Smith, Director of Parks and Recreation, met with the Board to discuss grounds maintenance services for all the County buildings and recreational fields (Eastside Elementary School). They presented a chart which compared the costs of hiring personnel vs. contractual services. The recommendation from staff is to contract these services.

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Moody, Mrs. Everett voting "aye", staff is authorized to solicit proposals for grounds maintenance services on an annual basis. Mr. Haraway recommended that a termination clause be included for unsatisfactory performance.

IN RE: MAINTENANCE OF BUILDINGS – AUTHORIZATION TO BID

Mr. Donald W. Faison, Building And Grounds Superintendent, met with the Board to discuss maintenance of the County's facilities. He did not recommend hiring in-house personnel because of the expense of hiring individuals who would be qualified in all of the fields of maintenance required.

Upon motion of Mr. Haraway, seconded by Mr. Bracey, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Moody, Mrs. Everett voting "aye", staff is authorized to solicit proposals for contractual services to provide maintenance for the County buildings.

IN RE: RECESS FOR DINNER

The Board recessed at 4:45 P.M. for dinner. The meeting reconvened at 7:30 P.M.

IN RE: REQUEST FOR DATA ENTRY/CLERICAL ASSISTANCE— ADMINISTRATION OFFICE

The County Administrator presented a request for a full-time position that would provide data entry duties for the Fiscal Office and be responsible for the overflow of clerical responsibilities for the Clerk to the Board. Because of the data entry duties of the Computer Operator, she is not able to address the growing needs of the County's computer system and its users. Presently, the Clerk to the Board serves as Secretary to the County Administrator, Assistant County Administrator, Public Safety Director and Building and Grounds Superintendent, as well as one of the main receptionists for the Administrative Offices.

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Moody, Mrs. Everett voting "aye", staff is authorized to include the position of Data Entry Clerk in the 1999-2000 budget to be effective July 1, 1999.

IN RE: COMMUNICATIONS EQUIPMENT/Y2K CORRECTION & UPDATE

Mr. David Jolly, Director of Public Safety, met with the Board to review updates to the communications equipment to correct the Y2K problem as well as other communication equipment problems that need to be addressed at this time. He presented the following recommendations:

1. A proposal by Motorola to correct the Y2K problem for the County E911 system and upgrade the present equipment. – Cost - $27,000; Funding from E911 Fund. Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Moody, Mrs. Everett voting "aye", the proposal from Motorola to upgrade the County's communication system and correct the Y2K problem is accepted with funding from the E9ll Fund.
2. Connect the present Namozine VFD high band radio to the generator at the County communication center to provide continuance of service in a power outage. – Estimated cost of $6,000; Funding from E911 Fund. Upon motion of Mr. Moody, seconded by Mr. Bracey, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Moody, Mrs. Everett voting "aye", staff is authorized to connect the Namozine VFD high band radio to the County communication center as presented with funding from the E911 Fund.
3. Procure the two position communications console offered by Prince George County – Estimated cost not to exceed $5,000; Funding from E911 Fund. At the same time, Motorola will evaluate the present console to determine whether the additional console will be placed in the County's communication center or in a remote location. Upon motion of Mr. Moody, seconded by Mr. Bracey, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Moody, Mrs. Everett voting "aye", staff is authorized to procure the two position console from Prince George County as presented with funding from the E911 system, not to exceed $5,000 and to have Motorola evaluate the present console system.

IN RE: RECESS

The Board recessed at 8:35 P.M. to continue Friday, January 22, 1999 at 9:00 A.M.

JANUARY 22, 1999

The meeting reconvened at 9:00 A.M., Friday, January 22, 1999.

IN RE: REVIEW OF CIP PRIORITIES

Staff reviewed the projects the Board has included in its present Capital Improvements Program and established their approval of how these projects are prioritized. The projects are as follows:

Dinwiddie Elementary School Renovation – VPSA/Literary Loan Funding

Dinwiddie VFD Station – Included in Next Bond Issue
McKenney VFD Station – Included in Next Bond Issue
Dinwiddie Tanker and McKenney Pumper – Included in Next Bond Issue

Ford 1st Responder – may be provided from present County equipment
Namozine Ambulance – applying for grant funding

Countywide GIS – phased in; timetable will be discussed after presentation on February 17, 1999.

Waste Management Site – Director of Waste Management will bring costs for establishment of site at Rohoic Dumpster Site. The Board instructed staff to pursue the use of surveillance equipment at the dumpster sites.

Communications Equipment Update – A plan for programming costs through the E911 Fund will be presented to the Board.

Voting Machines – Replacement as needed.

Old Courthouse – Work is proceeding on the work that is needed for the stabilization and maintenance of the building. The Board recommended that a citizens committee be appointed to work with the County on the future use of the building.

IN RE: CAPITAL FUNDING ANALYSIS UPDATE FOR COUNTY

Mr. Darrell Hill, Davenport & Company, LLC, met with the Board to review the County's Capital funding analysis, including the new capital projects proposed by the Board and the impact of major industry locating in the County. Looking at meeting the County's debt service requirements, the analysis shows that the new capital projects can be accomplished without a tax increase with the use of withdrawals from the Capital Reserve Fund and tax revenues provided by new industry in the County. It was also pointed out to the Board that there are many variables in the County's revenue picture because of recently instituted program changes by the General Assembly, i.e. personal property taxes and proposed cuts in meals tax, etc. Mr. Haraway asked for information on Municipal Leasing for the two fire trucks with the idea of reducing issuance costs.

IN RE: PROPOSED BUDGET WORKSHOPS

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Moody, Mrs. Everett voting "aye", the following schedule was approved for budget workshops for the FY 99-2000 proposed County budget:

February 3, 1999 – 1:00 P.M. – Meeting with Constitutional Officers
February 10, 1999 – 1:00 P.M. – Meeting with Department Heads, Agency Heads
February 24, 1999 – 9:00 A.M. – General Review & Workshop
March 3, 1999 – Additional Workshop if needed.
March 17, 1999 – Public Hearing

IN RE: AUTHORIZATION TO SIGN DEEDS OF GIFT FOR QUALIFIED APPLICANTS—WEST PETERSBURG CDBG PROGRAM

Upon motion of Mr. Moody, seconded by Mr. Bracey, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Moody, Mrs. Everett voting "aye", the Chairman and/or County Administrator are authorized to sign Deeds of Gift for those applicants who are qualified for home ownership under the West Petersburg Community Development Block Grant Program.

IN RE: DISCUSSION OF JAIL WELL STATUS AND CONNECTING OLD COURTHOUSE AND CLERK'S OFFICE ONTO JAIL SYSTEM

Staff presented a letter from R. Stuart Royer & Associates, Inc. concerning the feasibility and cost of a new drilled well for the jail and old Courthouse complex. Concerns expressed were cost and the feasibility of funding sufficient quantity and quality. Staff discussed the present well tests on the Jail which show the contaminant levels to be well below Health Department levels. Staff also discussed the addition of a treatment system that would be designed to filter out the contaminants, but the engineers could not guarantee that it would filter out 100%. The Engineers have recommended that the County discontinue use of the old Courthouse well and connect the Courthouse and Clerk's Office buildings to the jail well. This can be accomplished for a minimal cost.

Upon motion of Mr. Moody, seconded by Mr. Bracey, , Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Moody, Mrs. Everett voting "aye", staff was authorized to proceed with connecting the old courthouse and clerk's office buildings to the jail well. Staff will continue to review the reports on the jail well water quality with the State Health Department and discuss the legal liabilities of re-establishing its use as a potable water source.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Moody, Mrs. Everett voting "aye" the meeting was adjourned at 12:15 P.M. to be continued at 1:00 P.M., February 3, 1999 at the Pamplin Administration Building for a budget workshop session.

LeeNora V. Everett
Chairman, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

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VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 3RD DAY OF FEBRUARY, 1999, AT 1:00 P.M.

PRESENT:	LEENORA V. EVERETT, CHAIRMAN	ELECTION DISTRICT #3
	AUBREY S. CLAY, VICE-CHAIRMAN	ELECTION DISTRICT #5
	DONALD L. HARAWAY	ELECTION DISTRICT #2
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	HARRISON A. MOODY	ELECTION DISTRICT #1
OTHER:	BEN EMERSON (arrived at 5:00 P.M.)	COUNTY ATTORNEY

IN RE: CALL TO ORDER

Ms. LeeNora V. Everett, Chairman, called the continuation meeting to order at 1:00 P.M.

IN RE: BUDGET WORKSHOP

The Board met with the following Constitutional Officers and/or Department Heads regarding their proposed budgets for 1999-2000:

Deborah M. Marston	Commissioner of the Revenue
William E. Jones	Treasurer
Samuel H. Shands	Sheriff
Dennis E. King	Waste Management/Landfill

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 (Sheriff) - the Board moved into Executive Session at 3:25 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 3:40 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 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: AUTHORIZATION TO FILL POSITIONS – SHERIFF'S DEPARTMENT

The Sheriff presented a request for approval of three (3) new employees to fill two (2) County jailer positions and one (1) state position currently vacant. He also requested that Timothy W. Martin be transferred from an EC position to the vacant State L-7 position.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Sheriff is authorized to fill the vacancies as outlined above contingent upon submission of required background checks on the two (2) County positions as required by County policy; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Sheriff is authorized to transfer Timothy W. Martin from an EC position to the vacant State L-7 position effective this date.

IN RE: AUTHORIZATION TO SOLICIT BIDS – NEW TRASH TRUCK

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Director of Waste Management is authorized to solicit bids for a new trash truck for the 1999-2000 fiscal year at an estimated cost of $155,000.00.

IN RE: RECESS

The Board recessed at 4:30 P.M. to King's Barbecue for dinner.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Haraway, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1 -344 (a) 7 - Consultation with legal counsel (Inducement Agreement and Property Sales Agreement) - the Board moved into Executive Session at 5:45 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 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.

RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Haraway, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 7:31 P.M.

LeeNora V. Everett
Chairman

ATTEST:
R. Martin Long
County Administrator

/pam

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 FEBRUARY, 1999, AT 7:30 P.M.

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

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

Mrs. LeeNora V. Everett, Chairman of the Board, called the regular meeting to order at 7:32 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Everett asked if there were any amendments to the agenda. There being none Mrs. Everett moved forward.

IN RE: MINUTES

Mrs. Everett stated she would like to have the $5,000.00 removed from page three (3) of the January 20th minutes because she understood that was not the correct amount of the donation. She wanted it to read as follows:

"Mrs. Everett stated she would like to thank the Petersburg Fraternal Order of Eagles for their donation to the Namozine Fire Department for equipment."

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the January 20, 1999 Regular Meeting are hereby approved with the above correction.

IN RE: CLAIMS

Upon motion of Mr. Haraway, seconded by Mr. Moody, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 1013785 through 1013944 (void check(s) numbered 1013650, 1013786, and 1013889); for

Accounts Payable:

(101) General Fund	$ 241,747.97
(103) Jail Commission	$ 48.92
(104) Marketing Fund	$ -
(222) E911 Fund	$ 3,387.05
(223) Self Insurance Fund	$ -

(225) Courthouse Maintenance	$	1,100.00
(226) Law Library	$	875.17
(228) Fire Programs & EMS	$	-
(229) Forfeited Asset Sharing	$	670.73
(304) CDBG Grant Fund	$	44.55
(305) Capital Projects Fund	$	2,225.14
(401)County Debt Service	$	-
TOTAL	**$**	**250,099.53;** and

BE IR FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following payroll claim is approved and funds appropriated for same using checks numbered 1014253 through 1014336 (Void check number 1014253) [The payroll checks were out of sequence due to error in pulling and printing of checks] The accounts payable checks were printed correctly starting with check number 1013785.

PAYROLL (January 29, 1999)

General Fund	$	336,096.58
CDBG Fund	$	2,834.75
TOTAL	**$**	**338,931.33**

IN RE: APPROVAL OF REQUISITION #41 (IDA98A - #6 - SCHOOL CONSTRUCTION

Mrs. Ralph stated the following invoices are included in this requisition:

KBS, INC.	$647,845.88
NILFISK-ADVANCE, INC.	6,396.00
SANDS ANDERSON MARKS & MILLER	4,497.82
TOTAL REQUISITION NUMBER 6	**$ 658,739.70**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 41 (IDA98A - #6) in the amount of $658,739.70 be approved for payment from the School Construction Bonds.

IN RE: APPROVAL OF REQUISITION #42 (IDA98A - #7 - SCHOOL CONSTRUCTION

Mrs. Ralph stated this requisition is for reimbursement of CIP expenses. The Board's packets included copies of invoices and checks for Requisition # 30; 31; 32; 33; and 35 totaling $2,303,405.94. All of these invoices were paid from local funds after being approved by the Dinwiddie County Board of Supervisors. The payment of these invoices has resulted in a current cash balance in the School Construction Fund (Fund 301) of (negative) – ($2,238,376.15). This amount needs to be reimbursed to the School Construction Fund from the IDA 1998A Bond Proceeds.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 42 (IDA98A - #7) in the amount of $2,238,376.15 be approved for payment from the School Construction Bonds.

IN RE: APPROVAL OF REQUISITION #3 – PUBLIC FACILITIES

Mrs. Ralph stated Requisition #3 for Public Facilities consisted of the following invoices:

SANDS ANDERSON MARKS & MILLER $597.21

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 3 in the amount of $597.21 be approved for payment from the Public Facilities Bonds.

IN RE: CITIZEN COMMENTS

Mrs. Everett asked if there were any citizens who had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, stated she did not have any names signed up to speak.

Mrs. Everett asked if there were any citizens present who wished to speak. There being none Mrs. Everett closed the Citizen Comments and moved forward.

IN RE: PUBLIC HEARING – R-99-1 – ORDINANCE AMENDMENT – CREDIT CARDS USE BY TREASURER

This being the time and place as advertised in the Dinwiddie Monitor on January 20, 1999 and January 27, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing for R-99-1, in order to hear public comments on and to propose for passage an Ordinance providing for the payment of local taxes and other fees and charges by credit cards approved by the County Treasurer.

Mr. Long addressed the following issue regarding the use of credit cards.

AN ORDINANCE OF THE COUNTY OF DINWIDDIE, VIRGINIA ALLOWING FOR THE PAYMENT OF LOCAL TAXES BY CREDIT COARD APPROVED BY THE COUNTY TREASURER AND PROVIDING FOR UP TO A FOUR PERCENT (45) SERVICE CHARGE FOR THE ACCEPTANCE OF SUCH CREDIT CARD PAYMENT.

Section 2-3. Payment of taxes and other fees by use of credit card.

The County Treasurer is authorized to accept payment of local taxes and other fees by use of a credit card approved by the County Treasurer. In addition to any penalties and interests arising pursuant to law, there shall be added to such payment a sum not to exceed four percent (4%) of the amount of the tax, fee, penalty and interest paid, as a service charge for acceptance of such card. Such service charge shall not exceed the amount charged to the County by the credit card company.

Mr. Bracey questioned the use of credit cards by other offices in the County.

Mr. William E. Jones, Treasurer, stated all taxes and fees could be paid by credit cards. He further stated his office has been receiving more and more requests for this service. He informed the Board the cost of the equipment

would be approximately $650.00. Mr. Jones stated he would like this to be effective starting April 15, 1999.

Mrs. Everett opened the Public Hearing on A-99-1. She asked if any citizens had signed up to speak for or against A-99-1. There being none Mrs. Everett closed the Public Hearing.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that Section 2-3 of Chapter 2 of the Code of the County of Dinwiddie, Virginia is hereby amended and re-ordained, with the change, as follows:

Section 2-3. Payment of taxes and other fees by use of credit card.

The County Treasurer is authorized to accept payment of local taxes and other fees by use of a credit card approved by the County Treasurer. In addition to any penalties and interests arising pursuant to law, there shall be added to such payment a sum not to exceed four percent (4%) of the amount of the tax, fee, penalty and interest paid, as a service charge for acceptance of such card. Such service charge shall not exceed the amount charged to the County by the credit card company.

IN RE: PUBLIC HEARING – A-98-10 – AMENDMENT TO ZONING ORDINANCE

This being the time and place advertised in the Dinwiddie Monitor on January 20, 1999 and January 27, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing on A-98-10, An Amendment to Division 15. PMD. Planned Industrial District, Section 22.230.5 (1) relating to height requirements for buildings and structures within the zoning district.

Mr. Scheid stated A-98-10 is an application to amend section 22-230.5 (1) of the PMD district by adding the phrase and the air processing tower which may be constructed to a height of 165' in height. This zoning district is in effect on the Chaparral Steel site only. The Planning Commission heard this case at their January 13, 1999 regular meeting. No one spoke in support of, or opposition to, the proposed amendment. On a vote of 7-0, the Planning Commission recommended approval to the Board of Supervisors. A draft extract of the Planning Commission minutes of the January 13th meeting was made available to the public at the rear of this room this evening. The Board of Supervisors have been given several documents relating to this request. Mr. Mark Kyake, Air Products, was present to answer any technical questions the Board might have had regarding the air processing tower. This concluded Mr. Scheid's presentation to the Board. He stated if the Board did not have any questions of him regarding the application or materials included in their case material he would take a seat.

Section 22-230.5 (1) currently reads:

(1) Buildings shall not exceed ninety (90) feet in height with the exception of the melt shop which may be constructed to a height of one hundred fifty (150) feet in height.

The Dinwiddie County Planning Department has requested the Zoning Ordinance be amended as follows:

Add the underlined text to Section 22-230.5 (1) as set forth below:

(1) Buildings shall not exceed ninety (90) feet in height with the exception of the melt shop which may be constructed to a height of one hundred fifty (150)

feet in height *and the air processing tower which may be constructed to a height of one hundred sixty five (165) feet in height.*

In all other respects, said Zoning Ordinance shall remain intact.

Mrs. Everett opened the Public Hearing on A-98-10. She asked if any citizens had signed up to speak for or against A-98-10. There being none Mrs. Everett closed the Public Hearing.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that Section 22-230.5 (1) of Chapter 22 of the Code of the County of Dinwiddie, Virginia is hereby amended and re-ordained, with the change, as follows:

(1) Buildings shall not exceed ninety (90) feet in height with the exception of the melt shop which may be constructed to a height of one hundred fifty (150) feet in height and the air processing tower which may be constructed to a height of one hundred sixty five (165) feet in height.

IN RE: REPORT ON ICE STORM ACTIVITIES – VIRGINIA POWER

Mrs. Everett introduced Mr. Gary Michael, Director of Operations, Virginia Power, stating he was present to give a presentation regarding the December 1998 ice storm activities.

Mr. Michael came forward presenting a brief synopsis of Virginia Power's role in the ice storm and how they pooled their resources and manpower to restore power to all their customers as quickly as possible.

IN RE: REPORT ON ICE STORM ACTIVITIES – PRINCE GEORGE ELECTRIC

Mrs. Everett explained a representative from Prince George Electric Cooperative was scheduled to appear tonight but due to a death in his family he was unable to attend.

IN RE: APPOINTMENTS – DINWIDDIE COUNTY AIRPORT INDUSTRIAL AUTHORITY

Mrs. Mann stated that several appointments are due at this time.

The first is the Dinwiddie County Airport Industrial Authority which has three (3) positions: Two (2) Dinwiddie County (William C. Knott has been serving on this Board since 1986 and is seeking reappointment and James F. Andrews has been serving on this Board since 1996 and is seeking reappointment) - One (1) Petersburg (L. Bolling Chappell has been serving on this Board since 1992)

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. William C, Knott, Mr. James F. Andrews, and Mr. L. Bolling Chappell are hereby re-appointed to the Dinwiddie County Airport Industrial Authority for a term ending January 31, 2002.

IN RE: APPOINTMENTS – DINWIDDIE INDUSTRIAL DEVELOPMENT AUTHORITY

The next category is the Dinwiddie Industrial Development Authority. We have one position open on this Board. W. D. Allen, Jr. has been serving on this Board since 1975 and has stated he did not wish to reapply. No applications for this vacancy were received.

The Board agreed to act on this appointment at the February 17th meeting. This is an appointment for Election District Number 1.

IN RE: APPOINTMENTS – DISABILITIES SERVICES BOARD

Mrs. Mann continued by stating there were two vacancies on the Disabilities Services Board. Christina Winfield has been serving on this Board since 1996 and is seeking reappointment and Sandra H. Mason has been serving on this Board since 1997 and is seeking reappointment.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Ms. Christina Winfield and Ms. Sandra H. Mason are re-appointed to the Disabilities Services Board for a term ending January 31, 2001.

IN RE: APPOINTMENTS – CRATER PLANNING DISTRICT COMMISSION COMMISSIONERS

Mrs. Mann stated due to the resignation of Mr. Tickle, an appointment needs to be made to replace him on the Crater Planning District Commission Commissioners. Mr. Tickle replaced Mr. Haraway in 1996 on this Commission. This appointment must be a Board member.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Donald L. Haraway is appointed to the Crater Planning District Commission to fill the unexpired term of Michael H. Tickle ending December 31, 1999.

IN RE: COUNTY ADMINISTRATOR COMMENTS – RESOLUTION IN SUPPORT OF THE TOBACCO INDUSTRY

Mr. Long stated he had received a letter from Mecklenburg County, along with a Resolution of Support for the Tobacco Industry. Mecklenburg's Board of Supervisors is requesting all tobacco growing counties adopt a similar resolution.

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

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

DINWIDDIE COUNTY BOARD OF SUPERVISORS
RESOLUTION

WHEREAS, the tobacco industry has played a proud role in the history of Dinwiddie County, and remains vital to the economic well-being of Dinwiddie County;

WHEREAS, the tobacco industry is under assault on many fronts, as a result of which the future for tobacco production in Dinwiddie County is seriously challenged;

WHEREAS, in the last two years the reduction in flue tobacco allotment quotas have totaled approximately thirty-two percent (32%);

WHEREAS, the extreme reductions in tobacco allotment quotas during the last two years have had an adverse economic impact upon tobacco growers;

WHEREAS, under the "Master Settlement Agreement" negotiated with tobacco companies, the Commonwealth of Virginia will receive approximately TWO BILLION AND NO/100 $2,000,000,000.00) DOLLARS;

WHEREAS, the Dinwiddie County Board of Supervisors feels strongly that the settlement funds received by the Commonwealth of Virginia should be utilized, to any extent necessary, to mitigate the adverse impact upon tobacco growers caused by the many adverse factors which now threaten the future of all tobacco growers in the Commonwealth.

IT IS, ACCORDINGLY, HEREBY RESOLVED: That the Governor and the General Assembly are urged to allocate a significant portion of the funds received by the Commonwealth of Virginia under the Master Settlement Agreement for the benefit of tobacco growers in the Commonwealth.

FURTHER RESOLVED: That the funds so allocated should be paid over to the A. L. Philpott Commission, with a specified directive that the Commission expend such money in an equitable manner for the benefit of all tobacco growers in the Commonwealth of Virginia generally, to expressly include those with Dinwiddie County, Virginia.

Adopted this 3rd day of February, 1999

LeeNora V. Everett
Chairman
Dinwiddie County Board of Supervisors

R. Martin Long
County Administrator

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated the remainder of the information in their packets was informational only. He did state there was an application for Special Entertainment Permit from the Clyde Beatty-Cole Brothers Circus. He further stated he understood they had been in the County previously. The Circus is scheduled to be in Dinwiddie County at the Virginia Motorsports Park on April 21st and 22nd with two (2) shows daily.

Mr. Bracey asked about the proceeds from this Circus and about admission tax and meals tax, questioning if Mrs. Deborah M. Marston, Commissioner of the Revenue was aware of this event.

Mr. David M. Jolly, Public Safety Director, stated Mrs. Marston was aware of this event and all permits are in place.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay – no comments

Mr. Bracey – no comments

Mr. Haraway – no comments

Mr. Moody – He stated he had been attending meetings on the High Growth Study Committee and they had several bills in front of the committee to be heard in the morning. Delegate Riley Ingram is the Chairman of the Committee. Several of the bills, he thought, we should be in support of; he stated he felt we should support their concept anyway. Some of them we might not be quite in favor of. He stated he planned to make it to the meeting in the A.M. providing nothing happens on the farm.

Another concern he had was during budget session today he learned the State has all this surplus and is giving all these State employees raises. We are coming to the point where for them to match up with the State employees we are having to take local dollars. He was concerned because their surplus is causing a deficit on our end. This is a major concern of the Board.

Mrs. Everett – She stated they had a Crater Planning Commission meeting the other night and they received a draft of the final strategy report on the TransAmerica Corridor and the next step in this is for local and regional initiatives. So all of the agencies under Crater will be adopting resolutions and letters to send to the Transportation Board. The Board is also urged to adopt similar ones and she will provide the Board with copies as soon as she receives them. She wanted the Board to keep in mind the Pre-Allocation hearings. She stated they were very important for the Board to attend. One will be held on Tuesday, March 16th at 9:00 A.M. at John Tyler Community College and the other one will be held on Thursday, March 25th at 10:00 A.M. in Suffolk. We will have representation at both of these meetings. She requested that the citizens who were present at previous meetings regarding Halifax Road be notified about these pre-allocation meetings.

Mrs. Everett made reference to a new brochure on Dinwiddie County and Mr. Long stated we would be discussing it in detail at the meeting on February 17th.

RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Haraway, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 8:10 P.M. to be continued at 10:30 A.M. on Wednesday, February 10, 1999 in the Conference Room of the Pamplin Administration Building for a budget workshop.

LeeNora V. Everett
Chairman, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 17TH DAY OF FEBRUARY, 1999, AT 1:00 P.M.

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

(Mr. Clay arrived at 1:10 P.M. and Mr. Moody arrived at 1:11 P.M.)

IN RE: CALL TO ORDER

Ms. LeeNora V. Everett, Chairman, called the continuation meeting to order at 1:00 P.M.

IN RE: GEOGRAPHIC INFORMATION SYSTEM (GIS) PRESENTATION

Mr. Steve Sedlock, GIS Analyst from Timmons, came forward to make a presentation on their findings regarding the GIS Needs Assessment. He gave an overview of objectives, project description, what GIS was, integrated GIS, data integration, operational benefits to all departments, specific operational benefits to the following offices or departments: Planning Department, County Administration, Commissioner of the Revenue's Office, Public Safety, Law Enforcement, Water and Sewer Authority, Waste Management, School Board, Building and Grounds, Building Inspection, Recreation, Treasurer, Clerk of the Court, Social Services and Registrar. Mr. Sedlock also gave an analysis of cash flow requirements for overall and priority implementations, direct annual savings per department for GIS implementations and a cost and benefit timeline. Mr. Sedlock showed how the different applications could be used by different departments to expedite their work load and provide time for other tasks. He expressed Timmons felt the County should have a pilot project before moving forward with a County wide system implementation.

Mr. Sedlock concluded this portion of the presentation by asking the Board for any questions regarding the GIS system or his presentation.

Mrs. Everett asked how long it would take to get the system operational.

Mr. Sedlock stated operational – they would anticipate that you would certainly have some operational capabilities after one (1) year; fully operational in five (5) years. He continued that the County would be increasing their operational standpoint each year.

Mrs. Everett asked about a pilot project, how long would it take to get that going.

Mr. Sedlock answered he would anticipate they would probably put together a pilot project in two (2) or three (3) months.

Mrs. Everett asked if he thought that was the way the County should go, with a pilot project, and she wanted to know if they had any idea what district or area that project should be carried out in.

Mr. Sedlock stated they had discussions in his interviews of the County and they felt somewhere in the Northern part of the County would be a good place to start.

Mr. Clay – no comments.

Mr. Bracey – no comments

Mr. Haraway – no comments

Mr. Moody – He stated he had been attending meetings on the High Growth Study Committee and they had several bills in front of the committee to be heard in the morning. Delegate Riley Ingram is the Chairman of the Committee. Several of the bills, he thought, we should be in support of; he stated he felt we should support their concept anyway. Some of them we might not be quite in favor of. He stated he planned to make it to the meeting in the A.M. providing nothing happens on the farm.

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Upon motion of Mr. Moody, seconded by Mr. Haraway, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 8:10 P.M. to be continued at 10:30 A.M. on Wednesday, February 10, 1999 in the Conference Room of the Pamplin Administration Building for a budget workshop.

LeeNora V. Everett
Chairman, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 17TH DAY OF FEBRUARY, 1999, AT 1:00 P.M.

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

(Mr. Clay arrived at 1:10 P.M. and Mr. Moody arrived at 1:11 P.M.)

IN RE: CALL TO ORDER

Ms. LeeNora V. Everett, Chairman, called the continuation meeting to order at 1:00 P.M.

IN RE: GEOGRAPHIC INFORMATION SYSTEM (GIS) PRESENTATION

Mr. Steve Sedlock, GIS Analyst from Timmons, came forward to make a presentation on their findings regarding the GIS Needs Assessment. He gave an overview of objectives, project description, what GIS was, integrated GIS, data integration, operational benefits to all departments, specific operational benefits to the following offices or departments: Planning Department, County Administration, Commissioner of the Revenue's Office, Public Safety, Law Enforcement, Water and Sewer Authority, Waste Management, School Board, Building and Grounds, Building Inspection, Recreation, Treasurer, Clerk of the Court, Social Services and Registrar. Mr. Sedlock also gave an analysis of cash flow requirements for overall and priority implementations, direct annual savings per department for GIS implementations and a cost and benefit timeline. Mr. Sedlock showed how the different applications could be used by different departments to expedite their work load and provide time for other tasks. He expressed Timmons felt the County should have a pilot project before moving forward with a County wide system implementation.

Mr. Sedlock concluded this portion of the presentation by asking the Board for any questions regarding the GIS system or his presentation.

Mrs. Everett asked how long it would take to get the system operational.

Mr. Sedlock stated operational – they would anticipate that you would certainly have some operational capabilities after one (1) year; fully operational in five (5) years. He continued that the County would be increasing their operational standpoint each year.

Mrs. Everett asked about a pilot project, how long would it take to get that going.

Mr. Sedlock answered he would anticipate they would probably put together a pilot project in two (2) or three (3) months.

Mrs. Everett asked if he thought that was the way the County should go, with a pilot project, and she wanted to know if they had any idea what district or area that project should be carried out in.

Mr. Sedlock stated they had discussions in his interviews of the County and they felt somewhere in the Northern part of the County would be a good place to start.

Mrs. Everett asked if he wanted to field some questions before he continued.

Mrs. Wendy Weber Ralph, Assistant County Administrator, inquired about the cost and if that included any fly over of the County for aerial photographs.

Mr. Sedlock stated yes it did.

Mr. John M. Altman, Jr., Zoning Administrator, stated the only thing that it did not include was if we wanted to have contours; it included maps and photos but if we want to have contour maps drawn that will be an additional cost.

Mr. Bracey stated he had a bad habit of listening to the scanner over the weekend and during the time he is at home. He stated he noticed the deputies and so forth are calling back, because they have passed or/are lost or confused out there on the road, trying to obtain better directions. Mr. Bracey wanted to know if with this system they are telling him EMS and Fire should be able to find an address within a matter of minutes.

Mr. Sedlock stated yes it is. A full GIS implementation integrated with the 911 system accurate information would be available including maps and directions.

Mr. Bracey asked about detours and construction and if this could be noted on the maps.

Mr. Sedlock stated in terms of detours the system needs to be able to take that into consideration in order to work 100% correctly. It would be up to the GIS personnel within the County or whomever to make sure that information with regard to the road network takes into consideration that a bridge is out or a road is out.

Mr. Bracey stated sometimes they get confused out there.

Mrs. Everett stated Mr. Sedlock was talking about a pilot project. She wanted to know if they would move ahead with that early on then and the other would follow if that proved to be beneficial. What would the cost of the pilot project be?

Mr. Sedlock stated the cost of the pilot project would be – he stated he did not want to throw numbers out of here but generally simple trial projects for $30,000.00 to $50,000.00.

Mrs. Everett asked what that involves.

Mr. Sedlock explained it involved digitizing of the tax maps, that would involve development of a road center line network, it would involve some initial photography, aerial photography.

Mr. R. Martin Long, County Administrator, stated his next question would be if the County did something like that and the Board decided it wanted to move forward with implementation of the system would that work be able to be incorporated into the overall system.

Mr. Sedlock replied yes.

Mr. Long stated he had one other question from back in the presentation when Mr. Sedlock was talking about percentages such as deputy sheriff's 40%

of the time need to call back for additional directions—was that through the interview process.

Mr. Sedlock again replied yes.

Mr. Long stated then that was how your percentages were figured; based on the number of interviews and the number who said they did not always get it the first time.

Mr. Sedlock stated that was based on one (1) interview that he had – from the Sheriff's deputies.

Mr. Long stated an overview of the department.

Mr. Sedlock stated that was correct.

Mrs. Everett asked in the pilot project how long would it take them to determine the results of that project before they would possibly move ahead with the rest of the system.

Mr. Sedlock stated they would certainly – in order to move ahead with the rest of the system that pilot would have to be a successful one. They would need to demonstrate specifically whomever was assigned or awarded the pilot project would need to demonstrate to the Board and to the County staff that this is providing them what they need.

Mrs. Everett asked how long, in his experience, how long does it usually take to determine the results of a pilot project.

Mr. Sedlock stated less than one (1) month.

Mrs. Everett stated less than one (1) month and then you would go ahead with the implementation of the whole area.

Mr. Sedlock stated that was correct.

Mr. Haraway stated to Mr. Sedlock that he had mentioned a savings of $750,000.00. Mr. Haraway stated he noticed Timmons had put a savings in each department. Mr. Haraway stated it was his perception of reading the report the savings would come through reduced time.

Mr. Sedlock stated that was correct.

Mr. Haraway continued that he did not see anything that said what departments or how many FTE's would they be reducing for this savings to materialize. He asked how this savings was going to materialize. Would this system reduce FTE's?

Mr. Sedlock stated he was not sure what FTE was.

Mr. Moody stated full time employees.

Mr. Haraway stated what he was saying was the savings never materializes unless the County reduces the payroll. Is this where the $750,000.00 in saving is coming from?

Mr. Sedlock stated no. He stated his anticipation – those savings are in reduced time to complete their tasks. By implementing the system the County will be giving employees the ability to do other tasks down the line and make themselves more efficient with things that they could not do previously. That was his thinking on the savings.

Mr. Haraway stated this seems to be an artificial savings because if the County does not reduce their payroll they have not saved anything. He asked Mr. Sedlock if he saw his point.

Mr. Haraway stated he did not think Timmons could sell this program on the County is going to save $750,000.00. It appeared to Mr. Haraway there had to be another selling point then saying the County is going to save $750,000.00, unless he was missing some point.

Mr. Bracey stated he understood what Mr. Haraway was saying – he asked Mrs. Marston now tax maps and doing the properties, on the average, what does it take her or her office to do what he is talking about. He stated what Mr. Sedlock was saying was the County had Debbie at $55,000.00 a year, they have this one at $30,000.00 and at the end of the day X number of hours of time were saved by having this project. Mr. Bracey asked Mr. Haraway if this was where he was coming from.

Mrs. Deborah M. Marston, Commissioner of the Revenue, responded she had a mapping technician that only does mapping right now. She thought when the County budgeted, please she stated she did not have anything in front of her and she was going strictly from memory, she thought it was $4,000.00 for salaries for just that one person. She explained he has to go to the Clerk's Office research deeds, once in a while, in a rare case, he has to go to the field because we just cannot identify the property where it is going to physically be located. Her maps – just to give the Board one example standing right here at this spot where we are going 1000 feet that a way to the bridge right up here – she asked someone to help her because she could not think of the name of the bridge – Stony Creek Bridge - we are 1000 feet off on the ground and on the tax maps, she stated it is distorted 1000 feet which means the feet are there on the ground but when you come to her tax map it is short, which means she had to what they call quote "fudge" the real property in that area because it just won't fit. Only the northern end, the first 18 maps of Dinwiddie County were under a GIS and they were done back in the 70's as far as she knew. She continued that no other area in the County has come under the GIS mapping. We have all over the County properties that can not physically be mapped accurately because our whole base map that was derived back in the 1930's – we have never had a true base.

Mr. Bracey stated he understood that part but speaking of money involved – he wanted Mrs. Marston to tell him how much money does it cost her office to fudge that line. He was trying to understand where a savings would come from.

Mrs. Marston answered up until four (4) or five (5) years ago the Department of Taxation helped so the County did not have a lot of monetary cost in our mapping but now that they have gone totally out of the business it is costing us more. Mr. Raymond Birdsong, the individual Mrs. Marston uses for mapping, will be coming in to start putting the right of way for the big power lines. We have got to get that on the map. That is going to take a long time because he has got to physically research and lay all of her tax maps out. She did not know the cost of that today because we have not even started that project but a minimum of $4,000.00 is in the budget just for mapping.

Mr. Altman stated to somewhat answer Mr. Bracey's question he offered the following: the example that Mr. Sedlock had given regarding assigning an address to a property. He explained if he assigns an address, say out on Zilles Road and it is a new parcel that has been just added within the year and it is not on our tax map then he has to -- number 1 the mapping that the Planning and Zoning Department has for addresses does not have any tax parcel data on it at all, so the first step is to take the tax map, trace it, then retrace it on the address map, physically go out into the field find out where they are going to have that

driveway entrance, match that up with the existing addresses out in the field, bring that back in and try to fit it and fudge it onto the existing tax maps that we currently have with the parcels and it can take upwards to forty-five (45) minutes in some cases and a couple of hours to assign one single address. With a system such as this, it is a time savings not an individual position savings but a time savings. It may take him five (5) to ten (10) minutes to do with the system where it may take him an hour to two hours to physically drive out in the field, verify, bring it all back to sit down and do it which will allow individuals to do other tasks in that day rather than consume so much time in one small task which should not take that long.

Mr. Bracey wanted to know what the County charged for an address.

Mr. Altman stated nothing.

Mr. Haraway stated he thought what he was hearing was that this will allow the departments to operate more efficiently and better serve the taxpayers. Mr. Haraway added but do not think the County is going to see a decrease of $750,000.00 from our expenses. He asked if that would be a fair statement.

Mr. Sedlock stated that was a fair statement sir.

Mr. Bracey stated now he was straight.

Mr. Moody stated he felt this was an investment in the future. In five to ten years hopefully the County will be able to have less employees then we would have had to hire in the future because employees will be more time efficient. Right now the County will not see that savings until we start getting more income coming in from growth.

Mrs. Everett stated Mrs. Marston wanted to speak again.

Mrs. Marston stated just to help Mr. Haraway we are getting an increased demand for copies of maps so they will be able to charge for these. Therefore the County will see an increase on their on line budget line item of copies of maps or sale of maps etc. The County should see that increasing because we are getting much more of a demand for these maps, even the full sets, which the County could help ascertain a value to maybe recoup come dollars.

Mr. William C. Scheid, Director of Planning, stated he had been working with Mrs. Marston's office for the past seven (7) or eight (8) months regarding people coming in with subdivision plats which he is approving. These plats could be entered into the system immediately as they come in rather than using the manual system they are currently using. At this time he is making a copy for his files, he is hand delivering to Mrs. Marston's office a like copy because they do not know when these plats will be going over to the Clerk's office to be recorded. Because they have not been recorded we can not actually put on any maps but what could be done – they must by County ordinance be recorded at the Clerk's office within six (6) months or they become null and void. One way of avoiding problems in which people don't record is you can have a flagging system in which after six (6) months the person can be notified you have not recorded your plat; that plat is now null and void and it will have to be redone. Another way this system can be used is when it is recorded at the Clerk's office if they immediately go from his office and record it the same day and they are linked in with the Clerk's office they will know that that has been recorded and as the Board is well aware once a parcel is broken off of a larger parcel it becomes a separate taxable item. This way the County would be able to keep the tax taxing. This is where you can get a direct benefit rather than it coming on board later on, how much later on he did not know, a month or more, as soon as it goes on it now becomes a taxable commodity. This is another way the County will get its money back from the system. It also helps Planning and Zoning in tracking

by setting up these things by flagging the number of times a parcel is divided and when it is divided. He stated they do have problems like that just tracking and it is only because they have been doing this for years that they have gotten to know the land parcels in the County and they know if something is happening with that tract that should not be because we happen to remember three (3) years we did something with that piece of land whatever happened and we start researching and we find out it is being re-divided and somehow changed around to something that it was not supposed to be. He felt the system would provide benefits that would be instantaneous information being put on the system.

Mr. Moody asked if 911 funds could help fund this project.

Mr. Sedlock stated typically in other municipalities they have.

Mr. Moody asked by a certain percentage.

Mr. Sedlock stated yes.

Mr. Moody asked about how much.

Mr. Sedlock stated he was not sure exactly.

Mr. Moody asked up to half.

Mr. Sedlock stated again he was not sure exactly. He stated he did know Lancaster County invested a lot of money in their mapping, Warren County did the same thing, there are many localities Hanover did it as well. In terms of exact percentage he would be guessing purely.

Mrs. Everett stated Crater District Planning Commission is embarking on a GIS and Mr. Lee Dowdy was present from Crater. Mrs. Everett asked Mr. Dowdy if he had anything to bring to the Board that they might benefit from.

Mr. Dowdy stated the only thing that he thought talking about the seeing the financial benefit of it. We are going to be using it for transportation and economic development. It is not so much a decrease in expenses however it allows the County to do more effectively recruiting of business which means the County is going to see more income as the County grows. Like here in Dinwiddie County, if the County gets a couple more big plants like Chaparral Steel, a few more subdivisions, he stated he knew Dinwiddie's Planning Department was stretched right now and much more growth will require hiring on more people to handle that. With the GIS Dinwiddie County would not see a decrease in the County expenses but the County would not need to add on new people every time the County showed a growth. The County would successfully see a difference. He thought that this is a step in the right direction and a lot of localities are headed in this direction.

Mr. Sedlock stated he would like to touch on some applications with the presentation. He proceeded by showing various applications of how the GIS system could benefit the County as far as economic development, routing of school buses, fire and rescue application, and demographic, zoning, soils, flood zones, etc.

The Board asked a few questions regarding the information that could be entered on properties.

Mr. Sedlock stated any descriptive information on the property can be entered into the system.

Mr. Long stated with the type of application Mr. Sedlock had just demonstrated (economic development uses) is one, for example, that his office is asked periodically right now. Mr. Long stated he does right now get some assistance through Mr. Jay Langston who will get calls of that type – where do you have properties of X number of acres that has water, sewer, electrical, what types of service utilities are there – he continued he gets some of those directly himself and the difference being something currently that he has to – especially if it is not something that we had already mapped out as a site that we would market but where would you have sites that would be of some benefit to this prospect. With this system you could put in the perimeters like Mr. Sedlock just walked through and it shows you which ones you have that fit a particular category of acreage and public utilities etc.

Mr. Bracey asked, in reference to school bus routes, they will not have to actually go out and run the route to know how many miles or which way would be best to run the route.

Mr. Altman asked if he understood the fire and rescue information could be integrated with the call in on E911 so they would not have enter it in; it would automatically come up.

Mr. Sedlock stated that was correct, that was exactly what he was talking about.

Mr. Altman continued by stating when the volunteers get to the fire house the directions and everything would be waiting for them.

Mr. Sedlock stated exactly, absolutely!

Mr. Bracey asked in the other localities where Timmons has initiated this system where or what area did they start their pilot programs.

Mr. Sedlock typically the pilot programs are started in areas where there is the most need for this kind of information. Some times it is an area where there is a push from the County's standpoint to develop that area economically. Sometimes it is the highest growth areas. Sometimes it is a hot area because there is a site there and there could be hazardous waste issues, it just depends on what the hottest area is for the County.

Mrs. Everett asked the Board if they had any additional questions at this time.

Mr. Moody asked if the taxpayers would be able to get on line with this system.

Mr. Sedlock responded absolutely.

Mr. Moody asked if they would be able to look up stuff themselves from home.

Mr. Sedlock stated they certainly would want to integrate a counter top system where you can come to the office and look up stuff. Also through difference types of software you can have it available over the Internet.

Mrs. Everett asked if there were any other comments or questions.

Mr. Haraway stated he would like to ask Mr. Dowdy a question. He asked if ABIDCO (Appomattox Basin Industrial Development Corporation) had reviewed other vendors that supply this product and have they chosen this vendor as the vendor of choice.

Mr. Dowdy stated right now based on what most people throughout the State are working with this is Archview. Archview is what they are planning on going with.

Mr. Haraway asked if the system had been evaluated.

Mr. Dowdy stated yes it has.

Mrs. Everett thanked Mr. Sedlock for his presentation and stated the Board would be discussing it further. She also thanked Mr. Altman and Mr. Scheid for their hard work in getting this presentation together. There being no further questions Mrs. Everett called for a five (5) minute recess at 1:58 P.M.

IN RE: CALL TO ORDER

Mrs. Everett called the meeting back to order at 2:10 P.M.

RE: ADJOURNMENT

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 2:10 P.M.

LeeNora V. Everett
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

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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 17TH DAY OF FEBRUARY, 1999, AT 2:00 P.M.

PRESENT:	LEENORA V. EVERETT, CHAIRMAN	ELECTION DISTRICT #3
	AUBREY S. CLAY, VICE-CHAIRMAN	ELECTION DISTRICT #5
	DONALD L. HARAWAY	ELECTION DISTRICT #2
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
	HARRISON A. MOODY	ELECTION DISTRICT #1
OTHER:	DANIEL SIEGEL (arrived at 2:12 P.M.)	COUNTY ATTORNEY

IN RE: CALL TO ORDER

Mrs. LeeNora V. Everett, Chairman of the Board, called the regular meeting to order at 2:10 P.M.

IN RE: MOMENT OF SILENCE – JIM HENING

Mrs. Everett requested a moment of silence in memory of Mr. Jim Hening, a Richmond architect, who has provided a lot of service to the County of Dinwiddie. He did the design of the Pamplin Administration Building. Mr. Hening died yesterday from cancer. He had been ill for some months.

IN RE: INVOCATION – PLEDGE OF ALLEGIANCE

Following the moment of silence for Mr. Hening Mrs. Everett asked everyone to join in the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Everett asked if there were any amendments to the agenda.

Mr. R. Martin Long, County Administrator, stated under Item 11 Executive Session: Section 2.1-344 (a) - 1 Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body - needs to be removed.

Mrs. Wendy Weber Ralph, Assistant County Administrator, stated we needed to add under Item 11 Executive Session: Section 2.1-344 (a) - 7 Consultation with legal counsel.

Mrs. Everett asked for all Board members in agreement to the changes to Executive Session to signify by saying "aye".

All members so signified by voting "aye".

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the January 21-22, 1999 Continuation Meeting; February 3, 1999 Continuation Meeting; and the February 3, 1999 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Haraway, seconded by Mr. Moody, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 1013945 through 1014153 (void check(s) numbered 1013946, 1014071 and 1013844); for

Accounts Payable:

(101) General Fund	$105,561.42
(103) Jail Commission	$ 687.00
(104) Marketing Fund	$ -
(222) E911 Fund	$ 2,417.59
(223) Self Insurance Fund	$ -
(225) Courthouse Maintenance	$ -
(226) Law Library	$ -
(228) Fire Programs & EMS	$ -
(229) Forfeited Asset Sharing	$ 74.60
(304) CDBG Grant Fund	$ 825.39
(305) Capital Projects Fund	$ 55,068.18
(401)County Debt Service	$ 62,628.95
TOTAL	**$ 227,263.13**

MANUAL CHECK (2/10/99)

General Fund	$ 60.00
TOTAL	**$ 60.00**

IN RE: CITIZEN COMMENTS

Mrs. Everett asked if there were any citizens who had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, stated she did have one name signed up. The following citizen addressed the Board:

1. Ms. Iris Holiday, representative of Virginia Power, came forward to give the Board a brief update on legislation in the General Assembly concerning the restructuring of the electric utility industry in the State of Virginia. She explained how this restructuring would affect the consumers.

There being no additional names signed up Mrs. Everett moved forward.

IN RE: DEPARTMENT OF TRANSPORTATION – REPORT

Mr. Ronald H. Reekes, Resident Engineer for the Virginia Department of Transportation, came forward to present his monthly report. He apologized for missing last month, congratulated Mrs. Everett on the Chairmanship and welcomed Mr. Haraway back to the Board.

There was discussion regarding the Pre-Allocation hearings which will be held in March. Mr. Reekes explained these hearings were for primary roads not secondary roads.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, came forward stating she had nothing to report but was available for questions.

IN RE: TREASURER – REPORT

Mr. William E. Jones, Treasurer, came forward to present his monthly report stating he had nothing new to add but was available for questions.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney was not present at this time.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel H. Shands came forward to present his monthly report. He reported that he was working on getting bids for the marking of the vehicles.

IN RE: SHERIFF'S DEPARTMENT – BLOCK GRANT

Mr. Long stated he had included in the Board's packets a letter from the Department of Criminal Justice Services regarding a Local Law Enforcement Block Grant. The Local Law Enforcement Block Grant Program (LLEBG) makes federal funds available to localities to help support their efforts to reduce crime and improve public safety. The Department of Criminal Justice Services has been designated to administer a portion of these funds reserved for Virginia and to make those funds available to local units of government. They were pleased to advise the County that they were awarding Dinwiddie County $2,283.00 in federal funds. With the required local cash matching funds of $254.00, the County's total award is $2,537.00.

Mr. Long requested authorization to apply for these grant funds, providing the $254.00 local cash matching funds out of the Sheriff's budget.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator to apply for the Local Law Enforcement Block Grant Program funds in the amount of $2,283.00 with the local cash matching funds of $254.00 coming from the Sheriff's budget.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector, came forward to present his department's report for the month of January 1999.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward to present his report for the month of January 1999.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came forward to present his monthly report.

Mr. Scheid began by passing out to the Board the budget for the Appomattox River Water Authority which he had not received until after the Board's packets had gone out.

Mr. Scheid pointed out that the revised Erosion and Sedimentation Control Ordinance is enclosed in their packets for their review. The Board will hold a public hearing on this ordinance at their regular meeting April 7, 1999.

IN RE: DIRECTOR OF PLANNING – VIRGINIA PLANNING ASSOCIATION CONFERENCE -- REQUEST TO ATTEND

Mr. Scheid continued that he would like to request permission for both Mr. Altman and himself to attend the Conference which will be held in Charlottesville on March 29th through March 31st. The Planning Department has included the expense of this meeting in the budget. He stated it is anticipated that he will attend workshops on Monday and Tuesday, returning to Dinwiddie on Tuesday evening. Mr. Altman will attend the entire conference. There will a lodging expense for two (2) evenings.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Mr. Scheid and Mr. Altman to attend the Virginia Planning Association Conference to be held in Charlottesville on March 29 through March 31, 1999 with funds coming from the Planning Department budget.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. Scheid continued the Tri-Cities Transportation Technical Committee met on January 22nd. An amendment was added to the year 2018 Plan to include a safety project to the intersection of Route 1 and Route 226. A copy of projects contained in the Year 2018 Plan as they effect Dinwiddie County is attached herein. Mr. Scheid expressed it is important the County have representation at the March 16th pre-allocation hearing which will be held at John Tyler Community College at 9:00 A.M. by the Virginia Department of Transportation.

IN RE: DIRECTOR OF PLANNING – COUNTY BROCHURE

Mr. Scheid stated he would like to have Ms. Cheryl Stewart, Executive Secretary for the Planning/Zoning Department come forward to speak on the economic development part for the brochure.

Ms. Stewart came forward to address the brochure which was produced by Weatherford Marketing Group, Inc. She stated they have been working with this Marketing Group out of Texas for several years to produce a commemorative map for the County. She stated she was very proud of the finished product. She continued she felt the maps have portrayed the County in a very positive light. She reported the County had 2,500 maps which would be available to the public.

Mrs. Everett asked Ms. Stewart if the County could order additional maps should we need them.

Ms. Stewart stated she had received a call from Mr. Weatherford this A.M. and she had returned it; however they had not gotten together to discuss it. She stated she understood we could order additional maps but there would be a cost involved.

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. John M. Altman, Jr., Zoning Administrator, came forward presenting his report for the month.

Mr. Altman passed out to the Board information regarding the City of Petersburg. The Planning Department recently learned of a rezoning case with the City of Petersburg just north of the Norfolk-Southern Railroad at the Chaparral Steel Site. By State Code the City is to notify adjoining localities ten (10) days prior to the meeting if the case is within ½ mile of the jurisdiction. The County received notice one (1) day prior to the meeting. When he called the Petersburg Planning Department to obtain information regarding the case the following information was provided them:

- the proposed use of the site is a steel lay-down yard;
- access to the site would be through Dinwiddie County, either by the Industrial Access Road or through the R. T. Elder Concrete Plant (which is not a recognized road) - the City's Zoning Administrator stated that the tractor trailers would not be allowed onto Boydton Plank Road in the City;
- the City has made provisions for fire and rescue service, and is assuming the County will provide those services; and
- the City has assumed that all utilities will come from the County.

The case was withdrawn by the applicant, but will be heard by the City's Planning Commission at their March 3rd meeting. We have requested that the City forward all documentation associated with this case to the County for review prior to the hearing.

Mr. Long stated because this meeting on March 3rd coincides with our monthly meeting he thought Mr. Altman would be attending on behalf of the County. He also stated he would be talking to the City Manager as well as the Planning Director and Economic Development Director. Mr. Altman, Mr. Scheid or himself were aware of this project until this same type of memorandum came up before the February meeting. Fortunately the case was tabled for a month because his understanding currently was, he did not want to give too much detail, but it did catch them a bit off guard. He thought the mode of transportation that was being envisioned was between properties from theirs using the R. T. Elder road into the Chaparral facility. He thought that Mr. Altman was notified that was because they did not want them to use Boydton Plank Road in the City of Petersburg. With regard to Emergency Services they figured the County would supply. Mr. Long stated without going into too many details at this time it was safe to say the County was concerned and are looking into the whole scenario. He stated he needed to talk to the City Officials about the whole concept.

Mr. Altman continued his report by passing out an article copied from the America's Civil War magazine - March 1999. This article was entitled "Dinwiddie Court House Beginning of the End" which he thought might be of interest to the Board.

Mr. Altman stated his last item was they had received a digital camera in the mail which was a portion of the grant money which they had obtained from Partners in Parks. This camera will be used by the student intern who is doing the inventory of historic homes within the County.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, stated he had no report but was available for questions.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy M. McElveen, Director of Social Services came forward providing an update on her Department's progress. She gave the Board a handout on the Children's Medical Security Insurance Plan. This was a plan to provide health benefits for Virginia's uninsured children which is an assistance program of the Department of Medical Assistance Services. She also reported on a change in the Medicaid Program. The change involved the picking of an HMO.

IN RE: DIRECTOR OF SOCIAL SERVICES – RESOLUTION TO APPROPRIATE FUNDING

Ms. McElveen stated she would like to request a resolution to appropriate funding received by her department. The funds received are as follows:

♦ St. John's Catholic Church (donation)	$ 500.00
♦ State/Federal allocations	
■ IVE Federal foster care	36,104.00
■ Adoption Subsidy	13,804.00
■ Special Needs Adoption	29,635.00
■ Administration, CMSIP	8,310.00
TOTAL	$ 88,343.00

Mrs. McElveen stated that there are no local match funds required.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for supplemental appropriations from funding and donations in the amount of $88,343.00 into the Social Services budget as follows:

♦ St. John's Catholic Church (donation)	$ 500.00
♦ State/Federal allocations	
■ IVE Federal foster care	36,104.00
■ Adoption Subsidy	13,804.00
■ Special Needs Adoption	29,635.00
■ Administration, CMSIP	8,310.00
TOTAL	$ 88,343.00

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Ms. Troilen G. Seward, Superintendent of Schools, came forward to present her monthly report.

There was discussion regarding the Standards of Learning (SOL) testing; scores; town meetings and methods of teaching to reach the required results.

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward presenting his monthly report for January 1999.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Denny E. King, Director of Waste Management, came forward giving his report for January/February 1999.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward to present his monthly report. He reported Mr. Long would be accompanying him to a mandated conference on emergency services in Virginia Beach on February 24 and 25, 1999. This course is fully funded by the State.

IN RE: PUBLIC SAFETY OFFICER – STATE FIRE CHIEFS CONFERENCE

Mr. Jolly stated starting February 24th in the evening through February 28th is the State Fire Chiefs Conference which is also in Virginia Beach. Mr. Moody has agreed to attend this conference with them on Saturday, to come down Friday night and spend Saturday with them. His cost of that program is being funded by the Volunteer Fire Companies. He would also like to request permission of the Board to attend that Conference and for those funds to come from his travel budget that is in place.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Public Safety Officer to attend the State Fire Chiefs Conference in Virginia Beach on February 24 through 28, 1999 with funds being provided from his travel budget.

IN RE: PUBLIC SAFETY OFFICER – RE-CHASSIS

Mr. Jolly continued by discussing the re-chassis of the ambulance stating that project is currently underway. He requested permission to release the title of the unit we sent to them in order that they may title the new unit to Dinwiddie County.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to release the title on the 1995 Ford Cutaway; Vehicle Identification Number 1FDKE30F3SHA81186 to P. L. Custom in order that the new chassis may be titled to Dinwiddie County.

IN RE: FIRE AND RESCUE ASSOCIATION – REPORT

Mr. Jolly stated Mr. Charles Lewis was unable to attend so he was also the Fire and Rescue Association representative at this meeting. He asked if the Board had any questions.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Daniel M. Siegel, County Attorney, stated he had no report but was available for questions.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT – REPORT

Mr. Donald W. Faison, Building and Grounds Superintendent, came forward presenting his report for the month.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT – ADMINISTRATION BUILDING EGRESS LIGHTING REPLACEMENTS – AUTHORIZATION TO BID

Mr. Faison stated in order to bring our building up to code we need to upgrade our egress lighting. He requested authorization to request bids for this work.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Building and Grounds Superintendent to request bids to upgrade the egress lighting in the Pamplin Administration Building.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT – FORD VOLUNTEER FIRE DEPARTMENT – AUTHORIZATION TO BID – STATION DRAINAGE AND WATER DAMAGE

Mr. Faison stated his next item is in reference to the station drainage and water damage problem at the Ford Volunteer Fire Department. He stated a trench drain with cast iron grates along with extending the apron could eliminate the problem. Mr. Faison requested authorization to request bids for this work.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Building and Grounds Superintendent to request bids to correct the station drainage and water damage problem at the Ford Volunteer Fire Department.

IN RE: APPOINTMENTS

Mrs. Mann stated we had one appointment which needed attention. There is one position open on the Dinwiddie Industrial Development Authority, District 1, which needed to be filled. We have received one (1) application for this position from Dr. Mark Moore.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Dr. Mark Moore is hereby appointed to the Dinwiddie Industrial Development Authority for a term ending January 31, 2003

IN RE: COUNTY ADMINISTRATOR COMMENTS – WITHDRAWAL OF P-98-14

Mr. Long stated his first item was to withdraw the County's request for rezoning of the parcel adjacent to the new Dinwiddie County Courthouse, Planning Case P-98-14.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the withdrawal of P-98-14.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated he had spoken with Mr. Darrel Olgers regarding the formation of a small committee to help with plans for the preservation of the old Dinwiddie County Courthouse. He was asking each Board member to submit one name from their District to be on this committee.

Mr. Long continued a budget workshop was needed and asked the Board if March 1st beginning at 9:00 A.M. was agreeable with them. This seemed acceptable to all Board members.

Mrs. Ralph stated this would push the Public Hearing date back a week or possibly two, making it the 24th or 31st.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody – no comments

Mr. Haraway – no comments

Mr. Clay – no comments

Mr. Bracey – no comments

Mrs. Everett – She reported that Mr. Long had accompanied her to the Legislative Day held at the Marriott on February 11th which was sponsored by VACo. She extended regards from past County Administrators.

She further reported there will be an appreciation dinner at John Tyler on March 11th. She asked the Board to respond and stated she hoped we would have good representation. Mr. Bracey asked Mrs. Mann to respond for him stating he would be attending.

IN RE: RECESS

Mrs. Everett called for a five (5) minute recess at 3:55 P.M. prior to Executive Session.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 3 - Acquisition or use of real property for public purpose; and Section 2.1-344 (a) 7 - Consultation with legal counsel (Security Issue) - the Board moved into Executive Session at 4:00 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 4:58 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Haraway, seconded by Mr. Bracey, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 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. Bracey, seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 5:01 P.M. to be continued at 9:00 A.M. on Monday, March 1, 1999 at the Pamplin Administration Building Conference Room.

LeeNora V. Everett
Chairman, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 1ST DAY OF MARCH, 1999, AT 9:00 A.M.

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

IN RE: CALL TO ORDER

Ms. LeeNora V. Everett, Chairman, called the continuation meeting to order at 9:00 A.M.

IN RE: REVIEW OF ESTIMATED REVENUES

The County Administrator reviewed the projected revenues for FY 99-00.

IN RE: REVIEW OF ESTIMATED EXPENDITURES

The County Administrator reviewed the projected expenditures for FY 99-00.

IN RE: ABIDCO – INCREASE IN FUNDING

Mr. Jay Langston, Economic Development Director for ABIDCO, appeared before the Board to review their budget request for FY 99-00. He advised the Board that all the member localities are being asked to increase their annual contribution by $10,000.00.

IN RE: RECESS

The Chairman declared a short recess at 10:40 A.M. The meeting reconvened at 11:00 A.M. The Board declared a brief recess at 12:00 Noon for lunch and reconvened at 12:45 P.M.

IN RE: BUDGET REVIEW

The County Administrator continued to discuss the projected expenditures for FY 99-00.

IN RE: RECESS

The Chairman declared a short recess at 2:12 P.M. The meeting reconvened at 2:25 P.M.

IN RE: RELOCATION OF HEALTH DEPARTMENT TO OLD COURTHOUSE DURING RENOVATION

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administration is authorized to take the necessary action to relocate the Health Department personnel to the old Courthouse while the Health Department is being renovated.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1 -344 (a) 3 - Acquisition or use of real property for public purpose - the Board moved into Executive Session at 3:10 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 3:20 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 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.

RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 3:21 P.M.

LeeNora V. Everett
Chairman

ATTEST:
R. Martin Long
County Administrator

/pam

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 MARCH, 1999, AT 7:30 P.M.

PRESENT:	LEENORA V. EVERETT, CHAIRMAN	ELECTION DISTRICT #3
	AUBREY S. CLAY, VICE-CHAIRMAN	ELECTION DISTRICT #5
	DONALD L. HARAWAY	ELECTION DISTRICT #2
	EDWARD A. BRACEY, JR.	ELECTION DISTRICT #4
ABSENT:	HARRISON A. MOODY	ELECTION DISTRICT #1
OTHER:	BEN EMERSON	COUNTY ATTORNEY

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

Mrs. LeeNora V. Everett, Chairman of the Board, called the regular meeting to order at 7:32 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: UPDATE ON TORNADO AND ACCIDENT

Mrs. Everett stated before we went forward with the meeting she would like for Mr. R. Martin Long, County Administrator, to provide an update on the suspected tornado which had touched down at the Chaparral Steel site and on the accident which had occurred during the storm.

Mr. Long stated late this evening a tornado touch down at the Chaparral Steel facility in the northern end of the County. The most recent update from Mr. David M. Jolly, Director of Public Safety, was seven (7) trailers (approximately) were overturned. There were individuals trapped.

Mrs. Ralph stated the latest report is one (1) individual is still missing and they are bringing in search dogs.

Mr. Long continued they had found about fifteen (15) people and they have been transported to local hospitals. We had one (1) accident involving our first responder unit out of Company One in Dinwiddie and there were some injuries there. We would like to keep these folks in our thoughts and prayers this evening, adding it has been a very busy and difficult evening.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Everett asked if there were any amendments to the agenda.

Mr. R. Martin Long, County Administrator, stated under Item 9, Executive Session that Section 2.1-344 (a) 1 - Discussion of employment, salaries, disciplining of public officers, appointees, or employees of any public body can be stricken.

Mrs. Pamla A. Mann, Administrative Secretary stated a presentation, Resolution of Appreciation for W. D. Allen, Jr., needed to be added following Item Number 6. Mrs. Mann stated Mr. Allen was unable to attend but the Resolution needed to be adopted.

All members present voted "aye" on the above amendments to the agenda for the March 3, 1999 meeting.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the February 17, 1999 Continuation Meeting and the February 17, 1999 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 1014338 through 1014430 (void check(s) numbered 1014337); for

Accounts Payable:

(101) General Fund	$ 158,836.32
(103) Jail Commission	$ -
(104) Marketing Fund	$ -
(222) E911 Fund	$ -
(223) Self Insurance Fund	$ 9,672.83
(225) Courthouse Maintenance	$ -
(226) Law Library	$ -
(228) Fire Programs & EMS	$ -
(229) Forfeited Asset Sharing	$ 4,009.44
(304) CDBG Grant Fund	$ 30.69
(305) Capital Projects Fund	$ 26,668.75
(401)County Debt Service	$ 2,000.00
TOTAL	**$ 201,218.03;** and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following payroll claims are approved and funds appropriated for same using checks numbered 1014155 through 1014239 (Void check number 1014164 - 1014165 - 1014166 - 1014167 and end of box voiding of 1014240 through 1014251)

PAYROLL (February 26, 1999)

General Fund	$ 329,506.47
CDBG Fund	$ 2,834.75
TOTAL	**$ 332,341.22**

IN RE: CITIZEN COMMENTS

Mrs. Everett asked if there were any citizens who had signed up to speak.

Mrs. Mann stated she had one (1) name signed up, Mr. Harold Conover.

Mr. Harold Conover, 20522 Old Coker Lane, Carson, Virginia, came forward to address the Board. Mr. Conover spoke to the Board on the "fence out" policy of Dinwiddie County. He stated he has had and is having problems with a neighbor's animals (cows, bulls, hogs, etc.) running at large. He quoted

instances where he had been forced to seek cover to avoid being attacked by this neighbor's animals. Mr. Conover stated he had contacted the Sheriff's Department and the Animal Control Officer for assistance in this matter. To date no remedy for this problem had been found. Mr. Conover stated "Good fences make good neighbors" and asked for Dinwiddie County to look into a "fence in" policy.

Mrs. Everett asked Mr. Conover if he had contacted the Sheriff's Department to help with this problem in regard to the nuisance law.

Mr. Conover stated to Mrs. Everett that she had really put him in a spot. He stated he did not want to call names. Then he said, yes I will. The problem with the Sheriff's Department is these are the Sheriff's animals. Mr. Conover stated this is the problem but continued no matter who's animals they are no citizens should have to appear in front of the Board and seek redress for a problem like this. We ought to have a more modern law in place in this day and time.

Mrs. Everett stated we would refer this to the Zoning Administrator for review and also we would have the County Attorney research this problem.

Mr. Bracey asked Mr. Conover exactly what he would like to see the County do in regard to this matter.

Mr. Conover stated he would like to see the County draft an ordinance that changes us from a "fence out" to a "fence in" and bring us into the twenty-first century.

Mrs. Everett asked if there were any citizens present who wished to speak. There being none Mrs. Everett closed the Citizen Comments and moved forward.

IN RE: PRESENTATION BY CRISIS ASSISTANCE RESPONSE EMERGENCY SHELTER (CARES)

Dr. Holvar E. Olsen, Executive Director of the Crisis Assistance Response Emergency Shelter (CARES, INC.) came forward to present Mr. Edward A. Bracey, Jr. with a Resolution of Appreciation for his outstanding service. He began by introducing some members of his Board: Ms. Yvette Ridley; Ms. Elvira Shore; Mr. Bill Gandel, Director of Social Services of Prince George County; and Mr. Luther Jackson, retired Administrator of Petersburg Housing and Redevelopment of Housing Authority.

Dr. Olsen continued he had a young lady who has for the past three and one half years - not quite four years, every time he has called she has been able to assist. Dr. Olsen stated he gets a lot of telephone calls from folks in Dinwiddie County who need food, who need clothing, who need a tricycle, who need a piece of furniture – when that happens he continued he calls a young lady who was present. He stated he would like the records to show that she has always been a very astute volunteer for CARES. He introduced Ms. Sandie Rowe. He stated she has always been there morning, noon and night, through the holidays, whenever they need a turkey or someone needed some food, a food basket, some clothing, she was there to assist him and he stated he felt Dinwiddie County needed to be supportive of such an individual.

Dr. Olsen continued by presenting Mr. Bracey with a six pack of Bluebird Grapefruit Juice and a Resolution. He stated as Executive Director he has not always agreed with Mr. Bracey and as he read our newspaper Mr. Bracey does not always agree with everybody on the Board. But he stated he was here to tell

the Board that he has enjoyed four (4) years of working with Mr. Bracey. He asked that the following Resolution be entered into the minutes of this meeting.

CARES, INC.

RESOLUTION

1999

WHEREAS, Mr. Edward A. Bracey, Jr. was elected to the Board of Directors of CARES, Inc. on April 14th, 1994 and did serve that Board until October 21st, 1998; and

WHEREAS, Mr. Bracey has over the years of his service shown concern for the homeless, victims of domestic violence and stranded travelers in the communities of Dinwiddie, Prince George, Chesterfield, Hopewell, Colonial Heights and Petersburg; and

WHEREAS, Mr. Bracey has served faithfully, giving freely of his time and energy to nurture and strengthen the development of CARES, Inc. in its efforts to help this population; and

WHEREAS, Mr. Bracey has stood firm, acting with moral strength and courage to help those in need; Therefore be it

RESOLVED that the Board of Directors of CARES, Inc. acknowledges and commends Mr. Bracey for his service and his outstanding citizenship in our community and publicly and officially gives due recognition and expresses profound appreciation for his support and service to CARES, Inc. and the homeless in our community by presenting him with this Resolution on this 3rd day of March, 1999.

The Resolution was signed by Christine G. Daniels, Chairman; Yvette Ridley, Vice-Chair; Jeanne Holmes, Secretary; Frasier Brickhouse, Treasurer; Ron Hardy, Member at Large; Napaleon Booker, Chair, Personnel; and Holvar E. Olsen, Ph.D., Executive Director.

IN RE: PRESENTATION OF RESOLUTION OF APPRECIATION – W. D. ALLEN, JR.

Mrs. Everett stated Mr. Allen is not present but the Board would like to present him with a Resolution of Appreciation. Mr. Long read the Resolution.

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

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

Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

IN RECOGNITION OF W. D. ALLEN, JR.

WHEREAS, W. D. Allen, Jr. has served the County of Dinwiddie, on the Dinwiddie Industrial Development Authority, with distinction and integrity from April, 1975 until December, 1998; and

WHEREAS, the Board of Supervisors on this 3rd day of March, 1999 is desirous of acknowledging these qualities and further to express its appreciation for this work on behalf of the County;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends W. D. Allen, Jr. for his many contributions and devoted service to the County of Dinwiddie; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to W. D. Allen, Jr., and a copy spread upon the minutes of this meeting.

IN RE: COUNTY ADMINISTRATOR COMMENTS – PAMPLIN ADMINISTRATION BUILDING EGRESS LIGHTING REPLACEMENTS

Mr. Long stated his first item was in reference to the Pamplin Administration Building's egress lighting, which is in need of replacement.

Mr. Donald W. Faison, Building and Grounds Superintendent, came forward stating he received bids from the following:

McCray Electric Company	$4507.00
Hall Brothers Electrical Contractors Inc.	$2690.00
Rudy L. Hawkins Electrical Contractor, Inc.	$2765.00

A bid was also requested from David Lucas Electrical; however, he elected not to bid.

Mr. Faison stated during the power outage of today he discovered he needed four (4) more of the egress lights for the toilet facilities. He further stated he had taken the liberty of calling Hall Brothers to obtain a price on the four (4) additional egress lights and was given the price of $400.00 to $500.00. He would recommend the County accept the low bid from Hall Brothers Electrical Contractors, Inc.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Superintendent of Building and Grounds to enter into a contract with Hall Brothers Electrical Contractors, Inc. for the replacement of the egress/exit lighting in the Pamplin Administration Building for a total cost of an amount not to exceed $3200.00.

IN RE: COUNTY ADMINISTRATOR COMMENTS – DINWIDDIE COUNTY HEALTH DEPARTMENT -- ASBESTOS TILE AND MASTIC REMOVAL

Mr. Faison stated he had also received bids for the removal of asbestos tile and mastic from the Dinwiddie County Health Department. He had received bids from the following:

COMPANY	QUOTED PRICE	WEEKEND REMOVAL
WACO, INC.	$2,598.00	$3,066.00

WALKER-HUDSON CONSTRUCTION, INC.	$3,175.00	$5,400.00
NASH CONSTRUCTION COMPANY, INC.	$3,850.00	$4,950.00

Mr. Faison stated he had received two (2) additional bids for this project but both were higher. Mr. Faison stated they would be moving the Health Department offices to the old Courthouse Complex during the repairs and renovations and therefore would not be using the weekend removal quote but would be using the lowest quoted prices. Mr. Faison recommended we accept the low bid from WACO, Inc., of $2,598.00, for this project provided the bids for the repairs and renovations to the Health Department, due on March 16th, come in within budget.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Superintendent of Building and Grounds to enter into a contract with WACO, Inc. for the removal of asbestos tile and mastic from the Dinwiddie County Health Department for a total not to exceed $2,598.00.

IN RE: COUNTY ADMINISTRATOR COMMENTS – ANIMAL CONFINEMENT PERIOD ENFORCEMENT

Mr. Long stated his final issue dealt with the confinement period for Dinwiddie County. The Code reads "No person residing in the County on the east side of U.S. Interstate 85 shall cause or permit any dog owned or kept by him to run at large in the County during the period of April first through April thirtieth of each year and no person residing in the County on the west side of U. S. Interstate 85 shall cause or permit any dog owned or kept by him to run at large in the County during the period of May first through May thirty-first of each year. (Section 4-17) Mr. Long stated he had met with Mr. Steve Beville, Animal Warden and his staff regarding enforcement of this Section of the Code. He was now requesting permission from the Board to advertise for confinement.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator to advertise for the confinement period as stated in Section 4-17 of the Code of the County of Dinwiddie, Virginia.

IN RE: BOARD MEMBER COMMENTS

Mr. Haraway – no comments

Mr. Clay -- no comments

Mr. Bracey – no comments

Mrs. Everett – She reminded the Board of the March 11th 6:00 P.M. appreciation dinner at John Tyler Community College.

Mrs. Everett reminded the Board of the March 16th 9:00 A.M. Highway Hearing. We need to be present to make a pitch for the Route 460 Corridor and the realignment in our area. Also we need to request something be done about

the intersection of Highway 1 and Route 226. We need to develop a position paper and have it ready to go with the group that morning. She requested Administration work with that project She stated she hoped we would have a good turn out for this meeting.

Mrs. Everett stated she understood the Public Hearing on the Budget was scheduled for March 24th.

She continued she had received a call from a citizen in McKenney voicing concern about the fact they had heard someone in that area had sold or was planning to sell their home to an incoming employee of Chaparral. It was their understanding a contract had been signed and instead the person had come back wanting to opt out of the contract saying they had concern about the school system. This person was very upset because she felt, like all of us do, that we have a fine system, the opportunities are there for people, and a lot of our children do very well. This person stated she had searched the web site to try and find something about Dinwiddie County. There was a little bit out of Southside on line but it was mostly historical. This person stated that people do search the web site to try to find out something about Dinwiddie County and was hoping that the County could have some promotion of what we have here in education, our renovated facilities and all the fine things that we do have in the County. This person also wondered if there was some way that we could have a welcome package put together about what we have in Dinwiddie County to take to Chaparral to hand out to people that might be planning to relocate here. Mrs. Everett stated she thought this web site thing was something the County really needed to think about. The Airport Authority is going on and they want to have a link with the County, ABIDCO is on and Pamplin Park. She stated she thought Dinwiddie County really needs to have some professionalism involved in this and have something really fine on the web site. She asked how the other Board members felt about this.

Mr. Haraway stated it was the modern thing to do this day and time. He continued that more and more people are using it and felt it could be an asset to the County.

Mr. Bracey stated he had no problems with it but would like to see the text before it goes on line.

Mrs. Everett stated they wanted something that was done right, something the County could be proud of. She requested Administration to look into this.

Mr. Long stated he would certainly look into the technicalities of the way to approach it and he would speak with Mrs. Cathy Carwile, Accounts Payable and Data Processing Clerk.

IN RE: CODE COMPLIANCE OFFICER – POLICE POWERS

Mrs. Everett stated we had one more item and that was Police Powers for the Code Enforcement Officer, Mr. David Thompson.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Code Enforcement Officer to obtain Police Powers in conjunction with his position.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1 - 344 (a) 3 - Acquisition or use of real property for public purpose; and Section 2.1 - 344 (a) 7 - Consultation with legal counsel (Property rights/ownership) - the Board moved into Executive Session at 8:10 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 8:50 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 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: COMMENTS – BUDGET INFORMATION

Mrs. Ralph stated the School figures are being revised and the only word they had gotten at this point is there could be some more lottery money towards debt service; they had split it between construction and other uses. What we will probably do to stay on schedule is publish it just like the Board has it and if there are any changes or amendments, the Board will know by Public Hearing time and can make decisions at that time.

Mr. Long stated right now we are on that schedule and he thought all we needed was a motion to adjourn because the only thing the Board has in between is if they attend the dinner meeting at John Tyler. Mr. Long stated our next regular meeting is 2:00 P.M. on March 17th. The budget Public Hearing will be on March 24th with adoption on April 7th.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 8:54 P.M.

LeeNora V. Everett
Chairman, Board of Supervisors

ATTEST: R Martin Long

R. Martin Long
County Administrator

/pam

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 17TH DAY OF MARCH, 1999, AT 2:00 P.M.

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

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

Mrs. LeeNora V. Everett, Chairman of the Board, called the regular meeting to order at 2:07 P.M. Mrs. Everett wished everyone present a Happy Saint Patrick's Day and read the following:

"May your thoughts be as glad as a shamrock's;
May your heart be as light as a song;
May each day bring you bright happy hours
that stay with you all year long!"

She then asked all present to join in the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Everett stated she would like to have Item 8. Southside Center for Violence Prevention, Inc. moved up to follow Item 6. Citizen Comments. She further stated she would like to have the Crater Microenterprise Loan Program heard directly following the Southside Center for Violence Prevention, Inc. She stated Mr. Moody had to leave early and she felt it was important for him to hear these two (2) items. She further stated under Item 7 - Constitutional Officers and Department Heads Reports, I. Recreation needs to be moved to the top of the list in order that Mr. Tim Smith, Recreation Director, can attend another meeting.

Upon motion of Mr. Haraway, seconded by Mr. Moody, Mrs. Everett asked all Board Members in favor to signify by saying "aye".

All members so signified.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the March 1, 1999 Continuation Meeting; and the March 3, 1999 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

There was discussion regarding the North Drive issue and the cost to the County. The Board felt these costs should be recovered because in the motion made it stated to recover all costs. The Board requested Administration and the County Attorney to pursue avenues for recovery of the cost of the North Drive issue without going to a great deal of additional expense to the County.

There was also a question regarding a $15.00 check issued to the Virginia State Police. This check was for a background check which the County does on all potential employees.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 1014431 through 1014575 through (void check(s) numbered 1012961; and 1014432 through 1014436); for

Accounts Payable:

(101) General Fund	$113,580.29
(103) Jail Commission	$ -
(104) Marketing Fund	$ -
(222) E911 Fund	$ 553.90
(223) Self Insurance Fund	$ 161.50
(225) Courthouse Maintenance	$ -
(226) Law Library	$ 484.32
(228) Fire Programs & EMS	$ -
(229) Forfeited Asset Sharing	$ 72.03
(304) CDBG Grant Fund	$ 494.73
(305) Capital Projects Fund	$ 43,686.76
(401)County Debt Service	$ 64,629.85
TOTAL	**$ 223,663.38**

IN RE: APPROVAL REQUISITION #43 (IDA98A-#8) – SCHOOL CONSTRUCTION

Mrs. Ralph stated the following invoices are included in Requisition Number 43:

WINDOWS 'N' WALLS	$11,848.79
GLIDES & CASTERS, INC.	122.83
ABC SALES & SERVICE	1,255.00
MELOS, INC.	14,771.00
VIRCO MFG. CORPORATION	2,563.88
SCHOOL SPECIALTY	450.65
ALFAX WHOLESALE FURNITURE	322.80
TOTAL OF THIS REQUISITION	$31,334.95

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 43 (IDA98A - #8) in the amount of $31,334.95 be approved and funds appropriated for CIP expenses for the School Project Fund.

IN RE: APPROVAL PAYMENT REQUEST #1 DINWIDDIE ELEMENTARY – SCHOOL CONSTRUCTION

Mrs. Ralph stated the following invoices are included in Payment Request Number 1:

BALLOU, JUSTICE & UPTON	$ 87,603.40

TOTAL OF THIS REQUISITION $ 87,603.40

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Payment Request Number 1 for Dinwiddie Elementary in the amount of $87,603.40 be approved and with all funds advanced being reimbursed from the bond proceeds from the Dinwiddie Elementary project.

IN RE: APPROVAL PAYMENT REQUEST #2 DINWIDDIE ELEMENTARY – SCHOOL CONSTRUCTION

Mrs. Ralph stated the following invoices are included in Payment Request Number 2:

BALLOU, JUSTICE & UPTON	$ 32,851.28
TOTAL OF THIS REQUISITION	$ 32,851.28

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Payment Request Number 2 for Dinwiddie Elementary in the amount of $32,851.28 be approved and with all funds advanced being reimbursed from the bond proceeds from the Dinwiddie Elementary project.

IN RE: APPROVAL OF CLAIM – DRAPER ADEN ASSOCIATES – LANDFILL CLOSURE

Mrs. Ralph stated there was a claim included in the claims earlier that was for the landfill closure. She introduced Mr. William H. Sperry, Project Manager with Draper Aden Associates, to give an update on the project and explain the Change Orders.

Mr. Sperry came forward to explain the two (2) change orders related to the Landfill closure; Application for Payment Number 2 for R. M. Soderquist and Change Orders Number 1 and 2. Application For Payment Number 2 for R. M. Soderquist is self explanatory. Change Order Number 2 covers the quantity overrun on the unclassified excavation (UP-1), infiltration layer (UP-2) and the cushion layer (UP-3). The overrun on the unclassified excavation quantity was necessary in order to remove additional unsuitable material that was encountered during the excavation of the cover material prior to the placement of the infiltration layer. The overruns on the infiltration layer and the cushion layer quantities was a result of replacing the required material on a larger than anticipated area. The extra quantities for the infiltration and cushion layers are in correlation with the additional unclassified excavation, which covered the removal of the additional unsuitable material. The additional removal of the unsuitable material, covered in the unclassified excavation quantity was necessary to remove unsuitable material from areas adjacent to the original anticipated work areas. Once this material was removed, the necessary infiltration and cushion layers were replaced in these additional areas. This additional work will result in an increase in the overall project cost; however, the cost should remain relatively close to the original bid amount.

Mr. Dennis E. King, Director of Waste Management, came forward to make comments on the condition of the Landfill and his views on the closing process.

Mr. Long updated Mr. Haraway on the contract price and made comments regarding the funding of this project and the funds available to finish this project. He reminded the Board the contract came in under the funds allocated through the CIP. He stated he felt funds were available to cover this overrun amount.

Mrs. Ralph stated we needed approval for these change orders.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Change Order Number 1 and 2 totaling $42,790.80 contained in Payment Application Number 2 be approved and funds appropriated from the CIP Fund.

IN RE: CITIZEN COMMENTS

Mrs. Everett asked if there were any citizens who had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, stated she did not have any citizens signed up.

There being no names signed up Mrs. Everett closed the Public Comments and moved forward.

IN RE: SOUTHSIDE CENTER FOR VIOLENCE PREVENTION, INC. – REQUEST FOR FUNDING

Ms. Susie Poore, Executive Director of the Piedmont Sexual Assault Crisis Center which is an agency with the Southside Center for Violence Prevention, came forward giving an update on "Madeline's House" which is proposed to be placed on the Fort Pickett property. She requested the County assist them with funding for this facility in order to turn it into a safe haven. Ms. Poore stated that if each County would provide $6,000.00 towards the renovations and the purchase of a security system, appliances, computers, and other needed items to operate this safe house efficiently they could be operating as soon as June of this year. She continued as with any grant the organization that is requesting funds must provide matching funds. As is the case with the Department of Social Services they must provide a 35% match for the first year. Counties that financially support this project will always find "Madeline's House" ready to assist them during their time of crisis. Ms. Poore continued each of the seven (7) counties in the Piedmont Planning District will be asked to contribute an additional $1,000.00 to cover expenses involved with the Piedmont Crisis Center that are not covered by the grant under the Department of Health. Their match under the grant is $15,000.00/ She stated they will raise half of this with fund-raising events and donations but need the counties' assistance to pay staff and purchase needed equipment. The counties which fall in this area are Amelia, Brunswick, Buckingham, Charlotte, Cumberland, Dinwiddie, Halifax, Lunenburg, Mecklenburg, Nottoway, Powhatan and Prince Edward. Ms. Poore assured the Board they would not return asking for additional funding. This was a one time request.

After discussion from the Board it was decided to look at the budget and determine if funding is available.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to research the

budget to determine if the $6,000.00 is available for funding of the Southside Center for Violence Prevention, Inc.

IN RE: CRATER MICROENTERPRISE LOAN PROGRAM

Mrs. Everett stated the Small Business Center has opened and they will be holding their Grand Opening Dedication on Monday, March 22, 1999. With establishing that Center and activity going on, a need has arisen for this micro-purpose loan program. The Crater Planning District Commission has authorized its business loan arm, the Crater Development Company, to pursue Community Improvement Grant (CIG) funds from the Virginia Department of Housing and Community Development (DHCD). This grant would be used to capitalize a Microenterprise Loan Program. The target market for this program would be very small start-up or existing businesses that are having difficulty qualifying for conventional bank loans. The CIG funds are also used to provide continuing technical assistance to these businesses to assist them through the start-up and early growth phase. Trading as funding is limited to a 2-year period. The CIG criteria for these loans is limited. The business must have fewer than five (5) employees. Either the owner or the majority of employees must have household incomes below the moderate income limit for the jurisdiction. The maximum loan may not exceed $25,000.00. The Crater Development Company, which presently provides SBA 504 Loans and Revolving Loan Fund Loans, would be responsible for reviewing loan requests, closing loans, and administering them. Loan repayment would be used to establish a revolving fund for microenterprises. The technical assistance funds are to be turned over to the Crater Small Business Development Center, which will permit them to expand their operations and, if DHCD agrees, provide outside counseling for specific problems when needed. The proposed microenterprise program will only be available in jurisdictions that agree to be a participating locality in this regional project. Each must hold two (2) public hearings, pass a resolution authorizing the application, and sign the application. One of the jurisdictions must also act as the lead applicant. CDC staff will prepare the application, be responsible for preparing all pre-contract conditions, and administer the program on behalf of the lead applicant. They have asked for Dinwiddie County to act as this lead applicant.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Dinwiddie County will act as the lead applicant for the Crater Microenterprise Loan Program.

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward presenting his monthly report for February 1999. Mr. Smith gave a brief report on his meeting with Mr. Tommy Gee, Athletic Coordinator, with the Fort Pickett Morale, Welfare and Recreation Office. He also reported on the Dinwiddie Trail Network - Battlefield Trails. Mr. Smith also shared with the Board a copy of the British Soccer Camps brochure which was printed at no cost to the County.

IN RE: RECREATION – EASTSIDE ELEMENTARY SCHOOL – WATER PRESSURE TEST

Mr. Smith stated as the Board was aware, the asbestos has been removed from Eastside Elementary School. Mr. Donnie Faison, Building and Grounds Superintendent, has shared with him a list of approximately seven (7) other work items that are needed in order to comply with ADA and BOCA; thus, enabling us to open the doors to the public. He continued by stating prior to

initiating these seven (7) additional items, they were recommending that a pressure test be conducted on the current water lines. This will aid in determining if there are any leaks and whether the old pipes can handle the water pressure of the County's water system. Mr. Smith stated he was requesting authorization to proceed in soliciting prices to conduct the pressure test and/or to then move forward with conducting the necessary tests. Mr. Smith said it only made sense to do this prior to doing anymore renovations at Eastside.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Director of Parks and Recreation is authorized to move forward with soliciting prices to conduct the pressure test and to then move forward with conducting the necessary tests.

IN RE: DEPARTMENT OF TRANSPORTATION – REPORT

Mr. Harold Dyson, Virginia Department of Transportation, came forward to present his monthly report.

Mrs. Everett reported Mr. Ronald Reekes, Resident Engineer, had met with the citizens of the Halifax Road area and was presented with a petition of approximately seven hundred (700) signatures. The petition read as follows:

> We, concerned citizens of Dinwiddie County, petition the Dinwiddie County Board of Supervisors and the Virginia Department of Transportation to improve the portion of Halifax Road (Route 604) from the entrance to Richard Bland College to the Prince George County line, by leveling, widening, and asphalting, as soon as possible.

Mrs. Everett presented this petition to Mrs. Mann and asked that she put it on file for future reference.

IN RE: RGC MINERAL INDUSTRIAL ACCESS ROAD FUNDS

Mr. Long stated he had received a letter from the Department of Transportation regarding the RGC Mineral Industrial Access. The Commonwealth Transportation Board allocated industrial access funds to improve Route 665, Walkers Mill Road and Route 617, Bolsters Road. The total allocation to this project is $426,000, $300,000 unmatched and $63,000 matched on a dollar for dollar basis with Dinwiddie County. Prior to the department awarding a project, funding must be received from the county. Accordingly the County must submit payment to the residency in the amount of $63,000 payable to the Treasurer of Virginia. Once this payment is received the department can advertise for construction. Mr. Long continued the following resolution outlines this contingency:

Moved by Mr. Porter, seconded by Mr. Grubb, that

WHEREAS, Section 33.1-221 of the Code of Virginia provides a fund to "...be expended by the Board for constructing, reconstructing, maintaining or improving access roads within counties, cities and towns to industrial sites on which manufacturing, processing or other establishments will be built under firm contract or are already constructed and to licensed, public-use airports;" and

WHEREAS, on April 17, 1997, the Commonwealth Transportation Board allocated $303,000 from the Industrial Access Fund to provide access to RGC

(USA) Mineral Sands Inc. in Sussex County, Project 0602-091-189,M501, subject to certain contingencies; and

WHEREAS, the Dinwiddie County Board of Supervisors has, by appropriate resolution, requested Industrial Access Funds to assist in providing adequate access to RGC (USA) Mineral Sands Inc., located off Route 617 in Dinwiddie County, and said access is estimated to cost $426,000; and

WHEREAS, eligible capital investment costs by RGC (USA) Mineral Sands Inc. were incurred more than six months prior to the date of Dinwiddie County Board of Supervisors resolution, but less than six months prior to the aforementioned Industrial Access Fund allocation to Sussex County; and

WHEREAS, this Board's Access Roads and Ground Transportation Committee has concluded that this request falls within the intent of Section 33.1-221.

NOW, THEREFORE BE IT RESOLVED that this Board hereby grants an exception to its practice of determining eligible capital investment prior to the date of resolution of the local governing body; and

BE IT FURTHER RESOLVED that $363,000 ($300,000 unmatched and $63,000 matched) of the 1998-99 Fiscal Year Industrial, Airport and Rail Access Fund be allocated to provide adequate access to RGC (USA) Mineral Sands, Inc., located in Dinwiddie County, Project BI 0665-5002, contingent upon:

1. all necessary right of way, environmental assessments, and utility adjustments being provided at no cost to the Industrial, Airport and Rail Access Fund; and
2. provision of satisfactory documentation of eligible capital outlay by the industry; and
3. provision of the prerequisite $63,000 matching funds by the County; and
4. payment of all ineligible project costs, and of all project costs in excess of this allocation, from sources other than those administered by the Industrial Access Program.

Motion carried 10-14-98

Mr. Long asked Mr. Dyson to comment on this project.

Mr. Dyson stated Mr. Long had explained the program correctly.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above resolution to accept industrial access funds is approved for acceptance and authorization is granted to disburse funds in the amount of $63,000.00 with funds to be appropriated from the CIP Fund.

There was discussion regarding the upkeep of this Road after the necessary repairs and who would be responsible for seeing it was kept in proper repair. There was also further discussion regarding funding for road projects which are considered emergency projects. Mr. Long was instructed to write our representatives and request special consideration in these matters.

IN RE: DRAINAGE EASEMENT – REQUEST FOR RESOLUTION IN SUPPORT OF VIRGINIA DEPARTMENT OF TRANSPORTATION MAINTENANCE

Mr. Long stated he had received a sample Resolution from Henry County in reference to drainage easements. He recommended we adopt a similar Resolution to be forwarded to the Virginia Department of Transportation asking them to reconsider its policy concerning the maintenance of drainage easements and to begin providing this service for the citizens of Dinwiddie County and the Commonwealth of Virginia.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to draft a Resolution to the Virginia Department of Transportation as follows:

WHEREAS, the Board of Supervisors is concerned about the safety of roads in Dinwiddie County and the necessity to handle storm water run-off; and

WHEREAS, road construction often requires the creation of drainage easements; and

WHEREAS, drainage easements serve as a channel for handling water that accumulates due to road surface run-off and natural drainage patterns; and

WHEREAS, drainage easements include ditches, culverts, underground pipes, and other associated structures; and

WHEREAS, when the channel for the water becomes blocked, corrective measures are necessary to clear the channel to permit proper water flow; and

WHEREAS, previously the Virginia Department of Transportation (VDOT) has maintained drainage easements resulting from road construction outside of the road right-of-way; and

WHEREAS, VDOT advised that due to increased cost and a limited number of resources, they will only maintain drainage easements within the limits of the dedicated road right-of-way; and

WHEREAS, this change of policy has created a potential safety problem and a hardship in Dinwiddie County; and

WHEREAS, Dinwiddie County does not have the resources to maintain drainage easements from road construction;

NOW, THEREFORE, BE IT RESOLVED, on this 17th day of March 1999, that the Dinwiddie County Board of Supervisors does hereby request the Virginia Department of Transportation to reconsider its policy concerning the maintenance of drainage easements, and begin providing this service for the citizens of Dinwiddie County and the Commonwealth of Virginia.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, came forward stating she had nothing to report but was available for questions.

Mr. Haraway asked Mrs. Marston about the nine percent (9%) decrease in the proposed personal property tax revenues. He asked how she arrived at these estimates and asked to see her figures.

Mrs. Marston stated she would be glad to show him the figures and asked him to come by her office at his convenience. She further stated she has always given the Board ultra conservative figures – money she felt they could put in the bank with any additional being gravy. Mrs. Marston stated there were several variables which prevented her from giving accurate figures and maybe same filing dates needed to be changed in order to eliminate the problems.

IN RE: TREASURER – REPORT

Mr. William E. Jones, Treasurer, was not present. He was out of the office at a training session.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney was not present due to illness.

IN RE: COMMONWEALTH ATTORNEY – AUTHORIZATION TO PURCHASE COPIER

Mrs. Long stated we had received a letter from Mr. Rainey requesting permission to purchase a copier for a total of $4,300.00 from Canon off State contract with all funds coming from the Compensation Board.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Commonwealth Attorney's Office to purchase a copier from Canon off State contract at a cost of $4,300.00 with funds being appropriated from the State Compensation Board.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel H. Shands came forward to present his monthly report. Sheriff Shands gave a brief report on his project of having the vehicles marked.

Mrs. Everett presented Sheriff Shands an article from the Progress Index regarding some bad press regarding the response from Dispatchers at the office on the night of the tornado.

IN RE: SHERIFF'S DEPARTMENT – AUTHORIZATION TO OBTAIN A POSTAGE METER

Sheriff Shands presented the Board with a letter requesting authorization to obtain a postage meter. Their manual postage meter will be obsolete and no longer available to the Sheriff's Office as of March 31, 1999. They have obtained bids from the following companies that provide this equipment:

Pitney Bowes
Neopost
McKendree Imaging System and Solution

After reviewing the contracts of these three (3) companies they feel it is to their advantage to go with McKendree Imaging System and Solution. Their contract package consists of a one time investment of $695.00. They will receive twelve (12) months free meter rental and then will pay $36.00 per month with a minimum three (3) year contract. This falls into the allotted amount in this year's postage budget with no additional funds needed. The Sheriff's Office mails out

an average of ninety (90) plus letters and other material per day at different postage rates and this machine will accommodate their needs.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization if granted to the Sheriff's Department to obtain a postage meter from McKendree Imaging System and Solution for a one time investment of $695.00. They will receive twelve (12) months free meter rental and then will pay $36.00 per month, with a minimum three (3) year contract. Funds for this postage meter are in the current budget with no additional funds needed.

IN RE: RECESS

Mrs. Everett called for a ten (10) minute recess at 3:24 P.M. The meeting reconvened at 3:35 P.M. Mr. Moody left the meeting at this time.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector, came forward to present his department's report for the month of February 1999. It was reported a Public Hearing would be held in May on the proposed increase in fees.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward to present his report for the month of February 1999. He reported to the Board that plans to enforce the confinement period have been made and will be advertised in the Progress Index and the Dinwiddie Monitor before and during the confinement period. He stated he had concerns as to where they would put any animals they pick up because the shelter is filled to capacity.

There was discussion regarding the filming that is currently taking place in the County of Dinwiddie. There are four (4) locations within the County.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came forward to present his monthly update pointing out that several Public Hearings are to be held at the April 7, 1999 night meeting.

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. John M. Altman, Jr., Zoning Administrator, was not present due to illness. Mr. Scheid presented the Zoning Administrator's report for the month of February 1999.

Mr. Scheid also presented the Code Compliance Summary for the month of February 1999.

Mrs. Everett stated that Mr. Altman had been working on the Appomattox River Corridor study and on Tuesday, March 23, 1999, there would be an agreement signed between the Friends of Chesterfield River Front, the Crater Planning District Commission and the Appomattox River Corridor Plan Working Group to coordinate the Appomattox River related issues. That signing will take place at 11:30 A.M. in Chesterfield. Mrs. Everett stated she would be signing for the Crater Planning District Commission and Mr. Dunn for the Chesterfield Group. She stated Mr. Altman may wish to attend.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy M. McElveen, Director of Social Services, was not present.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Mrs. Troilen Seward, Superintendent of Schools, came forward presenting her monthly report.

Mrs. Seward reported there has been an increase of 121 new students from February 1998 to February 1999. This is an increase of the equivalent of five (5) classrooms.

Mrs. Seward continued that the Literary Loan Application has been processed by the Department of Education and is now in the Attorney General's Office.

Mrs. Seward reported that Dinwiddie Elementary School cannot hold more then 600 students because of the acreage. We have 9.79 acres at that site.

She reported she had met with Jack Zehmer of the Historical Society. She wanted to be sure they got rid of the old white building. Mr. Zehmer assured her it had no historical value and told her to tear away. She stated he did tell her he was going to list that building; he took photographs and he is going to list the building in order that the State does have a listing.

She continued her report by stating that the water lines will have to be dug up during the renovation process and that means that the Library, the old Vo-Tech Building, and the old Home Economic Building which are located across the road will be without water for a period of time.

There was additional discussion regarding the maintenance shop being moved to another location; modular/metal buildings to handle students during this time, to feed the students and as a gym area; additional Lottery money to be distributed in May and June; plumbing at the Dinwiddie Elementary School and whether it can be classified as new; the project budget and the construction budget; security camera systems at the Middle School and High School; lighting and landscaping at Midway Elementary, the Middle School and High School; and correction of an electrical problem at the High School. The Board stated they were in agreement with these items if the money was there.

Mrs. Seward stated the bus bids are in for five (5) new diesel buses. Three (3) buses will be delivered by June 30th and two (2) will not be in until August 30th, so the funds the Board re-appropriated may need to be carried over to FY2000.

IN RE: SUPERINTENDENT OF SCHOOLS – SUPPLEMENTAL APPROPRIATION #5 – FY 1999

Mrs. Seward asked Mrs. Francene Newman from the Office on Youth to come forward to present Supplemental Appropriation #5 - FY 1999. Mrs. Newman stated the Dinwiddie County Office on Youth has received a $10,000.00 donation from the Sunshine Lady Foundation to finance Project Dear.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Supplemental Appropriation #5 – FY 1999 is hereby approved for the Dinwiddie County Office on Youth for the $10,000.00 donation from the Sunshine Lady Foundation to finance Project Dear.

IN RE: SUPERINTENDENT OF SCHOOLS – SUPPLEMENTAL APPROPRIATION #6 – FY 1999

Mrs. Seward continued with Supplemental Appropriation #6 – FY 1999, stating in order to increase their transition services to Special Education students, the staff applied for a Special Education Silver Grant. They have been notified their grant award will be $20,981.00. The Special Education Silver Grant award process took place long after their FY 1999 Budget had been completed. At the March 9, 1999 meeting of the Dinwiddie County School Board she was authorized to request a supplemental appropriation of $20,981.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Supplemental Appropriation #6 – FY 1999 is hereby approved for the Special Education Silver Grant in the amount of $20,981.00.

IN RE: SUPERINTENDENT OF SCHOOLS – SUPPLEMENTAL APPROPRIATION #7 – FY 1999

Mrs. Seward continued with Supplemental Appropriation #7 – FY 1999 stating in order to comply with federal requests the funding for Head Start is appropriated in two (2) parts. The budgeted amount only covers July through November with a supplemental appropriation for December through June. They have received the funding notice to continue Head Start for another year. Based on estimates provided by Ms. Palmer, Head Start Director, they should include $192,917 of this grant in the FY 1999 Budget.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Supplemental Appropriation #7 – FY 1999 is hereby approved for the portion of the Head Start funding that covers December through June in the amount of $192,917.00.

IN RE: SUPERINTENDENT OF SCHOOLS – SUPPLEMENTAL APPROPRIATION #8 – FY 1999

Mrs. Seward stated her last Supplemental Appropriation is #8 – FY 1999. She stated they have received notice of a Goals 2000 Grant Award for $29,935.09 for the purchase of classroom computers and $807.43 for training. The total of the grant is $30,742.52. At the March 9, 1999 meeting of the Dinwiddie County School Board she was authorized to request a supplemental appropriation of $30,742.52.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Supplemental Appropriation #8 – FY 1999 is hereby approved for the Goals 2000 Grant Award consisting of $29,935.09 for the purchase of classroom computers and $807.43 for training, totaling $30,742.52.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Denny E. King, Director of Waste Management, came forward giving his report for February/March 1999.

Mr. King gave an update on the medical waste issue. He stated he had contacted the local medical facilities within the County and they all have programs in place to dispose of medical waste.

Mrs. Ralph stated the bids for the trash truck are due back April 6, 1999.

IN RE: WASTE MANAGEMENT – AUTHORIZATION TO ATTEND 1999 OPERATOR TRAINING COURSE

Mr. King stated he would like to request authorization from the Board to attend the 1999 Operator Training Course on April 22nd. This is a 10 hour CPE Course for Class I and II Waste Management Facility Operators. The cost is $300.00 per person.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Director of Waste Management to attend the 1999 Operator Training Course on April 22, 1999 at a cost of $300.00 per person.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward to present his monthly report.

Mrs. Everett praised Mr. Jolly on a job well done for the County.

Mr. Jolly stated it was the people above and below him that deserved the praise. He spoke highly of the volunteers of the County.

Mr. Jolly reported that Ms. Ann Scarborough, the citizen representative to the Emergency Medical Services Council has resigned and they are working on replacing her. The Chairman asked that a resolution of appreciation be prepared for her service.

IN RE: FIRE AND RESCUE ASSOCIATION – REPORT

Mr. Jolly stated Mr. Charles Lewis was unable to attend so he was also the Fire and Rescue Association representative at this meeting. He asked if the Board had any questions.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Ben Emerson, County Attorney, stated he had no report but was available for questions.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT REPORT

Mr. Donald W. Faison, Building and Grounds Superintendent, came forward presenting his report for the month.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT –

STATE GRANT FOR THE OLD DINWIDDIE COUNTY COURTHOUSE

Mr. Faison stated an RFP was put out and a total of twelve (12) proposals were received. Interviews have been scheduled with five (5) of those who submitted proposals for March 22, 1999 beginning at 9:00 A.M. and running until approximately 3:00 P.M.

Mrs. Ralph stated she had received a letter from Ms. Ann M. Andrus, State Grants Coordinator, regarding the State Grant for the Old Dinwiddie County Courthouse. Ms. Andrus stated it was their department's recommendation that an engineer or an architect be hired to develop plans for the rehabilitation work. She further stated it would be appropriate and acceptable to use some of the grant funds to pay for this kind of work. She further stated the County would need to follow the State's procurement regulations in the solicitation of and contracting with such individuals.

IN Re: BUILDING AND GROUNDS SUPERINTENDENT – DINWIDDIE COUNTY HEALTH DEPARTMENT – REPAIRS AND RENOVATIONS

Mr. Faison stated the bid results on the repairs and renovations to the Health Department, which were opened Tuesday, March 16, 1999 at 2:00 P.M., are as follows:

COMPANY NAME	BASE BID	UNIT PRICE PLASTER PATCH PER SQUARE FOOT
ARIZONA, LTD	37400.00	2.00
R D HUNT CONSTRUCTION CORP	41500.00	10.00
BETCO CONSTRUCTION CO INC	48550.00	2.50
HARLAN CONSTRUCTION	48980.00	10.00
MONTANYE CONSTRUCTION INC	55037.00	1.00
PYRAMID CONSTRUCTION SERVICES	80563.00	1.68

Mr. Faison stated he was very pleased with the outcome. He recommended, after reviewing the low bid with Arizona, LTD that he be allowed to enter into a contract with them.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Superintendent of Building and Grounds to enter into a contract with Arizona, LTD for the repairs and renovations of the Dinwiddie County Health Department for a base contract price of $37,400.00 and an additional unit price of $2.00 per square foot to patch plaster.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT – REPLACEMENT OF WATER HEATER IN DINWIDDIE COUNTY JAIL – BID RESULTS AND AUTHORIZATION TO PROCEED

Mr. Faison stated a new hot water heater was needed in the jail. He had received bids for this project from the following:

1. COLONIAL PLUMBING & HEATING CO., INC. $5537.50
2. HONEYWELL INC. $5498.00
3. PETERSBURG PLUMBING, HEATING AND AIR CONDITIONING $5075.00

Mr. Faison stated he would recommend we accept the low bid from Petersburg Plumbing, Heating and Air Conditioning for $5,075.00.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to move forward with the purchase and installation of a new water heater for the Dinwiddie County Jail from Petersburg Plumbing, Heating and Air Conditioning for an amount not to exceed $5,075.00.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT – MAINTENANCE OF GROUNDS – BID RESULTS AND AUTHORIZATION TO PROCEED

Mr. Faison stated bids have been received for maintenance of grounds from the following:

	VIRGINIA LAWN & LANDSCAPING	S&D LAWN SERVICE	B&W LAWN SERVICE	JOHN TUCKER JR	CREATIVE LAWN MAINTENANCE INC.
BASE BID	19919.51	29993.0	39598.95	40842.0	43855.57
ALTERNATE 1	368.47			600.0	
COURTHOUSE		325.0	495.0		500.0
EASTSIDE		288.0	515.0		500.0
ALTERNATE 2	6.52		5.25	51.0	10.62
COURTHOUSE		8.8			
EASTSIDE		1.65			
RESPONSE TIME	2 DAYS	1-7 DAYS	1 DAY	IMMEDIATE	24 HOURS

Mr. Faison continued that Mr. Smith, Ms. Ralph had, along with him, reviewed these bids and he would recommend we accept the low bid from Virginia Lawn and Landscaping. Before entering into a contract with Virginia Lawn and Landscaping he would like to sit down with them and review the items, especially the Alternate 1 figure.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to accept the low bid from Virginia Lawn and Landscaping with a base bid price of $19919.51.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated Mr. Daryl Olgers has invited the Board, March 27th and 28th from 9:00 A.M. to 5:00 P.M. each day, to the Fork Inn which will be hosting the Fall of Petersburg Commemorative Weekend. There will be tours of the facility and Mr. Olgers states for the enjoyment of the children there is also a new farm animal exhibit allowing children the opportunity to feed an assortment of animals.

Mr. Long stated he had also received an invitation to the annual Media Appreciation Banquet of the Crime Solvers. This will be held on Thursday, April 15th at 6:30 P.M. at the Fort Lee Officers Club. Mr. Long requested the Board members let him know if they will be attending.

IN RE: COUNTY ADMINISTRATOR COMMENTS – COMMITTEE FOR THE COURTHOUSE RESTORATION

Mr. Long stated he had received several names for the restoration committee for the old Courthouse. The names he had received are:

1. Cheryl Martinez - District 2
2. Sid Mayes - District 3
3. Polly Winfield - District 4
4. Denny King - District 5
5. Darrell Olgers - At large
6. John Moody - At large
7. James Stanfield - At large
8. Milton Hargrave - At large

Mr. Long stated he is waiting for Mr. Moody to submit a name from District 1 and the Board can come back and appoint that person upon receipt of the name.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above list of nominations be appointed to serve on the old Courthouse Restoration Committee.

IN RE: COUNTY ADMINISTRATOR COMMENTS – MCKENNEY FIRE STATION – AUTHORIZATION FOR SOIL AND ENVIRONMENTAL TESTING

Mr. Long stated he would like to have authorization to work with Denny King, in the capacity of Council Member for the Town of McKenney, on the proposed McKenney Fire Station. Mr. King had informed Mr. Long that the Council had authorized him, Mr. King, to work with Mr. Long to get the soil and environmental testing done for the location that is being looked at for a fire station. Funding would be taken from the General Fund with the understanding it would come back through bond issue when it is done for that purpose.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to work with

Mr. Dennis King, Council Member from the Town of McKenney, to move forward to have the soil and environmental testing done on the proposed fire station site with funds being appropriated from the General Fund. Said funds will be reimbursed from the Bond Issue when it is done for that purpose.

IN RE: BOARD MEMBER COMMENTS

Mr. Haraway – no comments

Mr. Clay – no comments

Mr. Bracey – He questioned Item Number 4 of the Resolution on the Virginia Department of Transportation Secondary Roads. This is just one reason why we must have weight checks on these roads and make people responsible for damage done by industrial vehicles.

Mrs. Everett – She stated Mr. William Calvin Beville has been named, by Governor Gilmore, to the Commonwealth Council on Aging. He represents us on the Crater Area Agency on Aging. He has done a very good job for Dinwiddie County and has been very active State wide.

She continued that Mr. Bracey, Mr. Harold Walker, Mrs. Seward, had joined her in attending the John Tyler Appreciation Dinner Thursday night and it was very well done. They all enjoyed it.

She further stated that yesterday Mr. Ronald Reekes, Resident Engineer for the Virginia Department of Transportation, attended the Highway Allocation Hearings at John Tyler. They had excellent representation from the region. From the County they also had Betty Guthrie, the Chairman of the Airport Authority in support. We gave a pitch for our local projects of the Route 226 and Route 1 intersection for design and reconstruction. Concerns were raised on Route 460 and the TransAmerica Corridor Study for moving ahead with project design. We had endorsement from the County, from Crater Planning District Commission, ABIDCO, MPO, City of Petersburg, and she felt that showed a lot of support. Now we will be going to Suffolk next Thursday for that Pre-allocation Hearing.

She stated this Friday she will be going with some people from the Airport Authority to visit some terminals in the State. She stated she would report back to the Board on this subject.

She asked Mr. Long if there was any information on a web site for the County.

Mr. Long stated that to his knowledge, currently he believed that they have received some assistance through the school system. The school administration is looking at creating one for the County whereby we can put whatever information the Board would like to see on there. They have had a committee that worked on a web site for the School Board and they have agreed to create one for the County.

There was discussion regarding the School Board creating this site.

Mrs. Everett stated the Airport Authority has just completed theirs and Betty Guthrie told her they were very pleased with it and it was very well done.

Mr. Bracey asked who did it for them.

Mrs. Everett answered she did not know but if someone will call Ms. Guthrie she will share the information. She stated it was the best price that she had heard and they received a very professional job.

Mr. Long stated the only thing he would say is when we go to do this by having two (2) connections currently available in the office he will certainly be able to show each Board member at anytime. Mr. Long further stated at any time we can go; take a look; and see what we are planning to put together and put on there. Once it is on you can sit down and take a look at it. If there is something the Board disagrees with we can take it off. We can amend or add anything. That is the good part of this, it can be amended at any time.

Mr. Bracey stated he just wanted to be sure it was done professionally.

IN RE: RECESS

Mrs. Everett called for a five (5) minute recess at 4:44 P.M. prior to Executive Session.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1-344 (a) 3 - Acquisition or use of real property for public purpose; and Section 2.1-344 (a) 7 - Consultation with legal counsel (Contract Documents, Property Sales Agreements) - the Board moved into Executive Session at 4:50 P.M.

Mr. Moody returned to the meeting at 5:10 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:24 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 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: AUTHORIZATION TO ENTER INTO CONTRACT WITH BALLOU-JUSTICE-UPTON -- FIRE STATION SERVICES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to enter into a contract with Ballou-Justice-Upton for architectural/engineering services for the Dinwiddie and McKenney Fire Stations, subject to review and approval by the County Attorney.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 5:26 P.M. until 7:00 P.M. Wednesday, March 24, 1999 in the Board Meeting Room of the Pamplin Administration Building for the Budget Public Hearing.

LeeNora V. Everett
Chairman, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 24TH DAY OF MARCH, 1999, AT 7:00 P.M.

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

IN RE: CALL TO ORDER

Mrs. LeeNora V. Everett, Chairman, called the continuation meeting to order at 7:00 P.M.

IN RE: PUBLIC HEARING – CONVEYANCE OF EASEMENT – OLD COURTHOUSE

Mrs. Wendy Weber Ralph came forward stating as the Board was aware the County had asked the General Assembly last year for some assistance towards the renovation and maintenance in repair work that is needed on the old Courthouse and had been very fortunate, through our Legislators, to receive $100,000.00 which we have to match locally. We applied again and during this past short session, which is rather unusual for them to grant additional funds, we understand we have received another $100,000.00 which we have to match locally. We also understand there is the possibility of an additional $100,000.00 if at the end of this physical year the State has a good year causing a good fund balance. At this point things sound good for this to happen. What we are talking about is the possibility of $300,000.00 which we would have to match locally to start our improvements, renovations and maintenance repair work. Because State funding is involved there is a requirement. When you receive financial help from someone, there always seem to be requirements attached. One of the requirements is we convey an easement in gross and right and perpetuity to restrict, as herein provided, the use of the property known as the Old Dinwiddie County Courthouse. Basically the County is saying they are granting the State an easement and the County will use it for public purpose if the State is going to put their funds in it. It is basically an easement to the Courthouse and the property right around it. It does not involve the Old Clerk's Office. That is what we are here tonight to do is to receive Public input on that because the Code requires whenever the County conveys property, the Board hold a Public Hearing. The County will still own the Courthouse, it is just a conveyance of an easement for the purpose of this grant.

Mrs. Everett opened the Public Hearing and asked if there were any citizens present who wished to address the Board.

There being no citizens present wishing to speak on this easement conveyance Mrs. Everett closed the Public Hearing and moved forward.

Mrs. Ralph stated action was needed to authorize the Chairman to sign the deed. The deed has been prepared and will need to be recorded. Our Attorney worked with the Department of Historic Resources on a Deed of Easement that was agreeable to both parties. The action would be to authorize the Chairman to sign on behalf of the County.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Chairman of the Board to sign a Deed of Easement for the old Dinwiddie County Courthouse project.

Mrs. Ralph reported they met with proposed architects on Monday and would be coming back to the Board with a recommendation.

IN RE: PUBLIC HEARING – 1999-2000 BUDGET

Mrs. Everett stated she would like to welcome everyone to tonight's Public Hearing on the 1999 proposed tax rates and the 1999-2000 proposed budget for the County. Tonight was also a Public Hearing on the School Board budget. The Board of Supervisors was present to receive public comments and questions only. She explained there would be no action taken by the Board. Adoption of the proposed tax rates and budget has been scheduled for their next regular meeting which will be April 7, 1999 at 7:30 P.M.

Mrs. Everett continued we will begin each Public Hearing with a brief overview and then ask citizens to come forward to the podium for public comment. She asked that citizens please state their name and address for the record and try to limit their comments to three (3) minutes in order that everyone could be heard. She stated citizen's comments are important to them and they plan on staying until everyone has been heard.

She announced the constitutional officers, department heads and agency representatives were present with hopes that all questions which arise during the course of the Public Hearing may be answered. She requested if any citizen has numerous questions or had questions that would require additional research; that these questions be written out and passed to the Clerk. The Board will respond to these questions in writing.

She concluded with there were sign up sheets located on the table in the back and asked any citizens wishing to speak to sign up.

Mr. R. Martin Long, County Administrator, came forward presenting the following overview of the proposed 1999-2000 Budget and 1999 Tax Rates:

SUMMARY POINTS

- Tax rates will remain the same for FY2000
- 4% increase in local revenues; State revenues up approximately $400,000 to support required expenditures
- 9% increase in General Fund operational budget
- Agency requests granted at 6% increase
- Revenues include implementation of service fees for EMS services

PERSONNEL COSTS

- 6% salary increase in December For State employees
- 2.5% COLA and 2.5% merit increase in July for County employees
- Deputy Sheriffs, Jailors, Dispatchers:
  - All will receive 9.3% regrade on 12/1/99
  - Eligible for up to an additional 4% based on performance evaluation (12/1/99)

BOARD OF SUPERVISORS

- Advertising costs continues to increase
- Board member salaries will increase from $5,400 to %7,500 annually, effective January 1, 2000

COUNTY ADMINISTRATION

- New Position - Account Clerk

COUNTY ATTORNEY

- Professional Services will increase from $5,000 to $20,000 to project legal costs more realistically

COMMISSIONER OF REVENUE

- GENERAL REASSESSMENT - begins in July 1999 - funding is spread over an 18-month period

TREASURER

- Increase in extra help to concentrate on delinquents

SHERIFF

- Seven (7) new cars - $147,000

PUBLIC SAFETY/FIRE & RESCUE

- Contribution includes $2,000 increase for fire departments, first responders and rescue squads
- $5,000 for disaster supplies
- $30,000 is provided for capital items outside the abi8lities of the individual fire departments and $20,000 is included for routine maintenance
- EMS - 2 new full time positions

WASTE MANAGEMENT

- New truck - $155,000
- Replace dumpsters - $15,000
- Funding is included for two (2) manned sites

CRATER YOUTH CARE COMMISSION

- Increase of 100% - from $45,000 to $90,000
- Increased usage has caused the increase
- Planning to expand facility from 22 to 70 beds

TRANSFERS

- Social Services and CSA are included as requested
- Self Insurance - The $1 million set aside for this fund will be depleted in FY2001 and will have to be replaced with local funds
- The School Transfer request was reduced by $230,000; however the Schools are still receiving:
- $422,740 in new operational funds
- $222,460 for capital projects
- $67,497 increase in debt service payments
- $246,717 - self insurance

DEBT SERVICE/CIP

- Debt service payments for County projects increased by $110,790

- Debt Service payments for school projects increased by $599,866
- Schools are using $670,369 in state construction funds, and $289,922 in lottery funds for debt service

TAX RATES

Real Estate	$ .74
Mobile Homes	.74
Mineral Lands	.74
Public Services	.74
Personal Property	4.90
Personal Property - Volunteers	.25
Machinery & Tools	3.30
Heavy Construction Equipment	3.30
Airplanes	.50

Mrs. Everett asked if any citizens had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, stated the first name was Lucy Smith:

1. Lucy Smith, P O Box 571, came forward stating she was present to represent both the Friends of the Library and the Library Foundation. She thanked the Board for all their support in the past and their continued support for the libraries. She updated the Board on the progress of the Library and new program that have been implemented during the past year.

2. Deborah M. Marston, Commissioner of the Revenue for Dinwiddie County, came forward stating she would like to thank the Board for what they had given her in the budget so far. She stated she did have a request to add a little bit to it or ask the Board to reconsider. She stated she had talked with Mr. Long and Mr. Long does understand and sees her problem with two (2) items that she had to bring before them. Mr. Long had suggested to her that she come before the Board this evening with her requests for reconsideration. The items are as follows:

    - Printing and Binding had been cut from $7,000 to $2,500; she requested it be restored to $7,000.
    - Land Use Department Travel Expenses had been cut from $500 to $350; she requested it be restored to $500.

3. Steve Dickinson, 10 Bollingbrook Street, Petersburg, came forward stating he was present for two (2) reasons. The first was to introduce himself as the new Director of the Southside Virginia Legal Services as of September 1998. His second reason for attending was to thank the Board for the support they have given SVLS. Mr. Dickinson invited the Board to visit the office and tour their facility.

4. Greg Davis, representative of the Dinwiddie County School Board came forward.

    Mrs. Ralph stated she would like to point out this is a Public Hearing on the School Board budget. There are copies of the synopsis of the School Board budget located on the table in the back of the room.

    Mr. Davis stated he would like to apologize for Mr. Curtis Barnes, Chairman of the School Board, explaining he is running a bit late. Mr.

James Maitland is out of town and he happened to be the closest one to the telephone. Mr. Barnes should be arriving soon but until such time he would move forward. Mr. Davis stated first he would like to thank the Board of Supervisors for all of the support the Board of Supervisors had given the Dinwiddie County School System. Because of the Supervisors work the School Board had certainly come a long way in the last few years; there is no denying that. Even the School Board can appreciate the Board of Supervisors cautiousness and their fiscal prudence as the Board goes about setting the County budget. From the County's published budget the School Board needs to cut $233,000. This comes from a budget, that for the School Board, contained no new programs and one that centered on salary and benefits for employees. The amount of increase the School Board has asked for is modest and especially as they look at the surrounding districts, all of whom are also looking at a four (4%) or five (5%) percent increase. Once again even if the School Board gets the requested increases, unfortunately their staff and their teachers continue to lose ground. They did not ask to try and make this up; however, he did caution there will be some point; hopefully the State will step in as they have with the Sheriff's Department and help them out. There will be some point, as they continued to lose yearly, even with the increases granted through the Board of Supervisor's budget and the School Board's budget when catch up has to occur. That is just a warning into the future.
The staff had identified, for the School Board, $175,000 in cuts which represent cuts that the Board has not yet agreed to. These cuts in fact represent some of what the Board added to the staff's original, what they considered, bare bones proposal. The cuts that the Board brought them back directly reached into those things that the School Board thought were necessary but agreed could be cut at this time. It is essential that we not lose the $58,000 difference between this $175,000 and the $233,000 as proposed in the budget because of its possible impact on personnel. They lost the ability to deal with this $58,000 as a result of mandated health insurance increases. He stated they did budget for an increase but they did not budget for enough to match what hit them. As the Board of Supervisors is well aware they work their budget way in advance, the final figures not just from the State and from the Board of Supervisors but also through our health carriers.

Mr. Donald Haraway asked about the insurance premiums.

Mr. Ray Watson, Assistant Superintendent, responded that HMO is up 12% and Key Advantage went up 29%. This is with Local Choice.

5. Betty Jeter, Registrar for the County of Dinwiddie, came forward asking why she was not granted funding for an assistant registrar. She voiced concerns regarding the upcoming elections and her need to hire help in January 2000. She further stated if she were to become ill or something happened to her, the office would be in chaos. She stated she needed someone to train. She requested the Board to please consider adding an assistant registrar.

Mrs. Everett asked if there was any citizen present who wished to speak regarding the proposed 1999-2000 budget. There being none Mrs. Everett moved forward.

Mrs. Everett again reminded those in attendance that no action would be taken tonight but would be taken at the April 7th meeting. She stated the Board would take the concerns and requests voiced tonight into consideration.

IN RE: PUBLIC HEARING – 1999 TAX RATES

Mrs. Everett opened the Public Hearing for the 1999 Tax Rates.

Mrs. Everett asked if there were any citizens present wishing to speak. There being no citizens wishing to speak Mrs. Everett closed the Public Hearing and moved forward.

She stated no action will be taken on the Tax Rates until April 7th meeting, which is the regular night meeting at 7:30 P.M.

IN RE: RECESS

Mrs. Everett called for a short recess at 7:45 P.M.

The meeting reconvened at 8:00 P.M.

IN RE: CLAIMS – DRAPER ADEN ASSOCIATES – LANDFILL CLOSURE

Mrs. Ralph stated at the last meeting Mr. William H. Sperry, Project Manager with Draper Aden Associates, was present to present two change orders in reference to the Landfill Closure. There was an error in the amount and the check was written short by $102,556.64. We need approval to correct this internal error.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that additional funding in the amount of $102,556.64 (Check Number 1014576) to cover the remaining portion of Payment Application Number 2 be approved and funds appropriated from the CIP Fund.

IN RE: COUNTY ADMINISTRATOR COMMENTS – RESOLUTION FOR MORAL OBLIGATION FOR BOND ANTICIPATION NOTE FOR THE WATER AUTHORITY

Mr. Long stated the next item was more of an informational item. He stated he wanted to let the Board know on the April 7th Agenda there will be a resolution for a moral obligation for a bond anticipation note for the Water Authority. He continued by explaining what this was was the same thing the Board just previously approved the bond for but this is a method of interim financing. The reason for this being they are trying their best to obtain some tax exempt financing from the Governor's Special Activity Fund for the water work. This is the water work in connection with Chaparral Steel. Looking closely at this the difference between taxable and tax exempt could be as little as $50,000 or as much as 60 to $70,000 per year, so over the life of the bond that is well over a million dollars. It is the same obligation the Board has already given but in a different form for interim purposes.

IN RE: AUTHORIZATION TO ATTEND GOVERNOR'S CONFERENCE ON GREENWAYS AND TRAILS

Mr. Long stated his next miscellaneous item was Mr. Tim Smith, Director of Parks and Recreation and Mr. March Altman, Zoning Administrator have been invited to attend the Governor's Conference on greenways and trails to be held in Roanoke May 2nd through the 4th. They have both been working on the battlefield trails for a while now. The Park Service has informed Mr. Smith they

will pay for the lodging costs and registration fees. The County would have to cover costs for travel.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Mr. Tim Smith, Director of Parks and Recreation and Mr. March Altman, Zoning Director to attend the Governor's Conference on greenways and trails to be held in Roanoke May 2-4, 1999, with funds being appropriated from their respective budgets for travel expenses.

IN RE: COUNTY ADMINISTRATOR COMMENTS – GENERAL DISCUSSION ITEMS – BUDGET

Mr. Long stated he had some general discussion items in regard to the budget. Some are very directly related to what we just discussed in the presentation but all are items he felt were necessary for him to feel that the Board has clear in their minds what was being talked about.

Mr. Long continued, having supplied the Board with an outline, as was noted in the presentation, for FY 1999-2000, the County is looking at approximately $111,000 increase in debt service this year; the Schools are right at $600,000; for a total the County is up $711, 656 for the coming fiscal year in debt service alone. In FY2000 the School system is using $670,369 in state construction funds and $289,922 in lottery funds for debt service. They are also using $289,921 in lottery funds in the operating budget. With this budget, the County has provided local funding of a five (5%) percent increase for school personnel. The question the Board has right now is, "Will this level of State funding continue?". Instead of reducing the County's local transfer to School debt service by the $289,921 lottery fund amount, we have left the transfer as proposed. This will provide a beginning fund balance in the School Debt Service Fund for FY 2001 to help absorb the decrease in state funding, should one occur.

For FY2000-2001 the County will have new debt service for Dinwiddie Elementary of $572,103 and new debt service for fire stations of $194,665. If the State funding (construction and lottery) does not continue in 2000-2001, the County will need an additional $1,727,059 just to cover debt service (approximately $.22 in taxes). Debt service will have to be covered first before any consideration is given to the needs of the school system for operating expenses. Operating expenses include salaries and positions.

Mr. Long stated under current considerations, the requests from the School were outlined as shown below:

SCHOOL BUDGET CONSIDERATIONS

Local Transfer Request - $6,483,058

Proposed Local Funding - $6,250,000 = 7% increase *($233,058 cut)*

Local Transfer to School Insurance Program - $246,717 (27% increase) - *Fund will be depleted by 2000-2001*

Local Transfer to School Capital Projects - $222,460

Local Transfer to Debt Service - $1,761,325

Total Local Funds - $8,480,502

The School Board has considered items that could be cut to reduce their budget by $175,000

Mr. Long asked Mrs. Ralph to come forward to discuss the items that she had discussed with Mr. Watson and Mrs. Seward.

Mrs. Ralph came forward to discussed the following four (4) items that could be affected by an additional *"$58,000 cut.*

ITEMS THAT COULD BE AFFECTED BY AN ADDITIONAL *$58,000 CUT*

Technology Position - Software / Training - $33,292

Ass't Principal - Elementary - $53,159

Bus Aides / Insurance Bus Drivers - $50,000

Maintenance Positions - $30,000; $18,000

The proposed FY00 budget is balanced with approximately $50,000 available for undesignated fund balance. (surplus)

Mrs. Ralph stated if there were any detail questions there were still in attendance members of the Board and staff of the School Board.

Mrs. Seward expressed concerns regarding these areas of cut stating these four (4) items in her opinion are a necessity.

After discussion it was decided to discuss these requests, along with the requests from the other departments, on Wednesday, March 31st beginning at 7:00 P.M. in the Conference Room of the Pamplin Administration Building.

IN RE: SOUTHSIDE CENTER FOR VIOLENCE PREVENTION, INC. – RQUEST FOR FUNDING

Mrs. Everett asked about the funding for the Southside Center for Violence Prevention, Inc. which was requested at the March 17, 1999 meeting.

Mr. Long stated there were a couple of items which he felt this funding could come from, if the Board so chose to fund it. Mrs. Peggy McElveen, Director of Social Services, had stated to Mr. Long she felt like funding would be left over in her budget at the end of the fiscal year to support this one time $6,000 donation. There are a couple of items in the County's budget Mr. Long felt these funds could be pulled from should the funds not be available from the Social Services budget. This would be unusual but it is just a shifting of funds but Mrs. McElveen did indicate she thought there would be excess funding in her budget which could be used.

After discussion there was a motion made by Mr. Moody, seconded by Mr. Haraway with Mr. Moody, Mr. Clay, Mr. Haraway, Mrs. Everett voting "aye", Mr. Bracey voting "nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that if at the end of the fiscal year the Department of Social Services had funding available it would be made available to fund the Southside Center for Violence Prevention, Inc. of the one time $6,000 donation.

IN RE: PETERSBURG AREA FILM OFFICE – REQUEST FOR FUNDING

Mrs. Everett stated the final item the Board needed to discuss was funding for the Petersburg Area Film Office.

Mr. Long stated if the Chairman would allow he would like to discuss this item at the meeting next week.

After discussion it was decided to discuss this issue at the meeting on March 31, 1999.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 8:27 P.M. until 7:00 P.M. Wednesday, March 31, 1999 in the Conference Room of the Pamplin Administration Building for a budget workshop.

LeeNora V. Everett
Chairman, Board of Supervisors

ATTEST:
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 31ST DAY OF MARCH, 1999, AT 7:00 P.M.

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

IN RE: CALL TO ORDER

Ms. LeeNora V. Everett, Chairman, called the continuation meeting to order at 7:00 P.M.

IN RE: FY 2000 BUDGET WORKSHOP

The Board met in a workshop session to discuss requests for amendments to the FY2000 budget. They agreed to include the following amendments:

1. $290,000 additional local funds will remain in school debt service (less the $58,000 being transferred to School Operation)
2. $58,000 difference requested by School Board for operating funds will be taken from the $290,000 additional local funds in school debt service. If at the end of the fiscal year, the school system has a surplus, the $58,000 will be transferred back into school debt service. Mr. Bracey disagreed with this action.
3. Commissioner of Revenue - a. $6,000 will be included in Printing & Binding; b. $350 will be removed from the Commissioner of Revenue travel budget and placed in Land Use travel to provide $500.
4. Registrar - Funds in the amount of $10,000 will remain in part-time help to be used for a permanent part-time employee at least three days per week.
5. Building and Grounds - $4,000 remains in Capital Outlay for a personal computer.
6. Petersburg Regional Film Office - $3,000 contribution added to budget. The Board asked for statistics on revenues received by Dinwiddie County during the year and also that the office strongly consider a name change that would more appropriately reflect the region.
7. NACO - Funds in the amount of $369 are added to the budget for membership for one year

IN RE: RECEPTIONIST FOR ADMINISTRATION OFFICES

Mr. Bracey strongly suggested that funds be provided and a plan developed for a receptionist to direct the traffic in the Administration area.

IN RE: SHERIFF – PAYMENT OF OVERTIME

The Board received a request from the Sheriff to pay overtime to deputies who covered jailor vacancies during the months of February and March, 1999, totaling $4,011.30. The County's policy is not to pay overtime but to compensate in the form of compensatory time. The Compensation Board does not participate in this cost.

While the Board agreed that the employees should be compensated for their work, they instructed the County Administrator to advise the Sheriff of the County's policy.

RE: ADJOURNMENT

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 9:00 P.M. until 6:30 P.M. on April 7, 1999 for an Executive Session.

LeeNora V. Everett
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 7TH DAY OF APRIL, 1999, AT 6:30 P.M.

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

IN RE: CALL TO ORDER

Ms. LeeNora V. Everett, Chairman, called the continuation meeting to order at 6:30 P.M.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye" pursuant to the Virginia Freedom of Information Act, Section 2.1 -344 (a) 3 - Discussion or consideration of the condition, acquisition or use of real property for public purpose, or of the disposition of publicly held property; and Section 2.1-344 (a) 7 - Consultation with legal counsel (Property Sales Agreement) - the Board moved into Executive Session at 6:30 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:28 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 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.

RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 7:30 P.M.

LeeNora V. Everett
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

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 7TH DAY OF APRIL, 1999, AT 7:30 P.M.

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

IN RE: SYMPATHY EXTENDED TO THE FAMILY OF THOMAS FITZGERALD EDMUNDS

Mrs. LeeNora V. Everett, Chairman of the Board, extended sympathy to the family of Thomas Fitzgerald Edmunds. She stated Mr. Edmunds was present at the October 7, 1998 Board Meeting in honor of his 100th birthday and he was an eloquent man.

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

Mrs. Everett 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. Everett asked if there were any amendments to the agenda. There being none Mrs. Everett moved forward.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the March 17, 1999 Regular Meeting and the March 24, 1999 Continuation Meeting are hereby in their entirety, as presented to the Board in corrected form this date.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims, including the Supplemental Claim placed before the Board this date, are approved and funds appropriated for same using checks numbered 1014577 through 1014810 (void check(s) numbered 1014577, 1014662 and 1014769); for

Accounts Payable:

(101) General Fund	$ 250,580.63
(103) Jail Commission	$ 200.86
(104) Marketing Fund	$ -
(222) E911 Fund	$ 2,066.24

(223) Self Insurance Fund	$	1,733.25
(225) Courthouse Maintenance	$	-
(226) Law Library	$	-
(228) Fire Programs & EMS	$	-
(229) Forfeited Asset Sharing	$	730.71
(304) CDBG Grant Fund	$	-
(305) Capital Projects Fund	$	63,394.50
(401)County Debt Service	$	688.76
TOTAL	**$**	**319,399.95**

PAYROLL (March 31, 1999)

General Fund	$	341,605.60
CDBG Grant Fund	$	2,834.75
TOTAL	**$**	**344,440.35**

IN RE: COURTHOUSE CONSTRUCTION -- REQUISITION #32

Mrs. Ralph stated the following invoices are included in Requisition Number 32:

SANDS ANDERSON MARKS & MILLER	$	615.40
TOTAL REQUISITION NUMBER 32	**$**	**615.40**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 32 in the amount of $615.40 be approved for payment from the Courthouse Construction Bonds.

IN RE: CAPITAL PROJECTS -- REQUISITION #4

Mrs. Ralph stated the following invoices are included in Requisition Number 4:

SANDS, ANDERSON, MARKS & MILLER	$878.32
TOTAL REQUISITION NUMBER 4	**$878.32**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 4 in the amount of $878.32 be approved for payment from the Capital Projects Bonds.

IN RE: CITIZEN COMMENTS

Mrs. Everett asked if there were any citizens who had signed up to speak.

Mrs. Pamla A. Mann, Administrative Secretary, stated she did not have any names signed up to speak.

Mrs. Everett asked if there were any citizens present who wished to speak. There being none Mrs. Everett closed the Citizen Comments and moved forward.

IN RE: PUBLIC HEARING – WANDA HODGES KELLY EASEMENT

This being the time and place advertised in the Dinwiddie Monitor on March 31, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing on the proposed conveyance of an ingress and egress easement across real property owned by Dinwiddie County near the old Courthouse, which property and easement are described and shown on a plat of survey dated October 18, 1996 by Irving H. Pritchett, III, C.L.S.

Mr. R. Martin Long, County Administrator, stated this Public Hearing was for a request for easement to property right over beside the old Dinwiddie Courthouse. The property is essentially land locked and a permanent easement is needed in and out of the property for ingress and egress. To convey the property, and he referred to the County Attorney, we have to hold a Public Hearing after which we can vote to convey the easement for this property. The price of said easement being One Thousand Dollars and No Cents ($1,000.00).

Mr. Ben Emerson, County Attorney, stated Mr. Long was correct.

Mrs. Everett opened the Public Hearing. There being no citizens wishing to address the Board on this matter, Mrs. Everett closed the Public Hearing.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to sign an easement agreement with Wanda Hodges Kelly, for the price of One Thousand Dollars and No Cents ($1,000.00), for an easement for ingress and egress to and from the Kelly property and State Route 1402 Sycamore Drive over and across a 20 ft. wide strip of land shown on the county plat of survey designated and labeled thereon as "20 ft R/W easement", the north line of which is labeled and described as N 45 deg. 44' 58" East 114.12 ft. and the southern line of which is labeled as S 45 deg. 44' 58" W 133.15 ft.

IN RE: PUBLIC HEARING – LEBANON CHURCH EASEMENT

This being the time and place as advertised in the Dinwiddie Monitor on March 31, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing for proposed conveyance of real property by Dinwiddie County near the old Courthouse, which property contains 241+- square feet as shown in a plat of survey by Irving H. Pritchett, III, C.L.S. dated October 18, 1996 with an addition dated January 27, 1998 and upon which property a building owned by Lebanon United Methodist Church encroaches.

Mr. Long continued that by the same token this property, the old Lebanon Church, is pretty much right up against the easement that we just spoke of across from the old Dinwiddie Courthouse. They have about 241 square feet that actually went onto property owned by the County. This little piece was agreed that once the Public Hearing was held and the Board agrees to do so, this piece will be conveyed to Lebanon United Methodist Church at a price of Five Hundred Dollars and No Cents ($500.00). This does encroach upon County property and a Public Hearing must be held prior to conveying said property.

Mrs. Everett opened the Public Hearing. There being no citizens wishing to address the Board on this matter, Mrs. Everett closed the Public Hearing.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to sign an easement agreement with Lebanon United Methodist Church, for the price of Five Hundred Dollars and No Cents ($500.00), for all that certain tract or parcel of land with the improvements and appurtenances thereto belonging, lying and being situate in Rowanty District, Dinwiddie County, Virginia, containing 241 square feet, being more fully and accurately shown and described on that certain plat of survey made by Irving H. Pritchett, III, C.L.S., dated October 18, 1996 and amended January 27, 1998 to show the said 241 square foot parcel, said Amendment being labeled "Inset Added 1/27/98 to Show 241 SQ. FT. Around Southern End of Church Building".

IN RE: STATEMENT PRIOR TO PUBLIC HEARINGS

Mr. William C. Scheid, Planning Director, came forward to make the following statement prior to the Public Hearings.

"As previously requested by the Board of Supervisors, Draft copies of the Planning Commission Meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting room. The purpose of doing so is to expedite the hearing process without compromising the public's access to pertinent information. It is noted that the Board has been given various information on all of the hearing(s) to include, the application, zoning map, adjacent property owner list, locational map(s), proffers (if applicable), soils data, comprehensive land use maps and references, etc. With this information noted, I will proceed with the cases."

IN RE: PUBLIC HEARING – P-99-1 – JEANETTE BISHOP

This being the time and place as advertised in the Dinwiddie Monitor on March 24, 1999 and March 31, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing on P-99-1 a rezoning request submitted by Jeanette Bishop seeking to change the district classification of Tax Parcel 45-38 containing 9.45 acres from Residential Limited, R-1 to Business, General B-2. Said parcel is located at 13626 Boydton Plank Road near its intersection with Carson Road. The existing home is proposed to be converted to an office building The comprehensive land use plan recommends this area for commercial use with a floor ratio limited to 0.3. The R-1 district allows a maximum density of 1 unit per one and one-half (1 ½) acre for uses served by on-site water/septic.

Mr. Scheid stated the applicant, Jeanette Bishop, is seeking a rezoning of Tax Parcel 45-38 containing approximately 9.45 acres from Residential, Limited R-1 to Business, General, B-2 with proffers. The property has 776 feet of frontage on Boydton Plank Road with an existing 2 story home and an address of 13626 Boydton Plank Road. Mrs. Bishop has made this request for the purpose of developing the property for conducting sale of mutual funds, insurance and home equity loans. The following proffers have been submitted by Mrs. Bishop willingly:

1. Permitted uses in the B-2 district would be restricted to an office building, business sign, and financial institution.
2. Ingress/egress to the property would be limited to the two (2) existing driveways serving the property.
3. The existing building will be converted from a residence to an office building and would maintain its current exterior appearance with minor alteration possible.

4. Any additional building(if any) to be constructed on the property which is visible to vehicular traffic on U. S. Route 1 shall not have exposed cinder block facing Route 1.
5. The minimum set-back for all buildings and parking areas is to be at least 30 feet from the edge of the existing right-of-way, 70 feet from the center line of the existing roadway, whichever is greater.
6. No outside storage of junk vehicles or vehicle parts permitted on the property.
7. All structures on the site must comply with the BOCA code.
8. There will be a buffer area to the southwest of the property adjacent to Galusha measuring a minimum of seventy-five (75) feet from the adjacent property lines and to the west or rear of the property adjacent to Polly Thrower and Bob Streetz measuring a minimum of thirty-five (35) feet.
9. Any future development of this land shall be subject to applicable regulations in effect at the time of development.

Mr. Scheid stated several citizens spoke in support of and opposition to the request at the Planning Commission meeting. The Planning Commissioners considered matters such as the proffers, comprehensive land use plan, previous zoning cases in the general vicinity, adjacent property zoning, and access from Route 1, etc. The Planning Commission voted 7-0 for approval of the rezoning request with the proffers noted above.

Mr. Moody requested in the proffer number 8 the Map Number, along with adjacent property owners names, be listed for clarification in the future.

Mr. Scheid stated this could be done.

Mr. Bracey voiced concern regarding proffer number 3 and the wording of minor alteration possible. He stated what one might consider minor another might consider major.

Mr. Scheid stated any major alterations would require building permits and by minor alterations he thought Mrs. Bishop meant a handicap ramp or something of that type.

Mrs. Bishop, the applicant, came forward stating her intention was to leave the building basically as it looked today.

Mrs. Everett opened the Public Hearing on P-99-1 and asked if any citizens had signed up to speak.

Mrs. Mann stated she did have citizens signed up and called the first person to come forward.

1. Robert D. Streetz, 18610 Goode Lane, came forward stating his property was directly west of the property in question. He voiced concern for the decline in his property value because it was now located next to commercial property.
2. Betty Shultz, 20206 Boydton Plank Road, McKenney, came forward stating she was an insurance agent and was very much in favor of this rezoning request.

There being no further citizens signed up Mrs. Everett closed the Public Hearing on P-99-1 and moved forward.

Mr. Haraway stated he was surprised at the remarks by Mr. Streetz regarding his property value declining.

There was discussion regarding the fact that if your property was located on Route 1 it might increase in value being commercial property; however, if your property is behind this property and had no direct access to Route 1 there was a possibility of declining value.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the district classification of Tax Map Parcel 45-38 containing 9.45 acres be changed from Residential, Limited R-1 to Business, General, B-2 with and subject to the following proffers:

1. Permitted uses in the B-2 district would be restricted to an office building, business sign, and financial institution.
2. Ingress/egress to the property would be limited to the two (2) existing driveways serving the property.
3. The existing building will be converted from a residence to an office building and would maintain its current exterior appearance with minor alteration possible.
4. Any additional building(if any) to be constructed on the property which is visible to vehicular traffic on U. S. Route 1 shall not have exposed cinder block facing Route 1.
5. The minimum set-back for all buildings and parking areas is to be at least 30 feet from the edge of the existing right-of-way, 70 feet from the center line of the existing roadway, whichever is greater.
6. No outside storage of junk vehicles or vehicle parts permitted on the property.
7. All structures on the site must comply with the BOCA code.
8. There will be a buffer area to the southwest of the property adjacent to Galusha measuring a minimum of seventy-five (75) feet from the adjacent property lines and to the west or rear of the property adjacent to Polly Thrower and Bob Streetz measuring a minimum of thirty-five (35) feet.
9. Any future development of this land shall be subject to applicable regulations in effect at the time of development.

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that said zoning ordinance is hereby reordained in its entirety; and

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that in order to assure compliance with Virginia Code Section 15.1-491 (g) it is stated that the public purpose for which this resolution was initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practices.

IN RE: PUBLIC HEARING – C-99-1 – ISSAC FORREST

This being the time and place as advertised in the Dinwiddie Monitor on March 24, 1999 and March 31, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing on C-99-1 a conditional use permit application submitted by Isaac Forrest seeking to expand the existing Green Acres Mobile Home Park onto Tax Parcel 33-69B containing 9.10 acres and zoned Agricultural General, A-2. This parcel is located east of the mobile home park and adjacent to I-85. The comprehensive land use plan identifies this area within the community planning area and recommends agricultural and residential uses with an overall residential density of 1 unit per acre. The A-2 district allows a maximum density of 1 unit per three (3) acres for single family structures and allows mobile home parks with a conditional use permit.

Mr. Scheid stated the applicant, Mr. Issac Forrest, is seeking a conditional use permit in order to expand his existing mobile home park onto land recently rezoned to Agricultural, General, A-2. The parcel in question is designated by Tax Map 33-69A which contains approximately 9.10 acres. The Board of Supervisors required that an impact statement be prepared by the applicant as part of his conditional use permit application. Charles Townes and Associates prepared the impact analysis which was included in the Board's packets. There has been considerable discussion on this matter by the Planning Commission and Board of Supervisors during the past two (2) years. A brief history of this tract of land is given in the background portion of the Staff report which, by reference, may be made a portion of the Board's minutes. The Planning Commission heard this matter at their March 10th meeting. No one appeared in support of or opposition to the conditional use permit. After a brief discussion, the Planning Commission voted 7-0 to recommend approval of the conditional use permit with the following conditions attached:

1. a fifty (50) foot buffer strip shall be provided along I-85 and a minimum twenty-five (25) foot buffer strip shall be provided along the northern property line with evergreen screening as provided by Section 22-238 (2) of the County Zoning Ordinance. Such screening shall be replaced if it dies;
2. a minimum of eight (8) spaces shall be reserved for, and be used by, double-wide manufactured units, only;
3. a maximum of twenty-three (23) manufactured home sites shall be permitted;
4. the interior road system shall not connect with adjacent properties or other road systems but must remain as an interior road system serving the Green Acres Mobile Home Park, only;
5. a right turn taper lane shall be constructed to State specifications adjacent to Route 1 at the existing entrance to the Green Acres Mobile Home Park; and
6. the mobile home park owner will continue to provide an area for school buses to pick-up and discharge students in the general vicinity of the Route 1 and park entrance road intersection;
7. and, require at least one fire hydrant to be located at the direction of the Public Safety Officer.

Mr. Scheid stated Mr. Forrest was present at the Planning Commission meeting and stated that he willfully agreed to the above stated conditions for the conditional use permit. Mr. Forrest was not present tonight and Mr. Scheid felt it was because Mr. Forrest's brother was dying with cancer.

There was discussion regarding the impact study and discussion regarding the number of trailers Mr. Forrest could place on the old parcel and on the new parcel of land.

Mr. Moody stated he did not understand the same at the Planning Commission meeting regarding the number of trailers he could put on the property. He understood, at that meeting, if they agreed to approve the conditional use permit that less trailers would or could be placed on the property then if they did not. Now he understood that if the conditional use permit was approved it would mean a substantial higher number of trailers could be placed on the property. He stated he felt the other Planning Commission members were of the same understanding.

Mrs. Everett opened the Public Hearing.

There were no citizens signed up but one citizen asked if they could speak at this time.

1. Ms. Ann Scarborough came forward stating she felt the impact study needed to be looked at seriously. She was very much concerned with the additional burden this addition to the park would add to the County.

There being no further citizens wishing to speak Mrs. Everett closed the Public Hearing.

Again there was discussion regarding safety, impact study figures, and the way it was presented at the Planning Commission. There was a suggestion this issue should go back to the Planning Commission.

It was decided the Board should vote on this issue tonight.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that C-99-1 requesting a conditional use permit in order to expand the existing Green Acres Mobile Home Park is hereby denied.

IN RE: PUBLIC HEARING – A-99-2 – AMENDMENT TO COUNTY ZONING ORDINANCE FEE SCHEDULE

This being the time and place as advertised in the Dinwiddie Monitor on March 24, 1999 and March 31, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing on an amendment to the zoning fees contained in section 22-23(b) - rezoning, 22-23 (c) - conditional use permit; section 22-41 - variance and add section 22-5 (5) zoning amendment fees to the ordinance.

Mr. Scheid came forward stating the Planning Commission and Board of Supervisors, have been told by staff about the rising costs associated with processing applications for amendments, rezonings, conditional use permits and variances under the zoning procedures. With this in mind, staff prepared an amendment to the Zoning Code which would increase the fees as follows:

1. Amendments from $150 to $275
2. Conditional Use Permits from $100 to $275
3. Rezonings from $150 to $275
4. Variances from $100 to $125

There has been adequate discussions establishing that such fees are necessary to keep pace with the increased costs associated with the above. The Planning Commission received this matter at their March 10th meeting, and with one change - raising the variance fee to $175 - they voted 7-0 to recommend approval to the Board of Supervisors

The amendment to the Zoning Ordinance would be as follows:

Amend section 22-5, amendments to chapter, by adding the following paragraph:

(5) **Each application for amendment shall be accompanied by a check or money order made payable to the Treasurer, Dinwiddie County, in the sum of two hundred seventy five dollars ($275.00), two hundred dollars ($200.00) of which shall be used to pay the expenses of advertising and mailing notices. If actual expenses associated with the amendment exceed two hundred dollars ($200.00), the applicant shall be billed for the difference. Seventy-five dollars ($75.00) shall be retained by the county as fee for processing the application for amendment.**

Amend section 22-23, applications for rezoning and conditional use permits, by deleting paragraphs (b) and (c) and in its stead insert the following:

(b) Fees; use described. Each application for rezoning shall be accompanied by a check or money order made payable to the Treasurer, Dinwiddie County, in the sum of two hundred seventy five dollars ($275.00), two hundred dollars ($200.00) of which shall be used to pay the expenses of advertising and mailing notices. If actual expenses associated with the rezoning exceed two hundred dollars ($200.00), the applicant shall be billed for the difference. Seventy-five dollars ($75.00) shall be retained by the county as fee for processing the application for rezoning.

(c) Fees for conditional use permit. Each application submitted for a conditional use permit shall be accompanied by a check or money order made payable to the Treasurer, Dinwiddie County, in the amount of two hundred seventy five dollars ($275.00), two hundred dollars ($200.00) of which shall be used to pay the expenses of advertising and mailing notices. If actual expenses associated with the conditional use permit exceed two hundred dollars ($200.00), the applicant shall be billed for the difference. Seventy-five dollars ($75.00) shall be retained by the county as fee for processing the application.

Amend section 22-41, grant of variance, by deleting paragraph (f) and in its stead insert the following:

(f) **An application for variance shall be obtained from the zoning administrator. Each application for variance shall be accompanied by a check or money order made payable to the Treasurer, Dinwiddie County, in the amount of one hundred seventy-five dollars ($175.00), one hundred dollars ($100.00) of which shall be used to pay the expenses of advertising and mailing notices. If actual expenses associated with the variance exceed one hundred dollars ($100.00), the applicant shall be billed for the difference. Seventy-five dollars ($75.00) shall be retained by the county as fee for processing the application.**

In all other respects, said Zoning Ordinance shall remain intact.

Mrs. Everett opened the Public Hearing on A-99-2. There being no citizens signed up to speak Mrs. Everett closed the Public Hearing and moved forward.

After discussion and suggestion from legal counsel it was decided to wait until the next meeting to adopt the above in order to meet the waiting period requirements regarding fees/taxes.

IN RE: PUBLIC HEARING – A-99-3 – AMENDMENT TO THE EROSION AND SEDIMENTATION CONTROL ORDINANCE

This being the time and place as advertised in the Dinwiddie Monitor on March 24, 1999 and March 31, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing on an amendment to the Code of Dinwiddie County by deleting Chapter 8, Erosion and Sedimentation Control, and adopting a revised Chapter 9, Erosion and Sedimentation Control.

Mr. Scheid stated the Erosion and Sedimentation Control Ordinance was adopted by Dinwiddie County in the late 1970's. Many changes in State Code

requirements have occurred since then. The Department of Conservation and Recreation, the state agency responsible for overseeing this program, has noted that the County's ordinance needed updating. Their office assisted him in reviewing the County's ordinance so that it meets State standards. Our attorneys have reviewed the document and found it proper with the following changes:

1. Page 8 - Section 9-5, A. has a correction - add the following words "or to the Director of Planning"
2. Page 9 - Section 9-6, B. delete "and the Dinwiddie County Planning Department"

The new Ordinance would read as follows:

COUNTY
OF

DINWIDDIE
EROSION AND SEDIMENTATION CONTROL ORDINANCE

CHAPTER 9

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SECTION 9-1. TITLE.

This ordinance shall be known as the "Erosion and Sediment Control Ordinance of Dinwiddie County." The purpose of this chapter is to conserve the land, water, air and other natural resources of Dinwiddie County by establishing procedures whereby these requirements shall be administered and enforced.

SECTION 9-2. AUTHORITY FOR CHAPTER.

This Chapter is authorized by the Code of Virginia, Title 10.1, Conservation, Soil and Water Conservation Chapter 5, Article 4, Erosion and Sedimentation Control Law (10.1-560 et seq.), known as the Erosion and Sediment Control Law.

SECTION 9-3. DEFINITIONS

As used in this ordinance, unless the context requires a different meaning:

Agreement in lieu of a plan: A contract between the plan-approving authority and the owner which specifies conservation measures which must be implemented in the construction of a single-family residence; this contract may be executed by the plan-approving authority or its designee in lieu of a formal site plan.

Applicant: Any person submitting an erosion and sediment control plan for approval or requesting the issuance of a permit, when required, authorizing land-disturbing activities to commence.

Board: The Virginia Soil and Water Conservation Board.

Certified Inspector: An employee or agent of a program authority who (i) holds a certificate of competence from the Board in the area of project inspection or (ii) is enrolled in the Board's training program for project inspection and successfully completes such program within one year after enrollment.

Certified Plan Reviewer: An employee or agent of a program authority who (i) holds a certificate of competence from the Board in the area of plan review, (ii) is enrolled in the Board's training program for plan review and successfully completes such program within one year after enrollment, or (iii) is licensed as a professional engineer, architect, certified landscape architect or land surveyor pursuant to Article 1 (54.1-400 et seq.) of Chapter 4 of Title 54.1.

Certified Program Administrator: An employee or agent of a program authority who (i) holds a certificate of competence from the Board in the area of program administration or (ii) is enrolled in the Board's training program for program administration and successfully completes such program within one year after enrollment.

Clearing: Any activity which removes the vegetative ground cover including, but not limited to, root mat removal or top soil removal.

Conservation Plan Erosion and Sediment Control Plan or "Plan": A document containing material for the conservation of soil and water resources of a unit or group of units of land. It may include appropriate maps, an appropriate soil and water plan inventory, and management information with needed interpretations and a record of decisions contributing to conservation treatment. The plan shall contain all major conservation decisions to assure that the entire unit or units of land will be so treated to achieve the conservation objectives.

County: The County of Dinwiddie.

Department: The Department of Conservation and Recreation.

Director: The director of the Department.

District or "Soil and Water Conservation District": A political subdivision of the Commonwealth organized in accordance with the provisions of Article 3 (Sec. 10.1-506 et. seq.) of Chapter 5 of Title 10.1. The County of Dinwiddie is served by the Appomattox River Soil & Water Conservation District.

Erosion Impact Area: An area of land not associated with current land-disturbing activity but subject to persistent soil erosion resulting in the delivery of sediment onto neighboring properties or into state waters. This definition shall not apply to any lot or parcel of land of 10,000 square feet or less used for residential purposes or to shorelines where the erosion results from wave action or other coastal processes.

Excavating: Any digging, scooping or other methods of removing earth materials.

Filling: Any depositing or stockpiling of earth materials.

Grading: Any excavating of or filling with earth materials.

Land-Disturbing Activity: Any land change which may result in soil erosion from water or wind and the movement of sediments into State waters or onto lands in the State, including, but not limited to, clearing, grading, excavating, transporting and filling of land, except that the term shall not include:

1. Minor land-disturbing activities such as home gardens and individual home landscaping, repairs and maintenance work;

2. Individual service connections;

3. Installation, maintenance, or repairs of any underground public utility lines when such activity occurs on an existing hard surfaced road, street or sidewalk provided such land-disturbing activity is confined to the area of the road, street or sidewalk which is hard-surfaced;

4. Septic tank lines or drainage fields unless included in an overall plan for land-disturbing activity relating to construction of the building to be served by the septic tank system;

5. Surface or deep mining;

6. Exploration or drilling for oil and gas including the well site, roads, feeder lines, and off-site disposal areas;

7. Tilling, planting, or harvesting of agricultural, horticultural, or forest crops, or livestock feedlot operations; including engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage and land irrigation; however, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11 (10.1-1100 et seq. of the Code of Virginia or is converted to bona fide agricultural or improved pasture use as described in subsections B of 10.1-1163);

8. Agricultural engineering operations including but not limited to the construction of terraces, terrace outlets, check dams, de-silting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage and land irrigation;

9. Repair or rebuilding of the tracks, right-of-way, bridges, communication facilities of a railroad company;

10. Disturbed land areas of less than ten thousand (10,000) square feet.

11. Installation of fence and sign posts or telephone and electric poles and other kinds of posts or poles;

12. Shore erosion control projects on tidal waters when the projects are approved by local wetlands boards, the Marine Resources Commission or the U. S. Army Corps of Engineers;

13. Emergency work to protect life, limb or property, and emergency repairs; provided that if the land-disturbing activity would have required an approved erosion and sediment control plan if the activity were not an emergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirements of the certified plans reviewer.

Land Disturbing Permit: A permit issued by the County of Dinwiddie for the clearing, filling, excavating, grading, transferring or any combination thereof or for any purpose set forth herein.

Local Erosion and Sediment Control Program: An outline or explanation of the various elements or methods employed by the County of Dinwiddie to regulate land disturbing activities and thereby minimize erosion and sedimentation in compliance with the State program and may include such items as a local ordinance, policies and guidelines, technical materials, inspection, enforcement and evaluation.

Owner: The owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other person, firm or corporation in control of a property.

Permittee: The person to whom the permit authorizing land-disturbing activities is issued or the person who certifies that the approved erosion and sediment control plan will be followed.

Person: Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, county, city, town or other political subdivision of the commonwealth, any interstate body, or any other legal entity.

Plan Approving Authority: The Certified Plan Reviewer responsible for determining the adequacy of a conservation plan submitted for land-disturbing activities on a unit or units of land and for approving plans.

Program Authority: The County of Dinwiddie which has adopted the soil erosion and sediment control program which has been approved by the Board.

Single-Family Residence: A noncommercial dwelling that is occupied exclusively by one family and not part of a residential subdivision development.

Stabilized: An area that can be expected to withstand normal exposure to atmospheric conditions without incurring erosion damage.

State Erosion and Sediment Control Program or State Program: The program administered by the Virginia Soil and Water Conservation Board pursuant to the State Code including regulations designed to minimize erosion and sedimentation.

State Waters: All waters on the surface and under the ground wholly or partially within or bordering the Commonwealth or within its jurisdictions.

Town: An incorporated town.

Transporting: Any moving of earth materials from one place to another place other than such movement incidental to grading, when such movement results in destroying the vegetation ground cover either by tracking or the buildup of earth materials to the extent that erosion and sedimentation will result from the soil or earth materials over which such transporting occurs.

SECTION 9-4. EROSION AND SEDIMENT CONTROL PROGRAM

A. The County of Dinwiddie hereby adopts the regulations promulgated by the Virginia Soil and Water Conservation Board pursuant to Section 10.1-562 of the Code of Virginia for the effective control of soil erosion, sediment deposition and nonagricultural runoff to prevent the unreasonable degradation of properties, stream channels, waters and other natural resources. The Virginia Erosion and Sediment Control Regulations, The Virginia Erosion and Sediment Control Handbook , Third Edition, 1992,as amended periodically, are adopted as the standards, reference and guidelines for the County of Dinwiddie. The standards contained within these publications are to be used by the applicant when making a submittal under the provisions of this ordinance and in the preparation of an erosion and sediment control plan. The plan approving authority, in considering the adequacy of a submitted plan, shall be guided by the same standards, regulations, and guidelines. When the standards vary between the publications, the State regulation's shall take precedence.

B. The County of Dinwiddie designates the Certified Plan Reviewer as the plan approving authority.

C. Pursuant to Section 10.1-561.1 of the Code of Virginia , (i) an erosion control plan shall not be approved until it is reviewed by a certified plan reviewer, (ii) inspections of land-disturbing activities shall be conducted by a certified inspector and; (iii) the Erosion Control Program of Dinwiddie County shall contain a certified program administrator, a certified plan reviewer, and a certified inspector, who may be the same person.

D. The program and regulations provided for in this ordinance shall be made available for public inspection at the office of the Planning Department of Dinwiddie County.

SECTION 9-5. REGULATED LAND-DISTURBING ACTIVITIES; SUBMISSION AND APPROVAL OF PLANS

A. Except as provided herein, no person shall engage in any land-disturbing activity until he has submitted to the Director of Planning for Dinwiddie County an erosion and sediment control plan for land-disturbing activity and such plan has been approved by the plan approving authority. The plan shall

be drawn to scale of not less than one hundred (100) feet to one (1) inch and shall detail those methods and techniques to be utilized in the control of erosion and sedimentation and, as a minimum, the plan shall comply with the state criteria, standard and specifications found in the Virginia Erosion and Sediment Control Handbook , as referenced in Section 9-4A of this Chapter. A minimum of four (4) copies of the erosion and sediment control plan shall be submitted to the Administrator or to the Director of Planning. Where land-disturbing activities involve lands under the jurisdiction of more than one local control program, an erosion and sediment control plan, at the option of the applicant, may be submitted to the Board for review and approval rather than to each jurisdiction concerned. Where the land disturbing activity results from the construction of a single-family residence, an agreement in lieu of a plan may be substituted for an erosion and sediment control plan if executed by the County of Dinwiddie.

B. The plan approving authority shall, within 45 days, approve any such plan, if he determines that the plan meets the requirements of the Board's regulations, and if the person responsible for carrying out the plan certifies that he will properly perform the erosion and sediment control measures included in the plan and will conform to the provisions of this ordinance.

C. The plan shall be acted upon within 45 days from receipt thereof by either approving said plan in writing or by disapproving said plan in writing and giving specific reasons for its disapproval. When a plan is determined to be inadequate, the plan approving authority shall specify such modifications, terms and conditions that will permit approval of the plan. If no action is taken within 45 days, the plan shall be deemed approved and the person authorized to proceed with the proposed activity.

D. An approved plan may be changed by the plan approving authority when:

1. The inspection reveals that the plan is inadequate to satisfy applicable regulations; or

2. The person responsible for carrying out the plan finds that because of changed circumstances or for other reasons the approved plan cannot be effectively carried out, and proposed amendments to the plan, consistent with the requirements of this ordinance, are agreed to by the plan approving authority and the person responsible for carrying out the plan.

E. In order to prevent further erosion, the County of Dinwiddie may require approval of a conservation plan for any land identified in the local program as an erosion impact area.

F. When a land-disturbing activity will be required of a contractor performing construction work pursuant to a construction contract, the preparation, submission, and approval of an erosion and sediment control plan shall be the responsibility of the owner.

G. State agency projects are exempt from the provisions of this Ordinance, pursuant to section 10.1-564 of the Code of Virginia.

SECTION 9-6. LAND-DISTURBING PERMITS; FEES; BONDING; ETC.

A. No person shall engage in any land-disturbing activity until he has acquired a land-disturbing permit, unless the proposed land-disturbing activity is specifically

exempt from the provisions of this ordinance, and has paid the fees and posted the required bond.

B. Fees: A plan review and inspection fee of $100.00 plus $5.00 per acre shall be paid by check or money order made payable to the Treasurer, Dinwiddie County at the time of filing erosion and sediment control plans.

C. No land disturbing permit shall be issued until the applicant submits with his application an approved erosion and sediment control plan and certification that the plan will be followed. An approved plan is required for issuance of grading, building or other permits.

D. Bond: All applicants for permits shall provide to the County of Dinwiddie a performance bond, cash escrow, or an irrevocable letter of credit acceptable to the Program Administrator, to ensure that measures could be taken by the County of Dinwiddie at the applicant's expense should the applicant fail within the time specified to initiate or maintain appropriate conservation measures required of him as a result of his land disturbing activity. Should it be necessary for the County of Dinwiddie to take such conservation action, the County of Dinwiddie may collect from the applicant any costs in excess of the amount of the surety held. The amount of the bond or other security for performance shall not exceed the total of the estimated cost to initiate and maintain appropriate conservation action based on unit price for new public or private sector construction in Dinwiddie County with a reasonable allowance for estimated administrative cost and inflation which shall not exceed twenty-five (25) percent of the estimated cost of the conservation action.

Within sixty (60) days of the achievement of adequate stabilization of the land disturbing activity in any project or sections thereof, as determined by the Program Administrator, the bond, cash escrow or letter of credit, or the unexpended or unobligated portion thereof shall be either refunded to the applicant or terminated based upon the percentage of stabilization accomplished in the project or section thereof.

These requirements are in addition to all other provisions relating to the issuance of permits and are not intended to otherwise affect the requirements for such permits.

SECTION 9-7. MONITORING, REPORTS, AND INSPECTIONS

A. The Certified Inspector shall provide for and/or conduct periodic inspections of the land-disturbing activity, and may require monitoring and reports from the person responsible for carrying out the plan, to insure compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation. The owner, permittee or person responsible for carrying out the plan shall be given notice of the inspection.

If the Certified Inspector determines that there is a failure to comply with the plan, notice shall be served upon the permittee or person responsible for carrying out the plan by registered or certified mail to the address specified in the permit application or in the plan certification, or by delivery at the site of the land-disturbing activities to the agent or employee supervising such activities.

The notice shall specify the measures needed to comply with the plan and shall specify the time within which such measures shall be completed. Upon failure to comply within the specified time, the permit may be revoked and the permittee or person responsible for carrying out the plan shall be deemed to be in violation of this ordinance and, upon conviction shall be subject to the penalties provided by the ordinance.

B. Upon receipt of a sworn complaint of a violation of this ordinance, the Program Administrator or his designee, either may, in conjunction with or subsequent to a notice to comply as specified in this ordinance, issue a stop work order requiring that all or part of the land-disturbing activities permitted on the site be stopped until the specified corrective measures have been taken or, if land-disturbing activities have commenced without an approved plan require that all of the land-disturbing activities be stopped until an approved plan or any required permits are obtained.

Where an alleged noncompliance is caused or is in imminent danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the Commonwealth, or where the land-disturbing activities have commenced without an approved plan or any required permits, a stop work order may be issued whether or not the alleged violator has been issued a notice to comply. Otherwise, such a stop work order may be issued only after the alleged violator has failed to comply with a notice to comply. The stop work order shall be served in the same manner as a notice to comply, and shall remain in effect for seven days from the date of service pending application by the enforcing authority or alleged violator for appropriate relief to the Circuit Court of Dinwiddie County.

If the alleged violator has not obtained an approved plan or any required permits within seven days from the date of service of the order, the Administrator, or his designee, may issue an order to the owner requiring that all construction and other work on the site, other than corrective measures, be stopped until an approved plan and any required permits have been obtained.

A stop work order shall be served upon the owner by registered or certified mail to the address specified in the permit application or the land records of the County of Dinwiddie. The owner may appeal the issuance of an order to the Circuit Court of the County of Dinwiddie.

Any person violating or failing, neglecting or refusing to obey an order issued by the Administrator or his designee may be compelled in a proceeding instituted in the Circuit Court of the County of Dinwiddie to obey same and to comply therewith by injunction, mandamus or other appropriate remedy.

Upon completion and approval of corrective action or obtaining an approved plan or any required permits, the order shall immediately be lifted.

Nothing in this section shall prevent the Administrator or his designee from taking any other action authorized by this ordinance.

SECTION 9-8. PENALTIES, INJUNCTIONS, AND OTHER LEGAL ACTIONS

A. Violators of this ordinance shall be guilty of a Class 1 misdemeanor.

B. Any person who violates any provision of this ordinance shall upon a finding of the District Court of the County of Dinwiddie, be assessed a civil penalty. In any civil trial for a violation of this ordinance, the County of Dinwiddie shall have the burden of showing, by the preponderance of the evidence the liability of the violator. The civil penalty for any one violation shall be $100, except that the civil penalty for commencement of land-disturbing activities without an approved plan shall be $1,000. Each day during which the violation is found to have existed shall constitute a separate offense.

In no event shall a series of specified violations arising from the same operative set of facts result in civil penalties which exceed a total of $3,000, except that a

series of violations arising from the commencement of land disturbing activities without an approved plan for any site shall not result in civil penalties which exceed a total of $10,000.

An admission or finding of civil liability shall not be a criminal conviction for any purpose.

The assessment of civil penalties according to this schedule shall be in lieu of criminal sanctions and shall preclude the prosecution of such violation as a misdemeanor under subsection A of this section.

C. The Administrator, or his designee or the owner of property which has sustained damage or which is in imminent danger of being damaged may apply to the Circuit Court of the County of Dinwiddie to enjoin a violation or a threatened violation of this ordinance, without the necessity of showing that an adequate remedy at law does not exist; however, an owner of property shall not apply for injunctive relief unless (i) he has notified in writing the person who has violated the local program, and the program authority, that a violation of the local program has caused, or creates a probability of causing, damage to his property, and (ii) neither the person who has violated the local program nor the program authority has taken corrective action within fifteen days to eliminate the conditions which have caused, or create the probability of causing damage to his property.

D. In addition to any criminal or civil penalties provided under this ordinance, any person who violates any provision of this ordinance may be liable to the County of Dinwiddie in a civil action for damages.

E. Without limiting the remedies which may be obtained in this section, any person violating or failing, neglecting, or refusing to obey any injunction, mandamus, or other remedy obtained pursuant to this section, shall be subject, in the discretion of the court, to a civil penalty not to exceed $2,000 for each violation. A civil action for such violation or failure may be brought by the County of Dinwiddie.

F. Any civil penalties assessed by a court shall be paid into the treasury of the County of Dinwiddie, except that where the violator is Dinwiddie County, itself or its agent, the court shall direct the penalty to be paid into the State Treasury.

G. With the content of any person who has violated or failed, neglected or refused to obey any regulation or condition of a permit or any provision of this ordinance, the County of Dinwiddie may provide for the payment of civil charges in violation in specific sums set forth in Paragraph J, not to exceed the limit specified in Paragraph E of this section. Such civil charges shall be instead of any appropriate civil penalty which could be imposed under Paragraphs B or E of this section.

H. The Commonwealth's Attorney shall, upon request of the County of Dinwiddie or the permit issuing authority, take legal action to enforce the provisions of this ordinance.

I. Compliance with the provisions of this ordinance shall be prima facie evidence in any legal or equitable proceeding for damages caused by erosion, siltation or sedimentation that all requirements of law have been met, and the complaining party must show negligence in order to recover any damages.

J. The following charges shall apply for violation of specific minimum standards (MS) set forth in the State Code:

Land Disturbing(without a permit) ..... 100.00 per day
MS-01...Permanent seeding req'd ..... 100.00 per day

MS-02...Stabilize stock piles.....100.00 per day
MS-03...Vegetation established.....100.00 per day
MS-04...Sediment basin/traps.....100.00 per day
MS-05...Stabilization of dams, etc.....100.00 per day
MS-06...Basin required over 3 acres.....100.00 per day
MS-07...Slope stabilization.....100.00 per day
MS-08...Temporary flume, channel.....100.00 per day
MS-09...Slope face-provide drainage.....100.00 per day
MS-10...Storm sewer inlet protection.....100.00 per day
MS-11...Conveyance channel protection.....100.00 per day
MS-12...Work in watercourse.....100.00 per day
MS-13...Temporary stream crossing.....100.00 per day
MS-14...Fed/State regs - watercourse.....100.00 per day
MS-15...Bed and bank stabilization.....100.00 per day
MS-16...Underground utility work.....100.00 per day
MS-17...Construction entrance.....100.00 per day

SECTION 9-9. APPEALS AND JUDICIAL REVIEW

A. Any applicant under the provision of this ordinance who is aggrieved by any action of the County of Dinwiddie or its agent in disapproving plans submitted pursuant to this ordinance shall have the right to apply for and receive a review of such action by the Board of Supervisors. In reviewing the agent's actions, the Board of Supervisors shall consider evidence and opinions presented by the aggrieved applicant and agent. After considering the evidence and opinions, the Board of Supervisors may affirm, reverse or modify the action. The Board of Supervisors' decision shall be final, subject only to review by the Circuit Court of the County of Dinwiddie.
Any applicant may seek an appeal hearing before the Board of Supervisors provided that the applicant file a written notice requesting review by the Board of Supervisors within 30 days of the County of Dinwiddie's or its agent's actions.

B. Final decisions of the County of Dinwiddie under this ordinance shall be subject to review by the Circuit Court, provided an appeal is filed within 30 days from the date of any written decision adversely affecting the rights, duties or privileges of the person engaging in or proposing to engage in land-disturbing activities.

Mrs. Everett opened the Public Hearing on the Erosion and Sedimentation Control Ordinance. There being no citizens present wishing to address the Board on this Ordinance change Mrs. Everett closed the Public Hearing and moved forward.

After discussion it was decided this would be voted on at the next meeting once again to satisfy the waiting period requirements regarding fees/taxes..

IN RE: ADOPTION OF FY 1999-2000 BUDGET AND 1999 TAX RATES

Mr. Long stated we held a Public Hearing on the FY1999-2000 Budget and the 1999 Tax Rates on March 24th and held a workshop on March 31st to discuss the requests presented at the Public Hearing. The Board made the following decisions regarding those requests and these decisions will become a part of the FY 1999-2000 Budget.

1. $290,000 additional local funds will remain in school debt service (less the $58,000 being transferred to School Operation)
2. $58,000 difference requested by School Board for operating funds will be taken from the $290,000 additional local funds in school debt

service. If at the end of the fiscal year, the school system has a surplus, the $58,000 will be transferred back into school debt service.

3. Commissioner of Revenue - a. $6,000 will be included in Printing & Binding; b. $350 will be removed from the Commissioner of Revenue travel budget and placed in Land Use travel to provide $500.
4. Registrar - Funds in the amount of $10,000 will remain in part-time help to be used for a permanent part-time employee at least three days per week.
5. Building and Grounds - $4,000 remains in Capital Outlay for a personal computer.
6. Petersburg Regional Film Office - $3,000 contribution added to budget.
7. NACO - Funds in the amount of $369 are added to the budget for membership for one year.

Mr. Long continued by reviewing that the Tax Rates for 1999 remain unchanged.

Mr. Long stated he would be glad to address any questions or concerns the Board might have at this time.

Mrs. Everett asked the Board for questions and/or concerns.

Mr. Bracey stated on Amendment Number 2 – If at the end of the fiscal year – he stated he did not know the Board said an "IF". Again he repeated he did not know they said an "IF". He continued he thought they said it will be. The $58,000 will be put back to the $290,000 for debt service. That word "IF" says – well I don't have it. "IF"—

Mrs. Everett stated "IF" they have it.

Mr. Bracey asked what happens "IF" they do not have it.

Mrs. Everett stated then we do not get it back.

Mr. Bracey stated that was not what we talked about that night.

Mrs. Everett stated she stated thought that it was.

Mr. Bracey stated then he did not have to vote for it. He meant the entire budget, that was what he was talking about. He stated he liked to very specific and be honest and up front with the School Board and he hoped they are honest and up front with him. "IF" they have the money they are paid. He thought they said that the money will go back to the $290,000 for debt service. We can not afford to play around with this debt service. We are not a billion dollar County. He stated this was all he was saying. He asked Mrs. Everett to tell him what they were talking about. He stated to Mrs. Everett that she was trying to avoid the issue.

Mrs. Everett stated Mr. Bracey this was taken up at their meeting and that is the way it is stated –

Mr. Bracey stated the whole thing came about when we said that they usually take their surplus or their end of the year money for buses. We said – we asked them if they had already committed themselves with their surplus money or their end of the year money for buses. We asked if they will be able to pay the $58,000. We said the $58,000 will have to go back to the $290,000. That is what we said.

Mrs. Everett stated there were minutes taken during that meeting. She asked how that motion was stated.

Mrs. Ralph stated Mr. Haraway had started the discussion and it was our interpretation that if they do not have any surplus they will not be getting buses or anything else. That is all that it means. It means that if there is any surplus at all that $58,000 of it is going back to replace what the Board had appropriated. If they do not have any surplus they will not get buses or that or anything else.

Mr. Long stated the first $58,000 goes into debt service before buses or anything else.

Mrs. Ralph stated the first $58,000 goes into debt service. She continued that if that was not what the Board meant then they need to speak now.

Mr. Moody stated that was his understanding. He continued that the reason he said that was 9 times out of 10 years they have had a surplus. He stated he felt comfortable they would have one next year. He again stated that was the reason he said that. Now if they had not had a surplus for every year he stated he would not want to vote for it. Because he knows they have had it he felt there was a pretty high percentage they are going to have it again.

Mrs. Everett stated as she understood, or as she recalled, Mr. Haraway did make the motion for that and she asked him if it was his understanding that if we have a surplus it is to be taken back and put back into debt service.

Mr. Haraway stated he was trying to find a way that the School Board could get this additional $58,000 and that is the reason he recommended that at the end of the fiscal year if there were funds available then the $58,000 would go back into the debt service fund; but if there were not any funds available then they would not be able to. As Mr. Moody indicated their track record indicates that they will have a surplus at the end of the fiscal year.

Mr. Bracey stated he felt they all understood this but did we ask the School Board have you committed X number of dollars to the bus project and are you sure you are going to have the $58,000. Every time that the budget is set so that they are going to get their money for the buses. Nobody is against this, the only thing he was trying to say was that he did not like the word "IF". He stated that $58,000 – he did not care how they got it. If they have to get rid of an employee or whatever they have to do he felt the $58,000 had to go back to that $290,000 because we can not pick these 290, 290, 290's because we do not have any money.

Mrs. Everett asked if the School officials would like to comment on this.

Mrs. Troilen Seward, Superintendent of Schools, stated she would like to say that when they spend their budget down, last time it was less than one percent (1%) of the total budget, and she wanted to tell them that she is pretty fiscally conservative and she stated she was not going to get down much lower than that and feel comfortable. She stated she felt very positive that they would have $58,000.

Mr. Bracey stated they understood that.

Mrs. Seward stated they have already budgeted for next year on a number of students that they have right now. Unless something unforeseen happens we know that in September there is going to be additional ADM money. She stated she certainly anticipates having the $58,000.

Mrs. Everett asked if that allays the concerns.

Mr. Bracey stated that took care of it. He stated there was a commitment. He further stated he knew they were committed right now and asked Mrs. Seward for how many buses.

Mrs. Seward stated they would just wait until they could see where they were at the end of the year.

Mr. Bracey asked how many months it took to get a bus.

Mrs. Seward stated this year it has taken three months to get three of them and five months to get two of them.

Mr. Bracey stated as long as they say they are going to have the $58,000, not if they are going to have it, they are going to have it and put it back to the $290,000.

Mrs. Everett asked the Board if there were any other concerns about the amendments.

Mr. Bracey stated on Number 6. he thought that was a $6,000 request and she decided to give them $3,000.

Mrs. Everett stated that was correct and she would like to see the $6,000 but she did not receive any support on that.

Mr. Bracey stated he just wanted to make sure that the public understood that it was a $6,000 request.

Mr. Clay stated he had spoken with Mr. John M. "March" Altman, Zoning Administrator, and he did not seem to have any problem with the $3,000. Mr. Altman will continue to report to the Board on what the progress is and at that point we may agree to give them the additional $3,000.

Mrs. Everett stated that was what the Board, majority wise, wanted to do.

Mr. Bracey read the following statement prior to the voting on the budget:

"I, Edward A. Bracey, Jr., "In accordance with Section 2.1-639-14, paragraph (g) of the Code of Virginia, wish to disclose that my wife (Bernice Bracey) is employed by the Dinwiddie County School system. Employment of my wife occurred several years prior to my election to the Board of Supervisors and the results of any decision by this Board will affect my wife to no greater or less extent than other teachers with similar credentials and experiences. Therefore, I feel that I am able to participate in the actions of the Board concerning the 1999-2000 budget effectively, fairly and in the public interest."

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that following budget for FY 1999-2000 is adopted with amendments:

	Current	Fiscal Year Commencing
INCOME ESTIMATES	Fiscal Year	July 1, 1999

GENERAL FUND:

Revenue from Local Sources:		
General Property Taxes	$11,874,325	$12,268,260
Other Local Taxes	2,279,000	2,429,500
Permits, Privilege & Regulatory Licenses	150,600	182,500
Fines and Forfeitures	150,000	218,000
Revenue from Use of Money & Property	437,000	437,000
Charges for Services	259,686	239,986
Miscellaneous Revenue	176,350	195,900
TOTAL	15,326,961	15,971,146
Revenue from the Commonwealth	2,032,892	2,462,385
Revenue from the Federal Government	-0-	-0-
Non-Revenue Receipts	-0-	-0-
TOTAL GENERAL FUND	$17,359,853	$ 18,433,531
LAW LIBRARY FUND	5,000	5,000
SCHOOL TEXTBOOK FUND	160,149	159,325
SCHOOL CAFETERIA FUND	1,028,000	1,153,000
SCHOOL FUND:		
Revenue from Local Sources	91,400	72,920
Revenue from the Commonwealth	15,222,707	16,985,915
Revenue from the Federal Government	833,061	898,816
Transfers from Other Funds	6,007,260	6,554,717
TOTAL SCHOOL FUND	22,154,428	24,512,368
VA PUBLIC ASSISTANCE FUND	2,079,655	2,254,434
E911 FUND	62,000	67,000
SELF-INSURANCE FUND	65,000	25,000
GENERAL CAPITAL PROJECTS FUND	-0-	-0-
OYCS FUND	69,090	78,254
CDBG/VJCCCA FUND	56,322	81,733
FIRE PROGRAMS FUND	50,550	42,550
FORFEITED ASSET SHARING	-0-	-0-
MEALS TAX	400,000	360,000
SCHOOL CAPITAL PROJECTS	292,460	222,460

CSA FUND	617,638	627,677
JAIL COMMISSION FUND	5,600	6,800
COURTHOUSE MAINTENANCE FUND	20,000	24,000
COUNTY DEBT SERVICE	1,694,775	1,806,565
SVRTC FUND	215,000	215,000
HEAD START FUND	160,497	136,678
COUNTY CONSTRUCTION FUND	-0-	-0-
SCHOOL CONSTRUCTION FUND	-0-	6,000,000
SCHOOL DEBT SERVICE	2,223,828	2,730,046
GRAND TOTAL -- ALL FUNDS	$48,719,845	58,941,421
LESS INTERFUND TRANSFERS	10,495,590	10,995,858
TOTAL INCOME	$ 38,224,255	47,945,563
FUND BALANCES, JULY 1	22,519,450	16,316,870
CASH RESOURCES	$ 60,743,705	64,262,433

CONTEMPLATED EXPENDITURES

GENERAL FUND:		
Board of Supervisors	$ 55,754	66,758
County Administrator	207,284	240,114
County Attorney	40,350	58,000
Independent Auditor	22,000	22,000
Commissioner of the Revenue	235,133	251,141
Business License	19,566	20,080
General Reassessment	140,000	160,000
Land Use	18,515	19,379
Treasurer	233,607	246,854
Data Processing	56,395	65,904
Electoral Board and Officials	78,017	84,564
Circuit Court	15,050	17,050
County Court	5,580	7,080
Special Magistrates	500	500

Clerk of the Circuit Court	60,172	65,636
Commonwealth's Attorney	116,345	122,412
Sheriff-Law Enforcement	2,109,532	2,383,048
Victim Witness		43,517
Volunteer Fire Departments	197,000	222,750
Ambulance & Rescue Service	43,270	53,650
Forestry Service	11,720	11,720
Dinwiddie EMS	308,781	385,885
Sheriff-Correction & Detention	312,075	303,215
Probation Office	3,450	4,250
Other Correction & Detention	55,733	100,507
Building Inspection	239,482	229,797
Animal Control	94,751	101,174
Medical Examiner	500	500
Public Safety/Civil Defense	61,589	80,012
Road Administration	-0-	-0-
Street Lights	42,000	35,000
Refuse Disposal	1,106,317	1,287,788
Public Nuisance	5,000	5,000
Public Utilities	104,200	105,700
Maintenance of Buildings & Grounds	333,752	375,491
Water Service	160,000	180,000
Health	169,258	179,944
Mental Health	43,332	45,932
Other Social Services	21,582	22,369
Community College	1,793	1,793
Recreation	152,897	166,714
Lake Chesdin	1,500	1,500
Regional Library	166,948	174,828
Planning	171,090	186,728
Economic Development	16,050	19,550
Other Planning & Community Development	100,464	92,364
Regional Planning Commission	12,870	13,310
Soil and Water Conservation	7,500	12,500

Advancement of Agric & Home Economics	55,604	66,600
Internal Services	26,350	12,850
Subtotal	7,440,658	8,353,458
Transfers to Other Funds	9,653,154	10,276,859
TOTAL GENERAL FUND	17,093,812	18,630,317
HEAD START	160,497	136,678
SVRTC FUND	250,000	230,000
LAW LIBRARY FUND	5,000	5,000
SCHOOL TEXTBOOK FUND	211,650	409,325
SCHOOL FUND	22,154,428	24,512,368
SCHOOL CAFETERIA FUND	1,064,344	1,179,476
VA PUBLIC ASSISTANCE FUND	2,079,655	2,254,434
E911 FUND	47,000	70,650
SELF INSURANCE FUND	324,600	366,317
OYCS FUND	79,590	80,254
GENERAL CAPITAL PROJECTS	2,000,000	741,000
SCHOOL CAPITAL PROJECTS	292,460	222,460
CDBG FUND/VJCCCA	56,322	81,733
FIRE PROGRAMS FUND	50,550	42,550
FORFEITED ASSET SHARING	-0-	-0-
MEALS TAX FUND	530,000	400,000
CSA FUND	617,638	627,677
JAIL PHONE COMMISSION FUND	5,600	500
COURTHOUSE MAINTENANCE	-0-	-0-
DEBT SERVICE	1,694,775	1,806,565
COUNTY CONSTRUCTION FUND	-0-	-0-
SCHOOL DEBT SERVICE	2,231,828	2,831,694
SCHOOL CONSTRUCTION FUND	6,000,000	6,000,000
GRAND TOTALS - ALL FUNDS	$ 56,949,749	60,628,998
LESS INTERFUND TRANSFERS	10,495,590	10,995,858

TOTAL EXPENDITURES	$ 46,454,159	49,633,140
FUND BALANCES - JUNE 30	14,289,546	14,629,293
TOTAL REQUIREMENTS	$ 60,743,705	64,262,433

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BE IT FURTHER RESOLVED that the following 1999 Tax Rates are adopted:

■ Real Estate	$ .74
■ Mobile Homes	.74
■ Mineral Lands	.74
■ Public Services	.74
■ Personal Property	4.90
■ Personal Property - Volunteers	.25
■ Machinery & Tools	3.30
■ Heavy Construction Equipment	3.30
■ Airplanes	.50

IN RE: COURTHOUSE ARCHITECT – CONTRACT AWARD

Mr. Long stated there were several items under contract awards. He stated Item Number 3 / the Trash Truck will not be before the Board this evening because they do not yet have a recommendation on that.

Mr. Long stated the first item under this was the Courthouse Architect. He continued that a list of architects which submitted proposals is as follows:

1. dBF Associates Architects
2. Paul Hardin Kapp, AIA Architect
3. Harnsberger & Associates, Architects
4. Wood Swofford & Associates Architects
5. Ballou Justice Upton Architects
6. John G. Lewis Jr., AIA Associated Architects
7. Wm Newman Architects
8. Hening-Vest-Covey Architectural Corporation
9. Boynton-Rothchild-Rowland Architects, PC
10. Wiley & Wilson
11. FPW Architects, PC
12. John Milner Associates, Inc.

Interviews were given to the following firms:

1. Harnsberger & Associates, Architects
2. Wood Swofford & Associates Architects
3. Wm Newman Architects
4. Wiley & Wilson
5. John Milner Associates, Inc.

Mr. Long continued following the interviews it was agreed he would contact Wood Swofford & Associates Architects, Mr. Don Swofford, and he was asking the Board for authorization to negotiate a contract with Wood Swofford & Associates for this work.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to negotiate a contract with Wood Swofford & Associates for architectural services regarding the old Dinwiddie County Courthouse.

IN RE: JAIL HVAC – CONTRACT AWARD

Mr. Long asked Mr. Donald W. Faison, Superintendent of Building and Grounds, to come forward and present the bid results for the Dinwiddie County Jail HVAC contract.

Mr. Faison came forward stating 14 bid packets had been mailed out on this proposed project but come bid day only 3 firms submitted bids. We received bids from the following:

1. Central York Corporation.....$84,500.00
2. Tune and Toller.....$87,600.00
3. Union Air Heating & Cooling Inc.....$95,945.00

Mr. Faison recommended that Administration be allowed to negotiate with the low bidder, Central York Corporation, to see if they can bring this price down by some changes and modifications to the bid.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Administration to negotiate with Central York Corporation for the Dinwiddie County Jail HVAC (addition of three (3) rooftop heating/cooling units) for a price not to exceed $84,500.00.

IN RE: STATE POLICE – PUMP AND HAUL – CONTRACT AWARD

Mr. Long stated they had received a letter from the Commonwealth of Virginia, Department of State Police regarding the necessity of a pump and haul permit for their facility under construction in Dinwiddie County. Included in the Board's packets was a copy of an application for pump and haul which needs to be approved by the State Department of Health. This is a permit for pump and haul for their new facility on State property which does not have public sewer services available nearby. In addition to not having public sewer services nearby the soil conditions are unsuitable for a septic tank/drain field according to the Health Department Sanitation Officer. They are requesting permission to pump and haul approximately 3,000 gallons twice a month until they can get onto the sewer system. The 3,000 gallon in ground tank will be installed with a full level alarm system.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to approve the Application for Pump and Haul regarding the Department of State Police's new facility located in Dinwiddie County as stated above.

IN RE: BOND ANTICIPATION NOTES – CHURCH ROAD WATER SYSTEM – MORAL OBLIGATION RESOLUTION

Mr. Long stated he was requesting a Resolution authorizing the execution of an agreement providing for a non-binding obligation of the County to consider certain appropriations to the Dinwiddie County Water Authority, and agreeing to certain matters related to the issuance and sale of revenue bonds of Dinwiddie County Water Authority to Virginia Resources Authority and approving interim financing for same.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Chairman of the Board to sign the following Resolution:

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT PROVIDING FOR A NON-BINDING OBLIGATION OF THE COUNTY TO CONSIDER CERTAIN APPROPRIATIONS TO THE DINWIDDIE COUNTY WATER AUTHORITY, AND AGREEING TO CERTAIN MATTERS RELATED TO THE ISSUANCE AND SALE OF REVENUE BONDS OF DINWIDDIE COUNTY WATER AUTHORITY TO VIRGINIA RESOURCES AUTHORITY AND APPROVING INTERIM FINANCING FOR SAME

WHEREAS, the Dinwiddie County Water Authority (the "Authority") has been duly created by the Board of Supervisors (the "Board of Supervisors") of Dinwiddie County, Virginia (the "County"), in accordance with the Virginia Water and Waste Authorities Act (Chapter 51, Title 15.2, Code of Virginia of 1950, as amended):

WHEREAS, the Authority desires to issue revenue bonds in an estimated maximum principal amount of $4,400,000, but not more than $5,000,000 (the "1999 Bonds"), the proceeds of which, together with other available funds, are expected to be sufficient to pay the costs of financing a new water system to be known as the "Church Road System", including, without limitation, the construction of water lines, a booster station and an elevated storage tank (the "Project");

WHEREAS, the Church Road System will be considered separate and apart from the Authority's main water and sewer system and its Courthouse area system;

WHEREAS, the Authority has applied to the Virginia Resources Authority ("VRA") for the purchase of the 1999 Bonds, and VRA has indicated that its agreement to purchase the 1999 Bonds will be conditioned upon the County's undertaking a non-binding obligation to appropriate from time to time moneys to the authority in connection with payments due on the 1999 Bonds;

WHEREAS, the Board of Supervisors desires to enter into a support agreement with the Authority setting forth the County's agreement to undertake such a non-binding obligation; and

WHEREAS, a draft of the Support Agreement has been presented to the Board of Supervisors at this meeting; and

WHEREAS, the Authority is intending to obtain interim financing for the Project by its issuance of a bond anticipation note or notes in order to permit the Authority to obtain private activity bond volume cap from the Commonwealth necessary for tax exempt financing; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA:

1. It is determined to be in the best interests of the County and its citizens for the Board of Supervisors to enter into the Support Agreement.

2. In consideration of the Authority's undertakings with respect to financing the Project, the Chairman or Vice-Chairman, either of whom may act, is hereby authorized and directed to execute and deliver the Support Agreement. The Support Agreement shall be in substantially the form presented to this meeting, which is hereby approved, with such completions, omissions, insertions or changes not inconsistent with this resolution as may be approved by the Chairman or Vice-Chairman, the execution thereof by the Chairman or Vice-Chairman to constitute conclusive evidence of her/his approval of such completions, omissions, insertions or changes.

3. The County Administrator is hereby authorized and directed to carry out the obligations imposed by the Support Agreement on the County Administrator.

4. As provided by the Support Agreement, the Board of Supervisors hereby undertakes a non-binding obligation to appropriate to the Authority such amounts as may be requested from time to time pursuant to the Support Agreement, to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia. The Board of Supervisors, while recognizing that it is not empowered to make any binding commitment to make such appropriations in future fiscal years, hereby state its intent to make such appropriations in future fiscal years, and hereby recommends that future Boards of Supervisors do likewise during the term of the Support Agreement.

5. The Board of Supervisors, on behalf of the County, hereby agrees to the issuance by the Authority of the 1999 Bonds, provided that the original aggregate principal amount of such 1999 Bonds to not exceed $5,000,000.

6. The Board of Supervisors, on behalf of the County, hereby agrees to the issuance of interim financing by the issuance by the Authority of its bond anticipation note or notes, taxable or tax exempt, provided that the original aggregate principal amount of such interim financing does not exceed $5,000,000, and further, hereby approves and authorizes a similar form of Support Agreement necessary to secure the interim financing by the Authority and the approvals, authorization and directions referred to in the before mentioned paragraphs shall apply to such Support Agreement for interim financing.

7. Approval and actions taken pursuant to this resolution shall be subject to final review and approval by the County Administrator and the County Attorney of the 1999 Bonds, the Support Agreement and related documents thereto.

8. All resolutions or parts thereof in conflict herewith are hereby repealed.

9. This resolution shall take effect immediately.

Signed by the Chairman, Board of Supervisors of Dinwiddie County, Virginia
Attested by the Clerk, Board of Supervisors of Dinwiddie County, Virginia

IN RE: DINWIDDIE ELEMENTARY SCHOOL – REIMBURSEMENT RESOLUTION

Mr. Long asked Mrs. Ralph to present these Resolutions.

Mrs. Ralph stated these are the Resolutions the Board usually does when the County anticipates doing any type of Bond Issue. Until we know exactly what the costs will be and get the Bond Issue done, many times local funds have to be expended first and this allows, the IRS allows the County, to pass a reimbursement resolution to make sure reimbursement occurs for all associated costs. Enclosed in the Board's packets were two (2) reimbursement resolutions. One for Dinwiddie Elementary School and one for the two (2) fire stations (Dinwiddie and McKenney).

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Chairman to execute the Reimbursement Resolution for Dinwiddie Elementary School as follows:

RESOLUTION OF THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA DECLARING ITS INTENTION TO REIMBURSE ITSELF OR THE SCHOOL BOARD, AS APPROPRIATE, FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES MADE AND/OR TO BE MADE IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION, RENOVATION AND EQUIPPING OF DINWIDDIE ELEMENTARY SCHOOL

WHEREAS, the County of Dinwiddie, Virginia **(the "issuer")** is a political subdivision organized and existing under the laws of the Commonwealth of Virginia; and

WHEREAS, the Issuer has paid, beginning no earlier than February 6, 1999 (60 days prior to the date hereof) and will pay, on and after the date hereof, certain expenditures **(the "Expenditures")** in connection with the acquisition, construction, renovation and equipping of Dinwiddie Elementary School, which include the addition of 8 classrooms, new dining space, new kitchen, new mechanical systems, renovation of existing kitchen and dining areas, construction of new media center, renovation to auditorium and other miscellaneous renovation and remodeling **(the "Project")**; and

WHEREAS, the Board of Supervisors of the Issuer **(the "Board")** has determined that those moneys previously advanced no more than 60 days prior to the date hereof and to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Issuer for the Expenditures from the proceeds of one or more issues of tax-exempt bonds **(the "Bonds");**

NOW, THEREFORE BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. The Board hereby declares, in accordance with U.S. Treasury Regulation Section 1.150-2, as amended from time to time, the Issuer's intent to reimburse the Issuer or the School Board, as appropriate, with the proceeds of the Bonds for the Expenditures with respect to the Project made on and after February 6, 1999, which date is no more than 60 days prior to the date hereof. The Issuer reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds.

Section 2. Each Expenditure was and will be either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditures), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Issuer so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Issuer.

Section 3. The maximum principal amount of the Bonds expected to be issued for the Project is $6,000,000.

Section 4. The Issuer will make a reimbursement allocation, which is a written allocation by the Issuer that evidences the Issuer's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Issuer recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 5. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED THIS 7th day of April, 1999.

IN RE: DINWIDDIE FIRE STATION AND McKENNEY FIRE STATION – REIMBURSEMENT RESOLUTION

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Chairman to execute the Reimbursement Resolution for two (2) fire stations as follows:

RESOLUTION OF THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA DECLARING ITS INTENTION TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES MADE AND/OR TO BE MADE IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION, RENOVATION AND EQUIPPING OF FIRE STATIONS

WHEREAS, the County of Dinwiddie, Virginia **(the "issuer")** is a political subdivision organized and existing under the laws of the Commonwealth of Virginia; and

WHEREAS, the Issuer has paid, beginning no earlier than February 6, 1999 (60 days prior to the date hereof) and will pay, on and after the date hereof, certain expenditures **(the "Expenditures")** in connection with the acquisition, construction and equipping of two (2) Fire Stations in the **(together, the "Project")**; and

WHEREAS, the Board of Supervisors of the Issuer **(the "Board")** has determined that those moneys previously advanced no more than 60 days prior to the date hereof and to be advanced on and after the date hereof to pay the

Expenditures are available only for a temporary period and it is necessary to reimburse the Issuer for the Expenditures from the proceeds of one or more issues of tax-exempt bonds **(the "Bonds");**

NOW, THEREFORE BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. The Board hereby declares, in accordance with U.S. Treasury Regulation Section 1.150-2, as amended from time to time, the Issuer's intent to reimburse the Issuer with the proceeds of the Bonds for the Expenditures with respect to the Project made on and after February 6, 1999, which date is no more than 60 days prior to the date hereof. The Issuer reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds.

Section 2. Each Expenditure was and will be either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditures), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Issuer so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Issuer.

Section 3. The maximum principal amount of the Bonds expected to be issued for the Project is $2,000,000.

Section 4. The Issuer will make a reimbursement allocation, which is a written allocation by the Issuer that evidences the Issuer's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Issuer recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 5. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED THIS 7th day of April, 1999.

IN RE: COUNTY ADMINISTRATOR COMMENTS – APPOINTMENT TO COURTHOUSE RENOVATION COMMITTEE

Mr. Long stated Mr. Moody had indicated, spoken to, and selected Mr. Joe Lyle to serve on the Courthouse Renovation Committee. Mr. Lyle would be the appointed representative from District Number 1.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Joe Lyle be appointed, a representative from District Number 1, for the Courthouse Renovation Committee.

IN RE: COUNTY ADMINISTRATOR COMMENTS – PROPERTY SALES AGREEMENT

Mr. Long stated he had a request for the Board to authorize the Chairman to sign a Property Sales Agreement for the Chappell property located on Route 1 just north of the Courthouse Complex, diagonally across from the current EMS facility, we are renting. This property contains 9.18 acres in the amount of $135,000.00. He asked the Chairman be authorized to enter into the agreement and asked that funds be appropriated from the Capital Project Fund which will be reimbursed through the Bond Issue. This property would be used for a fire station.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Chairman to enter into a Property Sales Agreement for the Chappell property containing approximately 9.18 acres for the purchase price of One Hundred Thirty Five Thousand Dollars and No Cents ($135,000.00) with funds being appropriated from the Capital Project Fund. Said funds will be reimbursed through the Bond Issue.

IN RE: COUNTY ADMINISTRATOR COMMENTS – CLAIM – REFURBISH AND RECHASSIS COSTS

Mr. Long stated he had a request which came in late because originally, he believed this would come to the day meeting, but it is regarding the refurbishing and rechassis of one of the County rescue vehicles. This vehicle will be ready for pickup on April 20th which is the day before our next meeting. He asked the Board to authorize the appropriation of the balance due of $41,885.00 which is required at the time of pickup. These funds will come from Capital Improvement Funds.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claim is approved and funds appropriated for same using check numbered 1014814; for

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Accounts Payable:

(101) General Fund	$ -
(103) Jail Commission	$ -
(104) Marketing Fund	$ -
(222) E911 Fund	$ -
(223) Self Insurance Fund	$ -
(225) Courthouse Maintenance	$ -
(226) Law Library	$ -
(228) Fire Programs & EMS	$ -
(229) Forfeited Asset Sharing	$ -
(304) CDBG Grant Fund	$ -
(305) Capital Projects Fund	$ 41,885.00
(401)County Debt Service	$
TOTAL	**$ 41,885.00**

IN RE: COUNTY ADMINISTRATOR COMMENTS -- LETTERS OF COMMENDATION FOR DAVID M. JOLLY – PUBLIC SAFETY OFFICER

Mr. Long stated the County had received two (2) letters with reference to the outstanding job provided by Mr. David M. Jolly on March 3, 1999. These letters were from the Department of State Police and the Department of Emergency Services. Mr. Long stated again he knew Mr. Jolly would state it was a lot of good volunteers.

Mr. Jolly concurred with Mr. Long's statement.

Mr. Bracey stated he hoped when letters of this type are received both for the good and the bad that copies are being placed in the employee's permanent files.

It was reported this practice was in place and had been for some time.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody – He again spoke regarding the conditional use permit and made comments regarding his change of vote. He read a section from the Planning Commission minutes regarding this matter.

Mr. Haraway – no comments

Mr. Clay – He voiced concern regarding floating Bond Issues and the debt service stating the County may need to slow up.

Mr. Bracey – no comments

Mrs. Everett – She reported the Board and Administration Staff attended an open house at the Rohoic Woods Townhouses this after noon.

She reported the ground breaking for the WAC Museum at Fort Lee would take place at 2:00 P.M. on Friday, April 9, 1999.

She reminded the Board of the Crime Solvers Dinner at Fort Lee on Thursday, April 15, 1999.

Mr. Bracey – He stated he forgot to report that last Saturday April 3, 1999 he attended the open house at the Wellness Center at AME Zion Church. He stated he felt they would be ready to accept clients within the next few months.

RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 9:06 P.M.

LeeNora V. Everett
Chairman, Board of Supervisors

ATTEST:
R. Martin Long
County Administrator

/pam

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 21ST DAY OF APRIL, 1999, AT 2:00 P.M.

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

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

Mrs. Everett called the regular meeting to order at 2:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: MOMENT OF SILENCE

Mrs. Everett asked for a moment of silence for L. Bolling Chappell and the tragedy in Littleton, Colorado..

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Everett asked if there were any amendments to the Agenda. There being none Mrs. Everett moved forward.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the March 31, 1999 Continuation Meeting; the April 7, 1999 Continuation Meeting; and the April 7, 1999 Regular Meeting are approved in their entirety.

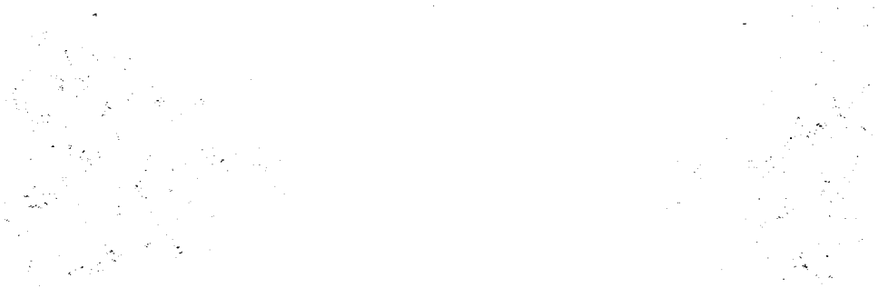
IN RE: CLAIMS

Upon motion of Mr. Haraway, seconded by Mr. Moody, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 1014815 through 1014989 (void check(s) numbered 1014815, 1014986,1013898 and 1014083); for

Accounts Payable:

(101) General Fund	$ 232,708.90
(103) Jail Commission	$ -0-
(104) Marketing Fund	$ -0-
(222) E911 Fund	$ 2,019.03
(223) Self Insurance Fund	$ -0-
(225) Courthouse Maintenance	$ -0-
(226) Law Library	$ -0-
(228) Fire Programs & EMS	$ -0-
(229) Forfeited Asset Sharing	$ 79.45



(304) CDBG Grant Fund	$ 2,854.90
(305) Capital Projects Fund	$ 37,476.98
(401)County Debt Service	$ 61,816.22
TOTAL	**$ 336,955.48**

IN RE: APPROVAL REQUISITION #44 (IDA98A-#9) – SCHOOL CONSTRUCTION

Mrs. Ralph stated the following invoices are included in Requisition Number 43:

AMTEK COMPANY	$57,162.26
TRI CITY OFFICE PRODUCTS	3,578.40
GLIDES & CASTERS, INC.	363.17
MILLER FURNITUE CO., INC.	2,026.69
SANDS ANDERSON MARKS & MILLER	1,294.87
TOTAL OF THIS REQUISITION	$64,425.39

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 44 (IDA98A - #9) in the amount of $64,425.39 be approved and funds appropriated for CIP expenses for the School Project Fund.

IN RE: APPROVAL OF PAYMENT REQUEST – DINWIDDIE ELEMENTARY #3

Mrs. Ralph stated the following invoice is included in Payment Request - Dinwiddie Elementary #3:

BALLOU, JUSICE & UPTON	$26,281.02
TOTAL FOR THIS PAYMENT REQUEST	$26,281.02

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Payment Request - Dinwiddie Elementary Number 3 in the amount of $26,281.02 be approved and with all funds advanced being reimbursed from the bond proceeds from the Dinwiddie Elementary project.

IN RE: CITIZEN COMMENTS

Mrs. Everett asked if there were any citizens who had signed up to speak.

There being no names signed up Mrs. Everett closed the Public Comments and moved forward.

IN RE: CRATER REGIONAL MICROENTERPRISE LOAN PROGRAM – RESOLUTION

Mr. Jim McClure, Crater Development Company, has provided information to explain the Crater Regional Microenterprise Loan Program which states Dinwiddie County is acting as the lead applicant to apply for a Community Improvement Grant (CIG) from the Virginia Department of Housing and Community Development. CIG funds will be used to establish a Microenterprise

Loan Fund to assist small businesses in the participating jurisdictions to include Dinwiddie, Greensville, Prince George, Surry, and Sussex Counties, and the City of Emporia. The fund is to be administered by the Crater Development Company and technical assistance will be provided by the Crater Small Business Development Center of Longwood College. Eligible small businesses must have five (5) or fewer employees, the owners of the business or the employees must meet LMI household income limits, and the maximum loan amount can not exceed $25,000.00. The total program will be $230,000.00. The CIG grant will provide $130,000.00, and the Crater Development Company will provide a $100,000.00 match. The budget will be $197,500.00 for the microenterprise pool, $2,500.00 for administration of the CIG grant, and $30,000.00 for special technical assistance for loan recipients.

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

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

WHEREAS, Dinwiddie County wishes to be a participating jurisdiction in this regional Microenterprise Loan Program; and

WHEREAS, Dinwiddie County has held two (2) public hearings concerning the FY 1999 Community Improvement Grant Program; and

WHEREAS, Dinwiddie County will be the lead applicant for a regional proposal to establish a regional Microenterprise Loan Program; and

WHEREAS, the Crater Development Company with the assistance of the Crater Small Business Development Center of Longwood College will implement the Crater Regional Microenterprise Loan Program which is estimated to assist twenty (20) microbusinesses.

NOW, THEREFORE BE IT RESOLVED, that Dinwiddie County wishes to apply as a participating jurisdiction for $130,000 of Community Development Block Grant funds for the Crater Regional Microenterprise Loan Program, which will include a $100,000 match to be provided by the Crater Development Company.

BE IT FURTHER RESOLVED that the Administrator for the County of Dinwiddie, Virginia and/or the Chairman of the Board of Supervisors of Dinwiddie County, Virginia is hereby authorized to sign and submit the appropriate documents for submittal of this Virginia Community Development Block Grant application.

IN RE: DEPARTMENT OF TRANSPORTATION – REPORT

Mr. Ronald Reekes, Resident Engineer for the Virginia Department of Transportation, came forward to present his monthly report.

Mr. Reekes asked the Board if they would like to have a ceremony officially opening the new Chaparral Access Road.

After discussion it was decided there would be a ribbon cutting ceremony officially opening the new Chaparral Access Road, Hofheimer Way, on May 4, 1999 at 11:00 P.M.

There was discussion on Walker's Mill Road; Route 619; Boisseau Road; Old Vaughan Road; Glebe Road; Duncan Road; Wheaton Road; Halifax Road; Rohoic Farms; and Driver Road.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

IN RE: TREASURER – REPORT

Mr. William E. Jones, Treasurer, was not present.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, was not present at this time.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel H. Shands came forward to present his monthly report on jail occupancy

IN RE: SHERIFF'S DEPARTMENT – ELECTRONIC DOOR BIDS

Sheriff Shands stated he would like to add to his report a request for electronic doors. He had received two (2) bids with the lowest being $360.00 from Buckley. The other bid was from Dixie Lock & Key at $405.00 or $495.00.

Mr. Long stated he had obtained a third bid but did not receive a written confirmation but the low bid the Sheriff had was the lowest.

Sheriff Shands stated his recommendation was to accept the low bid of $360.00 from Buckley.

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

BE IT RESOVLED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is grant for the Sheriff to accept the low bid of $360.00 from Buckley for the electronic doors with the combination lock for the communications center at the Sheriff's Office with funds being appropriated from the Sheriff's budget.

IN RE: SHERIFF'S OFFICE – MARKING OF PATROL VEHICLES

Sheriff Shands continued by reporting on the on going discussion regarding marking of the Sheriff's vehicles. He stated the lowest price he has found is from Hollywood Signs at a cost of $375.00 per vehicle which would be a pressed on decal.

Mr. Bracey asked Sheriff Shands if he had obtained a bid from Hopewell. He understood Prince George was getting it done by Hopewell for about $225.00 per vehicle.

Mrs. Everett asked when the new cars would be coming in.

Sheriff Shands stated he was not quite sure. He asked if she meant the 99's and if she did they had all but one or two.

Mr. Long asked that marking of the vehicles be included in the price of all new cars coming in.

Mr. Bracey asked if Mr. Long was asking the price of marking the vehicle be included in the vehicle price. He stated he was not a tight wad however anytime you do something to a vehicle it is three times the cost of what is on the open market.

There was discussion regarding this between Mr. Bracey, Mrs. Everett and Mr. Long.

Mrs. Everett expressed she did not feel the Sheriff should announce bids and then go out and obtain additional bids.

The Sheriff stated this was not an official bid but was obtained for informational purposes only. He further stated he would check with Hopewell and report back to the Board.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, came forward.

Mrs. Everett stated it was good to see him back.

Mr. Rainey stated it was really good to be back. He continued that he did not have anything to report other than to present the second quarter collections report for Circuit Court and General District Court fines.

IN RE: SHERIFF'S OFFICE -- REPORT

Mr. Bracey asked about the work release program. Mr. Bracey asked if he wanted to get a person to work for him how he would go about it.

Sheriff Shands stated it must be authorized by the Court.

IN RE: BOARD MEMBER COMMENTS

Mr. Bracey asked the Commissioner of the Revenue respond to his inquiry regarding admission tax and do we collect on something like the circus that is currently at the Virginia Motorsports Park.

Mrs. Ralph stated Mrs. Marston told her she would be going down to do that tonight when the circus closes.

Mr. Long stated he would receive verification on that and report back to Mr. Bracey.

Mrs. Ralph stated Mrs. Marston had requested permission to use the County van in order to do this visit.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector, was not present at this time because they were performing an inspection at the circus.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward to present his report for the month of March 1999. Mr. Beville reported the confinement period was going well and as the Board could see from his report there has been an increase in the number of dogs picked up. Advertisements are continuing to run in the Dinwiddie Monitor telling people of this action.

IN RE: A-99-2 – AMENDMENT TO COUNTY ZONING ORDINANCE FEE SCHEDULE

A Public Hearing was held on April 7, 1999, being the time and place as advertised in the Dinwiddie Monitor on March 24, 1999 and March 31, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct said Public Hearing on an amendment to the zoning fees contained in section 22-23(b) - rezoning, 22-23 (c) - conditional use permit; section 22-41 - variance and add section 22-5 (5) zoning amendment fees to the ordinance.

Mr. William C. Scheid, Director of Planning, came forward stating the Planning Commission and Board of Supervisors, had been told by staff about the rising costs associated with processing applications for amendments, rezonings, conditional use permits and variances under the zoning procedures. With this in mind, staff prepared an amendment to the Zoning Code which would increase the fees as follows:

1. Amendments from $150 to $275
2. Conditional Use Permits from $100 to $275
3. Rezonings from $150 to $275
4. Variances from $100 to $125

There have been adequate discussions establishing that such fees are necessary to keep pace with the increased costs associated with the above. The Planning Commission received this matter at their March 10th meeting, and with one change - raising the variance fee to $175 - they voted 7-0 to recommend approval to the Board of Supervisors

As per the suggestion from legal counsel the Board opted to wait until this meeting to adopt the above Ordinance in order to meet the waiting period requirements regarding fees/taxes.

Mr. Scheid pointed out the increase from $125.00 to $175.00 for the variance fee.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the following Amendments to the Zoning Ordinance are hereby adopted:

The amendment to the Zoning Ordinance would be as follows:

Amend section 22-5, amendments to chapter, by adding the following paragraph:

(5) **Each application for amendment shall be accompanied by a check or money order made payable to the Treasurer, Dinwiddie County, in the sum of two hundred seventy five dollars ($275.00), two hundred dollars ($200.00) of which shall be used to pay the expenses of advertising and mailing notices. If actual expenses associated with the amendment exceed two hundred dollars ($200.00), the applicant shall be billed for the difference. Seventy-five dollars ($75.00) shall be retained by the county as fee for processing the application for amendment.**

Amend section 22-23, applications for rezoning and conditional use permits, by deleting paragraphs (b) and (c) and in its stead insert the following:

(b) Fees; use described. Each application for rezoning shall be accompanied by a check or money order made payable to the

Treasurer, Dinwiddie County, in the sum of two hundred seventy five dollars ($275.00), two hundred dollars ($200.00) of which shall be used to pay the expenses of advertising and mailing notices. If actual expenses associated with the rezoning exceed two hundred dollars ($200.00), the applicant shall be billed for the difference. Seventy-five dollars ($75.00) shall be retained by the county as fee for processing the application for rezoning.

(c) Fees for conditional use permit. Each application submitted for a conditional use permit shall be accompanied by a check or money order made payable to the Treasurer, Dinwiddie County, in the amount of two hundred seventy five dollars ($275.00), two hundred dollars ($200.00) of which shall be used to pay the expenses of advertising and mailing notices. If actual expenses associated with the conditional use permit exceed two hundred dollars ($200.00), the applicant shall be billed for the difference. Seventy-five dollars ($75.00) shall be retained by the county as fee for processing the application.

Amend section 22-41, grant of variance, by deleting paragraph (f) and in its stead insert the following:

(f) **An application for variance shall be obtained from the zoning administrator. Each application for variance shall be accompanied by a check or money order made payable to the Treasurer, Dinwiddie County, in the amount of one hundred seventy-five dollars ($175.00), one hundred dollars ($100.00) of which shall be used to pay the expenses of advertising and mailing notices. If actual expenses associated with the variance exceed one hundred dollars ($100.00), the applicant shall be billed for the difference. Seventy-five dollars ($75.00) shall be retained by the county as fee for processing the application.**

In all other respects, this ordinance shall remain in full force and effect. This ordinance shall become effective, this date, April 21, 1999.

IN RE: A-99-3 – AMENDMENT TO THE EROSION AND SEDIMENTATION CONTROL ORDINANCE

A Public Hearing was held on April 7, 1999, being the time and place as advertised in the Dinwiddie Monitor on March 24, 1999 and March 31, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct said Public Hearing on an amendment to the Code of Dinwiddie County by deleting Chapter 8, Erosion and Sedimentation Control, and adopting a revised Chapter 9, Erosion and Sedimentation Control.

Mr. Scheid stated the Erosion and Sedimentation Control Ordinance was adopted by Dinwiddie County in the late 1970's. Many changes in State Code requirements have occurred since then. The Department of Conservation and Recreation, the state agency responsible for overseeing this program, has noted that the County's ordinance needed updating. Their office assisted him in reviewing the County's ordinance so that it meets State standards. Our attorneys have reviewed the document and found it proper with the following changes:

1. Page 8 - Section 9-5, A. has a correction - add the following words or to the Director of Planning
2. Page 9 - Section 9-6, B. delete and the Dinwiddie County Planning Department

As per the suggestion from legal counsel the Board opted to wait until this meeting to adopt the above Ordinance in order to meet the waiting period requirements regarding fees/taxes.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that the following Amendments to Chapter 9, Erosion and Sedimentation Control is hereby adopted:

COUNTY
OF

DINWIDDIE
EROSION AND SEDIMENTATION CONTROL ORDINANCE

CHAPTER 9

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SECTION 9-1. TITLE.

This ordinance shall be known as the "Erosion and Sediment Control Ordinance of Dinwiddie County." The purpose of this chapter is to conserve the land, water, air and other natural resources of Dinwiddie County by establishing procedures whereby these requirements shall be administered and enforced.

SECTION 9-2. AUTHORITY FOR CHAPTER.

This Chapter is authorized by the Code of Virginia, Title 10.1, Conservation, Soil and Water Conservation Chapter 5, Article 4, Erosion and Sedimentation Control Law (10.1-560 et seq.), known as the Erosion and Sediment Control Law.

SECTION 9-3. DEFINITIONS

As used in this ordinance, unless the context requires a different meaning:

Agreement in lieu of a plan: A contract between the plan-approving authority and the owner which specifies conservation measures which must be implemented in the construction of a single-family residence; this contract may be executed by the plan-approving authority or its designee in lieu of a formal site plan.

Applicant: Any person submitting an erosion and sediment control plan for approval or requesting the issuance of a permit, when required, authorizing land-disturbing activities to commence.

Board: The Virginia Soil and Water Conservation Board.

Certified Inspector: An employee or agent of a program authority who (i) holds a certificate of competence from the Board in the area of project inspection or (ii) is enrolled in the Board's training program for project inspection and successfully completes such program within one year after enrollment.

Certified Plan Reviewer: An employee or agent of a program authority who (i) holds a certificate of competence from the Board in the area of plan review, (ii) is enrolled in the Board's training program for plan review and successfully completes such program within one year after enrollment, or (iii) is licensed as a professional engineer, architect, certified landscape architect or land surveyor pursuant to Article 1 (54.1-400 et seq.) of Chapter 4 of Title 54.1.

Certified Program Administrator: An employee or agent of a program authority who (i) holds a certificate of competence from the Board in the area of program administration or (ii) is enrolled in the Board's training program for program administration and successfully completes such program within one year after enrollment.

Clearing: Any activity which removes the vegetative ground cover including, but not limited to, root mat removal or top soil removal.

Conservation Plan Erosion and Sediment Control Plan or "Plan": A document containing material for the conservation of soil and water resources of a unit or group of units of land. It may include appropriate maps, an appropriate soil and water plan inventory, and management information with needed interpretations and a record of decisions contributing to conservation treatment. The plan shall contain all major conservation decisions to assure that the entire unit or units of land will be so treated to achieve the conservation objectives.

County: The County of Dinwiddie.

Department: The Department of Conservation and Recreation.

Director: The director of the Department.

District or "Soil and Water Conservation District": A political subdivision of the Commonwealth organized in accordance with the provisions of Article 3

(Sec. 10.1-506 et. seq.) of Chapter 5 of Title 10.1. The County of Dinwiddie is served by the Appomattox River Soil & Water Conservation District.

Erosion Impact Area: An area of land not associated with current land-disturbing activity but subject to persistent soil erosion resulting in the delivery of sediment onto neighboring properties or into state waters. This definition shall not apply to any lot or parcel of land of 10,000 square feet or less used for residential purposes or to shorelines where the erosion results from wave action or other coastal processes.

Excavating: Any digging, scooping or other methods of removing earth materials.

Filling: Any depositing or stockpiling of earth materials.

Grading: Any excavating of or filling with earth materials.

Land-Disturbing Activity: Any land change which may result in soil erosion from water or wind and the movement of sediments into State waters or onto lands in the State, including, but not limited to, clearing, grading, excavating, transporting and filling of land, except that the term shall not include:

1. Minor land-disturbing activities such as home gardens and individual home landscaping, repairs and maintenance work;

2. Individual service connections;

3. Installation, maintenance, or repairs of any underground public utility lines when such activity occurs on an existing hard surfaced road, street or sidewalk provided such land-disturbing activity is confined to the area of the road, street or sidewalk which is hard-surfaced;

4. Septic tank lines or drainage fields unless included in an overall plan for land-disturbing activity relating to construction of the building to be served by the septic tank system;

5. Surface or deep mining;

6. Exploration or drilling for oil and gas including the well site, roads, feeder lines, and off-site disposal areas;

7. Tilling, planting, or harvesting of agricultural, horticultural, or forest crops, or livestock feedlot operations; including engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage and land irrigation; however, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11 (10.1-1100 et seq. of the Code of Virginia or is converted to bona fide agricultural or improved pasture use as described in subsections B of 10.1-1163);

8. Agricultural engineering operations including but not limited

to the construction of terraces, terrace outlets, check dams, de-silting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage and land irrigation;

9. Repair or rebuilding of the tracks, right-of-way, bridges, communication facilities of a railroad company;

10. Disturbed land areas of less than ten thousand (10,000) square feet.

11. Installation of fence and sign posts or telephone and electric poles and other kinds of posts or poles;

12. Shore erosion control projects on tidal waters when the projects are approved by local wetlands boards, the Marine Resources Commission or the U. S. Army Corps of Engineers;

13. Emergency work to protect life, limb or property, and emergency repairs; provided that if the land-disturbing activity would have required an approved erosion and sediment control plan if the activity were not an emergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirements of the certified plans reviewer.

Land Disturbing Permit: A permit issued by the County of Dinwiddie for the clearing, filling, excavating, grading, transferring or any combination thereof or for any purpose set forth herein.

Local Erosion and Sediment Control Program: An outline or explanation of the various elements or methods employed by the County of Dinwiddie to regulate land disturbing activities and thereby minimize erosion and sedimentation in compliance with the State program and may include such items as a local ordinance, policies and guidelines, technical materials, inspection, enforcement and evaluation.

Owner: The owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other person, firm or corporation in control of a property.

Permittee: The person to whom the permit authorizing land-disturbing activities is issued or the person who certifies that the approved erosion and sediment control plan will be followed.

Person: Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, county, city, town or other political subdivision of the commonwealth, any interstate body, or any other legal entity.

Plan Approving Authority: The Certified Plan Reviewer responsible for determining the adequacy of a conservation plan submitted for land-disturbing activities on a unit or units of land and for approving plans.

Program Authority: The County of Dinwiddie which has adopted the soil erosion and sediment control program which has been approved by the Board.

Single-Family Residence: A noncommercial dwelling that is occupied exclusively by one family and not part of a residential subdivision development.

Stabilized: An area that can be expected to withstand normal exposure to atmospheric conditions without incurring erosion damage.

State Erosion and Sediment Control Program or State Program: The program administered by the Virginia Soil and Water Conservation Board pursuant to the State Code including regulations designed to minimize erosion and sedimentation.

State Waters: All waters on the surface and under the ground wholly or partially within or bordering the Commonwealth or within its jurisdictions.

Town: An incorporated town.

Transporting: Any moving of earth materials from one place to another place other than such movement incidental to grading, when such movement results in destroying the vegetation ground cover either by tracking or the buildup of earth materials to the extent that erosion and sedimentation will result from the soil or earth materials over which such transporting occurs.

SECTION 9-4. EROSION AND SEDIMENT CONTROL PROGRAM

A. The County of Dinwiddie hereby adopts the regulations promulgated by the Virginia Soil and Water Conservation Board pursuant to Section 10.1-562 of the Code of Virginia for the effective control of soil erosion, sediment deposition and nonagricultural runoff to prevent the unreasonable degradation of properties, stream channels, waters and other natural resources. The Virginia Erosion and Sediment Control Regulations, The Virginia Erosion and Sediment Control Handbook , Third Edition, 1992,as amended periodically, are adopted as the standards, reference and guidelines for the County of Dinwiddie. The standards contained within these publications are to be used by the applicant when making a submittal under the provisions of this ordinance and in the preparation of an erosion and sediment control plan. The plan approving authority, in considering the adequacy of a submitted plan, shall be guided by the same standards, regulations, and guidelines. When the standards vary between the publications, the State regulation's shall take precedence.

B. The County of Dinwiddie designates the Certified Plan Reviewer as the plan approving authority.

C. Pursuant to Section 10.1-561.1 of the Code of Virginia , (i) an erosion control plan shall not be approved until it is reviewed by a certified plan reviewer, (ii) inspections of land-disturbing activities shall be conducted by a certified inspector and; (iii) the Erosion Control Program of Dinwiddie County shall contain a certified program administrator, a certified plan reviewer, and a certified inspector, who may be the same person.

D. The program and regulations provided for in this ordinance shall be made available for public inspection at the office of the Planning Department of Dinwiddie County.

SECTION 9-5. REGULATED LAND-DISTURBING ACTIVITIES; SUBMISSION AND APPROVAL OF PLANS

A. Except as provided herein, no person shall engage in any land-disturbing activity until he has submitted to the Director of Planning for Dinwiddie County an erosion and sediment control plan for land-disturbing activity and such plan has been approved by the plan approving authority. The plan shall be drawn to scale of not less than one hundred (100) feet to one (1) inch and shall detail those methods and techniques to be utilized in the control of erosion and sedimentation and, as a minimum, the plan shall comply with the

state criteria, standard and specifications found in the Virginia Erosion and Sediment Control Handbook , as referenced in Section 9-4A of this Chapter. A minimum of four (4) copies of the erosion and sediment control plan shall be submitted to the Administrator or to the Director of Planning. Where land-disturbing activities involve lands under the jurisdiction of more than one local control program, an erosion and sediment control plan, at the option of the applicant, may be submitted to the Board for review and approval rather than to each jurisdiction concerned. Where the land disturbing activity results from the construction of a single-family residence, an agreement in lieu of a plan may be substituted for an erosion and sediment control plan if executed by the County of Dinwiddie.

B. The plan approving authority shall, within 45 days, approve any such plan, if he determines that the plan meets the requirements of the Board's regulations, and if the person responsible for carrying out the plan certifies that he will properly perform the erosion and sediment control measures included in the plan and will conform to the provisions of this ordinance.

C. The plan shall be acted upon within 45 days from receipt thereof by either approving said plan in writing or by disapproving said plan in writing and giving specific reasons for its disapproval. When a plan is determined to be inadequate, the plan approving authority shall specify such modifications, terms and conditions that will permit approval of the plan. If no action is taken within 45 days, the plan shall be deemed approved and the person authorized to proceed with the proposed activity.

D. An approved plan may be changed by the plan approving authority when:

1. The inspection reveals that the plan is inadequate to satisfy applicable regulations; or

2. The person responsible for carrying out the plan finds that because of changed circumstances or for other reasons the approved plan cannot be effectively carried out, and proposed amendments to the plan, consistent with the requirements of this ordinance, are agreed to by the plan approving authority and the person responsible for carrying out the plan.

E. In order to prevent further erosion, the County of Dinwiddie may require approval of a conservation plan for any land identified in the local program as an erosion impact area.

F. When a land-disturbing activity will be required of a contractor performing construction work pursuant to a construction contract, the preparation, submission, and approval of an erosion and sediment control plan shall be the responsibility of the owner.

G. State agency projects are exempt from the provisions of this Ordinance, pursuant to section 10.1-564 of the Code of Virginia.

SECTION 9-6. LAND-DISTURBING PERMITS; FEES; BONDING; ETC.

A. No person shall engage in any land-disturbing activity until he has acquired a land-disturbing permit, unless the proposed land-disturbing activity is specifically exempt from the provisions of this ordinance, and has paid the fees and posted the required bond.

B. Fees: A plan review and inspection fee of $100.00 plus $5.00 per acre shall be paid by check or money order made payable to the Treasurer, Dinwiddie County at the time of filing erosion and sediment control plans.

C. No land disturbing permit shall be issued until the applicant submits with his application an approved erosion and sediment control plan and certification that the plan will be followed. An approved plan is required for issuance of grading, building or other permits.

D. Bond: All applicants for permits shall provide to the County of Dinwiddie a performance bond, cash escrow, or an irrevocable letter of credit acceptable to the Program Administrator, to ensure that measures could be taken by the County of Dinwiddie at the applicant's expense should the applicant fail within the time specified to initiate or maintain appropriate conservation measures required of him as a result of his land disturbing activity. Should it be necessary for the County of Dinwiddie to take such conservation action, the County of Dinwiddie may collect from the applicant any costs in excess of the amount of the surety held. The amount of the bond or other security for performance shall not exceed the total of the estimated cost to initiate and maintain appropriate conservation action based on unit price for new public or private sector construction in Dinwiddie County with a reasonable allowance for estimated administrative cost and inflation which shall not exceed twenty-five (25) percent of the estimated cost of the conservation action.

Within sixty (60) days of the achievement of adequate stabilization of the land disturbing activity in any project or sections thereof, as determined by the Program Administrator, the bond, cash escrow or letter of credit, or the unexpended or unobligated portion thereof shall be either refunded to the applicant or terminated based upon the percentage of stabilization accomplished in the project or section thereof.

These requirements are in addition to all other provisions relating to the issuance of permits and are not intended to otherwise affect the requirements for such permits.

SECTION 9-7. MONITORING, REPORTS, AND INSPECTIONS

A. The Certified Inspector shall provide for and/or conduct periodic inspections of the land-disturbing activity, and may require monitoring and reports from the person responsible for carrying out the plan, to insure compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation. The owner, permittee or person responsible for carrying out the plan shall be given notice of the inspection.

If the Certified Inspector determines that there is a failure to comply with the plan, notice shall be served upon the permittee or person responsible for carrying out the plan by registered or certified mail to the address specified in the permit application or in the plan certification, or by delivery at the site of the land-disturbing activities to the agent or employee supervising such activities.

The notice shall specify the measures needed to comply with the plan and shall specify the time within which such measures shall be completed. Upon failure to comply within the specified time, the permit may be revoked and the permittee or person responsible for carrying out the plan shall be deemed to be in violation of this ordinance and, upon conviction shall be subject to the penalties provided by the ordinance.

B. Upon receipt of a sworn complaint of a violation of this ordinance, the Program Administrator or his designee, either may, in conjunction with or

subsequent to a notice to comply as specified in this ordinance, issue a stop work order requiring that all or part of the land-disturbing activities permitted on the site be stopped until the specified corrective measures have been taken or, if land-disturbing activities have commenced without an approved plan require that all of the land-disturbing activities be stopped until an approved plan or any required permits are obtained.

Where an alleged noncompliance is caused or is in imminent danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the Commonwealth, or where the land-disturbing activities have commenced without an approved plan or any required permits, a stop work order may be issued whether or not the alleged violator has been issued a notice to comply. Otherwise, such a stop work order may be issued only after the alleged violator has failed to comply with a notice to comply. The stop work order shall be served in the same manner as a notice to comply, and shall remain in effect for seven days from the date of service pending application by the enforcing authority or alleged violator for appropriate relief to the Circuit Court of Dinwiddie County.

If the alleged violator has not obtained an approved plan or any required permits within seven days from the date of service of the order, the Administrator, or his designee, may issue an order to the owner requiring that all construction and other work on the site, other than corrective measures, be stopped until an approved plan and any required permits have been obtained.

A stop work order shall be served upon the owner by registered or certified mail to the address specified in the permit application or the land records of the County of Dinwiddie. The owner may appeal the issuance of an order to the Circuit Court of the County of Dinwiddie.

Any person violating or failing, neglecting or refusing to obey an order issued by the Administrator or his designee may be compelled in a proceeding instituted in the Circuit Court of the County of Dinwiddie to obey same and to comply therewith by injunction, mandamus or other appropriate remedy.

Upon completion and approval of corrective action or obtaining an approved plan or any required permits, the order shall immediately be lifted.

Nothing in this section shall prevent the Administrator or his designee from taking any other action authorized by this ordinance.

SECTION 9-8. PENALTIES, INJUNCTIONS, AND OTHER LEGAL ACTIONS

A. Violators of this ordinance shall be guilty of a Class 1 misdemeanor.

B. Any person who violates any provision of this ordinance shall upon a finding of the District Court of the County of Dinwiddie, be assessed a civil penalty. In any civil trial for a violation of this ordinance, the County of Dinwiddie shall have the burden of showing, by the preponderance of the evidence the liability of the violator. The civil penalty for any one violation shall be $100, except that the civil penalty for commencement of land-disturbing activities without an approved plan shall be $1,000. Each day during which the violation is found to have existed shall constitute a separate offense.

In no event shall a series of specified violations arising from the same operative set of facts result in civil penalties which exceed a total of $3,000, except that a series of violations arising from the commencement of land disturbing activities without an approved plan for any site shall not result in civil penalties which exceed a total of $10,000.

An admission or finding of civil liability shall not be a criminal conviction for any purpose.

The assessment of civil penalties according to this schedule shall be in lieu of criminal sanctions and shall preclude the prosecution of such violation as a misdemeanor under subsection A of this section.

C. The Administrator, or his designee or the owner of property which has sustained damage or which is in imminent danger of being damaged may apply to the Circuit Court of the County of Dinwiddie to enjoin a violation or a threatened violation of this ordinance, without the necessity of showing that an adequate remedy at law does not exist; however, an owner of property shall not apply for injunctive relief unless (i) he has notified in writing the person who has violated the local program, and the program authority, that a violation of the local program has caused, or creates a probability of causing, damage to his property, and (ii) neither the person who has violated the local program nor the program authority has taken corrective action within fifteen days to eliminate the conditions which have caused, or create the probability of causing damage to his property.

D. In addition to any criminal or civil penalties provided under this ordinance, any person who violates any provision of this ordinance may be liable to the County of Dinwiddie in a civil action for damages.

E. Without limiting the remedies which may be obtained in this section, any person violating or failing, neglecting, or refusing to obey any injunction, mandamus, or other remedy obtained pursuant to this section, shall be subject, in the discretion of the court, to a civil penalty not to exceed $2,000 for each violation. A civil action for such violation or failure may be brought by the County of Dinwiddie.

F. Any civil penalties assessed by a court shall be paid into the treasury of the County of Dinwiddie, except that where the violator is Dinwiddie County, itself or its agent, the court shall direct the penalty to be paid into the State Treasury.

G. With the content of any person who has violated or failed, neglected or refused to obey any regulation or condition of a permit or any provision of this ordinance, the County of Dinwiddie may provide for the payment of civil charges in violation in specific sums set forth in Paragraph J, not to exceed the limit specified in Paragraph E of this section. Such civil charges shall be instead of any appropriate civil penalty which could be imposed under Paragraphs B or E of this section.

H. The Commonwealth's Attorney shall, upon request of the County of Dinwiddie or the permit issuing authority, take legal action to enforce the provisions of this ordinance.

I. Compliance with the provisions of this ordinance shall be prima facie evidence in any legal or equitable proceeding for damages caused by erosion, siltation or sedimentation that all requirements of law have been met, and the complaining party must show negligence in order to recover any damages.

J. The following charges shall apply for violation of specific minimum standards (MS) set forth in the State Code:

Land Disturbing(without a permit) .....100.00 per day
MS-01...Permanent seeding req'd .....100.00 per day
MS-02...Stabilize stock piles .....100.00 per day
MS-03...Vegetation established.....100.00 per day
MS-04...Sediment basin/traps .....100.00 per day

MS-05...Stabilization of dams, etc. .....100.00 per day
MS-06...Basin required over 3 acres .....100.00 per day
MS-07...Slope stabilization .....100.00 per day
MS-08...Temporary flume, channel .....100.00 per day
MS-09...Slope face-provide drainage .....100.00 per day
MS-10...Storm sewer inlet protection .....100.00 per day
MS-11...Conveyance channel protection .....100.00 per day
MS-12...Work in watercourse .....100.00 per day
MS-13...Temporary stream crossing .....100.00 per day
MS-14...Fed/State regs - watercourse .....100.00 per day
MS-15...Bed and bank stabilization .....100.00 per day
MS-16...Underground utility work .....100.00 per day
MS-17...Construction entrance .....100.00 per day

SECTION 9-9. APPEALS AND JUDICIAL REVIEW

A. Any applicant under the provision of this ordinance who is aggrieved by any action of the County of Dinwiddie or its agent in disapproving plans submitted pursuant to this ordinance shall have the right to apply for and receive a review of such action by the Board of Supervisors. In reviewing the agent's actions, the Board of Supervisors shall consider evidence and opinions presented by the aggrieved applicant and agent. After considering the evidence and opinions, the Board of Supervisors may affirm, reverse or modify the action. The Board of Supervisors' decision shall be final, subject only to review by the Circuit Court of the County of Dinwiddie.
Any applicant may seek an appeal hearing before the Board of Supervisors provided that the applicant file a written notice requesting review by the Board of Supervisors within 30 days of the County of Dinwiddie's or its agent's actions.

B. Final decisions of the County of Dinwiddie under this ordinance shall be subject to review by the Circuit Court, provided an appeal is filed within 30 days from the date of any written decision adversely affecting the rights, duties or privileges of the person engaging in or proposing to engage in land-disturbing activities.

In all other respects, this ordinance shall remain in full force and effect. This ordinance shall become effective, this date, April 21, 1999.

IN RE: DIRECTOR OF PLANNING – REQUEST FOR PUBLIC HEARING ON CHAPTER 21 SECTION 98D OF THE CODE OF DINWIDDIE COUNTY, VIRGINIA

The first item is that Mr. Tickle was working on a few issues with the Planning Department prior to leaving the Board. Correspondence was included in the Board's packets regarding Chapter 21, Section 98D, private sewage disposal facilities. A copy of the current ordinance was also included. There is a particular part that has been creating problems for developers and homeowners. We are the only County in the Crater Health Department area that have these stringent requirements. Mr. Scheid stated Mr. Tim A. Jones, E. H. Manager, Crater Health District, stated that we may want to delete our paragraph D and put the verbiage that everybody else in the District has. Mr. Scheid made this recommendation.

After discussion it was decided to hold a Public Hearing on this matter.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Attorney and Director of

Planning prepare the proper amendment to Chapter 21 Section 98D and advertise for Public Hearing.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. Scheid continued he had included a brief synopsis of the Virginia Chapter of the American Planning Association conference he had attended on March 29th and 30th. He stated if any Board member wished to explore any of these items further to please let him know.

Mr. Scheid stated there had been a meeting held at the Dinwiddie Water Authority building to discuss the following subdivisions: Cattail Run; Wrenn Forrest (Section 2); and Oak Knoll. Those in attendance were: Virginia Department of Transportation; Corps of Engineers; Dinwiddie County Water Authority; Charles Townes & Associates; and the County Planning Department. Many development issues were discussed.

IN RE: VIRGINIA BUSINESS APPRECIATION WEEK

Mr. Scheid asked Ms. Cheryl Stewart, Executive Secretary of the Planning and Zoning Department, to come forward and discuss the economic development item.

Mr. Long stated the first item he would ask Ms. Stewart to discuss with them would be a Virginia Business Appreciation Week. This is done through the Virginia Department of Business Assistance. The last time the County held an event was about three (3) years ago.

Ms. Stewart stated it was June 4, 1996.

Mr. Long continued that at that time the Board had expressed a desire to every few years put something together regarding this. He stated Ms. Stewart had asked him about doing this and he stated he would let her elaborate on this subject.

Ms. Stewart stated she remembered, well after she should have, that in March there is usually a release from the State about what the Governor in addition to the Virginia Department of Business Assistance is going to do to acknowledge businesses in Virginia for that particular year. This year they are adopting the theme "Thanks To You Virginia Works". She asked Mr. Long to inquire to the Board to determine if the County wanted to do something this year. Mr. Long in turn stated he would like for her to address the Board on this issue. She stated she felt the State was trying to target not only new businesses but existing businesses as well as agri-businesses. She stated she had come up with several ideas and possible dates. She stated she had spoken with a caterer that we had considered in 1996. That caterer had possible dates of June 10th and June 17th, both being on a Thursday. The business appreciation week as designated by the State is May 16-22. They have always given localities the option of using that week or choosing an additional week. Because of time constraints and trying to acquire speakers it was decided to move the date down a little further into June. This would work very well for the County because we could solicit help from the local newspapers in interviewing, on a weekly basis, businesses, starting the first week in May culminating on the first week in June, interviews of one industry and one small business a week. This could really play up what the State is trying to do as far as acknowledging and showing appreciation to these businesses. We could also possibly include the School Systems. This could be done with some type of essay contest or art contest. As far as what the Board of Supervisors would sponsor for this particular event we were thinking about a dinner that would be a catered event with two (2)

speakers. We have specific persons in mind and we welcome any suggestions the Board might have.

Mrs. Everett asked where this event would be held.

Ms. Stewart stated they had several possible locations. One location would be here on the grounds of the Pamplin Administration Building, just outside the kitchen area of the School Board office. It is a very beautiful site. The particular catering company, Catercorp, Inc., are out of Glen Allen, Virginia. They are willing to come and have actually given a quote (less than the quote of 1996) to do an entire package for the County. This means they would provide a tent, table and chairs, linen, eating utensils, and a full menu, balloon bouquets, flower arrangements, podium, sound system, music, everything except a clown would be provided for the event.

Mr. Long stated he did indicate after checking a little bit about involving the whole community was that there was interest in 1996 that when this event was held again that agri-business be added. In a community such as ours we are looking to have something to recognize individuals for agri-businesses and farmers.

Ms. Stewart stated when she spoke of the two (2) speakers one speaker being the Vice-President of Chaparral Steel Lou Colatriano and the other speaker being Mike Parrish who would address those involved in agri-business. She continued that the last time we had this type of activity door prizes were provided and we had a trade show. She was hoping the Recreation Department would donate a shirt, hat, mug, and of course there is always the history book which is a popular item.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator and Planning Department Secretary to move forward with plans for a Business Appreciation Dinner to be held in June with funds being appropriated from the economic development budget.

IN RE: INDOOR PLUMBING/ REHABILITATION LOAN PROGRAM – 1999-2000

Ms. Stewart continued that the Board had placed before them this afternoon informational material for the County of Dinwiddie to carry out the 1999-2000 Indoor Plumbing/Rehabilitation Loan Program through the use in whole or in part of Virginia Community Improvement Grant Funds. Ms. Stewart stated they were at a point where they needed to place a Public Notice for a Public Hearing for the citizens to be aware of what is going on for this new project year. The Board members were in support of continuing the program.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Abernathy came forward stating he apologized for not being present earlier. He stated he was at the circus doing an inspection. He stated he had nothing to add to his report but was available for questions.

Mr. Abernathy continued that they had advertised the amendments to the fee schedule to be heard by the Board on May 5th.

Mr. Abernathy further stated they have advertised the additional position for the Building Inspection office and hope to have their recommendation before the Board next month.

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. John M. Altman, Jr., Zoning Administrator, came forward and presented his report for the month of March 1999.

Mr. Altman also reviewed the Code Compliance Officer's report for the same time period.

Mr. Altman stated Mr. Bell, the intern, who was working on the project, of inventorying historic sites and structures, has completed his internship with the County as of last week. He came in one day last week with a very nice presentation as far as a notebook full of all of our structures. He stated he understood that the project is not nearly complete so we will go out with our grant with the Partners in Parks in which we had two students, and get our second student to come in and work with us. This will help complete what Mr. Bell started and hopefully will wrap this project up by the end of the summer. We will then begin discussing the next steps as far as what we do with the information that we have collected. He stated he was very pleased with the work that Mr. Bell performed for the County. He stated he also knew the people in the Historical Society have been very appreciative of the work and the Virginia Department of Historic Resources are ecstatic that Dinwiddie County is doing something. People are aware of what the County is doing and they have expressed an interest to help.

There was discussion regarding the filming of the movie "Cherry Falls" and the closed set. Press from the County were somewhat upset that they could not get into the area. This was because of some bad press which was received in the Richmond area.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy M. McElveen, Director of Social Services, came forward and presented an update on her Department's functions including the Medicaid move to a managed health care program and Welfare Reform Phase II.

Ms. McElveen passed out blue ribbons designating April as Child Abuse Prevention Month.

She also took this opportunity to publicly express her appreciation to Mr. Donald Faison and Mr. David Jolly who have assisted her office recently with some issues about their building. She stated she felt they had gone above and beyond the call of duty. The gentlemen who came down from the State and went through the building doing an inspection were highly complementary of these two (2) gentlemen. He stated he normally does not see that kind of commitment and response.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Mrs. Troilen Seward, Superintendent of Schools, came forward presenting her monthly report. She stated there has been an increase of 516 students in a four (4) year period from 1995 to 1999. She also reported there were 578 students enrolled in the after school remediation program with regard to the Standard of Learning (SOL) scores that were received back from January 1999. She put out a plea for teachers stating that thus far 26 new teachers will be needed for the coming school year. This is from retirements and resignations.

There was discussion regarding the situation in Colorado and the safety of schools in Dinwiddie County. There was discussion regarding the press and students copying and getting ideas from the news.

IN RE: SCHOOLS – SUPPLEMENTAL APPROPRIATION #9 - FY 1999

Mrs. Seward stated on April 2, 1999 they received a grant from the Crater Regional Partnership to assist with the goals of SVRTC. This $50,000 is to be distributed equally among the seven districts that are members of SVRTC and are included in the Crater Regional Partnership. These districts are Dinwiddie, Hopewell, Colonial Heights, Petersburg, Prince George, Greensville, and Sussex. In order to facilitate the distribution of these funds to the various districts, the School Board needs to have a $50,000 supplemental appropriation approved. At the April 13th meeting of the Dinwiddie County School Board, Mrs. Seward was authorized to request this supplemental appropriation of $50,000 in the SVRTC Fund.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Supplemental Appropriation #9 - FY 1999 is hereby approved for the SVRTC Fund for the Dinwiddie County School Board for the County's portion of the $50,000 grant funds from the Crater Regional Partnership to assist with the goals of SVRTC.

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward presenting his monthly report for March 1999.

There was discussion regarding the upcoming Senior's Picnic. The picnic is planned for May 19th at Picture Lake Campground.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Denny E. King, Director of Waste Management, came forward giving his report for March/April 1999. He stated the log he kept for the Board was a pain but felt it was worth it for them to see what he does.

IN RE: WASTE MANAGEMENT – CLOSURE CONSTRUCTION - APPLICATION FOR PAYMENT NUMBER 3

Mrs. Ralph stated enclosed in the Board's packets was Application for Payment Number 3 in the amount of $35,041.80, less 5% retention $1,752.09 making the current payment amount due $33,289.71 for R. M. Soderquist for the Dinwiddie County Sanitary Landfill Closure. This estimate covers the period from February 25, 1999 through March 19, 1999. Also included was a copy of Change Order Number 3 covering the quantity overrun on the cushion layer and Change Order Number 4 covering the reworking of the cover at the old landfill (shooting range). The overrun in the cushion layer quantities (Change Order Number 3) was a result of replacing the required material on the larger than anticipated area. The extra quantity for the cushion layer is in correlation with the additional unclassified excavation, which covered the removal of the additional unsuitable material that was encountered. Change Order Number 4 covers the regrading of the old landfill (shooting range) to provide for a positive run-off of the stormwater, thereby reducing the amount of infiltration, which should reduce the amount of leachate that is generated. The only remaining item that may experience a slight overrun on the quantities is Item UP-6 Landfill

Seeding. Mr. Soderquist should be completing the remaining bid items within the week.

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

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BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Change Order Number 3 and 4 totaling $33,289.71 contained in Payment Application Number 3 be approved and funds appropriated from the CIP Fund.

Mr. Bracey left the Board room prior to the motion and returned after the vote had been taken.

IN RE: WASTE MANAGEMENT – BID RESULTS FOR TRASH TRUCK-CAB & CHASSIS

Mr. King stated the bids were received on the trash truck cab and chassis and are as follows:

1. Colonial Tuck Sales - Volvo	$94,928.00
2. Peterbuilt	$76,626.00
3. Va. Truck Center - Mack	$79,603.42

Mr. King stated his recommendation is to purchase the Mack. For the additional $2977.00 we would sacrifice the use of their current on hand Mack parts inventory on the new truck. The Peterbuilt has the vulnerable fiberglass roof which cracks and breaks much easier than aluminum (the old Kenworths had fiberglass roof tips and were patched frequently – generally these trucks are fitted with a refuse body that has an optional large steel protective cover over the cab). The Peterbuilt does not have a self adjusting clutch which means more work for him, poly-vee belt with auto tensioning which again means more work for him, the horn cannot be mounted beneath the cab but on the roof meaning it would be torn off within a week, no electric wipers (they have antique air wipers that are jerky and will not allow one to have a delay feature, and it has an aluminum flywheel housing and the threads wallow out. If the Peterbuilt actually met the specs it would be more expensive than the Mack.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted for Administration and Waste Management to proceed with the ordering of the Mack trash truck cab/chassis for a cost not to exceed $79,603.42.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward to present his monthly report.

Mr. Jolly began by thanking Ms. McElveen for her assistance.

Mr. Jolly's second item was to state this was Secretary's Week and Secretary's Day and he wanted to say hats off to his and the rest of the staff's.

Mr. Jolly stated he would now move forward with his report. There were a few items he wanted to bring to the Board's attention.

Mr. Jolly stated the re-chassis of the original EMS ambulance is complete and was picked up yesterday. It is now having the final touches put on it to put it back in service which should occur next week. He took this opportunity to thank Mr. Tony Burrows for all his help in this project.

Mr. Jolly stated they have received two (2) new Zoll 12 lead EKG machines. These machines were funded through a donation from the Titmus Foundation. Together the cost was $14,000.00. Training has begun and they are working with the OMD to get the necessary protocols in-place so they can be put in service.

Mr. Jolly reported the Namozine Fire & Rescue had purchased the Cairs Iris Thermal Imaging system. The price of this equipment was over $25,000. They have received several donations from civic groups. Mr. Jolly asked if the Board would like to see this equipment on display at the next Board meeting.

After discussion it was decided to display and demonstrate the equipment before the May 5th Board meeting.

IN RE: PUBLIC SAFETY OFFICER – SOFTWARE REQUEST

Mr. Jolly stated several months ago a grant was received for computers through Fire Programs. These computers have been received. We are currently in the process of getting the reimbursement for those. He stated he was seeking approval of the Board to fund the software for the Fire and EMS reporting from capital line item 101-032200-3310. The amount requested for this software is $5,362.00. This would provide software for DEMS, his office and any fire stations that come on board. Through a research process they had reached the conclusion that it was easier and more cost effective to go on and purchase the user license for all the software as opposed to piece meal it as we go.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Public Safety Director to purchase software for the Fire and EMS reporting with funds being appropriated from capital line item 101-023300-3310 in the amount of $5,362.00.

IN RE: FIRE AND RESCUE ASSOCIATION – REPORT

Mr. Charles Lewis, Chairman of the Fire Rescue Association, came forward stating the Fire Rescue Association had been getting committees together in order to have the entire County uniform in their policies and procedures.

There was discussion regarding the benefit dance to be held for Jamie Harold on May 8, 1999 at the McKenney Gym and the blood drive to be held to benefit Jamie Harold and other Fire and EMS workers on Saturday, May 15, 1999 at the Dinwiddie Fire Station.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Dan Siegel, County Attorney, stated he had no report but was available for questions.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT REPORT

Mr. Donald W. Faison, Building and Grounds Superintendent, came forward to present his report for the month.

Mr. Faison stated he also would like to begin by thanking Mrs. Mann for all she did for him.

Mr. Faison also thanked Ms. McElveen for her kind words. He stated he figured he was just doing what was asked of him regarding her building.

IN RE: HEALTH DEPARTMENT RENOVATIONS AND REPAIRS – CHANGE ORDER NUMBER ONE

Mr. Faison stated a change order request had come in from Arizona, LTD on the Health Department renovations and repairs. Change Order Number One (1) would consist of the following five (5) changes to the original contract:

1. Demo walls, ceiling, and cabinets from Room 118A.
   Patch walls and floors and install new acoustical ceiling tile and grid in Room 118.

   A. Install two 2X4 lay in light fixtures.

   Price $1,220.00

2. Install acoustical ceiling and grid in Office 111.

   A. Install two lay in light fixtures.

   Price $ 420.00

3. Install a 2' wide by 3' tall sliding glass window between room #s 112 and 115.

   Price $ 390.00

4. Room 104-Remove a section of damaged floor tile (approximately 5X7), prep floor, and install new tile.

   Price $ 150.00

5. In lieu of replacing all of the vinyl tile, we will prep floor where cabinets were removed, and install a new vinyl tile border.

   Price ($ 200.00)

TOTAL CHANGE ORDER $ 1,980.00

*Note: A. They will be using two existing light fixtures from existing high ceiling area of Room 104 and we will be purchasing two.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator and the Superintendent of Buildings and Grounds to enter into Change Order Number One in the amount of $1,980.00 on the Health Department renovations and repairs.

IN RE: AWARD OF CONTRACT – CENTRAL YORK CORP. DINWIDDIE COUNTY JAIL HEATING AND COOLING

Mr. Faison stated they had received the bids on the Dinwiddie County Jail HVAC as reported at the April 7th meeting. Mr. Faison stated he had negotiated with Central York Corporation and reduced the bid price from $84,500.00 down to $79,800.00. The contract is to be complete within ninety (90) days.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator and Superintendent of Buildings and Grounds to enter into a contract with Central York Corporation of Richmond for a price not to exceed $79,800.00 for the Jail HVAC equipment.

IN RE: SIDEWALK REPAIRS – REQUEST TO OBTAIN BIDS

Mr. Faison stated repairs were needed to the sidewalks around the Pamplin Administration Building and a small median at the Department of Social Services. There had also been a request for a walkway between the Pamplin Administration Building and the new Courthouse. After discussion it was decided to obtain bid for repairs only and an alternate for complete new sidewalk work.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Superintendent of Buildings and Grounds to solicit bids for sidewalk renovations and repairs.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long stated he did not think he would be able to go back to his office at this point after two (2) other reports if he did not thank Mrs. Mann today primarily as well as the entire clerical staff here at the office. Today is designated as Professional Secretaries Day.

IN RE: COUNTY ADMINISTRATOR COMMENTS – VLGMA SUMMER CONFERENCE

Mr. Long requested authorization to attend the Virginia Local Government Management Association Summer Conference being held June 23 through 26, 1999 at the Sheration Oceanfront Hotel, Virginia Beach, Virginia.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to attend the Virginia Local Government Management Association Summer Conference being held June 23 through 26, 1999 at the Sheration Oceanfront Hotel, Virginia Beach, Virginia.

IN RE: ABIDCO – REGIONAL FORUM ON U.S. ROUTE 460 IMPROVEMENTS

Mr. Long stated he had received a memorandum from Charles E. Townes, President regarding the Regional Forum on U. S. Route 460 Improvements to be held May 17, 1999 at 7:00 P.M. at Richard Bland College.

IN RE: COURT SERVICES – REQUEST TO APPLY FOR GRANT FUNDS FOR COMPUTERS

Mr. Long stated he had spoken with H. L. Parrish, with Court Services, and he requested permission to apply for a one time grant fund for localities under a certain amount of money for State Political Subdivisions, it is under $5,000.00. Mr. Parrish has a grant request for $4,400.00 for two (2) Personal Computers to be utilized in that office. Mr. Parrish will purchase the PC's and the grant funds will come through the County. Mr. Long requested the Board's authorization to sign this grant agreement for auditing purposes.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the County Administrator to execute the grant application for Court Services in the amount of $4,400.00 for the purchase of two (2) Personal Computers with no local funds required.

IN RE: COUNTY ADMINISTRATOR COMMENTS – TOUR OF BUSINESSES

Mr. Long stated he would like to complete the tour of the County businesses – RGC Plant; Phillip Morris; and the Comfort Group. He proposed the dates of May 7th or May 21st. These are both Fridays.

After discussion the Board decided to allow Mr. Long to set the tour and Board members will try to set their schedules in order to attend.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT – DINWIDDIE COUNTY JAIL – HVAC

Mr. Faison again came forward to show and explain to the Board the color of the duct work which will be placed on the Dinwiddie County's Jail. The Board agreed the altered plans and color were agreeable with them.

IN RE: RECOGNITION OF SECRETARY

Mrs. Everett stated to Mrs. Mann that they had planned to recognize her at the beginning of the meeting but she was not there! She stated Mrs. Mann did a fantastic job as do all of the clerical employees. She told Mrs. Mann she was a very special Administrative Assistant and Secretary and everything else.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody – He thanked Mrs. Mann for all she did for the Board.

Mr. Haraway – No comments

Mr. Bracey – He thanked Mrs. Mann stating he hoped she stayed around a long time.

Mr. Bracey continued that each month the Board receives the Code Compliance Summary which he thought was very good. He stated he heard that young man, referring to David Thompson, is doing a good job and staying on top

of things. He stated he felt every once in a while the employees need to be told thank you. He hoped someone would pass this on to Mr. Thompson.

Mr. Clay – No comments

Mrs. Everett – She reported the Pamplin Civil War Museum is scheduled to open the end of this month with the official dedication May 26th.

IN RE: BOARD MEMBER COMMENTS – BIRTH MARKER FOR MR. ROBERT B. PAMPLIN

Mrs. Everett stated there is a group in the County who plan to erect a birth marker in honor of Mr. Robert B. Pamplin. This marker will be placed out on his home place which is next to the Wal-Mart Distribution Center. She requested the County draft a resolution for presentation to Mr. Pamplin. She would also like to have the weekend designated at Pamplin Weekend.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that a resolution be drafted in honor of Mr. Robert B. Pamplin and the weekend of May 29th be designated as Pamplin Weekend in the County.

IN RE: BOARD MEMBER COMMENTS CONTINUED

Mrs. Everett continued that several Board members attended the Crime Solvers Dinner and she felt the County was well represented.

She stated yesterday the Library recognized its volunteers and held a reception for them. The volunteers were presented with gifts at the Carson Branch. Mrs. Everett stated there was a lot of conversation regarding the safety of the Rohoic Branch due to the construction in that area. The volunteers and staff feel it is critical the County do something to get this library branch located in the Eastside Elementary School.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Haraway, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 4:15 P.M. until 7:00 P.M. Wednesday, May 5, 1999 to view the new Cairs Iris Thermal Imaging System at the Pamplin Administration Building.

LeeNora V. Everett
Chairman, Board of Supervisors

ATTEST:
R. Martin Long
County Administrator

/pam

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 19TH DAY OF MAY, 1999, AT 2:00 P.M.

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

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

Mrs. LeeNora V. Everett, Chairman, called the regular meeting to order at 2:00 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: CHAIRMAN OPENING COMMENTS

Mrs. Everett welcomed Katy Morecock from the Dinwiddie Monitor. Mrs. Everett stated Ms. Morecock would be leaving the Monitor next week and wished her the best.

Mrs. Everett continued Mary Goodwyn, from the Richmond Times Dispatch, had been absent from the meeting for a while now. She has been in South Carolina by her mother's bedside. Her mother died and it will probably be several more weeks before she returns.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Everett asked if there were any amendments to the Agenda.

Mr. R. Martin Long, County Administrator, stated he had two items. His first request was to amend Item Number 5 to include a Number 3. Indoor Plumbing Program. He also requested under Item Number 8, h. Director of Planning, 1. Resolution Request: Abandonment of a portion of Route 675, be moved to a. Virginia Department of Transportation Report.

Mrs. Everett asked if there was a consensus to approve the amendments to the agenda as requested by Mr. Long.

All Board members signified approval by saying "aye".

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the May 5, 1999 Continuation Meeting and the May 5, 1999 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Haraway, seconded by Mr. Moody, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 1015199 through 1015344 (void check(s) numbered 1015199, 1015283, and 1015304); for

Accounts Payable:

(101) General Fund	$ 102,803.03
(103) Jail Commission	$ -0-
(104) Marketing Fund	$ -0-
(222) E911 Fund	$ 2,563.60
(223) Self Insurance Fund	$ 120.38
(225) Courthouse Maintenance	$ -0-
(226) Law Library	$ 249.23
(228) Fire Programs & EMS	$ -0-
(229) Forfeited Asset Sharing	$ -0-
(304) CDBG Grant Fund	$ 2,496.79
(305) Capital Projects Fund	$ 15,399.63
(401)County Debt Service	$ 61,816.22
TOTAL	**$ 185,448.88**

IN RE: APPROVAL OF PAYMENT REQUEST – DINWIDDIE ELEMENTARY #4

Mrs. Ralph stated the following invoice is included in Payment Request - Dinwiddie Elementary #4:

ENGINEERING CONSULTING SERVICES	$2,319.75
TOTAL FOR THIS PAYMENT REQUEST	$2,319.75

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Payment Request - Dinwiddie Elementary Number 4 in the amount of $2,319.75 be approved and funds appropriated, with all funds advanced being reimbursed from the bond proceeds from the Dinwiddie Elementary project.

IN RE: APPROVAL REQUISITION #45 (IDA98A-#10) – SCHOOL CONSTRUCTION

Mrs. Ralph stated the following invoices are included in Requisition Number 45:

HIGHSMITH, INC.	$ 4,479.39
TRI CITY OFFICE PRODUCTS	1,204.50
PAXTON/PATTERSON	1,565.50
PROMACO, INC.	1,041.87
MIDWEST TECHNOLOGY PRODUCTS	165.00
TOTAL OF THIS REQUISITION	$ 8,456.26

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number 45 (IDA98A - #10) in the amount of $8,456.26

be approved and funds appropriated for CIP expenses for the School Project Fund.

Mr. Bracey questioned what type of equipment was purchased and requested this be placed on the cover sheet from this point forward.

IN RE: INDOOR PLUMBING PROGRAM – AUTHORIZATION FOR DISBURSEMENT OF FUNDS

Mr. Long stated the IPR Program is a fully funded grant program through the Department of Housing and Community Development. It is a program that has been well received and utilized during the, not quite a full year, time since it began. The program began in January 1998 with work beginning in July 1998. Since that time funds in the amount of $212,038.56 have been expended through the program to assist Dinwiddie County residents. The concern Mr. Long was asking assistance for in this matter was in the accounting process. For the year the program has been under way he explained he has been the only signature on the checks. In the event that he is unable to sign Mr. William C. Scheid, Director of Planning, may sign the checks. Mr. Long continued that evidently this practice was acceptable to DHCD but is not acceptable to the County auditors. Fortunately the auditors were in our office yesterday and today and we discussed the matter with Mr. Paul Lee. Mr. Lee advised Mr. Long to ask the Board, in order to rectify the situation, for action on three (3) issues. These being: 1) to establish the IPR Account as a County Account (this will prevent this from missing the County books); 2) action by the Board to retroactively appropriate the total sum of $212,038.56 spent on the program to date (there are no County funds involved but we need this appropriation in order that they run through the County books); and 3) authorization for the Treasurer and the County Administrator to issue checks from the account as requisitions are approved by the project manager, which has been Ms. Gladys Vasser. The payment would then appear on your register at each meeting with the regular claims. This way the County can keep the payments current to the contractors who are willing to participate in the program. He reported that most of the contractors who have participated in the program, thus far, have been Dinwiddie County contractors and/or businesses.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to establish an IPR Account with the County system; to retroactively appropriate $212,038.56 to the account; and to authorize the County Treasurer and the County Administrator to issue checks as the requisitions are approved by the Program Manager.

IN RE: CITIZEN COMMENTS

Mrs. Everett asked if there were any citizens who had signed up to speak.

There being no names signed up Mrs. Everett closed the Public Comments and moved forward.

IN RE: RESOLUTION – PAMPLIN WEEKEND

Mrs. Everett stated the Board had before them a Resolution establishing the Recognition of Pamplin Weekend May 29-30, 1999. This is in conjunction with the festivities taking place in Dinwiddie County with the opening of The National Museum of the Civil War Soldier.

Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

IN RECOGNITION OF PAMPLIN WEEKEND
MAY 29-30, 1999

WHEREAS, Robert Boisseau Pamplin, a native of Sutherland, born on a family farm November 25, 1911; graduated form Midway High School 1929; Virginia Polytechnic Institute and State University 1933; and completed his post graduate work at Northwestern University; and

WHEREAS, Robert Boisseau Pamplin joined the Georgia Pacific Corporation in 1934, was elected President in 1957, elected Chairman of the Board in 1968, and retired in 1976; and

WHEREAS, Robert Boisseau Pamplin, whose honors are distinguished and numerous, recognizing his nationwide contributions, established the Evelyn Abrahams Scholarship Fund, providing scholarships for deserving recipients at Dinwiddie High School and the former Midway High School and Southside High School; and further in 1989, provided a continuing source of funding to the Department of Social Services to meet human service needs in the County; and

WHEREAS, Robert Boisseau Pamplin, through his generosity and dedication to many organizations has had many honors bestowed on him including, "Honorary Doctor of Laws Degree", by the University of Portland, Portland, Oregon in 1972; the "Lee Integrity Award", by the Robert E. Lee Memorial Association in 1973; "Alumni Distinguished Service Award", from Virginia Polytechnic Institute & State University in 1973; "Outstanding Chief Executive Officer", in the forest and paper product industries by Financial World Magazine in 1975; "Virginian of the Year", by the Virginia Press Association in 1976; "Golden Plate Award", by the American Academy of Achievement in 1976; " Honorary Degree, Doctor of Humane Letters", Warner Pacific College 1976; and

WHEREAS, throughout his active life of leadership and commitment to service, he has also been recognized by many other organizations, including Virginia Polytechnic Institute & State University naming its business college the Pamplin College of Business; and the County of Dinwiddie naming its Administration Building the Pamplin Administration Building in 1984; Northwestern University; Lewis & Clark College; University of Portland; the State of Virginia; Financial World Magazine; and the Society of Virginians of Maryland; and

WHEREAS, Pamplin Historical Park, a tribute to the life and philosophy of Robert Boisseau Pamplin, was dedicated on April 22, 1995; and

WHEREAS, Pamplin Historical Park's newest addition The National Museum of the Civil War Soldier, in continuing the tribute to the life and philosophy of Robert Boisseau Pamplin, was dedicated on May 26,1999;

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby declares the weekend of May 29-30,1999 as "Pamplin Weekend" in honor of Robert Boisseau Pamplin; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, encourages all citizens to join in the

recognition of Robert Boisseau Pamplin and the celebration of this weekend in honor of his accomplishments and generosity to Dinwiddie County.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above Resolution declaring May 29-30, 1999 "Pamplin Weekend" is hereby adopted.

Mrs. Everett commended Mrs. Pamla Mann, Administrative Secretary, for drafting the Resolution. She stated it was a wonderful job and certainly outlined all these wonderful things that this man has done, not only for Dinwiddie County, but for the State and the Nation.

IN RE: DEPARTMENT OF TRANSPORTATION – REPORT

Mr. Ronald Reekes, Resident Engineer for the Virginia Department of Transportation, came forward stating he had nothing new to report. He stated he would be glad to answer any questions or concerns the Board might have.

Mr. Bracey voiced concern about the front of the Administration Building stating the curb and gutter need sweeping up.

Mrs. Everett stated she had a person approach her today at the Senior Picnic and he was wondering if you could provide some cleanup from the ice storm on Fort Emory Road and Bethune Road and the area near Sharon Baptist Church.

IN RE: ABANDONMENT OF A PORTION OF OLD ROUTE 675

Mr. Reekes continued this is a change in the discontinuance of a road way to abandonment of a road way. He stated he wanted to explain what the difference was. To discontinue a road way the Department discontinues maintenance on it but the right of way is still held for public use and in the County's name. Back in 1971 this road way was reconstructed and the old road way was discontinued for use. VDOT discontinued or chose to discontinue sometime when they feel like they may have to come back and widen a road way or there may be a need for that additional right of way. Obviously VDOT will not be widening this road way for quite some time and therefore concur in the abandonment of this road way.

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

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

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated March 12, 1971 depicting the additions, discontinuances and abandonments required in the secondary system of state highways as a result of Project 0675-026-161,C501, which sketch is hereby incorporated herein by reference, and

WHEREAS, the new road serves the same citizens as those portions of old road identified to be abandoned and those segments no longer serve a public need, and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that this Board abandons as part of the secondary system of state highways those portions of Route 675 as identified by the sketch to be abandoned, pursuant to Section 33.1-155, of the Code of Virginia:

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

Mrs. Deborah M. Marston, Commissioner of the Revenue, came forward stating she had nothing to report.

Mr. Bracey questioned Mrs. Marston regarding admissions tax and meals tax from the circus.

Mrs. Marston assured Mr. Bracey we had collected all taxes due.

Mrs. Everett asked about the tax bills and if the County should extend the dead line.

Mrs. Marston stated the law stated bills must be mailed out 14 days prior to the due date and they were mailed 21 days prior to this date.

Mrs. Everett asked Mrs. Marston if she felt this was adequate time.

Mrs. Marston replied that was the Board's choice. She stated her office had a tremendous amount of problems with computer, with data entry part of it, with trying to get software programs fixed this year due to the PPTRA. She stated they were March getting one of the major programs and after they got that program fixed in March, they had from March until they got the books done the first week or so of the Personal Property to -- she explained they had all of those 30 some thousand vehicles and property to value. She stated she had performed this task the most expeditious way that she could possibly do it. She explained they had 19 thousand and some vehicles that she had NADA values through Email. This was the first time she had ever done this process and in doing this process she had a 95.9% hit of the vehicle identification numbers which greatly helped her office in the valuation process. This in turn gave her staff less than a thousand vehicles that they had to manually value; however, they did itemize all the business tangible property for the first time this year. This meant they had to give individual assessments instead of lump sum assessments. Now that her office has this out there it should -- she stated all you try to do every year is to make easier but when you have computer problems you can not help that.

Mr. Bracey stated he understood what Mrs. Marston was saying. He stated he would like to set aside the Code for a while. He thought the issue was that people were used to getting a tax bill at a certain time and they are looking for it then. He stated he knew the Code says 14 days but asked if there was any way that we can try to be morally responsible or try to help people rather than using State Code each time that for, some reason that the County falls a little short. Mr. Bracey stated when the Board issued an extension last year they stated they were not going to do it anymore.

Mr. Haraway stated he shared Mr. Bracey's concerns. He stated he felt any taxpayer should be given at least thirty (30) days notice to pay a tax bill.

Mr. Bracey stated if it is right, when he slept tonight he wanted to feel he had done what was right, he continued he felt the Board should extend the due

date to make the thirty (30) days that Mr. Haraway was talking about and at the same time he hoped that the County are able, in the future, to have the tax bills at least in the post office at the appropriate time.

Mrs. Everett stated she would like to hear some comments from Mrs. Marston and Mr. William E. Jones, Treasurer, regarding an extension.

Mrs. Marston relinquished the floor to Mr. Jones.

IN RE: TREASURER – REPORT

Mr. William E. Jones, Treasurer, came forward to present his report for the month of May 1999.

IN RE: EXTENSION OF DUE DATE FOR 1999 TAXES

Mr. Jones stated the last extension was given two (2) years ago, 1997, and the infamous one was in 1995. He continued the Code says when a bill needs to be mailed out and it does not address when an extension is. He stated the bills could have been mailed out on April 15th and if the Board felt like people ought to have an extension for June the Board can do that. He stated he would like the Board to consider or to offer an extension. He stated his office had received requests for extensions. He explained about the jockeying of tickets for mortgage companies.

There was discussion regarding an extension with Mr. Clay being the only Board member in opposition. After this discussion it was decided to grant an extension until June 14th.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia THAT THE Code of the County of Dinwiddie, Virginia is amended and reordained as follows:

AN EMERGENCY ORDINANCE AMENDING AND REORDAINING THE CODE OF THE COUNTY OF DINWIDDIE, VIRGINIA SECTION 19-2 (DUE DATE FOR TAXES ON REAL ESTATE, TANGIBLE PERSONAL PROPERTY AND MACHINERY AND TOOLS; PENALTY AND INTEREST ON DELINQUENCIES) TO GRANT A ONE TIME ONLY PAYMENT DEADLINE EXTENSION FOR JUNE 1999 TAX PAYMENTS, ENACTED ON AN EMERGENCY BASIS TO PROTECT THE HEALTH, SAFETY AND WELFARE OF DINWIDDIE COUNTY RESIDENTS.

BE IT ORDAINED, by the Board of Supervisors that an emergency exists that would be detrimental to the health, safety and general welfare of the residents of Dinwiddie County unless Section 19-2 of the Code of the County of Dinwiddie, Virginia is amended and reordained as follows to be effective immediately:

By deleting the current text of Section 19-2 and adopting in its place the following:

I. Section 19-2; Due Date for Taxes on Real Estate, Tangible Personal Property and Machinery and Tools; Penalty and Interest on Delinquencies.

(a) For each taxable year, County taxes on real estate, tangible personal property, and machinery and tools shall be paid, by or on behalf of persons owing such taxes, in two (2) equal installments. One

installment shall be due and payable on or before the 5th of June of the taxable year except that for the 1999 tax year only this date shall be the 14th day of June, 1999, and the second or remaining installment shall be due and payable on or before the 5th day of December of the taxable year. If any such date shall fall on a day when the County's administrative offices are closed, all such taxes due on such date shall be due and payable on the first business day thereafter.

(b) If taxes referred to in subsection (a) above are not paid on or before the due date prescribed in such subsection, there shall be added thereto a penalty in the amount of ten (10) percent of the taxes due. In addition to the penalty provided herein, any such taxes that remain unpaid on the first day of the next following month in which such taxes become due shall be delinquent and interest thereon of ten (10) percent per annum shall be added to the amount of taxes or levies due from such taxpayer, which when collected by the Treasurer, shall be accounted for in his settlement. Furthermore, the County may recover reasonable attorney's or collection agency's fees, which shall not exceed twenty percent of the delinquent tax bill upon nonpayment, incurred in collecting the taxes referred to in above subsection (a); provided however that attorney's fees shall be added only if such delinquency is collected by an action at law or suit in equity.

This ordinance shall be effective immediately, and shall be effective for only sixty days from the time of adoption unless readopted after public hearing in accordance with Code of Virginia Section 15.1-504.

CROSS REFERENCE - Payment of Vehicle Personal Property Taxes Prerequisite to Licensing of Vehicle, Section 14-22.

STATE LAW REFERENCE - Authority for above section, Code of Virginia, Section 58.1-3916.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, was not present.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Sheriff Samuel H. Shands was not present due to the Dare Golf Tournament; however, he did provide the Board with a jail occupancy report and asked the Board be informed he is still working on the vehicle marking project.

Mr. Bracey did ask that the marking of the vehicles issue be brought to a close. He suggested Administration contact Sheriff Shands and request same.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector, came forward and presented his report for the month of May 1999.

IN RE: A-99-8 – AMENDMENTS TO BUILDING FEES – ADOPTION

Mr. Abernathy continued that action was needed on the proposed changes to the Building Inspection Permit Fees. There was a Public Hearing held at the May 5, 1999 meeting with action being delayed until today in order to meet the waiting period requirements regarding fee/taxes.

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

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, DINWIDDIE , VIRGINIA, THAT THE Dinwiddie County Code, be **Further amended by the following changes to Chapter 6, Section 18, 21, and 22** "Permit Fees – Generally" to increase permit fees for building, plumbing, electric and mechanical as follows, and in all other respects be reordained:

Section 6-18. Permit Fees –Generally.

(A) **Generally.** No permit required by the building code to begin work for new construction or any other building operation shall be issued until the fees prescribed by this section have been paid, nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the square footage of the construction or other building operation, increase in the cost or amount of work involved or any other reason, has been paid. For the purpose of this section, the area of a structure shall be determined by its exterior dimensions.

(B) **Administrative Services.** The fees for administrative services shall be as follows

(1) Permit amendments, extensions, reinstatement and change of ownership/contract change. (Thirty Dollars)..... $30.00

(2) If an application for a permit is cancelled by written request to the Building Official within 6 months of the application date or within 12 months of the issue date, a refund will be granted. The following fees will be deducted from the refund:

a. Residential, commercial and other related permits, Thirty percent of applicable fees..... 30%

b. All other permits Twenty percent of applicable fees 20%

(3) Duplication of permits and inspection slips.....$5.00 ea.

(C) **Building Permits.** Building permit fees shall be as follows:

(1) Minimum fee for any permit (Thirty Dollars) $30.00

(2) State levy on all applicable permit fees, one percent.....(1%)

(3) Single story residential dwellings, including additions, and remodeling twelve cents per square foot..... 0.12/sq ft

(4) Porches, decks, garages, carports, storage buildings, basements, churches, second and higher stories, ten cents per sq. ft ... 0.10 /sq ft

(5) Industrial buildings, schools and commercial buildings twelve cents per square foot .....0.12/sq ft

(6) Installation or set-up of mobile homes:

(a) single-wide .....$ 75.00
(b) double-wide.....$100.00
(c) Triple wide $150.00

(7) Addition of brick or other siding to a building and/or replacement windows, one percent of contract price..... 1%

(8) Swimming Pools .....fifty dollars.....$50.00
Fence around pool, twenty dollars.....$20.00

(9) Signs:

a. Up to ten (10) square feet in surface area, twenty (20) square feet for a double-faced sign), the top of the sign being ten (10) feet or less from the ground, fifty dollars $50.00

b. More than ten (10) square feet in surface area (more than twenty (20) square feet for a double-faced sign) or a sign the top of which is more than ten (10) feet from the ground, One Hundred Dollars $100.00

(10) Removal of a building or structure from one lot to another or to a new location within the same lot.... Fifty dollars $50.00

(11) Demolition of building or structure,....Thirty Dollars $30.00

(12) Reserved

(13) The fee for the erection or installation of a structure other than a building shall be calculated at a rate of one percent of the actual cost of the work..... 1%

(14) Chimney...Thirty Dollars $30.00

(16) Roof Shingles, tin, cedar shakes....Thirty Dollars $30.00

(16) Tanks, removal or installation (underground or above ground):

(a) 600 gallons and under, seventy-five dollars .....$ 75.00
(b) 600 gallons to 1,000 gallons, one hundred dollars $100.00
(c) 1,000 gallons and over, one hundred fifty dollars....$150.00

D. **Electrical permits, Residential.**
1. Base fee.....$30.00
2. Plus .04 cents per sq. ft .....0.04/ sq. ft

E. **Electrical permits, Commercial.**
1. One percent of contract price 1%

F. **Plumbing Permits, Residential**
1. Base fee $30.00
2. Plus 0.04 cents per sq. ft. .....0.04 sq. ft.

Plumbing Permits, Commercial
1. One percent of contract price.....1%

H. **Mechanical Permits, Residential**
1. Base fee $30.00
2. Plus 0.04 sq. ft.. .....0 .04 sq. ft.

I. **Mechanical Permits, Commercial**

1. One percent of contract price.....1%

J. **Fire Suppression**
1. One percent of contract price.....1%

K. **Amusement Devices.**

1. Kiddy Rides $20.00
2. Major Rides $30.00
3. Spectacular Rides $50.00

Section 6-22 . Charge for inspection visit when building not open or job not ready for inspection.

A fee of thirty dollars ($30.00) shall be charged for the reinspection of work not completed, ready or open for access. The reinspection fee shall be paid prior to performance of any reinspection.

BE IT FURTHER ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that said amendments will become effective June 1, 1999.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steven R. Beville, Animal Warden, came forward to present his report for the month of April 1999.

Mr. Beville was asked to elaborate on the rabies case which had been discovered within the County during the last week.

Mr. Beville read a memorandum which had been supplied to the Board members regarding the rabies case.

IN RE: ANIMAL WARDEN – CLAIM – MILTON HILL

Mr. Beville continued there was a claim submitted on April 23, 1999 regarding the killing of one (1) 75 pound nanny goat with an estimated value of $65.00. The value was estimated by Southside Livestock Market. This goat was maimed by dogs, which have not been caught. The goat was on a chain and its neck was broken and puncture wounds were found on the throat.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to pay Mr. Milton Hill for a nanny goat claim submitted with a total value of $65.00, which was killed by dogs.

IN RE: ANIMAL WARDEN – CLAIM – GEORGE WILLIAMS

Mr. Beville continued there was a claim submitted on April 14, 1999 regarding the killing of twenty-two (22) hens and one (1) rooster with an estimated value of $109.25. The value was estimated by Heretick Feed & Seed. These birds were killed by dogs which have been caught. One of the dogs was shot and one caught.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to pay Mr. George Williams for twenty-two (22) hens and one (1) rooster claim submitted with a total value of $109.25, which were killed by dogs.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came forward to present his monthly update. He stated the Board would be hearing four (4) Public Hearings at the June 2, 1999 meeting.

IN RE: ZONING ADMINISTRATOR – REPORT

Mr. John M. Altman, Jr., Zoning Administrator, came forward and presented his report for the month of April 1999. Included in his report to the

Board was the Mobile Home Permits, minutes of the Petersburg Regional Film Office and the Code Compliance Summary prepared by Mr. David Thompson.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy M. McElveen, Director of Social Services, came forward and presented an update on her Department's functions. She announced that May is Foster Care Month.

IN RE: SOCIAL SERVICES – UNITED WAY DONATION

Mrs. McElveen stated they were in receipt of a donation from United Way in the amount of $7,520.00. She requested a resolution to appropriate funds for use by Social Services.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for donations in the amount of $7,520.00 to be appropriated into the Social Services budget.

IN RE: SUPERINTENDENT OF SCHOOLS – REPORT

Mrs. Troilen Seward, Superintendent of Schools, came forward presenting her monthly report.

Mr. Haraway questioned Mrs. Seward about the Governor's School and the number of students from Dinwiddie County that will be attending.

Mrs. Seward reported that 25 students applied and 23 of them were accepted; however, there was only funding for 10 in the budget. She stated the top ten will be attending but hoped within the future more funds will be available and more students will be able to attend.

There was also discussion regarding the number of children not residents of the County attending our schools and what is and/or could be done to end this practice.

IN RE: SCHOOLS – SUPPLEMENTAL APPROPRIATION #10 - FY 1999

Mrs. Seward stated the Average Daily Membership (ADM) for Dinwiddie County Schools for FY 1999 was 4253. The FY1999 budget prior to the final ADM adjustment is based on an estimated ADM of 4225. The additional twenty-eight (28) students will generate an increase of $86,652.00 in state revenue. At the May 11, 1999 meeting of the Dinwiddie County School Board Mrs. Seward stated she was authorized to request a supplemental appropriation of $86,652.00 to be distributed as follows:

CATEGORY	FUND	AMOUNT
Instruction	Textbooks (270)	$ 1,081.00
Maintenance & Operations	School (220)	66,000.00
Transportation	School (220)	19,571.00
TOTAL		$ 86,652.00

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Supplemental Appropriation #10 - FY 1999 is hereby approved for the additional ADM funds in the amount of $86,652.00 to be distributed as stated above.

IN RE: SCHOOLS – SUPPLEMENTAL APPROPRIATION #11 - FY 1999

Mrs. Seward continued that for FY1999 the State will provide $595,060.00 as Dinwiddie County Schools' portion of the Lottery Proceeds. This amount is obtained by applying the formula (ADM * 198.8) * (1-LCI) = state share. The Dinwiddie County School Board will certify that the locality has spent the LCI match of $250,058.00. At least 50% of the lottery proceeds must be spent for construction, debt service, or technology. The local match for these funds has already been spent on the CIP projects this year. The state share is needed to help pay for the modular costs for Dinwiddie Elementary School, and for a physical education building at Southside. The projected cost for the modular classrooms is at least $290,000.00 and the physical education building will require the balance of the $595,060.00. Since the lottery funding for FY 1999 is needed for these two projects, it is necessary to place the entire $595,060.00 into the construction fund. At the May 11, 1999 meeting of the Dinwiddie County School Board Mrs. Seward stated she was authorized to request the approval of this supplemental appropriation.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Supplemental Appropriation #11 - FY 1999 is hereby approved for the Lottery Proceeds in the amount of $595,060.00 to be used for modular classrooms for Dinwiddie Elementary School and a physical education building at Southside Elementary School.

IN RE: SCHOOLS – SUPPLEMENTAL APPROPRIATION #1 - FY 2000

Mrs. Seward stated her last item was from the FY 1998 Budget, there was $248,820.45 re-appropriated to the FY 1999 Budget for the purchase of five new school buses. Following the sealed bid requirements, the cost for each of the three (3) sixty-four passenger buses was $47,117.00 and the cost of each of the two (2) seventy-eight passenger buses was $55,157.00. The sixty-four passenger buses can be delivered by June 30, 1999, but the seventy-eight passenger buses will not be available until August 30, 1999. It is the School Board's proposal to save $110,314.00 of the $248,820.45 until August 30, 1999, and then pay for the two (2) larger buses. In order to do this, they need for the Board to authorize a re-appropriation of this reserved money into the transportation category of the FY 2000 Budget. She further stated they have already encumbered the funds and thus insure their availability for re-appropriation. At the May 11, 1999 meeting of the School Board Mrs. Seward stated she was authorized to request the approval of this supplemental appropriation into next year's budget.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Supplemental Appropriation #1 - FY 2000 is hereby approved for re-appropriation of $110,314.00 which is to be placed in the Transportation Category and used toward the purchase of three (3) sixty-four passenger buses.

IN RE: OFFICE ON YOUTH AND COMMUNITY SERVICES YOUTH COMMISSION MEMBERS

Mrs. Seward stated Mrs. Francene C. Newman, Director Office on Youth, came forward stating it has been the practice of the Board of Supervisors to receive recommendations from the existing Youth Commission for potential new members. She stated the following people have been recommended to serve on the Commission:

For three (3) year term:

Marie Andrews
Thayer Baird
Butch Cunningham
John Kirkland
George Rivers
Ester Robinson
Tom Wicks

For one (1) year term (students):

Matthew Cunningham
Keyana Ellis
Crystal Harrison
Gerald Parham
Carly Tilson

Ms. Newman stated the Youth Commission make-up would be as follows with these nominations.

MEMBER NAME	OCCUPATION/BUSINESS	APPOINTMENT DATE	EXPIRATION DATE
Joe McDaniels	DCMS Assistant Principal	05/01/97	05/01/00
*Marie Andrews	Probation Officer	05/01/98	05/01/99
Patsy Barnes	Extension Agent	05/01/98	05/01/01
George Rivers	DARE Officer	05/01/96	05/01/02
Tom Wicks	DCHS Teacher	05/01/96	05/01/02
Claire Goad	Social Services	05/01/95	05/01/01
Odessa Winfield	Central State Hospital	05/01/98	05/01/01
John Kirkland	ABC Enforcement Officer	05/01/99	05/01/02
Thayer Baird	Citizen	05/01/99	05/01/02
Esther Robinson	Nottoway Schools	05/01/99	05/01/02
Joseph Johnson	Johnson's Funeral Home	05/01/98	05/01/01
Cynthia Jackson	Cee's Fashion Boutique	05/01/95	05/01/01
Butch Cunningham	Phillip Morris	05/01/96	05/01/02
Crystal Harrison	Student	05/01/99	05/01/00
Gerald Parham	Student	05/01/98	05/01/00
Keyana Ellis	Student	05/01/99	05/01/00
Carly Tilson	Student	05/01/98	05/01/00
Matthew Cunningham	Student	05/01/99	05/01/00

*one-year appointment initially to finish out unexpired term

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above nominations for the Youth Commission are accepted and all nominees are appointed for the terms recommended.

Mr. Bracey questioned why these appointments were made by the Board of Supervisors. Mrs. Seward stated she would check and report back to the Board.

IN RE: BOARD COMMENTS – REQUEST FOR JOINT MEETING WITH SCHOOL BOARD

Mr. Long stated he had one item under his comments that may be appropriate while Mrs. Seward is present. This item was the scheduling of a joint meeting between the Board of Supervisors and the School Board. Mrs. Seward had indicated several members of the School Board could only attend evening meetings. With this in mind, Mr. Long continued, an evening meeting date needed to be suggested and agreed upon.

After discussion it was decided to try for May 26th at 7:30 P.M. at the Dinwiddie County Middle School. Mrs. Seward will contact the School Board members and report to Mr. Long if this date is agreeable.

IN RE: RECREATION – REPORT

Mr. Timothy C. Smith, Recreation Director, came forward presenting his monthly report for April 1999.

Mr. Smith reported on the Governor's Conference on Greenways and Trails; the meeting with South Central Private Industry Council; and the Civil Rights in Education Heritage Trail.

The Board agreed to a meeting with Mr. Chuck Flink to discuss Greenways and Trails on July 21, 1999.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Denny E. King, Director of Waste Management, came forward giving his report for April/May 1999.

Mr. King reported the landfill closure is complete.

Before leaving Mr. King was presented with a card in honor of his "36th" birthday.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward to present his monthly report. He began by stating May 16th -22nd is "National Emergency Medical Services Week" and suggested to everyone they let the EMS and Fire Safety persons know they are appreciated and compliment them on their job. He stated they all work for us!

Mr. Jolly gave a report on the incident that occurred at the Virginia Motorsports Park during the Nationals. He reported they are already working on plans for next year.

Mr. Jolly reported Rescue 91 is back in service and looks great. This project saved the County an estimated $32,000.00.

IN RE: FIRE AND RESCUE ASSOCIATION – REPORT

Mr. Jolly reported Mr. Charles Lewis, Chairman of the Fire Rescue Association, was unable to attend. Mr. Jolly continued he would be glad to try to answer any questions the Board might have regarding the Fire Rescue Association report.

IN RE: DINWIDDIE VOLUNTEER FIRE & EMS COMPANY NUMBER ONE

Mr. Jolly continued stating there was a memorandum from Mr. Lewis regarding brake repairs for Engine 13. The memorandum stated the

membership of Company 1 requested the Board approve the payment of repairs made to Engine 13. This is the unit they received from Namozine Company 4 several months ago to replace the 1971 Ford which was removed from service. Company One uses this unit to respond to vehicle accidents and brush fires. In April they started experiencing problems with the brakes and there were several times they were responding to calls where they had a very hard time getting the vehicle to stop at intersections. They placed the unit out of service; after speaking to Mr. Jolly it was decided to send the unit to Wheel Service for an estimate. Mr. Jolly stated he decided to repair the unit at the estimated cost of $2,000.00. The actual cost to repair the unit was $2,026.48. Mr. Jolly stated Company One indicated any assistance the County could provide would be greatly appreciated.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted and funds appropriated from the Fire/Rescue capital budget, in the amount of $2,026.48, to cover the repair costs for brakes on Engine 13 for Dinwiddie Volunteer Fire & EMS Company One.

IN RE: FIRE & EMS CONTACTING BUSINESSES IN THE COUNTY FOR DONATIONS

Mr. Jolly continued there was a memorandum from Namozine Volunteer Fire & EMS. This memorandum was in reference to contacting businesses in the County for donations. They stated in the past their department has been able to go to businesses in their first due area for possible donations. This in the past has helped their department with operating expenses and upgrading equipment. Due to the Board of Supervisor's ruling their department has had to struggle to meet operating expenses and equipment upgrades. In the past this has been done through fund raisers such as raffles, car washes, the haunted forest, and brunswick stews. These fund raisers have put additional strain on their personnel, with training standards and calls throughout the day. When money is not available for upgrading equipment, their department has had to sit back and watch neighboring departments in surrounding counties upgrade their equipment to new standards. Due to the different chemicals in which products are made, it can present somewhat of a handicap for departments if upgrades are not made. This in turn can become a handicap for their department and can become a hazard to personnel and the public. Therefore their department was asking the Board's permission to go to businesses in their first due area only for possible donations. They stated this will help their department with operating expenses and equipment upgrades to today's standards. They concluded their memorandum by stating this will show Dinwiddie County is providing service to the public in the highest of standards.

The Board stated they felt their intention was not to disallow them from soliciting businesses in their first due area. They stated this request was made strictly for Chaparral Steel and not for all businesses in the County.

Mr. Jolly stated the written notification they received from the Board stated they were not to solicit from businesses and it did not name any business. He stated he had to commend Namozine for coming to the Board for approval before they did anything that might jeopardize their standing with the County.

Mr. Long stated he could issue a memorandum clarifying the County's position on this issue.

Mr. Jolly reminded the Board of the Beach Blast to be held on Sunday, May 23rd at the Virginia Motorsports Park.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Paul Jacobson, County Attorney, stated he had no report but was available for questions.

IN RE: BUILDING AND GROUNDS SUPERINTENDENT REPORT

Mr. Donald W. Faison, Building and Grounds Superintendent, came forward to present his report for the month.

IN RE: APPOINTMENT – DINWIDDIE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

Mrs. Mann stated there was one position open, which was by district. The opening was in District Two and one application had been received from Mr. Oscar L. Edwards who had been serving on this Board since 1995.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Oscar L. Edwards is hereby re-appointed to the Dinwiddie County Industrial Development Authority for a term commencing immediately until February 2004.

IN RE: APPOINTMENTS – JOHN TYLER BOARD OF DIRECTORS

Mrs. Mann continued that there is one position open which is at large. Mr. John Roy Hodges has been serving on this Board since 1987 and is not eligible for re-appointment. We received two applications for this position from Ms. Sarah Clarke Gunn and Charles J. Friedl.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Ms. Sarah Clarke Gunn is hereby appointed to the John Tyler Board of Directors for a term ending June 30, 2004.

IN RE: APPOINTMENT – CRATER PLANNING DISTRICT COMMITTEE & METROPOLITAN PLANNING ORGANIZATION

Mrs. Mann stated there is one position open, which must be filled with a Board member. Mrs. Everett has been serving on this Board since January 1992 and wishes to be re-appointed.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. LeeNora V. Everett is hereby re-appointed to the Crater Planning District Committee & Metropolitan Planning Organization for a term ending June 30, 2000.

IN RE: COUNTY ADMINISTRATOR COMMENTS – VIRGINIA RETIREMENT SYSTEM'S NEW POLICY

Mr. Long stated he had one item to bring before the Board. This issue dealt with the Virginia Retirement System's new policy of unreduced retirement at age 50 with 30 years of service. The General Assembly and Governor approved this new policy effective July 1, 1999. The new law automatically provides this new benefit to all state employees and all public school teachers (teachers, administrative and clerical employees). Political subdivisions have an option not to participate in this benefit eligibility change by notifying VRS of their governing body's decision not to participate by July 1, 1999. School divisions will have the option to exclude "nonprofessional" employees if they wish by notifying VRS of their governing body's decision not to participate by July 1, 1999.

After discussion it was decided the Board will not adopt a resolution to exclude County employees.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Long reminded the Board of the tour of area businesses on Friday, May 21, 1999, beginning at 9:00 A.M.

IN RE: TRANSAMERICA CORRIDOR STUDY PHASE II – RESOLUTION OF SUPPORT

Mrs. Everett stated she had attended the 460 Corridor Study at Richard Bland College on Monday night and the final hearing on appropriations and everything will be held June 10th at 2:00 P.M. in Richmond. With all of the efforts to try and get some more planning money for the Route 460 Corridor between Dinwiddie and Virginia Beach there is going to be a real effort to take our message to that meeting. There is a real orchestrated effort being made to do the best we can on the 10th of June. One thing being done is all local resolutions of support are going to be bound into a book and be presented to each member of the Transportation Committee. Mrs. Everett stated she felt the County had adopted a resolution but were unable to locate it; therefore she was requesting we adopt the following:

Resolution

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of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

IN SUPPORT OF THE NEXT PHASE OF THE U.S. ROUTE 460 CORRIDOR STUDY

WHEREAS, the Virginia portion of The TransAmerica Corridor Study, which commenced in April, 1997, was the beginning of a planning process to assess the need for transportation improvements in Virginia; and

WHEREAS, the Virginia portion of The TransAmerica Corridor Study is being conducted by the Virginia Department of Transportation, and

WHEREAS, the corridor being studied includes U. S. Route 460 from Roanoke to the Ports of Hampton Roads; and

WHEREAS, the Dinwiddie County Board of Supervisors recognizes the critical importance of an enhanced transportation network in its region as it looks to recruit jobs and new investment in the 21st century; and

WHEREAS, the first phase of The TransAmerica Corridor Study was completed in the Fall of 1998; and

WHEREAS, the next phase of this effort will address specific improvements to the existing U.S. Route 460 corridor.

NOW, THEREFORE, BE IT RESOLVED that the Dinwiddie County Board of Supervisors, this 19th day of May, 1999, does hereby unanimously support the detailed analysis of alternative alignments for the concept of a new U.S. Route 460 facility in the vicinity of the Tri-City Area, which will enhance the economic/industrial development potential of The Appomattox Basin; and

BE IT FURTHER RESOLVED that the Chairman and the County Administrator are hereby directed to communicate this resolution to the region's legislative delegation, members of the Commonwealth Transportation Board, and appropriate Virginia Department of Transportation officials.

LeeNora V. Everett	**R. Martin Long**
Chairman	**County Administrator**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above Resolution in support of the next phase of the U. S. Route 460 corridor study is hereby adopted.

Mrs. Everett requested a cover letter go with this resolution stressing the concerns of safety; the additional truck traffic on 460; and how important these improvements are to the County.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay-- No comments

Mr. Bracey -- He stated he and Mr. Long had met with the Adelphia Cable representative, Mr. Luke Matthews, and we are expecting some better service within Dinwiddie County. He urged citizens when they dialed the 1-800 number to ask the operator to connect them with the Dinwiddie County office. He stated Mr. Matthews stated they would be updating their equipment in the County and providing more programs.

Mr. Bracey also took this opportunity to announce he would be seeking re-election.

Mr. Haraway-- After being put on the spot Mr. Haraway stated he was pretty sure he would be running.

Mr. Moody-- He stated he had a long time concern of growth within the County, desirable growth, and also being a farmer to conserve forestry and agricultural land. He stated he had been in conversation with Mr. Altman who had been in touch with Mr. Mike Chandler at Virginia Tech. Mr. Chandler is an Extension Agent who is also a planner. Mr. Chandler has indicated he could

come down to the County and speak to us and fill us in on some of the things we need to know about regarding growth. Mr. Moody stated if we do not watch out the County is going to get into big trouble.

Mr. Altman came forward, at the suggestion of Mr. Moody, stating he had talked with Mr. Chandler and several dates had been discussed.

After discussion it was decided to work toward June 23rd and if this date was still available with Mr. Chandler that a letter be drafted to other agencies within the County in order that any interested agency have the opportunity to hear Mr. Chandler speak on comprehensive land use. The cost of said speaker is $300.00 plus travel expenses. It was decided to hold the meeting, room allowing, in the multipurpose room beginning at 3:00 P.M. with a break for dinner.

Mrs. Everett -- She had no comments but did remind the Board of the following dates:

June 10th 6:30 P.M. Business Appreciation Dinner
May 21st 9:00 A.M. Tour of Businesses
May 26th 11:00 A.M. Pamplin Park Dedication of new museum.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 (County Administration) and Section 2.1-344 (a) 7 - Consultation with legal counsel (Easements/property rights; contract negotiations) - the Board moved into Executive Session at 4:20 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:40 P.M.

IN RE: CERTIFICATION

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 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: BALLOU-JUSTICE-UPTON – AUTHORIZATION TO SIGN CONTRACT FOR ARCHITECT & ENGINEERING SERVICES FOR THE DINWIDDIE AND McKENNEY VOLUNTEER FIRE DEPARTMENTS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Chairman of the Board or the County Administrator to sign the contract with Ballou-Justice-Upton for architect and engineering services for the Dinwiddie and McKenney Volunteer Fire Departments..

IN RE: COUNTY ADMINISTRATOR – SALARY MERIT INCREASE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator receive a salary merit increase of 5% effective July 1, 1999.

RE: ADJOURNMENT

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 5:44 P.M. to be continued at 9:00 A.M. on Friday, May 21, 1999.

LeeNora V. Everett
Chairman, Board of Supervisors

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT THE PAMPLIN ADMINISTRATION BUILDING , DINWIDDIE COUNTY, VIRGINIA, ON THE 21st DAY OF MAY 1999, AT 9:00 A.M.

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

IN RE: TOUR OF COUNTY BUSINESSES

The Board traveled to and toured the following businesses:

1. RGC, MINERAL SANDS
2. PHILLIP MORRIS
3. THE COMFORT GROUP

IN RE: BUSINESS APPRECIATION DINNER – DEPOSIT APPROVAL

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted and funds appropriated in the amount of $500.00 to Cater Corp. for deposit toward the Business Appreciation Dinner scheduled for June 10, 1999.

RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Bracey, Mr. Moody, Mr. Bracey, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 3:15 P.M. to be continued at 7:30 P.M. on Wednesday, May 26, 1999, at the Dinwiddie County Middle School for a joint meeting with the School Board.

LeeNora V. Everett
Chairman

ATTEST: R. Martin Long
R. Martin Long
County Administrator

/pam

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 2ND DAY OF JUNE, 1999, AT 7:30 P.M.

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

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

Mrs. LeeNora V. Everett, Chairman, called the regular meeting to order at 7:30 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: CHAIRMAN OPENING COMMENTS

Mrs. Everett asked if there were any citizens present who wished to speak during the meeting to please sign the sheets located in the back of the room.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Everett asked if there were any amendments to the agenda.

Mr. R. Martin Long, County Administrator, stated he had one request. Under his comments he had one issue involving the Rohoic Branch Library that he would like to move up to follow the Citizen Comments portion of the meeting. Mr. Donald W. Faison, Superintendent of Buildings and Grounds, will present this issue. Mr. Faison has had a family emergency and needs to leave.

She asked if there was a consensus to move this item. The Board responded with "aye".

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the May 19, 1999 Regular meeting and the May 21, 1999 Continuation meeting are hereby approved in their entirety.

IN RE: CLAIMS

Mr. Long asked if he could have one thing along with the approval of the claims. He continued the Board had a final invoice for payment, as part of the claims, from D. W. Lyle. This is the last payment on the Industrial Access Road. Along with that, as part of that final payment, there was one final change order that was for a piece of guardrail that was required by the Department of Transportation. It was $1945.07. He asked for the Board's approval of that final change order along with the final payment request from D. W. Lyle that is included in the claims.

Mr. Bracey asked what the total was.

Mr. Long replied $104,838.34.

Upon motion of Mr. Bracey, seconded by Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett 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 1015345 through 1015558 (void check(s) numbered 1015346, 1014502, 1015442, 1015512, and 1015082); for

Accounts Payable:

(101) General Fund	$ 289,040.71
(103) Jail Commission	$ 31.25
(104) Marketing Fund	$ -
(222) E911 Fund	$ -
(223) Self Insurance Fund	$ -
(225) Courthouse Maintenance	$ -
(226) Law Library	$ 34.98
(228) Fire Programs & EMS	$ -
(229) Forfeited Asset Sharing	$ 488.10
(304) CDBG Grant Fund	$ -
(305) Capital Projects Fund	$ 8,546.21
(401)County Debt Service	$ -
TOTAL	**$ 298,141.25**

PAYROLL (May 28, 1999)

General Fund	$ 339,972.68
CDBG Grant Fund	$ 2,832.94
TOTAL	**$ 342,085.62**

IN RE: LANDFILL CLOSURE – CHANGE ORDER NUMBER 5

Mr. Denny King, Director of Waste Management, came forward to present Change Order Number 5. Mr. King explained this Change Order covers the quantity overrun on the landfill seeding (UP-6) and the deletion of Bid Item UP-5 Leachate Collection Trench. The overrun in the landfill seeding quantity (UP-6) was a result of the additional work areas that were repaired as a part of this contract plus the regrading of the old landfill (shooting range). During the construction of the leachate collection system in the old landfill, they did not install any additional footage of collection line above what was covered in Bid Item D – Leachate Seep Repair. Therefore, the entire additional footage, covered in Bid Item UP-6 Leachate Collection Trench, was removed as a pay item.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Change Order Number 5 totaling $6,310.00 contained in Payment Application Number 4 be approved and funds appropriated from the CIP Fund.

IN RE: CITIZEN COMMENTS

Mrs. Everett asked if there were any citizens who had signed up to speak. There being none Mrs. Everett moved forward.

IN RE: ROHOIC BRANCH LIBRARY – REQUEST FOR FUNDS FOR MODULAR CLASSROOM UNIT MOVING AND SETUP COSTS

Mr. Faison came forward quoting the following costs for moving and setup of a modular classroom unit based on a 1998 price quote:

ELECTRICAL	200 AMP SERVICE	$ 2,000.00
PLUMBING	WATER LINE TO MODULAR	3,000.00
COST TO MOVE	TEAR DOWN, MOVE TO SITE, DIG FOOTINGS, LEVEL, TIE DOWN, INSTALL SKIRTING, BUILD DECKS AND RAMPS	6,000.00
	MOVING BOOKS	300.00
	TOTAL	**$11,300.00**

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PLUMBING	SEWER 220 GALLON STORAGE TANK RENTAL AND PUMPING – ESTIMATED YEARLY COST	$ 2,000.00

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COST NOT TO EXCEED $15,000.00

There was discussion regarding when the Eastside project will be completed and if this was a waste of money. Mr. Faison stated the electrical service could be used in the future and also the water line would have to be run when the project was continued and this portion that he was requesting would be a portion of what would have to be done anyway.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Superintendent of Buildings and Grounds and County Administration to move forward in the moving and setup of a modular classroom unit, being donated by the School Board, to Eastside Elementary School for the Rohoic Branch of the Appomattox Regional Library at a cost not to exceed $15,000.00.

Mr. Charles Koutnik, Appomattox Regional Library, came forward thanking the Board for their support in this matter.

IN RE: STATEMENT PRIOR TO PUBLIC HEARINGS

Mr. William C. Scheid, Planning Director, came forward to make the following statement prior to the Public Hearings.

"As previously requested by the Board of Supervisors, Draft copies of the Planning Commission Meeting minutes have been made available to the public prior to this meeting as well as copies on the table at the rear of this meeting room. The purpose of doing so is to expedite the hearing process without compromising the public's access to pertinent information. It is noted that the Board has been given various information on all of the hearing(s) to include, the application, zoning map, adjacent property owner list, locational map(s), proffers (if applicable), soils data, comprehensive land use maps and references, etc. With this information noted, I will proceed with the cases."

IN RE: PUBLIC HEARING – A-99-4 – AMENDMENTS TO THE ZONING ORDINANCE – GUEST HOUSE AND IN-LAW SUITE

This being the time and place advertised in the Dinwiddie Monitor on May 19, 1999, and May 26, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing on the proposed amendments to section 22-71, Permitted uses in the Agricultural, General district, A-2 to allow a guest house and in-law suite and amendment to section 22-84, Permitted uses in the Residential, Conservation district RR to allow a Guest House and an In-Law Suite.

Mr. Scheid stated he would like to bring to the Board's attention that A-99-4 and A-99-5 run hand in hand and if they are going to consider one for adoption then they needed to consider both for adoption. Like wise if you consider not adopting one then you should also consider not adopting the other. The reason why they are running separate is because the Planning Commission had worked with the staff to add a couple of uses to your Agricultural A-2 and RR districts and it is a guest house and in-law suite. In going through the process the Planning Commission made a determination that it did not make too much sense to add a couple of uses to some categories and not have definitions for them. Therefore, they ran then a separate amendment number and that is why the two of them are running hand in hand. He will deal with them separately.

Mr. Scheid gave a brief synopsis of A-99-4 stating it was pretty much self-explanatory.

Mrs. Everett opened the Public Hearing on A-99-4. There being no citizens present who had signed up or wished to speak at this time she closed the Public Hearing.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, that Section 22-71 Section 22-84 of the Code of the County of Dinwiddie, Virginia as amended, be further amended as follows:

Sec. 22-71. Permitted uses.

In agricultural district A-2, structures to be erected or land to be used shall be for one or more of the following uses:

(63) Guest house.

(64) In-law suite.

Sec. 22-84. Permitted uses.

In residential, conservative, R-R district, structures to be erected or land to be used shall be for one or more of the following uses.

(18) Guest House.

(19) In-law suite.

This ordinance shall become effective immediately. In all other respects said zoning ordinance shall remain unchanged and be in full force and effect.

IN RE: PUBLIC HEARING – A-99-5 – DEFINITION OF GUEST HOUSE AND IN-LAW SUITE

This being the time and place advertised in the Dinwiddie Monitor on May 19, 1999, and May 26, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing on the proposed amendments to Article I, Section 22-1, Definitions, of the County Zoning Ordinance, by adding the following definitions: Guest House and In-Law Suite.

Mr. Scheid continued with A-99-5 stating this sets forth the definition for Guest House and In-Law Suite. He stated unless directed to do so by the Chair he would dispense with the reading and make reference to what was mailed to the Board and as well as what was made available at the back of the meeting to be incorporated as the definition for Guest House and In-Law Suite.

Mrs. Everett opened the Public Hearing on A-99-4. There being no citizens present who had signed up or wished to speak at this time she closed the Public Hearing.

There was discussion regarding the monitoring of the guest house/in-law suites; renting of the guest house/in-law suite; the compliance officer's role in monitoring; and rewording of the amendment. After discussion it was decided to accept the definition as stated and received from the Planning Commission.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, that Section 22-1 of the Code of the County of Dinwiddie, Virginia, as amended, be amended and reenacted to include the following definitions:

Guest house. Living quarters within a detached accessory structure located on the same premises with the main building subject to the following restrictions:

(a) only a temporary guest(s) of the principal residence shall use the guest house;

(b) a temporary guest shall stay no longer than three (3) months within any twelve (12) month period;

(c) guest house may not be rented, operated for gain, or otherwise used as a separate building;

(d) the floor area of any guest house shall not exceed fifty percent (50%) of the finished, heated floor area of the principal residence or one thousand (1,000) square feet of floor space, whichever is less; and

(e) the guest house must be of frame construction, built to the Virginia Uniform Statewide Building Code and built upon a cinder block/brick perimeter foundation.

In-law suite. Living quarters within the main dwelling functioning as a separate living unit and containing all rooms necessary to be self contained subject to the following restrictions:

(a) only as in-law(s) of the dwelling owner and the in-law's family may occupy the suite;

(b) the owner and or spouse must occupy the main dwelling during the entire time frame in which the in-law is residing in the suite;

(c) the in-law suite may not be rented or operated for gain or otherwise used for commercial purpose;

(d) the floor area of the in-law suite shall not exceed fifty percent (50%) of the finished, heated floor area of the principal residence or one thousand (1,000) square feet of floor space, whichever is less; and

(e) the addition of the in-law suite shall be such that the exterior will be compatible in architectural style, material and color with the main dwelling and, as such, will give the appearance of a single family dwelling unit.

This ordinance shall become effective immediately. In all other respects said zoning ordinance shall remain unchanged and be in full force and effect.

IN RE: PUBLIC HEARING – C-99-2 – BED AND BREAKFAST – KEVIN G. & BONNIE E. KIRBY

This being the time and place advertised in the Dinwiddie Monitor on May 19, 1999, and May 26, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing on an application submitted by Kevin Kirby and Maureen Leister seeking a conditional use permit for a bid and breakfast establishment in the existing Whippernock Manor building located at 3533 Whippernock Farm Road in Sutherland. Said property is located north of Namozine Road (Rt. 708) approximately 1 mile west of Sutherland Road (rt. 623) and is designated as section 6 parcel 28C by the County tax maps. The comprehensive plan designates this area as rural conservation with 1 unit per 5 acres or more. The existing structure is located on 26.95 acres and no additional structures are planned. The current zoning district, RR, requires 1 unit per 5 acres or more.

Mr. Scheid gave a brief synopsis of this case. He read the following conditions, which were agreed to by the applicants:

1. The owner or management shall provide full-time management of the establishment at all times when the facility is occupied by guests.
2. There shall only be one (1) sign on the premises upon which the structure is located; which shall not exceed 20 square feet in area, and shall be setback not less than five (5) feet from the state highway right-of-way.
3. Guest rooms shall be occupied on a transient basis.

Kevin and Bonnie Kirby came forward and gave an enlightening presentation on their plans for the above described property. They stated they saw the need to save this historic property and find an appropriate re-use. They felt establishment of an inn supports Dinwiddie County's goals for development of the hospitality industry and builds the tourism industry for Lee's Retreat and Pamplin Park. She felt that fine dining provides a needed void in the area for locals. With reference to location and attributes they felt with this property being located off Lee's Retreat on Route 708, just off of Route 460 in Northern Dinwiddie County, rich in Civil War History and being conveniently located near I-85 and I-95, Route 460, 25 miles south of Richmond, 12 miles outside Historic Petersburg, a few short miles to the Petersburg-Dinwiddie Airport and a short distance to Pamplin Park Civil War Site, just off Whippernock Creek and Lake Chesdin and accessible to the James River Plantations, New Millennium Studios, Ft. Lee and Petersburg National Battlefield and Five Forks would make this inn such an asset for the County. They planned to have elegant guest rooms with turn down service, hoping to hold weddings, balls, parties, receptions, teas, luncheons, and picnics on the grounds. They would have small meetings/conferences and retreats. The property could be used for special events, festivals, and shows. The area is great for swimming, hiking, and country carriage rides. They plan to have a gift and garden shop along with a restaurant and catering service. As with any first class facility they plan to have spa services, a petting zoo and be family and pet friendly. The benefits for the

community would be they were providing much needed services for hospitality and dining to the community and provide a tax-based component to the county. They felt it would have an increased draw for tourism and economic development and that it supported the County's growth plans. They were ambitiously targeting the Bed & Breakfast piece by September 1, 1999 to have 4-5 guest rooms ready for occupation. The restaurant and catering may follow within 6 months or more until they establish the requirements for health and safety. Special events and other activities can be catered by outside vendors initially. Their marketing will begin as soon as they close on the property, most likely in the next week or so. The applicants' expertise brings over 16-20 years of marketing, sales, advertising, and conference planning and administration to the table. Ms. Kirby further stated detailed architectural plans and reports will be provided by Art & Architecture to provide a code review on all future operations to the County for inspection and the operation is to be fully licensed and insured. Property identification and signage of property will comply with any County regulations.

Ms. Kirby concluded with the use of Whippernock Manor as a Bed & Breakfast/Country Inn is an ideal adaptive re-use of an historic property. They will follow conditions set forth by the County that is suitable for use of an historic building (all to be determined by their architectural firm). They are in understanding of the reality of this undertaking and are prepared to work towards the goal of establishing this property as a Bed & Breakfast/Country Inn.

Mrs. Everett opened the Public Hearing on C-99-2. There being no citizens present who had signed up or wished to speak at this time she closed the Public Hearing.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia that C-99-2, conditional use permit is hereby approved with the following conditions added to the conditional use permit:

1. The owner or management shall provide full-time management of the establishment at all times when the facility is occupied by guests.
2. There shall only be one (1) sign on the premises upon which the structure is located; which shall not exceed 20 square feet in area, and shall be setback not less than five (5) feet from the state highway right-of-way.
3. Guest rooms shall be occupied on a transient basis.

IN RE: PUBLIC HEARING – A-99-7 – AMENDMENT TO ZONING ORDINANCE – REVIEW PERIOD BY PLANNING COMMISSION

This being the time and place advertised in the Dinwiddie Monitor on May 19, 1999, and May 26, 1999, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing on the proposed amendment to Article I, Section 22-5 (C), of the County Zoning Ordinance changing the time of review and report to the Board of Supervisors by the Planning Commission from 30 days to 100 days.

Mr. Scheid came forward reading the following proposed change:

Sec. 22-5 (3). Amendments to chapter.

(3) Changes shall be made by the Board of Supervisors in the provisions of this chapter or the zoning map only after such changes have been referred to the planning commission for a report. Action shall be taken

by the board only after a report has been received from the planning commission, unless a period ~~of thirty (30)~~ one hundred (100) days has elapsed after date of referral to the commission, after which time it may be assumed that the commission has approved the change or amendment.

Mr. Scheid stated the State Code had been amended and amended in such a way that the thirty (30) day window, which has created problems in the past, can be expanded up to a maximum of 100 days. Staff with that in mind had prepared an amendment to the ordinance in which they took that existing paragraph (3) and proposed to change only the thirty (30) and change it to one hundred (100). In talking with legal counsel, legal counsel stated that they had a little additional change which is minor in verbiage but as they will be able to explain something that the Board maybe would want to consider to bring it 100% in compliance with the verbiage that is used in the State Code.

Mr. Ben Emerson, County Administrator, stated he thought what staff did was simply substitute the numbers 100 for 30 and the way the ordinance had read was a little bit different from the way statute reads. The difference has to do with when that time period starts to run. The ordinance has it running from the date of referral to the Planning Commission but the way the statute reads it should really run from the, in order to be consistent, it should really run from the date of the first meeting of the Planning Commission following the referral to the Commission. Mr. Emerson stated it can be a shorter period of time if the Board so chose. The statute simply says at 100 days it must be, it must go to the Board, it must go with a recommendation of approval if the Planning Commission does not act on it before 100 days from the date of the first meeting of the Planning Commission after the matter is before them.

There was discussion regarding whether this would delay action for citizens.

After discussion it was decided to change the wording to comply with the State Code. The amendment will now read:

Sec. 22-5 (3). Amendments to chapter.

(3) Changes shall be made by the Board of Supervisors in the provisions of this chapter or the zoning map only after such changes have been referred to the planning commission for a report. Action shall be taken by the board only after a report has been received from the planning commission, unless a period of one hundred (100) days has elapsed after the first meeting of the commission after the proposed amendment has been referred to the commission, after which time it shall be assumed that the commission has approved the change or amendment.

Mrs. Everett opened the Public Hearing on C-99-2. There being no citizens present who had signed up or wished to speak at this time she closed the Public Hearing.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, that Section 22-5 (3) of the Code of the County of Dinwiddie, Virginia, as amended, be amended and reenacted as follows:

Sec. 22-5 (3). Amendments to chapter.

(3) Changes shall be made by the Board of Supervisors in the provisions of this chapter or the zoning map only after such changes have been referred to the planning commission for a report. Action shall be taken by the board only after a report has been received from the planning

commission, unless a period of one hundred (100) days has elapsed after the first meeting of the commission after the proposed amendment has been referred to the commission, after which time it shall be assumed that the commission has approved the change or amendment.

This ordinance shall become effective upon the date of its adoption by the Board of Supervisors. In all other respects said zoning ordinance shall remain unchanged and be in full force and effect.

IN RE: COUNTY ADMINISTRATOR COMMENTS – BUSINESS APPRECIATION DINNER -- CONTESTS

Mr. Long stated he had a couple of items that were not in his notes that had just recently come to his attention. The first of those being in conjunction with the Business Appreciation Dinner to be held at 6:00 P.M. on June 10th. Ms. Cheryl Stewart, Executive Secretary for Planning and Zoning, has been working on putting this dinner together; he thought he had previously mentioned that they had asked primarily the 7th graders, they had an essay competition and art work competition, on the theme of "Thanks to you Dinwiddie Works" . We have received those and he wanted to ask the Board if at least one hopefully two or more of them would participate in judging the essays and art work. There will be three prizes for these categories. There were 26 entries in each category.

Mr. Long also stated a speaker is needed for the business/small business side.

Mrs. Everett stated she felt Mr. Jimmy Olgers' humor would be an asset to the evening.

IN RE: COUNTY ADMINISTRATOR COMMENTS – GROWTH STUDY – VIRGINIA TECH SPEAKER – JUNE 23, 1999

Mr. Long continued that they have scheduled Mr. Mike Chandler from Virginia Tech, to come to speak to us on June 23rd. We are expecting approximately 40/50 to attend. Mr. Long asked for permission to find an alternate location to handle all the folks who wished to be involved. Right now they were looking at the West End Baptist Church.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that County Administration and the Zoning Administrator are granted permission to move forward with making necessary plans and arrangements for the June 23, 1999 meeting with Mr. Mike Chandler from Virginia Tech.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay : He stated he had no comments but liked the short meetings.

Mr. Bracey: He stated he also liked the short meetings but he did have a couple of items to discuss.
1) He would like to begin by stating to Mr. Long that he made a mistake, or maybe he should say that he forgot it, the 85 and the railroad bridge on Courthouse Road from the Dinwiddie side here needs cleaning. He requested that Mr. Long contact Mr.

Ron Reekes, Resident Engineer regarding this matter.
2) Also on Wednesday night he had asked for a punch list and an organizational chart, however the organizational chart he had received does not tell him anything. He wanted the names of who filled each position and what their job description was.

Mr. Haraway: He stated he had no comments.

Mr. Moody: He stated he had no comments.

Mrs. Everett: She stated Prince George would be celebrating their 300th anniversary in 2003; Chesterfield is celebrating now; Petersburg celebrated theirs last year and we need to be thinking about what we will be doing to celebrate our 250th which will be in 2002.

She continued by reminding the Board of the appreciation dinner on June 10th at 6:00 P.M., stating she would be at a Highway meeting in Richmond at 2:00 P.M. but will be back in time for the dinner.

IN RE: CITIZEN COMMENTS

Mrs. Everett asked if there were any citizens present who wished to speak before the meeting was closed.

Mr. Robert Belcher, 27516 Flank Road, came forward to discuss the following items:

1. The Virginia Senior Games were being held at the University of Virginia this weekend and there were approximately 20 Tri-City seniors competing.

2. He asked if any one knew when Chaparral would be starting up.

   Mr. Long stated as of this time there has been no official date set, he did know that they were trying to get operations started up.

3. He also brought up about the hidden STOP sign on Church Road. The sign has now been moved and he was thankful for that.

RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Moody, Mr. Bracey, Mr. Haraway, Mr. Clay, Mrs. Everett voting "aye", the meeting adjourned at 8:50 P.M.

LeeNora V. Everett
Chairman, Board of Supervisors

ATTEST:
R. Martin Long
County Administrator

/pam